



New Jersey  
State  
Agriculture  
Development  
Committee

Preserving  
Our Growing Heritage

# STATE AGRICULTURE DEVELOPMENT COMMITTEE Farmland Preservation Program

SADC Guidance Library

## Municipal Planning Incentive Grant Easement Purchase Application for an Individual Farm

⇒ Section I: To be completed by Landowner

⇒ Section II: To be completed by Municipality

*Thank you for your time and participation helping to preserve agriculture in New Jersey.*

LANDOWNER NAME(S): \_\_\_\_\_

FARM NAME \_\_\_\_\_

Phone \_\_\_\_\_ alt# \_\_\_\_\_

ADDRESS: \_\_\_\_\_

*If different*  
FARM  
ADDRESS: \_\_\_\_\_

Primary Contact if different
Name _____
Phone _____
Email _____
Relation: _____

Landowner signature: _____ date _____
Landowner signature: _____ date _____

COUNTY: \_\_\_\_\_

MUNICIPALITY: \_\_\_\_\_

PROJECT AREA: \_\_\_\_\_

SADC ID# _____
Date Received _____
Staff Reviewer _____

## SECTION I

**Block and Lot Information**                      **Gross Application Acreage:** \_\_\_\_\_ **acres**  
Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Acres: \_\_\_\_\_      Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Acres: \_\_\_\_\_  
Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Acres: \_\_\_\_\_      Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Acres: \_\_\_\_\_

**\* Please review Schedule A acknowledging that you have read and understand the SADC policy on dividing preserved lands and return the signed sheet with this application. \***

**A. Agricultural Production:** Please list and describe any agricultural production currently taking place on the property that is not covered on the current Farm Assessment Form you provided with this application:  
(include acreage) \_\_\_\_\_

The farmland is leased  YES     NO – If leased please provide a copy of the lease and/or provide detail of the agreement for the farmers use of the property \_\_\_\_\_

Please describe any horse or other animal boarding and/or training on the property \_\_\_\_\_

**B. Existing dwelling units:** please include duplexes, cabins, carriage houses, apartments etc.  
\_\_\_\_\_ existing dwelling units within portion of the property to be deed-restricted.  
\_\_\_\_\_ existing dwelling units located within exception areas.

**\* Please review Schedule B acknowledging that you have read and understand exception areas and return the signed sheet with this application. \***

**C. Net Acreage of Preserved Premises:** \_\_\_\_\_ acres (*Gross Acreage – Exception Acreage = Net Acreage*)

**D. Residual Dwelling Site Opportunities** (RDSOs) (pursuant to N.J.A.C. 2:76-6.17)

Number of eligible RDSOs \_\_\_\_\_ (Overall gross density must not exceed one RDSO per 100 acres)

Number of RDSOs approved by the Municipal Agricultural Advisory Committee: \_\_\_\_\_

**E. Local Zoning**

Local zoning: Please include minimum lot size requirements \_\_\_\_\_

**THE LAND TO BE PRESERVED ("Easement Area")**

Please list number of:

- |  |  |
|--|--|
| <input type="checkbox"/> Standard Single Family Residences                   | <input type="checkbox"/> Manufactured Home with Perm. Foundation |
| <input type="checkbox"/> Duplex  | <input type="checkbox"/> Manufactured Home without Foundation    |
| <input type="checkbox"/> Garage  | <input type="checkbox"/> Dormitory                               |
| <input type="checkbox"/> Apartment attached to _____                         | <input type="checkbox"/> Carriage house/Cabin                    |
| <input type="checkbox"/> Barns _____   | <input type="checkbox"/> Shed(s) / other storage                 |
| <input type="checkbox"/> Greenhouse(s) (please note size & floor type) _____ |  |

OTHER \_\_\_\_\_

Are any of the existing residential units used for agricultural labor? If so, please list:

\_\_\_\_\_

Are any of the existing residential units rented or leased? If so, please list and provide a copy of the lease:

\_\_\_\_\_

**EXISTING NON-AGRICULTURAL USES \* Please review Schedule C acknowledging that you have read and understand the SADC policy on non-agricultural uses and return the signed sheet with this application. \***

