

APPENDICES

- a. Public Hearing #1 – May 21, 2007 –
Invitation and Agenda
- b. Public Hearing #2 – October 15, 2007 –
Agenda
- c. Directory of Sussex County Farm Markets
and Farm Stands
- d. SADC Ranking Form
- e. SADC Model Right-to-Farm Ordinance
- f. SADC Deed of Easement

To: Sussex County Agricultural Boards and Agencies

From: Donna M. Traylor, Director
Sussex County Office of Farmland Preservation and Conservation

Re: Meeting to discuss Sussex County Farmland Preservation Plan

Date: May 3, 2007

The Sussex County Agriculture Development Board (CADB) invites you to a meeting of municipal agricultural representatives and farmland owners to discuss the Comprehensive Farmland Preservation Plan for Sussex County. This Plan, first done in 2003, is in the process of being updated and the County is looking to you for guidance and direction for the future of agriculture in the County.

While developing the Comprehensive Farmland Preservation Plan, the CADB will be seeking information from municipal officials, agricultural entities and farmers concerning agricultural viability issues, farmland preservation and agritourism. This may include land use trends, planning and zoning issues, right to farm ordinances, effectiveness of the farmland preservation program, and expansion of the agritourism program. The CADB wants the Plan to complement existing programs and meet the preservation needs of the municipalities.

As part of this effort, we are hosting a public meeting on Monday, May 21st. The meeting will be held at the Sussex County Administrative Center, Freeholder Meeting Room (1st floor), 1 Spring Street, Newton, New Jersey, 07860. It will begin at 7:00 pm. We look to you, or your representative, to attend this meeting and help us coordinate our planning initiatives.

Please respond to www.dtraylor@sussex.nj.us or call 973-579-0500, ext. 1329 (Antoinette) to let us know who will be attending. We look forward to working with you on the Sussex County Comprehensive Farmland Preservation Plan. Thank you for your assistance.

County of Sussex

Farmland Preservation Plan

Public Meeting:

A Vision for Farmland Preservation in Sussex County

Freeholder Meeting Room, Sussex County Administrative Center
One Spring Street, Newton

Monday, May 21, 2007 - 7:00 pm

Hosted by Sussex County Board of Chosen Freeholders
and Sussex County Agriculture Development Board

AGENDA

I. Welcome and Introductions

Sussex County Agricultural Development Board

- Sussex County Agricultural Development Board is in the process of updating its 2003 Farmland Preservation Plan.
- The goal for this evening is to listen and learn how to continue to protect agriculture in our County.

II. The Farmland Preservation Plan: What is it and why is Sussex County doing it?

Barbara Heskins Davis, Morris Land Conservancy

- The plan will prioritize land for preservation based upon input from the community, existing planning documents, local and county boards.
- The plan will conform to the updated SADC guidelines and will be used by Sussex County to apply for funds from the SADC.

III. The Farmland Preservation Program in Sussex County: A Conversation

Barbara Heskins Davis, Morris Land Conservancy

- How can the County's program continue to protect farmland?
- In what direction should the Program be headed?
- In what ways is the Farmland Preservation Program helping to address the needs of farmers and agriculture generally?
- Is the Farmland Preservation Program assisting municipalities and helping to coordinate community goals of preserving farmland?
- What does your community need to accelerate its efforts?
- How can the County help your community address those needs?
- How do you recommend farmland easements be monitored?
- What solutions do you recommend to the CADB?

- Wrap up: What do you want the Farmland Plan to include that has not been discussed?

IV. Concluding Remarks

Sussex County Agricultural Development Board

The Mission Statement of the Sussex County Agriculture Development Board: The Sussex CADB's mission in implementing the farmland preservation program in Sussex County is to preserve both farmland and farmers. In accomplishing these goals, the Board seeks to preserve farms that are highly productive due to soil types, proximity to other preserved farms, farm size, as well as the effort and efficiency of the farmer.

Goals of the Sussex County Agriculture Development Board: The Sussex CADB seeks to preserve all of the productive farms in the County where the farmer is interested in participating in the program and where the land is currently in agricultural production or has a strong potential for sustained agricultural production in the future. To date **12,242 acres** will remain in agricultural use in perpetuity due to the work of the Sussex CADB.

Why draft an Updated Farmland Preservation Plan?

The primary purpose of updating the Farmland Preservation Plan for Sussex County is to provide a vision and strategy for the preservation of our agricultural resources. This Plan will prioritize farmland for preservation based upon input local farmland owners, residents, municipal officials, county board and committees. The Plan will conform to the updated State Agriculture Development Committee (SADC) guidelines and can be used by Sussex County to apply for a Planning Incentive Grant from the SADC. The Plan is a requirement for eligibility into this Program.

Anticipated Timeline:

May 21, 2007: Public Meeting #1: Vision Meeting for Updated Farmland Plan

July 16, 2007: Draft Farmland Preservation Plan delivered to County

September 17, 2007: Draft Farmland Preservation Plan released to the public

October 22, 2007: *Public Meeting #2: Public Comments on the Draft Plan*

November 14, 2007: Final Farmland Preservation Plan delivered to County

December 15, 2007: SADC deadline for submittal of County Plan

For further information please contact:



Morris Land Conservancy
19 Boonton Avenue
Boonton, NJ 07005
(973) 541-1010
Fax (973) 541-1131
www.morrislandconservancy.org

Sussex County
Office of Conservation and Land Preservation
Sussex County Administrative Center, One Spring Street
Newton, NJ 07860
(973) 879-0500
Fax: (973) 579-0513

Sussex County Agriculture Development Board

Invites the Public

To Provide Comment on the

Draft Sussex County Comprehensive Farmland Preservation Plan Update

Monday, October 15, 2007
7:30 pm

Freeholder Meeting Room
Sussex County Administrative Center
One Spring Street, Newton

Agenda

- Goals of Preservation Plan and Public Meeting
- Overview of the Sussex County Farmland Plan and Maps
- Identification of Project Areas and Land Preservation Goals
- Issues impacting Sussex County's Farmland Initiative
- Public Comment on Draft Plan and Maps

Hosted by:

Jane Brodhecker, Chair, Sussex County Agriculture Development Board

Freeholder Liaison:

