

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**Department of Agriculture
Market and Warren Streets
1st Floor Auditorium
Trenton, NJ 08625**

REGULAR MEETING

May 24, 2012

Chairman Fisher called the meeting to order at 9:05 a.m. Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Roll call indicated the following:

Members Present

Douglas Fisher, Chairperson (Left at 2:29 p.m.)
Fawn McGee (rep. DEP Commissioner Martin)
Sean Thompson (rep. DCA Acting Commissioner Constable)
Ralph Siegel (rep. State Treasurer Sidamon-Eristoff)
Brian Schilling (rep. Executive Dean Goodman)
Jane R. Brodhecker
Alan A. Danser
James Waltman (Arrived at 9:22 a.m.)
Denis C. Germano
Torrey Reade

Members Absent

None

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

Others present as recorded on the attendance sheet: Heidi Winzinger, Brian Smith, Timothy Brill, Paul Burns, Ed Ireland, Stefanie Miller, Dave Kimmel, Dan Knox, Charles Roohr, Judy Andrejko, Hope Gruzlovic, Steven Bruder, Bryan Lofberg, Cindy Roberts, Jessica Uttal, Patricia Riccitello, Sandy Giambrone, SADC staff, Barbara Ernst, Cape May CADB; Nicki Goger, New Jersey Farm Bureau; Amy Hanson, New Jersey Conservation Foundation; Dave GaNun, Farm Credit East, Ryan Allen and Dave McKeon, Ocean County Agriculture Development Board, William Millette, Hunterdon County Agriculture

Development Board, Dan Pace, Mercer County Agriculture Development Board, Brian Wilson, Burlington County Agriculture Development Board, Harriet Honigfeld, Monmouth County Agriculture Development Board; Honorable Ronald Dancer, Assemblyman, Ray Shea, Landowner, Plumsted Township, Ocean County, Randy Johnson, Landowner, Plumsted Township, Ocean County, Glorianne Robbi, East Amwell Township, Hunterdon County, Barry , Eric Zwerling, Rutgers University, Kerstin Sundstrom, Governor's Authorities Unit.

Minutes

A. SADC Regular Meeting of April 27, 2012 (Open and Closed Session)

It was moved by Mr. Dancer and seconded by Ms. Brodhecker to approve the open session minutes and the closed session minutes of the SADC regular meeting of April 27, 2012. The motion was unanimously approved.

REPORT OF THE CHAIRPERSON

Chairman Fisher indicated that due to the full agenda he would defer any comments.

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Payne discussed the following with the Committee:

- New SADC Personnel

Ms. Payne introduced Sean Thompson who is sitting in for Jim Requa as the designee for the Department of Community Affairs. She welcomed Mr. Thompson on behalf of the Committee. Ms. Payne stated that there were four vacancies that the SADC had authorization to fill. Three have been filled, with the most recent addition to staff being Cindy Roberts. Ms. Roberts is a very seasoned land acquisition person who has had county experience in Burlington County. She has worked for the Pinelands Commission and for the last almost thirteen years working at the Trust for Public Land. By bringing Ms. Roberts on it has allowed the SADC to create three regional program managers – Stefanie Miller, an existing staff person is the acquisition coordinator for the northern region; Dan Knox, who to date has done state acquisition work and nonprofit work is program coordinator for the central region. Mr. Knox will continue to run the nonprofit program closings. Ms. Roberts will be the regional coordinator in the south. The goal is to have a more geographic focus, with a better presence on the ground and a better ability to coordinate with all the partners at the local levels on farmland deals. The person hired for the fourth position as the SADC's Chief

of Agricultural Resources will be starting next week. His name is Jeffrey Everett and he is an experienced farmland preservation program coordinator from out of state. She will have more details on Mr. Everett next month. The SADC also completed a physical move in the office. There was a new lab built and the Divisions of Animal Health and Plant Industry moved out of this building, which enabled the SADC to expand somewhat.

COMMUNICATIONS

Ms. Payne reminded the Committee to take home the various articles provided in the meeting binders. She stated that under Tab # 3 there are a couple pieces of communications that she wanted to bring to the Committee's attention. The first is a letter to Senator Bob Smith from the NJ League of Municipalities regarding renewable energy, particularly solar development on farmland. Essentially what the League is promoting is the concept of amending the law that was passed that declared renewable energy as inherently beneficial under municipal land use law, so that it is more protective of prime agricultural soils. The big struggle seems to be in agricultural communities across the state that have spent a lot of time and money trying to preserve prime soils. The League would like to begin a dialog with Senator Smith on whether he would be open to those types of amendments to the bill.

Ms. Payne stated the second item in communications deals with the Brooks farm in Closter Borough, Bergen County. There is a 10-acre farm that has a new owner and he has made some changes to the property to prepare it for a nursery/greenhouse operation. It is causing quite the upset. Staff is fully engaged with the issues as it is a preserved farm and has right to farm implications and it is also a federally funded property. The Department of Agriculture, the SADC, and the USDA, NRCS office are very involved, trying to make sure that everything is being handled properly. The NJ DEP is now also involved with a potential C-1 Stream issue. There have been two right to farm complaints filed against the property. Bergen County will be starting the right to farm process.

Ms. McGee stated that the NJ DEP has heard a lot from its preservation partners in the field of a recent May 4th "This Week in Farm Bureau" letter and wanted to bring it to the Committee's attention. There are some inaccuracies in the document in relation to how they portray Green Acres. She stated that the DEP will talk directly with the Farm Bureau on the issue but ultimately they are saying that DEP is not spending money. Ms. McGee stated that they are spending money. The important message that the DEP wants to give to the community is that they are about to go before the Governor and potentially ask for a stable source of funding and now is the time to come together as partners in farmland and open space. We cannot do this separately, we have to be together. She asks if there are

questions or concerns or issues about how money is being spent to please talk to the programs.

PUBLIC COMMENT

Chairman Fisher introduced Assemblyman Ronald Dancer who wished to address the Committee. Chairman Fisher stated that he has served with Assemblyman Dancer on the Agriculture Committee and it is always a pleasure to see him here at the Department of Agriculture and to work with him.

Assemblyman Dancer stated that he wanted to speak to the Committee about the legislative process and progress of Assembly Bill A323. This is a bill that has bipartisan support that he sponsored in the Assembly, along with democrat and republican colleagues. The bill basically authorizes agricultural tourism events on preserved farmland. The bill has had two committee hearings and has passed out of Committee, two times, once in the fall and just lately in March. In our voting session in March of this year the bill was unanimously approved by the full Assembly. The vote was 79-0. There are eighty members in the Assembly and one member was absent that day.

Assembly Dancer stated that the Agricultural Retention and Development Act (ARDA) is coming up on its 30th anniversary. He stated that he grew up on a horse farm, Stanley Dancer Stables, he had horses and they would have problems sometimes from the dust from the race track and there were some issues that they appreciate that the right to farm and the SADC has been there as a proponent and advocate. He had the experience of being on the Ocean County Agriculture Development Board when he first started out and was a charter member in the late 1980's. He wanted to commend everyone on the great job being done in preserving farmland. When he first got into the legislature about ten years ago, because he had a horse racing background, he had served on the racing commission. One of the things, and he knew the role of the racing commission was a regulatory role. He thought to himself that there should be an advocacy role here as well. He thought about agricultural tourism events and he started to look at this on preserved farmland. The more research he did, he really didn't have to go much further than the SADC's mission statement. When he read that mission statement where it says you lead in the preservation of NJ farmland, and most importantly, and it says "promotes" innovative approaches to maintain the agricultural viability of land in the state of NJ. He knew right away that what SADC has is not only a regulatory role but thank goodness an advocacy role for agricultural in the state of NJ, whether you're on qualified farmland as farmland assessed or whether you are in the farmland preservation program. He has also seen, as many others have experienced, the fact that over the years, as things have evolved over 30 years, we have lost a lot of support in this garden state of ours for

agriculture. He has seen, unfortunately, a polarization, where in some of the perhaps urban areas, where people no longer have that personal connection to the farm as we had years ago. As a result of that polarization, if you will, they have no longer had what he will refer to as a personal farm experience. They have lost that. We need to bring back the support for agriculture in the state of New Jersey and to have that advocacy role. We do need to look at policy, and that is the role of the legislature and the SADC has its regulatory and advocacy role as well. What the Assembly has passed unanimously and is over into the Senate with bipartisan support is basically a bill that defines agricultural tourism events. Many of these events that are enumerated into the proposed law are in practice right now and approved by the SADC. What he did find out when the Office of Legislative Services did its research is that the definition of ag-tourism has never been codified into the statutes. What we need to do, he feels, and he says we collectively as a concerned group for agricultural promotion and advocacy, is to make sure we codify in the statutes, in fact, the very practices many of those, which are approved by the SADC and taking place on many preserved farms right now. So first we codify a definition of agricultural tourism events, which has never been done in the statutes. Secondly, as part of that definition....in his legislative district, and he doesn't know if anybody is familiar....there is a book that the Garden State Winegrowers Association put out and there is something like 36-37 wineries now in NJ. We are fortunate in Ocean County and we have our Director of the Ocean County Agriculture Development Board at today's meeting. In his district we have Laurita Winery and it is right in his back yard so to speak, in his district. When you talk about people losing that personal connection to farms and farmland, they are gaining it at wineries, like Laurita, where for example, they have agricultural tourism events at the winery. Quite honestly, and he knows there may be a difference of opinion here with interpretation, but that is part of the policy of the legislature and certainly the SADC's positions are well respected with respect to regulatory and also mindful of the advocacy role. But when it comes to weddings and wineries, for those of you who have been to vineyards and have experienced the bucolic, the green vistas and just the beautiful ambiance of being at a vineyard and a winery and the beautiful backdrop for pictures, utilizing existing structures that have been approved by the SADC and the Ocean CADB for a wedding inside of a structure that does not take away a grain of sand from agricultural production and it doesn't disturb a blade of grass on the farm itself. What it does do is bring in people that normally would not come to an agricultural farm and they have an experience. We can connect the people with our farmland. This is just one case as an example but he wanted to mention that the bill does go further, in addition to defining certain agricultural tourism events, that it wants to be conscious, the legislature, in policy making to ensure that the primary agricultural production of that farm is utmost and that if there are to be any other ancillary or secondary uses that are going to help supplement, not supplant, the agricultural intent and production of

that farm, we want to make sure in the law, and as you read Assembly Bill A323, we want to make sure that the operators of, for example, Laurita Winery or any of the other 35 wineries in the state of NJ, if they have a wedding, for example, which would be limited in the law to weekends or a holiday, and they would have to submit to the SADC and to their respective CADBs an accounting certifying that the revenues from that ancillary, supplementary use, and it must also advance the agricultural product of that farm. For example, wine at a wedding. It cannot exceed the 49 percent level. He read in the SADC's AMPs for example, in that direction where you have been looking at the 49 percent and the 51 percent. So this is the basic overview of what is going through the legislature. He appreciated the time the Committee gave him to inform it and he will keep it informed as this going through the Senate and he looks forward to working with the SADC's professional staff. Ms. Payne has been very accessible, and has worked well along with other members including Mr. Roohr and Secretary Fisher. He looks forward to having any input that the Committee may be able to provide to us as we continue this legislative process and to continue moving, and as it says in the SADC's mission statement, it's the promoting of these innovating approaches to maintaining agricultural viability in the state of NJ.

Chairman Fisher thanked Assemblyman Dancer for coming to the meeting today and that he appreciated Mr. Dancer's passion for agriculture and the way he has conducted himself in promoting agriculture in this state.

Margurite Greener, landowner, who resides at 27 Yard Road in Hopewell Township addressed the Committee. She stated that she was before the Committee a year and a half ago defining what events should be held at a winery and what should not be. The SADC did rule that weddings, parties, and things like that did not fall under the Right to Farm Act and she is hoping that the SADC will uphold that ruling. Not every vineyard is located in a primary spot. The vineyard near her house is in a residential area so when you look at giving them the right to hold these weddings and events, it also affects the residents. She is not against them holding these events but they should be held accountable to the Towns. They have to go through the proper procedure to get the permits required to hold these events so it is a safety concern and the townships are aware and the police are aware of who many people will be attending these events. There is a public safety concern there and all she is asking is that we don't make a blanket statement for every winery to be able to hold these events. You have to take a look at it on a case-by-case basis, where they are located and how it affects the residents. We need to define what it is that they are doing and to what benefit. She would hope the SADC would uphold its previous decision and not allow the preserved farmlands to supersede everything and not be accountable because it does affect the residents, especially if they are located in a residential area.

Amy Hansen from the New Jersey Conservation Foundation and also speaking on behalf of herself and her husband as owners of a preserved farm. She stated they are very concerned that if large buildings and parking areas are allowed on our state soils that were protected with taxpayer dollars in the form of allowing big weddings and events on preserved farms it chips away at the integrity of the farmland preservation program. We are planning to go back to the public and ask them to approve more money for this program and we're concerned because she has heard that several large winery owners on preserved farms have violated the law and as such they should be held accountable. She hears that the owners were told that they were not supposed to do something on the preserved farm and they went ahead and did it and now they are coming back and asking to change the law rather than being held accountable, although she knows that the SADC is holding the accountable and is doing its job. Going forward perhaps we shouldn't preserve wineries because they consistency rise up as challenges and take the time of the SADC. We do already have many events that connect the public to farms and there are increasing numbers of local farm to food events so she doesn't think having big weddings, often, or other events are appropriate. She stated that when she and her husband took money to preserve their farm, they understood that those dollars came from the taxpaying public and it came with certain restrictions and they abide by them.

OLD BUSINESS

A. Review of Activities on Preserved Farmland Laurita Winery, Plumsted Township, Ocean County

1. Construction of Solar Array
2. Nonagricultural Activities

Note: Court Reporting Services via Renzi Court Reporting Services were provided for this agenda item.

Ms. Payne stated that in the members' books under Tab # 4 the first few pieces of correspondence are copies of letters sent to the SADC on the subject of either wineries having weddings generally or Assembly Bill A323. Staff provided those letters along with a copy of A323. She stated that discussion of A323 is not on the agenda today. A draft resolution has been provided to the Committee that Mr. Roohr will review and everything in the packets after that resolution specifically relates to Laurita Winery.

Mr. Roohr stated that there was a lengthy discussion on this agenda item at the last meeting of the Committee. Laurita Winery is also the Charles Plum Farm but Laurita Winery is the operating entity there. The property was originally preserved as a 368 acre farm by the county in 1993. There have been two

divisions of the premises since that time that have been severed off, comprising approximately 185 acres, which leaves the property with approximately 175-180 acres. The two issues being discussed today are 1) nonagricultural uses and 2) the installation of a large solar array on the property without SADC approval. Ray Shea and Randy Johnson are the owners of the property and are present at today's meeting. Green Street Energy is the financing entity for the solar panel system and BAM Energy is the general contractor/manager of the installation project.

Mr. Roohr discussed the issue of the solar array with the Committee. He stated that on September 23, 2011 the SADC received a request for a 295 kilowatt ground-mounted system from Green Street Energy that would be placed on the Laurita Winery property. The SADC explained at that time that it didn't have the authority to approve ground-mounted systems since the regulations were not in place as yet. Therefore the SADC can only approve systems that are on say roof-tops or that created no other impervious cover. This system for Laurita Winery was designed to go in an open field so it was clearly a ground-mounted system that would create new impervious cover so staff advised them that the SADC couldn't review and approve it at that time but that once the regulations were in place, ground-mounted systems would be allowed but it was unclear as to what the regulations would say at that time regarding ground-mounted systems.

Mr. Roohr stated that in December 2011 staff met with members of BAM Energy and the project engineer and they expressed their need to get the project started. Staff was sympathetic to that but still did not have regulations in place to approve the system. Staff advised them of that. At the January 2012 SADC meeting, BAM Energy Group addressed the Committee and made a request for anything that the Committee could do to get the project started. The Deputy Attorney General's (DAG) advice was that until the regulations were in place the SADC couldn't approve the system. In April 2012 staff was advised that the panels were going up and on April 25th Mr. Roohr visited the farm and the panels were up. Mr. Roohr reviewed various slides with the Committee showing the panels and where they were located. He stated that the panels are 151 feet by 30 feet and there are four sets. The panels are built higher than normal so they could so they could also be used as car ports. The field where they are located will be used for over-flow parking for when the winery has events and the idea was that they could park cars under the panels. The inverter pad is also installed and when he visited the farm, what was not done as yet was an approximately 900 foot trench that needed to be dug from the field over to the winery basement and that would be the connection. It was flagged out and would hug the driveway. The panels would provide approximately ninety percent of the winery's use and the issue is not that we are opposed to ground-mounted systems but that the regulations are not in place yet to approve the system. The system was erected without SADC approval.

Mr. Roohr stated that regarding events at the winery, in 2001 the SADC received its first calls that there was some activities going on at the property that were of concern. At that time it was the excavation of an irrigation pond. Staff visited the property and there was excavation of an irrigation pond. Mr. Shea explained that it was an irrigation pond for the vineyard they were planning. At this point the vineyard is approximately 40 acres and they have a drip irrigation system throughout the whole area. The pond became a nonissue for staff because it served a direct agricultural purpose. Staff was given a long-term plan for the property, which at that time the purpose of the vineyard was to have a winery at some point and there was an explanation of some of the activities they had hoped to do, some of which at that time staff advised would be perfectly fine (processing and selling of the product of the farm and that type of activities). Other areas were deemed to be not permitted but these were the long-term plans at this point. There was no building on site, they were just in the planning stage of planting grapes. In 2005 Mr. Shea invited staff and Committee members back to the farm and at this point they were getting closer to starting the building. Mr. Shea wanted to lay out what his plans were. Staff again expressed that the SADC was approving of a number of activities, which would include the production, processing, sort of the farm-market style selling projects from the farm, but that other activities, such as weddings, corporate events and art shows would not be permitted on the preserved farm. Mr. Shea understood and at that point was not part of his plan so he was perfectly fine with that.

Mr. Roohr stated that at the September 2005 meeting, the Committee approved the construction concept for the building, which included this 20,000 square foot three-story building, with specific prohibitions against things like weddings, corporate events, art shows and other functions not directly related to selling the output of the farm. The winery has its grand opening in 2008 and in 2009 staff began to hear rumors of possible weddings at the facility. In the spring of 2009 staff advised the CADB that weddings may be occurring. The CADB advised the owners that weddings are prohibited on preserved farms. In the summer of 2010 the Ocean CADB created a subcommittee to take another look at events on farms that could be directed towards the marketing of a farm's output. Specifically, in the case of Laurita, that is one of Ocean County's bigger farms that have activities. The subcommittee was created to look at those activities and determine what they felt would be allowed and not allowed. In November 2010 Assembly Bill A323, which is what Assemblyman Dancer described during his public comment to the Committee today, was first drafted and introduced to the Legislature, which allowed for celebratory life events, which include weddings and things like that to occur on preserved farms. In August 2011 the CADB reported its position that under certain conditions there are some events that it

thought it could be supportive of, that could be linked to the marketing of the preserved farm's output.

Mr. Roohr stated that is basically where we are today and is the summation of last month's presentation. The only new item to bring to the Committee's attention is that during the County's recent (spring 2012) annual monitoring visit, the CADB staff person determined that there are two new pieces of construction on the property. That includes two brick patios, one with an arched pergola and one with a gas fire pit. Presumably the arched pergola is for wedding type events so that is another item that staff did not know about last month but would be of potential concern to the SADC. Mr. Roohr reviewed more slides with the Committee of the winery, the grounds showing grape production, and the new patios. He indicated that the winery is advertising on its own website and in several publications that cater to weddings and other type of events. It has also been on a national televised TV show. They list two caterers, one for weddings and one for other events. There are three room rentals, the main room and two smaller rooms. There is also the ability to rent outdoor space. The private events include weddings, corporate events, retirement parties, holiday parties, luncheons, fund-raisers and that sort of activities. Public events include art shows, concerts, Sunday brunches, family dinner nights, theme dinner nights and movie nights. There are also some public events, that depending on scale and scope, we don't know if the primary purpose is the selling of the output of the farm, but there are not as typical as you might find on some other farms and they would involve singing competitions, line dance nights, holiday festivals, wine festivals and vintners dinners. Some of these events staff have clearly indicated previously would not be allowed, some are new to staff and would need to learn more about and have potential for concerns.

Ms. Payne stated that at the last meeting when staff addressed the issues, the owners could not make the meeting and they had requested, and staff and the Committee agreed, to hold off on any action until this month so that the owners had the opportunity to address the Committee.

Mr. Shea, one of the owners of Laurita Winery, addressed the Committee. He stated that he had mixed feelings listening to Mr. Roohr recount the history of the winery. Laurita Winery was named after his partner's mother (Laura) and his mother (Rita) in their honor. He stated that despite any differences there may be that they would do nothing dishonorable to that winery in memory of their mothers.

Mr. Shea stated that he knows there are divergent views on some activities, he knows the history that they were asked if they would have weddings when they got approved and they said they had no intentions and that was the honest to God

truth. They had no intentions of having weddings. He had no difficulty agreeing to it because it was true at that time. After they opened, it became apparent to him, he has never been in this business before, the industry is very new in New Jersey and it became abundantly clear that they were missing an opportunity to earn revenue through the sale of their product through weddings. Their weddings are not necessarily big, he thought the largest wedding they ever had was 150 people. To the extent that those weddings occur in their building, their winery, they don't cook the food, they don't make any money on the food. They have a caterer cook off-premises and then come in and cater the wedding. They get a fixed fee from the caterer for the wedding. If you are doing weddings that have 150 people, that is 150 people that they would otherwise never see, who come to their place of business, to whom they sell their wines. When those people leave, and he is proud to say, they have created a sense of place that people have described, and he means this respectfully, as sacred. There is a quality, either by design or by accident, he doesn't claim any personal credit, but people are changed when they come to their winery. He doesn't mean through the consumption of alcohol, he means by the experience of being on a farm, by walking out to the vineyard, by touching a grapevine. Ninety percent of the people they see have never been to a farm before. Every single weekend, every Saturday and Sunday they have a farm tour that runs every 20-25 minutes. They put 25 people on a farm wagon and they do a farm tractor pull and do a one half hour tour of the vineyard, they describe the soils, the microclimate, the wind, the conditions favorable to grapes, the threats to grapes etc. It is an entirely educational experience. When those people get off the wagon, they have been altered by the knowledge they receive on the wagon and they repeatedly send emails for their positive experience.

Mr. Germano asked if he does those tours for weddings. Mr. Shea responded yes they do. He thinks it's one of their best assets, the vineyard tours. He didn't know if people would receive it because he didn't know how people would behave when they came to a vineyard or a farm, whether they would be prepared to leave the comfort of a cushioned seat and get on a farm wagon. He stated that they are constantly educating people at the weddings and at other events. Mr. Roohr explained some of things they are doing out there. He stated that he applauds the SADC and to the extent that there may be a divergent view on weddings, he hopes that it doesn't make each other antagonists. He thinks that they are accomplishing a tremendous amount of benefits for agriculture. They are a destination winery. He stated that one of the prior speakers mentioned that her farm is in a residential area. They are in the middle of nowhere and that is where you would expect to find a vineyard, in the middle of an agricultural area. To get people to come to their place they need to have these events. They are an event-driven winery and a destination winery and they are critically important to them.

Mr. Shea stated that he read Secretary Fisher's article in Edible NJ magazine and he applauds his openness to change and adaptation. He also read in the League of Municipalities an article by a man in Tewksbury Township on adaptation in agriculture, how we have to adapt to a changing culture. He just read last week an article about education where it said if you don't like change you will like irrelevancy even less. He memorized that line because it is so true. He has heard expressions of fear that this would open the floodgate to terrible things. From his perspective he feels those fears are unfounded and he invites the Committee to leave that house of fear into what they have created as a house of love out there because it is all about celebration and joy and the human family that comes to their place and sends us letters and tells their friends. They don't do a single bit of advertising, not a word because they cannot afford it. They get all of their patrons through word of mouth and these events and of course their website. These are incredibly important to us. He wants to remind everyone, he did write a letter a couple years back, asking the SADC to revisit the subject and he got a letter back advising that the SADC had no interest in revisiting the subject. He is pleased now that the SADC has introduced an AMP that really reflects progress in the area of agritourism. He stated he would be happy to answer any questions the Committee may have. He stated that he is here today to find out, he doesn't know, he hasn't seen anything, that if they are being charged with a violation, he hasn't seen anything in writing, does that come afterwards?

Ms. Payne stated that the SADC has a draft resolution for the Committee's consideration today. Mr. Shea stated that he cannot address any charges that have been leveled because he hasn't read them so he just wanted to express that he hopes we don't become antagonists and we are in this together and he thinks that they represent.....most people have read the book the Tipping Point and in there is the law of the few. Some few have to show that something can be done successfully and at a certain point it becomes unstoppable, tips over and then everybody does it. Right now he is representing to the Committee that most wineries that he has been to and he is aware of in the Garden State Winegrowers Association conducts weddings on their properties. He doesn't know if they are doing it poorly or for very well, he has no idea. He can say that they have not had a single complaint from a single resident since the day they opened their doors about anything they do at their place. All the parking that comes into their property is parked on their property. They don't have pay parking lots, except for the winery itself, everybody parks on dirt. Where the solar pavilions are, that is for overflow parking for our building, he hopes they use it a lot and that is dirt as well. He hopes, he understood from the people that they contracted with for the solar pavilion that while you couldn't prove it, they followed the statute as written, and hopefully, and he hasn't seen if there is a violation of the solar area, he doesn't know what the issue is frankly. Ms. Payne stated that with respect to the solar, the law is plain, that you are not permitted to construct these facilities

without SADC approval and that is what staff has reiterated. Mr. Shea stated that he was not at any of the meetings but he was told that if you proceed you proceed at your own risk, maybe they are saying the same thing. Mr. Danser indicated that is not saying the same thing. Saying that you need SADC approval is saying you cannot start absent of SADC approval, not that you can do it at your own risk. Mr. Shea stated that he saw a regulation is being introduced so hopefully he won't be in violation of that.

Mr. Germano commented that Mr. Roohr indicated that their winery appeared in certain publications, print. What sort of publications are we talking about? Mr. Roohr stated that part of the information is in the Committee's meeting packets but you can get a review of the facility in various publications. There may not be a photo or advertisement that you paid for but it is in print that this facility does weddings, this is the cost, it gets a rating so it's like a restaurant review. Mr. Germano asked about the advertisements for St. Patrick's Day, and Laurita Idol, are they tacked up on telephone poles around town? How does that word get out? Mr. Roohr stated some would be by word of mouth, he would assume, they also have a very nice website and there are advertisements around town. Mr. Shea repeated that they do not do any print advertisement. Anything that you have seen in print is either a review or something that the caterer has paid for.

Chairman Fisher stated that it is not central to this question whether you advertise or not the question is what you do and whether you had permission to do that is where most of this is headed. The question he had is, you have a vision, you have a magnificent property and wonderful community partners and wonderful things in terms of the vineyard and what you do, the tours and the promotion of agriculture. He doesn't think that anyone on this board would have any questions about that. He stated to Mr. Shea that the biggest problem is that he knew there were certain things that he didn't have permission to do, based on a number of conditions that were explained through the SADC but they were done anyway. He is asking as a business man, if someone says to him in a business you cannot do this and then he does it anyway, how do you justify that? Mr. Shea responded that they were asked in 2005 would they be having weddings and they said no. He has no objection to that being represented as part of the application. But when he altered his decision in that regard he asked the SADC to revisit it and they chose not to. Therefore he had a choice. He could either promote his business, preserve the survival of that business by doing something that he is certain is just right and appropriate for a winery in the state of NJ to conduct these events. He has no doubt that what he is doing is lawful. So he has no reservations at all about telling the Committee that he changed his mind, they sought permission, it wasn't granted and he made a decision that he felt they were acting lawfully and properly. He still maintains that view. He maintains that every activity we conduct out there, they don't do anything of a bizarre nature, or of a noise nature

that bothers anyone. He is convinced and he is certain that what they are doing is an appropriate exercise of their business.

Mr. Danser stated that the SADC is the authority and it is the one who said no and the approval, or at least his understanding of Mr. Roohr's explanation was that the approval for the whole facility stated that you were not allowed to do weddings, and corporate events, and those other things. Mr. Shea stated that he may stand corrected and that his recollection of what was said in the letter of approval was that they represented that they would not be having weddings, that is his recollection because that was the truth. Mr. Germano asked if that was a denial that you were told not to do weddings, or did you not understand that doing weddings was not permissible. Mr. Shea stated that he knew that the SADC was concerned that he would be having weddings on the property, so he assured them that it was not his intent to have weddings at that time. Mr. Germano asked when the SADC indicated that it would not reconsider its position about doing weddings, did you understand that amounted to an indication that you were not to do so? When you began having weddings, did you realize that it was contrary to the SADC's directive? Mr. Shea responded that he understood that he would be held accountable in the matter and he would be requested to return before the SADC and be accountable for his actions. He also believed at the time that legislation would be adopted, the SADC would be moving towards an agritourism policy and perhaps it wouldn't have to be confrontational or antagonistic.

Ms. Payne referred the Committee to Exhibit "C" in the packet to the letter that was sent to the CADB Administrator Dave McKeon, copying Mr. Shea. This was the letter that transmitted the results of the SADC's September 2005 meeting, at which it reviewed the proposal. In the middle of the second paragraph it states "activities such as weddings, corporate events and catered events are prohibited, as the SADC does not deem the primary purpose of these functions to be the marketing of wine." She stated that the record is clear that the SADC has been explicit about what was permitted. Mr. Shea stated that he knows that the SADC has made it very clear and he concurs with staff that the SADC has always had reservations and a policy against having that. He was hopeful that the SADC would be approaching a change in that. As he reviewed the AMP and the discussion, the draft, he is encouraged. Chairman Fisher stated that he understands that Mr. Shea has experienced that there is an incredible demand for this activity and that Mr. Shea states in his letter to the SADC that ... "he was not in that business and they have learned since there is an extraordinary demand for young brides to host their wedding and celebration at our farm" in a letter dated May 20, 2009 to the Ocean CADB. That is a business appraisal of demand that is out there. He stated that he didn't think that anyone has a question that Mr. Shea considered that to be something that he would embrace and look forward to, if in fact he had the ability and permission to do that. He stated that he is trying to

understand how Mr. Shea moved forward to do the things that he knew he was not supposed to do because he was told that. Mr. Shea stated that in this case, he truly believed that the scope of the SADC's authority does not in his view extend so far as to tell him or any winery in the state of NJ that we cannot have an agritourism event such as a festival, a music presentation, or a wedding, because every one of those events is sole for the sale of their product. We don't charge monies to come in to our winery. We charge \$5.00 for a movie night or something like that but in terms of coming to festival, there is no charge, it is free. He thinks and he believes and he is certain in his heart that he doesn't believe the scope of the SADC's authority, and he says this with all respect, goes so far as to say what he can and cannot do by virtue of employing techniques and measures to advance the sale of his products, i.e. the sale of their wine. He stated that they sell more wine at their weddings than at any other single event because it is not surprising, all the way back to the time of Cana that wine has been at weddings. He is almost tempted to say to the Committee and he will say because he doesn't feel there is harm in expressing how he feels, that with all the serious issues facing the state of NJ, to think we'd be spending so much time on expressing concern about having weddings at vineyards and wineries. He doesn't share the SADC's fears of floodgates. He thinks it's a healthy exercise of their business in this state and he thinks it will reflect very well throughout the state. He stated that they get the greatest number of people for an event through a wedding and they have no corporate events, they don't do corporate events or corporate retreats and he is very proud of what they have done out there.

Mr. Shea stated that he knows the SADC's perception and it is hard to rebut, yes you did it without our consent and what he is saying to Secretary Fisher, Ms. Payne and the Committee is that when he reads the statute and he reads the law he doesn't see a prohibition against his activities and he is led to believe that to survive we have to adapt and agriculture has to respond to certain societal changes in order to preserve, promote and advocate agriculture in the state of NJ. He feels they are doing all that. He stated that he hopes he doesn't leave this room with saying he never expressed any remorse for what he did. What we did, we did consciously, knowingly and aware that there would be some consequences in terms of being held accountable to the SADC and trying to explain to the SADC why we went ahead without express permission from the SADC. Because we truly believe it would be forthcoming that the SADC would make the change and that it would be there with us.

Mr. Danser stated that Mr. Shea indicated that he doesn't charge for any of the events and Mr. Roohr indicated there was a fee schedule for various rooms. Mr. Shea stated he meant events - if they are having a festival at the winery. Mr. Danser asked if a wedding is an event or something else. Mr. Shea responded that a wedding is an event. Mr. Danser asked that you don't charge for a room if

someone has a wedding? Mr. Shea stated that they have a fixed fee with the caterer. Mr. Waltman asked what the difference was between a fixed fee and charging. Mr. Shea stated one is an arrangement with the caterer. What he meant to say is that if you are coming to an event that is sponsored by us, not a private event like an engagement party, but something sponsored by us like a tasting. We take pride in the fact that mostly everything we do is for free, we don't charge for parking like some wineries do. Ms. Payne stated that for public events are you saying there is a distinction that the events where the general public is invited, you don't charge the public to attend but the private events, where people are reserving your place for a personal use..... Mr. Shea responded yes.

Ms. Payne stated that she and Mr. Shea have known each other a long time and she doesn't doubt his motivations for what he wants to do out there. The SADC's focus here is not on what might be in the future but what it has before it today. This all boils down to whether the activities that are being conducted on the property are permitted under the deed of easement, not necessarily the interpretation of the general Agricultural Retention Act, although clearly that is in effect so we have to focus on the deed. That deed of easement in essence is the same document that has been recorded against every other of the 2,000 farms in the state that have been preserved. So when you say you think you are in compliance with the law, is your position that your activities are compliant with the deed of easement? Mr. Shea stated he doesn't see any violation of the deed of easement at all. Ms. Payne asked does he consider renting the winery out for these private events to be what an agricultural use is. Mr. Shea responded sure, in other words, it's directly and intimately connected with the sale of their product. Chairman Fisher asked if Mr. Shea allows other types of alcoholic beverages to be brought on BYOB to these events. Mr. Shea responded at weddings, if the bride or groom wants to bring in beer, they have allowed that but they don't have anything to do with that. Chairman Fisher asked if there were any other liquors. Mr. Shea responded no to his knowledge. He doesn't know that they have ever had any other spirits in the house at all. Ms. Payne asked do the catering firms permit it. Mr. Shea stated he doesn't believe that they do. The only wine that is sold is their wine. The only other product he has heard of is beer.

Ms. Payne asked Mr. Shea to describe two details that they have not had a chance to discuss with him because it just came up. She asked him to describe what the use of the pergola is. Mr. Shea stated that the pergola was intended for a vineyard wedding and the fire pit is for attended parties. Ms. Payne asked if you could rent those spaces out, is that part of the package that somebody can rent out. Mr. Shea stated they have never rented it out, this is brand new. He has never had a vineyard wedding. Ms. Payne asked that with the public events, the events that you invite the public to generally, what are the structures used for or are they. Mr. Shea stated that they were just built and they have never been used yet. Ms.

Payne asked what the intended use was. Mr. Shea responded for events, parties and/or wedding at the vineyard under a tent. He stated that they didn't build a separate room for weddings, they don't have a dedicated space for weddings. The picture the Committee was shown before they use every day. That is where people come and consume their wine.

Chairman Fisher stated that both of these activities, both the solar panel and the unauthorized by the SADC weddings were both sort of go-ahead beyond what was the express authority at the time. Would you agree to that? Mr. Shea responded that he would like to rephrase it this way. He was advised that, the people they engaged were told to proceed at your own risk, we haven't got the regulations yet and so they did, they observed, to his knowledge, the statute in all respects and he thinks they had some inkling of the restrictions that were pending and he believes, but he hasn't seen the charges in the resolution on the solar, but to the extent that we are not in compliance, one, he would be embarrassed because he thought that they were. Ms. Reade asked Mr. Shea to tell the Committee a little about his wines. Mr. Shea stated that he has nine grapes from which he makes fifteen different wines. Six are blends from the other nine grapes and the nine grapes are the usual suspects. They also have some interesting wines that no one else carries, an Australian wine, a German red wine, they also have probably the largest planting of a native American grape in NJ called the Norton. It is very popular in Virginia and Missouri and historically it was Thomas Jefferson's favorite grape. Their varietals are basically dry and for the blending they sweeten them up. They have a down the shore series because they are in Ocean County – Beach-comer blush, wind-swept white and relaxing red, probably their best sellers, particularly among women. They also have the sweetest, tailgate red and tailgate white. They have 36,000 vines, from which they take in 130 tons of grapes every year. He stated that to give the Committee a little history about the building, someone asked him years ago why he built such a big building. He stated that Randy and he wanted to create something that wasn't brand new or flashy or expensive. They wanted to reflect that they were in the middle of Plumsted Township on the edge of Ocean County. So they went out and found two old English style barns, each 150 years old, one in Cream Ridge and one in Englishtown. They were both scheduled for demolition and they took each of those barns down piece by piece, photographed every item and put them into a warehouse. They worked with an architect to merge the two barns so that it's a total of 20,000 square feet, the building. The largest floor is the reduction floor, it is 9,000 square feet, where they have most of their investment. They have stainless steel tanks, computer controlled, they have the largest number of punch down tanks in NJ. They have 230 barrels in their barrel room. The first floor is the tasting bars and gift shop and then where the people consume their wine in what they call the Laurita Room. The third floor is a loft, that is a result of the structure of the barn and they have a tasting bar up there and the small club room.

Ms. Reade asked if they wholesale their wines. Mr. Shea responded no, they sell everything out the front door. They don't have any outlets even though, direct shipping has been permitted now in NJ. They are allowed to have 14 other outlets and they are looking forward to doing that and expanding their production. In this industry the break-even is eleven years. He and Randy had a dream that they could do it in seven years. This is a long-term investment that requires patience and deliberate action.

Mr. Siegel asked what the gross income was last year. Mr. Shea responded you would have to ask his partner. Mr. Johnson responded \$1.2 million gross income. Ms. Reade asked if they had a sparkling wine that they use for their celebratory life events. Mr. Shea responded they just created one and it was just introduced to the public. It doesn't have a label yet so they are just doing tasting as yet. Ms. Reade stated that prior to having that available, did people who were having weddings bring their own champagne in? Mr. Shea stated he only attended one wedding at the winery and he is sure they must have had the champagne themselves. He has to backtrack from the representation, only their wines are sold there. Mr. Siegel asked how much of the gross income was from the sale of wine products. Mr. Shea responded approximately 75-80 percent. Mr. Siegel asked what was the other 25 percent. Mr. Shea stated the revenue from the caterer. Mr. Siegel asked if the SADC was to ask him to voluntarily provide tax returns for the last five years would he be willing to do that? Mr. Shea responded sure. Mr. Shea stated he didn't want anyone to think this is a get rich quick scheme from weddings either but it does help because they already built the place, the lights are on, the room is there, the tent is there, it's in the vineyard so those dollars go right down to the bottom line.

Ms. Payne stated that one of the issues the Committee dealt with in 2005 was the question of the wine that was produced on the property and what percentage of the grapes came from the farm. Mr. Shea responded it's 100 percent and that they do not use any grapes from offsite. They did purchase some Chablis to sweeten up the tailgate wine and that was a very small amount, it's negligible. Ms. Payne asked how many gallons of wine they produce in a year. Mr. Shea responded he didn't know. She asked how many bottles? He responded he could get the information by the case from the winemaker but he didn't know. She asked how many private events he has in a year. Mr. Shea stated that he never added them up. He stated he didn't know but they try to have as many as possible in terms usually the celebratory periods of a person's life, whether it's an engagement party.....they are next to a cemetery and they have families that come back and they put them in the club room upstairs and they grieve there and they serve them cheese and wine. They have just about any other type of life event but they don't have sweet sixteen parties there as they are worried about under-age drinking. They feel they have an obligation to serve the community. Without inflating who

they are, they are just a vineyard and a winery, and people treat them like they are a community hub. They are the center of that community in terms of activity and entertainment. He mentioned Idol Night – they did an Idol Night successfully three times where the people compete. They offer a \$1,000.00 prize to the winner and also prizes for second and third place. It is a joy and they sell a lot of wine at these events. That is why they hold them. As much as he likes music, if he wasn't selling wine he would not have them. Everything they do is connected to the sale of wine. Mr. Thompson asked what advice or information did Mr. Shea receive that gave him the impression because he kept hearing Mr. Shea say he was under the impression..... that he still remained in compliance. He asked if Mr. Shea was given any legal advice. Mr. Shea responded that he is an attorney. Mr. Thompson stated that with all the information he read and had he still believes he is in compliance. Mr. Shea stated he believes that everything they are doing at the winery is permitted lawfully and he thinks that is where he and the Committee diverge on the view of whether or not weddings are a permitted use of the winery. He believes that they are.

Mr. Germano asked how many sponsored events are done a year. Mr. Shea responded six movie nights, everyone sits outside and everybody is drinking wine. They do three festivals, spring, summer and fall, Laurita Idol and six country line dance events, usually on a Friday or Saturday night.

Mr. Roohr stated that regarding Secretary Fisher's inquiry about the events and the 75/25 percent. Just to clarify, his understanding is that the calculation is the catered events there is a site fee that is paid to the winery and that goes toward their end but like a wedding the caterer would get paid a certain amount of dollars to host the wedding but only a portion of that goes to the winery as their income so gross income through the door depends on how you calculate it, gross income for the winery is correct, that is just the site fee but there are additional revenues generated. Chairman Fisher commented that the catering activity is not gross income to the winery it sounds. The only gross income that comes to them is the actual rental. Mr. Danser stated that it is gross income to the property. Mr. Shea stated that the most they can earn at a wedding is \$4,000.00 that is the top. Ms. Payne commented that is for the fee associated with the rental of the property? Mr. Shea responded yes. Ms. Payne stated that the wine sales would be in addition to that. Mr. Shea responded yes. Mr. Siegel asked if they have brunch and how often do they have that. Mr. Shea responded they do have brunch and they just started that this year and for a period of time they were trying to have them every week and he thought they were suspending them for the summer and then resuming them in the fall. They are extremely successful. They have 250 to 300 people come every single Sunday and there is wine at every table and they have brunch. If you looked around their area you cannot get brunch anywhere else unless you travel out to the Route 130, which is a considerable distance from

where they are. When the people finish brunch they take the tour, they have picnic tables outside and they even have a playground, which he didn't think it would be widely used but come on any Sunday when families come. There are parents, grandparents and grandchildren sitting at the tables in the community playground with the kids. It is a wonderful thing to see and he is very proud of their activity there. Mr. Siegel asked what the charge was for brunch. Mr. Shea responded he thought it was \$35.00, but Mr. Johnson responded it was \$25.00 per person. Mr. Siegel asked of the \$25.00 per person how much does of that cost is for the wine they receive or do they pay for that separately. Mr. Shea responded they pay for that separately. He stated that they do give a complimentary glass and then they purchase after that. He stated that the average cost of a bottle of wine is approximately \$20.00. He stated that most people order a bottle because it is less expensive than ordering by the glass. Mr. Johnson then commented on the gross income figure again (the meeting recording did not capture his statement audibly). He then stated it's an inflated number and it sounds like a lot of money but they are still at a major loss on their business.

Ms. Payne stated that the last item she wanted to clarify for the Committee with respect to the County is that this is a county held easement and because it is the county is always the first line of enforcement on the easements. She stated that the county communicated to Mr. Shea that what was going on was not consistent with the SADC's approval in 2005 and they've conveyed that Mr. Shea wanted to have this reconsidered and the SADC said it was not going to reconsider it. Because it was a county easement the SADC said that the county had to take a position so staff asked the county to spend some time and go through it. When the county communicated its position (August 4th 2011 letter in meeting packet), essentially her understanding of the county position is that they believe that limited private events such as weddings could be considered permitted under certain conditions and they set forth what some of their suggestions were. So the letter, as she read it, washere's what we think, here is how we think it could be permitted if these certain limitations could be placed on it, and that was submitted during the time of the legislation being contemplated and drafted. She thought the county was trying to inform the legislation. The county has declined to enforce the deed because the activities are explicitly violating the SADC's conditions set forth in 2005, when it approved the building. That is her sense of the county's position and she asked Mr. McKeon, who is present at today's meeting, to clarify if she is not correct.

Mr. McKeon, Ocean CADB Administrator stated that they have had extensive deliberations on this issue and have followed this. It has been a very interesting ride. It is a great facility and they have had their share of intense discussions with SADC staff on a number of issues regarding this specific issue, when it did come to their attention that weddings could have been held and was being contemplated

they did contact the owner and asked them to explain. That generated the letter asking if the SADC would reconsider. The answer was that there doesn't seem to be another reason to reconsider so at this point the SADC would not reconsider. He stated that the Ocean CADB was moving forward in informing the owner that it is not a permitted activity and as they were moving forward their CADB members themselves were concerned that they had never had input in the decisions in 2004-2005. The restrictions on weddings are not listed in the deed of easement. It was however documented in the decision the SADC made in 2005. The Ocean CADB members felt very strongly that this was an issue that should be investigated. Wineries are a little different than most other farms. Wineries depend on public access and the public coming to them, unlike other farms who don't want public on the property. They also looked at some of the things like the pamphlets on NJ winegrowers and typical events to say that this is a typical event. He stated that it is not a restriction of the deed of easement. Could it be something that could be contemplated? It was at that point that their Board said they would like to discuss the issue and they form a subcommittee and it did investigations and had discussions. It was at that time that legislation was introduced. Their Board felt that because it was uncertain as to whether it was a violation of the deed of easement itself they should wait until the legislation was drafted and then it would set perimeters because they agree that there need to be parameters. It cannot be an on-going, "I'm going to try something else now" thing. It needs to be consistent. They thought they needed some structure and they still believe that. That essentially summarizes their position. The recent inspection that was noted in April where there was the pergola and the fire pit. That is something of a surprise to the Ocean CADB, they were not aware of it. Their biggest concern would be if any active agriculture, any vineyards were taken out of production to construct those items. In their minds that would be a game-changer because one of the things they felt very strongly about is that weddings and some of these festivals are important to wineries but the primary operation is the growing of the grapes, the processing and selling of the wine. These other events bring the public in and that is fine. They cannot supersede the agricultural operation and they cannot harm the agricultural operation. That was the distinction that they fell back on. The Board has not discussed yet the site inspection that was done in April. They are set to do that at their next meeting so there has been no decision made on that as yet and they do not have all the facts yet on these particular structures but he felt it was important to add that as well.

Mr. Waltman asked if Mr. Shea thought of his operation to be a restaurant. Mr. Shea responded no. Mr. Waltman asked that the food that is provided at weddings or brunches or other activities, how is that.....Mr. Shea responded it is prepared off-site and warmed up in their kitchen. Mr. Waltman asked who was doing that. Mr. Shea responded the caterer was.

Mr. Waltman stated that in 2005 Mr. Shea wrote, he didn't suggest or discuss, but rather wrote that he "*readily agreed that no weddings would take place and he wouldn't do any catering of any kind whatsoever*". He asked how do you square what you wrote in 2005 with what you are doing today? Mr. Shea felt that he had explained that in his comments earlier. He stated that what he wrote was true at the time he wrote it and at the time he represented it. Mr. Waltman stated that in 2005 you wrote to this Committee and you did that in 2005 so that you could secure approvals to build this beautiful building, you made a commitment and that is the law in his book. Mr. Shea stated that he expressed his position in 2005 that they would not have weddings and that was true when it was represented. He stated do not question his integrity. He changed his mind, he asked that this issue be revisited and his integrity is intact. Mr. Germano commented that wouldn't Mr. Shea concede that he obtained approvals to building, half of which is a banquet hall, and of having represented to the Board that he wasn't going to use it as a banquet hall, then turned around four years later and did it. Mr. Shea stated he would reject that characterization.

Mr. Roohr stated that staff doesn't know off the top what the sizes of the rooms are but they have it on the blueprints that were submitted as to what size each floor of the building is. Mr. Germano stated that the point he is trying to make is that you needed this agency's approval to build that building with those rooms and you represented to this agency what you were not ever going to do with them. You secured the approval based on that representation and you've changed your intention and you still have the building. Mr. Shea stated that no one makes a representation that they will never ever do something. He made a representation that was true and correct in 2005 that they would not have weddings and it was true when he made that statement and when he wrote it, otherwise he would not have written it. But, when he understood the industry and the marketplace, he was convinced that was in their best interest, he asked that the issue be revisited and when he looked at the deed of easement and the statute and took everything in consideration, he determined that he believed he was correct in having these events at a winery. There was never any conscious misrepresentation to get approval from the SADC by misrepresenting or offering any causes to that. Mr. Germano stated that he doesn't think that was the case but where he is leaning is that he obtained approval for that building based on representations and he questions whether or not he is entitled after the fact, after you received approval and built the building, to basically change the rules of the game so to speak. Mr. Shea stated that he didn't see it as the rules of the game, he was asked a question and he responded truthfully and it became a condition of approval. He doesn't see that as etched in stone forever and he believes even the current draft of the plan for agritourism suggests a significant shift in the SADC's own philosophy towards these events, maybe not to the extent that he would like.

Chairman Fisher stated that there are points in time and he is not suggesting that things don't change but what they are trying to establish is whether or not at the time or at this time, whether or notyou are questioning the jurisdiction of the ability of this group to tell you that you can or cannot...and you have expressed that you don't think the SADC has the authority, so that will be decided. The Committee will decide what it is going to do as a board. Things may change and evolve but we are talking about now and what happened up to now. He wanted to make that clear. He stated that there was a contract and there was \$1 million expended to preserve a farm so this board is trying to exercise what it thinks it is supposed to do in terms of following the guidelines that have been provided. Mr. Shea is suggesting some other considerations and at that point we'll just decide what is going to be decided and we'll go from there. No one questions the facility in terms of the growing operation and the wonderful grapes that are grown and the farm that Mr. Shea operates, it's this other issue - that is where we are at right now.

Mr. Siegel asked if the deed of easement that Mr. Shea agreed to in 1993, does he believe that the deed of easement has changed in some way over the last 20 years. Mr. Shea stated that he is willing to stipulate that the deed has not changed, it remains unchanged, it is just that his view of its application to his business and their vineyard may differ from the SADC's. That is the issue.

Mr. Roohr stated to answer Mr. Germano's questions regarding room sizes, the numbers the SADC has from the blueprints show that the production floor, the basement, is approximately 9,800 square feet, the first floor, which is being called the display floor, which is where the rooms are, we don't have the number for the entire first floor, is at 6,800 square feet and those rooms are pieces of that. The loft area on the second floor is about 3,000 square feet.

Mr. Shea thanked the Committee for the opportunity to address it and he hopes they don't become antagonists and he would like to work with the SADC to resolve the issues, perhaps with the legislation it may make the journey easier.

Chairman Fisher stated that there is a resolution before the Committee and he asked Mr. Roohr to discuss the resolution. Mr. Roohr stated that staff deals with what is on the ground today. Although the legislation may be the solution to this it is not in place as of today so in dealing with the issues today staff finds that there are some violations on the farm. The easiest to explain is the solar issue. That is a violation because it was constructed in violation of state law, which clears states you need SADC approval to do so. Understanding that we have a document that we will be seeing today that will lay out the regulation proposal we are not asking that it be removed or dismantled or reconstructed. Staff

recommendation is that we prohibit the interconnection of the system to the grid until such time as it meets the regulations.

Chairman Fisher stated it would seem to him that it would be better to split the resolution into two separate resolutions. He stated that there are two separate actions on one property but he would like to not have them intertwine as issues move forward. He felt it would be easier and cleaner to deal with if they were separated. Mr. Schilling stated he would support that. Mr. Siegel stated that the one issue that came up at the last meeting and is reflected in the minutes was the measurement of kilowattage, what is allowed, what is produced. The presumption...well you cannot count noncompliant use in calculating how much kilowattage the farm requires so that is why the two issues are connected. If it is found to be that these activities are out of compliance then the kilowattage going into that building has to be adjusted in terms of what the farm's true kilowattage is. Mr. Schilling stated he agreed but he is viewing this as more of a procedural issue that there were discussions with BAM Energy that it is in violation of state law so there is a procedural misstep here. He didn't think we were getting into measurements yet. Ms. Payne stated that staff is proposing to find that the solar panels are in violation of state law. That is just a clear statement of fact and that staff is going to request that the interconnection not be completed until such time as the SADC is able to approve the facility. It gives the SADC the opportunity to explore the question at that time of is there a difference in energy demand or not.

Mr. Schilling moved that the current resolution be separated to reflect two separate resolutions – one governing the solar energy generation and the other governing other activities on the farm. It was seconded by Mr. Germano.

Mr. Danser stated that he supports the two resolutions but he has a problem voting on something that he really doesn't know what it is. He said splitting the resolution, he doesn't know what that means in terms of he wants to see the language of the two resolutions. Ms. Payne stated that staff will have to draft it and bring those back to the Committee. Mr. Danser stated he doesn't want to wait 30 days to adopt the resolutions. If it means we have to wait another 30 days he is opposed to that. Mr. Germano stated that there is a letter already asking that they not hook up the connection so it isn't as if we haven't taken action. Mr. Danser stated that we are saying you have to cease within 30 days and if you wait 30 days down the road that makes it 30 days further to cease. Mr. Waltman asked if staff could take the time to amend the resolution. You can have the "now therefore be it resolved" # 1 and # 2. Mr. Waltman stated he would only support the motion to separate the two if you can pass the resolutions separately today. Chairman Fisher stated his suggestion is to take action on them separately today. Mr. Germano suggested that during the lunch break that staff could draft the two resolutions and bring them back to the Committee. Mr. Danser stated you can

pass the motion to separate the resolutions with the understanding that the Committee will take action on them later in the meeting.

The motion was unanimously approved.

NEW BUSINESS

A. Soil and Water Conservation Cost Share Grant Extension

1. Wayne Beal – Cumberland County

Note: Chairman Fisher and Ms. Reade recused themselves from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Ms. Reade sits on the Board of Supervisors for the Cumberland Soil Conservation District.

Mr. Lofberg reviewed specifics of a soil and water cost share grant extension request with the Committee as listed on the Extension of Project Approvals Summary. He stated that staff recommendation is to grant approval to the extension request.

It was moved by Mr. Siegel and seconded by Mr. Schilling to approve Resolution FY2012R5(3) granting an extension of a soil and water conservation cost share grant for the following landowner, as presented and discussed, subject to any conditions of said Resolution.

1. Wayne an Constance Beal (SADC #06-0014-EP)
Extension Request Amount: \$30,048.00 (Obligation # 1)
Extension Request Expires on: April 24, 2013

The motion was approved. (Ms. Reade and Chairman Fisher recused themselves from the vote.) (A copy of Resolution FY2012R5(3) is attached to and is a part of these minutes.)

B. Resolutions for Approval – FY2013 Planning Incentive Grant Program

1. Final Approval – Annual County Planning Incentive Grant Program Plans Update

Note: Mr. Danser and Ms. Brodhecker recused themselves from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Mr. Danser is the Chairman of the Middlesex County Agriculture Development Board and Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.

Mr. Bruder referred the Committee to Resolution FY2012R5(4) for a request for final approval of the FY2013 Planning Incentive Grant Program Applications Including Comprehensive Farmland Preservation Plans and Project Area Summaries for the following counties: Burlington, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Salem, Somerset, Sussex and Warren Counties. He 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. Germano to approve Resolution FY2012R5(4) granting a request for final approval of the FY2013 Planning Incentive Grant Program Applications Including Comprehensive Farmland Preservation Plans and Project Area Summaries for the following counties: Burlington, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Salem, Somerset, Sussex and Warren Counties, as presented and discussed, and subject to any conditions of said resolution. The motion was approved. (Mr. Danser and Ms. Brodhecker recused themselves from the vote.) (A copy of Resolution FY2012R(4) is attached to and is a part of these minutes.)