Are there existing non-agricultural uses on the land to be preserved?  YES  NO

Are there non-agricultural uses occurring or planned within the exception area(s)?  YES  NO

Please describe the nonagricultural uses: \_\_\_\_\_

\_\_\_\_\_

Please provide a map or otherwise list the approximate dimensions and location of any structures and/or areas utilized for a non-agricultural use : \_\_\_\_\_

\_\_\_\_\_

Does the non-agricultural use involve a lease with another party? Please identify the individual or entity leasing the structure and type of business or operation and provide a copy of the lease: \_\_\_\_\_

\_\_\_\_\_

Describe how the non-agricultural use will be accessed on the parcel: \_\_\_\_\_

\_\_\_\_\_

**\*\*NOTE:** Appraisers must be aware of non-agricultural uses and determine their impact on the development easement value in their reports pursuant to the SADC Appraiser's Handbook. If you have any questions regarding potential non-agricultural use, please address them with the SADC prior to submission of the application.

An identified non-agricultural use CANNOT be expanded or intensified after the premises is preserved if located on the preserved farmland outside of an exception area.

**EXCEPTIONS** Specific locations must be depicted on tax map or aerial image.

\_\_\_ Acreage of exception ⇒ Would you like the exception to stay with the farm (Non-Severable)  ? **OR**  
able to be subdivided from the farm (Severable)  ?

Reason for exception: \_\_\_\_\_

Number of existing residences within exception area(s) \_\_\_\_\_ (please review the **Septic Policy**)

Is the exception configured to include the existing septic system?  YES  NO

Are you willing to restrict the number of residences within the exception?  YES how many # \_\_\_\_\_

What type of residences would you like to permit? \_\_\_\_\_

NO please explain \_\_\_\_\_

Please list any buildings and/or nonagricultural uses within the proposed exception area:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please complete the following section if you are requesting more than one exception area** (copy page if necessary)

\_\_\_ Acreage of exception ⇒ Would you like the exception to stay with the farm (Non-Severable)  ? **OR**  
able to be subdivided from the farm (Severable)  ?

Reason for exception: \_\_\_\_\_

Number of existing residences within exception area(s) \_\_\_\_\_ (please review the **Septic Policy**)

Is the exception configured to include the existing septic system?  YES  NO

Are you willing to restrict the number of residences within the exception?  YES how many # \_\_\_\_\_

What type of residences would you like to permit? \_\_\_\_\_

NO please explain \_\_\_\_\_

Please list any buildings and/or nonagricultural uses within the proposed exception area:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the requested exception is Severable, the following Right to Farm language will be included in the easement unless otherwise requested:

Grantors, grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns or any person to whom title to the Exception Area is transferred as well as the heirs, executors, administrators, personal or legal representatives, successors and assigns of all such persons are hereby notified and made aware that the Exception Area is adjacent to a parcel ("Premises") permanently deed restricted under the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq. Such persons taking title to the Exception Area are notified and made aware that agriculture is the accepted and preferred use of the adjacent Premises and that the adjacent Premises shall continue in agricultural use as defined in Section 2 of the Deed of Easement.

Has the Municipality or County placed any other requirements on the exception?  YES  NO

(If yes, please explain) \_\_\_\_\_

**EASEMENTS AND RIGHTS OF WAY**

Please note any Easements and Rights of Way associated with the land being preserved

- |  |   |
|--|---|
| <input type="checkbox"/> Power Lines       | <input type="checkbox"/> Sight Triangle               |
| <input type="checkbox"/> Water Lines       | <input type="checkbox"/> General Telephone & Electric |
| <input type="checkbox"/> Sewer             | <input type="checkbox"/> Gas Lines                    |
| <input type="checkbox"/> Bridge / Road ROW |   |
| <input type="checkbox"/> Other: _____      | <input type="checkbox"/> Other: _____                 |

Access Easement (describe) \_\_\_\_\_

Conservation Easement (e.g., steep slopes, critical areas, critical habitat, wetlands, drainage, no further subdivisions, etc.)  
(describe any & all) \_\_\_\_\_

Federal Program Participation (e.g., WHIP, EQUIP, CREP, CRP, WRP)  
(describe any & provide map of restricted areas) \_\_\_\_\_

Do you have existing (or approvals for) solar, wind or biomass energy generating installations?