Glen Vetrano, Sussex County Board of Chosen Freeholders

State Representatives: *(invited)*

Tim Brill and Steve Bruder, State Agriculture Development Committee

Meeting Facilitated by Morris Land Conservancy

Directory of Sussex County Farm Markets and Farm Stands

Vegetables, Fruit, Berries, Corn		
<i>Farm</i>	<i>Description</i>	<i>Address</i>
<i>Anderson Farms, Sparta</i>	Many varieties of tomatoes including cherry, plum, and heirloom; pumpkins and gourds; flowers, herbs, jams; Seasonal Farmstand	20 Davis Road, Branchville, NJ 07826; (973)875-4384
<i>Bear Creek Berry Patch, Tranquility</i>	PYO Raspberries; Summer Late June-July 9:00AM-6:00PM, 7days a week, Fall Labor Day Weekend-October 10:00AM-5:00PM, Friday-Monday	1087 Dark Moon Road, Newton, NJ 07860; (908)979-1451
<i>Beemerville Orchards</i>	Open 6 days a week 9:00 AM - 6:00 PM Closed Sundays	73 Lusscroft Road, Wantage, NJ 07461; (973)875-3729
<i>Berry Hill Farms</i>	blueberries, blackberries, currants, red & purple raspberries, strawberries, eggs, pumpkins; 6 Days a week, Closed Sundays, 9:00AM-5:00 PM	130 Rose Morrow Road, Wantage, NJ 07461; (973)875-7150
<i>Csippan Farm</i>	Farm Fresh Eggs; April-November, Call for pickup	17 Mudcut Road, Lafayette, NJ 07848; (973)383-9276
<i>Everitt's Fruit Farm & Cider Mill</i>	Farmstand, apples, cider; Weekends October-May, Noon-Dark	Post Office Box 52, Lafayette, NJ 07848; (973)383-5463
<i>Fairview Farm, Hampton</i>	Fruitstand, Apples; October-December, 7 Days-a-week	91 Route 206 North, Newton, NJ 07860; (973)383-5832
<i>Flower Creek Farms, Hampton</i>	Assorted Vegetables, raspberries; Self-Serve Farmstand	39 Halsey Road, Newton, NJ 07860; (973)300-5589
<i>Fresh Farms</i>	May 1-Halloween, 7 Days-a-week 9:00AM-7:30PM	209 Newton-Sparta Road, Andover, NJ 07821; (973)579-3204
<i>Hillcrest Farm, Frankford</i>	PYO Apples, Dairy; Call for Information	PO Box 1245, Denville, NJ 07834; (973)703-5148
<i>Hillcrest Orchard, Frankford</i>	PYO Apples; Weekends in Spetember and October 9A.M.-6P.M.	160 Casterline Road, Denville, NJ 07834; (973)366-0440
<i>Lentini Produce, Newton</i>	Honey, Jersey Fresh Tomato's, specialty foods & pies,10 acre Corn Maze (Rt. 94 Newton); Farmstand:(Rt. 206, Culver Lake and Corner of N. Park Dr. & Rt 519 Newton) 7 days a week, 8AM-8PM; 10 Acre Corn Maze	143 Route 521, Newton, NJ 07860; (973)579-2424
<i>Libertyville Farm</i>	Farmstand, Tomato's, Sweet Corn; July-Labor Day 10:00AM-6:00PM (Closed Sunday)	35 Old Clove Road, Sussex, NJ 07461; (973)875-6122
<i>Luceys Berry Farm, Lafayette</i>	Jams & Jellies; July-September 7 days-a-week 11:00AM-7:00PM	41 Beaver Run Road, Lafayette, NJ 07848; (973)383-4309
<i>MV Farms</i>	PYO Red Raspberries, Call Ahead; June-October, Weekends, 9:00AM-5:00PM	418 Route 515, Vernon, NJ 07462; (973)764-6137
<i>Pequest Valley Farms, Green Twp.</i>	Raspberries & Asparagus; Call in Advance	239 Pequest Road, Andover, NJ 07821; (973)786-6953

<i>Plumbsock Farm</i>	Dairy Farm; 7 Days-a-week, 9:00AM-3:00PM, call in advance	425 Route 519, Wantage, NJ 07461; (973)875-5607
<i>Pochuck Valley Farm</i>	PYO Apples (seasonal), Wagon Tours of Orchard, Homemade Cider, Homemade Baked goods; 6:00AM-6:00PM Year Round	Post Office Box 2, Glenwood, NJ 07418; (973)764-4732
<i>Ritzer Farm, Vernon</i>	Farmstand, Saw Mill, Maple Syrup; Hours: 7 Days-a-week in season	245 Barret Road, Vernon, NJ 07462; (845)986-3974
<i>Roseline's Farm</i>	Asian vegetables, Herbs, Baked and Canned goods; July-October, Friday- Sunday	553 Route 565, Augusta, NJ 07822; (973)579-1238
<i>Sunny Ridge Farm</i>	All Natural Vegetables April-November, Farm Fresh Eggs Year Round	47 Hampton Heights Road, Lafayette, NJ 07848; (973)383-8707
<i>Sussex County Strawberry Farm, Andover</i>	PYO Strawberries (June Daily) PYO Raspberries - September; PYO Pumpkins - (October); Weekends 10:00AM-5:00PM, Call for Information	565 Route 206 North, Newton, NJ 07860; (973)579-5055
<i>The Farmers Wife & Windy Flat Dairy</i>	Homegrown produce & local picks, fresh flowers, fresh eggs year round, petting area, tours by appt., school & community groups welcome; Call for Information	383 County Route 519, Wantage, NJ 07461; (973)702-7614
<i>The Goodhand Farm</i>	Heirloom Tomatoes & garlic; Self Serve Market	110 Brighton Road, Andover, NJ 07821; (973)786-0135
<i>Tranquillity Farms, Green Twp.</i>	PYO Flowers, Fall Fest (weekends in October); Easter-Christmas, Daily 9:00AM-6:00PM	10 Tranquillity Farms Lane, Andover, NJ 07821; (908)813-0892
<i>Valley Brook Farm, Sandyston Twp.</i>	Self-serve Farmstand and Honey!; Open Daily July-October	42 Bevans Road, Layton, NJ 07851; (973)948-5781
<i>Valley View Farms, Newton</i>	PYO Strawberries & Raspberries, 100 Different Varieties of Vegetables! Located at 290 Rt. 206S, Newton; Easter-Christmas, 10:00AM-5:00PM	Post Office Box 60, Augusta, NJ 07822; (973)579-7271
<i>Windy Brow Farms, Fredon Twp.</i>	PYO Apples, school groups welcome; March-December, closed Tuesdays	359 Ridge Road, Newton, NJ 07860; (973)579-9657

Bedding Plants, Nursery, Fire Wood

<i>Farm</i>	<i>Description</i>	<i>Address</i>
<i>Augusta Hill Farm, Frankford</i>	Wholesale/retail, annuals, perennials, hanging baskets, herbs & veggies; Year Round, Monday-Saturday 8:00AM-5:00PM	47 Augusta Hill Road, Augusta, NJ 07822; (973)948-6012
<i>Cahill Farm, Green Twp.</i>	PYO Plum tomato's, pumpkins & misc veggies, landscaping services, hayrides on special request; Call for hours	311 Pequest Road, Andover, NJ 07821; (973)786-5429
<i>Cerbo's Hampton Nursery, Hampton Twp.</i>	Located at 86 Rt 519, Newton; Shade & Flowering Trees, Shrubs, Flowering Plants; Open April - December, Friday:8AM-5PM & Saturday: 8AM-1PM	440 Littleton Road, Parsippany, NJ 07054; (973)579-5518