2. Final Approval – Municipal Planning Incentive Grant Program Plans Update

Mr. Bruder referred the Committee to Resolution FY2012R5(5) for a request for final approval of the FY2013 Municipal Planning Incentive Grant Program Applications Including Comprehensive Farmland Preservation Plans and Project Area Summaries for the 35 municipalities, as listed in said resolution. He 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. Danser and seconded by Mr. Waltman to approve Resolution FY2012R5(5) granting a request for final approval of the FY2013 Municipal Planning Incentive Grant Program Applications Including Comprehensive Farmland Preservation Plans and Project Area Summaries for the thirty-five municipalities listed in said resolution, as presented and discussed, and subject to any conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2012R(5) is attached to and is a part of these minutes.)

3. Conditional Preliminary Approval of County Planning Incentive Grant Program Plan
 - a. Atlantic County
4. Preliminary Approval of Municipal Planning Incentive Grant Program Plans
 - a. Hopewell Township, Cumberland County

b. Green Township, Sussex County

Mr. Brill referred the Committee to Resolution FY2012R5(6) for a request for conditional preliminary approval of the Atlantic County Planning Incentive Grant Application, Including Comprehensive Farmland Preservation Plan and Project Area Summaries. He reviewed the specifics with the Committee and stated that staff recommendation is to grant conditional preliminary approval, subject to conditions set forth in said resolution.

Mr. Brill referred the Committee to Resolution FY2012R5(7) for a request for conditional preliminary approval of the Hopewell Township Planning Incentive Grant Application, Including Comprehensive Farmland Preservation Plan and Project Area Summaries. He reviewed the specifics with the Committee and stated that staff recommendation is to grant conditional preliminary approval, subject to conditions set forth in said resolution.

Note: Ms. Brodhecker recused herself from the following agenda item to avoid the appearance of a conflict of interest. Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.

Mr. Brill referred the Committee to Resolution FY2012R5(8) for a request conditional preliminary approval of the Green Township Planning Incentive Grant Application, Including Comprehensive Farmland Preservation Plan and Project Area Summaries. He reviewed the specifics with the Committee and stated that staff recommendation is to grant conditional preliminary approval, subject to conditions set forth in said resolution.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolution FY2012R5(6), granting conditional preliminary approval of the Atlantic County Planning Incentive Grant Program Applications, Including Comprehensive Farmland Preservation Plan and Project Area Summaries; Resolution FY2012R5(7), granting conditional preliminary approval of the Hopewell Township, Cumberland County Planning Incentive Grant Application, Including Comprehensive Farmland Preservation Plan and Project Area Summaries; and Resolution FY2012R5(8), granting conditional preliminary approval to the Green Township, Sussex County Planning Incentive Grant Application, Including Comprehensive Farmland Preservation Plan and Project Area Summaries, as presented and discussed and subject to any conditions of said resolutions: The motion was approved. (Ms. Brodhecker recused herself from the vote.) A copy of Resolution FY2012R5(6), Resolution FY2012R5(7) and Resolution FY2012R5(8) is attached to and is a part of these minutes.)

C. **Resolution for Final Approval – Municipal Planning Incentive Grant Program**

1. Cyktor Farm, Delaware Township, Hunterdon County

Ms. Winzinger referred the Committee to Resolution FY2012R5(9) for a request for final approval of the Louis Cyktor III and Ckytor IV property, located in Delaware Township, Hunterdon County, known as Block 51, Lot 1, totaling approximately 22 net acres. She 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 Ms. Brodhecker to approve Resolution FY2012R5(9) granting final approval to the following landowners, as presented and discussed, subject to any conditions of said Resolution:

1. Louis Cyktor, III and Cyktor IV (SADC # 10-0323-PG)
Block 51, Lot 1, Delaware Township, Hunterdon County, 22 Net Acres
State cost share grant of \$9,360.00 per acre for an estimated total of \$205,920.00 (60% of the certified market value and estimated total cost).

The motion was unanimously approved. (A copy of Resolution FY2012R5(9) is attached to and is a part of these minutes.)

D. Resolution for Final Approval – County Planning Incentive Grant Program

1. Peterson Farm, Franklin Township, Hunterdon County

Ms. Winzinger referred the Committee to Resolution FY2012R5(10) for a request for final approval on the Linda Peterson farm, known as Block 30, Lot 14, Franklin Township, Hunterdon County, totaling approximately 34 net acres. She 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 FY2012R5(10) granting final approval to the following landowner, as presented and discussed, subject to any conditions of said Resolution:

1. High Plains Farm, LLC/Linda Peterson (SADC #10-0308-PG)
Block 30, Lot 14, Franklin Township, Hunterdon County, 34 Net Acres
State cost share grant of \$4,000.00 per acre (64.52% of the certified market value and purchase price). To account for any potential increase in the final surveyed acreage, a three percent buffer has been applied to the funds encumbered from the County's base grant. Therefore, 35.020 acres will be utilized to calculate the SADC grant need. No competitive grant funds are being utilized for this acquisition.

The motion was unanimously approved. (A copy of Resolution FY2012R5(10) is attached to and is a part of these minutes.)

E. County Planning Incentive Grant Program Minimum Rank Score Waivers

1. Burke Farm, Mullica Township, Atlantic County
2. Leonardo Farm, Buena Borough, Atlantic County
3. Monfardini Farm, Buena Borough, Atlantic County
4. McConnell Farm, Oxford Township, Warren County

Ms. Winzinger stated that the Atlantic County Planning Incentive Grant Program Application and Comprehensive Plan just received conditional preliminary approval and Atlantic County is looking to move ahead on a few applications. They realize they have no funds right now and their plan has conditional preliminary approval but they want to move ahead and conduct appraisals and make offers to various landowners in the hopes that they will have funding soon to close these farms. What staff does is move through the process but not give final approval so this can get moving along.

Ms. Winzinger stated the issue is that every year by resolution the SADC sets the minimum quality score for farms in each county based on the applications filed in the previous three fiscal years for each county. Farms that reach seventy percent of that average score are considered eligible for "green light" approval by SADC staff and do not have to first go to the Committee for approval. In Atlantic County, along with Bergen, Camden and Passaic Counties, there are no minimum scores because there has been no program activity within the last three fiscal years. She stated that the resolution approving the minimum scores for other counties indicates that applications submitted from these four counties would be reviewed by the Committee on a case by case basis and the Committee may provide a waiver so that staff can give it a green light approval. She stated that Atlantic County has come in with four farms and in the regulations there are three different criteria for providing a waiver as follows:

1. the conversion of the farm to nonagricultural use would likely cause a substantial negative impact to the public investment made for farmland;
2. preservation within the project area - and for all three of the farms the county is claiming that particular criteria because all three of the farms are located in clusters of preserved land and land in application; and
3. the subject properties are of exceptionally high agricultural resource value based on their soils, which all the soils on the farms are of fairly good quality for Atlantic County; and the subject property represents a unique and valuable agricultural resource to the surrounding community and the Committee finds that it has a reasonable opportunity to remain agriculturally viable.

Ms. Winzinger stated that for all three of these properties the county would like the Committee to consider a waiver based on all three criteria. She reviewed the specifics of each farm with the Committee and stated that staff recommendation is for the Committee to grant a waiver of the minimum score criteria for each property as presented and discussed.

Chairman Fisher stepped out of the meeting at this point. Vice Chairman Danser presided over the meeting.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolution FY2012R5(11) through Resolution FY2012R5(14) granting a waiver of the minimum score criteria for the following properties, as presented and discussed, and subject to any conditions of said resolutions:

1. Frank L. Burke, III, SADC #01-0003-PG (Resolution FY2012R5(11))
Block 903, Lots 4, 5, 6, Mullica Township, Atlantic County, 58 Net Acres
2. Paul and Shirley Leonardo, SADC #01-0002-PG (Resolution FY2012R5(12))
Block 121, Lot 8, Buena borough, Atlantic County, 19 Net Acres
3. David, Thomas and Joseph Monfardini, SADC # 01-0001-PG (Resolution FY2012R5(13))
Block 105, Lot 6.02, Buena Borough, Atlantic County, 10 Net Acres

Ms. Winzinger stated that Atlantic County doesn't have a quality score so they are seeking a waiver, however Warren County does. Last year it was forty points and the farms had to be above forty points to receive green light approval without coming to the Committee for a waiver. The quality scores that were calculated that would be applied for this year made it go up to forty-three points. The farm before the Committee today in Warren County happens to be 40.75 points and it came in in January so by one month it missed it by 2.25 points. One of the reasons for the holdup is because the county amended its agricultural development area (ADA) to include this farm. It is not in a typical area where they are doing a lot of preservation work but the county would like to do preservation work in this area. There are only four farms in this township that meets the minimum criteria and the county feels it's an important agricultural resource to preserve. They are also looking to have it as a catalyst for other preservation applications. Staff recommendation is to grant a waiver for this farm in Warren County.

4. Edward and Patricia McConnell, SADC # 21-0516-PG (Resolution FY2012R5(14))
Block 25, Lot 10, 11, Oxford Township, Warren County, 56 Net Acres

The motion was approved. (Chairman Fisher was absent for this vote.) (A copy of Resolution FY2012R5(11) through Resolution FY2012R5(14) is attached to and is a part of these minutes.)

E. Draft 2012 Appraisal Handbook Amendments – Discussion Only

Mr. Burns referred the Committee to the Summary of Changes to the SADC Appraisal Handbook-2012. He stated that the Committee approved the draft changes at its last meeting in order to send the draft summary of changes and handbook out for public comment and return back to the Committee with any changes as a result of public comments to adopt the 2012 Handbook. He stated that there were no comments received. Staff recommendation is to adopt the summary of changes to the handbook.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to accept the Summary of Changes to the SADC Appraisal Handbook-2012, as presented and discussed. The motion was approved. (Chairman Fisher was absent for this vote.) (A copy of the Summary of Changes to the SADC Appraisal Handbook-2012 and the Appraisal Handbook is attached to and is a part of these minutes.)

F. Farmland Stewardship

1. Personal Wireless Service Facility Permit

- a. NJCF/Buccholz/Wagner Farm, Alexandria Township, Hunterdon County

Ms. Payne stated that in 2005 a law was passed allowing the SADC to issue permits for certain, limited, nonagricultural uses on preserved farmland and to allow the SADC to issue permits for the construction of cell towers on preserved farmland.

Chairman Fisher returned to the meeting at this point. Mr. Roohr presided over the stewardship items at this point.

Mr. Roohr stated that this is the SADC's first cell tower application. In 2006 there was legislation passed that allowed for cell towers to be placed on preserved farms and commercial nonagricultural use permits. This is a cell tower that was installed in error a few years ago on top of an existing high-tension tower that exists on this particular farm. It is a preserved farm in Alexandria Township, Hunterdon County and consists of 44.30 acres, through the Nonprofit Grant Program. Mr. Roohr reviewed various photos with the Committee. In February 2012 the SADC received completed application for a special permit for the installation of a personal wireless service facility from new Cingular Wireless PCS, LLC (AT&T) on behalf of the owner. He stated that the high-tension tower has been on the property for a long time. The legislation requires that the cell tower be on an existing structure or, if you need additional structures to be built they are limited to 500 square feet. There is a chain link fence around the communications

structure required by the cell tower, which is approximately 250 square feet. Mr. Roohr reviewed the requirements for approval of the structures with the Committee. The legislation allows for permits of five years or more but the applicant would have to provide justification for a period longer than five years. In this case the tower is owned by PSE&G, AT&T has the cell to the antenna and AT&T has a long-standing lease agreement that goes back to before this rule came into place. Their leases are all 20 years or more. In this case, because of their standard lease arrangement, the owner of the tower as well as the investment cost to actually build it, they would prefer 20 years rather than the five years. Staff has no issue with that because it has such a negligible impact on the farm. Staff is recommending approval of the permit for 20 years. Ms. Fairweather is the attorney for AT&T and is present today. Staff has known the antenna has been there for a couple of years and have been working with the NJ Conservation Foundation (NJCF) to try and get this cleared up. The antenna that they needed a permit for has been in place for six years.

Judy Fairweather, Esquire addressed the Committee on behalf of AT&T. She stated that she thinks that the confusion happened is that the original owner of the property entered into an agreement to restrict his property in 2002. In 2003 PSE&G entered into expansion of their easement with the property owner to allow cell towers. She got involved just recently and the best that they can figure out is that was all going on at the same time. A new property owner came in, the original owner passed away. By the time it was figured out that it was restricted and it was a PSE&G easement, not an AT&T easement, AT&T had no idea that it had a restriction on the property and when it found out about it that is when it started going through the process to correct it. They don't have cell coverage in that area and the Township does not want them to build monopoles and there was an existing transmission tower so it was perfect. AT&T did not do this knowingly and PSE&G didn't realize it was restricted so they had to work together to go through this process. She stated that the landowner is being paid a lease for access and PSE&G is getting the bulk of the money because we are on their transmission tower. The property owner is giving access to the transmission tower.

Mr. Siegel stated that you have one instance where we are saying you went ahead and constructed an infrastructure without a permit and he is worried about that resolution. Mr. Danser felt that the difference is that these people had come in in January and asked if they could do that and the Committee said no but did it anyway. He didn't think the Committee would be looking at it favorably otherwise. Ms. Fairweather stated that AT&T is licensed by the federal government and is required to provide coverage under its federal license. It isn't like it's something extra they just wanted to do to make money, it is required under the license to provide coverage in that area of NJ and frankly the legislation that allows them to go on farmland preservation is one of the best things you can do because most of the western part of the state of NJ is farmlands and they have to put antennas there and the transmission towers are the best places to go.

It was moved by Mr. Germano and seconded by Mr. Schilling to Approve Resolution FY2012R5(15), finding that the Owner of Block 21, Lots 6 and 10.01, in Alexandria Township, Hunterdon County, known as the NJCF/Buccholz/Wagner Farm, has complied with all of the applicable provisions of N.J.S.A. 4:1C-32.2 and the Rule concerning a personal wireless service facility to be erected on the land and that the SADC finds that because the personal wireless service facility is being constructed on a structure which existed on the Premises prior to preservation and is not owned by the landowner, that it does not have jurisdiction to mandate that space be made available to other entities, per N.J.A.C. 2:76-23.5(16). The SADC approves of the construction, installation, operation and maintenance of the personal wireless service facility to be located on top of, and within the base of, the high tension electrical transmission tower as identified in Scheduled "A" of said Resolution. The motion was approved. (Mr. Siegel and Mr. Waltman abstained from the vote.) (A copy of Resolution Fy2012R5(15) is attached to and is a part of these minutes.)

2. Renewable Energy Generation

- a. Walnridge Farm, Upper Freehold Twp., Monmouth County
- b. Walnridge Farm, Inc., U. Freehold Twp., Monmouth County

Mr. Roohr stated that when staff goes out to do monitoring, they find things that people have done before getting approvals. These two agenda items are examples of that. He stated that most common for him is he'll go out and find an agricultural labor unit and someone hasn't gotten proper approvals for that but as long as they are following the right rules staff can recommend approval, which has occurred many times after the fact, as long as they are abiding by the rules in place. When staff went out to do site inspections they saw that the owners had installed solar panels on several of their agricultural barns to service the agricultural output of the farm. These were roof mounted systems and are systems that the Committee can approve.

Mr. Roohr referred the Committee to Resolution FY2012R5(16) for a request for the installation of a solar energy generation facility, structures and equipment on an existing structure located on a preserved farm, known as the Walnridge Farm, Block 55, Lot 18; Block 56, Lot 19, in Upper Freehold Township, Monmouth County. He reviewed the specifics of the request with the Committee as outlined in said resolution. He stated that staff recommendation is to grant approval to the request as presented and discussed.

He referred the Committee to Resolution FY2012R5(17) for a request for the installation of a solar energy generation facility, structures and equipment on an existing structure located on a preserved farm, known as the Walnridge Farms, Inc. Block 54, Lot 1, in Upper Freehold Township, Monmouth County. He reviewed the specifics of the request with the Committee as outlined in said resolution. He stated that staff recommendation is to grant approval to the request as presented and discussed.

Note: Ms. Reade indicated she would be recusing from any discussion/action pertaining to the Walnridge agenda items to avoid the appearance of a conflict of interest. Ms. Reade stated she purchased sheep from these landowners in the past.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve Resolution FY2012R5(16) approving of the construction, installation, operation and maintenance of the photovoltaic energy generation facility, structures and equipment consisting of approximately 3,500 square feet and having a rated capacity of 42.55 kW of energy to be located on the roof top of a barn being constructed in the locations identified in Schedule "B" of said resolution, on the property known as the Walnridge Farm, Block 55, Lot 18, Block 56, Lot 19, Upper Freehold Township, Monmouth County, 196.47 acres and Resolution FY2012R5(17) approving of the construction, installation, operation and maintenance of the photovoltaic energy generation facility, structures and equipment consisting of approximately 700 square feet and having a rated capacity of 8.28 kW of energy to be located on the roof top of a barn being constructed in the location identified in Schedule "B" of said resolution, on the property known as Walnridge Farms, Inc., Block 54, Lot 1, Upper Freehold Township, Monmouth County, 18.43 acres, as presented and discussed and subject to any conditions of said resolutions. The motion was approved. (Ms. Reade recused herself from the vote.) (A copy of Resolution FY2012R5(16) and Resolution Fy2012R5(17) is attached to and is a part of these minutes.)

3. Request to Exercise an RDSO (comment only)

1. Zaitz/White Farm, Cranbury Township, Middlesex County

Note: Mr. Danser recused himself from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Mr. Danser is the Chairperson of the Middlesex County Agriculture Development Board.

Mr. Roohr referred the Committee to Resolution FY2012R5(18) regarding the Zaitz/White farm in Cranbury Township, Middlesex County. This is an residential dwelling site opportunity (RDSO) but because of the age of it, the CADB has the authority to allow the owner to exercise the RDSO but it gives the SADC thirty days of comment ability. At the time of enrollment the property had no existing residential units and was granted one RDSO. In the summer of 2006 the owner, at that time the contract purchaser, received approval to exercise the RDSO. The SADC only had positive comments. The RDSO is valid for a period of three years. The owner did not begin construction of the new home within the three year period. In April 2012 the SADC received notification from the owner that he was prepared to begin construction of his new home. It was determined that because the initial approval had expired he would have to submit a new application to the CADB. The new application makes the same request as previously approved in 2006 and it will be the primary residence for him and

his family. In May 2012 the Middlesex CADB approved the proposed residence at approximately 3,000 square feet in the same location as before. Staff comments here today are positive and the SADC does not have any problems with the request and supports it. The SADC is not granting or denying it just providing comments.

It was moved by Mr. Germano and seconded by Ms. Reade to approve Resolution FY2012R5(18) providing the following comments regarding the request for a Residual Dwelling Site Opportunity (RDSO) on the Zaitz/White property, known as Block 23, Lot 100, Cranbury Township, Middlesex County, 44.22 acres:

1. The use and construction of the residence is for an agricultural purpose;
2. At least one occupant of the residential unit must be regularly engaged in the daily agricultural production of the farm by farming the land;
3. The proposed location will have a minimal impact on the future agricultural operations of the Premises.

The SADC further comments that exercising the RDSO in the proposed location, as shown on Schedule "A", will have a minimal impact on the future agricultural operations of the Premises. The Owner shall provide the CDAB and the SADC with copies of the plans for the proposed residence, prior to construction, that confirm the finished square footage of the structure. The Owner will be required to file a Corrective Deed of Easement reflecting the reduction of the one RDSO originally allocated to the Premises. The owner will be required to forward copies of the recorded Corrective Deed to the Middlesex CADB and the Committee. The motion was approved. (Mr. Danser and Mr. Schilling recused themselves from the vote.) (A copy of Resolution FY2012R5(18) is attached to and is a part of these minutes.)

OLD BUSINESS

A. Review of Activities on Preserved Farmland Laurita Winery, Plumsted Township, Ocean County

1. Construction of Solar Array
2. Nonagricultural Activities

Note: Court Reporting Services via Renzi Court Reporting Services were provided for this agenda item.

Chairman Fisher stated that the Committee took action earlier to split the draft resolution dealing with Laurita Winery into two separate resolutions, one dealing with the solar energy system without approval and the other being the nonagricultural events and activities. He suggested beginning with the draft resolution dealing with the solar array without approvals. He asked for a motion for that item.

It was moved by Mr. Germano and seconded by Ms. Reade to approve Resolution FY2012R5(1) regarding the installation of a ground-mounted solar array, finding that the construction of a solar energy generation system on the Premises without approval of the Committee is a violation of the enabling statute (N.J.S.A. 4:1C-32.4). The SADC shall immediately request that interconnection of the solar generating system on the Premises to the grid by the local utility provider be denied until such time as the solar array receives approval of the SADC as required by law. The SADC authorizes the Executive Director, through the Office of the Attorney General, to seek resolution to the violations of the Deed of Easement on this Premises through legal means, if necessary.

Mr. Germano stated that on the first page, the third “Whereas” from the bottom and then that same paragraph going on to the next page should be removed because they have references to the winery products and it doesn’t belong in there. Mr. Roohr stated that was purposely kept in because the first full paragraph on the second page that states “the committee is considering a separate action regarding potential violations.....”, that is what ties in the potential violations to the electrical demand. We are going to get to a point where we are going to approve this system but we can only approve it on approved activities that can occur in the building so we wanted to keep in the record that the SADC has clearly been on record with what are approved activities. Mr. Germano stated he understood but it doesn’t flow. Ms. Payne felt that the Committee had to reserve that right here. She stated that the Committee is going to approve subsequent to this day, once we adopt regulations, the SADC will have applications before it for solar energy development and it will assess those applications on their face and if there activities occurring on the farm that are not permitted then staff will address that then in the total question of whether they have demonstrated that they are compliant with the regulations. She doesn’t feel we need to reserve that right here. Mr. Roohr commented that then the last three “whereas” paragraphs on page one, the last of which goes on to page two, should be deleted. Ms. Payne stated yes. She stated that we should just stick to the fact of the matter. Ms. Reade asked about the second “Be It Further Resolved” on the last page of the resolution that makes reference to the activities that are in violation of the Deed of Easement. She asked if the Committee wanted the “whereas” to support resolution. Mr. Germano felt that “be it further resolved” should be deleted.

Mr. Waltman stated that assuming the Committee adopts this resolution, this will be transmitted to the landowner and he felt it would be valuable to make this point about the energy demand in communications to him, whether or not it is in the resolution, that it is an important issue and he would hate to see the landowner come back to the SADC and say that it didn’t mention anything to him. Mr. Siegel felt that the “Be It Further Resolved” on the last page dealing with energy demand should be left in the resolution. It doesn’t detract from the purpose of the resolution. Mr. Waltman stated that if we take it out we have to communicate it to the landowner but he is fine with it in or out of the resolution.

Ms. Payne clarified for the Committee that the first five “Whereas” statements on page one stay in the resolution and then the next three “Whereas” statements will be deleted in their entirety; the second “Be It Further Resolved” on page 3 will be removed. Mr. Germano stated that on page two the top “Whereas” where it statesthe Committee is considering “separate” action.... The word “separate” singularizes this. He stated that it should read that the Committee is considering “action” regarding..... or ...considering potential violations. He suggested removing the word “separate”. Deputy Attorney General Stypinski asked if staff should renumber the exhibits for clarity because there will be two exhibits now. Ms. Payne asked if it would be ok to just keep the numbers as is because they are the documents that are the exhibits in the books as presented to the Committee. Mr. Stypinski stated that as long as everyone is clear on what everything is. Mr. Roohr stated that regarding Mr. Stypinski’s point, all the exhibits that were with the initial draft resolution, exhibit “A” would be the same in both resolutions, and “M” and “N” is going to be pulled out of the nonagricultural use activities resolution and put into the solar resolution. So that for the solar resolution there will be exhibits “A”, “M” and “N”. Mr. Stypinski stated that there is also an “L” exhibit in the resolution for the record. Mr. Roohr stated that was correct.

The motion was unanimously approved with the above noted amendments. (A copy of Resolution FY2012R5(1) is attached to and is a part of these minutes.)

Mr. Roohr referred the Committee to the second amended resolution for Laurita Winery that deals with the nonagricultural events and activities. Chairman asked for a motion to approve the amended resolution, for purposes of discussion.

It was moved by Mr. Germano and seconded by Mr. Waltman to approve Resolution FY2012R5(2) relating to the review of activities occurring on the Charles Plum Corporation, Laurita Winery property.

Discussion:

Ms. Payne asked Mr. Roohr to review for the Committee the findings of the resolution under the “Now Therefore Be It Resolved” areas. Mr. Roohr stated that for the nonagricultural use portion of the resolution originally drafted and this new amended resolution, the findings of that and the summation is that the construction of the patio areas, which would be used for nonagricultural areas like weddings, represents development of the farm for nonagricultural uses and need to be removed and that area returned to its original condition. Regarding the events, the private catered events such as weddings, wedding receptions, corporate events, holiday parties, fund-raisers, other celebratory life events and public events, where the primary function is the consumption of food, such as the Sunday brunches, theme dinners, family dinners – those are found to be in violation of the Deed of Easement (DoE), as they are not common farm site activities. They do not retain the property for agricultural use and production and are not

agricultural uses, which were not designated in the Schedule "B" at the time of preservation. They are therefore found to be violations and must cease. There are some other events, catered or not, in which the primary purpose is to attend the event and they would also be prohibited for the same reasons. The SADC is not saying that all of the events are prohibited. The events and activities, which are subordinate to or designed to enhance either wine sampling or the purchase of wine would be permitted. All the events for which the purpose or the main focus is something other than sampling and consuming and buying wine would be prohibited. The resolution states that these events need to cease within thirty days of the effective date of this resolution. The time was something the Committee discussed last month and settled on.

Mr. Siegel commented that the free event/concert without charge that would fall under the kind of area that Mr. Roohr is talking about, where the client principal revenue would be from the sale of agricultural products. Mr. Roohr responded that it isn't so much, in his mind, whether someone charges for it or not, but if they are not charging, what other purpose would there be for them to host the event then to get people there to buy something. If for some reason they could get someone to play at the winery for free, a lot of people would probably come just to watch the band. That may also not be allowed. In most realistic cases, he feels the non-charged for events, and maybe some events that have a small modest charge, but clearly the main goal is to get people there and sample the wine products and take some home, that the SADC would be fine with.

Mr. Siegel stated that is what the resolution is saying, that events in which the revenue generation is primarily from the sale of agricultural products, those events are ok, so if there is a ticket for a movie or something like that, as long as at the end of the day their revenue is generated from the sale of agricultural products, that would be the event that this resolution would permit. Ms. Payne stated that it doesn't talk about costs. She reviewed the specifics of the resolution with the Committee (Page 4) as follows:

Paragraph 1: Development of the farm for purposes of hosting events and activities for which the primary purpose of the functions is other than the sale of the farm's agricultural product/output constitutes development of the premises for nonagricultural purposes and is therefore prohibited.

Ms. Payne stated that the first question is do we see development on the property that constitutes nonagricultural development. What we specifically enumerated here is that the pergola certainly seems to appear to be development. She stated that the landowner stated that the pergola is there for private events. Mr. Germano stated you should also add the building because he feels it is a banquet hall. Ms. Reade commented that at the district meeting she attended recently the other farmers were very worried about the overflow parking because they said the amount of parking you need to sell wine or at a farm stand is really different from the amount of parking you need for a wedding where you have say 150 cars. They see that as a really critical delineator between the

nonagricultural use and agricultural use. Plus it really does ruin the field. Ms. Payne stated that the whole issue about the solar array also being a car port as well, staff would need a lot more information about what kind of events are being held that require that additional parking facility to be built to first make a determination of whether that is development for agricultural purposes because if it is development for nonagricultural purposes, the solar and everything goes. She doesn't want to discuss that further at this point because she doesn't have all the information because the application to build the solar facility is not before the Committee. Her feeling is the Committee approved the construction of that building for agricultural uses. It is not the building that is the violation, it is the use that is the violation. Paragraph one specifically deals with development so she feels the question is, does the Committee agree that the pergola has to go, is it clear development of the property for a nonagricultural purpose. Chairman Fisher asked if staff was sure it was taken out of production. Ms. Payne responded that is not the threshold. Ms. Reade stated this is a 177 acre farm and only 40 acres are planted to an agricultural commodity. She stated that it doesn't matter if the land is in production, it matters if it is development for a nonagricultural purpose. Chairman Fisher asked how does he know that the owner wasn't going to put easels under the pergola and have wine tastings under it. Mr. Germano stated that the landowner indicated that he built it for the intent of having weddings under there. Mr. Danser stated that the nonagricultural uses are continually expanding. Chairman Fisher stated that he doesn't exactly know for sure because you may go on to that farm a week from now and you're going to see all kind of wonderful things happening under that gazebo that have nothing to do with weddings or anything else. If it were him he would be showing kids how to grow grapes under it. What is important to him is that they are doing things for which they were told from the start to not do, and they said they weren't going to do them and they did them.

Ms. Payne stated that is why she asked the question on the record about the pergola. Mr. Waltman stated that he has built the bridal path essentially with this pergola. Ms. Payne stated that what she is hearing from the Committee is that it supports that finding that the pergola constitutes nonagricultural development and she is also hearing that it thinks, in light of the landowner's testimony, staff should add the patio and fire pit to the list of nonagricultural development. Ms. Reade felt it should be added. Mr. Schilling stated he recalls the owner's response about the pergola that it was primarily for weddings. For the patio that had the gas fire pit he couldn't recall the specific language the owner used. Ms. Payne responded that the landowner indicated that was for receptions. She asked him what was the purpose of the fire pit. Mr. Schilling stated that it seemed to him that the patio and fire pit had more than just wedding purposes and he thought that the owner mentioned tastings. Ms. Payne stated that is why she didn't include it in the draft resolution. She thought his answer was going to be that they use that area for people who are say in the vineyard area tasting wine and that it is an area for them to stop. Staff could have understood that but the owner didn't answer the question that way he said the pergola was used for event and the patio and the fire pit were reception areas.

Mr. Schilling referred the Committee to the resolution (top of page 4). He stated that he was conflicted on one point. He thinks that everyone is making a distinction between activities that you do primarily for the purpose of attracting people to the farm to sell my product versus one that, as stated in the resolution, "who's primary purpose is to market the use of the farm's land and/or facilities to support a nonagricultural use". He felt that conceptually that is a pretty clear distinction that is here. He stated that he doesn't understand the business structure of this winery and its financials. He stated that he is having trouble with defining what "clear distinction" is because he isn't sure how much money we can clear put under.....it's marketing his wine or this ancillary uses. He felt that was an important point. Mr. Schilling stated that the landowner indicated that he wasn't the numbers person but that his partner was. Ms. Reade stated that there is a very complicated holding and ownership structure and that provides the opportunity for all kinds of manipulations with that. Ms. Payne stated that the trouble she is having with the financial discussion is the DoE doesn't say you can do nonagricultural uses on the property as long as they are only say 49 percent of your income, it says nonagricultural uses are not permitted. Mr. Schilling stated that he isn't arguing against that, he is saying he hasn't seen a clear distinction and he doesn't know how much money is being claimed as marketing his output. Ms. Payne indicated it didn't matter because if he is advertising that you can rent his winery for say \$2,000.00 for a private event and you are going to have your winery, it doesn't matter how much he makes. The landowner stated that 25% was the income generated from rental fees associated with the private events, so if he's having a wedding, or a post-funeral gathering, someone is renting the land or the buildings to have a nonagricultural meeting or event of some kind. That, to her is a bright line that they are renting out the facility. She stated that the owner says he is selling wine and she understands that but renting out a building for a wedding, that is not an agricultural use on its basic face. Mr. Schilling stated that what he sees as the challenge the SADC is going to face now and in the future is determining how close that connection to marketing, how effective it is. He stated that regarding the pergola the response was pretty clear that he built it for weddings. He thought the response for the fire pit and patio was a little bit broader. Mr. Siegel stated that landowner's answer is not material as much as what is it. He put these up, are they a violation or not.

Mr. Schilling felt that permissibility to the structure is basically going to be linked to its use, whether it is purely for marketing or not. Mr. Germano stated that DoE allows you to process and market the output of the farm. The owner's testimony is that his purpose for having each and every event he has is to market the output of the farm and that every one of those activities results in him selling the output of the farm. Mr. Danser stated that if you are trying to get people to come and buy your product you don't rent the facility you invite them in. Once you start charge for it, it makes it a separate business and makes it a nonagricultural use. Mr. Germano stated that if you apply that test and all the events that the owner has sponsored, as opposed to the private events/weddings, then the things that he sponsored and he testified that he didn't charge for would qualify for

allowable. Mr. Danser responded that they might. He stated that if you putting on a movie night to get people to come and buy and drink your wine that is iffy, but if you are renting out a banquet hall and putting on a Sunday brunch, that is different.

Chairman Fisher stated he didn't think it was important that it is in there, this pergola and patio, he believes the Committee wants to demonstrate that it shows the owner obviously wanted to do weddings and this was a setting or backdrop or path and that is sort of where the Committee was going. He stated that if it is not there, what he thinks you are left with is someone who wants to sell wine and uses a number of methods and modes to do that. At the same time, inviting in an outside contractor who is in business as an outside contractor to do catered weddings and events, that is what is going on here and that is another business entity coming in on the farm to do business to make profit from that facility. The winery says, well that helps me sell my wine.

Mr. Siegel stated that for discussion purposes, he would suggest that Paragraph # 1 be removed and the top Whereas on page 3 where it references the pergola, that we maybe consider that as a subsequent resolution at another time. He stated that we are dealing with two issues, the building and the patio. He suggests separating the patio issue out of the resolution and have staff come back with a different resolution because it occurs to him that while, on its face it is questionable, the more you think about the application, if he is using it as a facility for people to hang around and try his products, we have that on farms all over the place. Ms. Payne stated to her the patio and the fire pit are in that category. She has been to enough wineries that it seems a very natural thing where you are inviting people into the vineyard, walking around, its evening and a fire is going. She understands that. The pergola she doesn't. She feels it is a structure specifically designed to host these celebratory life events, which she feels supports this kind of continued nonagricultural use of the property. Mr. Waltman felt that the pergola should remain in the resolution. Ms. Payne stated that the owner indicated that the patio area is used as a reception area but the problem is she can see that it can also be a very normal thing to have in a vineyard, particularly one like he has, when he is promoting people coming in and touring the vineyard and taking a ride through it. Ms. Brodhecker stated that future marketing for farming is going to be educating the public and letting the public know what you are doing and letting them make that connection. In that respect this landowner is right. Our problem is that he questions the SADC's authority.

Ms. Reade stated that it's a bigger problem than that. She felt it is a problem of how much of a preserved farm can be devoted to marketing and how much is devoted to production. She has a problem with hardscaping most of the farm and putting 40 acres in something that is nominally what you are selling and then doing a lot of entertainment.

Chairman Fisher stated that this is a case that is hanging in the balance on someone's activity on a farm. He stated that this is heavy-duty stuff to an operator and if he decides to accept our decision, it is a major reversal in terms of how they get to run their business. He felt that everyone is projecting too far in looking at this beautiful structure on a farm

and have projected it out to decide what you think it is going to be. He said he could envision several activities under that structure. He could see people sitting around drinking wine and talking about all kinds of things. The fact that the Committee is sure and decided it is a wedding backdrop and that it was expressly provided for that, it may be.

Mr. Siegel commented that the top Whereas on Page 3 discusses the brick patio area, arched pergola and gas fire pit but in Paragraph 1 under the "Now Therefore Be It Resolved" only concerns the pergola. Why are we mentioning the other two facilities when we are not ruling on them. Ms. Payne stated because all the infrastructure that staff just found out has just recently been built. The staff recommendation only concerns the pergola. Ms. Reade asked if the Committee, in effect, then endorses the fire pit if it condemns only the pergola? Ms. Payne stated that if we do not say something about the fire pit here we are acknowledging that you don't believe it is a violation of the deed. Mr. Danser stated that the Committee would be acknowledging that it "could" be used for agricultural purposes in marketing and the Committee is not certain enough to demand it be taken out. Mr. Germano stated that there isn't a lot on the record about what that is used for and between its location and what it can be used for that would be permissible, it makes sense to do nothing. It doesn't mean that the Committee cannot do something ever if the owner starts using it in an improper way.

The Committee reviewed the specifics of the amended resolution. Ms. Payne stated that every farm that is picturesque is a potential place for private events. Part of the things she began to think about when A323 was introduced was, this cannot be just for wineries, it has to be for horse farms. You have a beautiful horse farm with a great barn and they want to have wedding receptions too. People will come, tour it, and maybe become interested in horseback riding. How tenuous a connection are we going to allow?

Mr. Schilling question the language in Paragraph 2, item A. He stated that we are making a judgment here that a wedding, if the owner sold 100 cases of wine or one case of wine it is somewhat irrelevant. We are dismissing out-of-hand that weddings cannot be viewed as an agricultural use, that they cannot ever be a mechanism for effectively marketing, in this case, wine. Ms. Payne stated that her position would be without legislative authority she believes that to be true. She doesn't see how the SADC can say wedding receptions are agricultural use. It's so far away from 30 years of what we have been thinking about. She realizes the industry is evolving and there will be change, but that is a leap. Mr. Schilling stated that when you go back to the original agreement, where the SADC was conditioning its approval on not using the facility for certain uses, the landowner reaffirmed his understanding of that and agreed it would never be. That right there seems to be at point in time where the SADC is saying weddings are prohibitive uses. So until something changes you can look at this fairly cut and dry. Ms. Payne felt that item "A" in Paragraph 2 is completely cut and dry. Mr. Schilling stated that he is not ready to say, in an overly generalized way, that any of these things cannot

be effective marketing tools. He is saying he hasn't seen any evidence that would convince him that they are or are not in this particular case. He felt that weddings can be a viable marketing strategy. Ms. Payne stated she wasn't questioning whether it was an effective marketing strategy, we are saying it is a nonagricultural use, regardless whether it is an effective marketing strategy or not. Mr. Schilling stated that do we define agricultural use in relationship to production or the marketing of one's agricultural product. It boils down to the strength of that connection. Is it a distant connection or truly a very strong type connection.

Ms. Reade felt it has to be more than just about obedience to a 2005 agreement. There has to be this underlying principle where a line is drawn between how much of the farm can be devoted. Ms. Payne stated that item "C" of the resolution on page five seems to her to be the area that has the most flexibility for the owner. This section of the resolution says ..."where the primary purpose of attending the event is the nonagricultural activity itself, including concerts, singing competitions, movie nights and country line dancing nights". The question for the Committee is do you agree with that. She stated that this is the category that sort of gets to the point that having certain activities to attract people to the farm. As the owner was explaining you have movie night where people come, sit in the vineyard, they drink wine with a movie on in the background. If the Committee is going to stretch this would be the area where we stretch.

Chairman Fisher asked the Committee if it wanted any changes to the draft resolution as written. There were no requests for changes. He asked the Committee if it wanted to see any additional/changes regarding the pergola and/or the fire pit. Mr. Danser asked that the language in the resolution remain as written, leaving the pergola in as written. Mr. Waltman agreed. Mr. Siegel abstained from comment and requested a roll call vote.

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	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

The motion was unanimously approved. (A copy of Resolution FY2012R5(2) is attached to and is a part of these minutes.)

**H. SADC Wind Energy AMP – Project Update (discussion only)
Presentation by Rutgers University Noise Technical Assistance Center**

Ms. Payne stated that the SADC adopted a solar energy AMP that sets forth right to farm standards for solar energy development on nonpreserved farms. The companion of that, the SADC is obligated to adopt a wind AMP for the development of wind energy at a farm scale as defined in our authorizing statute. The issue that the SADC very quickly ran into when staff started researching the issue was the noise impacts of wind turbines. We had dealt with the issue of noise impacts related to solar facilities in the AMP and set a decibel limit for design of our solar AMP to make sure that solar facilities that are constructed are not inappropriately interfering with neighbors enjoying their properties. In order to get to some answers regarding wind the Committee authorized a contract with the Rutgers University Noise Technical Assistance Center and today with us is Eric Zwerling, who is the head of that office. Mr. Zwerling has been before the Committee previously, helping the SADC on a voluntary basis with solar energy. Staff knew that this was going to require an enormous amount of research and time so it authorized that contract.

Ms. Payne stated that the goal today is to hear from Mr. Zwerling regarding how he is doing on his research and where he is headed in terms of an approach for developing a noise standard for wind turbines. Mr. Zwerling addressed the Committee providing a status update and points of discussion for going forward in the process of developing the noise standard for wind turbines as related in his letter to the SADC dated May 17th. Mr. Zwerling stated that of all the research projects that he has undertaken this one is by far the most complex. As a researcher whenever he finds out more information he ultimately find the golden path to truth. The more he researches this subject the more differences of opinion, the more different approaches are possible. It is a very complex issue. However, we do have to ultimately come to some relatively simple guideline for the development of these projects. You have two competing interests. One of them is the fostering of green energy and the impending economic benefits as well. The flip side to that is that noise has significant physiological, biochemical and psychological impact on people. Wind turbines are a unique noise source that have an ability to annoy people beyond what their simple sound levels represent. People exposed to traffic noise versus turbine noise or other common noises, turbine noise is uniformly, in all the studies he has reviewed, more annoying. It has tonal characteristics, fluctuations and intensity.

Note: Secretary Fisher left the meeting at this point in time. Monique Purcell presided over the meeting.

Mr. Zwerling discussed the various components of his status report as related in his correspondence to the SADC dated May 17th. Ms. Payne stated that Mr. Zwerling is going to conclude his work and today it sounds as if he said a couple of things 1) he said 37dba is the recommended level and his recommended approach is to create a look-up

table for setbacks so we can figure that out. Staff has asked the question of whether a wind speed assumption of 12 miles per hour is a proper assumption for NJ. We need to spend more time on understanding NJ's wind speeds. The Committee has asked who the burden of proof should be put on re: compliance with the noise standards. That is an issue for the SADC but she doesn't want to forget. It sounds like the comments were it should be the complainant's obligation to demonstrate that someone is not in compliance, if the Committee is going to have a standard that is going to require continued compliance, not just design compliance. She stated that ambient sound was discussed but not concluded. Mr. Danser stated that it's just a question but ambient goes up significantly with the wind speed and we have to make sure that we recognize that and possibly adjust for it so you don't get blamed for the ambient sound. Ms. Payne stated that we will communicate more on the issue of how to address questions regarding ambient sound and how to account for it, whether it is in design or the on-going compliance or both. She stated that staff will continue to work with Mr. Zwerling to move the SADC in the direction of a draft AMP. Staff will discuss some of the issues raised by the Committee today to help give Mr. Zwerling final direction if he needs a policy call made so that we can complete a draft of the standards and then come back to the Committee with that draft.

I. Review of Draft rules for Solar Energy Facilities on Preserved Farmland

Ms. Payne stated that Ms. Gruzlovic will run through for the Committee the draft rules governing development of solar facilities on preserved farmland.

Ms. Gruzlovic noted that the SADC's AMP – or standards for right-to-farm protection – for solar became effective in August 2011. Those standards have informed the solar rules for preserved farms, and some of the same provisions appear in the draft solar preserved farm rules. The solar/wind/biomass law, as it pertains to preserved farms, has some key language. It provides the SADC with a very limited set of criteria for evaluating and approving projects on preserved farms. The facilities must be owned by the landowner at the outset or will be owned by the landowner at the conclusion of an agreement – for example, where the landowner receives reduced energy over a period of maybe 20 years, and will purchase the system at the conclusion of that agreement. The facilities must be used to provide power or heat to the farm, either directly or indirectly. Staff looked at what directly or indirectly means and interprets it to mean that net metering can be seen as indirectly providing power to the farm, while direct is an unmetered project like a pool heater that's outside of any meter. She noted the definition of occupied area, which includes the total contiguous or noncontiguous areas supporting the solar energy facilities and related infrastructure. Mr. Germano questioned including the square footage of solar energy facilities mounted on buildings as part of the occupied area. Ms. Payne indicated that staff would take another look at that provision.

She reviewed other eligibility criteria and key definitions in the draft rules, including net metering – which requires meeting BPU’s regulatory definition of net metering and further limits net metering to solar energy facilities that connect to meters on the preserved farm. She also reviewed evaluation criteria for determining that solar energy facilities do not interfere significantly with agricultural or horticultural production, including that the facilities do not conflict with the deed of easement. Under the draft rules, solar energy facilities on severable exception areas must be located entirely within the exception area. Solar facilities that primarily service an agricultural or residential use on a nonseverable exception area may be located on the deed-restricted land because such uses further the viability of the preserved farm. However, where solar facilities will primarily service a nonagricultural or nonresidential use in the exception area, ideally staff would want the facility located entirely within the exception area. However, in reality, that will not always be possible. Therefore, the draft rules create a limited tolerance on the deed-restricted land. If such solar energy facilities cannot be contained to the nonseverable exception area, the first priority is placement on existing buildings and structures. Once that possibility has been exhausted, a limited amount can be placed on the deed restricted land – accounting for no more than one acre or one percent of the farm, whichever is less. NRCS appears to have stricter standards so the draft rules have a disclaimer to that effect. Facilities will be considered abandoned and must be decommissioned if no longer in use for 18 consecutive months. She concluded by reviewing key concepts in the draft rules: The facilities can be sized to meet up to 110% of the farm’s previous calendar year energy demand, or can occupy up to 1% of the farm; site disturbance cannot exceed 1 acre; impervious cover cannot exceed 1 acre; and facilities located on deed-restricted land to primarily serve nonagricultural or nonresidential uses on nonseverable exception areas, cannot exceed 1 acre or 1% of the farm, whichever is less.

Ms. Payne stated that this is the Committee’s first look and staff would like to hear what the Committee’s comments and questions are and then come back with a proposal to be approved for the NJ Register and then we will go through the normal comment period. She stated that Scott Hunter from the BPU is present today and has been very helpful for staff to run issues by him and get information from.

Ms. Payne asked that the Committee take the draft rule with them, review it and if anyone has questions to please contact staff. She stated that she cannot overstate how much the agricultural community wants the SADC to adopt these standards and the wind standards for preserved farms. She stated the SADC has multiple property owners that are waiting for these rules so they can proceed. For that reason staff is not proposing to send this out for a 60-90 day general comment period. Everyone has worked very hard on this and staff would like to move it along quickly. Unless the Committee feels there are major flaws, staff will come back next month with a proposal. Staff will spend some time on the occupied area issue and roof tops issue to make sure that makes sense. She stated that this has been sent to the working group, to Mr. Hunter at BPU and the Governor’s Office,

along with the NJ DEP. She stated that on the impervious cover limit that was the one thing that the NJ DEP was concerned about. They have signed off on the one acre, as long as there is a caveat in the draft that says, this by no way allows you to override any other DEP or other state regulations, including wetlands, CAFRA, storm water, etc.

PUBLIC COMMENT

None

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, June 28, 2012, beginning at 9:00 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 4:05 p.m. Mr. Siegel moved the following resolution to go into Closed Session. The motion was seconded by Ms. Reade and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, and attorney-client matters, pursuant to N.J.S.A. 10:4-12, the NJ State Agriculture Development Committee declares the next one-half hour to be private to discuss these matters. The minutes will be available one year from the date of this meeting.”

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values

It was moved by Mr. Germano and seconded by Mr. Siegel to certify the development easement values and the Fee Simple values (where applicable) for the following landowners, as presented and discussed in closed session:

Municipal Planning Incentive Grant Program

1. Andrew M. Bellone, Jr. and Thomas Bellone, SADC #08-0133-PG
Block 6002, Lots 67, 73, Franklin Township, Gloucester County, 47 Acres
2. Daniel and Irene Lenzi, SADC # 08-0137-PG
Block 6601, Lot 20, Franklin Township, Gloucester County, 39 Acres
3. Charles Brown, SADC # 10-0338-PG

Block 9, Lot 20.01; Block 14, Lots 2 and 38, Holland Township, Hunterdon County, 129 Acres

4. Ellen and Mesiano Walters and Christina Walters, SADC #17-0107-PG
Block 2101, Lots 16 and 17, Pittsgrove Township, Salem County, 19 Acres

Direct Easement Purchase Program

1. Bob Schaumloeffel (Hidden Lakes Farm)
Block 31, Lots 6, 9, 10, Upper Freehold Township, Monmouth County, 196 Acres

Note: Ms. Brodhecker recused herself from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest and left the room. She is the Chairperson of the Sussex County Agriculture Development Board.

2. Scotto Land Investments, LLC (Miller Sheep Ranch (former)), SADC #19-0013-DE
Block 161, Lots 2 and 3, Andover Township, Sussex County, 284 Acres
Development Easement value at \$1,550.00 per acre based on current zoning and environmental regulations in place as of March 15, 2012 and April 1, 2012 only.

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (Copies of the Certification of Value Reports are attached to and are a part of the closed session minutes.)

B. Attorney/Client Matters

Litigation

- a. All Monmouth Landscaping, Manalapan Township, Monmouth County

Ms. Payne asked for a motion to accept the draft Stipulation of Settlement in the All Monmouth Landscaping case as discussed in closed session.

It was moved by Mr. Siegel and seconded by Ms. Reade to accept draft Stipulation of Settlement regarding the State Agriculture Development Committee, Plaintiff, v. All Monmouth Landscaping and Design, Inc., Defendant, as presented and discussed in closed session and subject to any conditions of said Stipulation of Settlement. The motion was unanimously approved. (A copy of the Stipulation of Settlement is attached to and is a part of the closed session minutes.)

ADJOURNMENT

There being no further business, it was moved by Mr. Danser and seconded by Mr. Germano and unanimously approved to adjourn the meeting at 4:35 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Susan E. Payne".

Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

S:\minutes\2012\REG May 24 2012.docx

**STATE OF NEW JERSEY
AGRICULTURE RETENTION AND DEVELOPMENT PROGRAM**

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION # FY2012R5(3)

REQUEST FOR EXTENSION OF PROJECT APPROVAL

CUMBERLAND COUNTY

WAYNE AND CONSTANCE BEAL

MAY 24, 2012

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 the **Wayne and Constance Beal, SADC ID#06-0014-EP**, concerning the parcel of land located in the Township of Hopewell, County of Cumberland; and

WHEREAS, the SSCC has reviewed specific reasons for extension related to seasonal constraints and health issues delaying the start of the project, as stated by the landowners, and on May 14, 2012, the SSCC approved the request for extension of twelve months 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 April 24, 2009, the SADC approved a soil and water state cost-share grant in the amount of \$30,048.00, for approved projects submitted by the above landowners (at 50% cost share); and

WHEREAS, the landowners have expended the amount of \$0.00 (zero) to date and have requested the balance in the amount of \$30,048.00 to be extended until April 24, 2013; 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 \$30,048.00 until April 24, 2013, with no further extension for **Wayne and Constance Beal, SADC ID#06-0014-EP**, Township of Hopewell, County of Cumberland, subject to available funds; and

BE IT FURTHER RESOLVED, that the project must be completed by April 24, 2013.

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.

5/24/12

DATE



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	RECUSED
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	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	RECUSED

State Soil Conservation Committee
 State Cost Share Program
 Request for Extension of Project Approvals

(Note: Separate Request Required for Each Previously Approved Application) to SSCC 2/29/2012

County Cumberland

Applicant Name Wayne Brand

State ID Number 01-001-EP Application # 1

Original Approval Date 4/24/2009 (From Block 15 of original Application Form)

Total of Cost Share Funds Approved \$ 30,048.00
 Amount Expended to Date \$ 0.00 Amount Remaining \$ 30,048.00

PROJECTS FOR WHICH EXTENSION IS REQUESTED. (List information below exactly as shown on original application or as revised via approved revision form. Enclose photo copies of approved application and revision forms).

A	B	C	D	E	F	G
Project Description	CPO Item #	Field #	Extent Originally Approved	Amount Originally Approved	Amt. to be Extended	Amount Approved (State Office)
2190-2.15 Irr Systems						
6" PVC Well	1	1	150LF	\$6375	\$6375	
6" main + Valve Tees	2	1	3000LF	\$18,650	\$18,650	
Drop in Field Store	3	1	9.0 ac	\$5023*	\$5023	
*balance of eligibility						
Total				\$30,048		

DESCRIBE SPECIFIC REASONS FOR EXTENSION. Reasons must be detailed and relate to seasonal constraints or other unavoidable delays beyond the applicants control.

Project has been delayed for health reasons

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 *Wesley Maul* Date 2/20/12

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 *Wesley Maul* Date 2/27/12
District Conservationist

SCD Approval

The Cumberlands Soil Conservation District has reviewed and approved this request at an official meeting held on 2/28/2012 (date) and recommends extension for 12 months.

Signature *John St.* Date 2/28/12
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 *Frank Mung* Date 5/14/12
Title FRANK MUNGH
ADM ANALYST

SADC Approval

The SADC hereby extends funding authorization for the above listed projects. This approval will expire 04/23/13.

Signature *Wesley Maul* Date 5/24/12
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.