Date of Installation \_\_\_\_\_ Please describe \_\_\_\_\_

If not do you have any immediate interest in an installation? Please describe \_\_\_\_\_

Surface and/or Subsurface mining

Has (Have) any portion(s) of the property, at any time and within the knowledge of the applicant, been devoted to surface and/or subsurface mining?

\_\_\_ YES \_\_\_ NO

If the answer is "Yes", then please describe the mining activity and identify the affected areas of the property.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SUBDIVISION** Have you applied for subdivision of the property? \_\_\_ major \_\_\_ minor

**COPIES OF THE RESOLUTIONS & APPROVALS ARE REQUIRED.**

Supporting documentation should be submitted (surveys, soil logs, municipal ordinances, etc.)

Type of development: \_\_\_\_\_ # units \_\_\_\_\_

**Preliminary Approval Date:** \_\_\_\_\_ expiration \_\_\_\_\_

Describe efforts to meet conditions of approval: \_\_\_\_\_

Describe any open space or conservation requirements in the subdivision resolution: \_\_\_\_\_

**Final Approval Date:** \_\_\_\_\_ expiration \_\_\_\_\_

# SECTION II

**CHECKLIST:** All checklist items are required for administrative completeness of this application. Omissions may delay review and evaluation of this application. *GIS SHAPEFILES SHOULD BE EMAILED (UNZIPPED) OR PROVIDED ON DISC WITH THIS APPLICATION.*

**To be completed by Township Coordinator:** Please check off the following attachments upon completion

- Completed and signed Section I w/ Schedules A, B & C     Completed Appraisal Order Checklist.
- Current recorded deed of ownership.     Contract purchaser agreement, if appropriate.
- Current recorded deed of easement and/or conservation easements, if appropriate.
- Tax map with lot boundaries, exceptions, existing residences, and adjacent land uses clearly identified.
- Current Farm Tax Assessment Form with Land Use (crops/products) identified.
- GIS map\* or 7.5 minute USGS Topographic Quad Map with the application lot boundaries and any preserved farms (current applications or previously preserved) within one-half mile of the application parcel(s) clearly identified. \*Please refer to GIS TECHNICAL SPECIFICATIONS FOR MAPS
- USDA NRCS or GIS soils map\* with lot boundaries and exceptions clearly identified and soil calculations including soil map units, acres and percentages of each unit.
- GIS wetlands and soils maps\* with lot boundaries and exceptions clearly identified
- Copies of all recorded easements on the Property.

## APPLICATION ELIGIBILITY

pursuant to N.J.A.C. 2:76-6.20(c)

- This application is not being considered in any other farmland preservation program at this time.

pursuant to N.J.A.C. 2:76-6.23(a)

- The Municipality has not owned title to the land for more than three years.

pursuant to N.J.A.C. 2:76-6.20(d)

- The landowner has not rejected an offer for an amount equal to or greater than the certified market value under any farmland preservation program within the past 2 years. (This provision applies only to an application from the same landowner for the same farm property.)

- The application is located within an adopted Agricultural Development Area.
- The application is a targeted farm within the Municipality's approved Planning Incentive Grant.

Project Area: \_\_\_\_\_

In accordance with N.J.A.C. 2:76-17A.4(a)

- A. This application meets the minimum eligibility criteria established by the municipality in its comprehensive farmland preservation plan and has a rank score \_\_\_\_\_ out of \_\_\_\_\_ points based on the municipality's adopted ranking criteria.

PREPARED BY: \_\_\_\_\_

Contact phone: \_\_\_\_\_

Name \_\_\_\_\_

email ⇄ \_\_\_\_\_

**MINIMUM ELIGIBILITY CRITERIA** pursuant to N.J.A.C. 2:76-6.20

Please complete checklist as appropriate below and provide attachments demonstrating compliance with the following:

The land must exhibit development potential based on the following standards:

(1) The municipal zoning ordinance for the land as it is being appraised must allow additional development, and in the case of residential zoning, at least one additional residential site beyond that which will potentially exist on the premises.