<i>D'Angelo's Nursery, Andover Twp</i>	Open Year Round, April-September 8:00AM-6:00PM; September-April 9:00AM-5:00PM	240 Newton-Sparta Road, Newton, NJ 07860; (973)383-7070
<i>Fair Acres Farm</i>	Perennials & annuals, trees, shrubs, container gardening -- unique plant containers; April 1-Novemeber, Daily 9:00AM - 6:00PM (including holidays)	1343 Route 23, Wantage, NJ 07461; (973)875-6613
<i>Fredon Farm</i>	Hanging baskets, vegetable flats; Week before Thanksgiving-Christmas -- Poinsettias; April-June, 9:00AM-5:00PM	396 Route 94, Newton, NJ 07860; (973)579-5561
<i>Glenn Brook Nursery</i>	Perenials, ornamentals grasses, herbs & shrubs. Specializing in deer resistant plants.; 8-5 Mon – Fri and 8-6 Sat & Sun	83 Decker Rd, Lafayette, NJ 07848; (973)383-9908
<i>Hard Rock Nursery, Inc</i>	Perennials & Landscaping Services; 6 Days-a-week, 9:00AM-5:00PM	19 Birchtree Road, Montague, NJ 07827; (973)293-7951
<i>Hilltop Greenhouses, Hampton Twp.</i>	Spring bedding plants and Fall garden mums; April-May & August-September, Monday-Saturday, 8:00AM-4:00PM	156 Hampton House Road, Newton, NJ 07860; (973)383-8565
<i>Ideal Farm and Garden Center</i>	Seasonal Produce, Full Service Garden Center, Seasonal Activities, PYO Pumpkins; Winter Thursday-Sunday 9:00AM-4:00PM, Summer 7 Days-a-week 9:00AM-5:00PM	222 Route 15 North, Lafayette, NJ 07848; (973)579-3893
<i>Kuperus Farmside Gardens & Supplies, Sussex Borough</i>	Extensive Selection of Perenials, trees, shrubs; Open Year Round, Closed Sundays, Call for Hours	19 Loomis Avenue, Sussex, NJ 07461; (973)875-3160
<i>Pochuck Valley Farms of Augusta</i>	7 Days-a-week (In Season), 9:00AM-6:00PM	Route 206 South, Augusta, NJ 07822; (973)948-6511
<i>Windover Lake Farm</i>	Dried Flower Arrangements; Open Year Round Call for Hours	81 Gemmer Road, Wantage, NJ 07461; (973)875-3801

Dairy, Meats, Hay, Farm Animals, Eggs

Farm	Description	Address
<i>Bobolink Dairy</i>	100 % Grass Fed Raw Milk Cheeses, rustic wood fired breads, pasture raised meat when available. Check website for classes, e-mail for tours; Saturday-Sunday 9:00AM-5:00PM, Wednesday-Friday 12:00PM-6:00PM (check website)	42 Meadowburn Road, Vernon, NJ 07462; (973)764-4888
<i>Brickyard Farm, Andover</i>	Spring lamb, raw fleece & wool; Call for Appointment	50 Greendale Road, Newton, NJ 07860; (973)383-4028
<i>Brodhecker Farms, Hampton Twp.</i>	Beef and pork, freezer-ready; Livestock feeds, corn, straw, oats; 8:00AM-5:00PM Daily	2 Branchville Lawson Road, Newton, NJ 07860; (973)383-3592
<i>By-Acres</i>	Dairy Tours Available, Straw, Cornstalks, Fall Mums & Greenhouse; Call for Information and Appointment	601 County Route 519, Wantage, NJ 07461; (973)875-7445
<i>Cowling Farm</i>	Sheep Shearing Services, Breeding Stock - Polled Herefords	29 Judge Beach Road, Wantage, NJ 07461; (973)875-5804

<i>Dana Ray Farm</i>	Dairy Goats, Handmade Soap, Farmstand; 7 Days a week, call for hours or appt.	349 Mattison Reservoir Avenue, Branchville, NJ 07826; (973)948-0906
<i>Far View Farms, Frankford</i>	Beef Cows For Sale, Year Round -- Hay, May-October, Firewood	65 George Hill Road, Branchville, NJ 07826; (973)875-6615
<i>Farmside Supplies, Sussex Borough</i>	Horse & Livestock Feed and Supplies, Pet Store; Monday-Saturday, 8:00AM-6:00PM	15 Loomis Avenue, Sussex, NJ 07461; (973)875-3777
<i>Frog Pond Farm</i>	Farm Fresh Brown, White & Green Eggs, Old English Game Birds; Year Round, weekends 8:00AM-5:00PM	908 Owassa Road, Stillwater, NJ 07875; (973)579-7656
<i>Green Valley Farmstand & Livestock</i>	Local strawberries & blueberries, honey, jams & jellies, pies, mums, round hay bales; 9Am-6PM Monday-Saturday	997 Route 23 North, Wantage, NJ 07461; (973)875-5213
<i>HSP Farm</i>	Simmental cattle, natural beef for sale; Call for Hours	154 Meadows Road, Lafayette, NJ 07848; (973)875-3164
<i>Hubbard Hill Farm, Wantage</i>	Pig Roasts, homegrown hogs, pork for freezer, turkeys for Thanksgiving-- Just below High Point State Park	811 Greenville Road, Sussex, NJ 07461; (973)875-6206
<i>Little Farm</i>	Hay, straw; Seasonal -- Cornstalks; Open Year Round	56 Haggerty Road, Branchville, NJ 07826; (973)875-9691
<i>Miller Farm, Fredon</i>	Open Year Round -- Call for Appointment	46 Fairview Avenue, Newton, NJ 07860; (973)383-4260
<i>Needmore Farm</i>	Goat Dairy, Cheese, Milk, Fudge, Soap, Yogurt, Jams & Jellies; Open Year Round	24 Wantage School Road, Wantage, NJ 07461; (973)875--0565
<i>Oasis Alpacas</i>	Raw fleece, rovings for spinning and spun yarn from our animals for sale.; Visitors always welcome- please call ahead	530 Rt. 517, Sussex, NJ 07461; (973)827-7350
<i>Skyland Farm</i>	Llama sales and breeding services; Call for Appointment	299 Route 284, Wantage, NJ 07461; (973)875-2696
<i>Space Farms Zoo and Museum</i>	100 Acre Zoo, 500 Wild Animals, Americana Museum Complex, educational programs -- www.spacefarms.com or call for information; May-October, daily 9:00AM-5:00PM	218 Route 519, Wantage, NJ 07461; (973)875-5800
<i>Stonehedge Farm, Beemerville</i>	Draft Horses, Sleighrides; Call for Appointment	65 Fredonia Road, Newton, NJ 07860; (973)579-7429
<i>Stoney Croft Farm</i>	Farm store, cheese making facility (Colby & Cheddar cheeses available); Monday-Saturday 11:00AM-5:00PM (seasonal, call ahead)	163 Beaver Run Road, Lafayette, NJ 07848; (973)875-5611
<i>Swanbro Farm</i>	Raise Registered Holsteins, White Pine Shavings for Bedding; Year Round, 7 Days-a-week	46 Sunset Inn Road, Lafayette, NJ 07848; (973)383-4491
<i>Westby Farms, Andover</i>	Firewood, cords or small bundles; September-November -- Freezer Beef Available; Open Year Round, Call Ahead	Post Office Box 617, Gladstone, NJ 07934; (973)786-5794