**Soil And Water Conservation Project Cost Share Grants
EXTENSION OF PROJECT APPROVALS SUMMARY**

SADC ID #	LANDOWNER/AGENT	MUNICIPALITY	COUNTY	OBLIGATION			EXTENSION REQUEST			8 YR EXPIRE DATE			
				FUND #	ORIGINAL AMOUNT	LESS PAYMENTS	BALANCE	EXPIRATION DATE	AMOUNT		TIME	EXPIRATION DATE	
06-0014-EP	Wayne and Constance Beal	Hopewell	Cumberland	09 Gen	1	30,048.00	-	30,048.00	04/24/12	30,048.00	12 months	04/24/13	10/21/12

50% Cost Share

Extension request is for \$30,048.00 to complete the original project

Original project description: Irrigation system consisting of a 6 inch PVC well at a depth of 150 feet, 3,000 feet of 6 inch mainline, 20 6 inch valve tees, and 8.0 acres of drip irrigation

Received no payments

Reason for Extension: Health issues delayed starting the project

Landowner formally initiated request for extension on February 20, 2012

NRCS reviewed and concurred with reasons for extension on February 27, 2012

Soil Conservation District approved request for extension on February 28, 2012

SSCC approved the Request for Extension on May 14, 2012 and recommends SADC approval of extension request

Funds are encumbered in FY 09 general fund

IX - A

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R5(4)

FINAL APPROVAL

Of

**BURLINGTON, CAPE MAY, CUMBERLAND, GLOUCESTER, HUNTERDON, MERCER,
MIDDLESEX, MONMOUTH, MORRIS, PASSAIC, SALEM, SOMERSET, SUSSEX AND
WARREN COUNTIES' PLANNING INCENTIVE GRANT**

APPLICATIONS

**INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLANS AND PROJECT
AREA SUMMARIES**

FY 2013 PIG PROGRAM

May 24, 2012

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 county shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agriculture development area authorized pursuant to the "Agriculture Retention and Development Act," P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish a county agriculture development board (CADB), pursuant to N.J.S.A. 4:1C-14, to serve as the agricultural advisory committee;
3. Prepare a comprehensive farmland preservation plan; and
4. 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, including, but not limited to, a dedicated tax, repeated annual appropriations or repeated issuance of bonded indebtedness; and

WHEREAS, a county, in submitting an application to the SADC shall outline a multi-year plan for the purchase of multiple targeted farms in a project area and indicate its annual share of the estimated purchase price; and

WHEREAS, the application shall include a copy of the comprehensive farmland preservation plan element; an estimate of the cost of purchasing development easements on all the farms in a designated project area, to be determined in consultation with the CADB or through an appraisal for the entire project area; and an inventory showing the characteristics of each farm in the project area which may included, but not be limited to, size, soils and agricultural use; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17 (N.J.A.C. 2:76-17) 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 county farmland preservation planning incentive grant program; and

WHEREAS, a county, applying for a grant to the SADC shall submit a copy of the county comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, on December 14, 2006, the SADC adopted *Guidelines for Developing County Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17 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, pursuant to N.J.A.C. 2:76-17.6(a), the SADC received 15 county planning incentive grant applications for the 2009 County Planning Incentive Grant round, consisting of a copy of the county's draft comprehensive farmland preservation plan and all applicable project area summaries; and

WHEREAS, between June 2008 and January 2009 the SADC granted Final Approval to all 15 county planning incentive grant applications for the 2009 County Planning Incentive Grant round; and

WHEREAS, Burlington, Cape May, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Salem, Somerset, Sussex and Warren Counties were included among the 15 aforementioned applicants for the 2009 County Planning Incentive Grant; and

WHEREAS, in addition to the 15 applications submitted for the 2009 County Planning Incentive Grant Program the SADC received an additional 2 county planning incentive grant applications from Bergen and Cumberland Counties for the 2010 County Planning Incentive Grant round and 1 county planning incentive grant application from Atlantic County for the 2013 County Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17.6(a); and

WHEREAS, the SADC granted Final Approval to the Cumberland County planning incentive grant application and comprehensive farmland preservation plan on December 10, 2009; and

WHEREAS, SADC staff are actively working with Bergen and Atlantic Counties to complete their comprehensive farmland preservation plans; and

WHEREAS, the 18 total applications for the County Planning Incentive Grant Program identified 133 project areas targeted 4,314 farms and 242,446 acres at an estimated total cost of \$2,776,000,000, with a ten-year preservation goal of 150,106 acres, as summarized in the attached Schedule A; and

WHEREAS, both Camden and Ocean Counties decided not to apply for the 2013 County Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17.6(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.6(b)1 and N.J.A.C. 2:76-17.6(b)2, in order to improve county and municipal farmland preservation coordination, the counties notified all municipalities in which targeted farms are located within a project area and provided evidence of municipal review and comment and, if appropriate, the level of funding the municipality is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, SADC staff reviewed and evaluated the counties' 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.

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Burlington, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Salem, Somerset, Sussex and Warren Counties' Planning Incentive Grant applications as summarized in the attached Schedule B.

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17.8(a), and that the SADC's approval of State funding is subject to the Garden State Preservation Trust approval, the Legislative appropriation of funds and the Governor signing the respective appropriation bills; and

BE IT FURTHER RESOLVED, that Camden and Ocean counties' decision to not apply to the 2013 County Planning Incentive Grant Program does not preclude their use of previously appropriated funds in a manner consistent with their existing Planning Incentive Grant plans; and

BE IT FURTHER RESOLVED, that the SADC will monitor the county's funding plan pursuant to N.J.A.C. 2:76-17.17 and adjust the eligibility of funds based on the county's progress in implementing the proposed funding plan. Each Planning Incentive Grant county should expend its grant funds within two 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 two years are subject to reappropriation and may no longer be available to the county; 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.

5/24/12
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	RECUSED
Alan A. Danser	RECUSED
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	10	423	\$2,162	27,724	423	1,500	2,500	5.0	\$2,700	No Set Amount
Bergen	8	40	525	\$67,227	10,887	30	150	300	1.0	\$19,000	No Set Amount
Burlington	4	198	22,802	\$100,000	111,853	1,000	5,000	10,000	4.0	\$20,000	No Set Amount
Camden	5	57	3,469	\$30,843	15,071	762	2,369	3,470	2.0	\$7,600	No Set Amount
Cape May	6	189	12,312	\$221,766	15,982	151	936	1,207	1.0	\$5,300	No Set Amount
Cumberland	16	485	19,144	\$114,254	60,078	1,951	9,757	19,514	1.0	\$0,970	No Set Amount
Hopewell	1	46	1,627	\$9,722	5,689	163	814	1,627	0.0	\$0,000	No Set Amount
Upper Deerfield	1	54	3,591	\$21,575	9,233	396	1,979	3,958	0.0	\$0,050	\$0,050
Gloucester	11	569	24,008	\$319,020	112,929	750	3,500	6,800	4.0	\$11,000	\$5,000
Elk	2	30	1,005	\$11,050	3,520	75	377	754	1.0	\$0,038	\$0,038
Franklin	5	123	5,086	\$30,505	10,106	598	1,799	3,290	1.0	\$0,076	No Set Amount
Woolwich	3	73	3,366	\$50,475	5,183	265	1,920	3,984	5.0	\$0,314	No Set Amount
Hunterdon	7	192	12,448	\$158,000	178,126	1,500	7,500	15,000	3.0	\$7,000	\$2,000
Alexandria	4	64	3,764	\$37,636	16,912	250	750	1,500	4.0	\$0,528	No Set Amount
Delaware	2	22	1,657	\$23,198	23,707	300	1,500	3,000	6.0	\$0,540	No Set Amount
East Amwell	1	19	1,797	\$23,361	13,515	170	699	1,720	4.0	\$0,315	\$0,315
Franklin	1	15	1,516	\$21,592	10,644	161	533	822	5.0	\$0,278	\$0,200
Holland	4	38	2,521	\$25,210	11,335	250	1,250	2,500	2.0	\$0,079	\$0,079
Kingwood	1	26	1,762	\$17,620	12,645	242	881	1,762	3.0	\$0,182	No Set Amount
Raritan	4	23	1,554	\$31,079	6,111	100	300	600	1.5	\$0,602	No Set Amount
Readington	1	39	2,313	\$41,634	15,759	100	600	1,100	2.0	\$0,570	No Set Amount
Tewksbury	3	3	409	\$9,700	4,557	100	300	1,000	5.0	\$0,425	No Set Amount
Union	3	20	640	\$5,894	4,189	70	325	600	2.0	\$0,137	\$0,007
West Amwell	1	6	610	\$7,320	10,440	100	100	610	6.0	\$0,315	No Set Amount
Mercer	7	31	2,753	\$52,757	14,743	50	500	1,000	3.0	\$9,500	No Set Amount
Hopewell	1	11	958	\$28,734	10,761	96	383	479	3.0	\$1,255	No Set Amount
Middlesex	5	124	4,951	\$189,926	20,983	225	1,125	2,250	2.0	\$22,000	No Set Amount
Monmouth	6	136	12,299	\$358,751	60,623	1,200	3,000	6,000	1.5	\$17,900	No Set Amount
Collis Neck	1	6	262	\$13,254	9,321	53	83	302	1.2	\$0,370	No Set Amount
Holmdel	1	18	564	\$26,117	2,568	10	70	338	2.5	\$1,145	No Set Amount
Howell	3	13	560	\$12,846	12,666	127	370	453	2.0	\$1,396	\$0,700
Islanapan	1	31	1,578	\$32,155	9,223	171	855	1,711	2.0	\$1,141	No Set Amount
Marlboro	3	20	719	\$35,950	19,690	42	202	387	2.0	\$0,625	No Set Amount
Millstone	4	53	3,270	\$98,040	14,359	30	4,150	300	6.0	\$1,100	No Set Amount
Upper Freehold	1	207	8,813	\$176,260	27,358	550	1,000	1,500	4.0	\$0,328	No Set Amount
Morris	3	79	5,962	\$180,176	169,342	610	2,974	5,962	1.5	\$17,159	\$4,290
Ocean	7	151	3,256	\$84,287	21,975	200	901	1,623	1.2	\$10,000	No Set Amount

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Passaic	1	10	191	\$5,977	6,415	100	500	1,000	1.0	\$5,000	\$0,750
Salem	3	434	35,790	\$286,330	80,125	2,600	13,000	26,000	2.0	\$1.14	\$1.14
Alloway	1	7	384	\$3,072	5,055	38	194	384	2.0	\$0,020	No Set Amount
Pilesgrove	3	41	3,324	\$32,484	7,303	261	1,206	2,197	3.0	\$0,145	\$0,145
Pittsgrove	2	86	1,909	\$14,315	7,200	458	1,312	2,399	3.0	\$0,178	No Set Amount
Upper Pittsgrove	3	11	459	\$3,440	25,062	700	3,500	7,000	2.0	\$0,070	\$0,070
Somerset	12	382	15,185	\$240,301	87,623	1,000	4,000	5,000	3.0	\$19,104	\$1,400
Bedminster	1	123	5,913	\$177,410	10,111	500	2,706	2,706	2.0	\$0,522	No Set Amount
Bernards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	25	1,100	\$34,379	17,422	130	650	1,100	5.0	\$4,000	No Set Amount
Hillsborough	3	22	1,510	\$30,193	3,471	100	500	1,000	2.8	\$1,560	No Set Amount
Montgomery	1	22	1,081	\$32,432	20,646	116	385	580	4.0	\$1,500	No Set Amount
Peapack & Gladstone	2	11	310	\$10,857	1,932	20	85	160	3.0	\$0,248	\$0,120
Sussex	10	799	39,449	\$220,189	176,195	2,648	13,240	26,480	0.85	\$1,200	\$1,000
Frankford	4	102	4,438	\$27,745	10,142	75	350	700	3.0	\$0,080	\$0,080
Green	3	53	1,831	\$11,908	7,632	150	675	1,300	3.0	\$0,167	\$0,167
Warren	7	428	27,479	\$144,430	154,278	1,000	8,000	16,000	6.0	\$7,400	\$3,707
Blairstown	4	78	2,140	\$14,977	12,307	180	900	1,700	3.5	\$0,320	\$0,320
Franklin	4	150	5,698	\$51,168	11,542	225	1,000	1,900	6.5	\$0,271	No Set Amount
Freylinghuysen	7	73	2,807	\$18,248	9,483	45	220	430	2.0	\$0,055	\$0,055
Greenwich	1	52	2,185	\$17,478	3,453	150	700	1,300	4.0	\$0,241	\$0,241
Harmony	3	89	4,040	\$24,236	12,409	220	1,000	1,800	5.0	\$0,247	\$0,247
Hope	3	44	2,350	\$12,925	4,976	65	300	600	2.0	\$0,063	\$0,063
Knowlton	2	34	2,994	\$14,970	13,355	100	500	1,000	2.0	\$0,052	\$0,052
Pohatcong	4	58	1,672	\$10,029	7,510	160	760	1,500	0.5	\$0,174	\$0,174
White	4	116	4,513	\$22,673	13,599	150	700	1,300	2.0	\$0,128	No Set Amount
County Totals (18)	133	4,314	242,446	\$2,776.39	1,324,952	16,199	77,952	150,106		\$183,977	
Municipal Totals (46)	106	2,057	95,808	\$1,399	463,941	8,343	38,150	63,963		\$26,296	

Note: In some cases County and Municipal project areas overlap. Identified farms may appear on both County and Municipal target farm lists.

Note: Data in red reflect 2009/2010 data. These are applications that did not submit 2011 round applications.

Date: 5/16/12

Schedule B

2013 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

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 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions	
Burlington	North	89	10,061	\$80,000,000	\$11,428							
	West	25	2,068	\$10,000,000	\$10,000							
	East	40	4,590	\$5,000,000	\$5,000							
	South	44	6,083	\$5,000,000	\$5,000							
	4	198	22,802	\$100,000,000	\$4,386	1,000	5,000	10,000	4.0	\$20.00	undetermined	
	Cape May	Lower	35	1,283	\$46,368,000	\$36,142						
		Middle	33	2,606	\$37,492,001	\$14,387						
		Upper	36	3,265	\$40,560,000	\$12,422						
		West Cape May	2	181	\$15,876,001	\$87,713						
		Dennis	67	3,348	\$59,766,018	\$17,851						
Woodbine		16	1,629	\$21,703,500	\$13,323							
6		189	12,312	\$221,765,520	\$18,012	151	936	1,207	1.0	\$5.30	No Set Amount	
Cumberland		Deerfield-Upper Deerfield North	82	2,797	\$16,715,995	\$5,977						
		Deerfield-Upper Deerfield South	27	861	\$5,144,657	\$5,977						
		Downe	5	183	\$1,094,017	\$5,977						
	Fairfield East	1	181	\$1,080,988	\$5,977							
	Fairfield-Lawrence	31	1,239	\$7,403,633	\$5,977							
	Fairfield North	7	624	\$3,731,859	\$5,977							
	Greenwich	47	2,041	\$12,199,137	\$5,977							
	Hopewell South	46	1,627	\$9,722,135	\$5,977							
	Lawrence Central	2	96	\$573,694	\$5,977							
	Lawrence East	5	180	\$1,076,816	\$5,977							
Gloucester	Lawrence West	10	415	\$2,477,825	\$5,977							
	Shiloh-Hopewell Central	26	1,419	\$8,479,421	\$5,977							
	Shiloh-Hopewell North	74	2,910	\$17,393,906	\$5,977							
	Stow Creek	88	3,483	\$20,815,362	\$5,977							
	Vineland	27	482	\$2,881,140	\$5,977							
	Stow Creek North	7	577	\$3,450,411	\$5,977							
	16	485	19,114	\$114,240,996	\$5,977	1,951	9,757	19,514	1.0	\$0.97	\$0.97	
	Chapel Heights	0	0	\$0	\$13,288							

Schedule B
2013 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

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_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
	Delaware River	81	3,632	\$48,261,750	\$13,288						
	New Brooklyn	1	24	\$321,304	\$13,288						
	Oldmans Creek	99	4,455	\$59,203,089	\$13,288						
	Pinelands North	11	537	\$7,140,705	\$13,288						
	Pinelands South	55	1,754	\$23,303,830	\$13,288						
	Pitman Downer	4	121	\$1,607,848	\$13,288						
	Raccoon Creek	131	5,738	\$76,245,215	\$13,288						
	Repaupo-Mantua Creek	109	4,356	\$57,881,731	\$13,288						
	Still Run	77	3,369	\$44,762,754	\$13,288						
	Washington North	1	22	\$291,937	\$13,288						
	11	569	24,008	\$319,020,164	\$13,288	750	3,500	6,800	4.0	\$11.00	\$5.00
Hunterdon	Bethlehem East	0	0	\$0							
	Bethlehem West	0	0	\$0							
	Lebanon	0	0	\$0	\$16,000						
	North	1	204	\$4,000,000	\$20,000						
	East	11	798	\$14,000,000	\$18,000						
	South	80	5,037	\$76,000,000	\$15,000						
	West	100	6,408	\$64,000,000	\$10,000						
	7	192	12,447	\$158,000,000	\$12,694	1,500	7,500	15,000	3.0	\$7.00	\$2.00
Mercer	Hamilton	7	535	\$13,910,000	\$26,000						
	Robbinsville/West Windsor	5	359	\$6,354,300	\$17,700						
	Robbinsville/East Windsor	7	295	\$5,221,500	\$17,700						
	Lawrence	3	371	\$9,376,000	\$28,500						
	Hopewell East	4	483	\$7,245,000	\$15,000						
	Hopewell West	3	257	\$3,855,000	\$15,000						
	Hopewell South	2	453	\$6,795,000	\$15,000						
	7	31	2,753	\$52,756,800	\$19,163	50	500	1,000	3.0	\$9.50	No Set Amount
Middlesex	Southwestern	26	1,066	\$29,999,540	\$28,100						
	Southeastern	27	1,394	\$24,989,200	\$17,900						
	Northwestern	40	958	\$33,143,600	\$34,600						

Schedule B

2013 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

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_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
	Northeastern	9	950	\$71,224,500	\$75,000						
	Matchaponix	22	583	\$30,589,200	\$52,400						
	5	124	4,951	\$189,926,040	\$38,361	225	1,125	2,250	2.0	\$22.00	No Set Amount
Monmouth	Colts Neck-Marlboro-Holmdel	22	1,991	\$101,035,000	\$50,746						
	Northern Howell-Eastern Freehold	15	991	\$29,730,000	\$30,000						
	Roosevelt-Northern Millstone	4	384	\$9,024,000	\$23,500						
	Millstone-Manalapan-Freehold	36	2,912	\$81,332,000	\$27,930						
	Upper Freehold-Western Millstone	53	5,769	\$132,590,000	\$26,000						
	Wall	6	252	\$5,040,000	\$20,000						
	6	136	12,299	\$358,751,000	\$29,169	1,200	3,000	6,000	1.5	\$17.90	No Set Amount
Morris	Northeast	9	403	\$12,177,451	\$30,217						
	Central	19	1,153	\$34,840,201	\$30,217						
	West	51	4,406	\$133,158,099	\$30,217						
	3	79	5,962	\$180,175,751	\$30,221	610	2,974	5,962	1.5	\$17.16	\$4.29
Passaic	Passaic County North	10	191	\$5,977,050	\$30,000						
	1	10	191	\$5,977,050	\$30,000	100	500	1,000	1.0	\$5.00	\$0.75
Salem	PA 1: Cohansey-Pole Tavern-Pine Hill	176	14,801	\$118,410,160	\$8,000						
	PA2: Mannington Meadows-Seven Stars-Algonkin Lake	108	9,240	\$73,922,640	\$8,000						
	PA 3: Maskells Mill-Hagerville-Mannington Meadows	150	11,748	\$93,996,960	\$8,000						
	3	434	35,790	\$286,329,760	\$8,000	2,600	13,000	26,000	2.0	\$1.14	\$1.14
Somerset	Millstone Valley East	60	1,496	\$23,675,484.95	\$15,825						
	Millstone Valley West	32	1,514	\$23,961,448.66	\$15,825						
	Eastern Montgomery	0	0	\$0.00	\$15,825						
	Pike Run	2	71	\$1,117,110.04	\$15,825						
	Bedens Brook	9	204	\$3,232,007.15	\$15,825						
	Bedens Brook East	7	219	\$3,465,905.52	\$15,825						
	Neshanic Valley North	89	4,764	\$75,987,441.03	\$15,825						
	Neshanic Valley South	13	431	\$6,813,121.07	\$15,825						

Schedule B

2013 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

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 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
	Upper Raritan East	33	848	\$13,426,526.48	\$15,825						
	Upper Raritan West	130	5,538	\$87,634,980.42	\$15,825						
	Warren	2	25	\$402,754.65	\$15,825						
	Bernards Dead River	5	75	\$1,183,734.68	\$15,825						
	12	382	15,185	\$240,300,515	\$15,825	1,000	4,000	5,000	3.0	\$19.10	\$1.40
Sussex	Central Kittatinny Valley	229	12,107	\$69,393,802	\$5,731						
	Eastern Highlands 1	38	2,376	\$7,365,600	\$3,100						
	Eastern Highlands 2	36	1,441	\$8,182,750	\$5,678						
	Kittatinny Valley East	159	6,472	\$33,816,200	\$5,225						
	Kittatinny Valley West 1	102	4,251	\$21,682,230	\$5,110						
	Kittatinny Valley West 2	119	5,713	\$31,877,494	\$5,579						
	Upper Delaware 1	9	501	\$1,039,575	\$2,075						
	Upper Delaware 2	21	1,049	\$5,670,894	\$5,406						
	Western Highlands 1	58	4,210	\$33,451,628	\$7,738						
	Western Highlands 2	28	1,329	\$7,709,165	\$5,800						
	10	799	39,449	\$220,189,338	\$5,582	2,648	13,240	26,480	0.65	\$1.20	\$1.00
Warren	North	31	2,046	\$10,753,998	\$5,256						
	Northwest	56	4,037	\$21,216,781	\$5,256						
	Northeast	52	2,821	\$14,827,463	\$5,256						
	Central	48	2,866	\$15,061,378	\$5,256						
	West	102	6,662	\$35,014,421	\$5,256						
	Southeast	117	7,463	\$39,225,351	\$5,256						
	South	22	1,585	\$8,330,416	\$5,256						
	7	428	27,479	\$144,429,808	\$5,256	1,000	8,000	16,000	6.0	\$7.40	\$3.71
	2013 County PIG Totals										
16	98	4,056	234,742	\$2,591,962,742	*	14,785	73,032	142,213		\$144.68	\$20.26

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R5(5)

FINAL APPROVAL

Of

**MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATIONS
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLANS AND PROJECT
AREA SUMMARIES**

2013 FUNDING ROUND

May 24, 2012

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, 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 SADC received 37 initial municipal planning incentive grant applications for the 2009 Municipal Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17A.6(a); and

WHEREAS, in addition to the 37 initial municipal planning incentive grant applications the SADC received 5 municipal planning incentive grant applications for the 2010 Municipal Planning Incentive Grant round, one municipal planning incentive grant applications for the 2011 Municipal Planning Incentive Grant round, one municipal planning incentive grant applications for the 2012 Municipal Planning Incentive Grant round and two municipal planning incentive grant applications for the 2013 Municipal Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17A.6(a); and

WHEREAS, in total, these 46 municipal planning incentive grant applications identified 106 project areas in 9 counties and targeted 2,057 farms and 95,808 acres at an estimated total cost of \$1,399,000,000, with a ten-year preservation goal of 63,963 acres as summarized in the attached Schedule A; 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 municipalities forwarded their applications 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, to date, 35 of the municipal planning incentive grant applications have received SADC Final Approval; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the following municipal Planning Incentive Grant applications submitted under the FY13 program funding round as summarized in the attached Schedule B:

1. Upper Deerfield, Cumberland County
2. Elk Township, Gloucester County
3. Franklin Township, Gloucester County
4. Woolwich Township, Gloucester County
5. Alexandria Township, Hunterdon County
6. Delaware Township, Hunterdon County
7. East Amwell Township, Hunterdon County
8. Holland Township, Hunterdon County
9. Kingwood Township, Hunterdon County
10. Readington Township, Hunterdon County
11. Union Township, Hunterdon County
12. West Amwell Township, Hunterdon County
13. Hopewell Township, Mercer County
14. Holmdel Township, Monmouth County
15. Howell Township, Monmouth County
16. Manalapan Township, Monmouth County
17. Marlboro Township, Monmouth County
18. Millstone Township, Monmouth County
19. Upper Freehold Township, Monmouth County
20. Alloway Township, Salem County
21. Pilesgrove Township, Salem County
22. Pittsgrove Township, Salem County
23. Upper Pittsgrove Township, Salem County
24. Bedminster Township, Somerset County
25. Hillsborough Township, Somerset County
26. Montgomery Township, Somerset County
27. Peapack-Gladstone Borough, Somerset County
28. Blairstown Township, Warren County
29. Franklin Township, Warren County
30. Frelinghuysen Township, Warren County
31. Greenwich Township, Warren County
32. Harmony Township, Warren County
33. Hope Township, Warren County

34. Knowlton Township, Warren County

35. White Township, Warren County

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and that the SADC's approval of State funding is subject to Legislative appropriation of funds and the Governor signing the respective appropriation bills; 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.

5/24/12

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0./\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	10	423	\$2,162	27,724	423	1,500	2,500	5.0	\$2,700	No Set Amount
Bergen	8	40	525	\$67,227	10,887	30	150	300	1.0	\$19,000	No Set Amount
Burlington	4	198	22,802	\$100,000	111,853	1,000	5,000	10,000	4.0	\$20,000	No Set Amount
Camden	5	57	3,469	\$30,843	15,071	762	2,369	3,470	2.0	\$7,600	No Set Amount
Cape May	6	189	12,312	\$221,766	15,982	151	936	1,207	1.0	\$5,300	No Set Amount
Cumberland	16	485	19,144	\$114,254	60,078	1,951	9,757	19,514	1.0	\$0,970	No Set Amount
Hopewell	1	46	1,627	\$9,722	5,689	163	814	1,627	0.0	\$0,000	No Set Amount
Upper Deerfield	1	54	3,591	\$21,575	9,233	396	1,979	3,958	0.0	\$0,050	\$0,050
Gloucester	11	569	24,008	\$319,020	112,928	750	3,500	6,800	4.0	\$11,000	\$5,000
Elk	2	30	1,005	\$11,050	3,520	75	377	754	1.0	\$0,038	\$0,038
Franklin	5	123	5,086	\$30,505	10,106	598	1,799	3,290	1.0	\$0,076	No Set Amount
Woolwich	3	73	3,366	\$50,475	5,183	265	1,920	3,984	5.0	\$0,314	No Set Amount
Hunterdon	7	192	12,448	\$158,000	178,126	1,500	7,500	15,000	3.0	\$7,000	\$2,000
Alexandria	4	64	3,764	\$37,636	16,912	250	750	1,500	4.0	\$0,528	No Set Amount
Delaware	2	22	1,657	\$23,198	23,707	300	1,500	3,000	6.0	\$0,540	No Set Amount
East Amwell	1	19	1,797	\$23,361	13,515	170	699	1,720	4.0	\$0,315	\$0,315
Franklin	1	15	1,516	\$31,582	10,644	161	533	822	5.0	\$0,278	\$0,200
Holland	4	36	2,521	\$25,210	11,335	250	1,250	2,500	2.0	\$0,079	\$0,079
Kingwood	1	26	1,762	\$17,620	12,645	242	881	1,762	3.0	\$0,182	No Set Amount
Raritan	4	23	1,554	\$31,079	6,111	100	300	600	1.5	\$0,602	No Set Amount
Readington	1	39	2,313	\$41,634	15,759	100	600	1,100	2.0	\$0,570	No Set Amount
Tewksbury	3	3	409	\$9,700	4,557	100	300	1,000	5.0	\$0,425	No Set Amount
Union	3	20	640	\$5,894	4,189	70	325	600	2.0	\$0,137	\$0,007
West Amwell	1	6	610	\$7,320	10,440	100	100	610	6.0	\$0,315	No Set Amount
Mercer	7	31	2,753	\$52,757	14,743	50	500	1,000	3.0	\$9,500	No Set Amount
Hopewell	1	11	958	\$28,734	10,761	96	363	479	3.0	\$1,255	No Set Amount
Middlesex	5	124	4,951	\$189,926	20,983	225	1,125	2,250	2.0	\$22,000	No Set Amount
Monmouth	6	136	12,299	\$358,751	60,623	1,200	3,000	6,000	1.5	\$17,900	No Set Amount
Cois Neck	1	6	262	\$13,254	9,321	53	83	302	1.2	\$0,370	No Set Amount
Holmdel	1	18	564	\$26,117	2,568	10	70	338	2.5	\$1,145	No Set Amount
Howell	3	13	560	\$12,846	12,666	127	370	453	2.0	\$1,356	\$0,700
Manalapan	1	31	1,578	\$32,155	9,223	171	855	1,711	2.0	\$1,141	No Set Amount
Marlboro	3	20	719	\$35,950	19,690	42	202	387	2.0	\$0,625	No Set Amount
Millstone	4	53	3,270	\$98,040	14,359	30	4,150	300	6.0	\$1,100	No Set Amount
Upper Freehold	1	207	8,813	\$176,260	27,358	550	1,000	1,500	4.0	\$0,325	No Set Amount
Morris	3	79	5,962	\$180,176	169,342	610	2,974	5,962	1.5	\$17,159	\$4,290
Ocean	7	151	3,256	\$84,287	21,975	200	901	1,623	1.2	\$10,000	No Set Amount

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax Revenue (\$0.0 / \$100)	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Passaic	1	10	191	\$5,977	6,415	100	500	1,000	1.0	\$5,000	\$0,750
Salem	3	434	35,790	\$286,330	80,125	2,600	13,000	26,000	2.0	\$1,114	\$1,114
Alloway	1	7	384	\$3,072	5,055	38	194	384	2.0	\$0,020	No Set Amount
Pilesgrove	3	41	3,324	\$32,484	7,303	261	1,206	2,197	3.0	\$0,145	\$0,145
Pilesgrove	2	86	1,909	\$14,315	7,200	458	1,312	2,399	3.0	\$0,178	No Set Amount
Upper Pilesgrove	3	11	459	\$3,440	25,082	700	3,500	7,000	2.0	\$0,070	\$0,070
Somerset	12	382	15,185	\$240,301	87,623	1,000	4,000	5,000	3.0	\$19,104	\$1,400
Bedminster	1	123	5,913	\$177,410	10,111	500	2,706	2,706	2.0	\$0,522	No Set Amount
Bernards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	25	1,100	\$34,379	17,422	130	650	1,100	5.0	\$4,000	No Set Amount
Hillsborough	3	22	1,510	\$30,193	3,471	100	500	1,000	2.8	\$1,560	No Set Amount
Montgomery	1	22	1,081	\$32,432	20,646	116	385	580	4.0	\$1,500	No Set Amount
Peapack & Gladstone	2	11	310	\$10,857	1,932	20	85	160	3.0	\$0,248	\$0,120
Sussex	10	799	39,449	\$220,189	176,195	2,648	13,240	26,480	0.65	\$1,200	\$1,000
Frankford	4	102	4,438	\$27,745	10,142	75	350	700	3.0	\$0,080	\$0,080
Green	3	53	1,831	\$11,908	7,632	150	675	1,300	3.0	\$0,167	\$0,167
Warren	7	428	27,479	\$144,430	154,278	1,000	8,000	16,000	6.0	\$7,400	\$3,707
Blairstown	4	78	2,140	\$14,977	12,307	180	900	1,700	3.5	\$0,320	\$0,320
Franklin	4	150	5,698	\$51,168	11,542	225	1,000	1,900	6.5	\$0,271	No Set Amount
Freylinghysen	7	73	2,807	\$18,248	9,483	45	220	430	2.0	\$0,055	\$0,055
Greenwich	1	52	2,185	\$17,478	3,453	150	700	1,300	4.0	\$0,241	\$0,241
Harmony	3	89	4,040	\$24,235	12,409	220	1,000	1,800	5.0	\$0,247	\$0,247
Hope	3	44	2,350	\$12,925	4,976	65	300	600	2.0	\$0,063	\$0,063
Knowlton	2	34	2,994	\$14,970	13,355	100	500	1,000	2.0	\$0,052	\$0,052
Pohatcong	4	58	1,672	\$10,029	7,510	160	760	1,500	0.5	\$0,174	\$0,174
White	4	116	4,513	\$22,673	13,599	150	700	1,300	2.0	\$0,126	No Set Amount
County Totals (18)	133	4,314	242,446	\$2,776,39	1,324,952	16,199	77,952	150,106		\$183,977	
Municipal Totals (46)	106	2,057	95,808	\$1,399	463,941	8,343	38,150	63,963		\$26,296	

Note: In some cases County and Municipal project areas overlap. Identified farms may appear on both County and Municipal target farm lists.
 Date: 5/16/12
 Note: Data reflects 2009/2010 data. These are applications that did not submit 2011 round applications.

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 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions					
Upper Deerfield	Cumberland	Upper Deerfield PA	1	54	3,591	\$21,574,728	\$6,008	396	1,979	3,958	0.0	\$0.050	\$0.050				
				Total	54	3,591	\$21,574,728	\$6,008	396	1,979	3,958	0.0	\$0.050	\$0.050			
				Elk	Gloucester	Project Area 1	16	544	\$5,984,000	\$11,000							
							14	461	\$5,071,000	\$11,000							
				Total		Project Area 2	30	1,005	\$11,055,000		75	377	754	1.0	\$0.038	\$0.038	
							Total	30	1,005	\$11,055,000		75	377	754	1.0	\$0.038	\$0.038
				Franklin	Gloucester	Northern	19	930	\$6,975,000	\$7,500							
							30	802	\$6,015,000	\$7,500							
							23	731	\$5,482,500	\$7,500							
							1	297	\$1,565,190	\$5,270							
Total	50	2,326	\$10,467,000				\$4,500	598	1,799	3,290	1.0	\$0.076	No Set Amount				
Woolwich	Gloucester	North	22	920	\$13,800,000	\$15,000											
			38	1,327	\$19,905,000	\$15,000											
			13	1,118	\$16,770,000	\$15,000	265	1,920	3,984	5.0	\$0.314	No Set Amount					
			73	3,365	\$50,475,000												
			Total	123	5,086	\$80,504,690		598	1,799	3,290	1.0	\$0.076	No Set Amount				
Alexandria	Hunterdon	Sweet Hollow	6	393	\$3,927,500	\$10,000											
			11	409	\$4,091,900	\$10,000											
			32	2,211	\$22,110,000	\$10,000											
			15	751	\$7,506,900	\$10,000	250	750	1,500	4.0	\$0.328	No Set Amount					
			Total	64	3,764	\$37,636,300		250	750	1,500	4.0	\$0.328	No Set Amount				
Delaware	Hunterdon	PG I: Sandbrook Headquarters / Locklow	9	797	\$11,158,000	\$14,000											
			13	860	\$12,040,000	\$14,000											
			22	1,657	\$23,198,000		300	1,500	3,000	6.0	\$540,000	No Set Amount					
			19	1,797	\$23,361,000	\$13,000											
			Total	63	2,511	\$26,657,000	\$13,000	300	1,500	3,000	6.0	\$540,000	No Set Amount				
East Amwell	Hunterdon	East Amwell	19	1,797	\$23,361,000	\$13,000	170	699	1,720	4.0	\$0.315	\$0.315					
			Total	19	1,797	\$23,361,000	\$13,000	170	699	1,720	4.0	\$0.315	\$0.315				
			Holland	Hunterdon	Miscellaneous	5	354	\$3,540,000	\$10,000								
						4	328	\$3,280,000	\$10,000								
						20	1,498	\$14,980,000	\$10,000								
Total	38	2,521	\$25,210,000	\$10,000	250	1,250	2,500	2.0	\$0.079	No Set Amount							
Kingwood	Hunterdon	Kingwood	26	1,762	\$17,620,000	\$10,000	242	881	1,762	3.0	\$0.182	No Set Amount					
			Total	26	1,762	\$17,620,000	\$10,000	242	881	1,762	3.0	\$0.182	No Set Amount				

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 (\$0.00/\$100)	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
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 (\$0.00/\$100)	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Readington	Hunterdon	Primary	39	2,313	\$41,534,000	\$18,000	100	600	1,100	2.0	\$0.570	No Set Amount
Total		1	39	2,313	\$41,534,000		100	600	1,100	2.0	\$0.570	No Set Amount
Union	Hunterdon	Hoffman	1	68	\$819,856	\$7,900						
		Pattonburg	4	158	\$1,803,684	\$7,900						
		Pittstown	16	414	\$3,270,600	\$7,900						
Total		3	21	640	\$5,894,140		70	325	600	2.0	\$0.137	No Set Amount
West Amwell	Hunterdon	West Amwell	6	610	\$7,320,360	\$12,000						
Total		1	6	610	\$7,320,360	\$12,000	100	100	610	6.0	\$0.315	No Set Amount
Hopewell	Mercer	Central Project Area	11	958	\$28,734,000	\$30,000						
Total		1	11	958	\$28,734,000	\$30,000	96	383	479	3.0	\$1.255	No Set Amount
Holmdel	Monmouth	Holmdel Project Area	18	564	\$26,117,148	\$46,307						
Total		1	18	564	\$26,117,148	\$46,307	10	70	338	2.5	\$1.145	No Set Amount
Howell	Monmouth	North Central	8	308	\$9,572,024	\$31,078						
		Manasquan Reservoir South	3	138	\$1,791,516	\$12,982						
		Manasquan Reservoir West	2	114	\$1,482,000	\$13,000						
Total		3	13	560	\$12,845,540		127	370	452	2.0	\$1.300	\$0.700
Manalapan	Monmouth	Manalapan Project Area	31	1,578	\$32,154,906	\$20,377						
Total		1	31	1,578	\$32,154,906	\$20,377	171	855	1,578	2.0	\$1.141	No Set Amount
Marlboro	Monmouth	North	1	84	\$4,200,000	\$50,000						
		Central	14	508	\$25,400,000	\$50,000						
		Southeast	5	127	\$6,350,000	\$50,000						
Total		3	20	719	\$35,950,000		42	202	387	2.0	\$0.625	No Set Amount
Millstone	Monmouth	Perrineville East	18	643	\$19,290,000	\$30,000						
		Perrineville West	14	1,018	\$30,540,000	\$30,000						
		Clarksburg East	11	845	\$25,350,000	\$30,000						
		Clarksburg West	10	762	\$22,860,000	\$30,000						
Total		4	53	3,268	\$98,040,000		30	150	300	6.0	\$1.100	No Set Amount
Upper Freehold	Monmouth	Upper Freehold Project Area	207	8,813	\$176,260,000	\$20,000						
Total		1	207	8,813	\$176,260,000	\$20,000	550	1,000	1,500	4.0	\$0.328	No Set Amount
Alloway	Salern	North-Central	7	384	\$3,072,000	\$8,000						
Total		1	7	384	\$3,072,000	\$8,000	38	194	384	2.0	\$0.020	No Set Amount

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./\$100	Annual Tax Revenue In Millions	Annual Tax for Farm Preservation In Millions
Pittsgrove	Salem	Northern Pittsgrove U.S. Route 40 Commissioners Pike	33	2,563	\$25,627,000	\$10,000						
			5	556	\$5,007,600	\$9,000						
			3	206	\$1,849,500	\$9,000						
			41	3,325	\$32,484,100		261	1,206	2,197	3.0	\$0.145	\$0.145
			Total									
Pittsgrove	Salem	North East	28	737	\$5,527,500	\$7,500						
			58	1,172	\$8,787,600	\$7,500						
			Total	86	1,909	\$14,315,100		458	1,312	2,399	3.0	\$0.178
Upper Pittsgrove	Salem	One Two Three	3	118	\$888,150	\$7,500						
			6	238	\$1,787,250	\$7,500						
			2	102	\$765,000	\$7,500						
Total			11	459	\$3,440,400		700	3,500	7,000	2.0	\$70,000	\$70,000
Bedminster	Somerset	Bedminster PA 1	123	5,913	\$177,410,000	\$30,000						
			Total	123	5,913	\$177,410,000		500	2,706	2,706	2.0	\$5,223
Hillsborough	Somerset	Annweil Valley Mill Lane South	16	1,111	\$22,212,800	\$20,000						
			6	399	\$7,980,000	\$20,000						
			0	0	\$0							
Total			22	1,510	\$30,192,800		100	500	1,000	2.8	\$1,560	No Set Amount
Montgomery	Somerset	Montgomery Twp. PA 1	22	1,081	\$32,432,490	\$30,000						
			Total	22	1,081	\$32,432,490		116	385	580	4.0	\$1,497
Peapack/Gladstone	Somerset	Essex Hunt Club Raritan Valley 2	3	119	\$4,165,000	\$35,000						
			8	191	\$6,682,550	\$35,000						
			11	310	\$10,847,550		20	85	160	3.0	\$0,248	\$0,124
Blairstown	Warren	North Route 94 North Central South	10	127	\$889,770	\$7,000						
			12	209	\$1,480,690	\$7,000						
			11	494	\$3,455,130	\$7,000						
Total			45	1,310	\$9,172,240	\$7,000	180	900	1,700	3.5	\$0,320	\$0,320
Franklin	Warren	Misconecong Valley Pohatcong Fidge Pohatcong Valley East Pohatcong Valley West	54	1,960	\$17,600,800	\$8,980						
			25	1,026	\$9,213,480	\$8,980						
			47	1,737	\$15,598,280	\$8,980						
Total			24	975	\$8,755,500	\$8,980	225	1,000	1,900	6.5	\$0,270	Undetermined

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 / \$100	Annual Tax Revenue In Millions	Annual Tax for Farm Preservation In Millions		
Freylinghysen	Warren	Paulus Kill Valley	12	303	1,971,320	\$6,500								
		Martinsburg Ridge	27	1497	9,731,280	\$6,500								
		Hope Preservation Area	5	85	553,150	\$6,500								
		Limestone Valley Trout Brook	9	213	1,385,670	\$6,500								
		Allamuchy Farmland Belt	14	446	2,899,390	\$6,500								
		Limestone Valley Bear Brook	5	256	1,661,010	\$6,500								
		Johnsonburg Center	1	7	46,345	\$6,500								
		Total	7		73	2,807	18,248,165		45	220	430	2.0	\$0.055	\$0.055
		Greenwich	Warren	Greenwich Project Area	52	2,185	17,478,480	\$8,000						
				Total	1		52	2,185		150	700	1,300	4	\$0.241
Harmony	Warren	Project Area 1	26	1,190	\$7,141,500	\$6,000								
		Project Area 2	33	1,708	\$10,248,000	\$6,000								
		Project Area 3	30	1,141	\$6,846,000	\$6,000								
Total	3		89	4039	24,235,500		220	1,000	1,800	5.0	\$0.247	\$0.247		
Hope	Warren	Project Area 1	30	1,483	\$8,157,215	\$5,500								
		Project Area 2	3	388	\$2,134,660	\$5,500								
		Project Area 3	11	479	\$2,633,235	\$5,500								
Total	3		44	2350.02	\$12,925,110		65	300	600	2.0	\$0.063	\$0.063		
Knowlton	Warren	Project Area 1	12	1,069	\$5,345,000	\$5,000								
		Project Area 2	22	1,925	\$9,625,000	\$5,000								
Total	2		34	2,994	\$14,970,000		100	500	1,000	2.0	\$0.052	\$0.052		
White	Warren	North	40	1,228	\$6,169,472	\$5,024								
		South	19	501	\$2,517,024	\$5,024								
		East	7	177	\$889,248	\$5,024								
		West	50	2,607	\$13,097,568	\$5,024								
Total	4		116	4,513	\$22,673,312		150	700	1,300	2.0	\$0.126	No Set Amount		
2013 MUN. PIG FINAL APPROVAL TOTALS														
35	9	85	1,809	85,623	\$1,160,338,541		7,159	30,348	55,930					

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R5(6)

CONDITIONAL PRELIMINARY APPROVAL

Of the

**ATLANTIC COUNTY PLANNING INCENTIVE GRANT APPLICATION
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLAN AND PROJECT
AREA SUMMARIES**

2013 FUNDING ROUND

May 24, 2012

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 county shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agriculture development area authorized pursuant to the "Agriculture Retention and Development Act," P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish a county agriculture development board (CADB), pursuant to N.J.S.A. 4:1C-14, to serve as the agricultural advisory committee;
3. Prepare a comprehensive farmland preservation plan; and
4. 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, including, but not limited to, a dedicated tax, repeated annual appropriations or repeated issuance of bonded indebtedness; and

WHEREAS, a county, in submitting an application to the SADC shall outline a multi-year plan for the purchase of multiple targeted farms in a project area and indicate its annual share of the estimated purchase price; and

WHEREAS, the application shall include a copy of the comprehensive farmland preservation plan element; an estimate of the cost of purchasing development easements on all the farms in a designated project area, to be determined in consultation with the CADB or through an appraisal for the entire project area; and an inventory showing the characteristics of each farm in the

project area which may included, but not be limited to, size, soils and agricultural use; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17 (N.J.A.C. 2:76-17) 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 county farmland preservation planning incentive grant program; and

WHEREAS, a county, applying for a grant to the SADC shall submit a copy of the county comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.4, the SADC specified that a county comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. A complete description of the county's agricultural resource base and industry trends;
2. A complete description of the county's past and future farmland preservation program activities, including program goals and objectives, and any proposed farmland preservation program project areas;
3. A description of the land use planning context for farmland preservation initiatives including identification of the county's adopted Agriculture Development Area (ADA) and consistency of the county's farmland preservation program with local, county, regional, and State planning and conservation efforts;
4. A complete discussion of the actions the county has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
5. A detailed map of, and county resolution approving, the adopted ADA of the county;
6. A summary identifying county funding dedicated to or available for, preservation of farmland through the State Farmland Preservation Program;
7. A funding plan for the preservation of land consistent with the county's one-, five-, and 10-year preservation projections;
8. The minimum eligibility criteria or standards as adopted by the county for solicitation and approval of farmland preservation program applications;
9. The adopted ranking criteria that the county will use to prioritize farms for county farmland preservation funding; and
10. Any other policies, guidelines or standards used by the county that affect farmland preservation application evaluation or selection; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.5, the SADC required the county to prepare a project area summary containing the following information for each project area designated within the county

comprehensive farmland preservation plan:

1. An inventory of 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 county'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 December 14, 2006, the SADC adopted *Guidelines for Developing County Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17 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 County Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the CADB, county Planning Board, the county Board of Agriculture, and municipal Agricultural Advisory Committees with at least two public meetings including a required public hearing prior to CADB adoption; and

WHEREAS, SADC staff have worked in partnership with county 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. 2:76-17.6(a), the SADC received 15 county planning incentive grant applications for the 2009A County Planning Incentive Grant round; and

WHEREAS, the 2009A County Planning Incentive Grant round was the initial year of the program administered under the SADC's amended rules, effective July 2, 2007; and

WHEREAS, in addition to the 15 applications submitted for the 2009 County Planning Incentive Grant Program the SADC received an additional 2 county planning incentive grant applications from

Bergen and Cumberland Counties for the 2010 County Planning Incentive Grant round and 1 county planning incentive grant application from Atlantic County for the 2013 County Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17.6(a); and

WHEREAS, the 18 total applications for the County Planning Incentive Grant Program identified 133 project areas targeted 4,314 farms and 242,446 acres at an estimated total cost of \$2,776,000,000, with a ten-year preservation goal of 150,106 acres, as summarized in the attached Schedule A; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.6(b)1 and N.J.A.C. 2:76-17.6(b)2, in order to improve county and municipal farmland preservation coordination, the counties notified all municipalities in which targeted farms are located within a project area and provided evidence of municipal review and comment and, if appropriate, level of funding the municipality is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, SADC staff reviewed and evaluated the counties' 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.

NOW THEREFORE BE IT RESOLVED, that the SADC grants conditional preliminary approval of the Atlantic County Planning Incentive Grant application, as summarized in the attached Schedule B, subject to the following:

1. Submission of all required information identified in the FY 2013 County Planning Incentive Grant Application Review Checklist.
2. SADC determination that all of the components of the Comprehensive Farmland Preservation Plan are fully addressed and complete.
3. SADC determination that each designated project area is complete and technically accurate.
4. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the CADB after a properly noticed public meeting.
5. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan.

BE IT FURTHER RESOLVED, that the SADC shall not grant final approval of a Planning Incentive Grant for the purchase of a development easement on any farm contained within a county PIG application prior to these conditions being satisfied; and

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17.8(a) and that the SADC's approval of State funding is subject to the Garden State Preservation Trust approval, the Legislative appropriation of funds and the Governor signing the respective

appropriation bills; and

BE IT FURTHER RESOLVED, that the SADC will monitor the county's funding plan pursuant to N.J.A.C. 2:76-17.17 and adjust the eligibility of funds based on the county's progress in implementing the proposed funding plan. Each Planning Incentive Grant county should expend its grant funds within two 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 two years are subject to reappropriation and may no longer be available to the county; 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.

5/24/12

Date



Susan E. Payne, Executive Director

State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	RECUSED
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	10	423	\$2,162	27,724	423	1,500	2,500	5.0	\$2,700	No Sel Amount
Bergen	8	40	525	\$67,227	10,887	30	150	300	1.0	\$19,000	No Sel Amount
Burlington	4	198	22,802	\$100,000	111,853	1,000	5,000	10,000	4.0	\$20,000	No Sel Amount
Camden	5	57	3,469	\$30,843	15,071	762	2,369	3,470	2.0	\$7,600	No Sel Amount
Cape May	6	189	12,312	\$221,766	15,982	151	936	1,207	1.0	\$5,300	No Sel Amount
Cumberland	16	485	19,144	\$114,254	60,078	1,951	9,757	19,514	1.0	\$0,970	No Sel Amount
Hopewell	1	46	1,627	\$9,722	5,689	163	814	1,627	0.0	\$0,000	No Sel Amount
Upper Deerfield	1	54	3,591	\$21,575	9,233	396	1,979	3,958	0.0	\$0,050	\$0,050
Gloucester	11	569	24,008	\$319,020	112,929	750	3,500	6,800	4.0	\$11,000	\$5,000
Elk	2	30	1,005	\$11,050	3,520	75	377	754	1.0	\$0,038	\$0,038
Franklin	5	123	5,086	\$30,505	10,106	598	1,799	3,290	1.0	\$0,076	No Sel Amount
Woolwich	3	73	3,366	\$50,475	5,183	265	1,920	3,984	5.0	\$0,314	No Sel Amount
Hunterdon	7	192	12,448	\$158,000	178,126	1,500	7,500	15,000	3.0	\$7,000	\$2,000
Alexandria	4	64	3,764	\$37,636	16,912	250	750	1,500	4.0	\$0,528	No Sel Amount
Delaware	2	22	1,657	\$23,198	23,707	300	1,500	3,000	6.0	\$0,540	No Sel Amount
East Amwell	1	19	1,797	\$23,361	13,515	170	699	1,720	4.0	\$0,315	\$0,315
Franklin	1	15	1,516	\$21,592	10,644	161	533	822	5.0	\$0,278	\$0,200
Holland	4	38	2,521	\$25,210	11,335	250	1,250	2,500	2.0	\$0,079	\$0,079
Kingwood	1	26	1,762	\$17,620	12,645	242	881	1,762	3.0	\$0,182	No Sel Amount
Raritan	4	23	1,554	\$31,079	6,111	100	300	600	1.5	\$0,602	No Sel Amount
Readington	1	39	2,313	\$41,634	15,759	100	600	1,100	2.0	\$0,570	No Sel Amount
Tewksbury	3	3	409	\$9,700	4,557	100	300	1,030	5.0	\$0,425	No Sel Amount
Union	3	20	640	\$5,894	4,189	70	325	600	2.0	\$0,137	\$0,007
West Amwell	1	6	610	\$7,320	10,440	100	100	610	6.0	\$0,315	No Sel Amount
Mercer	7	31	2,753	\$52,757	14,743	50	500	1,000	3.0	\$9,500	No Sel Amount
Hopewell	1	11	958	\$28,734	10,761	96	383	479	3.0	\$1,255	No Sel Amount
Middlesex	5	124	4,951	\$189,926	20,983	225	1,125	2,250	2.0	\$22,000	No Sel Amount
Morristown	6	136	12,299	\$358,751	60,823	1,200	3,000	6,000	1.5	\$17,900	No Sel Amount
Collis Neck	1	6	262	\$13,254	9,321	53	83	302	1.2	\$0,370	No Sel Amount
Holmdel	1	18	564	\$26,117	2,568	10	70	338	2.5	\$1,145	No Sel Amount
Howell	3	13	560	\$12,846	12,666	127	370	453	2.0	\$1,396	\$0,700
Manalapan	1	31	1,578	\$32,155	9,223	171	855	1,711	2.0	\$1,141	No Sel Amount
Marlboro	3	20	719	\$35,950	19,690	42	202	387	2.0	\$0,625	No Sel Amount
Millstone	4	53	3,270	\$98,040	14,359	30	4,150	300	6.0	\$1,100	No Sel Amount
Upper Freehold	1	207	8,813	\$176,260	27,358	550	1,000	1,500	4.0	\$0,328	No Sel Amount
Morris	3	79	5,962	\$180,176	169,342	610	2,974	5,962	1.5	\$17,159	\$4,290
Ocean	7	151	3,256	\$84,287	21,975	200	901	1,623	1.2	\$10,000	No Sel Amount

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost In Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0/100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation In Millions
Passaic	1	10	191	\$5,977	6,415	100	500	1,000	1.0	\$5,000	\$0,750
Salem	3	434	35,790	\$286,330	80,125	2,800	13,000	26,000	2.0	\$1,114	\$1,114
Alloway	1	7	384	\$3,072	5,055	38	194	384	2.0	\$0,020	No Set Amount
Pilesgrove	3	41	3,324	\$32,484	7,303	261	1,206	2,197	3.0	\$0,145	\$0,145
Pilesgrove	2	86	1,909	\$14,315	7,200	458	1,312	2,399	3.0	\$0,178	No Set Amount
Upper Pilesgrove	3	11	459	\$3,440	25,062	700	3,500	7,000	2.0	\$0,070	\$0,070
Somersset	12	382	15,185	\$240,301	87,623	1,000	4,000	5,000	3.0	\$19,104	\$1,400
Bedminster	1	123	5,913	\$177,410	10,111	500	2,706	2,706	2.0	\$0,522	No Set Amount
Barnard	1	25	538	\$40,323	3,798	185	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	25	1,100	\$34,379	17,422	130	650	1,100	5.0	\$4,000	No Set Amount
Hillsborough	3	22	1,510	\$30,193	3,471	100	500	1,000	2.8	\$1,560	No Set Amount
Montgomery	1	22	1,081	\$32,432	20,646	116	385	580	4.0	\$1,500	No Set Amount
Peapack & Gladstone	2	11	310	\$10,857	1,932	20	85	160	3.0	\$0,248	\$0,120
Sussex	10	799	39,449	\$220,189	176,195	2,648	13,240	26,480	0.65	\$1,200	\$1,000
Frankford	4	102	4,438	\$27,745	10,142	75	350	700	3.0	\$0,080	\$0,080
Green	3	53	1,831	\$11,998	7,632	150	675	1,300	3.0	\$0,167	\$0,167
Warren	7	428	27,479	\$144,430	154,278	1,000	8,000	16,000	6.0	\$7,400	\$3,707
Blairstown	4	78	2,140	\$14,977	12,307	180	900	1,700	3.5	\$0,320	\$0,320
Franklin	4	150	5,698	\$51,168	11,542	225	1,000	1,900	6.5	\$0,271	No Set Amount
Freylinghusen	7	73	2,807	\$18,248	9,483	45	220	430	2.0	\$0,055	\$0,055
Greenwich	1	52	2,185	\$17,478	3,453	150	700	1,300	4.0	\$0,241	\$0,241
Harmony	3	89	4,040	\$24,236	12,409	220	1,000	1,800	5.0	\$0,247	\$0,247
Hope	3	44	2,350	\$12,925	4,976	65	300	600	2.0	\$0,063	\$0,063
Knowlton	2	34	2,994	\$14,970	13,355	100	500	1,000	2.0	\$0,052	\$0,052
Pohatcong	4	58	1,672	\$10,029	7,510	160	760	1,500	0.5	\$0,174	\$0,174
White	4	116	4,513	\$22,673	13,589	150	700	1,300	2.0	\$0,126	No Set Amount
County Totals (18)	133	4,314	242,446	\$2,776.39	1,324,952	16,199	77,952	150,106		\$183,977	
Municipal Totals (46)	106	2,057	95,808	\$1,399	463,941	8,343	38,150	63,963		\$26,296	

Note: In some cases County and Municipal project areas overlap. Identified farms may appear on both County and Municipal Incentive Grant lists.
Note: Data in red reflect 2009/2010 data. These are applications that did not submit 2011 round applications.
Date: 5/16/12

Schedule B

COUNTY PLANNING INCENTIVE GRANT
 Preliminary Conditional Approval Application
 (2013 Round)
 May 2012

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 / \$100	Annual Tax Revenue	Annual Tax for Farm Preservation
Atlantic	PA-1	0	0	\$0							
	PA-2	1	60	\$192,000	\$3,200						
	PA-3	0		\$0							
	PA-4	0		\$0							
	PA-5	0		\$0							
	PA-6	0		\$0							
	PA-7	2	30	\$153,750	\$5,125						
	PA-8	0		\$0							
	PA-9	0		\$0							
	PA-10	0		\$0							
	PA-11	0		\$0							
	PA-12	0		\$0							
	PA-13	5	115	\$574,000	\$5,000						
	PA-14	1	58	\$375,700	\$6,500						
	PA-15	1	160	\$880,000	\$5,500						
	15	10	423	\$2,175,450		423	1,500	2,500	5.0	\$2,700,000	No Set Amount
	15	10	423	\$2,175,450		423	1,500	2,500			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**RESOLUTION FY2012R5(7)
CONDITIONAL PRELIMINARY APPROVAL**

Of the

**HOPEWELL TOWNSHIP, CUMBERLAND COUNTY
PLANNING INCENTIVE GRANT APPLICATION
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLAN AND
PROJECT AREA SUMMARIES**

2013 FUNDING ROUND

May 24, 2012

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, in the event a municipality is seeking funding from the county toward the purchase of development easements, the municipality shall submit an application to the county agriculture development board ("CADB") or, in all other cases, a municipality shall submit its application directly to the SADC; and

WHEREAS, a municipality, in submitting an application to the CADB or the SADC as appropriate, shall outline a multi-year plan for the purchase of multiple farms in a project area and indicate its annual share of the estimated purchase price; and

WHEREAS, the municipality, in order to enhance its application, may submit its proposal jointly with one or more contiguous municipalities if the submission would result in the preservation of a significant area of reasonably contiguous farmland; and

WHEREAS, the application shall include a copy of the farmland preservation plan element; an estimate of the cost of purchasing development easements on all the farms in a designated project area, to be determined in consultation with the CADB or through an appraisal for the entire project area; and an inventory showing the characteristics of each farm in the project area which may included, but not be limited to, size, soils and agricultural use; and

WHEREAS, the farmland preservation plan element shall include: an inventory of farm properties and a map illustrating significant areas of agricultural land; a statement showing that municipal ordinances support and promote agriculture as a business; and a plan for preserving as much farmland as possible in the short term by leveraging monies made available by P.L. 1999, c.152 (C.13:8C-1 et al.) through a variety of mechanisms including, but not limited to, utilizing option agreements, installment purchases, and encouraging donations of permanent development easements; 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, pursuant to N.J.A.C. 2:76-17A.3(a)3.iv. and N.J.A.C. 2:76-17A.3(a)3.v., the SADC requires municipal PIG applications to include a discussion of farming trends, characterizing the type(s) of agricultural production in the municipality and a discussion of plans to develop the agricultural industry in the municipality to the list of statutory plan requirements; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.3(a)4, the SADC also requires the preparation and adoption of a right-to-farm ordinance that is consistent with, or provides greater protections to commercial farm operators and owners than, the Right to Farm Act, N.J.S.A. 4:1C-1 et seq., as determined by the SADC, to the list of requirements for grant eligibility; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.4, the SADC specified that a comprehensive municipal 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 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 a map of the county's adopted 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; and
8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; 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 of 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 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 provide uniform, detailed plan standards to supplement the new rules at N.J.A.C. 2:76-17A, update previous planning standards, incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey and the NJ 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; 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 initial municipal planning incentive grant applications for the 2009 Municipal Planning Incentive Grant round consisting of a copy of the municipality's draft comprehensive farmland preservation plan and all applicable project area summaries; and

WHEREAS, in addition to the 37 initial municipal planning incentive grant applications the SADC received 5 municipal planning incentive grant applications for the 2010 Municipal Planning Incentive Grant round, 1 municipal planning incentive grant application for the 2011 round and 1 municipal planning incentive grant application for the 2012 round, pursuant to N.J.A.C. 2:76-17A.6(a); and

WHEREAS, the SADC received an additional two municipal planning incentive grant applications for the 2013 Municipal Planning Incentive Grant round from Hopewell Township, Cumberland County and Frankford Township, Sussex County; and

WHEREAS, in total, these 46 municipal planning incentive grant applications identified 106 project areas in 9 counties and targeted 2,057 farms and 95,808 acres at an estimated total cost of \$1,399,000,000, with a ten-year preservation goal of 63,963 acres as summarized in the attached Schedule A; 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 municipalities submitted evidence of county reviews, comments on consistency with county plans and identified levels of county funding 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.