(2) Where the purported development value of the land depends on the potential to provide access for additional development, the municipal zoning ordinances allowing further subdivision of the land must be verified. If access is only available pursuant to an easement, the easement must specify that further subdivision of the land is possible. To the extent that this potential access is subject to ordinances such as those governing allowable subdivisions, common driveways and shared access, these facts must be confirmed in writing by the municipal zoning officer or planner.

(3) If the land is 25 acres or less, the land shall not contain more than 80 percent soils classified as freshwater or modified agricultural wetlands according to the NJDEP wetlands maps. If the DEP wetlands maps are in dispute, further investigation and onsite analysis may be conducted by a certified licensed engineer or qualified wetlands consultant and/or a letter of interpretation issued by the NJDEP may be secured.

\_\_\_\_\_ % soils classified as freshwater or modified agricultural wetlands.

(4) The land shall not contain more than 80% soils with slopes in excess of 15% as identified on a USDA NRCS SSURGO version 2.2 or newer soils map.

\_\_\_\_\_ % soils with slopes in excess of 15%.

If the land does not meet any of the standards above, is it eligible for allocation of development credits pursuant to a transfer of development potential program authorized and duly adopted by law?

YES     NO

**FOR LANDS LESS THAN OR EQUAL TO 10 ACRES** the land also must meet the criteria below to be eligible for preservation with SADC funding:

The land produces agricultural or horticultural products of at least \$2,500 annually.

Supporting documentation must be provided (tax forms, receipts, etc.)

At least 75% of the land is tillable or a minimum of 5 acres, whichever is less. \_\_\_\_\_% \_\_\_\_\_ ac

At least 75% of the land, or a minimum of 5 acres, whichever is less, consists of soils that are capable of supporting agricultural or horticultural production.     \_\_\_\_\_ Acres \_\_\_\_\_ %

**FOR LANDS GREATER THAN 10 ACRES** the land also must meet the criteria below to be eligible for preservation with SADC funding:

At least 50% of the land or a minimum of 25 acres, whichever is less, is tillable. \_\_\_\_\_% \_\_\_\_\_ ac

At least 50% of the land or a minimum of 25 acres, whichever is less, consists of soils that are capable of supporting agricultural or horticultural production.     \_\_\_\_\_ Acres \_\_\_\_\_ %



**SOILS** Calculations should be based on the latest SSURGO data available. This is the same data the SADC will use to evaluate the accuracy of the soil data submission. Exception acres should not be included or used to calculate soil score.

Prime \_\_\_\_\_ acres = \_\_\_\_\_ %  
 Statewide \_\_\_\_\_ acres = \_\_\_\_\_ %  
 Local \_\_\_\_\_ acres = \_\_\_\_\_ %  
 Unique \_\_\_\_\_ acres = \_\_\_\_\_ %

Please identify unique soils: \_\_\_\_\_

List crop(s) grown on unique soil: \_\_\_\_\_

Other \_\_\_\_\_ acres = \_\_\_\_\_ % %

List crop(s) grown on other soils: \_\_\_\_\_

**TOTAL NET ACRES** \_\_\_\_\_ acres = 100 %

**TILLABLE ACRES**

*(Verified by current Farm Tax Assessment Form, aerial photography interpretation and site visit)*

Indicate the percentage of the premises that is classified under the following categories.

Cropland Harvested \_\_\_\_\_ acres = \_\_\_\_\_ %  
 Cropland Pastured \_\_\_\_\_ acres = \_\_\_\_\_ %  
 Permanent Pasture \_\_\_\_\_ acres = \_\_\_\_\_ %  
 Woodlands \_\_\_\_\_ acres = \_\_\_\_\_ %  
 Other: \_\_\_\_\_ acres = \_\_\_\_\_ %  
 \_\_\_\_\_ acres = \_\_\_\_\_ %

**TOTAL NET ACRES** \_\_\_\_\_ acres = 100 %

For evaluation purposes, the term "tillable" means lands that are classified as cropland harvested, cropland pastured and permanent pasture for farmland assessment purposes.