<i>Wild West City, Byram</i>	Western Heritage Theme Park, Group Rates Available, call for information; May 1-Mid October, 10:30AM-6:00PM	50 Lackawanna Drive, Stanhope, NJ 07874; (973)347-8900
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Certified Organic, Specialty Foods

<i>Farm</i>	<i>Description</i>	<i>Address</i>
<i>Flatbrook Farm, Sandyston Twp.</i>	Bronze & Heritage Turkeys, Grass Fed Chicken's & Eggs, Naturally Grown Meats, Farm Products; Year Round, Call for appt.	2 DeGroat Road, Montague, NJ 07827; (973)948-2554
<i>Fountain House of New Jersey & High Point Farm</i>	Tours by Appointment, Alpacas; Email for Appointment	61 Old Mashipacong Road, Montague, NJ 07827; (973)293-3739
<i>Fox Hill Honey</i>	Honey, Beeswax Candles, Handcreme; Call for Information	23 Fox Hill Road, Lafayette, NJ 07848; (973)875-5770
<i>Klimek Family Farm, Stillwater</i>	Fresh Brown Organic Eggs; 7 days a week, year round	904 Owassa Road, Newton, NJ 07860; (973)383-4256
<i>Stephens Farm</i>	Wholesale Organic Food Buying Club, Country Crafts & Tours on Request; Wednesday - Sunday 1:00PM - 6:00PM (seasonal)	467 Route 284, Wantage, NJ 07461; (973)875-2849
<i>The Family Farm</i>	Herbs, Flowers, Vegetables, Baked Goods; May-October 9:00AM-6:00PM	136 Pelletown Road, Lafayette, NJ 07848; (973)875-1447
<i>The Honey Lady, Green</i>	Honey, Beeswax Ornaments, Beeswax Candles, Gifts; Year Round, 7 Days-a-week, Call for Appointment	21 Hunts School Road, Newton, NJ 07860; (973)579-5864
<i>Upper Meadows Farm</i>	Farm Market, All Products Certified Organic, Eco-Tours by appt.; Thursday 3:00AM-6:00PM, other hours by appt. only	16 Pollara Lane, Montague, NJ 07827; (973)293-8171
<i>Walnut Grove Farm</i>	Hours: November 25-December 11, Friday-Sunday 10:00AM-4:00PM for Christmas trees-- June-October, Friday-Sunday 10:00AM-6:00PM for Veggies	665 Augusta Hill Road, Augusta, NJ 07822; (973)383-5029
<i>Webb Farm, Hampton</i>	Honey, beeswax candles; Your Round, 7 Days-a-week, call for hours	920 Route 519, Sussex, NJ 07461; (973)875-3889
<i>Westfall Farm & Winery</i>	Wine School and Winery, Assorted Berries, Boarding, Breeding & Lessons; Tasting Room: Friday-Sunday 12PM-5PM; Winery Tours :Call for Appointment	141 Clove Road, Montague, NJ 07827; (973)293-3428

Pumpkins, Harvest, Halloween, Hayrides

<i>Farm</i>	<i>Description</i>	<i>Address</i>
<i>Heaven Hill Farm</i>	Seasonal Produce and Activities, Bakery, Honey, Jams & Jellies, Ice Cream, Haunted Halloween Hay Rides; Call for Hours	451 Route 94, Vernon, NJ 07462; (973)764-5144
<i>Kattermann Farms</i>	Full Season Garden Center; Year Round, 7 Days-a-week (In season)	212 Route 23 South, Wantage, NJ 07461; (973)875-8171

Christmas Trees		
Farm	Description	Address
<i>AM-JAC Tree Farm, Frankford</i>	Choose & Cut Norway and Blue Spruce, Douglas Fir; Weekends in December 8:00AM-4:00PM	26 Plains Road, Augusta, NJ 07822; (973)948-4222
<i>Bar-Ral Farm, Stillwater</i>	Christmas Trees; Year Round 9:00AM - 5:00PM, 7 days a week	936 Owassa Road, Newton, NJ 07860; (973)383-5232
<i>Cedar Hill Nursery, Andover</i>	40'-45' Norway Spruce; -- By Appointment Only --	Post Office Box 179, Newton, NJ 07860; (973)383-3260
<i>Country Heritage Farm, Frankford</i>	Honey, eggs, & pumpkins. Holiday Gift Shop!; November & December, Friday-Sunday, 9:00AM-4:30PM	129 Plains Road, Augusta, NJ 07822; (973)875-5590
<i>Giordano's Tree Farm, Fredon</i>	White, Blue, Norway Spruce, Douglas Fir -- All Sizes! Located on Rt. 94.; Weekends in December 8:00AM-4:30PM	Post Office Box 6813, Bridgewater, NJ 08807; (908)231-8847
<i>Holiday Tree Farm, Frankford</i>	Christmas Wreathes; Weekends 9:00AM-5:00PM Thanksgiving Weekend until trees run out	30 Deerfield Drive, Franklin, NJ 07416; (973)827-3844
<i>Myrtle Grove Tree Farm, Hampton Twp.</i>	CYO Blue Spruce, Douglas Fir, White Pine; Saturday & Sunday's in December 9:00AM-4:00PM	50 Route 521, Newton, NJ 07860; (973)383-2666
<i>Owassa Tree Farm, Frankford</i>	Colorado Blue Spruce, Douglas Fir, Conclover Fir; Thanksgiving-Christmas, open daily	144 W. Owassa Turnpike, Newton, NJ 07860; (973)948-4037
<i>Rocky Point Christmas Tree Farm, Frankford</i>	CYO Blue Spruce, Douglas Fir; Thanksgiving-December 18, Daily 10:00AM-4:00PM	260 Meyer Road, Branchville, NJ 07826; (973)875-5349
<i>Saint Paul's Abbey</i>	December 9:00AM-4:00PM, Cut Your Own Christmas Trees -- April-October, Monday-Friday 9:00AM-5:00PM, Live Evergreens - Dug on Order	Post Office Box 7, Newton, NJ 07860; (973)383-2470
<i>Shale Hills Farm</i>	Pines, Spruce, Firs, Refreshments; Weekends after Thanksgiving 10:00AM-Dark	98 Pond School Road, Wantage, NJ 07461; (973)875-4231
<i>Shuflat Farm</i>	Colorado Blue Spruce, Call for directions; Year Round, Monday-Friday 5:00AM-9:00PM, Saturday & Sunday 6:00AM-6:00PM	150 Brooks Flat Road, Ogdensburg, NJ 07439; (973)827-4260
<i>Spring Brook Farm/Wild Meadow Plantation, Hampton</i>	Blue spruce; Call During the Week	20 Kent Road, Newton, NJ 07860; (973)948-3823
<i>Stehli Trees</i>	Cut Your Own Trees!; Weekends in December 9:00AM-dusk	455 Route 515, Vernon, NJ 07462; (973)764-4789
<i>Stonerow Tree Farm, Frankford</i>	Blue Spruce, Douglas Fir, Holiday Gift Shop; December, Friday-Sunday 9:00AM-4:00PM	242 Wykerton Road, Branchville, NJ 07826; (973)875-6399
<i>Sunny Hill Farm</i>	Cut Your Own Trees!; December 1-Christmas (on weekends 10:00AM-4:00PM or by appointment)	719 Route 519, Wantage, NJ 07461; (973)875-5496
<i>Willow Brook Christmas Tree Farm, Frankford</i>	Choose N' Cut Douglas Fir; November-December, Weekends, 9:00AM-4:00PM (Weekdays by appointment)	138 Wykertown Road, Branchville, NJ 07826; (973)875-3304