NOW THEREFORE BE IT RESOLVED, that the SADC grants conditional preliminary approval of the Municipal Planning Incentive Grant application for Hopewell Township, Cumberland County, as summarized in the attached Schedule B, subject to the following:

1. Submission of all required information identified in the FY 2013 Municipal Planning Incentive Grant Application Review Checklist within 60 days of the receipt of the correspondence accompanying the notice.
2. SADC determination that all of the components of the Comprehensive Farmland Preservation Plan are fully addressed and complete.
3. SADC determination that each designated project area is complete and technically accurate.
4. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the municipal Planning Board after a properly noticed public hearing.

- 5. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan.


BE IT FURTHER RESOLVED, that the SADC shall not grant Final Approval to any farm contained within a municipal PIG application prior to these conditions being satisfied; and

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a) and that the SADC's approval of State funding is subject to the Garden State Preservation Trust approval, the Legislative appropriation of funds and the Governor signing the respective appropriation bills; 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 were appropriated, pursuant to N.J.A.C. 2:76-17A.8(c)1. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within three years of the date the funds were appropriated are subject to reappropriation and may no longer be available to the municipality; 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.

5/22/12
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

- | | |
|--|---------|
| Douglas H. Fisher, Chairperson | YES |
| Fawn McGee (rep. DEP Commissioner Martin) | YES |
| Sean Thompson (rep. DCA Acting Commissioner Constable) | YES |
| Ralph Siegel (rep. State Treasurer Sidamon-Erstoff) | YES |
| Brian Schilling (re. Executive Dean Goodman) | YES |
| Jane R. Brodhecker | RECUSED |
| Alan A. Danser | YES |
| Denis Germano | YES |
| Torrey Reade | YES |
| James Waltman | YES |

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.7/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	10	423	\$2,182	27,724	423	1,500	2,500	5.0	\$2,700	No Set Amount
Bergen	8	40	525	\$67,227	10,887	30	150	300	1.0	\$19,000	No Set Amount
Burlington	4	198	22,802	\$100,000	111,853	1,000	5,000	10,000	4.0	\$20,000	No Set Amount
Camden	5	57	3,469	\$30,843	15,071	762	2,369	3,470	2.0	\$7,600	No Set Amount
Cape May	6	189	12,312	\$221,766	15,982	151	936	1,207	1.0	\$5,300	No Set Amount
Cumberland	16	485	19,144	\$114,254	60,078	1,951	9,757	19,514	1.0	\$0,970	No Set Amount
Hopewell	1	46	1,827	\$9,722	5,689	163	814	1,827	0.0	\$0,000	No Set Amount
Upper Deerfield	1	54	3,591	\$21,575	9,233	396	1,979	3,958	0.0	\$0,050	\$0,050
Gloucester	11	569	24,008	\$319,020	112,929	750	3,500	6,800	4.0	\$11,000	\$5,000
Elk	2	30	1,005	\$11,050	3,520	75	377	754	1.0	\$0,038	\$0,038
Franklin	5	123	5,086	\$30,505	10,106	598	1,799	3,290	1.0	\$0,076	No Set Amount
Woolwich	3	73	3,366	\$50,475	5,183	285	1,920	3,984	5.0	\$0,314	No Set Amount
Hunterdon	7	192	12,448	\$158,000	178,126	1,500	7,500	15,000	3.0	\$7,000	\$2,000
Alexandria	4	64	3,764	\$37,636	16,912	250	750	1,500	4.0	\$0,528	No Set Amount
Delaware	2	22	1,657	\$23,198	23,707	300	1,500	3,000	6.0	\$0,540	No Set Amount
East Amwell	1	19	1,797	\$23,361	13,515	170	699	1,720	4.0	\$0,315	\$0,315
Franklin	1	15	1,516	\$21,592	10,644	161	533	822	5.0	\$0,278	\$0,200
Holland	4	38	2,521	\$25,210	11,335	250	1,250	2,500	2.0	\$0,079	\$0,079
Kingwood	1	26	1,762	\$17,620	12,645	242	881	1,762	3.0	\$0,182	No Set Amount
Raritan	4	23	1,554	\$31,079	6,111	100	300	600	1.5	\$0,602	No Set Amount
Readington	1	39	2,313	\$41,634	15,759	100	600	1,100	2.0	\$0,570	No Set Amount
Tewksbury	3	3	409	\$9,700	4,557	100	300	1,000	5.0	\$0,425	No Set Amount
Union	3	20	640	\$5,994	4,189	70	325	600	2.0	\$0,137	\$0,007
West Amwell	1	6	610	\$7,320	10,440	100	100	610	6.0	\$0,315	No Set Amount
Mercer	7	31	2,753	\$52,757	14,743	50	500	1,000	3.0	\$9,500	No Set Amount
Hopewell	1	11	958	\$28,734	10,761	96	383	479	3.0	\$1,255	No Set Amount
Middlesex	5	124	4,951	\$189,926	20,983	225	1,125	2,250	2.0	\$22,000	No Set Amount
Monmouth	6	136	12,299	\$358,751	60,623	1,200	3,000	6,000	1.5	\$17,900	No Set Amount
Coits Neck	1	6	262	\$13,254	9,321	53	83	302	1.2	\$0,370	No Set Amount
Holmdel	1	18	564	\$26,117	2,568	10	70	338	2.5	\$1,145	No Set Amount
Howell	3	13	560	\$12,846	12,666	127	370	453	2.0	\$1,396	\$0,700
Manalapan	1	31	1,578	\$32,155	9,223	171	855	1,711	2.0	\$1,141	No Set Amount
Marlboro	3	20	719	\$35,950	19,690	42	202	387	2.0	\$0,625	No Set Amount
Millstone	4	53	3,270	\$98,040	14,359	30	4,150	300	6.0	\$1,100	No Set Amount
Upper Freehold	1	207	8,813	\$176,260	27,358	550	1,000	1,500	4.0	\$0,328	No Set Amount
Morris	3	79	5,962	\$180,176	169,342	610	2,974	5,962	1.5	\$17,159	\$4,290
Ocean	7	151	3,256	\$84,287	21,975	200	901	1,623	1.2	\$10,000	No Set Amount

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Passaic	1	10	191	\$5,977	6,415	100	500	1,000	1.0	\$5,000	\$0,750
Salem	3	434	35,790	\$286,330	80,125	2,600	13,000	26,000	2.0	\$1,14	\$1,14
Alloway	1	7	384	\$3,072	5,055	38	194	384	2.0	\$0,020	No Set Amount
Pilesgrove	3	41	3,324	\$32,484	7,303	261	1,206	2,197	3.0	\$0,145	\$0,145
Pilesgrove	2	86	1,909	\$14,315	7,200	458	1,312	2,399	3.0	\$0,178	No Set Amount
Upper Pilesgrove	3	11	459	\$3,440	25,062	700	3,500	7,000	2.0	\$0,070	\$0,070
Somerset	12	382	15,185	\$240,301	87,623	1,000	4,000	5,000	3.0	\$19,104	\$1,400
Bedminster	1	123	5,913	\$177,410	10,111	500	2,706	2,706	2.0	\$0,522	No Set Amount
Bernards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3,030	No Set Amount
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Warren	7	428	27,479	\$144,430	154,278	1,000	8,000	16,000	6.0	\$7,400	\$3,707
Blairstown	4	78	2,140	\$14,977	12,307	180	900	1,700	3.5	\$0,320	\$0,320
Franklin	4	150	5,698	\$51,188	11,542	225	1,000	1,900	6.5	\$0,271	No Set Amount
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Greenwich	1	52	2,185	\$17,478	3,453	150	700	1,300	4.0	\$0,241	\$0,241
Harmony	3	89	4,040	\$24,236	12,409	220	1,000	1,800	5.0	\$0,247	\$0,247
Hope	3	44	2,350	\$12,925	4,976	65	300	600	2.0	\$0,063	\$0,063
Knowlton	2	34	2,994	\$14,970	13,355	100	500	1,000	2.0	\$0,052	\$0,052
Pohatcong	4	58	1,672	\$10,029	7,510	160	780	1,500	0.5	\$0,174	\$0,174
White	4	116	4,513	\$22,673	13,599	150	700	1,300	2.0	\$0,126	No Set Amount
County Totals (18)	133	4,314	242,446	\$2,776.39	1,324,952	16,199	77,952	150,106		\$183,977	
Municipal Totals (46)	106	2,057	95,808	\$1,399	463,941	8,343	38,150	63,963		\$26,296	

Note: In some cases County and Municipal project areas overlap. Identified farms may appear on both County and Municipal large farm lists.
 Note: Data in red reflect 2009/2010 data. These are applications that did not submit 2011 round applications.
 Date: 5/16/12

MUNICIPAL PLANNING INCENTIVE GRANT
 Final Approval Application
 (2013 Round)
 May 2012

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/\$100	Annual Tax Revenue	Annual Tax for Farm Preservation Appropriations As Needed
Hopewell	Cumberland	Hopewell South	46	1,627	\$9,722,786.90	\$5,977	163	814	1,627	0.0	\$0	
Total			46	1,627	\$9,722,786							
May 2012 MUN. FIG (2013 Round) FINAL APPROVAL TOTALS			46	1,627	\$9,722,786		163	814	1,627			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**RESOLUTION FY2012R5(8)
CONDITIONAL PRELIMINARY APPROVAL**

Of the

**GREEN TOWNSHIP, SUSSEX COUNTY
PLANNING INCENTIVE GRANT APPLICATION
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLAN AND
PROJECT AREA SUMMARIES**

2013 FUNDING ROUND

May 24, 2012

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, in the event a municipality is seeking funding from the county toward the purchase of development easements, the municipality shall submit an application to the county agriculture development board ("CADB") or, in all other cases, a municipality shall submit its application directly to the SADC; and

WHEREAS, a municipality, in submitting an application to the CADB or the SADC as appropriate, shall outline a multi-year plan for the purchase of multiple farms in a project area and indicate its annual share of the estimated purchase price; and

WHEREAS, the municipality, in order to enhance its application, may submit its proposal jointly with one or more contiguous municipalities if the submission would result in the preservation of a significant area of reasonably contiguous farmland; and

WHEREAS, the application shall include a copy of the farmland preservation plan element; an estimate of the cost of purchasing development easements on all the farms in a designated project area, to be determined in consultation with the CADB or through an appraisal for the entire project area; and an inventory showing the characteristics of each farm in the project area which may included, but not be limited to, size, soils and agricultural use; and

WHEREAS, the farmland preservation plan element shall include: an inventory of farm properties and a map illustrating significant areas of agricultural land; a statement showing that municipal ordinances support and promote agriculture as a business; and a plan for preserving as much farmland as possible in the short term by leveraging monies made available by P.L. 1999, c.152 (C.13:8C-1 et al.) through a variety of mechanisms including, but not limited to, utilizing option agreements, installment purchases, and encouraging donations of permanent development easements; 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, pursuant to N.J.A.C. 2:76-17A.3(a)3.iv. and N.J.A.C. 2:76-17A.3(a)3.v., the SADC requires municipal PIG applications to include a discussion of farming trends, characterizing the type(s) of agricultural production in the municipality and a discussion of plans to develop the agricultural industry in the municipality to the list of statutory plan requirements; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.3(a)4, the SADC also requires the preparation and adoption of a right-to-farm ordinance that is consistent with, or provides greater protections to commercial farm operators and owners than, the Right to Farm Act, N.J.S.A. 4:1C-1 et seq., as determined by the SADC, to the list of requirements for grant eligibility; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.4, the SADC specified that a comprehensive municipal 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 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 a map of the county's adopted 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; and
8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; 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 of 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 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 provide uniform, detailed plan standards to supplement the new rules at N.J.A.C. 2:76-17A, update previous planning standards, incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey and the NJ 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; 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 initial municipal planning incentive grant applications for the 2009 Municipal Planning Incentive Grant round consisting of a copy of the municipality's draft comprehensive farmland preservation plan and all applicable project area summaries; and

WHEREAS, in addition to the 37 initial municipal planning incentive grant applications the SADC received 5 municipal planning incentive grant applications for the 2010 Municipal Planning Incentive Grant round, 1 municipal planning incentive grant application for the 2011 round and 1 municipal planning incentive grant application for the 2012 round, pursuant to N.J.A.C. 2:76-17A.6(a); and

WHEREAS, the SADC received an additional two municipal planning incentive grant applications for the 2013 Municipal Planning Incentive Grant round from Hopewell Township, Cumberland County and Frankford Township, Sussex County; and

WHEREAS, in total, these 46 municipal planning incentive grant applications identified 106 project areas in 9 counties and targeted 2,057 farms and 95,808 acres at an estimated total cost of \$1,399,000,000, with a ten-year preservation goal of 63,963 acres as summarized in the attached Schedule A; 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 municipalities submitted evidence of county reviews, comments on consistency with county plans and identified levels of county funding 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.

NOW THEREFORE BE IT RESOLVED, that the SADC grants conditional preliminary approval of the Municipal Planning Incentive Grant application for Green Township, Sussex County, as summarized in the attached Schedule B, subject to the following:

1. Submission of all required information identified in the FY 2013 Municipal Planning Incentive Grant Application Review Checklist within 60 days of the receipt of the correspondence accompanying the notice.
2. SADC determination that all of the components of the Comprehensive Farmland Preservation Plan are fully addressed and complete.
3. SADC determination that each designated project area is complete and technically accurate.
4. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the municipal Planning Board after a properly noticed public hearing.

- 5. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan.

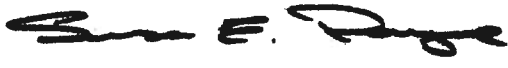
BE IT FURTHER RESOLVED, that the SADC shall not grant Final Approval to any farm contained within a municipal PIG application prior to these conditions being satisfied; and

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a) and that the SADC's approval of State funding is subject to the Garden State Preservation Trust approval, the Legislative appropriation of funds and the Governor signing the respective appropriation bills; 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 were appropriated, pursuant to N.J.A.C. 2:76-17A.8(c)1. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within three years of the date the funds were appropriated are subject to reappropriation and may no longer be available to the municipality; 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.

5/24/12
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	RECUSED
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost In Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.2/\$100	Annual Tax Revenue In Millions	Annual Tax for Farmland Preservation In Millions
Atlantic	15	10	423	\$2,162	27,724	423	1,500	2,500	5.0	\$2,700	No Set Amount
Bergen	8	40	525	\$67,227	10,887	30	150	300	1.0	\$19,000	No Set Amount
Burlington	4	198	22,802	\$100,000	11,853	1,000	5,000	10,000	4.0	\$20,000	No Set Amount
Camden	5	57	3,469	\$30,843	15,071	762	2,369	3,470	2.0	\$7,600	No Set Amount
Cape May	6	189	12,312	\$221,766	15,982	151	936	1,207	1.0	\$5,300	No Set Amount
Cumberland	16	485	19,144	\$114,254	60,078	1,951	9,757	19,514	1.0	\$0,970	No Set Amount
Hopewell	1	46	1,627	\$9,722	5,889	163	814	1,627	0.0	\$0,000	No Set Amount
Upper Deerfield	1	54	3,591	\$21,575	9,233	396	1,979	3,958	0.0	\$0,050	\$0,050
Gloucester	11	569	24,008	\$319,020	112,929	750	3,500	6,800	4.0	\$11,000	\$5,000
Eik	2	30	1,005	\$11,050	3,520	75	377	754	1.0	\$0,038	\$0,038
Franklin	5	123	5,086	\$30,505	10,106	598	1,799	3,290	1.0	\$0,076	No Set Amount
Woodwich	3	73	3,366	\$50,475	5,183	265	1,920	3,984	5.0	\$0,314	No Set Amount
Hunterdon	7	192	12,448	\$158,000	178,126	1,500	7,500	15,000	3.0	\$7,000	\$2,000
Alexandria	4	64	3,764	\$37,636	16,912	250	750	1,500	4.0	\$0,528	No Set Amount
Delaware	2	22	1,657	\$23,198	23,707	300	1,500	3,000	6.0	\$0,540	No Set Amount
East Amwell	1	19	1,797	\$23,361	13,515	170	699	1,720	4.0	\$0,315	\$0,315
Franklin	1	15	1,516	\$21,592	10,644	161	533	822	5.0	\$0,278	\$0,200
Holland	4	38	2,521	\$25,210	11,335	250	1,250	2,500	2.0	\$0,079	\$0,079
Kingwood	1	26	1,762	\$17,620	12,645	242	881	1,762	3.0	\$0,182	No Set Amount
Raritan	4	23	1,554	\$31,079	6,111	100	300	600	1.5	\$0,602	No Set Amount
Readington	1	39	2,313	\$41,634	15,759	100	600	1,100	2.0	\$0,570	No Set Amount
Teukshury	3	3	409	\$9,700	4,557	100	300	1,000	5.0	\$0,425	No Set Amount
Union	3	20	640	\$5,894	4,189	70	325	600	2.0	\$0,137	\$0,007
West Amwell	1	6	610	\$7,320	10,440	100	100	610	6.0	\$0,315	No Set Amount
Mercer	7	31	2,753	\$52,757	14,743	50	500	1,000	3.0	\$9,500	No Set Amount
Hopewell	1	11	958	\$28,734	10,761	96	383	479	3.0	\$1,255	No Set Amount
Middlesex	5	124	4,951	\$189,926	20,983	225	1,125	2,250	2.0	\$22,000	No Set Amount
Morrmouth	6	136	12,299	\$358,751	60,623	1,200	3,000	6,000	1.5	\$17,900	No Set Amount
Colls Neck	1	6	262	\$13,254	9,321	53	83	302	1.2	\$0,370	No Set Amount
Holmdel	1	18	564	\$26,117	2,568	10	70	338	2.5	\$1,145	No Set Amount
Howell	3	13	560	\$12,846	12,666	127	370	453	2.0	\$1,396	\$0,700
Manalapan	1	31	1,578	\$32,155	9,223	171	855	1,711	2.0	\$1,141	No Set Amount
Marlboro	3	20	719	\$35,950	19,690	42	202	387	2.0	\$0,625	No Set Amount
Milstone	4	53	3,270	\$96,040	14,359	30	4,150	300	6.0	\$1,100	No Set Amount
Upper Freshhold	1	207	8,813	\$176,280	27,358	550	1,000	1,500	4.0	\$0,328	No Set Amount
Morris	3	79	5,962	\$180,176	169,342	610	2,974	5,962	1.5	\$17,159	\$4,290
Ocean	7	151	3,256	\$84,287	21,975	200	901	1,623	1.2	\$10,000	No Set Amount

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County/Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Average	1-Year Average Goal	5-Year Average Goal	10-Year Average Goal	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Passaic	1	10	191	\$5,977	6,415	100	500	1,000	1.0	\$5,000	\$0,750
Salem	3	434	35,790	\$286,330	80,125	2,600	13,000	26,000	2.0	\$1,14	\$1,14
Alloway	7	384	\$3,072	\$3,072	5,055	38	194	384	2.0	\$0,020	No Set Amount
Pilesgrove	3	41	3,324	\$32,484	7,303	261	1,206	2,197	3.0	\$0,145	\$0,145
Pilesgrove	2	86	1,909	\$14,315	7,200	458	1,312	2,399	3.0	\$0,178	No Set Amount
Upper Pilesgrove	3	11	459	\$3,440	25,062	700	3,500	7,000	2.0	\$0,070	\$0,070
Somerset	12	382	15,185	\$240,301	87,623	1,000	4,000	5,000	3.0	\$19,104	\$1,400
Bedminster	1	123	5,913	\$177,410	10,111	500	2,706	2,706	2.0	\$0,522	No Set Amount
Bedards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	25	1,100	\$34,379	17,422	130	650	1,100	5.0	\$4,000	No Set Amount
Hillsborough	3	22	1,510	\$30,193	3,471	100	500	1,000	2.8	\$1,560	No Set Amount
Montgomery	1	22	1,081	\$32,432	20,646	116	385	580	4.0	\$1,500	No Set Amount
Peapack & Gladstone	2	11	310	\$10,857	1,932	20	85	160	3.0	\$0,248	\$0,120
Sussex	10	799	39,449	\$220,189	176,195	2,648	13,240	26,480	0.65	\$1,200	\$1,000
Frankford	4	102	4,438	\$27,745	10,142	75	350	700	3.0	\$0,080	\$0,080
Green	3	53	1,831	\$11,908	7,632	150	675	1,300	3.0	\$0,167	\$0,167
Warren	7	428	27,479	\$144,430	154,278	1,000	8,000	16,000	6.0	\$7,400	\$3,707
Blairtown	4	78	2,140	\$14,977	12,307	180	900	1,700	3.5	\$0,320	\$0,320
Franklin	4	150	5,698	\$51,168	11,542	225	1,000	1,900	6.5	\$0,271	No Set Amount
Feyrlinghysen	7	73	2,807	\$18,248	9,483	45	220	430	2.0	\$0,055	\$0,055
Greenwich	1	52	2,185	\$17,478	3,453	150	700	1,300	4.0	\$0,241	\$0,241
Harmony	3	89	4,040	\$24,236	12,409	220	1,000	1,800	5.0	\$0,247	\$0,247
Hope	3	44	2,350	\$12,925	4,976	65	300	600	2.0	\$0,063	\$0,063
Knowlton	2	34	2,994	\$14,970	13,355	100	500	1,000	2.0	\$0,052	\$0,052
Pohatcong	4	58	1,672	\$10,029	7,510	160	760	1,500	0.5	\$0,174	\$0,174
White	4	116	4,513	\$22,673	13,599	150	700	1,300	2.0	\$0,126	No Set Amount
County Totals (18)	133	4,314	242,446	\$2,776,39	1,324,952	16,199	77,952	150,106		\$183,977	
Municipal Totals (46)	106	2,057	95,808	\$1,399	463,941	8,343	38,150	63,963		\$26,296	

Note: In some cases County and Municipal project areas overlap. Identified farms may appear on both County and Municipal legal farm lists.
 Note: Data in red reflect 2009/2010 data. These are applications that did not submit 2011 round applications.
 Date: 5/16/12

Schedule B

MUNICIPAL PLANNING INCENTIVE GRANT
 Final Approval Application
 (2013 Round)
 May 2012

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 / \$100	Annual Tax Revenue	Annual Tax for Farm Preservation
Green	Sussex	Pequisset Valley	19	605	\$3,930,290	\$6,500						
		Tranquility Valley	2	349	\$2,270,905	\$6,500						
		Whittingham	32	878	\$5,706,740	\$6,500						
		Total	53	1,832	\$11,907,935		150	675	1,300	3.0	\$166,710	\$166,710
May 2012 MUN. PI/G (2013 Round) FINAL APPROVAL TOTALS												
			3	1,832	\$11,907,935		150	675	1,300			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R5(9)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

DELAWARE TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Louis Cyktor III & Cyktor IV
Delaware Township, Hunterdon County

N.J.A.C. 2:76-17A. et seq.
SADC ID# 10-0323-PG

MAY 24, 2012

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Delaware Township, which included the Cyktor Farm, identified as Block 51, Lot 1, Delaware Township, Hunterdon County, totaling approximately 22 net 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, the SADC granted final approval of Delaware Township's PIG on January 26, 2012; and

WHEREAS, the farm's agricultural production at the time of application is ornamental nursery products; and

WHEREAS, the Property includes a 2-acre non-severable exception for and to be restricted to one existing single family dwelling; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on August 8, 2011, 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 March 22, 2012 the SADC certified a value of \$15,600 / acre based on the "current value" date of April 8, 2011 for the development easement for the Property; and

WHEREAS, to date \$1,250,000 of FY09 and FY11 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

WHEREAS, to date Delaware Township has not expended any of its SADC grant funds but has encumbered \$568,640 with Final Approval for the Copeland Farm, leaving a cumulative balance of \$701,360 (Schedule B); and

WHEREAS, Delaware Township has two other applications with Green Light Approval (Yard & Lovenberg); and

WHEREAS, Delaware Township and Hunterdon 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.13, the Delaware Township Committee approved the application and its funding commitment for 20 % of the easement purchase (\$3,120 per acre) on the Cyktor Farm on May 11, 2012, and the Hunterdon County Agriculture Development Board approved the application on May 10, 2012 and secured a commitment of funding for 20% of the easement purchase (\$3,120 per acre) from the Hunterdon County Board of Chosen Freeholders for the required local match on May 15, 2012; and

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

	<u>Cost Share</u>	
SADC	\$205,920	(\$ 9,360 per acre or 60%)
Delaware Twp.	\$ 68,640	(\$ 3,120 per acre or 20%)
Hunterdon County	\$ 68,640	(\$ 3,120 per acre or 20%)
	<u>\$343,200</u>	(\$15,600 per acre) ; 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 Delaware Township for the purchase of a development easement on the Cyktor Farm by Hunterdon County, comprising approximately 22 acres, at a State cost share of \$9,360 per acre for an estimated total of \$205,920 (60% of certified market value and estimated total cost) pursuant to N.J.A.C. 2:76-6.11 (Schedule C); 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 Hunterdon 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.

5/24/12
Date

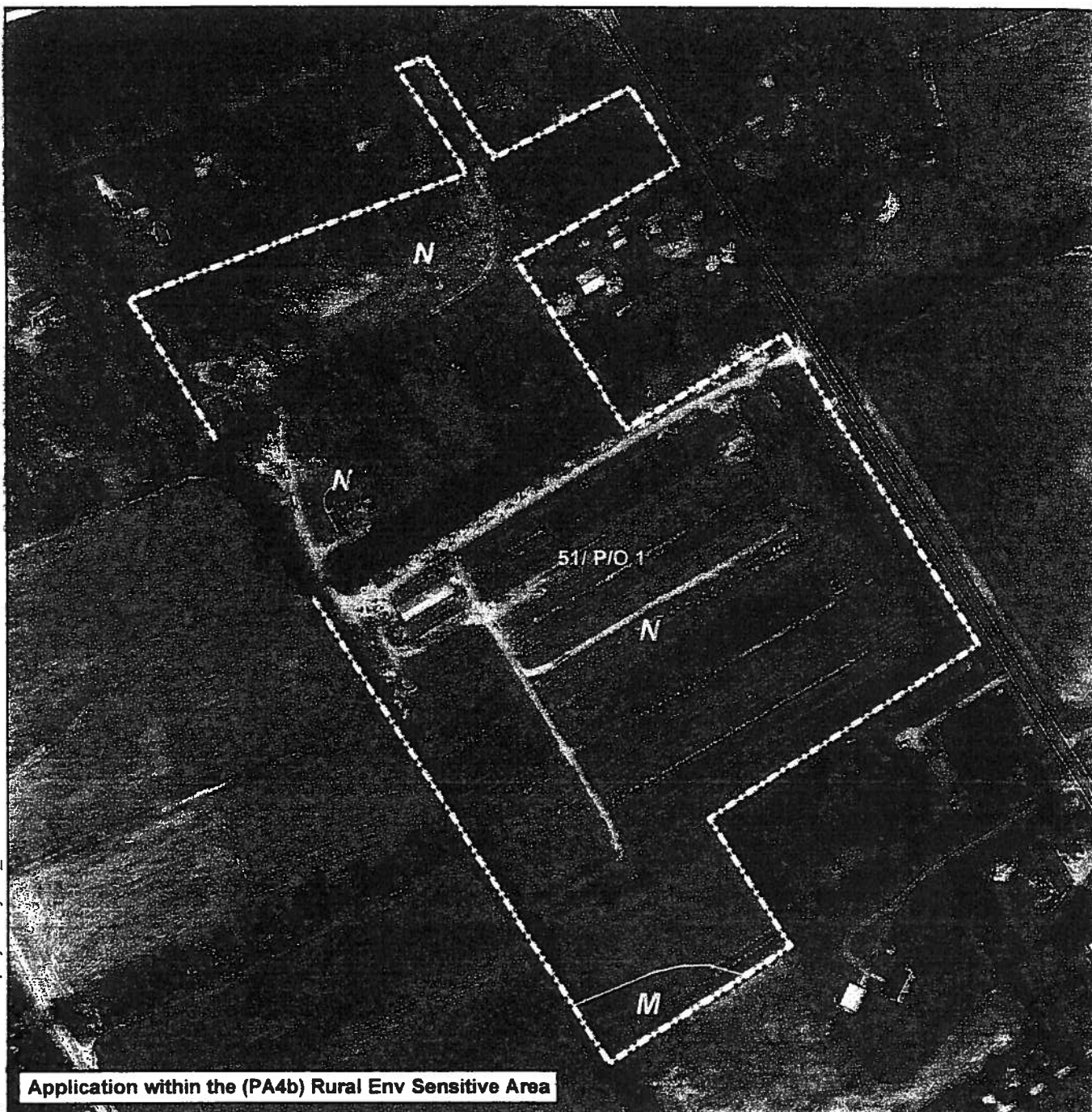


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

x:/counties/hunco/projects/cyktor_fwv.mxd



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

Louis Cyktor, IV
Block 51 Lots P/O 1 (21.5 ac)
& P/O1-EN (non-severable exception - 2.0 ac)
Gross Total = 23.5 ac
Delaware Twp., Hunterdon County



	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 O/S & 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
NJOT/OGIS 2007/2008 Digital Aerial Image

Municipal Planning Incentive Grant
Delaware Township, Hunterdon County

Farm	Acres	SADC FA	SADC Certified Per Acre	SADC		733 - GSPT		Cum Approp	Cum Encumbered	Balance
				Cost Share	Encumbered	FY09 Encumbered				
Copeland	72.000	01/26/12	12,700.00	548,640.00	548,640.00		1,250,000.00	548,640.00	701,360.00	
Cyktor	22.000	05/24/12	15,600.00	205,920.00	205,920.00					
Yard	35.000			315,000.00	315,000.00					
Lovenberg	44.500			400,500.00	400,500.00					
Total Pending	173.500	2		1,470,060.00						
Total Encumbered					548,640.00			548,640.00		
Closed/Expended									701,360.00	
Total										
Reprogram Out										

Schedule 3

Schedule 3

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Cyktor, Louis 4th
10- 0323-PG
FY 2009 PIG EP - Municipal 2007 Rule
22 Acres

Block 51	Lot 1	Delaware Twp.	Hunterdon County
SOILS:		Prime	4% * .15 = .60
		Statewide	96% * .1 = 9.60
			SOIL SCORE: 10.20
TILLABLE SOILS:		Cropland Harvested	95% * .15 = 14.25
		Other	5% * 0 = .00
			TILLABLE SOILS SCORE: 14.25
FARM USE:	Ornament Nursery Products		23 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 exisiting residence
 - Exception is not to be severed from Premises
 - Exception is to be restricted to one single family residential unit(s)
 - 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 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 FY2012R5(10)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

HUNTERDON COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

SADC FY2011 Funding

On the Property of

High Plains Farm LLC / Linda Peterson ("Owner")

Franklin Township, Hunterdon County

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

SADC ID# 10-0308-PG

May 24, 2012

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Hunterdon 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, Hunterdon County received SADC approval of their FY2012 PIG Plan application annual update on April 28, 2011; and

WHEREAS, on November 8, 2011, the SADC received an application for the sale of a development easement from Hunterdon County for the High Plains Farm identified as Block 30, Lot 14, Franklin Township, Hunterdon County, totaling approximately 34 net acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, the Property is located in Hunterdon County's West Project Area; and

WHEREAS, the Property has approximately 77% Prime soils and 22% soils of Statewide importance and at the time of application the farm was in corn and wheat production; and

WHEREAS, the Property has no residences or pre-existing non-agricultural uses on the Property being preserved; and

WHEREAS, the High Plains Farm has one, 2-acre nonseverable exception for an existing single family residence; and

WHEREAS, the Property has a rank score of 69.87 which exceeds 40, which is 70% of the County's average quality score as determined by the SADC on July 28, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on December 6, 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 November 3, 2011, the SADC certified a value of \$6,200/acre based on the "current value" date of May 2011 for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,200 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13(d), the County prioritized its farms and submitted the ranking to the SADC on February 10, 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, to date Hunterdon County has encumbered the Rothpletz #2 farm from the FY2011 base grant funding and has \$1,101,390 available; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 35.020 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 35.020 acres):

	Cost Share	
SADC	\$140,080	(\$ 4,000 per acre or 64.52%)
Franklin Twp.	\$ 38,552	(\$ 1,100 per acre or 17.74%)
<u>Hunterdon County</u>	<u>\$ 38,552</u>	<u>(\$ 1,100 per acre or 17.74%)</u>
	\$217,124	(\$6,200 per acre) ; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, the Franklin Township Committee approved the application and its funding commitment for 17.74% of the easement purchase (\$1,100 per acre) on the High Plains Farm on March 22, 2012, and the Hunterdon County Agriculture Development Board approved the application on February 9, 2012 and secured a commitment of funding for 17.74% of the easement purchase (\$1,100 per acre) from the Hunterdon County Board of Chosen Freeholders for the required local match on February 21, 2012; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$140,080 from its base grant, leaving a cumulative base grant balance of \$961,310 (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 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 Hunterdon County for the purchase of a development easement on the High Plains farm, comprising approximately 35.020 acres, at a State cost share of \$4,000 per acre (64.52% 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: 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.

5/24/12

Date

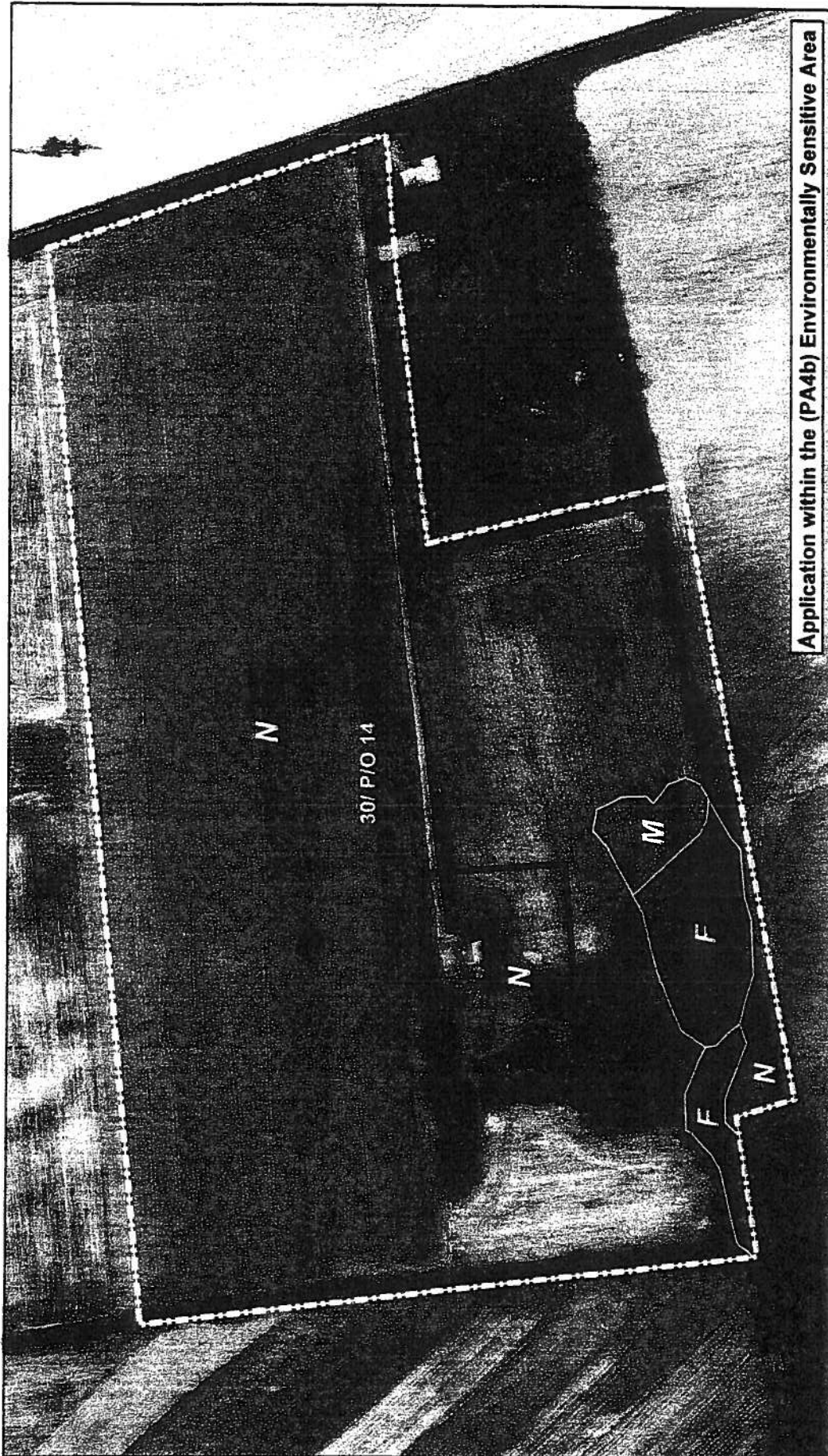


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

Application within the (PA4b) Environmentally Sensitive Area



- Priority to Consider**
- EN - (Non-Severable) Exception
 - ES - (Severable) Exception
- Wetlands Boundaries**
- Wetlands Boundaries
 - Wetlands, Country and Non-Profit Preserved Open Space
 - State Owned Conservation Easement
 - State Owned O&B & Recreation Easement
 - Federal Land

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



FARMLAND PRESERVATION PROGRAM
 NJ State Agriculture Development Committee

Linda Peterson/High Plain Farm, LLC
 Block 30 Lots P/O 14 (36.0 ac)
 & P/O 14-EN (non-severable exception - 2.0 ac)
 Gross Total = 38.0 ac
 Franklin Twp., Hunterdon County

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and any other files associated with this project are not guaranteed. Any use of this data for purposes 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.

Source:
 NJDEP Freshwater Wetlands Data
 State Agriculture Development Committee
 NJGIS/OGIS 2007/2008 DigitalAerial Image

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

Farm	Municipality	App No Buffer Acres	App Plus 3 Percent Acres	SADC		SADC Grant Per Acre	Easement Consideration	Cost Share	Base Grant	
				Certified Per Acre	Per Acre				Encumbered at Final	Balance
Rolling #2	Tewksbury	43,000	44,290	\$15,000.00	\$9,000.00	\$9,000.00	664,350.00	398,610.00	398,610.00	1,101,390.00
Peterson, Linda	Franklin	34,000	35,020	\$6,200.00	\$4,000.00	\$4,000.00	210,800.00	136,000.00	140,080.00	961,310.00
Cooper, Gail	Holland	43,000	44,290	\$7,100.00	\$4,450.00	\$4,450.00	305,300.00	191,350.00	197,090.50	764,219.50
Boss, Edward	Holland	21,000	estimate	\$9,000.00	\$5,400.00	\$5,400.00	189,000.00	113,400.00		
Readington Toll #2	Readington	82,000	estimate	\$9,000.00	\$5,400.00	\$5,400.00	738,000.00	442,800.00		
Gross, Joel and Snyder, Doris	Kingwood	58,000	estimate	\$9,000.00	\$5,400.00	\$5,400.00	522,000.00	313,200.00		
	Raritan	50,000								
	Holland	21,000								
Heimer	Kingwood	50,000								
Hill & Dale #1	Tewksbury	91,000								
Zander I	Alexandria	30,000								
Zander II	Kingwood	28,000								
did not qualify:										
Papazian, Aram	Alexandria	48,000		\$9,000.00	\$5,400.00	\$5,400.00		259,200.00		
Associated Tree	Alexandria	48,000		\$9,000.00	\$5,400.00	\$5,400.00		259,200.00		
moved to Mun PIG Program										
Brown, Charlies	Holland	134,000		\$9,000.00	\$5,400.00	\$5,400.00	1,206,000.00	723,600.00		
on hold:										
Readington										
Twp/Readington Properties, LLC	Readington	51,000	ada issue	\$9,000.00	\$5,400.00	\$5,400.00	459,000.00	275,400.00		
K/A	Holland	66,000		\$9,000.00	\$5,400.00	\$5,400.00	612,000.00	367,200.00		

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Peterson, Linda (High Plains)
10- 0308-PG
FY 2010 County PIG Program
34 Acres

Block 30	Lot 14	Franklin Twp.	Hunterdon County
SOILS:		Prime	77.5% * .15 = 11.63
		Statewide	22.5% * .1 = 2.25
			SOIL SCORE: 13.88
TILLABLE SOILS:		Cropland Harvested	91% * .15 = 13.65
		Wetlands	4% * 0 = .00
		Woodlands	5% * 0 = .00
			TILLABLE SOILS SCORE: 13.65
FARM USE:		Corn-Cash Grain	15 acres
		Wheat-Cash Grain	7 acres
		Hay	8 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 Around existing dwelling
 - Exception is not to be severed from Premises
 - 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 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 FY2012R5(11)

**ELIGIBILITY REVIEW AND WAIVER
For
ATLANTIC COUNTY PLANNING INCENTIVE GRANT**

**On the Property of
Frank L. Burke, III
Mullica Township, Atlantic County
SADC ID# 01-0001-PG**

May 24, 2012

WHEREAS, on December 15, 2011, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Atlantic County, which included the Burke Farm, identified as Block 903, Lots 4, 5 & 6, Mullica Township, Atlantic County, totaling approximately 58 net acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Atlantic County PIG Plan received preliminary approval from the SADC on May 24, 2012; and

WHEREAS, at this time Atlantic County has no funds available for the acquisition of development rights, but in anticipation of future funding has submitted applications for preliminary approval; and

WHEREAS, the Burke Farm is in the Agricultural Production Area of the Pinelands; and

WHEREAS, the Burke Farm supports a blueberry and corn (grain) operation; and

WHEREAS, there are two single-family residences on a two-acre non-severable exception area; and

WHEREAS, SADC staff has reviewed the application and determined that it is complete and accurate and meets the minimum standards as per N.J.A.C. 2:76-6.20 and has a quality score of 68.90 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 and 17.2 the SADC is responsible for establishing standards for determining an "eligible farm" by determining minimum score requirements in the County PIG program; and

WHEREAS, Pursuant to N.J.A.C. 2:76-17.2 an "eligible farm" means a targeted farm that qualifies for grant funding under subchapter (17) by achieving an individual rank score pursuant to N.J.A.C. 2:76-6.16 that is equal to or greater than 70 percent of the county's average quality score of all farms granted preliminary approval by the SADC through the County Easement Purchase Program and/or the County PIG program within the previous three fiscal years, as determined by the SADC ; and

WHEREAS, because there were no applications during the past three fiscal years to establish average quality scores in Atlantic, Bergen, Camden and Passaic Counties, the SADC considered on a case by case basis, a waiver of the minimum score criterion pursuant to N.J.A.C. 2:76-17.9(a)7 for applications submitted under the County PIG program as per Resolution #FY2012R7(35) approved on July 28, 2011(effective January 1, 2012) ; and

WHEREAS, as per N.J.A.C. 2:76-17.9(a)7i the Committee may grant a waiver of the minimum score criteria upon a finding that any of the following apply:

(A) The conversion of the farm to non-agricultural use will likely cause a substantial negative impact on the public investment made in farmland preservation within the project area;

(B) The subject property is of exceptionally high agricultural resource value based on soil characteristics; or

(C) The subject property represents a unique and valuable agricultural resource to the surrounding community, and the Committee finds that it has a reasonable opportunity to remain agriculturally viable.

WHEREAS, the Atlantic County Agriculture Development Board (CADB) has requested that the SADC provide a waiver of the minimum score criteria based on the following which meet the requirements of N.J.A.C. 2:76-17.9(a)7i (1)(A)(B) and (C) above:

- the farm is located within a designated Agriculture Development Area and Project Area as delineated by Atlantic County in its Farmland Preservation Plan;
- the farm is located within a large area that is actively farmed and is contiguous to preserved farms and farms in application to be preserved;
- because of its location within a highly productive agriculture area the conversion of this farm to non-agriculture uses would have a negative impact on the investment made in this area (Schedule C);
- the farm is an exceptionally high agricultural resource value for Atlantic County, particularly due to its soil characteristics (75% Statewide and 25% Prime soils); and

WHEREAS, based on the factors presented by the CADB above SADC staff recommends the SADC provide a waiver for the Property: and

NOW THEREFORE BE IT RESOLVED, pursuant to N.J.A.C. 2:76-17.9(a)7i (1)(A)(B) and (C) the SADC grants a waiver of the minimum score criteria for the Property; and

BE IT FURTHER RESOLVED, that the SADC shall notify the County in writing that the application has been granted a waiver and SADC staff will finalize the preliminary approval as per N.J.A.C. 2:76-17.9 ; and

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

5/24/12
Date



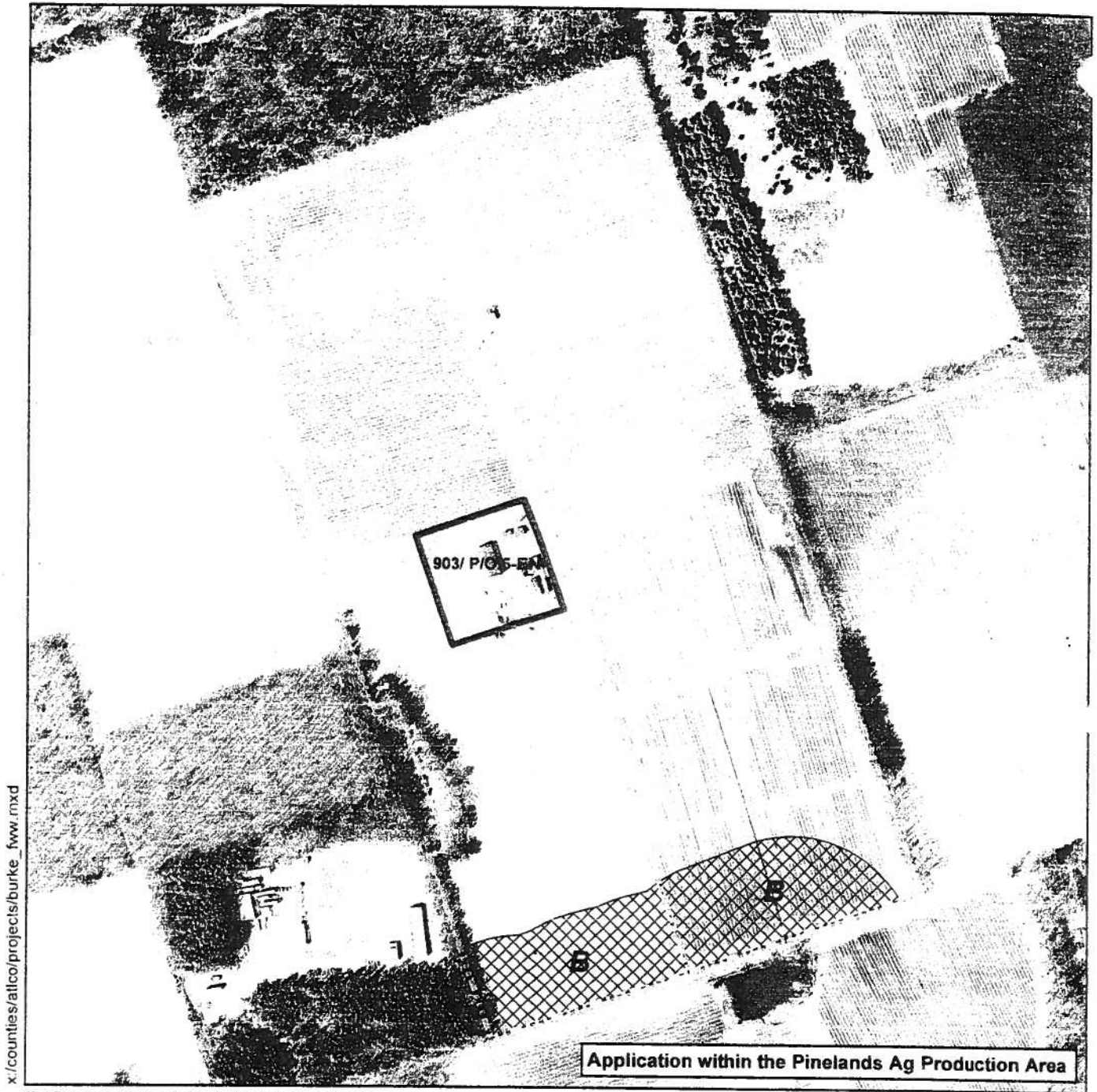
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

	ABSENT FOR VOTE
Douglas H. Fisher, Chairperson	
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

S:\Planning Incentive Grant -2007 rules County\Atlantic\Burke\Eligibility Waiver.doc

Schedule A



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

Frank L. Burke/FLB Farm
 Block 903 Lots 4 (12.6 ac), P/O 5 (15.8 ac)
 & P/O 5-EN (non-severable exception - 2.0 ac), & 6 (29.0 ac)
 Gross Total = 59.4 ac
 Mullica Twp., Atlantic County

Property in Question:	
	EIS - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries:	
	300 ft Buffered Wetlands
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O&R & Recreation Easement
	Federal Land



500 250 0 500 1,000 Feet

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
 NJDOT/OGIS 2007/2008 Digital/Aerial Image

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

GENERAL INFORMATION

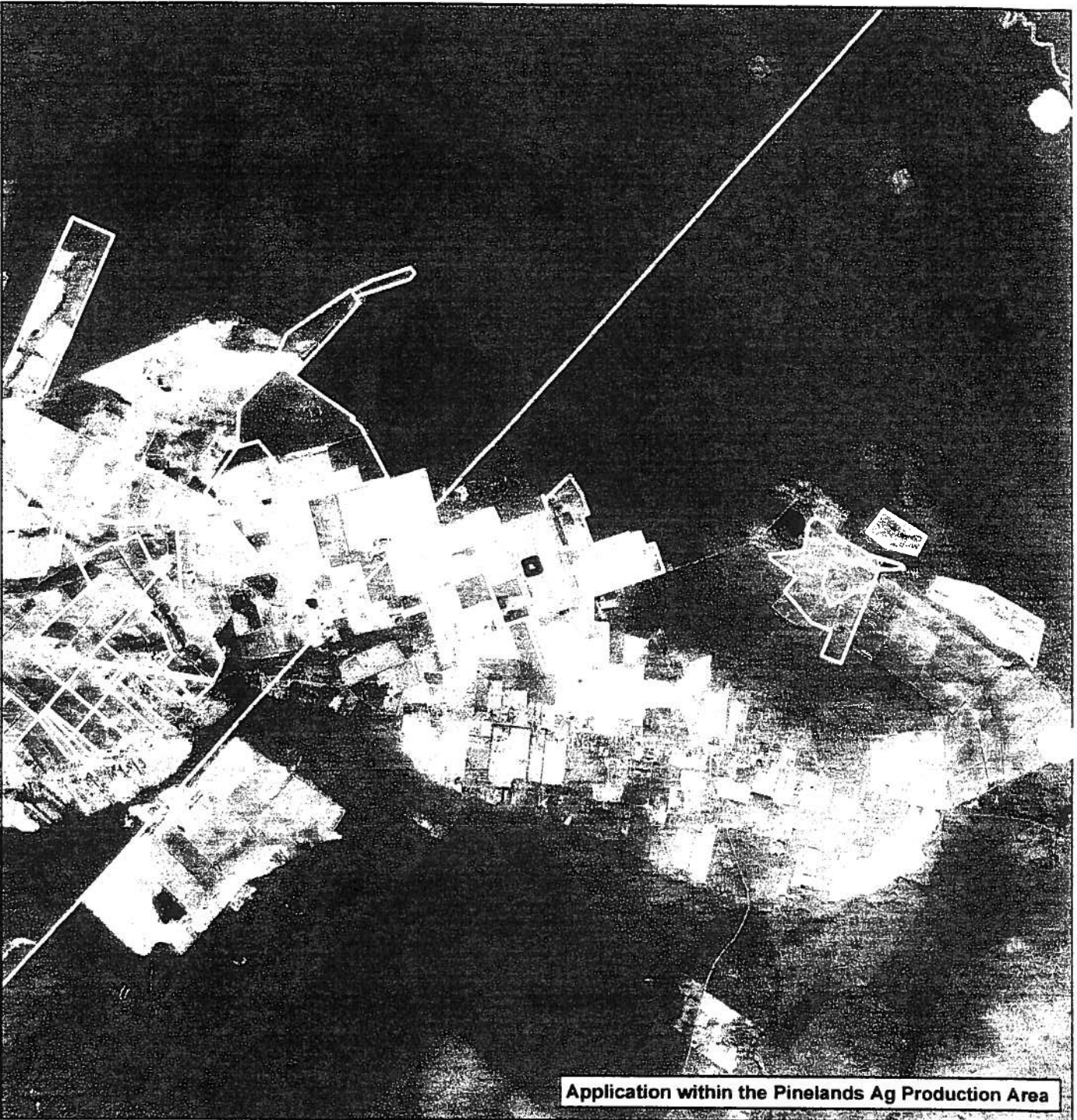
COUNTY OF Atlantic Mullica Twp. 0117

APPLICANT Burke, Frank III

PRIORITIZATION SCORE

SOILS:		Other	2% * 0	=	.00
		Prime	22% * .15	=	3.30
		Statewide	76% * .1	=	7.60
					SOIL SCORE:
					10.90
TILLABLE SOILS:		Cropland Harvested	98% * .15	=	14.70
		Woodlands	2% * 0	=	.00
					TILLABLE SOILS SCORE:
					14.70
BOUNDARIES	8 Year Program		15% * .13	=	1.95
AND BUFFERS:	Woodlands		17% * .06	=	1.02
	Farmland (Unrestricted)		18% * .06	=	1.08
	Deed Restricted Farmland (Permanent)		50% * .2	=	10.00
					BOUNDARIES AND BUFFERS SCORE:
					14.05
CONTIGUOUS	Subject	Restricted Farm or Current Application			2
PROPERTIES	Anthony Merlino	Restricted Farm or Current Application			2
/ DENSITY:	Carmen Merlino	Restricted Farm or Current Application			2
	Emma Caruso	Restricted Farm or Current Application			2
	Francis Walker	8 Year Program			1
	Columbia properties	Restricted Farm or Current Application			2
					DENSITY SCORE:
					10.00
LOCAL COMMITMENT:			100% * 14	=	14.00
					LOCAL COMMITMENT SCORE:
					14.00
SIZE:					SIZE SCORE:
					4.33
IMMIMENCE OF CHANGE:		SADC Impact factor = .92			
					IMMINENCE OF CHANGE SCORE:
					.92
COUNTY RANKING:					
EXCEPTIONS:					
					EXCEPTION SCORE:
					.00
					TOTAL SCORE:
					68.90

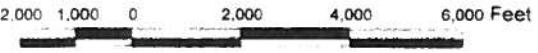
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Application within the Pinelands Ag Production Area

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

Frank L. Burke/FLB Farm
Block 903 Lots 4 (12.6 ac), P/O 5 (15.8 ac)
& P/O 5-EN (non-severable exception - 2.0 ac), & 6 (29.0 ac)
Gross Total = 59.4 ac
Mullica Twp., Atlantic County



Farmland Preservation Program

- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Active Applications
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned O/S & Recreation Easement
- Federal Land

Base Map

- County Boundary
- Municipal Boundary

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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image
January 6, 2012

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2012R5(12)

ELIGIBILITY REVIEW AND WAIVER

For

ATLANTIC COUNTY PLANNING INCENTIVE GRANT

**On the Property of
Paul and Shirley Leonardo
Buena Borough, Atlantic County
SADC ID# 01-0002-PG**

May 24, 2012

WHEREAS, on December 15, 2011, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Atlantic County, which included the Leonardo Farm, identified as Block 121, Lot 8, Buena Borough, Atlantic County, totaling approximately 19 net acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Plan received preliminary approval on May 24, 2012; and

WHEREAS, at this time Atlantic County has no funds available for the acquisition of development rights, but in anticipation of future funding has submitted applications for preliminary approval; and

WHEREAS, the Leonardo Farm is in the mostly in the Agricultural Production Area of the Pinelands with a small portion (approximately 3 acres) along the road frontage in the Pinelands Village/Town Management Area;; and

WHEREAS, the Leonardo Farm supports a vegetable operation; and

WHEREAS, there is one single-family residence on a one-acre non-severable exception area; and

WHEREAS, SADC staff has reviewed the application and determined that it is complete and accurate and meets the minimum standards as per N.J.A.C. 2:76-6.20 and has a quality score of 63.26 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 and 17.2 the SADC is responsible for establishing standards for determining an "eligible farm" by determining minimum score requirements in the County PIG program; and

WHEREAS, Pursuant to N.J.A.C. 2:76-17.2 an "eligible farm" means a targeted farm that qualifies for grant funding under subchapter (17) by achieving an individual rank score pursuant to N.J.A.C. 2:76-6.16 that is equal to or greater than 70 percent of the county's average quality score of all farms granted preliminary approval by the SADC through the County Easement Purchase Program and/or the County PIG program within the previous three fiscal years, as determined by the SADC; and

WHEREAS, because there were no applications during the past three fiscal years to establish average quality scores in Atlantic, Bergen, Camden and Passaic Counties, the SADC considered on a case by case basis, a waiver of the minimum score criterion pursuant to

N.J.A.C. 2:76-17.9(a)7 for applications submitted under the County PIG program as per Resolution #FY2012R7(35) approved on July 28, 2011(effective January 1, 2012); and

WHEREAS, as per N.J.A.C. 2:76-17.9(a)7i the Committee may grant a waiver of the minimum score criteria upon a finding that any of the following apply:

- (A) The conversion of the farm to non-agricultural use will likely cause a substantial negative impact on the public investment made in farmland preservation within the project area;
- (B) The subject property is of exceptionally high agricultural resource value based on soil characteristics; or
- (C) The subject property represents a unique and valuable agricultural resource to the surrounding community, and the Committee finds that it has a reasonable opportunity to remain agriculturally viable.