(1) "Cropland harvested" means land from which a crop was harvested in the current year. Cropland harvested shall include land under structures utilized for agricultural or horticultural production.

(2) "Cropland pastured" means land which can be and often is used to produce crops, but its maximum income may not be realized in a particular year. This includes land that is fallow or in cover crops as part of a rotational program.

(3) "Permanent pasture" means land that is not cultivated because its maximum economic potential is realized from grazing or as part of erosion control programs. Animals may or may not be part of the farm operation.

**STATE DEVELOPMENT AND REDEVELOPMENT PLAN**

In which Planning Area is the parcel located?

- (PA1) Metropolitan
- (PA2) Suburban
- (PA3) Fringe
- (PA4) Rural
- (PA4b) Rural & Environmentally Sensitive
- (PA5) Environmentally Sensitive

**HIGHLANDS** Is the parcel located in the Highlands Region?  YES  NO

If yes, in which area is the parcel located?  Preservation Area  Planning Area

In which Land Use Capability Zone is the parcel located?

- Conservation Zone
- Protection Zone
- Existing Community
- Lake Community
- Conservation Constrained
- Existing Community Constrained

Is the parcel located in the Highlands Agricultural Resource Area?  YES  NO

Is the parcel located in the Highlands Agricultural Priority Area?  YES  NO

**PINELANDS** Is the parcel located in the Pinelands Region?  YES  NO

If yes, in which Pinelands Management Area is the parcel located?

- Preservation Area District
- Forest Area
- Agricultural Production Area
- Special Agricultural Production Area
- Rural Development Area
- Pinelands Village and Pinelands Town
- Regional Growth Area

How many Pineland Development Credits (PDC) is the parcel eligible for? \_\_\_\_\_

*Note: Copies of any and all Letters of Interpretation (LOI) should be submitted.*

How many PDCs have been severed? \_\_\_\_\_

*Note: If PDCs have been severed, the property is not eligible for preservation.*

**IMMINENCE OF CHANGE OR CONVERSION** Please attach adequate documentation to support responses.

Is the property for sale?  YES  NO

Is the record owner of the Premises involved in an estate situation?  YES  NO

Has the record owner filed for bankruptcy?  YES  NO

Is the property involved in a foreclosure?  YES  NO

**Affidavit of Municipal Agricultural Advisory Committee  
Verification**

County of \_\_\_\_\_ }  
State of NEW JERSEY } SS

\_\_\_\_\_  
Name of Affiant

Being duly sworn according to law, upon his/her oath, disposes and says:

1. I am the Chairperson of the \_\_\_\_\_ Township Agricultural Advisory Committee (hereinafter "Committee") and am fully aware of all the actions the Committee has taken.
2. The Committee has completed, reviewed and approved the subject farm application pursuant to SADC regulations and policies including N.J.A.C.2:76-17A.3 "Grant eligibility" and N.J.A.C.2:76-17A.9 "Committee review of an application for the sale of a development easement."
3. Staff of the Committee has performed a site inspection of this property on \_\_\_\_\_.
4. A copy of the landowner's application will be provided to two SADC certified appraisers hired to evaluate the development easement on this property.
5. A copy of the landowner's application will be forwarded to the CADB if county funding is to be requested for the preservation of this farm.
6. All information contained in the attached application for an easement purchase cost share grant is complete and accurate.

\_\_\_\_\_  
Chairperson, \_\_\_\_\_ Agricultural Advisory Committee

Sworn and Subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

Rev. January 2015

S:\Planning Incentive Grant - 2007 rules Municipal\application for web\pigmunicipalfarmapplication.doc

## REFERENCES

**SADC REGULATIONS:** <http://www.nj.gov/agriculture/sadc/rules/>

**SADC GUIDANCE LIBRARY:** <http://www.nj.gov/agriculture/sadc/publications/guidance.html>

**Schedule A Division of Preserved Land:** <http://www.nj.gov/agriculture/sadc/publications/divisionSign.pdf>

**Schedule B Exception Areas:** <http://www.nj.gov/agriculture/sadc/publications/exceptionsSign.pdf>

**Septic Policy (P-49):** <http://www.nj.gov/agriculture/sadc/rules/pol49.pdf>

**Schedule C Non-agricultural Uses:**

<http://www.nj.gov/agriculture/sadc/publications/nonag%20usesonepagerWsignoff.pdf>