<i>Wintergreen Farm</i>	Blue spruce, Norway spruce, Douglas-Fir, Fraser-Fir, and Cannan-Fir	Statesville Quarry Road, Lafayette, NJ 07848; (973)875-8387
Equine		
<i>Farm</i>	<i>Description</i>	<i>Address</i>
<i>5 \$ Ranch</i>	Breeding, training, showing; Hours: 7 days-a-week, 8:00AM-8:00PM	33 Pelletown Road, Lafayette, NJ 07848; (973)875-3888
<i>AJA Stables, Frankford</i>	Boarding, training, horseback lessons; 9:00AM-4:00PM	18 Linn Smith Road, Augusta, NJ 07822; (973)875-5655
<i>Blind Brook Farm, Andover Twp</i>	Horse boarding with trail rides, sheep & lambs, adjacent to "Wooden Duck" B&B and Kittatinny Valley State Park; Call Ahead	70 Goodale Road, Newton, NJ 07860; (973)383-4109
<i>Borderland Farms, Vernon</i>	Boarding, Training by Appointment, Riding Instruction, Riding Trails; Year Round, 7 Days-a-week 9:00AM-5:00PM	340 South Route 94, Warwick, NY 10990; (845)986-9433
<i>Carousel Farms</i>	Boarding, training, sales & lessons; Year Round, 7 Days-a-week 8:00AM-9:00PM	8 Linn Smith Road, Augusta, NJ 07822; (973)875-9898
<i>Fairview Hill Farm, Fredon</i>	Boarding, Outdoor Arena; Call in Advance	31 Fairview Hill Road, Newton, NJ 07860; (973)383-8336
<i>Heritage Acres Farm</i>	Horse shows, half-mile track and indoor ring, riding lessons, training, boarding; Year Round, 7 Days-a-week, 9:00AM-5:00PM	110 Pelletton Road, Lafayette, NJ 07848; (973)875-4206
<i>On Course Riding</i>	We specialize in boarding, training, sales and showing Hunter/Jumper. Open 7 days a week.	210 Beaver Run Rd, Lafayette, NJ 07848: 973-875-8780
<i>High Point Equestrian Center</i>	Full service equestrian center offering lessons and training in dressage, stadium jumping, and cross-country jumping. Horse shows on and off-site. Indoor riding arena for all year riding plus 80 acres of scenic trails.	20 Birchtree Road, Montague, NJ 07827; (973)293-0033
<i>Liberty Hill Farm</i>	Boarding, lessons (English), sales, horse shows; 7 Days a week- Call for appt.	31 Holland Road, Wantage, NJ 07461; (973)875-7504
<i>Mare's Nest Farm, Hampton Twp.</i>	Boarding, breeding, training; By Appointment	62 Price Road, Augusta, NJ 07822; (973)579-2413
<i>Postmont Farm</i>	Boarding; 7 Days-a-week	506 Route 519, Wantage, NJ 07461; (973)875-6871
<i>Scavone Farm</i>	Boarding, Meat Goats, NJ State Meat Goat Association member; Call for Hours	100 Silver Grove Road, Stockholm, NJ 07460; (973)827-2645
<i>Spring Valley Equestrian Center, Fredon</i>	Full boarding, breeding, riding lessons (english/western), trail rides, summer horse camp, Appaloosa stallions; 7 Days-a-week, 9:00AM-6:00PM	56 Paulinskill Lake Road, Newton, NJ 07860; (973)383-3766
<i>Squier Farm, Hampton</i>	Pasture horses, riding instructions (western and english), firewood, buys & sells Paint and Quater horses; 8:00AM-6:00PM	12 Dove Island Road, Newton, NJ 07860; (973)579-9293

<i>Stepping Stone Arabians</i>	Boarding, breeding and sales; 9:00AM-6:00PM, 7 days-a-week, Year Round	251 Beaver Run Road, Lafayette, NJ 07848; (973)875-4351
<i>Waterwheel Farm, Fredon</i>	Boarding, training (Handicap Olympics), Petting Zoo & Snowmobile Museum; Call in Advance	124 Fredon-Marksboro Road, Newton, NJ 07860; (973)383-3409
<i>Willo Haven Morgan Horse Farm</i>	Breeding (Registered Morgan Horses), Boarding; Call for Appointment	137 Beaver Run Road, Lafayette, NJ 07848; (973)875-8849
<i>Windsor Astoria Farm, Green Twp.</i>	Boarding, Lessons:western pleasure, dressage, eventing; Fresh eggs; Year Round, 7 Days-a-week -- Call for Information	45 Hamilton Road, Greendell, NJ 07839; (973)579-6676
<i>Yellow Barn Farm</i>	Boarding and Training	349 Rt. 565, Wantage, NJ 07461; (973)702-1836

FARMLAND PRESERVATION PROGRAM

RANKING CRITERIA

Applicant: _____
Block(s)/ Lot(s): _____
Municipality: _____

Density or Contiguous Properties (maximum of 10 points)

Add 2 points for the subject farm: _____
Add 2 points for each permanently farm indicated: _____
Add 1 point for each 8-Year farm indicated: _____
Sub Total for this Category: _____

Boundaries and Buffers (multiply percentage as indicated)