WHEREAS, the Atlantic County Agriculture Development Board (CADB) has requested that the SADC provide a waiver of the minimum score criteria based on the following which meet the requirements of N.J.A.C. 2:76-17.9(a)7i (1)(A)(B) and (C) above:

- the farm is located within a designated Agriculture Development Area and Project Area as delineated by Atlantic County in its Farmland Preservation Plan;
- the farm is located within a large area that is actively farmed and is contiguous to preserved farms and farms in application to be preserved;
- because of its location within a highly productive agriculture area the conversion of this farm to non-agriculture uses would have a negative impact on the investment made in this area (Schedule C);
- the farm is an exceptionally high agricultural resource value for Atlantic County, particularly due to its soil characteristics (90% Prime soils); and

WHEREAS, based on the factors presented by the CADB above SADC staff recommends the SADC provide a waiver for the Property: and

NOW THEREFORE BE IT RESOLVED, pursuant to N.J.A.C. 2:76-17.9(a)7i (1)(A)(B) and (C) the SADC grants a waiver of the minimum score criteria for the Property; and

BE IT FURTHER RESOLVED, that the SADC shall notify the County in writing that the application has been granted a waiver and SADC staff will finalize the preliminary approval as per N.J.A.C. 2:76-17.9; and

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

5/24/12
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

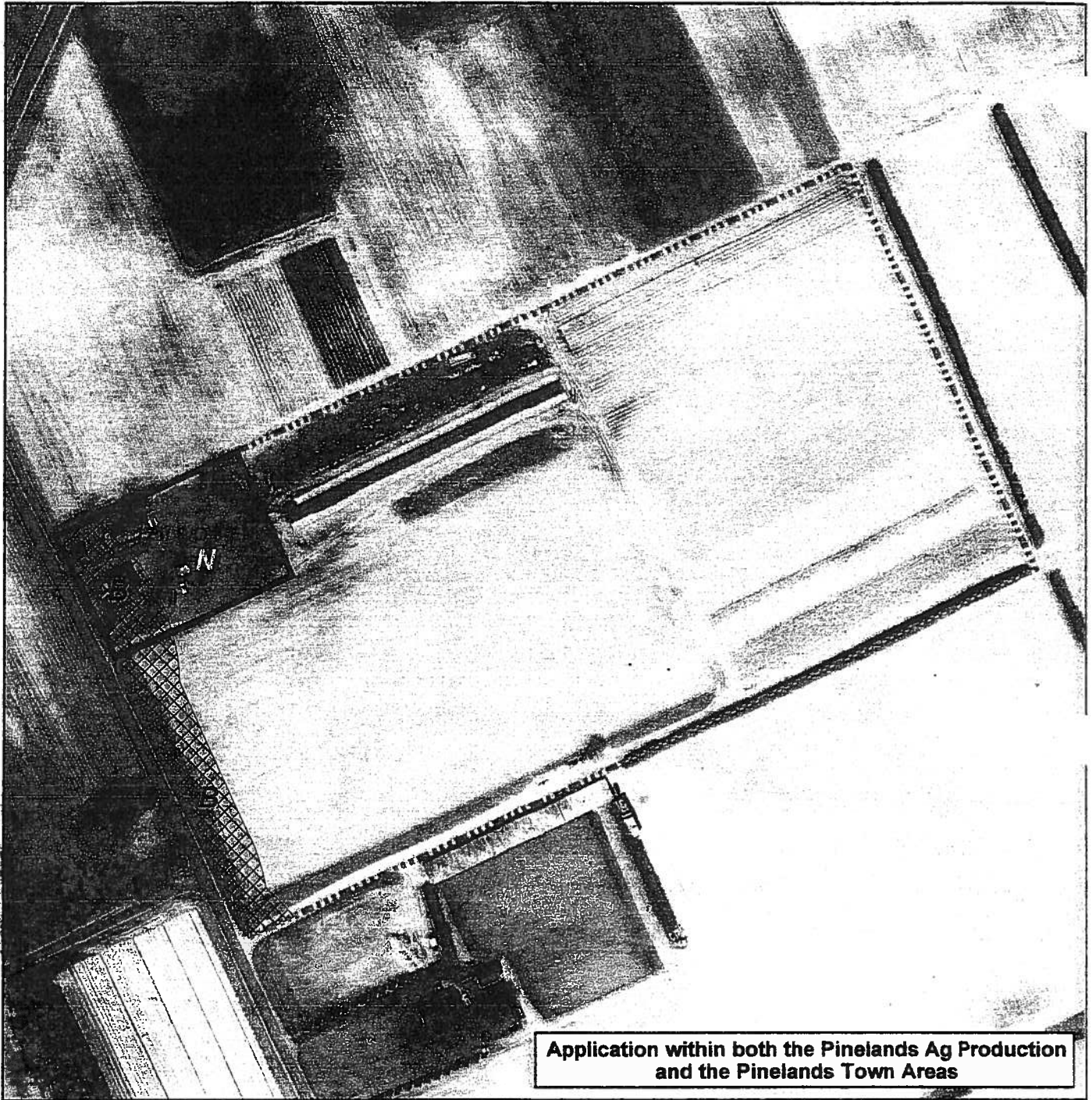
VOTE WAS RECORDED AS FOLLOWS:

	ABSENT FOR VOTE
Douglas H. Fisher, Chairperson	
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

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Schedule A

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Application within both the Pinelands Ag Production and the Pinelands Town Areas

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

Paul and Shirley Leonardo
Block 121 Lots P/O 8 (18.1 ac)
& P/O 8-EN (non-severable exception - 1.3 ac)
Gross Total = 19.4 ac
Buena Boro, Atlantic County



	Property in Question
	P/O 8-EN (non-severable) Exception
	P/O 8 (severable) Exception
	Wetlands Boundaries
	300' Buffer Wetlands
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned DWS Recreation Easement

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
 NJOT/OGIS 2007/2006 Digital Aerial Image

March 7, 2012

JUN-2011

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

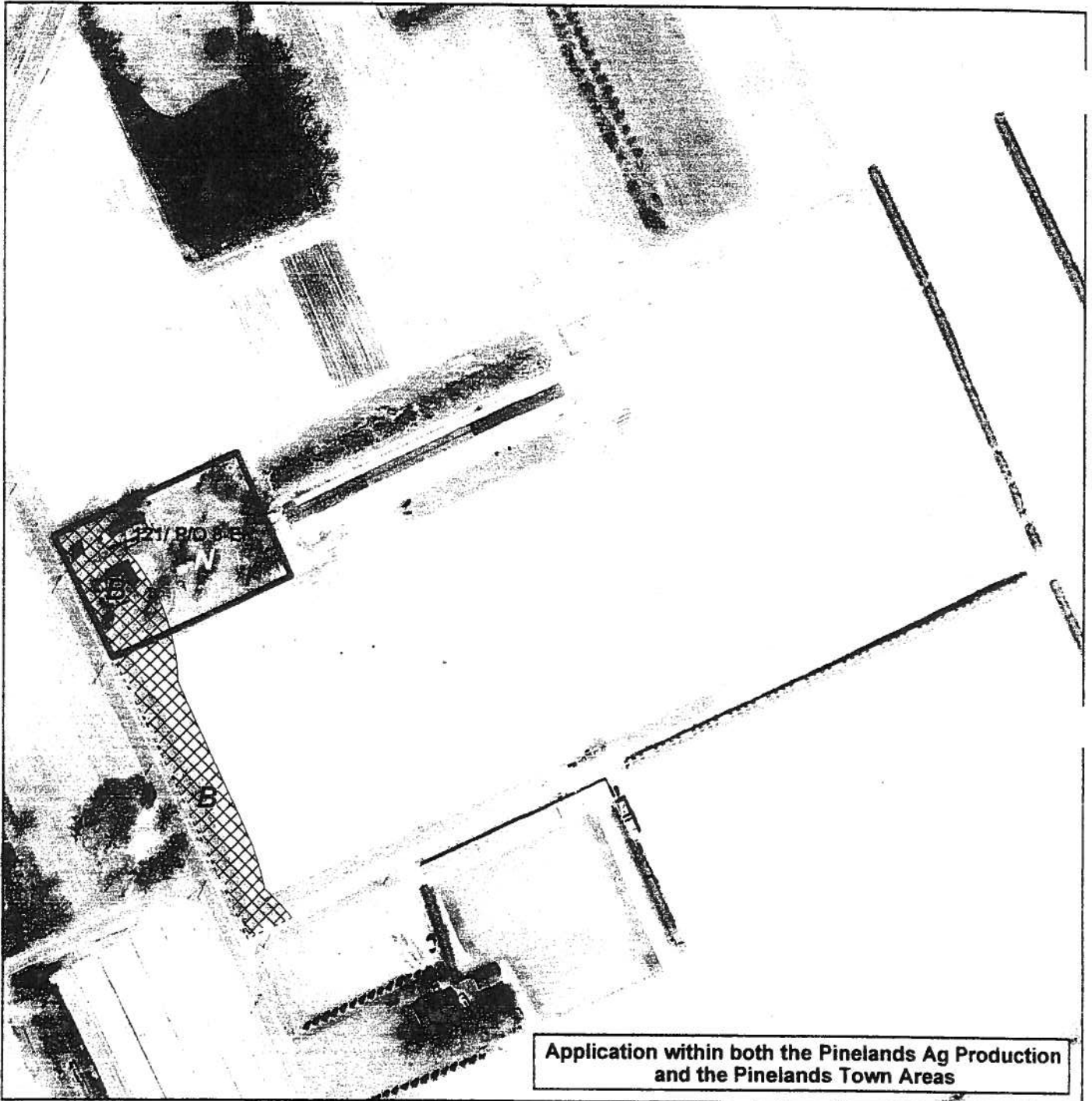
GENERAL INFORMATION

COUNTY OF Atlantic Buena Boro 0104
 APPLICANT Leonardo, Paul and Shirley

PRIORITIZATION SCORE

SOILS:		Prime	99% *	.15	=	14.85
		Statewide	1% *	.1	=	.10
						SOIL SCORE:
						14.95
TILLABLE SOILS:		Cropland Harvested	93% *	.15	=	13.95
		Other	7% *	0	=	.00
						TILLABLE SOILS SCORE:
						13.95
BOUNDARIES	8 Year Program		21% *	.13	=	2.73
AND BUFFERS:	Farmland (Unrestricted)		79% *	.06	=	4.74
						BOUNDARIES AND BUFFERS SCORE:
						7.47
CONTIGUOUS	Donato	Restricted Farm or Current Application				2
PROPERTIES	Donato	Restricted Farm or Current Application				2
/ DENSITY:	Baylis	Restricted Farm or Current Application				2
	Formisano	8 Year Program				1
	Leonardo	Restricted Farm or Current Application				2
	Consalo Farms	Restricted Farm or Current Application				2
						DENSITY SCORE:
						10.00
LOCAL COMMITMENT:			100% *	14	=	14.00
						LOCAL COMMITMENT SCORE:
						14.00
SIZE:						SIZE SCORE:
						1.42
IMMIMENCE OF CHANGE:		SADC Impact factor = 1.47				
						IMMINENCE OF CHANGE SCORE:
						1.47
COUNTY RANKING:						
EXCEPTIONS:		EXCEPTION SCORE:				
		.00				
						TOTAL SCORE:
						63.26

Schedule A





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





Paul and Shirley Leonardo
Block 121 Lots P/O 8 (18.1 ac)
& P/O 8-EN (non-severable exception - 1.3 ac)
Gross Total = 19.4 ac
Buena Boro, Atlantic County

**Application within both the Pinelands Ag Production
and the Pinelands Town Areas**

Property in Question

-  EN - (Non-Severable) Exception
-  ES - (Severable) Exception

Wetlands Boundaries

-  300 ft Buffered Wetlands
-  Municipal, County and Non-Profit Preserved Open Space
-  State Owned Conservation Easement
-  State Owned O/S & Recreation Easement



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
 NJOIT/OGIS 2007/2008 Digital Aerial Image

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

GENERAL INFORMATION

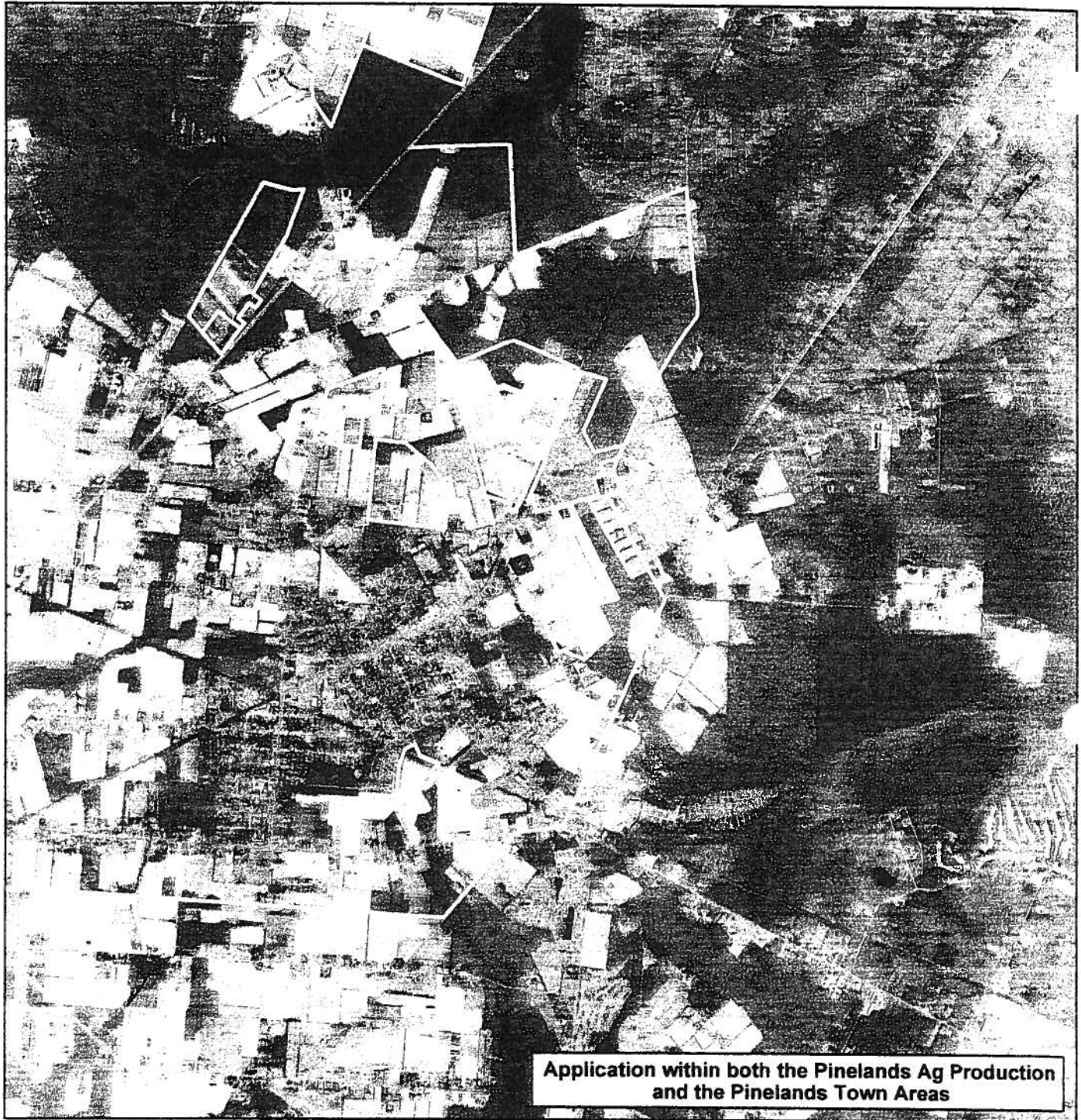
COUNTY OF Atlantic Buena Boro 0104

APPLICANT Leonardo, Paul and Shirley

PRIORITIZATION SCORE

SOILS:	Prime	99% *	.15	=	14.85	
	Statewide	1% *	.1	=	.10	
						SOIL SCORE: 14.95
TILLABLE SOILS:	Cropland Harvested	93% *	.15	=	13.95	
	Other	7% *	0	=	.00	
						TILLABLE SOILS SCORE: 13.95
BOUNDARIES	8 Year Program	21% *	.13	=	2.73	
AND BUFFERS:	Farmland (Unrestricted)	79% *	.06	=	4.74	
						BOUNDARIES AND BUFFERS SCORE: 7.47
CONTIGUOUS	Donato	Restricted Farm or Current Application			2	
PROPERTIES	Donato	Restricted Farm or Current Application			2	
/ DENSITY:	Baylis	Restricted Farm or Current Application			2	
	Formisano	8 Year Program			1	
	Leonardo	Restricted Farm or Current Application			2	
	Consalo Farms	Restricted Farm or Current Application			2	
						DENSITY SCORE: 10.00
LOCAL COMMITMENT:		100% *	14	=	14.00	
						LOCAL COMMITMENT SCORE: 14.00
SIZE:						SIZE SCORE: 1.42
IMMIMENCE OF CHANGE:	SADC Impact factor =		1.47			
						IMMINENCE OF CHANGE SCORE: 1.47
COUNTY RANKING:						
EXCEPTIONS:						EXCEPTION SCORE: .00
						TOTAL SCORE: 63.26

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Application within both the Pinelands Ag Production and the Pinelands Town Areas

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

Paul and Shirley Leonardo
Block 121 Lots P/O 8 (18.1 ac)
& P/O 8-EN (non-severable exception - 1.3 ac)
Gross Total = 19.4 ac
Buena Boro, Atlantic County



Farmland Preservation Program

- Property in Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Active Applications
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned O/S & Recreation Easement

Base Map

- County Boundary
- Municipal Boundary



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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Imagery

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2012R5(13)

ELIGIBILITY REVIEW AND WAIVER

For

ATLANTIC COUNTY PLANNING INCENTIVE GRANT

On the Property of

Monfardini, David, Thomas & Joseph

Buena Borough, Atlantic County

SADC ID# 01-0001-PG

May 24, 2012

WHEREAS, on December 15, 2011, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Atlantic County, which included the Monfardini Farm, identified as Block 105, Lot 6.02, Buena Borough, Atlantic County, totaling approximately 10 net acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Plan received preliminary approval on May 24, 2012; and

WHEREAS, at this time Atlantic County has no funds available for the purchase of development rights, but in anticipation of future funding has submitted applications for preliminary approval; and

WHEREAS, the Monfardini Farm is in the Agricultural Production Area of the Pinelands; and

WHEREAS, the Monfardini Farm supports a vegetable operation; and

WHEREAS, there are no residential opportunities being requested; and

WHEREAS, SADC staff has reviewed the application and determined that it is complete and accurate and meets the minimum standards as per N.J.A.C. 2:76-6.20 and has a quality score of 68.90 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 and 17.2 the SADC is responsible for establishing standards for determining an "eligible farm" by determining minimum score requirements in the County PIG program; and

WHEREAS, Pursuant to N.J.A.C. 2:76-17.2 an "eligible farm" means a targeted farm that qualifies for grant funding under subchapter (17) by achieving an individual rank score pursuant to N.J.A.C. 2:76-6.16 that is equal to or greater than 70 percent of the county's average quality score of all farms granted preliminary approval by the SADC through the County Easement Purchase Program and/or the County PIG program within the previous three fiscal years, as determined by the SADC; and

WHEREAS, because there were no applications during the past three fiscal years to establish average quality scores in Atlantic, Bergen, Camden and Passaic Counties, the SADC considered on a case by case basis, a waiver of the minimum score criterion pursuant to N.J.A.C. 2:76-17.9(a)7 for applications submitted under the County PIG program as per Resolution #FY2012R7(35) approved on July 28, 2011(effective January 1, 2012); and

WHEREAS, as per N.J.A.C. 2:76-17.9(a)7i the Committee may grant a waiver of the minimum score criteria upon a finding that any of the following apply:

(A) The conversion of the farm to non-agricultural use will likely cause a substantial negative impact on the public investment made in farmland preservation within the project area;

(B) The subject property is of exceptionally high agricultural resource value based on soil characteristics; or

(C) The subject property represents a unique and valuable agricultural resource to the surrounding community, and the Committee finds that it has a reasonable opportunity to remain agriculturally viable.

WHEREAS, the Atlantic County Agriculture Development Board (CADB) has requested that the SADC provide a waiver of the minimum score criteria based on the following which meet the requirements of N.J.A.C. 2:76-17.9(a)7i (1)(A)(B) and (C) above:

- the farm is located within a designated Agriculture Development Area and Project Area as delineated by Atlantic County in its Farmland Preservation Plan;
- the farm is located within a large area that is actively farmed and is contiguous to preserved farms and farms in application to be preserved;
- because of its location within a highly productive agriculture area the conversion of this farm to non-agriculture uses would have a negative impact on the investment made in this area (Schedule C);
- the farm is an exceptionally high agricultural resource value for Atlantic County, particularly due to its soil characteristics (75% Statewide and 25% Prime soils); and

WHEREAS, based on the factors presented by the CADB above SADC staff recommends the SADC provide a waiver for the Property: and

NOW THEREFORE BE IT RESOLVED, pursuant to N.J.A.C. 2:76-17.9(a)7i (1)(A)(B) and (C) the SADC grants a waiver of the minimum score criteria for the Property; and

BE IT FURTHER RESOLVED, that the SADC shall notify the County in writing that the application has been granted a waiver and SADC staff will finalize the preliminary approval as per N.J.A.C. 2:76-17.9 ; and

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

5/24/12
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

	ABSENT FOR VOTE
Douglas H. Fisher, Chairperson	
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

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Schedule A



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Application within the the Pinelands Agricultural Development Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Monfardini, David, Joseph et. al.
Block 105 Lot 6.02 (9.84 ac)
Gross Total = 9.84 ac
Buena Boro, Atlantic County



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

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 Dat
NJGIT/OGIS 2007/2008 DigitalAerial Imag

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

GENERAL INFORMATION

COUNTY OF Atlantic Buena Boro 0104
 APPLICANT Monfardini, David, Thomas & Joseph

PRIORITIZATION SCORE

SOILS:	Local	19.87% *	.05	=	.99
	Prime	80.13% *	.15	=	12.02

SOIL SCORE: 13.01

TILLABLE SOILS:	Cropland Harvested	97.2% *	.15	=	14.58
	Woodlands	2.8% *	0	=	.00

TILLABLE SOILS SCORE: 14.58

BOUNDARIES AND BUFFERS:	Deed Restricted Farmland (Permanent)	6% *	.2	=	1.20
	Farmland (Unrestricted)	40% *	.06	=	2.40
	Woodlands	36% *	.06	=	2.16
	Residential Development	18% *	0	=	.00

BOUNDARIES AND BUFFERS SCORE: 5.76

CONTIGUOUS PROPERTIES / DENSITY:	Monfardini	Restricted Farm or Current Application	2
	Consalo Farms Inc I	Restricted Farm or Current Application	2
	Consalo Farms II	Restricted Farm or Current Application	2
	Baylis	Restricted Farm or Current Application	2
	Donato, Ralph	Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT:	100% *	17	=	17.00
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LOCAL COMMITMENT SCORE: 17.00

SIZE:					SIZE SCORE: .75
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IMMIMENCE OF CHANGE: SADC Impact factor = 1.47

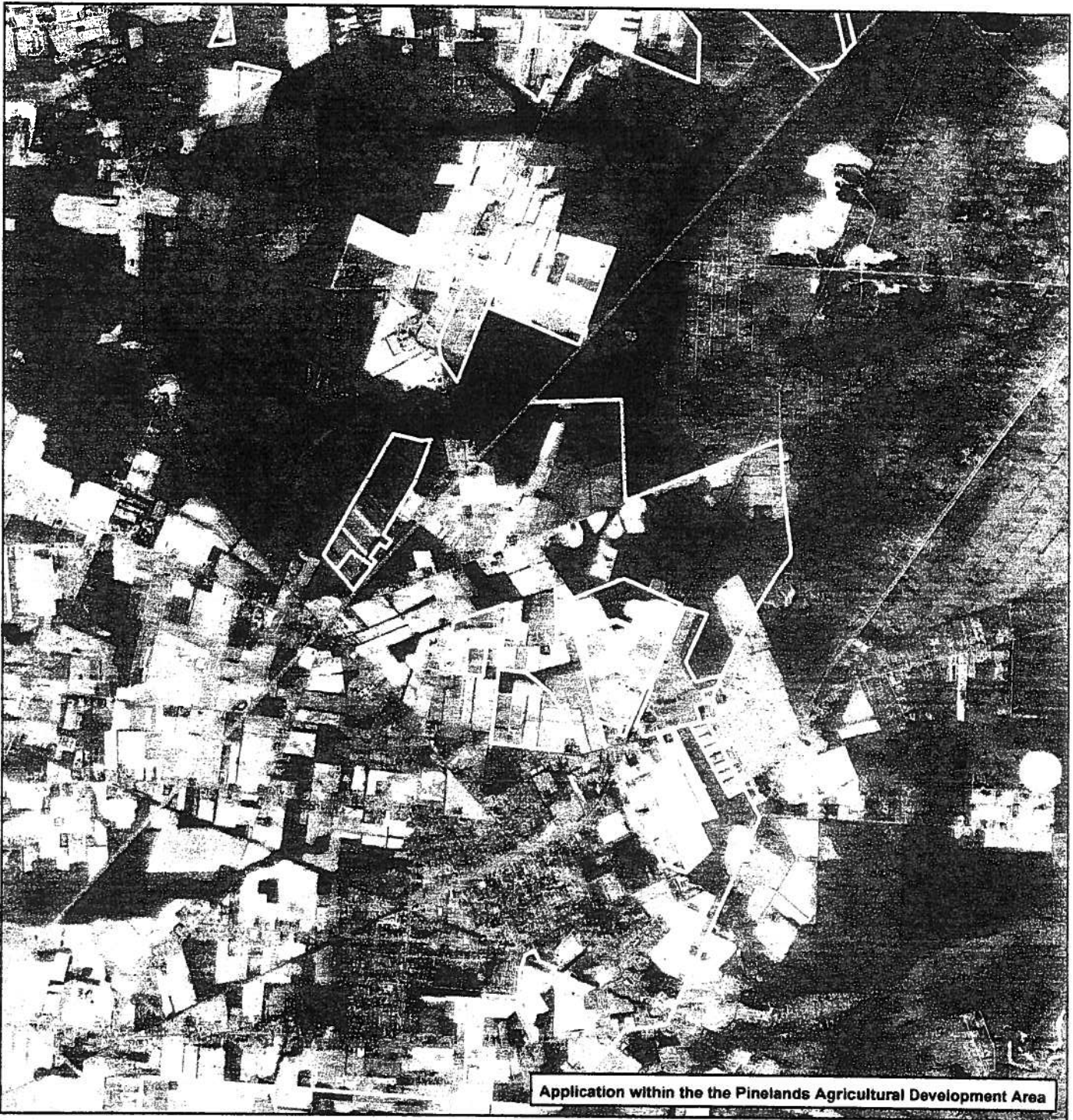
IMMINENCE OF CHANGE SCORE: 1.47

COUNTY RANKING:

EXCEPTIONS:					EXCEPTION SCORE: .00
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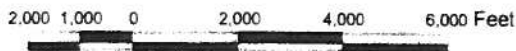
TOTAL SCORE: 62.57

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

Monfardini, David, Joseph et. al.
Block 105 Lot 6.02 (9.84 ac)
Gross Total = 9.84 ac
Buena Boro, Atlantic County



Farmland Preservation Program	
	Property In Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Preserved Easements	
Active Applications	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement
Base Map	
	County Boundary
	Municipal Boundary



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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image
Date: 1/6/2012

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2012R5(14)

ELIGIBLE FARM REVIEW AND WAIVER

For

WARREN COUNTY PLANNING INCENTIVE GRANT

On the Property of

Edward & Patricia McConnell

Oxford Township, Warren County

SADC ID# 21-0516-PG

May 24, 2012

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren County ("County") pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the County received SADC approval of their annual PIG plan update for FY2012 on April 28, 2011; and

WHEREAS, on February 28, 2012, the SADC received a Planning Incentive Grant ("PIG") application from Warren County for the McConnell Farm, identified as Block 25, Lots 10 & 11, Oxford Township, Warren County, totaling approximately 56 net acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, at this time the County has \$917,432 in SADC FY2011 PIG base grant funding and the opportunity to compete for an additional \$3,000,000 in FY2011 competitive grant funds; and

WHEREAS, the property is in the Highlands Planning Area; and

WHEREAS, the Property is located in Warren County's West Project Area; and

WHEREAS, the Property currently supports a hay operation; and

WHEREAS, there is one single-family residence on the Property and no exceptions or non-agricultural uses; and

WHEREAS, SADC staff has reviewed the application and determined that it is complete and accurate and meets the minimum standards as per N.J.A.C. 2:76-6.20 and has a quality score of 40.75; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 and 17.2 the SADC is responsible for establishing standards for determining an "eligible farm" by determining minimum score requirements in the County Planning Incentive Grant Program (PIG); and

WHEREAS, Pursuant to N.J.A.C. 2:76-17.2 an "eligible farm" means a targeted farm that qualifies for grant funding under subchapter (17) by achieving an individual rank score pursuant to N.J.A.C. 2:76-6.16 that is equal to or greater than 70 percent of the county's average quality score of all farms granted preliminary approval by the SADC through the County Easement Purchase Program and/or the County Planning Incentive Grant Program within the previous three fiscal years, as determined by the SADC ; and

WHEREAS, on July 28, 2011 Resolution #FY2012R7(35) was approved by the SADC memorializing standards for determining Eligible farms for the County PIG program, (effective January 1, 2012); and

WHEREAS, the approved 70% Average Quality score for Warren County is 43; and

WHEREAS, the property owner applied to the Warren CADB for Farmland Preservation in 2011, when the minimum eligible farm score was 40, but it was determined that the property was not located in the ADA; and

WHEREAS, Warren County subsequently amended its Agriculture Development Area on January 26, 2012 to include the Property; and

WHEREAS, because the Property does not meet the minimum score, the SADC will consider on a case by case basis, a waiver of the minimum score criterion pursuant to N.J.A.C. 2:76-17.9(a)7 for applications submitted under the county planning incentive grant program; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7i the Committee may grant a waiver of the minimum score criteria upon a finding that any of the following apply:

- (A) The conversion of the farm to non-agricultural use will likely cause a substantial negative impact on the public investment made in farmland preservation within the project area;
- (B) The subject property is of exceptionally high agricultural resource value based on soil characteristics; or
- (C) The subject property represents a unique and valuable agricultural resource to the surrounding community, and the Committee finds that it has a reasonable opportunity to remain agriculturally viable.

WHEREAS, the Warren County Agriculture Development Board (CADB) has requested that the SADC provide a waiver of the minimum score criteria based on the following which meet the requirements of N.J.A.C. 2:76-17.9(a)7i (1)(B) and (C) above:

- the farm is a valuable agricultural resource to the Oxford community because there are only four other farms within the Township which meet the SADC's minimum eligibility criteria, none of which are in the ADA or are targeted for preservation
- the farm provides a unique opportunity to continue agriculture production in an area which has been under non-agricultural development threat (Schedule B)
- the farm is situated in an area which is near other productive farms which have not been preserved yet, therefore, the preservation of this farm could act as a catalyst for neighboring landowners to apply for preservation
- the farm meets its minimum eligibility criteria established in the County's Comprehensive farmland preservation plan
- the farm contains productive soils as compared to other Warren County farms (57% soils of statewide importance) and the farm has approximately 33 tillable acres in production

- the farm's score is only 2.25 points short of Warren County's current 43 point minimum required score

WHEREAS, based on the factors presented by the CADB above SADC staff recommends the SADC provide a waiver for the McConnell Farm; and

NOW THEREFORE BE IT RESOLVED, pursuant to N.J.A.C. 2:76-17.9(a)7i (1) (C) the SADC finds that the subject property represents a unique and valuable agricultural resource to the surrounding community and the Committee finds that it has a reasonable opportunity to remain agriculturally viable based on the following:

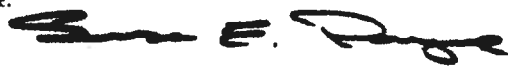
- there are no other farms preserved in Oxford to date;
- there are no other farms located within the ADA nor targeted by the WCADB within Oxford;
- the property met the minimum SADC score when the owner applied to the County, however, the need to amend the Warren ADA delayed submission of the application to the SADC; and
- the quality of the soils and the presence of 33 acres of tillable land support the finding that the property has a reasonable opportunity to remain agriculturally viable,

and therefore grants a waiver of the minimum score criteria for the McConnell Farm; and

BE IT FURTHER RESOLVED, that the SADC shall notify the County in writing that the application has been granted a waiver and SADC staff will finalize the preliminary approval as per N.J.A.C. 2:76-17.9 ; and

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

5/24/12
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

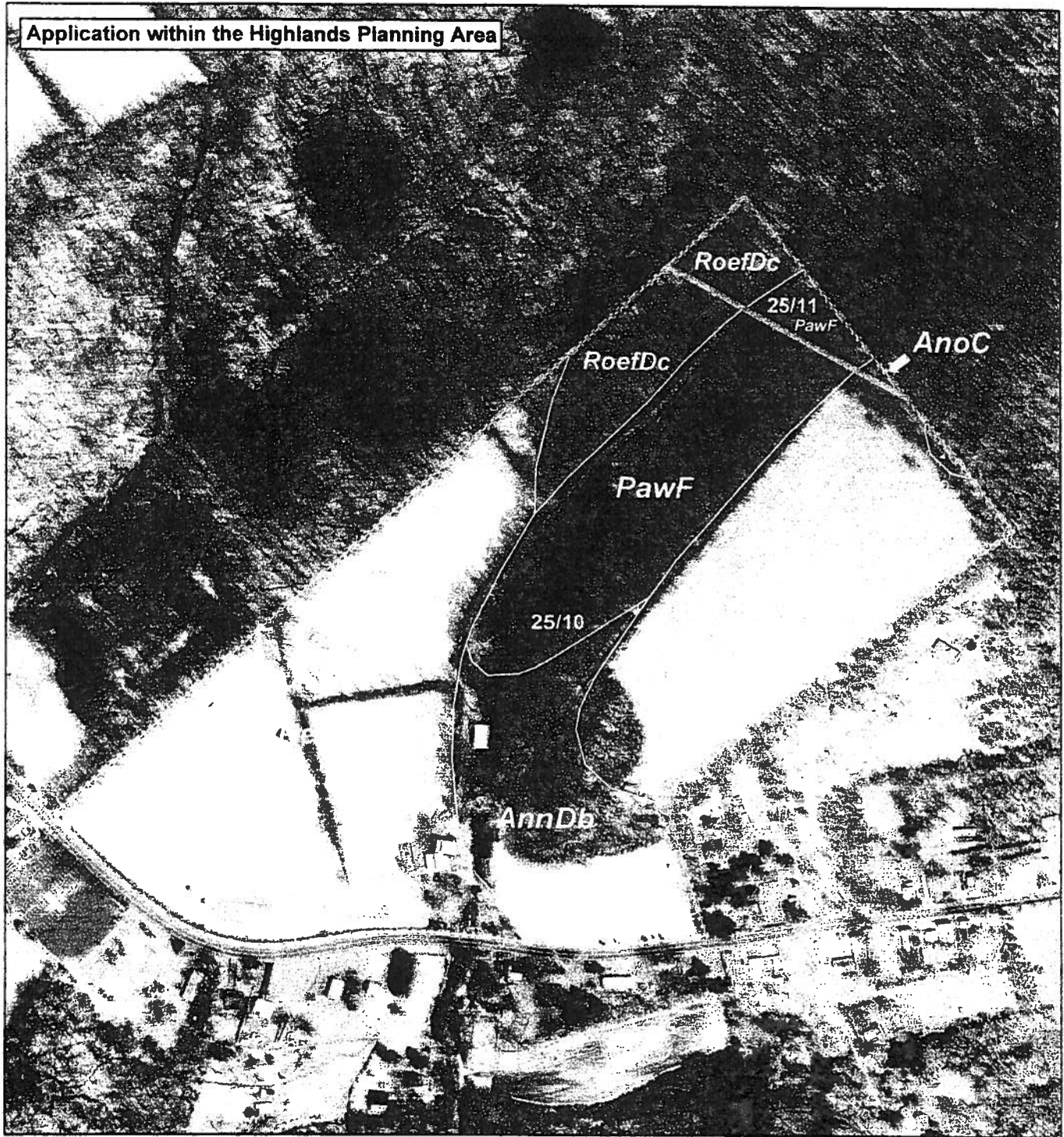
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	ABSENT FOR VOTE
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

Soils

Schedule A

Application within the Highlands Planning Area



x:/counties/warco/projects/mcconnell_sol.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Edward and Patricia McConnell
Block 25 Lots 10 (51.7 ac) & 11 (2.1 ac)
Gross Total = 53.8 ac
Oxford Twp., Warren County

Property In Question

- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Soils Boundaries
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned O/S & Recreation Easement



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:
NRCS - SSURGO 2010 Soil Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

Preserved Farms and Active Applications Within Two Miles

Application within the Highlands Planning Area



x:\counties\warco\projects\mcconnell_2mile.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Edward and Patricia McConnell
Block 25 Lots 10 (51.7 ac) & 11 (2.1 ac)
Gross Total = 53.8 ac
Oxford Twp., Warren County

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



Farmland Preservation Program

- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Active Applications
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned O/S & Recreation Easement

Base Map

- County Boundary
- Municipal Boundary



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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJGIT/OGIS 2007/2008 Digital Aerial Image

March 2, 2012

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R5(15)

NJCF/Buccholz/Wagner Farm
May 24, 2012

**Installation of a Wireless Service Facility, Structures and Equipment on an Existing Structure
Located on a Preserved Farm**

Subject Property: B.J. Wagner, LLC
Block 21, Lots 6 & 10.01
Alexandria Township, Hunterdon County
44.30-Acres

WHEREAS, B.J. Wagner L.L.C., hereinafter "Owner", is the record owner of Block 21, Lots 6 & 10.01, in the Township of Alexandria, County of Hunterdon, by Deed dated December 30, 2005, and recorded in the Hunterdon County Clerk's Office in Deed Book 2975, Page 7, totaling approximately 43 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the New Jersey Conservation Foundation on November 22, 2002, by the former owner David Buccholz, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, as a Deed of Easement recorded in Deed Book 2053, Page 654; and

WHEREAS, P.L. 2005, c.314 (N.J.S.A. 4:1C-32.2), signed into law on March 13, 2006, requires the State Agriculture Development Committee (SADC) issue a special permit for constructing personal wireless service facilities on preserved farmland on which a development easement exists ; and

WHEREAS, the SADC adopted regulations for personal wireless service facilities to implement P.L. 2005, c.314, N.J.A.C. 2:76-23.1, et seq., to establish the process for owners of preserved farms, pursuant to N.J.S.A. 4:1C-32.2, to apply for a special permit to allow for a personal wireless service facility to be erected on the premises, and to identify the standards for review of an application for a special permit by the SADC; and

WHEREAS, the SADC has determined that it may accept and review applications for the construction of personal wireless service facilities on preserved farms, and may issue such a special permit, in its sole discretion, in order to limit, to the maximum extent possible, the intensity of the permitted activity and its impact on the land and surrounding area; and

WHEREAS, N.J.A.C. 2:76-23.4 states that the owner of a preserved farm may apply for a special permit to allow a personal wireless service facility to be erected on the land, provided that:

- (1) The land is a commercial farm;
- (2) No other special permit for a personal wireless service facility on the premises has been granted;
- (3) There is no commercial nonagricultural activity in existence on the premises at the time of application for the special permit or on any portion of the farm that is not subject to the development easement, except that the SADC may waive this requirement entirely, or subject to any appropriate conditions: (a) if such preexisting commercial nonagricultural activity is deemed to be of a minor or insignificant nature or to rely principally upon farm products, as defined pursuant to N.J.S.A. 4:10-1, derived from the farm, or (b) for other good cause shown by the applicant;
- (4) Notwithstanding (3) above, a person who has been granted a special permit for a commercial nonagricultural activity pursuant to N.J.A.C. 2:76-22 is eligible for a special permit on the same premises pursuant to the Rule; and
- (5) The development easement was acquired without the participation of Federal Farm and Ranch Lands Protection Program funds; and

WHEREAS, on February 14, 2012, the SADC received a completed "Application for a Special Permit for the Installation of a Personal Wireless Service Facility" from New Cingular Wireless PCS, LLC (AT&T) on behalf of the Owner pursuant to both N.J.S.A. 4:1C-32.2 and N.J.A.C. 2:76-23.4; and

WHEREAS, the SADC has determined that the Owner has met the qualifications of N.J.A.C. 2:76-23.4 to apply for a personal wireless service facility; and

WHEREAS, AT&T has provided the required \$1,000.00, application fee; and

WHEREAS, the Owner is seeking SADC approval for the construction and use of a personal wireless facility on the premises; and

WHEREAS, N.J.A.C. 2:76-23.6 states that the SADC shall determine whether the application meets the following criteria:

- (1) The premises is a commercial farm;
- (2) No other special permits for a personal wireless service facility have been granted on the premises;
- (3) The personal wireless service facility is necessary and serves a public benefit by potentially improving cellular communications, in particular, for emergency purposes;
- (4) There are no commercial nonagricultural activities in existence on the premises or on any portion of the farm that is not subject to the development easement.

- (5) The personal wireless service facility utilizes, or is supported by, a structure existing on the premises as of the date of application;
- (6) The personal wireless service facility does not interfere with the use of the land for agricultural purposes;
- (7) The personal wireless service facility uses the land in its existing condition;
- (8) The personal wireless service facility does not have an adverse impact upon the soils, water resources, air quality, or other natural resources of the land or the surrounding area and does not require the creation of additional parking spaces, paved or unpaved and is consistent with the deed of easement and land use approvals and any other applicable approvals that may be required by Federal, State, or local laws, rules, regulations, or ordinances, provided that if such approvals contain any requirements for implementation of the personal wireless service facility that are inconsistent with N.J.S.A. 4:1C-32.2, the Rule or the special permit itself, the special permit will be denied;
- (9) The location, design, height, and aesthetic attributes of the personal wireless service facility reflect, to the greatest degree possible without creating an undue hardship on the applicant or an unreasonable impediment to the erection of the personal wireless service facility, the public interest of preserving the natural and unadulterated appearance of the landscape and structures;
- (10) All necessary local zoning and land use approvals, and any other approvals required by Federal, State, or local law, rule, regulation or ordinance have been obtained, and such approvals do not contain any requirements for implementation of the personal wireless service facility that are inconsistent with N.J.S.A. 4:1C-32.2, the Rule or the special permit itself;
- (11) Additional factors, such as traffic generated and the number of employees are limited to the maximum extent possible to limit the intensity of the activity and its impact on the land and surrounding area;
- (12) The personal wireless service facility provider has agreed in writing to allow, at no charge to the requesting State or local government entity, the sharing of the facility or any State or local government owned or sponsored compatible wireless communication use for public purposes, such as law enforcement or emergency response communication equipment, as permitted by the SADC;
- (13) The personal wireless service company is not requiring conveyance of an easement or another interest in the premises to construct or access the personal wireless service facility;
- (14) The owner of the premises is not in violation of any provision of the deed of easement; and
- (15) The personal wireless service facility otherwise complies with N.J.S.A. 4:1C-32.2

WHEREAS, the SADC finds that application meets all the criteria listed above with the exception of number 12 above; and

WHEREAS, AT&T has indicated that use of tower space for public purposes, such as law enforcement or emergency response communication equipment is standard language in arrangements its makes when sighting antennas on facilities it controls; and

WHEREAS, in this case the antenna facilities are owned by PSE&G and AT&T's long standing lease agreement with PSE&G prohibits them from offering space on the tower to other entities; and

WHEREAS, the structure that will support the personal wireless service facility is an existing high tension electrical transmission tower identified on Schedule "A"; and

WHEREAS, there are no other personal wireless service facilities or permits existing on the Premises; and

WHEREAS, the personal wireless service facility is owned by AT&T; and

WHEREAS, N.J.A.C. 2:76-23.4, allows for up to 500 sq./ft. of new structures to accommodate the personal wireless service facility; and

WHEREAS, the fenced in area used to accommodate the equipment cabinets associated with the personal wireless service facility are located inside the base of the high tension tower and measure approximately 240 sq./ft.; and

WHEREAS, the electrical and telecommunications lines connecting the facility to existing pole lines are underground lines, approximately two feet deep, that go from the equipment cabinets directly to the closest pole line on the adjacent property along the existing farm lane (as shown on Schedule "A"); and

WHEREAS, access to the personal wireless service facility for purposes of erecting and maintaining the facility is from an existing unimproved farm lane which connects to a gravel driveway on an adjacent property; and

WHEREAS, as a result of the personal wireless service facility antenna being located on top of an existing high tension tower and the equipment cabinets being located within the base of the high tension tower, no useable farmland is taken out of production to accommodate this facility; and

WHEREAS, N.J.A.C. 2:76-23.5 (18), allows for permits to be granted in excess of five years with justification; and

WHEREAS, the applicant has requested a permit for 20 years based on its lease arrangement with the owner of the high tension tower and the necessary investment to construct the personal wireless service facility; and

WHEREAS, on May 14, 2010, the New Jersey Conservation Foundation approved the construction of the a personal wireless service facility on the Premises; and

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the Owner has complied with all of the applicable provisions of N.J.S.A. 4:1C-32.2 and the Rule concerning a personal wireless service facility to be erected on the land; and

BE IT FURTHER RESOLVED, that the SADC finds that because the personal wireless service facility is being constructed on a structure which existed on the Premises prior to preservation and is not owned by the landowner, that it does not have jurisdiction to mandate that space be made available to other entities, per N.J.A.C. 2:76-23.5 (16); and

BE IT FURTHER RESOLVED, that the SADC approves of the construction, installation, operation and maintenance of the personal wireless service facility to be located on top of, and within the base of, the high tension electrical transmission tower as identified in Schedule "A"; and

BE IT FURTHER RESOLVED, that the SADC approves this permit for a period of 20 years from the date of this resolution; 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.