**Appraisal Order Checklist:** <http://www.nj.gov/agriculture/sadc/farmpreserve/appraisals/appraisalresources.html>

**GIS Technical Specifications for Maps:** <http://www.nj.gov/agriculture/sadc/farmpreserve/resources/gismapspecs.pdf>

**NJDEP wetlands maps:** <http://www.nj.gov/dep/gis/depsplash.htm>

**latest SSURGO data available:** <http://soildatamart.nrcs.usda.gov/>

**Planning Areas:** <http://www.nj.gov/state/planning/maps.html>

**Highlands Region:** <http://maps.njhighlands.us/hgis/>

**Pinelands Region:** [http://www.nj.gov/pinelands/landuse/gis/maps/2008\\_04\\_munilocations.pdf](http://www.nj.gov/pinelands/landuse/gis/maps/2008_04_munilocations.pdf)

**Standard Industrial Codes** <http://www.gti.net/njchamber/index-sic0.htm>

0110	CASH GRAINS	0291	GENERAL FARMS, PRIM LIVESTOCK & ANIMAL
0111	WHEAT	0711	SOIL PREPARATION SERVICES
0112	RICE	0721	CROP PLANTING, CULTIVATING AND PROTECTING
0115	CORN	0722	CROP HARVESTING, PRIMARILY BY MACHINE
0116	SOYBEANS	0723	CROP PREPARATION SERVICES FOR MARKET, EXCEPT COTTON GINNING
0119	CASH GRAINS, NEC	0724	COTTON GINNING
0131	COTTON	0741	VETERINARY SERVICES FOR LIVESTOCK
0132	TOBACCO	0742	VETERINARY SERVICES FOR ANIMAL SPECIALTIES
0133	SUGARCANE AND SUGAR BEETS	0751	LIVESTOCK SERVICES, EXCEPT VETERINARY
0134	IRISH POTATOES	0752	ANIMAL SPECIALTY SERVICES, EXCEPT VETERINARY
0139	FIELD CROPS, EX CASH GRAINS, NEC	0761	FARM LABOR CONTRACTORS AND CREW LEADERS
0161	VEGETABLES AND MELONS	0762	FARM MANAGEMENT SERVICES
0171	BERRY CROPS	0781	LANDSCAPE CONSELING AND PLANNING
0172	GRAPES	0782	LAWN AND GARDEN SERVICES
0173	TREE NUTS	0783	ORNAMENTAL SCHRUB AND TREE SERVICES
0174	CITRUS FRUITS	0811	TIMBER TRACTS
0175	DECIDUOUS TREE FRUITS	0831	FOREST NURSERIES & GATHER. OF FOREST PRODUCTS
0179	FRUIT AND TREE NUTS, NEC.	0851	FORESTRY SERVICES
0181	ORNAMENTAL NURSERY PROD	0912	FINFISH
0182	FOOD CROPS GROWN UNDER COVER	0913	SHELLFISH
0191	GENERAL FARMS, PRIMARILY CROP	0919	MISCELLANEOUS MARINE PRODUCTS
0211	BEEF CATTLE FEEDLOTS	0921	FISH HATCHERIES AND PRESERVES
0212	BEEF CATTLE, EXCEPT FEEDLOTS	0971	HUNTING, TRAPPING, AND GAME PROPAGATION
0213	HOGS		
0214	SHEEP AND GOATS		
0219	GENERAL LIVESTOCK EX DAIRY & POULTRY		
0241	DAIRY FARMS		
0251	BROILER, FRYER & ROASTER CHICKENS		
0252	CHICKEN EGGS		
0253	TURKEY AND TURKEY EGGS		
0254	POULTRY HATCHERIES		
0259	POULTRY & EGGS, NEC		
0271	FUR-BEARING ANIMALS AND RABBITS		
0272	HORSES AND OTHER EQUINES		
0273	ANIMAL AQUACULTURE		
0279	ANIMAL SPECIALTIES, NEC		