Deed Restricted Farmland (permanent) x .20: _____
Deed Restricted Wildlife Areas x .18: _____
Streams (perennial) and Wetlands x .18: _____
Cemeteries x .16: _____
Parks (limited public access) x .14: _____
Military Installations x .14: _____
Golf Course (public) x .14: _____
8 year programs/EP Applications x .13: _____
Highway (limited access) or Railroads x .10: _____
Farmland (unrestricted) x .06: _____
Woodlands x .06: _____
Parks (high use) x .05: _____
Residential Development x .00: N/A
Residential (< 5 acres w/o infrastructure) x .00: N/A
Commercial x .00: N/A
Industrial x .00: N/A
Schools x .00: N/A
Sub Total for this Category: _____

Tillable Acres (multiply percentage as indicated)

Cropland Harvested x .15: _____
Cropland Pastured x .15: _____
Permanent Pasture x .02: _____
Woodlands x .00: N/A
Wetlands x .00: N/A
Other x .00: N/A
Sub Total for this Category: _____

Soils (multiply percentage as indicated)

Prime x .15: _____
Statewide x .10: _____
Unique x .125: _____
Locals x .05: _____
Other x .00: N/A
Sub Total for this Category: _____

Imminence of Change or Conversion

If the premises is in an estate situation add 3 points: _____
If the owner has filed for bankruptcy add 4 points: _____
If subdivision approval has been granted add 2 points: _____
Sub Total for this Category: _____

Local Commitment (maximum of 20 points)

If any question 2a through 2e is "yes" add 5 points: _____

If there is **no** sewer/water indicated add 3 points: _____

If preservation is supported by State/local plans add 2 points: _____

If there is an active CADB liaison add 1 point: _____

If planning board actions support preservation add 1 point: _____

If municipal actions support preservation add 1 point: _____

If any 8-Year municipal programs exist add 1 point: _____

If any easements have been purchased in the town add 1 point: _____

If the town has a Right-to-Farm ordinance add 4 points: _____

If the RTF ordinance requires builder notification add 1 point: _____

Sub Total for this Category: _____

County Ranking

If the property is the County's top ranked farm add 10 points: _____

Sub Total for this Category: _____

General Applicant Information

Up to 10 points can be added to the ranking score depending on the net acres to be preserved in comparison to the average size of a farm in the county. The formula for determining point value for the Size Criterion is:

10 x net acres to be preserved

2 x average farm size in county

(73 acres - from the 2002 U.S. Census of Agriculture)

Points based on above formula: _____

Sub Total for this Category: _____

Exceptions

If exception sum is more than 10% of farm subtract 1 point: _____

If the exception is severable subtract 2 points: _____

If the landowner does not agree to restrict the exception to one house, subtract the number of units in excess of the local zoning requirements: _____

Sub Total for this Category: _____

Amount of all Sub Totals: _____

Final Ranking

Amount of farms submitted in round: _____

Ranking of property based on farms submitted in round: _____

STATE AGRICULTURE DEVELOPMENT COMMITTEE
MODEL RIGHT TO FARM ORDINANCE

A. As used in this ordinance, the following words shall have the following meanings:

“Commercial farm” means:

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

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

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

“Pick-your-own operation” means a direct marketing alternative wherein retail or wholesale customers are invited onto a commercial farm in order to harvest agricultural, floricultural or horticultural products.

B. The right to farm is hereby recognized to exist in this [Township, Borough, City] and is hereby declared a permitted use in all zones of this [Township, Borough, City]. This right to farm includes, but not by way of limitation:

- (1) Production of agricultural and horticultural crops, trees, apiary and forest products, livestock, poultry and other commodities as described in the Standard Industrial Classification for agriculture, forestry, fishing and trapping.
- (2) Housing and employment of necessary farm laborers.

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- (3) Erection of essential agricultural buildings, including those dedicated to the processing and packaging of the output of the commercial farm and ancillary to agricultural and horticultural production.
- (4) The grazing of animals and use of range for fowl.
- (5) Construction of fences.
- (6) The operation and transportation of large, slow-moving equipment over roads within the [Township, Borough, City].
- (7) Control of pests, including but not limited to insects and weeds, predators and diseases of plants and animals.
- (8) Conduction of agriculture-related educational and farm-based recreational activities provided that the activities are related to marketing the agricultural or horticultural output of the commercial farm and permission of the farm owner and lessee is obtained.
- (9) Use of any and all equipment, including but not limited to: irrigation pumps and equipment, aerial and ground seeding and spraying, tractors, harvest aides, and bird control devices.
- (10) Processing and packaging of the agricultural output of the commercial farm.
- (11) The operation of a farm market with attendant signage, including the construction of building and parking areas in conformance with [Township, Borough, City] standards.
- (12) The operation of a pick-your-own operation with attendant signage.
- (13) Replenishment of soil nutrients and improvement of soil tilth.
- (14) Clearing of woodlands using open burning and other techniques, installation and maintenance of vegetative and terrain alterations and other physical facilities for water and soil conservation and surface water control in wetland areas.
- (15) On-site disposal of organic agricultural wastes.
- (16) The application of manure and chemical fertilizers, insecticides and herbicides.
- (17) Installation of wells, ponds and other water resources for agricultural purposes such as irrigation, sanitation and marketing preparation.

Commercial farm operators may engage in any other agricultural activity as determined by the State Agriculture Development Committee and adopted by rule or regulation pursuant to the provisions of the “Administrative Procedure Act,” P.L. 1968, c.410 (C.52:14B-1 et seq.).

- C. Commercial farm operators are strongly advised to adhere to generally accepted agricultural management practices that have been:
- (a) promulgated as rules by the State Agriculture Development Committee;
 - (b) recommended as site-specific agricultural management practices by the county agriculture development board;

- (c) approved by the local soil conservation district in the form of a farm conservation plan that is prepared in conformance with the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG), revised April 20, 1998, as amended and supplemented; or
- (d) recommended by the Rutgers Agricultural Experiment Station.

- D. The foregoing activities must be in conformance with applicable Federal and State law.
- E. The foregoing practices and activities may occur on holidays, weekdays and weekends by day or night and shall include the attendant or incidental noise, odors, dust and fumes associated with these practices.
- F. It is hereby determined that whatever nuisance may be caused to others by these foregoing uses and activities is more than offset by the benefits of farming to the neighborhood community and society in general.
- G. Any person aggrieved by the operation of a commercial farm shall file a complaint with the applicable county agriculture development board, or the State Agriculture Development Committee in counties where no county board exists, prior to filing an action in court.
- H. To help parties resolve conflicts involving the operation of commercial farms, the State Agriculture Development Committee has also established an Agricultural Mediation Program. Mediation is a voluntary process in which a trained, impartial mediator helps disputing parties examine their mutual problems, identify and consider options, and determine if they can agree on a solution. A mediator has no decision-making authority. Successful mediation is based on the voluntary cooperation and participation of all the parties.
- I. An additional purpose of this ordinance is to promote a good neighbor policy by advising purchasers and users of property adjacent to or near commercial farms of accepted activities or practices associated with those neighboring farms. It is intended that, through mandatory disclosures, purchasers and users will better understand the impacts of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near land actively devoted to commercial agriculture or in an Agricultural Development Area, meaning an area identified by a county agriculture development board pursuant to the provisions of N.J.S.A.4:1C-18 and certified by the State Agriculture Development Committee.