5/24/12
DATE

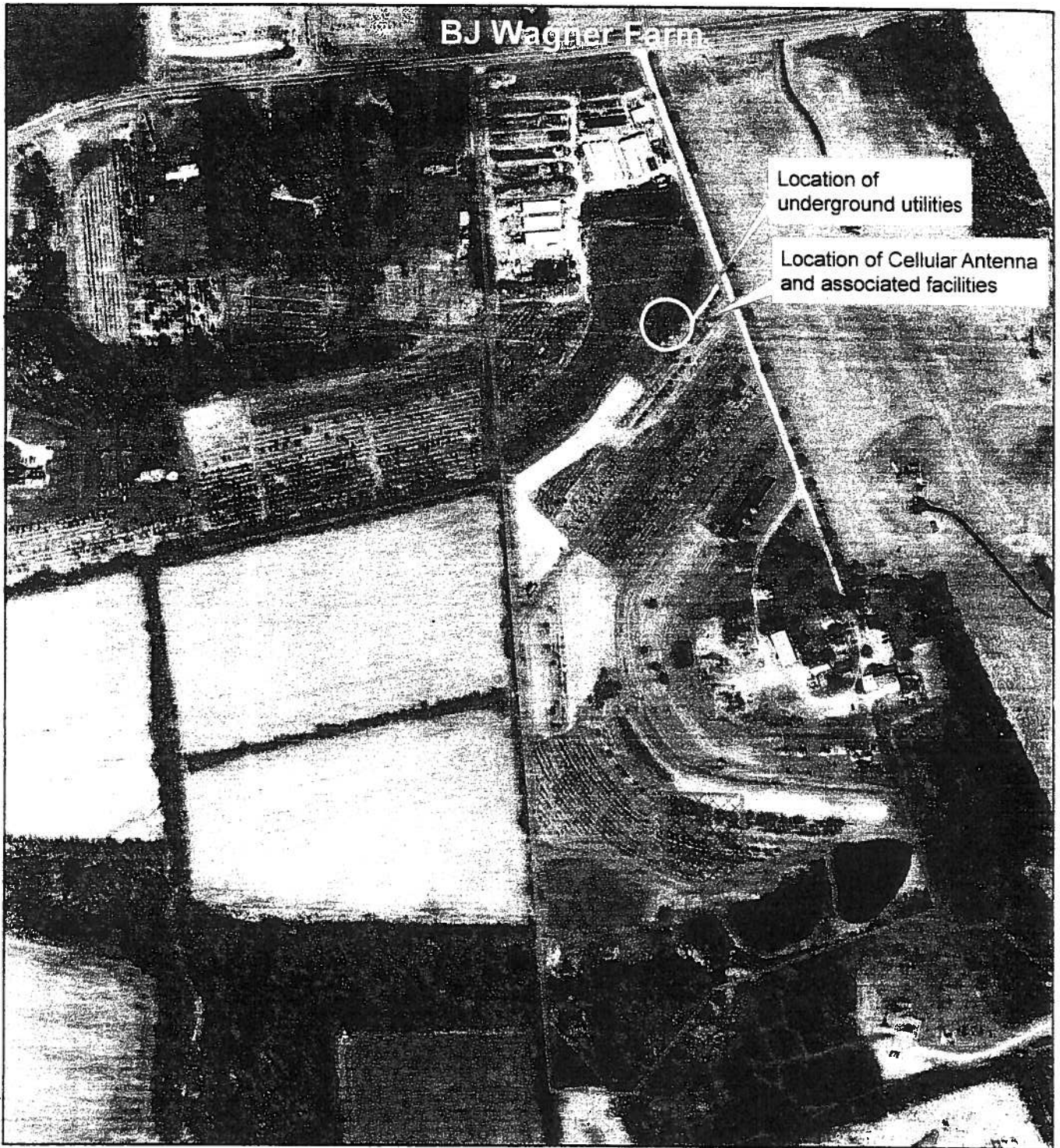


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSTAINED
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	ABSTAINED

Schedule "A"



Farmland Preservation Program NJ State Agriculture Development Committee

BJ Wagner Farm
Block 21, Lots 6 & 10.01
Alexandria Township, Hunterdon County



50

month/day/year

Farmland Preservation Program

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

State Planning Area

- PA 11 METRO
- PA 21 SUBURBAN
- PA 31 FINGER
- PA 41 RURAL
- PA 42 RURAL ENV BENS
- PA 51 ENV BENS
- PA 61 ENV SENSITIVE BARRIER
- PA 71 PINELANDS
- PA 81 PARK
- PA 91 MILITARY
- PA 92 NEW JERSEY MEADOWLANDS
- WATER

ELLS ISLAND NJ

ELLS ISLAND NY

Base Map

- County Boundaries
- Municipality Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Pinelands Area

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R5(16)

Walnridge Farm

May 24, 2012

**Installation of a Solar Energy Generation Facility, Structures and Equipment
on an Existing Structure Located on a Preserved Farm**

Subject Property: Walnridge Farm
Block 55, Lot 18
Block 56, Lot 19
Upper Freehold Township, Monmouth County
196.47-Acres

WHEREAS, Walnridge Farm, hereinafter, Owner, is the record owners of Block 55, Lot 18 and Block 56, Lot 19, in Upper Freehold Township, Monmouth County, by Deed dated March 1, 1976, and recorded in the Monmouth County Clerk's Office, in Deed Book 4078, Page 556, totaling approximately 196.47 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Monmouth on September 27, 1989, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded in Deed Book 4961, Page 0107; and

WHEREAS, P.L. 2009, c.213 signed into law on January 16, 2010, requires the State Agriculture Development Committee (SADC) approval before constructing, installing, and operating renewable energy generating facilities, structures and equipment on preserved farms, including areas excepted from the Premises; and

WHEREAS, the SADC must adopt regulations to implement P.L. 2009, c.213 (N.J.S.A. 4:1C-32.4) hereinafter, referred to as "the Act"; and

WHEREAS, the SADC, in conjunction with the Office of the Attorney General, has determined that it may accept and consider applications for the construction of renewable energy generating facilities on preserved farms, prior to the adoption of rules, only in cases where the project will not

result in the creation of any new impervious cover and the review is based solely upon criteria listed in subsection (a) of the Act; and

WHEREAS, subsection (a) of the Act states that the owner of a preserved farm may construct, install and operate renewable energy generation facilities on preserved farms for the purpose of generating power or heat, provided the systems:

- (1) do not interfere significantly with the use of the land for agricultural or horticultural production, as determined by the committee;
- (2) are owned by the landowner, or will be owned by the landowner upon the conclusion of the term of an agreement with the installer of the biomass, solar, or wind energy generation facilities, structures, or equipment by which the landowner uses the income or credits realized from the biomass, solar, or wind energy generation to purchase the facilities, structures, or equipment;
- (3) are used to provide power or heat to the farm, either directly or indirectly, or to reduce, through net metering or similar programs and systems, energy costs on the farm; and
- (4) are limited (a) in annual energy generation capacity to the previous calendar year's energy demand plus 10 percent, in addition to what is allowed under subsection b. of this section, or alternatively at the option of the landowner (b) to occupying no more than one percent of the area of the entire farm including both the preserved portion and any portion excluded from preservation.
- (5) The person who owns the farm and the energy generation facilities, structures, and equipment may only sell energy through net metering or as otherwise permitted under an agreement allowed pursuant to paragraph (2) of this subsection.

WHEREAS, the Owners submitted an "Application for Energy Generation Facilities on Existing Buildings or Structures on Preserved Farmland" pursuant to N.J.S.A. 4:1C-32.4; and

WHEREAS, the Owners are seeking SADC approval for the construction of a photovoltaic solar energy generation facility on portions of three roof tops of existing barns on the Premises and one rooftop of an existing barn on an exception area that is part of the overall farm; and

WHEREAS, the buildings that will support the solar energy generation facilities are two equine surgery barns and the main barn on the premises as well as an equine receiving barn on the exception area, with roof tops totaling approximately 23,000 square feet in size as identified on Schedule "B"; and

WHEREAS, the agricultural operation consists of an equine breeding/raising farm and the electrical energy demand of the farm is generated from service to the barns on the premises and the main house on the farm; and

WHEREAS, the farm's energy demand for the previous calendar year is 53.06 kilowatts (kW) as confirmed by the Owner's submission of 12 months of utility bills; and

WHEREAS, there are no other renewable energy generation facilities existing on the Premises; or

WHEREAS, the rated capacity of the proposed solar energy generation facility is 42.55 kW; and

WHEREAS, the solar energy generation facility will be owned by the Owner; and

WHEREAS, the Owners provided evidence confirming that the solar energy generation facility will provide power to the farm directly through net metering to reduce energy costs on the farm; and

WHEREAS, the Owners provided evidence that the annual solar energy generation does not exceed the previous calendar year's energy demand; and

WHEREAS, as a result of the panels being installed on the roof of a structure no new impervious cover or soil disturbance will result from the installation of the solar energy generation facilities, structures and equipment; and

WHEREAS, pursuant to N.J.S.A. 4:1C-32.4, the SADC forwarded a copy of the Owner's application to the Monmouth County Agriculture Development Board, to provide comments concerning the installation, construction, operation and maintenance of the solar energy generation facility, structures and equipment; and

WHEREAS, on March 7, 2012, the Monmouth CADB discussed the solar energy generation facility and has indicated that the Board has no objections to the Walnridge Farm application;

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the Owner has complied with all of the provisions of N.J.S.A. 4:1C-32.4 concerning the installation of a photovoltaic solar energy generation facility, structures and equipment on the Premises; and

BE IT FURTHER RESOLVED, that the SADC approves of the construction, installation, operation and maintenance of the photovoltaic energy generation facility, structures and equipment consisting of approximately 3,500 square feet and having a rated capacity of 42.55 kW of energy to be located on the roof top of a barn being constructed in the locations identified in Schedule "B", and as described further herein; 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.

5/24/12
DATE

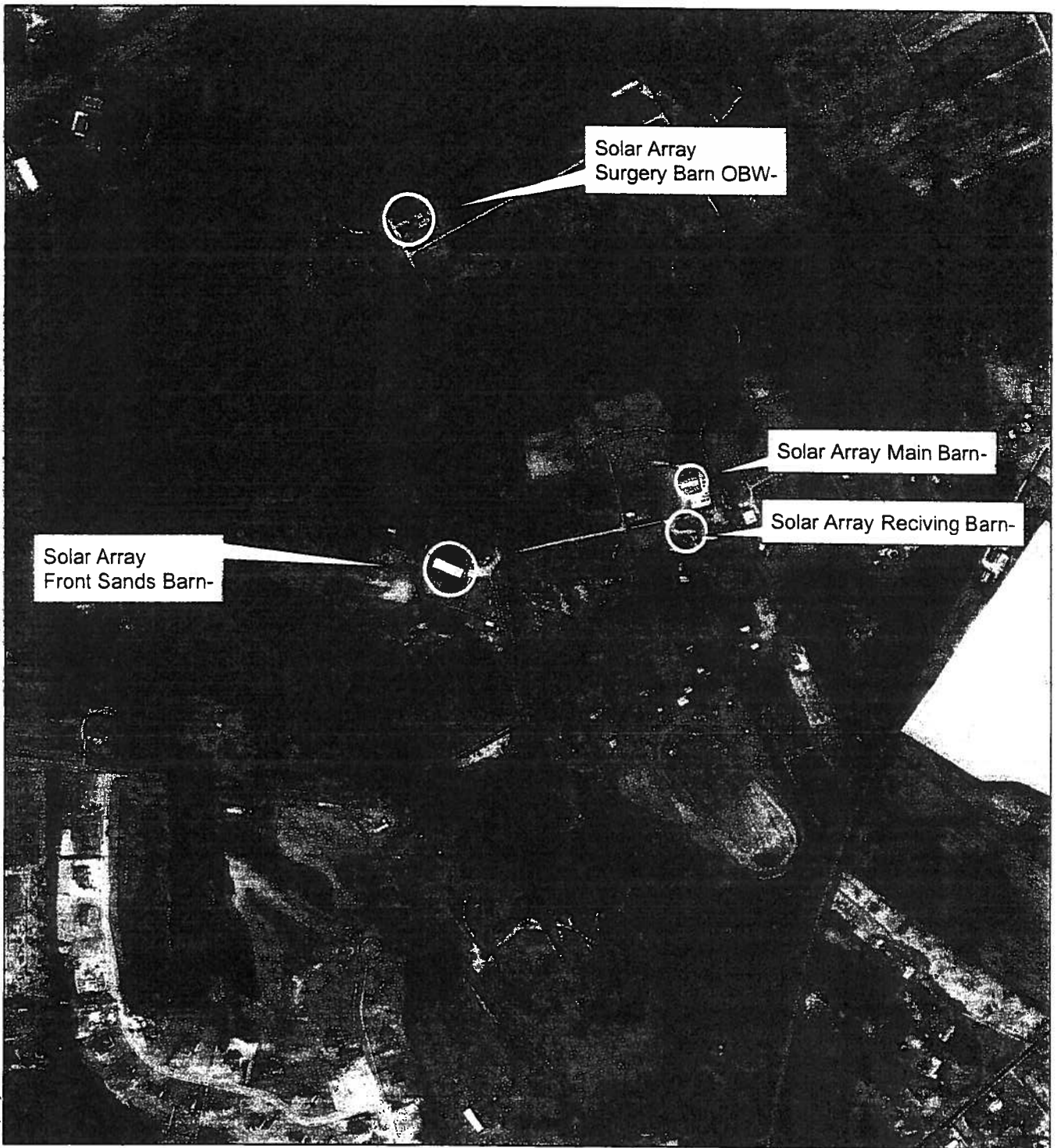


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	RECUSED
James Waltman	YES

Walnridge Farms



x:/projects/farmview.mxd

Farmland Preservation Program NJ State Agriculture Development Committee

Walnridge Farms
Block 55, Lot 18
Block 56, Lot 19
Upper Freehold Township, Monmouth County



50

month/day/year

Farmland Preservation Program

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

- #### State Planning Areas
- PWS1 (UP / RD)
 - PWS2 (SUBURBAN)
 - PWS3 (FARM)
 - PWS4 (RURAL)
 - PWS5 (RURAL / OPEN SP)
 - PWS6 (ENV. SENSITIVE)
 - PWS7 (ENV. SENSITIVE / BUFFER)
 - PWS8 (WETLANDS)
 - PWS9 (PARK)
 - PWS10 (MILLS)
 - PWS11 (NEW JERSEY RECOGNIZED)
 - WATER
 - ELIJAH ISLAND, NJ
 - ELIJAH ISLAND, NY
- #### Base Map
- County boundaries
 - Municipal boundaries
 - Highways
 - Interstate
 - Interstate

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R5(17)

Walnridge Farms Inc.

May 24, 2012

Installation of a Solar Energy Generation Facility, Structures and Equipment on an Existing Structure Located on a Preserved Farm

Subject Property: Walnridge Farms Inc.
 Block 54, Lot 1
 Upper Freehold Township, Monmouth County
 18.43-Acres

WHEREAS, Walnridge Farms Inc., hereinafter, Owner, is the record owners of Block 54, Lot 1, in Upper Freehold Township, Monmouth County, by Deed dated March 1, 1976, and recorded in the Monmouth County Clerk's Office, in Deed Book 4078, Page 556, totaling approximately 18.43 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Monmouth on June 27, 2008, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded in Deed Book 8729, Page 1259; and

WHEREAS, P.L. 2009, c.213 signed into law on January 16, 2010, requires the State Agriculture Development Committee (SADC) approval before constructing, installing, and operating renewable energy generating facilities, structures and equipment on preserved farms, including areas excepted from the Premises; and

WHEREAS, the SADC must adopt regulations to implement P.L. 2009, c.213 (N.J.S.A. 4:1C-32.4) hereinafter, referred to as "the Act"; and

WHEREAS, the SADC, in conjunction with the Office of the Attorney General, has determined that it may accept and consider applications for the construction of renewable energy generating facilities on preserved farms, prior to the adoption of rules, only in cases where the project will not result in the creation of any new impervious cover and the review is based solely upon criteria listed in subsection (a) of the Act; and

WHEREAS, subsection (a) of the Act states that the owner of a preserved farm may construct, install and operate renewable energy generation facilities on preserved farms for the purpose of generating power or heat, provided the systems:

- (1) do not interfere significantly with the use of the land for agricultural or horticultural production, as determined by the committee;
- (2) are owned by the landowner, or will be owned by the landowner upon the conclusion of the term of an agreement with the installer of the biomass, solar, or wind energy generation facilities, structures, or equipment by which the landowner uses the income or credits realized from the biomass, solar, or wind energy generation to purchase the facilities, structures, or equipment;
- (3) are used to provide power or heat to the farm, either directly or indirectly, or to reduce, through net metering or similar programs and systems, energy costs on the farm; and
- (4) are limited (a) in annual energy generation capacity to the previous calendar year's energy demand plus 10 percent, in addition to what is allowed under subsection b. of this section, or alternatively at the option of the landowner (b) to occupying no more than one percent of the area of the entire farm including both the preserved portion and any portion excluded from preservation.
- (5) The person who owns the farm and the energy generation facilities, structures, and equipment may only sell energy through net metering or as otherwise permitted under an agreement allowed pursuant to paragraph (2) of this subsection.

WHEREAS, the Owners submitted an "Application for Energy Generation Facilities on Existing Buildings or Structures on Preserved Farmland" pursuant to N.J.S.A. 4:1C-32.4; and

WHEREAS, the Owners are seeking SADC approval for the construction of a photovoltaic solar energy generation facility on a portion the roof top of an existing barn on the Premises; and

WHEREAS, the building that will support the solar energy generation facility is an equine surgery barn, and its roof top is approximately 4,800 square feet in size as identified on Schedule "A"; and

WHEREAS, the agricultural operation consists of an equine breeding/raising farm and the electrical energy demand of the farm is generated from service to the barn; and

WHEREAS, the farm's energy demand for the previous calendar year is 9.66 kilowatts (kW) as confirmed by the Owner's submission of 12 months of utility bills; and

WHEREAS, there are no other renewable energy generation facilities existing on the Premises; and

WHEREAS, the rated capacity of the proposed solar energy generation facility is 8.28 kW; and

WHEREAS, the solar energy generation facility is owned by the Owner; and

WHEREAS, the Owners provided evidence confirming that the solar energy generation facility will provide power to the farm directly through net metering to reduce energy costs on the farm; and

WHEREAS, the Owners provided evidence that the annual solar energy generation does not exceed the previous calendar year's energy demand; and

WHEREAS, as a result of the panels being installed on the roof of a structure no new impervious cover or soil disturbance will result from the installation of the solar energy generation facilities, structures and equipment; and

WHEREAS, pursuant to N.J.S.A. 4:1C-32.4, the SADC forwarded a copy of the Owner's application to the Monmouth County Agriculture Development Board, to provide comments concerning the installation, construction, operation and maintenance of the solar energy generation facility, structures and equipment; and

WHEREAS, on March 7, 2012, the Monmouth CADB discussed the solar energy generation facility and has indicated that the Board has no objections to the Walnridge Farms Inc., application;

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the Owner has complied with all of the provisions of N.J.S.A. 4:1C-32.4 concerning the installation of a photovoltaic solar energy generation facility, structures and equipment on the Premises; and

BE IT FURTHER RESOLVED, that the SADC approves of the construction, installation, operation and maintenance of the photovoltaic energy generation facility, structures and equipment consisting of approximately 700 square feet and having a rated capacity of 8.28 kW of energy to be located on the roof top of a barn being constructed in the location identified in Schedule "B", and as described further herein; 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.

5/24/12

DATE



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	RECUSED
James Waltman	YES

Walnridge Farms Inc.



x:/projects/farmview.mxd

Farmland Preservation Program NJ State Agriculture Development Committee












Walnridge Farms Inc.
Block 54, Lot 1
Upper Freehold Township, Monmouth County



50

month/day/year






Farmland Preservation Program

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

State Planning Areas

-  PUA1 METRO
-  PUA2 SUBURBAN
-  PUA3 FRINGE
-  PUA4 RURAL
-  PUA5 RURAL ENV SENS
-  PUA6 ENV SENS
-  PUA7 ENV SENSITIVE BARRIER
-  PUA8 ISLANDS
-  PUA9 MILITARY
-  PUA10 NEW JERSEY MEADOWLANDS
-  PUA11 MDEP
-  PUA12 ELKS ISLAND-NJ
-  PUA13 ELKS ISLAND-NY

Scale Bar

-  County Boundaries
-  Municipal Boundaries
-  Highlands Planning Area
-  Highlands Preservation Area
-  Farmland Area

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R5(18)

Exercising of Residual Dwelling Site Opportunity

White Farm

May 24, 2012

Subject Property: Block 23, Lot 100
Cranbury Township, Middlesex County
44.22 Acres

WHEREAS, Kevin White, hereinafter "Owner", is the owner of Block 23, Lot 100, in Cranbury Township, Middlesex County, by deed dated August 31, 2006, and recorded in Deed Book 5714, Page 441, totaling approximately 44.22 acres, hereinafter referred to as the "Premises" (as shown on Schedule A); and

WHEREAS, the Premises was created as the result of a Division of Premises approved by the SADC on June 22, 2006, in Resolution FY06R6(6); and

WHEREAS, the development easement on the original Premises was conveyed to Middlesex County on December 29, 1997, by the former owner, Benjamin Zaitz, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, as a Deed of Easement recorded in Deed Book 4467, Page 879; and

WHEREAS, at the time of enrollment the Premises had no existing residential units and was granted one Residual Dwelling Site Opportunity "RDSO"; and

WHEREAS, in the summer of 2006, the Owner, at that time the Contract Purchaser, received approval to exercise the RDSO in the location shown in Schedule "A"; and

WHEREAS, N.J.A.C. 2:76-6.17(10), states that CADB approvals for RDSO's shall be valid for a period of three years; and

WHEREAS, the Owner did not begin construction of the new home within the three year timeframe; and

WHEREAS, on April 11, 2012, the SADC received notification from the Owner that he was prepared to begin construction of his new home; and

WHEREAS, it was determined that because the initial approval from the Middlesex CADB had expired the Owner would have to submit a new application to the CADB; and

WHEREAS, on May 10, 2012, the SADC received notification from the Middlesex CADB that the Owner had submitted a new application to exercise a RDSO on the Premises; and

WHEREAS, the new application makes the same request as the previously approved 2006 request; and

WHEREAS, the Owner intends to make this the primary residence for himself and his family; and

WHEREAS, by resolution dated May 9, 2012, the Middlesex CADB approved the proposed residence at approximately 3,000 sq./ft.; and

WHEREAS, N.J.A.C. 2:76-6.17, requires that the CADB forward applications to exercise RDSOs to the Committee for comments; and

WHEREAS, N.J.A.C. 2:76-6.17, allows up to 35 days from the receipt of an application for the Committee to comment on the application; and

WHEREAS, Block 23, Lot 100 is currently improved with an irrigation well; and

WHEREAS, the Owner has farmed the Premises for approximately 20 years; and

WHEREAS, the primary outputs of the Premises historically have been sod, vegetable and grain crops; and

WHEREAS, the Owner currently manages the Premises in sod and grain crops and is actively engaged in the agricultural operation on the Premises; and

WHEREAS, the Owner owns and operates 140 acres across the street from the Premises; and

WHEREAS, the Owner is a 50% owner of the Stanley White Trust, which owns the adjacent 119 acre parcel which he currently leases; and

WHEREAS, the Middlesex CADB considered the request to exercise the RDSO at its May 9, 2012, meeting and found that the construction of the residential unit is for agricultural purposes and that the proposed house location was appropriate for the Premises.

NOW THEREFORE BE IT RESOLVED, that the Committee, pursuant to Policy P-31 and the restrictions as contained in the Deed of Easement, provides the following comments:

1. The use and construction of the residence is for an agricultural purpose;
2. At least one occupant of the residential unit must be regularly engaged in the daily agricultural production of the farm by farming the land;
3. The proposed location will have a minimal impact on the future agricultural operations of the Premises; and

BE IT FURTHER RESOLVED, that exercising the RDSO in the proposed location, as shown on Schedule "A", will have a minimal impact on the future agricultural operations of the Premises; and

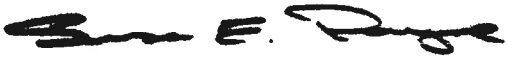
BE IT FURTHER RESOLVED, that the Owner shall provide the CADB and the SADC with copies of the plans for the proposed residence, prior to construction, that confirm the finished square footage of the structure; and

BE IT FURTHER RESOLVED, the Owner will be required to file a Corrective Deed of Easement reflecting the reduction of the one RDSO originally allocated to the Premises; and

BE IT FURTHER RESLOVED, that the Owner will be required to forward copies of the recorded Corrective Deed to the Middlesex CADB and the Committee; 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.

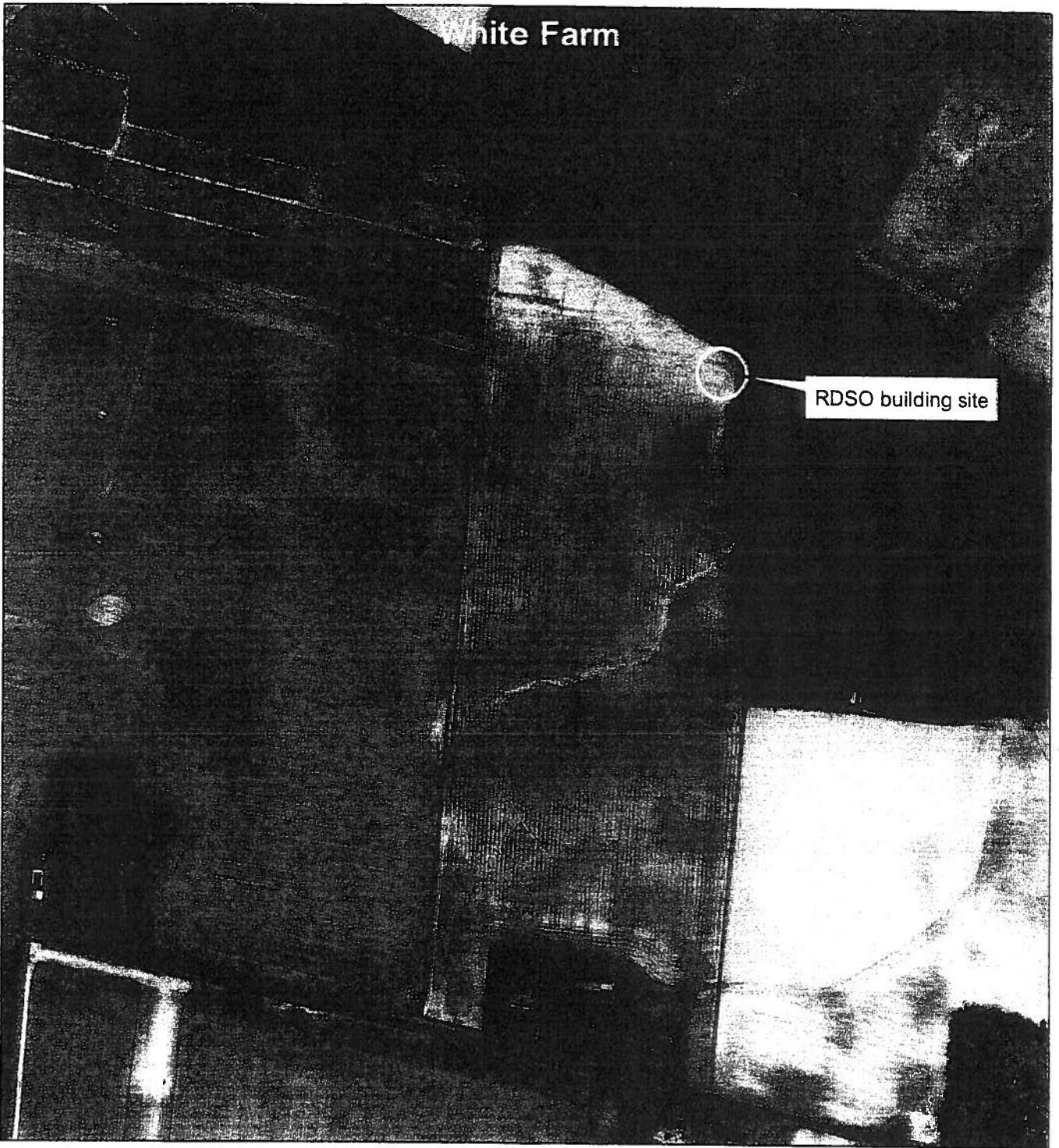
5/24/12
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (re. Executive Dean Goodman)	RECUSED
Jane R. Brodhecker	YES
Alan A. Danser	RECUSED
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

Schedule "A"



Farmland Preservation Program NJ State Agriculture Development Committee

Zaitz
White Farm
Block 23, Lot 100
Cranbury Township, Middlesex County



50

month/day/year

Farmland Preservation Program

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

State Planning Areas

- OPEN METRIC
- OPEN SUBURBAN
- OPEN FRINGE
- OPEN RURAL
- OPEN RURAL ENV SENS
- OPEN ENV SENS
- OPEN ENV SENSITIVE BARRIERS
- OPEN PINELAND
- OPEN
- MILITARY
- NEW JERSEY MEADOWLANDS
- WOODS
- ELLIS ISLANDS
- ELLIS ISLANDS

Base Map

- COUNTY BOUNDARIES
- MUNICIPAL BOUNDARIES
- HIGHWAYS / PARKWAYS
- HIGHWAYS / PRESERVATION AREAS
- HIGHWAYS

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2012R5(1)

Review of Activities Occurring on Preserved Farm

Charles Plum Corporation

Laurita Winery

Installation of Solar Energy Generation System without Approvals

May 24, 2012

WHEREAS, the Charles Plum Corporation, hereinafter (“Owner”) is the current record owner of Block 75, Lot 5.01, as identified in the Township of Plumsted, County of Ocean, as recorded in the Ocean County Clerk’s office by deed dated September 10, 1987, in Deed Book 4604, Page 936, totaling 177 acres, hereinafter referred to as “Premises” (Exhibit “A”); and

WHEREAS, the development easement on the original property, consisting of Block 75, Lots 4 & 5 and Block 83, Lot 1, totaling 368 acres, was conveyed to the County of Ocean on November 30, 1993, at a cost of \$1,084,420.11, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded in Deed Book 5120, Page 177; and

WHEREAS, the Owner currently operates a vineyard and winery on the Premises known as Laurita Winery; and

WHEREAS, the Owner has recently constructed a ground mounted solar energy generation system on the Premises; and

WHEREAS, the Owner has planted approximately 40 acres in various varieties of wine grapes, the first of which were planted approximately 10 years ago; and

WHEREAS, the Committee is considering action regarding potential violations of the Deed of Easement related to uses of the Premises that may not be permitted; and

WHEREAS, the Committee finds the following in relation to the construction of the Solar Energy Generating System on the Premises:

WHEREAS, on September 23, 2011, the SADC received a request from Greenstreet Energy & BAM Energy, the applicant, to construct a 295 Kw ground mounted solar array on the Premises that would meet more than 90% of the energy demand of the winery facility; and

WHEREAS, SADC staff advised the applicant and the Owner, in writing, at that time that pursuant to P.L. 2010, c.213 (N.J.S.A.4:1C-32.4f) staff would be unable to review and approve a request which creates new impervious coverage on the property until the regulations implementing the legislation were adopted (Exhibit "L"); and

WHEREAS, on December 6, 2011, SADC staff met with representatives from BAM Energy, at the company's request, to discuss the project and again advised them that staff could not review or approve the project until the regulations were in place; and

WHEREAS, representatives from BAM Energy attended the January 26, 2012 SADC meeting and requested any assistance from the Committee in helping to get the solar energy project started; and

WHEREAS, at the January 26, 2012 meeting, the Committee advised BAM Energy that it did not have the legal authority to review or approve an application for a system that created new impervious cover until the regulations were adopted, pursuant to N.J.S.A. 4:1C-32.4f (Exhibit "M"); and

WHEREAS, on April 25, 2012, SADC staff visited the Premises and determined that the solar array described in the initial proposal had been erected in the southeastern most field on the Premises, as shown in (Exhibit "N");

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the construction of a solar energy generation system on the Premises without approval of the Committee is a violation of the enabling statute (N.J.S.A. 4:1C-32.4); and

BE IT FURTHER RESOLVED, that the SADC shall immediately request that interconnection of the solar generating system on the Premises to the grid by the local utility provider be denied until such time as the solar array receives approval of the SADC as required by law; and

BE IT FURTHER RESOLVED, that the SADC authorizes the Executive Director, through the Office of the Attorney General, to seek resolution to the violations of the Deed of Easement on this Premises through legal means, if necessary; 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.

5/24/12
DATE

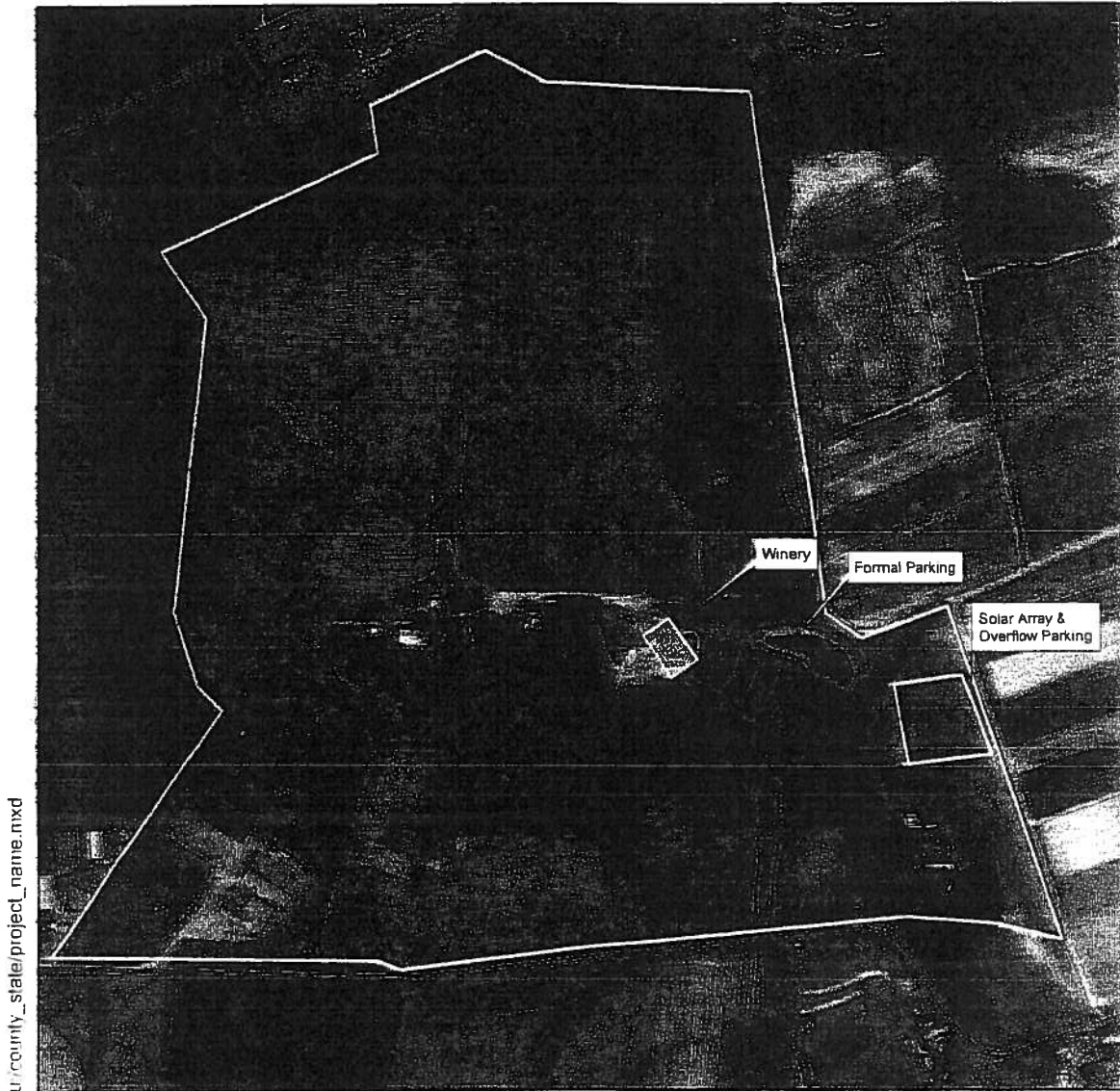


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	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

Exhibit - A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Laurita Winery
Plumsted Township
Ocean County



mattluc@wvpa.nj

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

	100 FT BUFFER
	200 FT BUFFER
	300 FT BUFFER
	400 FT BUFFER
	500 FT BUFFER
	600 FT BUFFER
	700 FT BUFFER
	800 FT BUFFER
	900 FT BUFFER
	1000 FT BUFFER



State of New Jersey

STATE AGRICULTURE DEVELOPMENT COMMITTEE
HEALTH/AGRICULTURE BUILDING
PO Box 330
TRENTON NJ 08625-0330

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DOUGLAS H. FISHER
Secretary

Susan E. Payne
Executive Director
(609) 984-2504
(609) 292-7988
(609) 633-2004 ~ FAX

Douglas H. Fisher
Chairman

October 12, 2011

Nao Minami
Green Street Energy LLC
41 E. 11th Street, 11th Floor
New York, NY 10003

Re: Photovoltaic Energy Generating System
Laurita Winery
Block 75, Lot 5.01
Plumsted Township, Ocean County

Dear Mr. Minami:

The State Agriculture Development Committee (SADC) is in receipt of an application from Green Street Energy, LLC, to construct a photovoltaic energy generating system on the above referenced premises which was preserved in accordance with the Agriculture Retention and Development Act (ARDA) by deed of easement recorded November 30, 1993. The application appears to be complete; however, because construction of the system would create new impervious cover on a preserved farm, we are unable to process the application at this time in the absence of regulations required by N.J.S.A. 4:1C-32.4. Those regulations are currently being drafted by the SADC.

In an effort to assist landowners seeking to construct renewable energy generating systems, the SADC sought and received a determination from the New Jersey Office of the Attorney General that we may process and approve applications prior to the adoption of regulations if those applications meet the minimum criteria set forth in the legislation at N.J.S.A. 4:1C-32.4. The SADC has approved a number of applications which met the following criteria:

- The system creates no additional impervious cover;
- The system is owned or will be owned by the landowner;
- The system is providing heat or power to the farm;
- The system is designed to generate not more than 110% of the

previous year's energy demand for the property;

- The system does not significantly interfere with the operation of the farm.

Because the proposed system will be constructed in an open field and not on top of an existing impervious surface, we cannot process the application at this time. Moreover, while a purchase option exists in the power purchase agreement, I find no documentation obligating the landowners to purchase the system. Ownership of the system is a requirement of the legislation.

In addition to the issues discussed above, the SADC has previously made its concerns known to the County Agriculture Development Board (CADB) and the property owners regarding activities at Laurita Winery which may be in violation of the deed of easement by letters to the CADB dated July 24, 2009, and April 26, 2010, and during a meeting with the owner on August 26, 2010. The construction of energy generating systems, or any other infrastructure, which support activities in violation of the deed of easement are prohibited. These activities are currently under review by the SADC and may need to be resolved before final approval can be granted to any application for renewable energy generation facilities on the premises.

If you have any further questions, please do not hesitate to contact me at 609-984-2504.

Sincerely,



Charles Roohr
Farmland Stewardship Program Manager

cc: Andrew Rasken, Bam Soiar
Raymond Shea, Laurita Winery
Ryan Allen, Ocean CADB

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

REGULAR MEETING

January 26, 2012

Acting Chairperson Purcell called the meeting to order at 9:15 a.m. Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Roll call indicated the following:

Members Present

Monique Purcell, Acting Chairperson
Fawn McGee (rep. DEP Commissioner Martin)
Tom Stanuikynas (rep. DCA Acting Commissioner Constable)
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)
Jane R. Brodhecker
Alan A. Danser
James Waltman
Torrey Reade

Members Absent

Brian Schilling (rep. Executive Dean Goodman)
Denis C. Germano

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

Others present as recorded on the attendance sheet: Heidi Winzinger, Brian Smith, Charles Roohr, Timothy Brill, Paul Burns, Ed Ireland, Bryan Lofberg, Stefanie Miller, Patricia Riccitello, Sandy Giambrone, SADC staff, Daniel Pace, Mercer County Agriculture Development Board, Jim Dews and Jim Boderer, Open Space of Delaware Township, Hunterdon County, Ranae Fehr, Atlantic County Agriculture Development Board, Glorianne Robbi, East Amwell Township Farmland and Open Space Committee, Hunterdon County, Barbara Ernst, Cape May CADB, Harriet Honigfeld, Monmouth CADB, Nicki Goger.

- Department of Community Affairs Representative

Ms. Payne introduced Tom Stanuikynas to the Committee. Mr. Stanuikynas is sitting in for Mr. Requa today from the Department of Community Affairs.

COMMUNICATIONS

Ms. Payne reminded the Committee to take home the various articles provided in the meeting binders. She stated that the annual OPRA request spreadsheet for 2011 has been provided in the communications section of the meeting binder for the Committee's information. No action is needed regarding that.

PUBLIC COMMENT

Bernard Guthers, a representative from BAM Energy Group provided the Committee with a handout regarding a solar canopy proposed for Laurita Winery, which is an application submitted through SADC staff Charles Roohr for review and also Committee approval. He stated that handout refers to comments both from Charles Roohr's original letter, along with comments that were made at a meeting held on December 6th with Mr. Roohr, Executive Director Payne and staff Counsel Brian Smith, and one of those being impervious coverage issues. That has been clarified and staff will get a copy of that letter, which is written by Ean Borden from Professional Design Services. The goal here was to meet the guidelines that are present in the regulations in regards to impervious coverage and falling below any of those requirements. He indicated Laurita winery is an active winery located in New Egypt-Plumsted Township, Ocean County, New Jersey and it encompasses approximately 183 acres. 179 of which are the active vineyards of the property. Bam Energy Group is looking to, with this solar canopy, occupy approximately under three quarters of an acre, referred to in the third page of the handout, to a percentage of .012 of the actual farm area. Additionally, they were asked to put together an alternative analysis for seeking other means to place the solar other than this area that was chosen. Rooftops were not of great use because the winery consumes a great deal of electricity, both for the building and also for the fermentation processing and cold temperatures that are needed be maintained in the basement structure for the fermentation of the wine so this is an on-going 24/7 operation that is temperature sensitive.

Mr. Guthers stated they are looking to do approximately a 295kW system for their services, which will need approximately 98% of their overall usage. They do have a small existing solar facility that just meets a very low percentage of their overall use. There is another question that had come up regarding the ownership of the system at the end of this lease term. This is an investor-driven development

through a Power Purchase Agreement (PPA). At the end of this lease term, all ownership rights will revert back to the winery and they will own that system during that remaining life of the winery and the system. He stated that if you go to the fifth page of the handout document, there is an 8 ½ x 11 detail of the survey of the property that shows, highlighted in yellow, where the structure is proposed to be placed. They tried to locate it based on prior SADC staff comments - to minimize negative impact on the tillable areas of the farm and to account for shading issues. Originally there were questions as to why they had not placed the solar canopy on the existing parking lot, but because shading is a key factor in the production of the solar energy, the tree shading that overshadowed onto that parking lot area during the time had caused it to be unfeasible and then to even try to cut down those trees was an erosion issue because, also referenced in the PDS letter, there is a greater than 20 percent slope so in order to not cause erosion issues they looked for other alternative means and the open area selected became the best suited. He referred the Committee to the last page of the handout to see what the canopy would look like. He stated that it's basically a small segment of the structure, approximately 150 feet long by 36 feet wide and there are nine center piers that will hold the structure and with working with the owners of the winery they tried to make it as decorative and aesthetically appealing as possible with a fieldstone/limestone base along with the vented wood siding along the end caps of the structure.

Mr. Guthers stated his purpose for being here today is that they are looking to progress further with this application. They have applied and received a building permit from Plumsted Township's construction code official and they are trying their best to move it forward, based on the comments they have had from Mr. Roohr and from meeting with Ms. Payne, and to get some comments back from the Committee to find out whether we can move forward with this under the direction of Mr. Roohr and Ms. Payne. They would like to hear some feedback from the Committee, although he knows they are not on the agenda and he thanks the Committee for allowing him this time. He stated that they have a contractual obligation both to their investors and to the winery, and because of the SREX market to JCP&L, who will be the off-taker for the solar renewable energy credits that are generated from this system. Given that spring is around the corner and the wine production, they are looking to start the operation for the system as soon as possible. He is here to get feedback, direction and a blessing to move forward.

Ms. Purcell stated that the Committee is responsible to develop standards/rules for renewable energy on preserved farms and that has not happened yet. Mr. Guthers stated that was a discussion point at the December meeting and they had been under the presumption that this was going to be moving forward. In the interim of that AMP they were trying their best to accommodate all the measures to make sure that what they were presenting fell well below, even at the present regulation

Exhibit M (4)

on the table now, meaning the impervious coverage area and not going over 110 percent of their usage. They are trying to contain it, it is going directly to their ownership and use for the winery and their overall production. Mr. Guthers stated that working with the regulation still being in the formalization and draft point; that is why he is here today to get some type of a blessing. Ms. Payne stated that the rule for renewable energy on preserved farms is in draft form and the earliest staff could bring it to the Committee is next month. She stated that staff resources are down, particularly with Mr. Baumley retired, and we are doing the absolute best that we can. She stated that she has to review the draft that has been created by Ms. Gruzlovic of her office but the first time the Committee could see something, even preliminarily, is next month. Then she imagines that staff would want to seek Committee input on the draft and then come back March, at the earliest, to propose a rule. That is where staff is. The Committee's hands are legally tied and it cannot give approval or say to go ahead on the project because it doesn't have the authority to do so. We are clear under the statute and from the advice from the Attorney General's Office that the Committee needs to adopt regulations and staff is pursuing that as quickly as possible.

Mr. Guthers stated that based on all the information that they have been able to get and have supplied to staff, and from meeting with SADC staff on what they are planning to do, their understanding is that will fall within those regulations. Ms. Payne stated she understands what he is saying and the SADC can appreciate the fact that the proposal tries to adhere as closely as possible to the statutory provisions as it can but she cannot say that it adheres to the regulation because the Committee hasn't even seen a draft of that regulation yet. The Committee members may very well have their own opinions about what staff presents as a draft regulation so it would be leading everyone astray and would be giving false assurances at this point when the Committee has not even seen the document yet. Mr. Guthers stated that he will continue to work with Mr. Roohr to keep him updated and will wait for the draft legislation to move forward.

OLD BUSINESS

A. Right to Farm – Final Decision

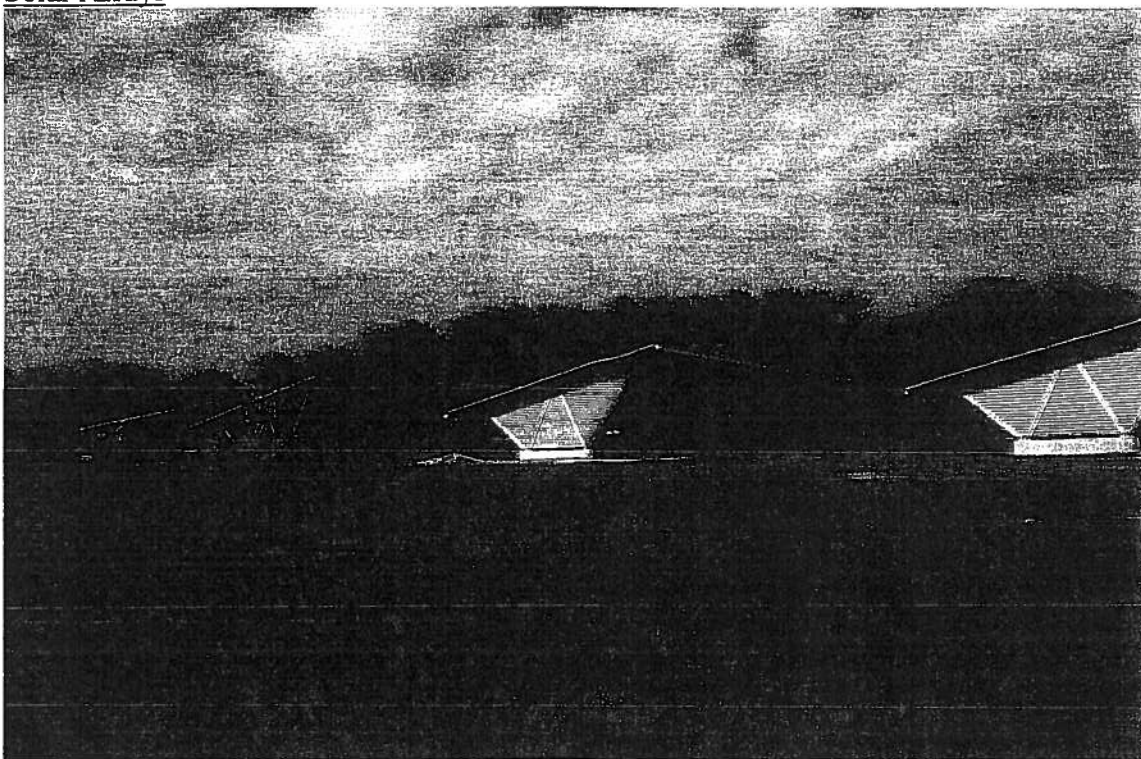
1. Chesterfield Township. vs. Holloway Land, LLC

Note: Mr. Waltman and Ms. McGee recused themselves from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Mr. Waltman and Ms. McGee are Honeybrook Organic Farms, LLC CSA members.

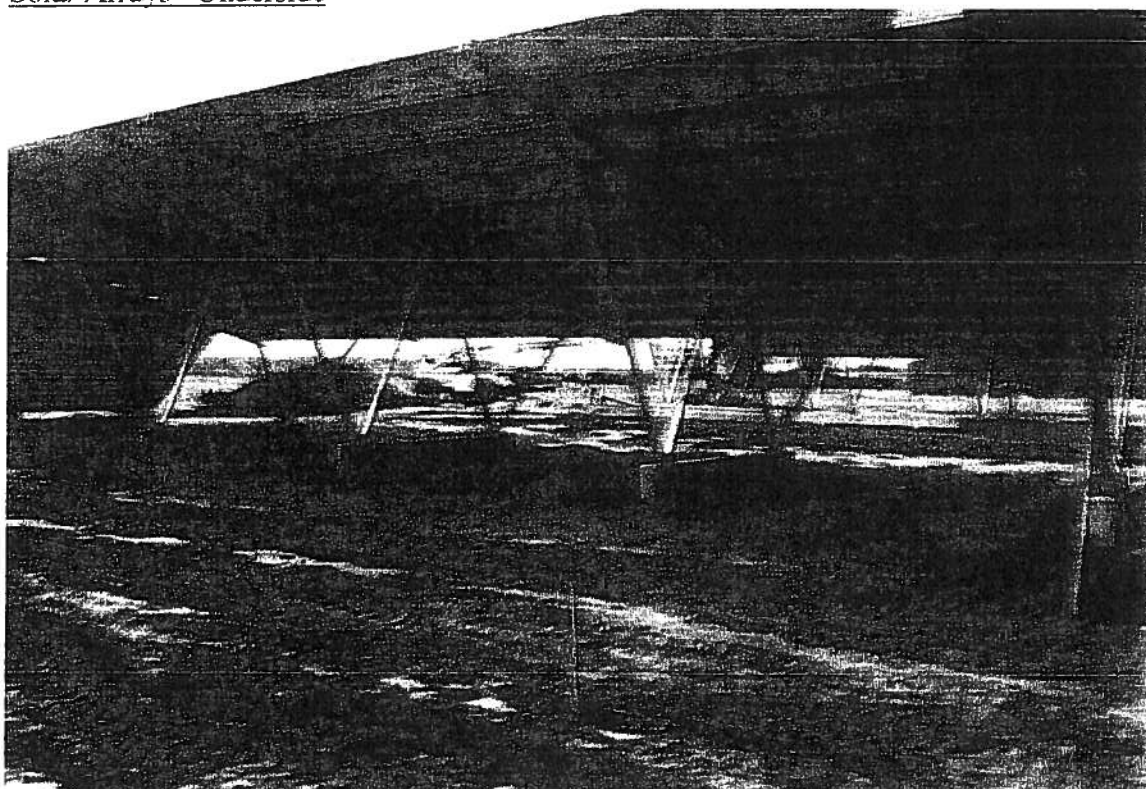
Mr. Smith referred the Committee to the final draft of the Hearing Officer's Findings and Recommendations of the State Agriculture Development Committee in the matter of Holloway Land, LLC. Chesterfield Township, Burlington County. He stated that at the

Exhibit "N"

Solar Arrays



Solar Arrays - Underside



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2012R5(2)

Review of Activities Occurring on Preserved Farm

**Charles Plum Corporation
Laurita Winery
Non-Agricultural Events & Activities**

May 24, 2012

WHEREAS, the Charles Plum Corporation, hereinafter ("Owner") is the current record owner of Block 75, Lot 5.01, as identified in the Township of Plumsted, County of Ocean, as recorded in the Ocean County Clerk's office by deed dated September 10, 1987, in Deed Book 4604, Page 936, totaling 177 acres, hereinafter referred to as "Premises", (Exhibit "A"); and

WHEREAS, the development easement on the original property, consisting of Block 75, Lots 4 & 5 and Block 83, Lot 1, totaling 368 acres, was conveyed to the County of Ocean on November 30, 1993, at a cost of \$1,084,420.11, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded in Deed Book 5120, Page 177; and

WHEREAS, the Owner currently operates a vineyard and winery on the Premises known as Laurita Winery; and

WHEREAS, the Committee finds the following related to the vineyard/winery operation on the Premises;

WHEREAS, the Owner has planted approximately 40 acres in various varieties of wine grapes, the first of which were planted approximately 10 years ago; and

WHEREAS, on June 15, 2005, the Owner invited SADC members and staff to the Premises to review plans for a proposed winery building; and

WHEREAS, notes and records of that meeting show that staff explained at this meeting that a winery building used for the production, processing, storage and sale of the agricultural output of the farm would be compliant with the terms of the deed of easement but use of a building on the premises to host non-farm events, specifically weddings, would be a violation of the deed of easement; and

WHEREAS, the Owner acknowledged the prohibitions on non-agricultural events at this meeting and subsequently agreed, in writing, (Exhibit "B"), that no weddings or catering would occur on the Premises; and

WHEREAS, at the September 22, 2005, SADC meeting the Committee approved staff's recommendation to allow construction of the winery facility as proposed and to authorize its use for functions in which the ***"primary purpose of any function to be held at the winery facility or surrounding premises shall be related to the sale of the agricultural product"***, in this case, wine. The Committee explicitly clarified that ***"Other activities such as conducting weddings or corporate events are prohibited since they are not primarily related to the sale of wine. Furthermore, the sale of art work or other nonagricultural items on display is not permitted since it is not considered a related commodity as contained in the definition of "Agricultural Use" in the Deed of Easement. The sale of meats, cold cuts, cheese, pies and food stuffs are permitted provided that they are offered to the customer to compliment the tasting of wines. The area dedicated for this purpose shall not be used for general catering purposes."*** (Exhibit "C"); and

WHEREAS, in September 2008, Laurita winery held its grand opening; and

WHEREAS, in early 2009, the SADC was informed that weddings and wedding receptions were being held on the Premises; and

WHEREAS, in May 2009, the SADC forwarded the information related to the alleged non-agricultural activities to the Ocean CADB (OCADB); and

WHEREAS, on May 26, 2009, the OCADB advised the Owner that weddings were specifically prohibited by the SADC in its September 2005 approval, and that it would be difficult to modify or eliminate conditions imposed by the SADC (Exhibit "D"); and

WHEREAS, on July 8, 2009, the Owner made a presentation to the OCADB requesting that the issue of weddings on preserved farms be reconsidered because they believe they represent a marketing opportunity for the farm's output; and

WHEREAS, on July 31, 2009, the OCADB advised the Owner that the SADC did not wish to revisit the issue which was clearly decided in 2005, and therefore the position that weddings on preserved farms are prohibited activities was unchanged (Exhibit "E"); and

WHEREAS, in the spring of 2010, the SADC requested CADB, as holder of the easement, to formulate its position with respect to deed compliance; and

WHEREAS, in the summer of 2010, the OCADB created a subcommittee to revisit the issue of events on preserved farms; and

WHEREAS, on August 4, 2011, the OCADB reported that, based on its subcommittee review, the Board could, under certain circumstances be supportive of events on preserved farms as a form of marketing the farm's output (Exhibit "F"); and

WHEREAS, during the CADB's 2012 monitoring inspection it was found that a brick patio area with an arched pergola and gas fire pit had been installed in the production area of the vineyard (Exhibit "G") and

WHEREAS, the Committee has determined that Laurita Winery has continually advertised use of its facilities to host weddings, is advertised as a wedding location in various publications and was featured on a nationally televised wedding competition show (Exhibits "H-1 through H-5"); and

WHEREAS, Laurita Winery currently advertises and uses its winery grounds and facility including indoor rooms and outdoor areas for:

- A. Commercial private events, both catered and not catered, in which the land and/or buildings located on the premises are rented for a nonagricultural use. Such uses include but are not limited to weddings, wedding receptions, rehearsal dinners, corporate events, anniversaries, birthdays, luncheons, holiday parties, fundraisers and other celebratory events (Exhibit "I-1 through I-2");
- B. Public catered events in which the primary purpose of the event is consumption of food that is not the agricultural output of the farm. Such events include but are not limited to Sunday brunch, theme dinner nights, and family dinner nights, (Exhibit "J-1 through J-6"); and
- C. Other events which may or may not be catered including art shows, concerts, singing competitions, movie nights and country line dancing nights (Exhibit "K-1 through K-3"); and
- D. General public events directly related to the sale of wine including, but not limited to, wine festivals, farm tours, wine tastings, etc.; and

WHEREAS, paragraph one of the Deed of Easement states that any development of the Premises for nonagricultural purposes is expressly prohibited; and

WHEREAS, paragraph two of the Deed of Easement defines "agricultural use" as use of the Premises for common farmsite activities including, but not limited to: production, harvesting, storage, grading, packaging, processing and the wholesale and retail marketing of crops, plants, animals and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease and pest control, disposal of farm waste, irrigation, draining and water management and grazing; and

WHEREAS, the Committee finds a clear distinction between events and activities that are held on the farm to attract the public to the farm in an effort to increase the direct marketing and sales of the agricultural output of the Premises, such as wine tastings, wine festivals and farm tours, versus those activities whose primary purpose is to market the use of the *farm's land and/or facilities to support a nonagricultural use* on the Premises, such as weddings, dinners and concerts; and

NOW THEREFORE BE IT RESOLVED, that the SADC finds that development and use of the Premises for non-agricultural events and activities are violations of the Deed of Easement for the following reasons:

1. Pursuant to the Deed of Easement conveyed to the OCADB and the SADC on November 30, 1993, the Grantor conveyed, in perpetuity, all rights to use the Premises for non-agricultural purposes except as specifically described on the Deed of Easement. Use of the Premises for non-agricultural purposes would constitute a violation of numerous provisions of the Deed of Easement as further enumerated below:

Paragraph 1: Development of the farm for purposes of hosting events and activities for which the primary purpose of the functions is other than the sale of the farm's agricultural product/output constitutes development of the premises for nonagricultural purposes and is therefore prohibited.

- A. The Committee finds the recently constructed pergola is for the primary purpose of conducting weddings ceremonies and other such nonagricultural events in the vineyard area, and is therefore prohibited.

Paragraph 2: The use of the farm for hosting events and activities for which the primary purpose of the functions is other than the sale of the farm's agricultural product/output does not constitute a common farmsite activity and does not retain the Premises for agricultural use and production as required by Paragraph 2. Specific nonagricultural uses include, but are not limited to, the following:

- A. Commercial private events, both catered and not catered, in which the land and/or buildings located on the premises are rented for a nonagricultural use. Such uses include but are not limited to weddings, wedding receptions, rehearsal dinners, corporate events, anniversaries, birthdays, luncheons, holiday parties, fundraisers and other celebratory events;
- B. Public events, whether catered or not catered, in which the primary purpose of the event is consumption of food that is not the agricultural output of the farm. Such events include but are not limited to Sunday brunch, theme dinner nights and family dinner nights; and

- C. Other events which may or may not be catered, where the primary purpose of attending the event is the nonagricultural activity itself - including concerts, singing competitions, movie nights, and country line dancing nights. Events and activities that are clearly subordinate and accessory to, and designed to enhance the consumption and/or purchase of wine, such as background music and other such ancillary activities, may be permitted.

Paragraph 3: Use of the farm for hosting events and activities for which the primary purpose of the functions is other than the sale of the farm's agricultural product/output, constitutes *a nonagricultural use of the premises* which was not in existence at the time of the conveyance, and is therefore prohibited by Paragraph 3. Specific nonagricultural uses include, but are not limited to, those enumerated in the description of Paragraph 2, A., B., and C. above; and


BE IT FURTHER RESOLVED, that the Owner shall have 30 days from the effective date of this resolution to cease all of the prohibited activities set forth above and bring the property into compliance with the Deed of Easement; and

BE IT FURTHER RESOLVED, that the Owners shall have 30 days from the effective date of this resolution to remove the arched pergola erected in the vineyard area; and

BE IT FURTHER RESOLVED, that the SADC authorizes the Executive Director, through the Office of the Attorney General, to seek resolution to the violations of the Deed of Easement on this Premises through legal means, if necessary; 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.

5/24/12
DATE



Susan E. Payne, Executive Director
State Agriculture Development Committee

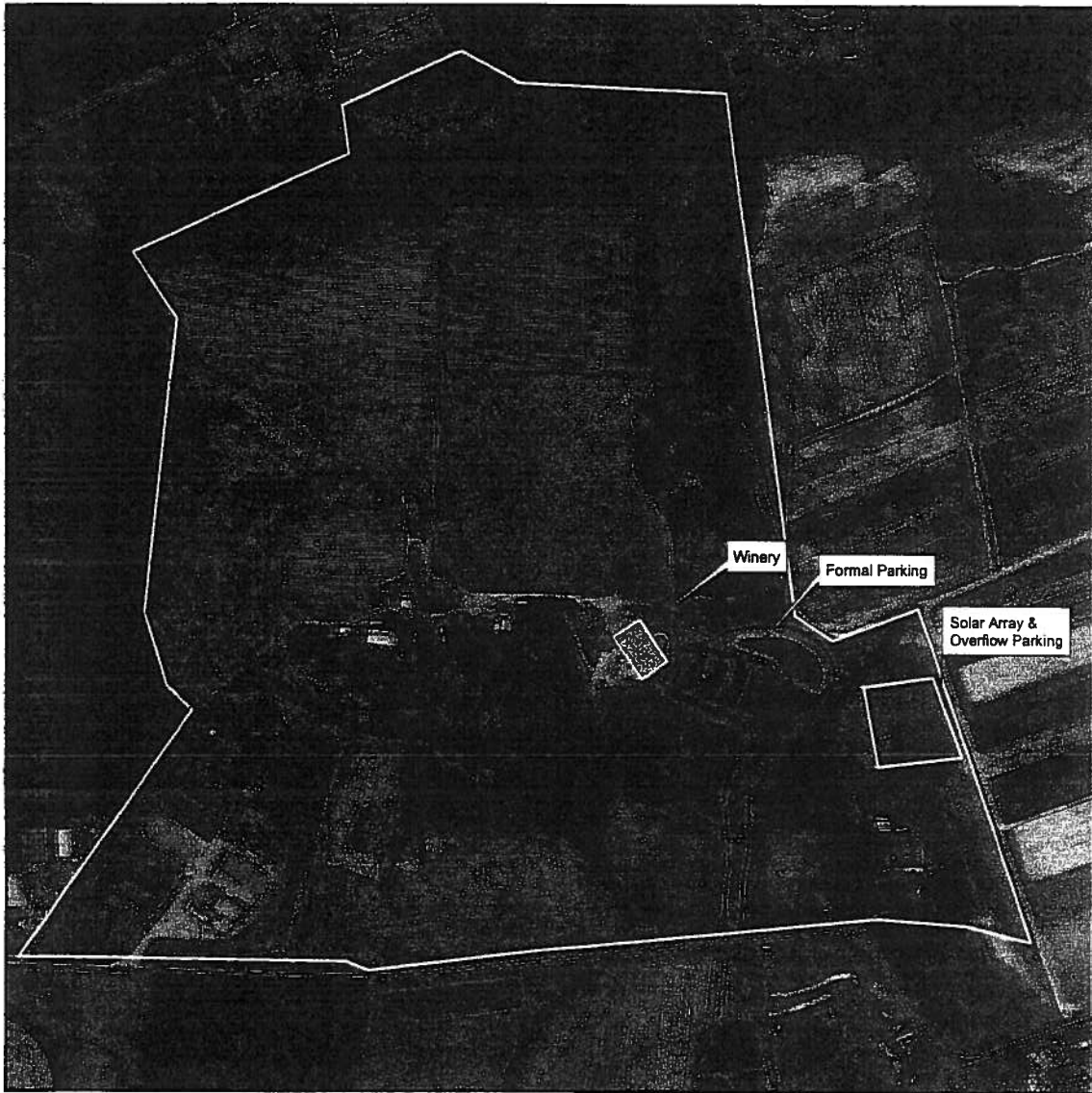
VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Sean Thompson (rep. DCA Acting Commissioner Constable)	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

Re: EIP-92EPR/03/Ocean/Charles Plum Corp-Laurita Winery Stewardship-Post Closing Review of Activities Resolution et al.-Non Ag Activities II final post sale mtg pr.doc

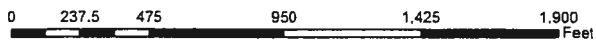
Exhibit - A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Laurita Winery
Plumsted Township
Ocean County



month/day/year

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
 - (PA6) RURAL ENV. SENS
 - (PA8) ENV. SENSITIVE BARRIER IS
 - (PA10) PINELANDS
 - PARK
 - MILITARY
 - NEW JERSEY MEADOWLANDS
 - WATER
 - ELIJAH ISLAND- NJ
 - ELIJAH ISLAND- NY
- Base Map
- County Boundaries
 - Municipal Boundaries
 - Highlands Planning Area
 - Highlands Preservation Area
 - Pinelands Area
- Green Acres Protected Statements

Exhibit - B

LEVIN, SHEA & PFEFFER, P.A.

Attorneys at Law
2105 West County Line Road - Suite 3
Jackson, New Jersey 08527
(732) 364-7333
Fax: (732) 367-4860

MICHAEL E. LEVIN

RAYMOND F. SHEA, JR.

Member State of N.J. and N.Y. Bars

STEVEN I. PFEFFER

N.J. Supreme Court Certified Civil Trial Attorney

DENIS P. KELLY

Sender's E-Mail:

RFSES0@FCC.NET

June 17, 2005

Sent via fax #(609) 633-2004 & regular mail

Susan Craft, Executive Director
State Agriculture Development Committee
P.O. Box 330
Trenton, New Jersey 08625

Re: Laurita Winery
New Egypt, New Jersey

Dear Ms. Craft:

I received a telephone call concerning my recent meeting with members of the SADC and its staff regarding the above. It was a reminder that I have to maintain my sense of humor.

I thought we had a productive and open discussion of the plans for our winery with the representative members of the Commission and its staff. During that discussion, I readily agreed that no weddings would take place and we wouldn't be doing any catering of any kind whatsoever. Indeed, I invited the SADC to put those in as prohibitions because we are not eager to go into those businesses as we know nothing about them. At one point, I distributed our brochures for the "Laurita Walkabout" which is a not for profit corporation that we created for ecological tours on the 4 miles of trails that we have been constructing on the property. The caller advised me that the word "bridal" path was used in the brochure. I know I corrected that word in the first draft as it should have read "bridle" path. It is a trail suitable for horseback riding. There is also identified in the brochure a "bride and groom tree".

Apparently, some people left the meeting doubting my sincerity. The coupling of the misspelled word with the bride and groom tree undermined my credibility. Let me rehabilitate myself with the following explanation. It has been explained to me that throughout this region of the United States in the 19th Century, it was quite common, that when a couple got married, their friends or relatives would plant two mighty trees at the entrance to their driveway or at the corners of the marital residence. The intent was to have

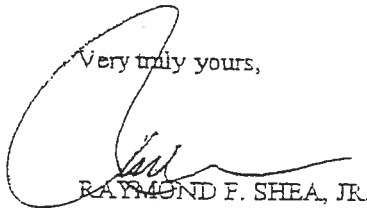
the trees sink deep roots and rise as powerful trees and the wish of the friends and relatives was that the that the newlyweds and their children that were born to them would similarly have deep roots in their community and grow tall and strong. They've been described as "bride and groom" trees. There is absolutely no connection expressed or otherwise between the bridle path and the bride and groom tree.

Unfortunately, the misspelling attributed to the path in conjunction with the identification of the tree has led some to believe that we had planned weddings and that these were somehow going to be paths that the bride and groom walked down where they would get hitched under a giant Sycamore. It's absolutely hilarious as nothing could be further from the truth. The truth is as I have stated it in this letter.

Therefore, with a deep chuckle and a sigh of relief, let me reassure you that this is a bridle path for horses and that the bride and groom tree is an historical reference to the giant trees that are placed at each corner of the main farmhouse that previously was constructed on the "farm". We found this to be fascinating history and wanted to share it with everyone. No less. No more. Amen.

Thank you for listening.

Very truly yours,



RAYMOND F. SHEA, JR.

RFS:jmr

cc: David J. McKeon, Program Administrator, O.C. Agricultural Development Bd., via fax #244-8396



State of New Jersey

STATE AGRICULTURE DEVELOPMENT COMMITTEE
HEALTH / AGRICULTURE BUILDING
JOHN FITCH PLAZA
PO Box 330
TRENTON NJ 08625-0330

JAMES E. MCGREEVEY
Governor

CHARLES M. KUPERUS
Secretary of Agriculture

September 23, 2005

Gregory Romano
Executive Director
(609) 984-2504
(609) 633-2593
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Charles M. Kuperus
Chairman

Members

Susan Bass Levin
Bradley M. Campoell
John E. McCormac
Keith R. Cooper
Frank P. Baitinger, III
Andrew Borsiuk, Jr.
Karen Anderson
Peter C. Bylone, Sr.
Lisa Y. Specca
Gary B. Mount

David McKeon, Administrator
Ocean County Agriculture Development Board
Ocean County Department of Planning
129 Hooper Avenue, PO Box 2191
Toms River, NJ 08755

Re: Laurita Farms Winery Proposal
Block 75, Lot 5.01
Plumsted Township, Ocean County

Dear  Mr. McKeon:

On September 22, 2005, the State Agriculture Development Committee (SADC) reviewed the Laurita Farms Winery proposal. The purpose of the review was to evaluate the anticipated uses of the preserved farm and determine if those uses are permitted pursuant to the Farmland Preservation Deed of Easement recorded on the premises.

The SADC found that the winery facility – which will be used for both the processing and marketing of the agricultural output of the operation – is consistent with the Deed of Easement. It determined that the proposed construction of the facility (plans dated July 1, 2005) was acceptable provided that the primary purpose of any public or private function held at the winery or elsewhere on the preserved farm must be for the marketing of the agricultural output of the farm. Activities such as weddings, corporate events, and catered events are prohibited, as the SADC does not deem the primary purpose of these functions to be the marketing of wine. In addition, any food sold or provided to customers and visitors, including meats, cold cuts, cheese, and pies, in any area of the winery facility, must be related to the sale of wine. Display areas must be limited to the display of the agricultural output of the farm or related commodities as described below.

The SADC's approval was based upon the proposed plans, which depict a three-story facility that comprises 20,093 square feet of floor space.

The SADC also determined that at least 51 percent of the annual gross sales of the retail farm market located within the winery facility must be generated from sales of the agricultural output of the farm. The remaining annual gross sales may be achieved through the sale of other commodities, as long as those commodities are related to the agricultural output of the farm.

David McKeon
September 23, 2005
Page 2

With respect to the processing activities on the farm, the SADC determined that at least 51 percent of the grapes processed in the proposed facility must be grown on the farm management unit. A "farm management unit" is defined as "a parcel of land, whether contiguous or noncontiguous, preserved or unpreserved together with agricultural or horticultural buildings, structures, and facilities, producing agricultural or horticultural products, and operated as a single enterprise."

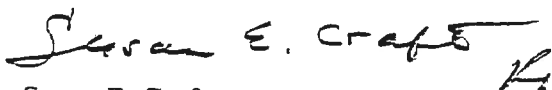
A concern was raised during the discussion that catastrophic events and severe crop failure could prevent the farm operator from meeting the 51 percent requirement described in the paragraph above. The SADC directed staff to draft language to address such circumstance and return to the SADC for approval of the language. If approved, the language shall be incorporated into the SADC's approval of the winery facility.

Lastly, the SADC discussed the construction of trails on the preserved farm for pedestrian and/or equine use. Although the SADC acknowledged that the Deed of Easement may address this issue, it tabled its discussion and requested staff to further review the owner's proposal to ensure that the construction of such is not in violation of the Deed of Easement.

As identified above, some issues need further review and action by the SADC. I have been informed that the Township of Plumsted will be reviewing the proposal at its meeting on Monday, September 26, 2005. It is also my understanding that the Ocean County Agriculture Development Board has not yet taken a position on the Laurita Farms Winery proposal.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Susan E. Craft

c: Township of Plumsted
Raymond F. Shea, Jr. Esq., Laurita Farms Winery

It was moved by Mr. Siegel and seconded by Mr. Borisuk to find that the eminent domain action to condemn access and rights to a monitoring well located on Block 32, Lot 28 by the Township of Montville, Morris County would cause unreasonably adverse effects upon the State agricultural preservation and development policies. The motion was unanimously approved. (A copy of the Impact on an Agricultural Development Area Summary is attached to and is a part of these minutes.)

N. Compliance with Deed of Easement

1. Laurita Farms Winery (Charles Plum Corporation, Plumsted Township, Ocean County

Mr. Baumley referred the Committee to the Laurita Farms Winery Proposal Summary. He stated that the property in question when the county acquired the easement was called Charles Plum Corporation, now known as the Laurita Farms Winery. He stated that Mr. Shea is present today and one of the owners of the property. He stated that Mr. Shea has been before the Committee in the past in part dealing with various aspects of what will be discussed today. He stated that the development easement was acquired on this property and was a larger property consisting of 368.3 acres. He stated that two parcels have been sold to adjacent owners with 183.8 acres remaining. He stated that what is being proposed is a winery and that there are other activities that are associated with this farm that are located on an adjacent nonpreserved farm. Mr. Baumley reviewed various slides of the property with the Committee showing the preserved tract, the area for the winery, parking areas and the existing two acre pond. He stated that approximately forty acres are in grape production.

Mr. Baumley stated that there are two existing residences on the property that are in disrepair and have not been reconstructed to date. He stated that there were three RDSOs allocated to the property, of which two remain. He stated that one was eliminated by virtue of the Committee's approval of a division of the Premises. He stated that the two-acre pond was an issue in the past as the owners were in violation since the pond was constructed without a Chapter 251 plan approved by the Ocean County Soil Conservation District. He stated that the owners have since obtained the necessary approvals. He stated that the pond is currently being used as the water supply for irrigation purposes. He stated that the proposed winery facility would be a little over 20,000 square feet with approximately ninety parking spaces. He stated that approximately 8.7 acres would be involved in the winery complex. He stated that approximately forty acres are presently in production and that there is also a proposal to construct various horse and pedestrian trails throughout the preserved farm. Mr. Baumley stated that adjacent to the preserved farm is the former Dancer farm which Mr. Shea also owns but that it is not preserved. He stated that on that property the former residence was converted into a bed and breakfast (B&B) and that the property also has a standard bred exercise track, horse barns, stables and pasture areas. He stated that the proposed trails would extend from the non-preserved farm and continue through the preserved farm. He stated that the concern that

staff had is that the trails do not violate the terms of the deed of easement on the preserved farm.

Mr. Baumley stated that regarding the winery itself a three-floor structure is being proposed with the first floor being the production facility (processing, bottling of wine, storage of wines, lab and library), which is necessary for production purposes. He stated that the second floor would be an area that would have an agricultural education room, an area that will contain meats, cold cuts, cheeses, pies and foodstuffs, a grape seminar/lecture room and then bathroom facilities. The third floor would consist of large open areas designed as a workroom, display, balcony and owner suite with a bar and bathroom facility. He stated that the large open area on the second floor was an area of question as to what would actually be conducted there. He stated that Mr. Shea asked if he would be permitted to display other artists' art work for sale in that area and was advised that it would be a violation of the deed of easement, at which Mr. Shea indicated that the open area would then be used for the display and sale of his wines.

He stated that in June of this year some of the SADC members along with SADC staff met with Mr. Shea and several other professionals to discuss the intended use of the premises during which time a concern was raised that the winery may be used for weddings and other corporate retreats. He stated that Mr. Shea responded at that meeting and subsequently in a letter that he would agree not to use the facility for weddings or catering of any kind. He stated that these types of functions could certainly occur on the nonpreserved property that Mr. Shea owns. He stated that regarding the meats, cheeses and foodstuffs, as long as it is related to the sale of wines it is viewed as an acceptable use, not to be there as a catering facility or related events.

Mr. Baumley referred the Committee to pages three and four of the proposal summary. He stated that the concerns of the SADC are listed there along with the staff recommendations. Mr. Borisuk commented that regarding item three on page five of the proposal summary, the question of is the processing of grapes from other growers in New Jersey to produce wines a violation of the Deed of easement and is there a limit of what is grown on the premises versus what is imported for processing, if you limit the production and that the owner has to produce at least fifty one percent on the farm, that leaves forty-nine percent that can be imported. He stated that Mr. Shea indicated that if he does import grapes he can only import New Jersey grown grapes. Mr. Borisuk felt that this would be a good opportunity for a growing New Jersey grape business, where a lot of the smaller growers will put in a vineyard at a large expense and have to wait years for production, so that it would give those growers a boost and a place to process their grapes while they are small. He stated that many vineyards cannot afford to build their own winery and that the remaining percentage would be a great help to smaller growers.

Ms. Craft stated that historically the SADC has been very conservative as to what you can sell or process on a preserved farm as it relates to how much the owners actually produce themselves. She stated that the fifty-one percent as described in the summary was borrowed from right to farm, which would give the SADC some parameters to work with and inform landowners. She stated that what you do not want to see is a winery

being built on a preserved farm that has two acres of grapes and processing say 20,000 acres of grapes. She stated that the SADC's feeling is that as long as the primary product being processed comes from the farm itself makes sense.

Ms. Anderson stated she had a question regarding the fifty-one percent suggestion. She was concerned about the restrictions to the other forty-nine percent, in particular, would the remaining percentage need to be related commodities or is it just a gross sales volume measure? She stated that it seems to her that it would not necessarily be a bad thing for you to be able to sell, for example, wine glasses. Ms. Craft stated that this is one of those perfect examples of where you cannot adhere completely to what right to farm says. She stated that right to farm states, in a farm market environment, that fifty-one percent of your gross sales have to come from products produced from the agricultural operation and then it is silent on the remaining forty-nine percent of the products. She stated that in the deed of easement for preserved farms it says you can sell, produce, etc..... "and related commodities". She said that this is an example of where the deed of easement constrains the variety of products that can be sold to related products.

Ms. Murphy addressed the Committee. She stated that regarding the fifty-one percent in terms of monitoring, it seems to her that it would be easier to monitor a farm market but in terms of grapes going into wine, how would you monitor that and how many grapes were produced. Mr. Shea stated that it is very easy to translate tonnage into liquid and tank size etc.

Ms. Specca addressed the Committee regarding the fifty-one percent suggestion. She stated that she is concerned that if there is a crop failure one year the owner could be out of production. She asked if there was some levity that could be added to cover this type of thing. She felt that there should be some sort of safety net for the grower or the farmer. Ms. Anderson stated that there are state and local declarations for disaster areas. Ms. Specca stated that the farmer might not be considered a "disaster area" but could himself be affected. Dr. Rossi asked if it had to be on an annual basis or could it be on an average basis over a period of years?

Mr. Siegel stated that in his opinion the day would come where the SADC will revisit the fifty-one percent recommendation and that it revisits all of its ancillary sales requirements because of agri-tourism and other developments. He stated that there is no reason the process cannot start now. He stated that he also toured the property previously and that the intention here is also to develop an agri-tourism business. He stated that it may be the time now to look at what is being permitted on the preserved farm in terms of viability and for tourism. Chairman Kuperus asked if there was some way to incorporate language in the recommendation pertaining to crop failure or something along those lines. Ms. Craft stated that the language could be amended. He suggested that maybe someone could reach out to California to see how they run their wineries there because a lot of its farmland preservation is going into small vineyards and all its wines are blended, with farmers buying grapes from each other and blending them. It would be very interesting to see the particulars from California and in terms of what the farmers are allowed to do.

Chairman Kuperus stated that there is a staff recommendation in support of this winery on the table with an amendment to add some sort of safety net for the farmer should a crop failure occur. Mr. Baumley stated that there is also a recommendation in the summary that at least fifty-one percent of the grapes processed shall be grown on the farm management unit and that "farm management unit" would mean a parcel or parcels of land, whether contiguous or noncontiguous, preserved or unpreserved, together with agricultural or horticultural buildings, structures and facilities, producing agricultural or horticultural products, and operated as a single enterprise." He stated that you would be going beyond the premises with this interpretation and is another key component of the recommendation. Mr. Borisuk asked that if the Committee passes this recommendation do the restrictions become part of the Deed of Easement or can it be changed down the road? Ms. Craft stated that the Deed of Easement does not specifically say how much you have to produce so that the SADC must interpret what is reasonable to give direction to landowners and that it could change down the road.

Ms. Specca stated that if a grape grower is investing in new vines, he will have to wait several seasons before he has crop. She asked if there would be relief from the fifty-one percent recommendation for maturity of crop so that you could substitute for example imported grapes? Chairman Kuperus stated that the wine industry under the regulations allows for those first years for a producer to bring in grapes. Ms. Specca stated that would be for the wine growers regulatory device but what about the SADC's? Chairman Kuperus stated that under the regulations for vineyards in New Jersey there is some criteria that allows for that. Ms. Specca asked that staff try and incorporate some of that into the document.

Ms. Anderson commented on the question "is the construction of trails on the preserved farm consistent with the Deed of Easement". She stated that this troubled her for this very kind of discussion relating to agri-tourism and educating the public. She stated that she completely supports not constructing the macadam trails or other similar types but it seems that something that allows water percolation that is easily removable would be different. She stated that it would not be in the landowner's interest to put trails in the middle of a production area but it seems that this would be overly restrictive. She stated that Mr. Shea is not putting a public trail in the middle of his preserved farm but that it is temporary. Senior Deputy Attorney General Eileen Kelly stated that staff has talked about trails in two different ways. One being that you could have trails for recreation provided that the premises is used in its existing condition and does not interfere with the agricultural use of the land and the other is you can build farm roads. Ms. Anderson stated that the language for this section seemed very restrictive. Mr. Baumley stated that it is in the Deed of Easement where it states "only if such activities do not interfere with the actual use of the land for agricultural production and that the activities only utilize the premises in its existing condition". Ms. Anderson asked how staff is interpreting "premises in its existing condition. She stated that if you are allowed to construct farm roads there would be some limited ability to put down gravel or quarry dust etc. Mr. Baumley stated that the Deed allows for the construction of the farm road but if you are going to construct trails the Deed of Easements states that you must utilize the premises in its existing condition. Ms. Craft stated that when you read the language that says the

landowner can derive certain income from recreational activities, only if they use the property in its existing condition, the interpretive question is constructing a trail, as it relates to winery, recreation or agri-tourism and is it related to the owner's actual production? She stated that it is a fine line. Ms. Craft stated that the motion would be to approve the SADC staff recommendations as submitted with the exception of item four relating to trails, which would be deferred to the next meeting and with the amendments relating to crop failure.

It was moved by Mr. Borisuk and seconded by Mr. Baitinger to approve SADC staff recommendations relating to the Laurita Farms Winery Proposal with an amendment adding language what would allow relief from the 51 percent recommendation for processing purposes in the event that there is a crop failure and with the removal of item # 4 relating to the construction of trails (deferred to a later date). The motion was unanimously approved. (A copy of the Laurita Farms Winery Proposal as presented is attached to and is a part of these minutes.)

Mr. Shea wanted to thank Mr. Baumley and the staff and members of the SADC for all its assistance. He stated that it has been a learning experience for him and he thanked everyone for listening. He stated that when he read the report he was so pleased that so much of the dialog he had had with everyone was accurately reflected in the report. He stated that it is a credit to the staff and the entire SADC.

O. FY 2007 SADC Administrative Budget

Mr. Lofberg referred the Committee to the Farmland Preservation FY2007 Administrative Budget Report. He stated that the report is based on the assumption that all of the staff that the SADC is in the process of hiring will be on board in 2007. He stated that the report reflects an increase of \$300,000.00 but in actuality it is more like \$200,000.00 because in addition to the \$2,450,000.00 already in the FY06 budget, the SADC should be receiving approximately \$100,000.00 from the conservation assistance program which will go towards the budget. The \$200,000.00 will most likely be expended in the area of salaries. For FY2007 if you take the present staff and take into account contract and step increases that have to occur, it will total approximately \$100,000.00. The total projected budget is \$2,750,000.00.

Ms. Craft stated that the only major difference when you look at the 06 and 07 budget in terms of particular line items, is that she does not see a significant drop or change in the review appraisers and that was based on the fact that in the FY05 year, the SADC actually expended under \$60,000.00 so she felt that was an over budgeted item. She stated that the budget is pretty tight but it is necessary to fund all anticipated positions.

It was moved by Mr. Borisuk and seconded by Dr. Rossi to approve the Fiscal Year 2007 Administrative Budget as submitted in the Farmland Preservation FY 2007 Administrative Budget Summary. The motion was unanimously approved. (Ms. Specca was absent for this vote.) (A copy of the Farmland Preservation FY 2007 Administrative Budget Summary is attached to and is a part of these minutes.)

STATE AGRICULTURE DEVELOPMENT COMMITTEE

Laurita Farms Winery Proposal

Premises:

Charles Plum Corporation (Laurita Farms Winery)
Block 75, Lot 5.01
Plumsted Township, Ocean County
183.8 acres

Development Easement:

Acquired by the County of Ocean and the Ocean County Agriculture Development Board on November 30, 1993, on 368.268 acres for a total of \$1,084,420.11. The Deed of Easement is recorded in Deed Book 5120, Page 0177. The deed had to be re-recorded to add the appropriate Schedule B, which was left off the first deed.

Laurita Farms Winery Proposal:

- Construction of a processing and retail winery consisting of approximately 20,093 sq. ft., (three stories with varying floor area per floor).
- The plan calls for 78 parking spaces and 12 spaces for RVs. Total 90.
- The winery, drainage basin, parking areas, roads, etc. consists of approximately 8.7 acres.
- A two- acre pond was constructed in 2001 to provide water for irrigating the vines. A well on site is used to fill the pond when needed.
- Approximately 40 acres are planted in a variety of grape vines.
- Construction of trails for horse and pedestrian use.

Specifics and Previous Actions Impacting the Premises:

- Original preserved farm: 368.3 acres. (Two parcels have been sold to adjacent owners). 183.8 acres remaining.
- In December 1990, a portion of the property (50 acres) was considered by the Plumsted Township School Board as a potential site to construct a middle school. The request was denied by the SADC.

Exhibit – C (9)

- Two single-family units existed on the premises at the time of closing. Both structures are in disrepair.
- Three RDSOs were allocated to the premises. However, at the time of division of the premises, Dec. 1993 (Parcel A: 216.059 acres; Parcel B: 152.687 acres) the SADC only allowed two RDSOs to remain with Parcel A. Parcel B was conveyed to the adjacent preserved farm (Hallock) with no RDSOs. Therefore, only two RDSOs remain on Parcel A. (In 1994, approx. 39 acres from Parcel A were sold to an adjacent owner with no RDSOs allocated to the 39-acre parcel).
- In 2001/2002, the owners requested to convert the two existing single-family residential units into agricultural labor housing. The SADC did not act on the request due to outstanding violations related to the construction of the pond. No further action was taken by the SADC.
- The two-acre pond was constructed without a conservation plan approved by the Ocean County Soil Conservation District and the USDA, Natural Resources Conservation District. Eventually, the owners were required to obtain the necessary approvals from the Ocean SCD and the USDA, NRCS to ensure that it was not a violation of the Deed of Easement. There was concern that the size of the pond was not based on the water needs for the agricultural operation.

Background:

1. Site visit: On June 15, 2005, Lisa Specca, Andrew Borisuk, Frank Baitinger and Karen Anderson (SADC members) and Robert Baumley and Charles Roohr (SADC staff) met with Ray Shea and several other professionals to discuss the intended use of the premises. During that discussion, the concern was raised that the winery may be used for weddings and other corporate retreats. Mr. Shea responded at that meeting and subsequently in a letter dated June 17, 2005, that he would agree not to use the facility for weddings or catering of any kind.

The floor plan of the proposed winery consists of the following:

- First floor: To be used for the processing, bottling and storage of the wines. Includes bathroom facilities, lab and library.
 - Second floor:
 - Agricultural education room;
 - Meats, cold cuts, cheese, pies and food stuffs area;
 - Grape seminar/lecture room; and
 - Bathroom facilities.
 - Third floor: Consists of large open areas that were designated as work room, display, balcony and owner suite with bar and toilet.
2. Mr. Shea asked the question if he could display other artists' art works for sale in the second floor display area. The response that he received was that it would be

Exhibit – C(10)

a violation of the deed of easement. Mr. Shea indicated that the entire open area on the second floor could in fact be used for the display and sale of his wines.

3. Depending on crop yields in any given year and until the winery is in full production, Mr. Shea noted that the winery may need to import grapes. He stated however, that according to standards in New Jersey, only grapes grown in New Jersey could be imported.
4. Adjacent to the preserved farm is the former Dancer farm that is also owned by Mr. Shea, however it is not preserved. On that property, the former residence was converted to a Bed and Breakfast. Guests and other corporate events are held at the B&B. In addition, there is a standard bred exercise track, horse barns, stables and pasture areas.
5. "Laurita Walkabout", a not-for-profit organization was created to conduct ecological tours. The four miles of trails that are being constructed are for horse and pedestrian use. As depicted in their brochure, the proposed trails will be constructed in the wooded areas, along hedgerows, farm lanes and field edges for use by the general public and guests at the Bed and Breakfast. The trails will extend from the non-preserved farm and continue through the preserved farm.

Issues to Address:

1. Are the proposed uses of the winery consistent with the Deed of Easement?

Discussion:

Concerns were raised by staff regarding the use of the winery facility as a location to conduct weddings or corporate events. Based on discussions with Mr. Shea, the winery facility would not be used for those purposes. The area located on the second floor identified as the area to be used to sell meats, cold cuts, cheese, pies and food stuffs is intended to compliment the tasting/sale of wines. The area would not be used for catering purposes. The sale of other items such as art work was also considered.

Recommendations:

The primary purpose of any function to be held at the winery facility or surrounding premises shall be related to the sale of the agricultural product. In this case wine. Other activities such as conducting weddings or corporate events are prohibited since they are not primarily related to the sale of wine. Furthermore, the sale of art work or other nonagricultural items on display is not permitted since it is not considered a related commodity as contained in the definition of "Agricultural Use" in the Deed of Easement. The sale of meats, cold cuts, cheese, pies and food stuffs are permitted provided that they are offered to the customer to compliment the tasting of wines. The area dedicated for this purpose shall not be used for general catering purposes.

Exhibit – C (11)

For clarification purposes, staff is further recommending that the SADC establish a rule to limit the sale of the agricultural output from a retail market as follows:

“At least 51 percent of the annual gross sales of the retail farm market shall be generated from sales of agricultural output of the farm”. The remaining annual gross sales of the retail market may be achieved through the sale of related commodities”.

The purpose of utilizing this definition is to establish limits as to what can and cannot be sold from a retail market located on a preserved farm. This clarification also provides some correlation to the requirements necessary for a commercial farm to receive protection under the Right to Farm Act.

2. Should there be a limitation to the size of the winery, related parking and roads? Is there a relationship between the size of a retail facility as compared to the preserved farm?

Discussion:

The size of a farm market to be constructed to sell the output of the agricultural operation must be considered on the merits of the specific agricultural operation. The size of the structure and related parking areas must be in proportion to the agricultural output of the agricultural operation located on the premises. In this instance, the total farm consists of 183.8 acres. Approximately 40 acres are planted in a variety of vines. It is intended that the winery will process all of the grapes harvested from the premises. As a rough estimate, the premises is divided into the following uses:

- 22% grape vines planted
- 35% wooded and two ponds
- 25% pasture
- 13% meadows
- 5% winery facility (including parking area, roads, drainage basins)

As proposed, the winery facility will consist of 20,093 sq. feet and divided into the following floors:

Production level	9,832 sq. ft.
Display level	6,811 sq. ft.
Loft level	3,450 sq. ft.

The production level is the largest level and involves the loading, processing, bottling and storage of the wines. This area is consistent with the Deed of Easement.

Exhibit – C(12)

The display level identifies areas such as agricultural education, grape seminar/lecture room, display area, bathroom facilities, work room, meats, cold cuts, cheese, pies and food stuffs. The agricultural education room allows visitors to view a film that describes the wine making process. This would be an acceptable use. The area used to provide meats, cold cuts, cheese, pies and food stuffs is addressed above. The remaining area identified as display and a grape seminar/lecture room must be devoted to the display of the agricultural output of the farm or related commodities. Other uses of this area such as the sale of art work or other unrelated commodities is prohibited.

Recommendation:

Subject to the conditions noted above, the construction of the winery facility is consistent with the deed of easement in view of the overall agricultural operation.

3. Is the processing of grapes from other growers in New Jersey to produce its wines a violation of the Deed of Easement? Is there a limit of what is grown on the premises versus what is imported for processing?

Discussion:

Pursuant to the Deed of Easement, the packaging, processing, and the wholesale and retail marketing of crops, plants, animals and other related commodities is permitted. The issue of processing the agricultural output of other agricultural operations has been a concern and has never been adequately defined. It has been represented by Mr. Shea that the winery may import grapes from other New Jersey wineries. There needs to be some standard as to how much agricultural product can be processed from other sources.

Based on current rules, there are no specific limits on the amount of offsite produce that can be processed on the preserved farm. The definition of "agricultural use" as contained in the Deed of Easement can be strictly interpreted to allow only for the processing of the agricultural output of the premises. In the past, staff comments regarding wineries have limited the processing of grapes to be limited to what is grown on the premises. This interpretation was provided because the Deed of Easement references "agricultural use" in the context of the preserved farm or "premises". Furthermore, a conservative interpretation was provided to avoid an extensive processing facility being constructed on the preserved farm primarily for the purpose of processing agricultural output from other farms.

Since this is not clearly limited by regulation and is subject to interpretation, the SADC should establish parameters for the processing of agricultural products from farms other than the preserved farm on which the processing facility is located.

Exhibit – C(13)

Recommendation:

For clarification purposes, the following definition is recommended:

“At least 51 percent of the grapes processed shall be grown on the farm management unit”.

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

This definition provides a standard that will be utilized for the processing of agricultural output on any preserved farm.

Amend the SADC’s rules to require at least 51 percent of the agricultural output processed on a preserved farm shall be grown on the farm management unit.

The use of the term “farm management unit” provides some flexibility to the owner by permitting the processing of the agricultural output to extend to other farms besides the preserved farm that are operated as a single enterprise.

4. Is the construction of trails on the preserved farm consistent with the Deed of Easement?

Discussion:

The Deed of Easement allows for the Grantor to maintain all roads and trails existing on the premises as of the date of the Deed of Easement. It also allows the Grantor to construct, improve, or reconstruct any roadway necessary to service crops, bogs, agricultural buildings or reservoirs as may be necessary.

Grantor may also use the premises to derive income from certain recreational activities only if such activities do not interfere with the actual use of the land for agricultural production and that the activities only utilize the premises in its existing condition.

Recommendation:

The physical construction of trails on the preserved farm is prohibited. Existing trails or roadways may be utilized provide that the activities do not interfere with the actual use of the land for agricultural production. Any other activities that utilize trails must be limited to utilizing the premises in its existing condition.

Exhibit – C(14)

5. Should Mr. Shea's statement to willingly restrict the use of the winery to prohibit weddings and catering of any kind be handled by letter or stated in the Deed of Easement?

Discussion:

The Office of the Attorney General has advised in the past to not record or amend the Deed of Easement to identify what agricultural uses are permitted on the premises. The list will never be inclusive and begins to set a precedent and record to limit agricultural use to only those uses identified. In a similar manner, the recording of specific uses or activities leaves other uses open for interpretation. The SADC could provide correspondence acknowledging that those activities are prohibited on the premises.

Recommendation:

Provide correspondence to Mr. Shea indicating that the use of the premises for conducting weddings or catered events is prohibited. The Deed of Easement should not be amended to include these additional restrictions.

July 6, 2005
Rev. September 14, 2005

S:\EP\92EPRD\Ocean\Winery Proposal.doc



OCEAN COUNTY AGRICULTURE DEVELOPMENT BOARD

c/o Ocean County Planning Department, 129 Hooper Avenue, Toms River, NJ 08754-2191 Ph. 732-929-2054

May 26, 2009

Mr. Raymond F. Shea, Jr.
Laurita Winery
35 Archertown Road
New Egypt, New Jersey 08533

BOARD MEMBERS

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- Jeff Adams, Vice-Chair
- Joe Dancer
- Casey Hunter
- Thomas Nivison
- Kathleen Sucherick
- Mark Vodal

NON-VOTING MEMBERS

- Ocean Soil Conservation Dist.
- David Friedman
- Agricultural Extension Agent
- Rick Meier
- County Council
- Lauren Dooley, Esq.

Dear Mr. Shea:

Thank you for your letter dated May 19, 2009. Let me first congratulate you and Mr. Johnson on the success of the Laurita Winery. It has been impressive to watch the implementation of the vision you first described many years ago.

Per our recent conversation, it was brought to my attention that Conroy Catering is soliciting reservations for wedding events at the Laurita Winery. Wedding events were specifically prohibited by the State Agriculture Development Committee (SADC) on September 22, 2005. You had also agreed to this restriction in an earlier letter to the SADC dated June 17, 2005.

I understand that you have not hosted a wedding or wedding reception to date, but would like to revisit the restrictions placed on the winery. Although I will be away for the June 10 meeting of the Ocean County Agriculture Development Board, you are welcome to make a presentation to the Board on that date. If you are able to wait an additional month, the following meeting will be held on July 8.

The Board is a strong advocate for the agricultural community and is always open to innovative ways to promote the agricultural industry. At the same time however, the Board is protective of the integrity of the farmland preservation program and the restrictions which have been placed on preserved farms. The Board will carefully review and consider any information you provide before making a decision on this matter. Please understand however that it will be difficult to modify or eliminate the prior conditions imposed by the State Agriculture Development Committee.

Both the June and July meetings will be held at the Plumsted Township Municipal Building, 121 Evergreen Road, at 8:00pm. Please let me know which meeting you plan to attend.

Sincerely,

David J. McKeon
Program Administrator

DJM:dm

Exhibit - E



OCEAN COUNTY AGRICULTURE DEVELOPMENT BOARD

c/o Ocean County Planning Department, 129 Hooper Avenue, Toms River, NJ 08754-2191 Ph. 732-929-2054

July 31, 2009

BOARD MEMBERS

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Jeff Adams, Vice-Chair
Joe Danco
Casey Hunter
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Kathleen Sucharski
Mark Vadal

NON-VOTING MEMBERS

Ocean Soil Conservation Dist.
David Friedman

Agricultural Extension Agent
Rich Meier

County Counsel
Lauren Dooley, Esq.

Mr. Raymond F. Shea, Jr.
Laurita Winery
35 Archertown Road
New Egypt, New Jersey 08533

Dear Mr. Shea:

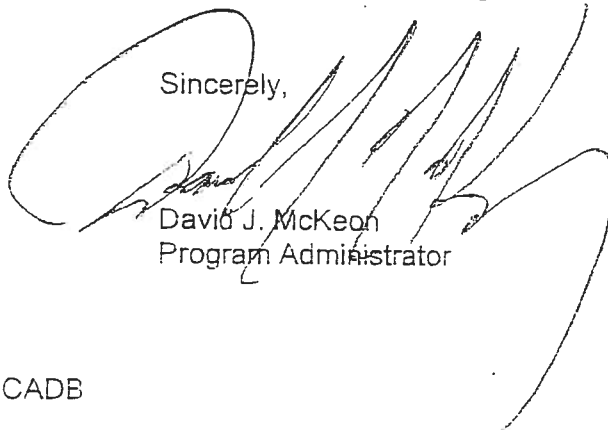
As a follow-up to the July 8 Ocean County Agriculture Development Committee (OCADB) meeting, I have discussed the wedding issue with Susan Craft, Executive Director, of the State Agriculture Development Committee (SADC). The SADC is not receptive to revisiting an issue which was clearly decided in 2005. Also, since there is broad knowledge and appreciation of the current Laurita Winery operation, an on-site visit as suggested by the OCADB is not considered relevant to the issue at hand.

As mentioned in my May 26, 2009 letter, amending or eliminating a specific prohibition on deed-restricted farmland is very difficult. A specific legal basis as to why the restriction should be lifted is required. I have sent Ms. Craft a summary of the July 8 meeting and will be in touch with her office in the future. This matter will also be discussed at the next OCADB meeting.

In the meantime, nothing has changed regarding the restrictions outlined by the SADC in September 2005 (attached). Weddings at the winery are specifically prohibited unless and until this restriction is formally amended by the SADC, and agreed to by the OCADB.

If you have any questions or would like to discuss this matter further, please do not hesitate to contact me. Otherwise, I will contact you again if there is any movement on this issue.

Sincerely,



David J. McKeon
Program Administrator

DJM:dm
cc: Members of the OCADB



Exhibit - F

OCEAN COUNTY AGRICULTURE DEVELOPMENT BOARD

c/o Ocean County Planning Department, 129 Hooper Avenue, Toms River, NJ 08754-2191 Ph. 732-929-2054

#1408
8/8/11

August 4, 2011

cc: Brian S.
Hope G.
Jason Stypinski

BOARD MEMBERS

Deog Hallock, Chairman
Jeff Adams, Vice-Chair
Jon Dancer
Cassy Hunter
Thomas Nivison
Kathleen Socharski
Mark Vedak

Susan E. Payne, Executive Director
State Agriculture Development Committee
P.O. Box 330
Trenton, New Jersey 08625-0330

Re: Laurita Winery, Plumsted Township

NON-VOTING MEMBERS

Ocean Soil Conservation Dist.
David Friedman

Agricultural Extension Agent
Rich Mohr

County Counsel
Lauren Dooley, Esq.

Dear Ms. Payne

The OCADB has closely followed the development of the Laurita Winery in Plumsted Township. The property was preserved in November 1993 under the name Charles Plum Corporation. The vineyards date to 1998 when the first grapes were planted. There are now 40 acres and eight varieties of grapes in production.

As you know, this property has been the subject of numerous discussions and debates dating back to the late 1980's and the receipt of the original farmland preservation application. At times, the OCADB has sided with the owners, and other times against. In general, however, the Board has been supportive of the owners' efforts to improve the property. It is now a premier winery which provides benefits to the broader agricultural community.

At this time, there is a concern over the owners' decision to hold public and private events at the winery, including weddings and wedding receptions. The owner's decision to host some of these activities runs counter to a Resolution passed by the State Agriculture Development Committee in September 2005. However, the OCADB does not concur that the activities in themselves are a violation of the deed of easement. It is hoped that the legislation introduced earlier this year (A3460) will provide the necessary framework and clarity to resolve the current uncertainty regarding weddings and other marketing activities on deed restricted wineries.

In the remainder of this letter, I outline the OCADB's findings and positions regarding this issue. While the OCADB acknowledges the difficulty caused by the owner's approach to this matter, it none-the-less believes that activities such as weddings, festivals and special events are common practices on wineries, and should be permitted on deed restricted farms under certain conditions.

Exhibit – F(2)

Susan E. Payne, Executive Director
August 4, 2011
Page 2

The Laurita Winery had its official opening on September of 2008. At some point during the following year, the OCADB received word that the owners were contemplating weddings on the property. At the Board's invitation, the owners (Mr. Raymond Shea and Mr. Randy Johnson) appeared at the July 2009 OCADB meeting to provide an update on the winery and discuss plans for the future. During that appearance, the owners asked for a reconsideration of the 2005 wedding restriction. They noted an increasing number of requests from the public and they also felt a need to expand their marketing activities to be competitive with other wineries.

The OCADB was generally supportive of the owner's position, but felt that unless the SADC was willing to revisit the 2005 restriction, it would be pointless to pursue the request any further.

The SADC staff subsequently declined to discuss this matter unless the owners could provide legal justification for the change. This position was relayed by the OCADB to the owners on July 31, 2009.

Although no follow-up justification was provided, the owners began to host wedding events and receptions later that year. The OCADB notified the owner that the activities were not permitted under the current terms of the farmland preservation program. There was also some uncertainty regarding other public events that were held at the winery.

The weddings continued and the question arose as to which agency would be responsible for initiating enforcement action. OCADB members felt strongly that because the 2005 restrictions were arrived at through mutual agreement between the SADC and the owners, there was never an adequate discussion at the OCADB as to whether or not the activities were appropriate on deed restricted wineries.

In May of 2010, the Counsel to the Board issued an informal opinion that since there was no specific prohibition on weddings in the deed of easement, and

Exhibit – F(3)

Susan E. Payne, Executive Director
August 4, 2011
Page 3

the Board was generally supportive of the activity as an accepted marketing practice, the OCADB should not pursue enforcement under the deed of easement. The SADC would be the proper agency to initiate enforcement action regarding specific items listed in the 2005 Resolution.

The SADC staff did not concur with this finding but asked the OCADB to specifically review the issue of weddings and related promotional activities and formalize a position that included recommendations on acceptable practices. The OCADB established a subcommittee in June 2010 to further consider the matter and formulate recommendations.

The subcommittee provided its recommendations to the full OCADB on September 8, 2010, and reiterated the position that wineries are a unique form of agriculture which not only welcome public access, but depend on it. A large number of visitors are necessary in order to market the product. Weddings, fairs, festivals etc. draw a large number of visitors which also result in word-of-mouth advertising for future visitors.

The Board accepted the following recommendations of the subcommittee regarding promotional activities on deed restricted wineries:

- There must be a reasonable connection between the marketing practice and the primary agricultural operation. Recommendations from the NJ Wine Growers Association were suggested as one source for establishing acceptable marketing and outreach practices.
- All marketing activities collectively could not exceed the revenue generated by the primary agricultural activity, which the latter must constitute at least 51 percent of the revenue generated.

Exhibit – F(4)

Susan E. Payne, Executive Director
August 4, 2011
Page 4

- The marketing and support activities can not negatively impact the primary agricultural operation. Land can not be taken out of agriculture to accommodate marketing activities.

The OCADB felt that these general guidelines were a starting point for a formal policy on acceptable practices and procedures for deed restricted wineries. As noted previously, Assembly Bill No. 3460 has been introduced and the OCADB is very interested in working with the SADC and the sponsors of the legislation to ensure that farmland preservation interests are protected while allowing enough flexibility to maintain the competitiveness of NJ farms.

On behalf of the Ocean County Agriculture Development Board, thank you for your consideration of these comments. Please contact me if you would like to discuss this matter further.

Sincerely,



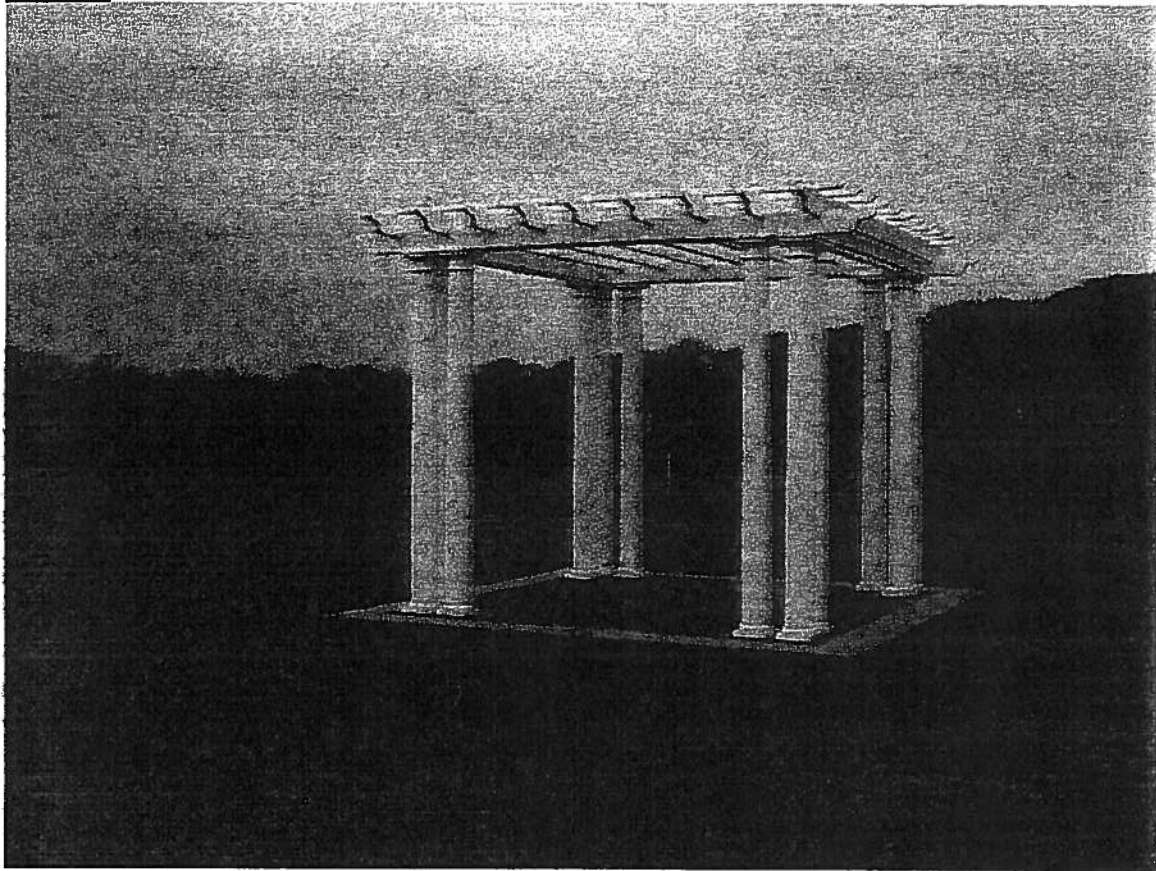
David J. McKeen
OCADB Program Director

DJM:dm

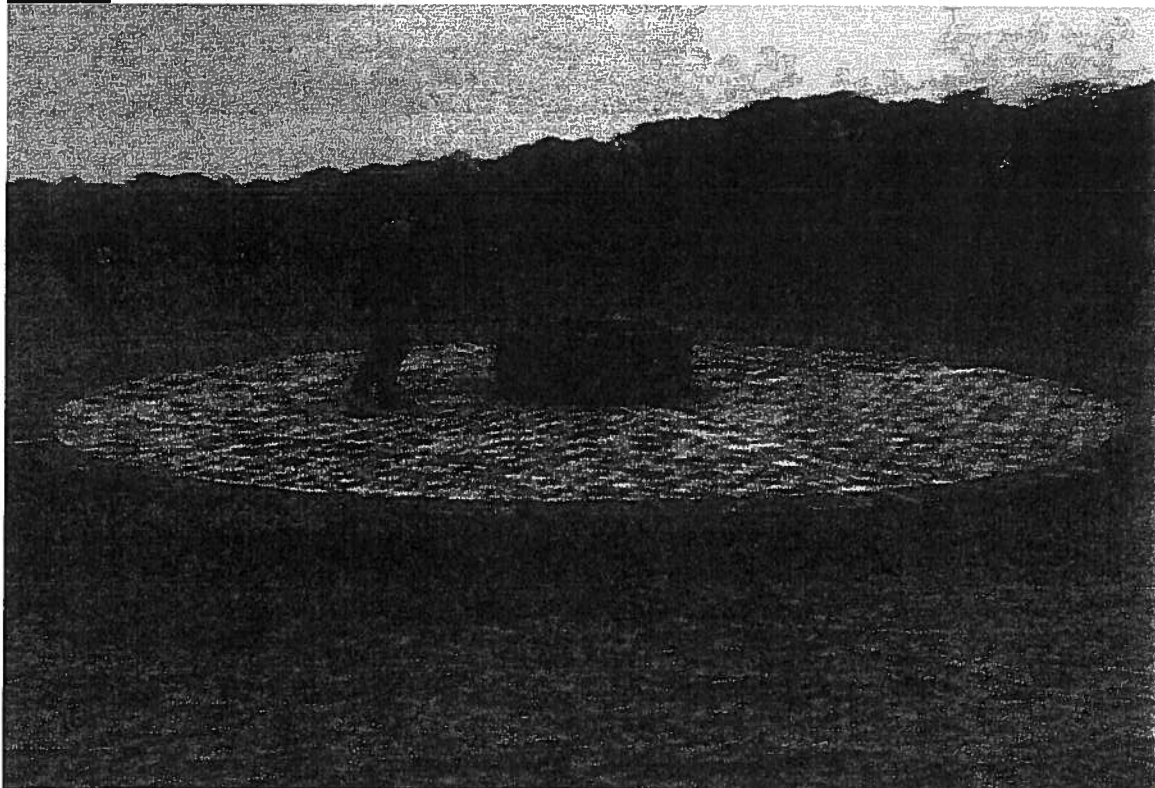
cc: Carl W. Block, County Administrator
John C. Sahradnik, Esq., County Counsel
Members of the OCADB

Exhibit – G

Pergola



Fire Pit



- [Profile](#)
- [Reviews](#)
- [Photos](#)

Exhibit - H-1

Is this your business?