The disclosure required by this section is set forth herein, and shall be made a part of, the following disclosure form:

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

This disclosure statement concerns the real property situated in the [Township, Borough, City] of [] described as Block _____, Lot _____. This statement is a disclosure of the conditions of the above described property in compliance with Ordinance No. _____ of the [Township, Borough, City] of []. It is not a warranty of any kind by the seller(s) or any agent(s) representing any principal(s) in this transaction, and is not a substitute for any inspections or warranties the principal(s) may wish to obtain.

I.

Seller's Information

The seller discloses the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property. The following are representations made by the seller(s) as required by the [Township, Borough, City] of [] and are not the representation of the agents, if any. This information is a disclosure and is not intended to be part of any contract between the buyer and seller.

The [Township, Borough, City] of [] permits the operation of generally accepted

agricultural management practices within the municipality. If the property you are purchasing is located near land actively devoted to commercial agriculture or in an Agricultural Development Area, meaning an area identified by a county agriculture development board pursuant to the provisions of N.J.S.A.4:1C-18 and certified by the State Agriculture Development Committee, you may be affected by these agricultural activities or practices. The effect of these activities or practices may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24 hour period, storage and disposal of manure and compost, and the application by spraying or otherwise of fertilizers, soil amendments, herbicides and pesticides. One or more of the effects described may occur as the result of any agricultural operation which is in conformance with existing Federal and State laws and regulations and accepted customs and standards. If you live near an agricultural area, you should strive to be sensitive to the needs of commercial farm operators, as their presence is a necessary aspect of an area with a strong rural character and a strong agricultural sector. The State Agriculture Development Committee has established a formal complaint process as well as an informal Agricultural Mediation Program to assist in the resolution of any disputes which might arise between residents of the [Township, Borough, City] of [] regarding the operations of commercial farms.

Seller certifies that the information herein is true and correct to the best of seller=s knowledge as of the date signed by the seller.

Seller _____ Date _____

Seller _____ Date _____

II.

Buyer(s) and seller(s) may wish to obtain professional advice and/or inspections of the property and to provide for appropriate provisions in a contract between buyer and seller(s) with respect to any advice/inspections/defects.

I/We acknowledge receipt of a copy of this statement.

Seller _____ Date _____ Buyer _____ Date _____

Seller _____ Date _____ Buyer _____ Date _____

Agent representing seller _____ By _____ Date _____

E3-E

DEED OF EASEMENT

STATE OF NEW JERSEY AGRICULTURE RETENTION AND DEVELOPMENT PROGRAM

This Deed is made _____, 20 _____.

BETWEEN _____, whose address is _____ and is referred to as the Grantor;

AND _____, whose address is _____ and is referred to as the Grantee and/or Board.

The Grantor, Grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns grants and conveys to the Grantee a development easement and all of the nonagricultural development rights and credits on the Premises, located in the Township of _____, County of _____, described in the attached Schedule A, and, for the limited purpose of the restrictions contained in Paragraph 13(b), the tract of land described in the attached Schedule C, which schedules are incorporated by reference in this Deed of Easement, for and in consideration of the sum of _____ Dollars.

Any reference in this Deed of Easement to "Premises" refers to the property described in Schedule A, and, for the limited purpose of the restrictions contained in Paragraph 13(b), to the tract of land described in Schedule C.

The tax map reference for the Premises is:

Township of _____
Block _____, Lot _____

WHEREAS, the legislature of the State of New Jersey has declared that the development of agriculture and the retention of farmlands are important to the present and future economy of the State and the welfare of the citizens of the State; and

WHEREAS, the Grantor is the sole and exclusive owner of the Premises; and

WHEREAS, the Grantee believes that the retention and preservation of agricultural lands is beneficial to the public health, safety and welfare of the citizens of _____ County;

NOW THEREFORE, THE GRANTOR, GRANTOR'S HEIRS, EXECUTORS, ADMINISTRATORS, PERSONAL OR LEGAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS PROMISES that the Premises will be owned, used and conveyed subject to, and not in violation of the following restrictions:

1. Any development of the Premises for nonagricultural purposes is expressly prohibited.
2. The Premises shall be retained for agricultural use and production in compliance with N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, and all other rules promulgated by the State Agriculture Development Committee, (hereinafter Committee). Agricultural use shall mean the 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, drainage and water management and grazing.
3. Grantor certifies that at the time of the application to sell the development easement to the Grantee and at the time of the execution of this Deed of Easement the nonagricultural uses indicated on attached Schedule (B) existed on the Premises. All other nonagricultural uses are prohibited except as expressly provided in this Deed of Easement.

Prepared by: _____

4. All nonagricultural uses, if any, existing on the Premises at the time of the landowner's application to the Grantee as set forth in Section 3 above may be continued and any structure may be restored or repaired in the event of partial destruction thereof, subject to the following:

- i. No new structures or the expansion of pre-existing structures for nonagricultural use are permitted;
- ii. No change in the pre-existing nonagricultural use is permitted;
- iii. No expansion of the pre-existing nonagricultural use is permitted; and
- iv. In the event that the Grantor abandons the pre-existing nonagricultural use, the right of the Grantor to continue the use is extinguished.

5. No sand, gravel, loam, rock, or other minerals shall be deposited on or removed from the Premises excepting only those materials required for the agricultural purpose for which the land is being used.

6. No dumping or placing of trash or waste material shall be permitted on the Premises unless expressly recommended by the Committee as an agricultural management practice.

7. No activity shall be permitted on the Premises which would be detrimental to drainage, flood control, water conservation, erosion control, or soil conservation, nor shall any other activity be permitted which would be detrimental to the continued agricultural use of the Premises.

- i. Grantor shall obtain within one year of the date of this Deed of Easement, a farm conservation plan approved by the local soil conservation district.
- ii. Grantor's long term objectives shall conform with the provisions of the farm conservation plan.

8. Grantee and Committee and their agents shall be permitted access to, and to enter upon, the Premises at all reasonable times, but solely for the purpose of inspection in order to enforce and assure compliance with the terms and conditions of this Deed of Easement. Grantee agrees to give Grantor, at least 24 hours advance notice of its intention to enter the Premises, and further, to limit such times of entry to the daylight hours on regular business days of the week.

9. Grantor may use the Premises to derive income from certain recreational activities such as hunting, fishing, cross country skiing and ecological tours, 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. Other recreational activities from which income is derived and which alter the Premises, such as golf courses and athletic fields, are prohibited.

10. Nothing shall be construed to convey a right to the public of access to or use of the Premises except as stated in this Deed of Easement or as otherwise provided by law.