35 Archertown Rd ([map](#))

Laurita Winery

New Egypt, NJ

(609) 887-1757

www.conroycatering.com

Plan your winery wedding...

Nestled on 250 acres in south central New Jersey's coast plain region, this one-of-a-kind venue features scenic vineyards, extensive patios, nature trails, wildflower meadows. At Laurita, old world vision meets state-of-the-art architecture and agriculture.

Price Range:	\$\$\$
Ceremony Site:	Yes
Outside Caterers Allowed:	No
Parking Available:	Yes
Overnight Accommodations:	Yes
Kosher Available:	Yes
Valet Parking:	No
Outdoor Space:	Yes
Handicapped Accessible:	Yes
Capacity:	Up to 300
Maximum Number of Events:	1
Styles:	Banquet/Reception Hall, Museum/Art Gallery, Unusual/Alternative

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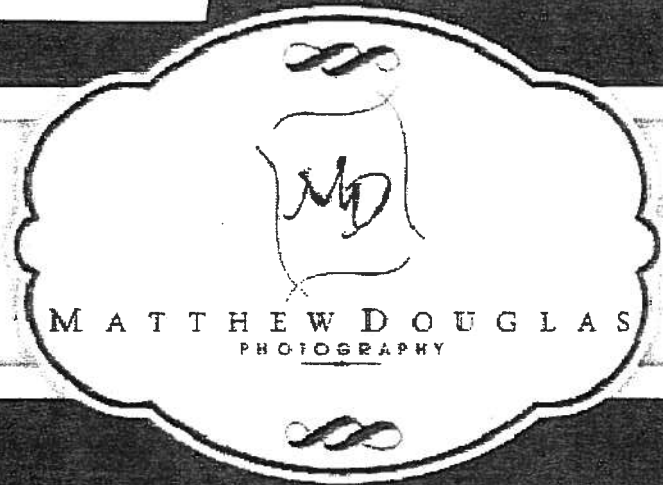
Incredibly happy with our choice of venue. Could not be Happier! Great for Non cookie cutter weddings!

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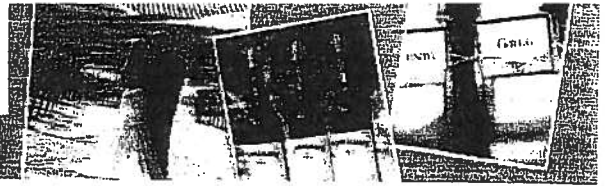
HOME RECENT POSTS LINKS CLIENT FORMS CATEGORIES WI



Nicole & Ed / TLC's Four Weddings @ The Laurita

MARCH 30, 2011 POSTED IN WEDDINGS

I had the honor of documenting Nicole and Ed's wedding day this past weekend. In addition to our still phc coverage as her wedding was filmed for the upcoming season of TLC's Four Weddings show. I have to sa venue for a wedding! Despite the cold of an early spring day, we had a great time playing around the viney



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Vineyard Wedding List

posted at 2/13/2010 3:01 PM CST on theknot.com



[PurdueMelissa](#)

Joined on
06-16-2009
ATLANTA

Total posts: 94



2010

April

17: OFF - Sunset Hills Vineyard, Purcellville, VA

May

22: vineyard*bride2010 - Landmark Vineyard, Kenwood, CA

23: kirstsoz - Childress Vineyard, Lexington, NC

28: stepner - Summerhill Winery, Kelowna, BC, Canada

June

26: PurdueMelissa - Blackstock Vineyard, Dahlonega, GA

July

17: elishabelle - Vintner's Inn: Ferrari-Carrano Winery, Santa Rosa, CA

August

7: suzieharris - Stillwaters Vineyard, Paso Robles, CA

27: jsandfort25 - Caunta Winery, New Egypt, NJ

September

10: Kurra - South Coast Winery, Temecula, CA

October

9: lynnee397 - Renault Winery, Egg Harbor City, NJ

16: carrie3303 - Tug Hill Vineyard, Lowville, NY

22: jst2saxy - Raffaidini Vineyards, Ronda, NC

2011

June

8: asferme - Blackstock Vineyard, Dahlonega, GA

September

10: mania1012 - CrossKeys Vinyard, Mt. Crawford, VA

Laughing everyday keeps our love alive!

Report

Reply Quote Private Message

Re: Vineyard Wedding List

posted at 2/19/2010 7:13 AM CST on theknot.com



[carrie3303](#)

Joined on
06-23-2005
UPSTATE NEW YORK

Total posts: 10



MEEEE!!!

10/16/10- Tug Hill Vineyard (tughillvineyards.com) Lowville, NY

October 16, 2010...two become one!



5 months 8:6 days to go!

[vineyard wedding photo galleries](#)

See all



[Vineyard Reception Decor SLIDESHOW >>](#)

Alea Moore Photography



[Vineyard Ceremony Style SLIDESHOW >>](#)

Jen Fanello Photography

Special thanks to Suzy Clement Photography, Jihan Abdalla Photography and Jennifer Baccioco Photography for our featured Vineyard wedding photos

add a badge!

Just copy this code to your website or blog.



<a href="http://Va



<a href="http://Va

FIND a couple's gift registry

First Name
Last Name

GO

The ultimate registry search powered by WeddingChannel.com

START your gift registry

From one of our partners Macy's

Exhibit – H – 4(1)



OUR VENUES | OUR MENUS | PHOTO GALLERY | ABOUT US | LINKS & RESOURCES | CLIENT SCRAPBOOK | DIRECTIONS | CONTACT US

Our Venues



Knowlton Mansion

Designed in 1879 by architect Frank Furness, this 19th century country estate boasts a rich history and an exciting future. With painstaking care, Conroy Catering restored the mansion's interiors to reflect the Victorian splendor of the past. The newly-constructed conservatory opens to expansive cocktail terraces, a pergola for wedding ceremonies and thirteen acres of magnificent perennial gardens.

[LEARN MORE](#)



Glen Foerd Mansion

Built in 1850, this Victorian mansion is one of Philadelphia's best kept secrets. Situated on 18 acres of English Park gardens overlooking the Delaware River, the mansion offers spectacular river vistas, a wrought-iron gazebo, a formal rose garden, boathouse and vineyard. A magnificent art gallery features works by Rembrandt, Monet and van Gogh. Tiffany skylights and original furnishings complete the interior grandeur.

[LEARN MORE](#)



Laurita Winery

A one-of-a-kind facility featuring endless vineyards, extensive patios, and private wine tasting rooms. Environmentally friendly to the fullest extent, the uniqueness of Laurita Winery can only be compared to the wines the venue produces. Old world vision meets state of the art architecture and agriculture at Laurita Winery.

[LEARN MORE](#)

Corporate Offices and Commissary: 8001 Verree Road, Philadelphia, Pennsylvania 19111 | phone: 215.722.8000 | fax: 215.722.3062

OUR VENUES | OUR MENUS | PHOTO GALLERY | ABOUT US | LINKS & RESOURCES | CLIENT SCRAPBOOK | DIRECTIONS | CONTACT US



PLANNING YOUR EVENT



LAURITA PHOTOS



HISTORY



TRAVEL DIRECTIONS



CONTACT



welcome.

The uniqueness of Laurita Winery can only be compared to the wines the venue produces. A one-of-a-kind facility featuring endless vineyards, extensive patios, and private wine tasting rooms. Old World Vision meets state of the art architecture and agriculture at Laurita Winery.

HIGHLIGHTS



Whet your appetite with a visit to our Food Gallery.

[Click here to view.](#)



View our new 360° tours of Laurita Winery available in the photo gallery section.

[Click here to view.](#)



Join Conroy Catering on Facebook for great new pics and events at all of our locations.

Visit our Facebook Page.

Corporate Offices and Commissary: 8001 Merree Road, Philadelphia, Pennsylvania 19111 | phone: 215.722.9000 | fax: 215.722.9000



WEDDINGS

SOCIAL EVENTS

CORPORATE EVENTS

FUNDRAISERS AND GALAS

BAR/BAT MITZVAH

GLATT KOSHER CATERING

GREEN CUISINE

LAURITA WINERY

OFF-SITE/DROP-OFF/PICK-UP

ALL MENUS

HOLIDAY MENUS

OUR FACILITY IN WEST LONG BRANCH

PHOTO & VIDEO GALLERY

TESTIMONIALS

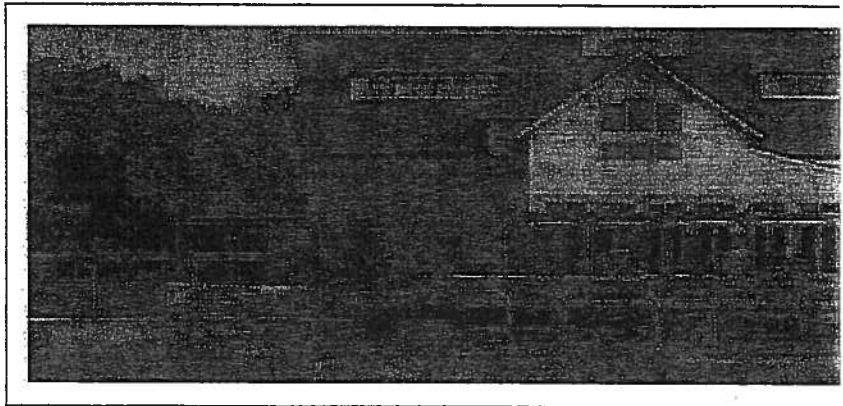
UPCOMING EVENTS

NEWS & PRESS

ABOUT US

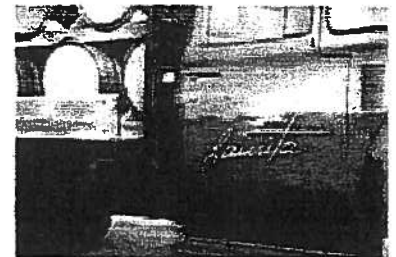
BRANCHING OUT: THE BRANCHES BLOG

DIRECTIONS



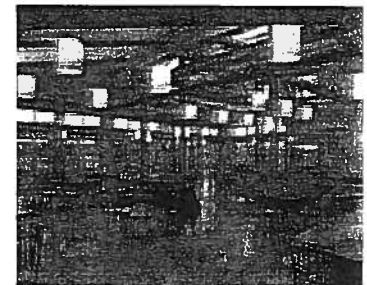
Meet Laurita Winery, Branches Newest Venue

Branches Catering is proud to announce our newest venue. A neighborhood partnership with Laurita Winery.



This unique **New Jersey winery** is surrounded by a setting of rolling hills, local farms and has a picturesque backdrop that rivals anything in Napa Valley or Southern France. Laurita is located in New Egypt, 25 to 45 minutes from most Central New Jersey locations.

Branches is the **exclusive caterer for tented vineyard events**. There are also three indoor rooms available, seating more than 180 guests. Enjoy the beautiful surroundings for your **vineyard wedding**, rehearsal dinner, bridal shower, adult birthday party, fundraiser or other social milestones. Choose between our **Market Place** or **Sunday Brunch** menus for your social or corporate gathering.



CONTACT US



Like Us on Facebook



Follow Us on Twitter



Join our Mailing List!



[Click Here to View Samples of Our Newsletter](#)



Visit the **Market Place** on your next visit to the winery! Branches provides a variety of delectable treats which pair deliciously with Laurita Wine. Check the blackboard menu for daily offerings.

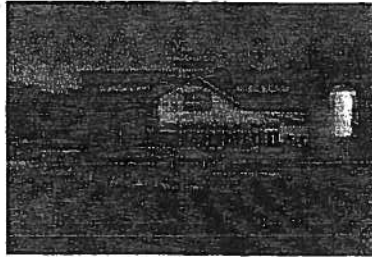
Sunday Brunch at Laurita Winery with Branches Catering

A new tradition is also beginning, **Sunday Brunch**, featuring many local seasonal ingredients, wonderful Laurita wines, and the quality you have come to know from this **Central Jersey caterer's award-winning cuisine**. Want more privacy? We can arrange private party areas for your Sunday Brunch gathering

You can now also enjoy Laurita wines for your events at the **Branches Catering** venue in West Long Branch.

To receive announcements about Brunch and other news like entertainment, wine tastings, jazz festivals, and more, please visit www.LauritaWinery.com and sign up for the newsletter or contact us at Laurita@BranchesCatering.com

*Branches does not cater indoor weddings at Laurita.



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Private Events Marketplace at Laurita Winery

Exhibit – I -1 (1)



ARTISAN CHEESE | HOMEMADE SANDWICH PLATES | SWEETS & SAVOURIES | SIGNATURE SALADS

Sip Laurita award-winning wines and stop by the Marketplace and check out gourmet food offerings including artisanal cheese platters, freshly made sandwiches, paninis, salads, homemade, salads, daily specials and much more. Are you cold? Warm up with a fresh brewed piping hot cup of freshly ground Viennese Roast coffee or tea. The Marketplace, with its many food options and beverage choices, offers something for the entire family to enjoy !

Following are exciting upcoming events at Laurita Winery catered by Branches Catering:

Marketplace Events Family-Style Friday Night Dinners

Family-Style Friday Night Dinners Friday's - April 13th, April 20th, and April 27th (6:00 – 8:30pm) \$19.95 for Adults, \$13.95 for Children (ages 6 – 12) (tip and gratuity not included) Renew the tradition of family meals by gathering your family and friends together and joining us for fine dining... [click here for more](#)

Weddings & Private Events

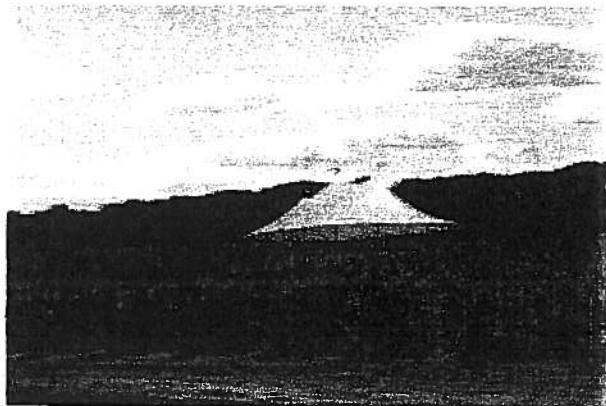


Celebrate your next event with style at Laurita Winery! No matter how simple or extravagant. Laurita provides a breathtaking and incomparable setting for all functions and gatherings, including weddings, showers, rehearsal dinners, corporate meetings, retirement celebrations, holiday parties, and luncheons. Surrounded by rolling hills and local farms, Laurita Winery, with its beautiful vineyards and breathtaking scenery, offers a unique location your guests will not soon forget. With our selection of spaces – large, small, indoor, or out – you're sure to find the perfect venue for your special celebration. Our facilities can accommodate parties ranging from 40 to 225 guests and even more for tented vineyard affairs.

We have partnered with two catering companies -- Branches Catering (handling our outdoor tented wedding venues and all indoor private events) and Conroy Catering (handling all indoor weddings). Branches Catering, a premier New Jersey Caterer, features award-winning cuisine and friendly service and has been recognized over the past year as one of the top on and off-site caterers in New Jersey. Conroy Catering specializes in exclusive and unique venues with an innovative approach to culinary excellence and use of the highest quality ingredients creates one-of-a-kind experiences.

A Wedding at Laurita Winery – It Couldn't Be More Romantic!

Happily ever after starts at Laurita Winery! A unique setting for your special day with pastoral views of rolling hills and acres of beautiful vineyards. Couples can choose to have their wedding inside our charming winery. offers breathtaking views of the vineyards from the Laurita Room or a tented wedding in our lovely vineyard with sweeping views of the vineyard and winery.



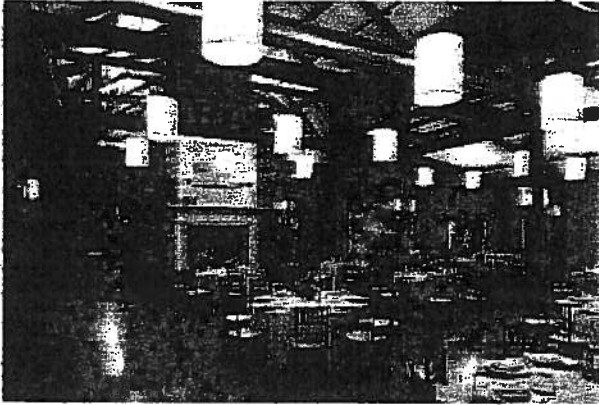
We have partnered with two catering companies offering a variety of menu options. Our **indoor weddings** are exclusively catered by Conroy Catering which specializes in innovative approaches to culinary excellence using the highest quality ingredients to create a one-of-a-kind experience.. “Our customers come first, and our team earns their confidence through exceptional accessibility, attention to detail and a personal approach to service, say Jack and Beth Conroy”. [Click here](#) for our online flyer.

Our **outdoor tented venue weddings** in the Vineyard are catered exclusively by Branches Catering which offers award-winning cuisine prepared using the freshest local ingredients. While there are plenty of caterers in New Jersey, none hold a candle to Branches’ five-star service and impeccable professionalism. This reputable organization never cuts corners when it comes to you and your event. See why Branches’ name is synonymous with perfection.

The Branches Catering staff are dedicated to ensuring your event exceeds your expectations and will assist you in every step of the planning and execution of your special wedding day. The only limit is your own imagination!

[Click here to inquire about more information regarding an Indoor Wedding at Laurita Winery](#) or call Conroy Catering direct at (215) 722-8082

[Click here to inquire about more information regarding an Outdoor Tented Wedding at Laurita Winery](#) or call Branches Catering direct at (877) 316-1753

Exhibit – I-1(3)**Private Events at Laurita Winery**

Let Laurita Winery host your next special event! A birthday, shower, rehearsal dinner, corporate meeting, retirement celebration, holiday party, or luncheon – we've got you covered! Laurita's beautiful vineyards provide a breathtaking, charming, and unique setting for any special celebration! With our selection of spaces – large, small, indoor or out – you're sure to find the perfect room for your special occasion. We have partnered with Branches Catering, a premier New Jersey caterer, offering award-winning cuisine prepared using the freshest local ingredients. While there are plenty of caterers in New Jersey, none hold a candle to Branches' five-star service and impeccable professionalism. This reputable organization never cuts corners when it comes to you and your event. See why Branches' name is synonymous with perfection.

The Branches Catering staff are dedicated to ensuring your event exceeds your expectations and will assist you in every step of the planning and execution of your special celebration.

[Click here to inquire about information regarding hosting a Private Events at Laurita Winery](#) or call Branches Catering direct at (877) 316-1753

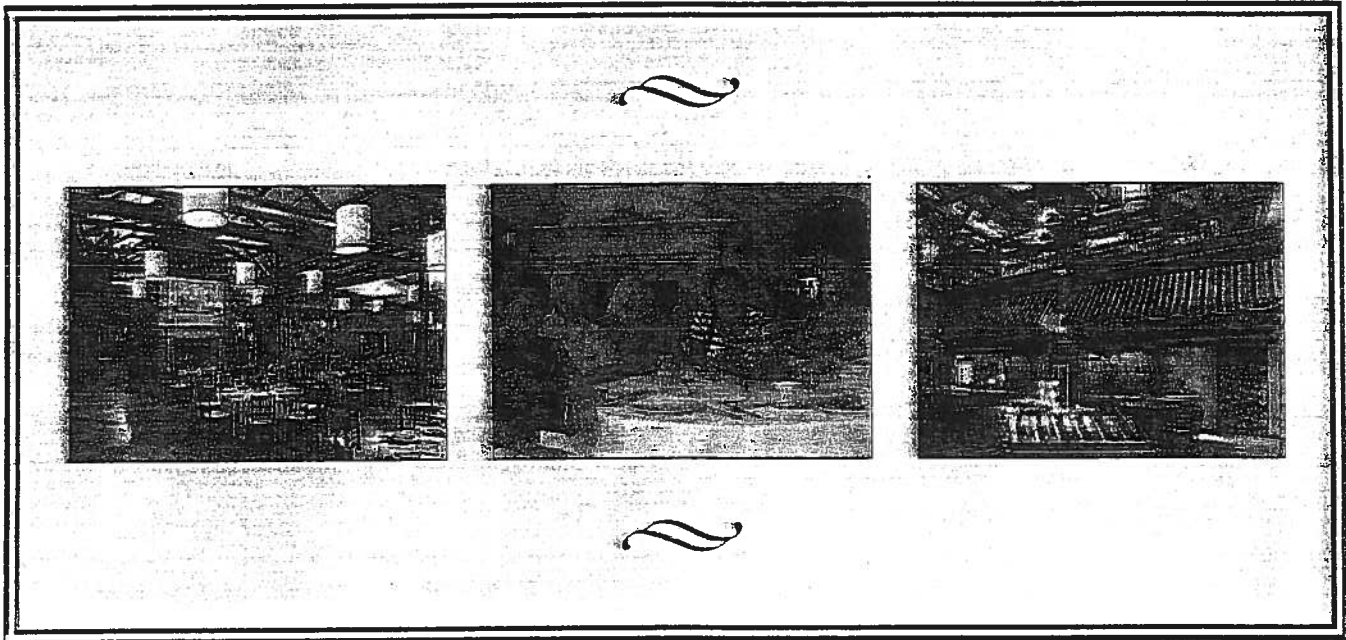
More Information

If you need information about any of our services, please feel free to use our [contact form](#) or give us a call at 1.800.LAURITA or 609.758.8000.


Laurita
MARKETPLACE

ARTISAN CHEESE	HOMEMADE SANDWICH PLATES	SWEETS & SAVOURIES	SIGNATURE SALADS
-------------------	--------------------------------	-----------------------	---------------------

PRIVATE PARTY MENU



PERFECT CATERED AFFAIRS
for on & off-site events

TOLL-FREE 877-316-1753 | (732) 542-5050
WWW.BRANCHESCATERING.COM | WWW.LAURITAWINERY.COM
ALL PRICES SUBJECT TO CHANGE

SERVED IN A SEPARATE DINING AREA

China, Silverware, and Linen Napkins may be added for \$4 per person, otherwise high-quality disposable is used.

*All items served family-style buffet on platters... warm, room temperature or chilled
5 days notice normally required to insure full availability*

Choose any items from below

Minimum must reach \$20 per person. Laurita room rental, sales tax and 18% service not included.

\$3 PER SELECTION:	\$5 PER SELECTION:
<p><input type="checkbox"/> VEGETABLE CRUDITÉS SERVED WITH TOMATO-HORSERADISH DIP</p> <p><input type="checkbox"/> PENNE PASTA SALAD WITH SUN-DRIED TOMATOES, OLIVE OIL, DICED VEGETABLES, TOUCH OF AGED VINEGAR</p> <p><input type="checkbox"/> THREE-CHEESE SAMPLER: BITE-SIZED PORTIONS SERVED WITH NEW YORK FLATBREADS</p> <p><input type="checkbox"/> GRILLED VEGETABLE PLATTER WITH BALSAMIC REDUCTION, PESTO AND ROASTED RED PEPPER COULIS</p> <p><input type="checkbox"/> TRIBECA OLIVE BREAD SERVED WITH HERBED OLIVE OIL FOR DIPPING</p> <p><input type="checkbox"/> GRANNY SMITH APPLE SALAD WITH ASSORTED LETTUCE, CARAMELIZED PECANS, FRESH FRUIT AND RASPBERRY VINAIGRETTE</p> <p><input type="checkbox"/> HOUSE SALAD TOSSED WITH TOMATOES, CUCUMBERS, PEPPERS, RUSTIC CROUTONS AND LEMON VINAIGRETTE</p> <p><input type="checkbox"/> FRESH FRUIT PLATTER (IN SEASON)</p>	<p><input type="checkbox"/> MOZZARELLA AND SLICED TOMATO CAPRESE (IN SEASON) WITH BASIL CHIFFONADE AND AGED VINAIGRETTE</p> <p><input type="checkbox"/> ITALIAN ANTIPASTO: SALAMI, CAPICOLA, REGGIANO CHEESE, OLIVES, RED ONION, MARINATED ARTICHOKE HEARTS, GRILLED PORTOBELLO</p> <p><input type="checkbox"/> SEARED BONELESS BREAST OF CHICKEN MARINATED IN HERBS AND GARLIC, THEN PANINI-GRILLED AND SLICED</p> <p><input type="checkbox"/> TERYAKI-STYLE GRILLED STEAK SLICED ON THE BIAS MEDIUM RARE AND SERVED OVER TOSSED GREENS, TOPPED WITH CARAMELIZED ONIONS</p> <p><input type="checkbox"/> BAKED CHEESE AND CREAM QUICHE IN A TENDER CRUST, OPTIONS: VEGETARIAN GRILLED CHICKEN PESTO SHRIMP</p> <p><input type="checkbox"/> FRESH MOZZARELLA, SLICED TOMATO AND BASIL SERVED ON TOASTED CIABATTA WITH BALSAMIC VINAIGRETTE AND GREENS</p> <p><input type="checkbox"/> ASSORTED SANDWICH WEDGES (HAM, TURKEY, OR GRILLED VEGETABLE) ON CRUSTY BREAD WITH SLICED CHEESE AND TOMATO. MAYONNAISE AND DIJON MUSTARD ON THE SIDE</p>

SERVED IN A SEPARATE DINING AREA

BEVERAGES

BOYLAN SODA \$3 BOTTLED WATER \$1.75
COFFEE OR TEA STATION \$2 PER PERSON

LAURITA WINE OPTIONS (SEE PAGE 4)

DESSERT

CHOCOLATE CHIP AND MACADAMIA WHITE CHOCOLATE CHIP COOKIES
HAYSTACK MACAROONS
MINI CRÈME BRULEE
FRESHLY GROUND COFFEE OR TEA INCLUDED
\$3 PER PERSON

CUSTOMIZED SHEET OR LAYER CAKES AVAILABLE
WITH INSCRIPTION AND FILLING OF YOUR CHOICE.
HALF SHEET CAKE...(SERVES 35-40) \$95
FULL SHEET CAKE...(SERVES 75-90) \$175

*Minimum Number of Guests 25
Sales tax and 18% service not included in above prices.*

If event is greater than 3 hours, additional \$4 per person for each additional half hour

LAURITA ROOM RENTAL FEES

\$150 CLUB ROOM (CAPACITY 40)
\$300 THE LOFT (CAPACITY APPROXIMATELY 100)
\$600 LAURITA ROOM (CAPACITY 150-180)
\$1,000 GRAND LAWN (CAPACITY 200+)
above are plus tax only

WINE SELECTIONS

PRICES ARE PLUS TAX (NOTE: 10% discount on prices for private wine bar option below)

<i>Red</i>			<i>White</i>		
	Glass	Bottle		Glass	Bottle
Grand Cru - Chardonnay	n/a	50	Chardonnay Reserve 2010	7	22
Cabernet Franc	8	25	Pinot Gris 2010	6.75	20
Merlot 2010	8	25	Tailgate White	5	15
Bistro	7.25	23	Windswept White	5	15
Norton	7	22	<i>Blush</i>		
Lemberger	6	19		Glass	Bottle
Zweigelt	6	19	Beachcomber Blush	5	15
Tailgate Red	5	15			
Relaxing Red	5	15			
Wine Tasting : Includes six wines 7					

Choose from the following options for your wine service:

§ Public Wine Bar

Your guests purchase wine by the glass or bottle, or sample six wines at the available wine bar and pay by cash or credit card. You can also run a consumption tab for your guest and pay for all wine at the end of the event.

This works well for smaller events or when you don't have many alcohol drinkers in your group. There is no minimum required for this option. Bear in mind that the available bar may be on the main winery bar on the first floor. Wine can be taken into your party location at any time, or outdoors.

§ Private Wine Bar (includes tasting)

Have Branches arrange a private bar at your event where you pay for each bottle opened at a 10% discount. Your guests can sample the wines you select and order a glass of their preference. You may also order bottles of wine to be opened and placed on each table, to enjoy with the meal. Depending of your event, a labor charge may apply

A \$10 minimum purchase of wine typically applies per guaranteed adult attendance. If your party consumption does not equal \$10 per adult, the difference can be made up by bottle purchases to take home.

All wine is purchased directly from Laurita Winery and Branches will be pleased to coordinate the arrangements for you.



Sunday Brunch at Laurita Winery

10:30 am - 1:00 pm

Email reservation requests to Laurita@BranchesCatering.com

SAMPLE BRUNCH MENU (changes weekly)

ORANGE & CRANBERRY JUICE FRESH FRUIT
 SHRIMP COCKTAIL OR ITALIAN ANTIPOASTO TABLE
 ARTISANAL CHEESE & FLAT BREADS
 GREEN SALAD WITH BALSAMIC VINAIGRETTE OR CAESAR DRESSING, RUSTIC PARMESAN CROUTONS
 RASPBERRY, APPLE CINNAMON, & BLUEBERRY SCONES
 ASSORTED MUFFINS, BAGELS & PASTRIES

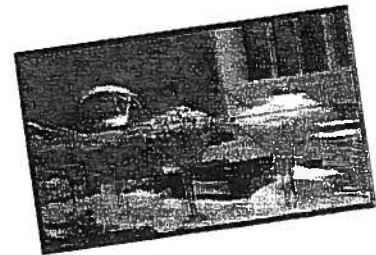


HOT FOOD
 FRUIT CREPES
 HOME FRIES
 BACON & SAUSAGE
 CHALLAH FRENCH TOAST
 BAKED VEGETARIAN QUICHE
 SOLE STUFFED WITH CRABMEAT
 CHICKEN CHARDONNAY
 FRESH VEGETABLE



CARVING STATION OF
 TURKEY AND BEEF
 CHEF'S OMELET STATION

ASSORTED DESSERTS
 FRESHLY GROUND COFFEE & HOT TEA



*Inquire about the
 Loft & Club Room
 private seating areas*

Laurita Wine Bar available

10% discount for Wine Bottles ~ 15% discount for Wine Cases

\$29/PERSON PLUS 7% TAX AND 18% SERVICE CHARGE

\$16/CHILD (AGES 3-12) PLUS 7% TAX AND 18%

11/14



TOLL-FREE 877-316-1753 | 732-542-5050

WWW.BRANCHESCATERING.COM

Winery Events

[\[calendar view\]](#) [\[next week\]](#) [\[current week\]](#) [\[print page\]](#)

Events for the week of 03/26/2012

Laurita Idol Competition

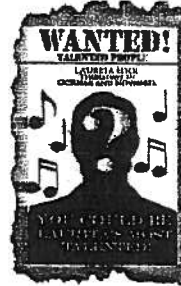
Date: 3/29 - 3/29

Laurita Idol Competition

Thursday, March 29, Audition Night, 7:00pm

Free Admission

Laurita Winery welcomes **talented musicians to an "American Idol Contest – Laurita Winery Style."** The top prize is **\$1,000.00** and attractive 2nd and 3rd prizes will also be offered. The three top finalists will be featured musical guests at an upcoming Laurita Winery entertainment event.



During the open auditions, each contestant will perform one musical piece.

To enter the contest please complete the [online application](#) and review the rules.

EarthShare Fundraiser

Date: 3/30 - 3/30

EarthShare Fundraiser

Friday, March 30, 2012, 7:00-10:00pm

Join EarthShare for an evening celebrating the bounty and beauty of New Jersey through art, wine and food! This celebration features environmental awareness and the members of EarthShare New Jersey. Guests are invited to enjoy the sounds of Stringzville and participate in the eco-friendly chance and silent auctions which feature exclusive environmental experiences, tickets to sports events/concerts/shows, and items from some of your favorite businesses across the state.



Ticket price: \$45 each and \$50 at the door. [EarthShare Website](#)

Girlfriends Weekend Getaway

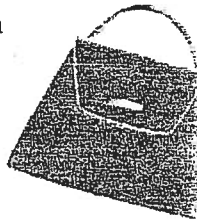
Date: 3/31 - 4/01

Girlfriends Weekend Getaway

Saturday, March 31 & Sunday April 1, Noon - Closing

Free Admission

All Fun, No Stress Girls Weekend Getaway -- How's that for a plan? Round up your girlfriends for a relaxing weekend at Laurita Winery! It's time to kick back with the girls, reminisce about old times, and make some new memories while enjoying Laurita's award-winning wines in a beautiful vineyard setting. Stop by the Marketplace for lunch and/or dinner and check out its gourmet food offerings including delicious cheese and cracker platters, sandwiches, paninis, and so much more – all prepared especially for you! Can't have a girl's weekend without shopping! Laurita's got you covered with various vendors on hand showcasing unique and fun items such as jewelry, handbags, makeup, massages, and spray tans. Check out the tarot card reader for a look into your future!



Don't want the day to end? **Make it a true girl's weekend and stay the night at the beautiful and charming Inn at Laurita Winery** offering up spacious, cozy rooms decorated with antiques and collectibles from the local area and region. For reservations at the Inn at Laurita Winery, call 609-752-0303. Don't end your weekend on an empty stomach. Join us for **Sunday Brunch** featuring a variety of exceptional dishes using many local seasonal ingredients. Click here to view the Sunday brunch menu (varies slightly each week). Email reservation requests to Laurita@BranchesCatering.com or call 732-542-5050.

GIRLS JUST WANT TO HAVE FUN so call your best friends now and make plans to spend a special and memorable weekend at Laurita Winery!

Entertainment

Ben Weiner. Singer & Guitarist

Saturday, March 31, 1-4:30pm

Free Admission

Ben Weiner plays acoustic guitar and sing songs ranging from the 60's to popular modern songs. Ben's repertoire includes artists like Simon and Garfunkel, The Beatles, CSNY, James Taylor, Jimmy Buffet, Harry Chapin, The Plain White T's, Michael Buble and much more. Ben performs at many local venues such as Mulligan's in Farmingdale. Laurita guests are sure to be pleased.



Exhibit - J - 3(1)

Winery Events

[\[calendar view\]](#) [\[next week\]](#) [\[current week\]](#) [\[print page\]](#)

Events for the week of 04/16/2012

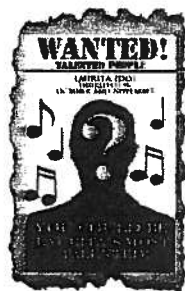
Laurita Idol Competition - Semi Finals

Date: 4/19 - 4/19

Laurita Idol Competition

April 19, Semi Finals, 7:00pm

Free Admission



Third season of Idol competition.

Laurita Winery offers the top finalist the stage for a night to perform as semi finalists!

Family-Style Dinner Night

Date: 4/20 - 4/20

Family-Style Friday Night Dinners

New England Seafood

Friday, April 20, 6:00-8:30pm

\$19.95 for Adults, \$13.95 for Children (ages 6 - 12)

(tip and gratuity not included)

Renew the tradition of family meals by gathering your family and friends together and joining us for fine dining "family-style" at Laurita Winery. Three special themed dinners have been carefully selected by Branches Catering and will be served up family-style to our Laurita guests; Pasta Night on Friday, April 13th, New England Seafood on April 20, and Authentic Mexican Cuisine on April 27th. Kick start your weekend at Laurita Winery by spending quality time with your loved ones while enjoying a delicious dinner, wonderful wine, and spectacular vineyard views!



[Click here](#) to view our special Family-Style Dinner menu. Call 732-542-5050 or e-mail Laurita@BranchesCatering.com to reserve your table today!

Exhibit - J - 3(2)**Ryche Chlanda****Date: 4/21 - 4/21****Ryche Chlanda****Saturday, April 21, 2012, 1:00-5:00pm****Free Admission**

Ryche Chlanda has been a musician, vocalist, songwriter, composer and producer for over thirty-five years. He was a founding member of America's first progressive rock group, Fireballet, in the 1970's. The band's first album, **Night on Bald Mountain**, was produced by King Crimson founding member Ian McDonald who went on to additional fame with Foreigner. During that time **Ryche worked with musical greats, Meatloaf and Clarence Clemons** on the Intergalactic Touring Band project. For a period during his solo career he played with the progressive band Nektar where he became a "bandmate" and friend with **Larry Fast**.



His musical journey led him to writing and singing for films, including the title track for "Build for Speed". A severely fractured arm altered his musical journey and he returned home to rehab his arm. During that time he built a studio and focused on writing and producing. In 1993, Ryche was asked to write and produce aerobic musical tracks for exercise gurus Denise Austin and Joanie Greggains which resulted in sales of over 2 million tapes. This led to working on productions for Motown and sessions with members of Todd Rundgren's band, the OJ's, Billy Joel and countless others.

After years of touring and studio work, he devoted the last several years to song writing and composing, but the thrill of performing has led him back to the stage and the upcoming release of his new album, Hidden Me. It also provided an opportunity to work with his old friend, Larry Fast.

Sunday Brunch at Laurita Winery**Date: 4/22 - 4/22****Sunday Brunch at Laurita Winery****Sunday, April 22, 10:30am-1:00pm. Seating from 10:30am-12:30pm**

Join us at Laurita Winery for our Sunday Brunch..by Branches Catering

[Click here](#) to view the Sunday Brunch Menu (varies slightly each week)Email reservation requests to Laurita@BranchesCatering.com or call 732-542-

5050



After brunch enjoy Laurita's award winning wines and weather permitting, take a free vineyard tour ride. Spend Sunday with us to relax for a few hours share in a good meal, great wine, family and friends!

Nina et Cetera

Date: 4/22 - 4/22

Nina et Cetera

Sunday, April 21, 2012, 2:00-6:30pm

Free Admission

Nina's desire to make music is reflected in all of the choices and sacrifices she makes in her life to remain a full time musician. Every aspect of the business is important to her. She orchestrates everything from playing, to booking, to composing, to recording, mastering and collecting and restoring vintage gear. Each carefully selected piece of gear found and fixed is an important piece of the mono tonal puzzle she is so determined to realize and is one step closer to creating the complete picture, capturing the mood, and singing about the things she feels are most important.



Nina is influenced by the likes of Bob Dylan, The Carter Family, Bette Davis, The Velvet Underground, Phil Spector, Dusty Springfield, Bobbie Gentry, Insect Trust, Michael Bloomfield, Sonny Sharrock, Albert Ayler, Rahsaan Roland Kirk, Tallulah Bankhead, Scotty Moore, James Burton, Johnny Cash, Leadbelly, Aretha Franklin, Mahalia Jackson, Muscle Shoals Rhythm Section, The Memphis Boys, Quicksilver Messenger Service, Victoria Spivey, Billie Holiday, Lee Hazlewood and Nico, as well as a myriad of philosophers and beat poets such as: Rimbaud, Sartre, Baudelaire, Ferlinghetti, Pier Paolo Pasolini, Blake, Nietzsche, Ginsberg, and Emerson. You may hear these influences or other traces of punk, folk, rock, ambient, experimental, Hindustani classical, or country.

More Information

If you need information about any of our services, please feel free to use our [contact form](#) or give us a call at 1.800.LAURITA or 609.758.8000.

Winery Events

[\[calendar view\]](#) [\[next week\]](#) [\[current week\]](#) [\[print page\]](#)

Events for the week of 05/07/2012

Laurita Idol Competition- Grand Finale

Date: 5/10 - 5/10

Laurita Idol Competition

Thursday, May 10, Final Night of Competition, 7:00pm

OPEN TO THE PUBLIC!

Third season of Idol competition.



Final night of competition! The Laurita IDOL finalist will compete for the top prizes. First place is \$1,000.00 and attractive 2nd and 3rd prizes. In addition, the three top finalists will be featured musical guests at an upcoming Laurita Winery entertainment event.

Leukemia & Lymphoma Society Fundraiser

Date: 5/11 - 5/11

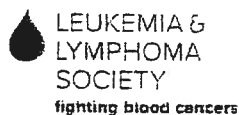
Wine Tasting Fundraiser For the Leukemia & Lymphoma Society

Man and Woman of the Year Campaign

Friday, May 11, 2012 6:00 - 9:00 pm

[Click here](#) to view the event flyer

Come enjoy a sampling of Laurita Winery's finest wines while overlooking the gorgeous vineyard. Delicious Appetizers will be served throughout the entire event.



Baskets filled with items honoring loved ones who have been diagnosed with Leukemia, Lymphoma or other cancers will be raffled.

Join us for a beautiful night with friends to support LLS and the New Jersey Man and Woman of the Year! **Tickets are \$50 per person. Pre-registration is greatly appreciated.**

Mother's Day Wine Trail Weekend

Date: 5/12 - 5/13

Exhibit – J-3(5)

Mother's Day Wine Trail Weekend

Saturday, May 12, Noon - Closing

Sunday, May 13, Noon - Closing

Free Admission



Make this an **especially memorable weekend** for Mom with great music, dancing and delectable selections of edibles complemented by Laurita award-winning wines!

Entertainment: Free Admission!

The entertainment for the day will be performing outdoors, weather permitting.

We invite you to bring lawn chairs, blankets and warm clothing for cooler weather.

Only Laurita wines and Laurita foods are to be consumed at these events. Sorry, no pets allowed.

Pennington Station

Sunday, May 13, 2:00-5:00pm

The band is making a name for itself among area fans of classic rock & roll with a unique format featuring acoustic guitar musicianship with tight three and four-part harmonies. Their repertoire favors harmony rock & roll songs from the 60's and 70's.



Visit their [Facebook page](#)

Ben Weiner, Singer & Guitarist

Sunday, May 13, 5:00-8:00pm

Ben Weiner plays acoustic guitar and sing songs ranging from the 60's to popular modern songs. Ben's repertoire includes artists like Simon and Garfunkel, The Beatles, CSNY, James Taylor, Jimmy Buffet, Harry Chapin, The Plain White T's, Michael Buble and much more. Ben performs at many local venues such as Mulligan's in Farmingdale. Laurita guests are sure to be pleased.



Mother's Day Sunday Brunch

Date: 5/13 - 5/13

Mother's Day Brunch

Sunday, May 13, seating from 11:00am

Make a statement this year and surprise your mom with a special Mother's Day Brunch at Laurita Winery! Catered by Branches Catering, brunch will be served featuring a smorgasbord of exceptional dishes using many local seasonal ingredients. Enjoy the breathtaking scenery of our 43 acres of beautiful vineyards surrounded by rolling hills and local farms while **enjoying a wonderful and memorable meal with the mom you love!**



Mother's Day Brunch menu. Seating is limited so make sure to reserve your spot today. E-mail reservation requests to Laurita@BranchesCatering.com or call 732--542-5050.

More Information

If you need information about any of our services, please feel free to use our [contact form](#) or give us a call at 1.800.LAURITA or 609.758.8000.

Winery Events

[\[calendar view\]](#) [\[next week\]](#) [\[current week\]](#) [\[print page\]](#)

Events for the week of 04/23/2012

Laurita Idol Competition - Semi Finals

Date: 4/26 - 4/26

Laurita Idol Competition

April 26, Semi Finals, 7:00pm

Free Admission



Third season of Idol competition.

Laurita Winery offers the top finalist the stage for a night to perform as semi finalists!

Family-Style Dinner Night

Date: 4/27 - 4/27

Family-Style Dinner Night

Authentic Mexican

Friday's, April 27th (6:00 – 8:30pm)

\$19.95 for Adults, \$13.95 for Children (ages 6 – 12)

(tip and gratuity not included)

Renew the tradition of family meals by gathering your family and friends together and joining us for fine dining "family-style" at Laurita Winery. Three special themed dinners have been carefully selected by Branches Catering and will be served up family-style to our Laurita guests; Pasta Night on Friday, April 13th. New England Seafood on April 20. and Authentic Mexican Cuisine on April 27th. Kick start your weekend at Laurita Winery by spending quality time with your loved ones while enjoying a delicious dinner, wonderful wine, and spectacular vineyard views!



[Click here](#) to view our special Family-Style Dinner menu. Call 732-542-5050 or e-mail Laurita@BranchesCatering.com to reserve your table today!

“Jumpin Jack” Strobel & the Swamp Boogie Trio

Date: 4/28 - 4/28

“Jumpin Jack” Strobel & the Swamp Boogie Trio

Saturday, April 28, 12:30-4:30pm

Free Admission

“Jumpin Jack” Strobel & the Swamp Boogie Trio serves up hot jazz, cool blues and old-school swing featuring Jumpin Jack (piano, vocals), Peter Wagula (acoustic bottleneck slide guitar), and Michael Lampe (upright bass, vocals). These three unique and talented artists meld together their individual talents, cooking up eclectic blends of sounds for the listening and dancing pleasure of our guests at Laurita Winery.



Jumpin Jack, a jersey native, is a piano man, singer and songwriter covering new, used and original material reminiscent of artists such as Ray Charles, Charles Brown and Dr. John. Pete Wagula lays glass on strings, specializing in traditional acoustic bottleneck slide guitar. Mike Lampe leaves his audiences smiling with his unique ability to swing and sing. Mike has toured with “Bill Haley & the Comets” band and is a respected and sought after upright swing and blues bassist on the east coast music scene today.

Sunday Brunch at Laurita Winery

Date: 4/29 - 4/29

Sunday Brunch at Laurita Winery

Sunday, April 29, 10:30am-1:00pm, Seating from 10:30am-12:30pm



Join us at Laurita Winery for our Sunday Brunch..by Branches Catering

[Click here](#) to view the Sunday Brunch Menu (varies slightly each week)

Email reservation requests to Laurita@BranchesCatering.com or call 732-542-5050

After brunch enjoy Laurita’s award winning wines and weather permitting, take a free vineyard tour ride. Spend Sunday with us to relax for a few hours share in a good meal, great wine. family and friends!

Laurita IDOL Competition

Thursday Nights through May 10, 7:00pm

Free Admission

Laurita Winery welcomes talented musicians to an "American Idol Contest - Laurita Winery Style." **The top prize is \$1,000.00** and attractive 2nd and 3rd prizes will also be offered. **Join us for the Fun!**



Family-Style Dinner Night

Friday's, 6:00-8:30pm \$19.95 for Adults,
\$13.95 for Children (ages 6 - 12)

Renew the tradition of family meals by gathering your family and friends together and joining us for fine dining "family-style" at Laurita Winery. Three special themed dinners

have been carefully selected by Branches Catering and will be served up family-style to our Laurita guests; **Pasta Night on Friday, April 13th, New England Seafood on April 20, and Authentic Mexican Cuisine on April 27th.** Call for reservations- 732.542.5050



Mother's Day Weekend

Saturday & Sunday, Noon-Closing

Free Admission

Make this an especially memorable weekend for Mom with great music, dancing and delectable selections of edibles complemented by Laurita award-winning wines! Live music performances from Pennington Station and Ben Weiner. AND, **just for Mom** - Laurita Winery will release the **Chocolate Therapy Wine!**

Mother's Day Brunch

Sunday, May 13, seating starting at 11

Make reservations now by calling 732-542-5050

Laurita Country Night

Friday, May 18, 7:00pm

\$5.00 in advance or \$7.00 at the door

Host and MC will be DJ Johnny Love "behind the music desk" for the evening. Instructor Debbie will **offer free dance lessons** followed by your dance and music requests! It will be a night of great music, dance and wine! **Country style menu** specials will be available for purchase starting at 6:00pm. Purchase tickets online at www.LauritaWinery.com

Enjoy Sunday Brunch at Laurita

Served 10:30am-1:00pm, Seating 10:30am-12:30pm

Dates and times subject to change, please check our website before making reservations.

Brunch reservations call 732-542-5050.

Mark Your Calendars!

- Laurita's Spring Festival, May 19 & May 20
- Father's Day Barbecue, June 17

85 Archertown Rd New Egypt, NJ 08533
609.758.8000 - www.LauritaWinery.com

Win & Wine Weekend at Monmouth Park

N/A

\$10 ticket buys your sampling wine glass and wristband. Local New Jersey wineries will be pouring their featured wines. Plan a picnic for the day! No advance tickets required. Wine celebration hours 12 noon-5 pm both Saturday and Sunday.

Saturday & Sunday, June 19 & 20

Saturday, 11am-4pm; Sunday, 11am-5pm

The Laurita Winery Summer Solstice Festival

B

On Saturday, June 19, Johnny Feds & Da Bluez Boyz return to Laurita with their dynamic arrangements of blues seasoned with jazz and finessed with funk. Unlike flash guitarists who use volume and speed to stake their claim, Feds and Da Boyz' specialty is taking a song from soaring heights to a whisper in the blink of an eye then back again with a simple nod. Songs become journeys from sweet strains to frenzied emotional bliss with lots of aural room to dance. Fans of the band know that every show provides another unique interpretation of tunes by Eric Clapton, Stevie Ray Vaughn, B. B. King and loads of others in addition to the Boyz' original creations.

On Sunday, June 20, Grammy nominee Randy Lippincott and his band will be performing blues, boogie, soul and New Orleans party tunes. Randy and his band have toured 18 countries on four continents, have performed at legendary festivals such as the Montreaux Jazz Festival in Switzerland and have joined with such notables as Bo Diddley, Sonny Rhodes and John Hammond, Jr. in making music. Indeed, Randy was nominated for a Grammy Award in 1998 for his work on Luther "Guitar Jr." Johnson and the Magic Rockers' "Got To Find A Way" in the Traditional Blues category.

Vendors in attendance will be:

- Erin Penney: "Second Look" Face Painter
- Deb and Christine Buber: "C & Me Company" Handcrafted One of a Kind Jewelry
- ✓ Joanne: "Full Bloom Designs" Hand Painted Wine Glasses and Accessories
- ✓ Lew Silvestro: Custom Cork Trays and Designs
- Gloria Maloney: "Little Giddings" Nature Mobiles and Wind Chimes
- Bob Mount: Local Woodworker, Cutting Boards and Bowls
- Alf Berg: "Herbertsville Honey Company" Apiarist/Bee Keeper/Honey
- Antoinette: "Treats" Cupcakes and Goodies
- Eric Urban: Blacksmith
- Tess: "Allentown Art Guild Watercolorist"
- Michele Yvonne Rosta: Owner and Soapstress, "Funky Chunks Soap Company"
- Cabot Creamery: Cheese Samplings
- Eleanor Parr-Dileo: Designs by Eleanor, Mosaic Stepping Stones, Flower Pots, Pictures
- Denise Kamer: Free Range Chickens and the Benefits of Local Eggs
- ✓ Constance Elek, Potter: Slump Wine Bottles, Thrown Pottery, Vases

Tickets both days are \$20 per person and include a Laurita T-shirt and a wine glass.

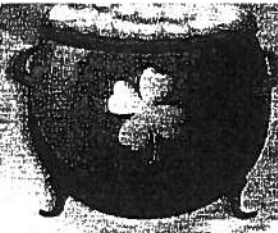
Please click here to purchase your tickets online for Saturday, June 19.

Please click here to purchase your tickets online for Sunday, June 20.

Exhibit - J - 6



YIAPPY



St. Patrick's Day!

Shamrock Festival

Saturday, March 10 -
Sunday, March 11

St. Patrick's Day Festival

Saturday, March 17 -
Sunday, March 18

**THESE EVENTS ARE AT LAURITA WINERY

* PLEASE NOTE, SUNDAY BRUNCH WILL NOT BE SERVED ON MARCH 11TH OR 18TH

Weekend Menu

LEEK & POTATO SOUP WITH CROUTONS \$6

CORNED BEEF & CABBAGE \$12
SERVED WITH CARROTS AND POTATOES

IRISH BANGERS & MASH \$14
AUTHENTIC IRISH SAUSAGE WITH IRISH MASHED POTATOES & BEANS

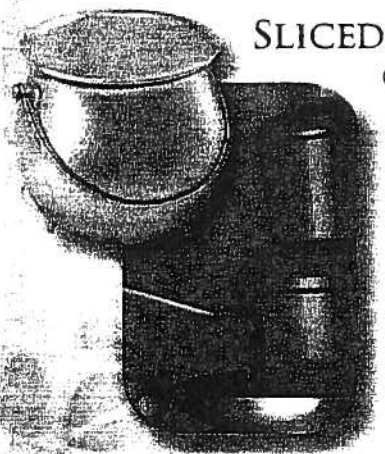
SLICED CORNED BEEF SANDWICH & SWISS CHEESE \$11.50
ON RYE OR WHEAT BREAD SERVED WITH COLE SLAW

IRISH SODA BREAD \$3

TRADITIONAL IRISH LAMB STEW \$13
WITH IRISH MASHED POTATOES

SHAMROCK COOKIES \$3

BAILEYS' IRISH CREAM MUFFINS \$3



EXPERIENCE THE
CHOCOLATE FOUNTAIN & OUR SPECIAL FEATURE
"LUCKY POT OF GREEN CHOCOLATE" FONDUE \$9.50

DIPPING PLATE SKEWERS OF STRAWBERRY,
MARSHMALLOWS, RICE KRISPY BARS, AND PINEAPPLE

ALL PRICES ABOVE INCLUDE 7% SALES TAX

LIVE ENTERTAINMENT BY

THE BANTRY BOYS ~ SATURDAY, 3/10TH

ED RUSSELL & BALLYHAUNIS ~ SUNDAY, 3/11TH & SATURDAY, 3/17TH

GREEN UNDERGROUND ~ SUNDAY, 3/18TH

35 ARCHERTOWN RD (GPS USERS ENTER 85 ARCHERTOWN RD)

NEW EGYPT, NJ 08533 | 609.758.8000



Exhibit - K -1

Laurita Winery: Line Dancing & Jazz

From: News.Letter@DancerFarm.com

Reply to: broadcast@DancerFarm.com

WANTED

Country Line Dancers & Anyone Interested In Fun Times!

**Laurita Winery Presents
Country Line Dancing & Lessons
Friday, September 18, 2009 6:30-10:30pm**

It's all about music, dancing and fun! Hear your favorite country tunes. Come to show off your dance moves or just show up to learn something new. You don't necessarily need a partner to dance and watching can be as much fun as participating. Grilled BBQ will be on the menu for purchase at this event.

\$5 per person for entry for line dancing only.
All food and beverages are additional.
Laurita Food & Beverage Only Please.

Tickets are available for purchase online at
www.LauritaWinery.com
or at the winery while visiting
or by calling 609.758.8000.

**The Pauline Bennick Jazz Duo
Sunday, September 20, 2009 1-5pm**

LAURITA WINERY

We are open
Thursday, Friday & Saturday Noon-9pm
Sunday Noon-5pm

Upcoming Events

Laurita American Idol

Semi-Finals **Thursday April 29th**
Great Prizes to our top 3 winners
Fun night for all! Bring the Family!
Laurita Idol Finals May 6th

Run for the Roses

Kentucky Derby Celebration

Saturday May 1st Noon
Derby hats and attire are encouraged,
but not required

Mother's Day Wine Trail Weekend

May 8th and 9th

Italian Dinner Night

May 21st 2010

Laurita Movie Night

Saturday May 22nd 7:30-9:30 pm
Movie – French Kiss

Country Line Dance

Saturday May 29th 7:30-11:00 pm

Musical Entertainment

Glimmer Grass (Sat 5/1)
Pennington Station (Sat 5/9)

Win & Wine Weekend **at Monmouth Park Racetrack**

Wine Celebration Hours Noon-5pm
June 12th & 13th

April's Wine Specials

Buy 5 Bottles of Wine - receive a bottle of Bistro for Free
Buy a Case of Wine - receive a B&B \$25 Gift Certificate

Laurita Winery

35 Archertown Rd New Egypt, NJ 08533
609-758-8000

www.lauritawinery.com

Upcoming Events

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