11. Nothing shall impose upon the Grantor any duty to maintain the Premises in any particular state, or condition, except as provided for in this Deed of Easement.

12. Nothing in this Deed of Easement shall be deemed to restrict the right of Grantor, to maintain all roads and trails existing upon the Premises as of the date of this Deed of Easement. Grantor shall be permitted to construct, improve or reconstruct any roadway necessary to service crops, bogs, agricultural buildings, or reservoirs as may be necessary.

13(a). At the time of this conveyance, Grantor has existing single family residential buildings on the Premises and residential buildings used for agricultural labor purposes. Grantor may use, maintain, and improve existing buildings on the Premises subject to the following conditions:

- i. Improvements to agricultural buildings shall be consistent with agricultural uses;
- ii. Improvements to residential buildings shall be consistent with agricultural or single and extended family residential uses. Improvements to residential buildings for the purpose of housing agricultural labor are permitted only if the housed agricultural labor is employed on the Premises; and
- iii. Improvements to recreational buildings shall be consistent with agricultural or recreational uses.

13(b). Grantor, their heirs, executors, administrators, personal or legal representatives, successors and assigns may use and maintain the Exception Area, as described in the attached Schedule C, conditions:

sample conditions:

- a. the Exception Area shall not be severed or subdivided from the Premises
- b. the Exception area may be severed and subdivided from the Premises
- c. the Exception Area shall be limited to one residential unit
- d. (Right to Farm Language if Exception is Non-Severable)

Grantors, grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns or any person who is occupying or residing on the Exception Area 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 occupying or residing on 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.

- e. (Right to Farm Language if Exception is Severable)

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.

14. Grantor may construct any new buildings for agricultural purposes. The construction of any new buildings for residential use, regardless of its purpose, shall be prohibited except as follows:

- i. To provide structures for housing of agricultural labor employed on the Premises but only with the approval of the Grantee and the Committee. If Grantee and the Committee grant approval for the construction of agricultural labor housing, such housing shall not be used as a residence for Grantor, Grantor's spouse, Grantor's parents, Grantor's lineal descendants, adopted or natural, Grantor's spouse's parents, Grantor's spouse's lineal descendants, adopted or natural; and
- ii. To construct a single family residential building anywhere on the Premises in order to replace any single family residential building in existence at the time of conveyance of this Deed of Easement but only with the approval of the Grantee and Committee.
- iii. _____ residual dwelling site opportunity(ies) have been allocated to the Premises pursuant to the provisions of N.J.A.C. 2:76-6.17, "Residual Dwelling Site Opportunity". The Grantor's request to exercise a residual dwelling site opportunity shall comply with the rules promulgated by the Committee in effect at the time the request is initiated.

In the event a division of the Premises occurs in compliance with deed restriction No. 15 below, the Grantor shall prepare or cause to be prepared a Corrective Deed of Easement reflecting the reallocation of the residual dwelling site opportunities to the respective divided lots. The Corrective Deed shall be recorded with the County Clerk. A copy of the recorded Corrective Deed shall be provided to the Grantee and Committee.

In the event a residual dwelling site opportunity has been approved by the Grantee, the Grantor shall prepare or cause to be prepared a Corrective Deed of Easement at the time of Grantee's approval. The Corrective Deed of Easement shall reflect the reduction of residual dwelling site opportunities allocated to the Premises. The Corrective Deed shall be recorded with the

County Clerk. A copy of the recorded Corrective Deed shall be provided to the Grantee and Committee.

(OR)

- iii. No residual dwelling site opportunities have been allocated pursuant to the provisions of N.J.A.C. 2:76-6.17. No residential buildings are permitted on the Premises except as provided in this Deed of Easement.

For the purpose of this Deed of Easement:

"Residual dwelling site opportunity" means the potential to construct a residential unit and other appurtenant structures on the Premises in accordance with N.J.A.C. 2:76-6.17.

"Residual dwelling site" means the location of the residential unit and other appurtenant structures.

"Residential unit" means the residential building to be used for single family residential housing and its appurtenant uses. The construction and use of the residential unit shall be for agricultural purposes.

"Use for agricultural purposes" as related to the exercise of a residual dwelling site opportunity and the continued use of the residential unit constructed thereto, means at least one person residing in the residential unit shall be regularly engaged in common farmsite activities on the Premises 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, drainage, water management and grazing.

15. The land and its buildings which are affected may be sold collectively or individually for continued agricultural use as defined in Section 2 of this Deed of Easement. However, no division of the land shall be permitted without the joint approval in writing of the Grantee and the Committee. In order for the Grantor to receive approval, the Grantee and Committee must find that the division shall be for an agricultural purpose and result in agriculturally viable parcels. Division means any division of the Premises, for any purpose, subsequent to the effective date of this Deed of Easement.

- i. For purposes of this Deed of Easement, "Agriculturally viable parcel" means that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from each parcel's agricultural output.

16. In the event of any violation of the terms and conditions of this Deed of Easement, Grantee or the Committee may institute, in the name of the State of New Jersey, any proceedings to enforce these terms and conditions including the institution of suit to enjoin such violations and to require restoration of the Premises to its prior condition. Grantee or the Committee do not waive or forfeit the right to take any other legal action necessary to insure compliance with the terms, conditions, and purpose of this Deed of Easement by a prior failure to act.

17. This Deed of Easement imposes no obligation or restriction on the Grantor's use of the Premises except as specifically set forth in this Deed of Easement.

18. This Deed of Easement is binding upon the Grantor, the Grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns and the Grantee; it shall be construed as a restriction running with the land and shall be binding upon any person to whom title to the Premises is transferred as well as upon the heirs, executors, administrators, personal or legal representatives, successors, and assigns of all such persons.

19. Throughout this Deed of Easement, the singular shall include the plural, and the masculine shall include the feminine, unless the text indicates otherwise.

20. The word 'Grantor' shall mean any and all persons who lawfully succeed to the rights and responsibilities of the Grantor, including but not limited to the Grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns.

21. Wherever in this Deed of Easement any party shall be designated or referred to by name or general reference, such designation shall have the same effect as if the words, 'heirs, executors, administrators, personal or legal representatives, successors and assigns' have been inserted after each and every designation.

22. Grantor, Grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns further transfers and conveys to Grantee all of the nonagricultural development rights and development credits appurtenant to the lands and Premises described herein. Nothing contained herein shall preclude the conveyance or retention of said rights by the Grantee as may be permitted by the laws of the State of New Jersey in the future. In the event that the law permits the conveyance of said development rights, Grantee agrees to reimburse the Committee (_____) percent of the value of the development rights as determined at the time of the subsequent conveyance.

23. That portion of the net proceeds, representing the value of the land only (and not the value of the improvements), of a condemnation award or other disposition of the Premises following termination of this Deed of Easement, as permitted pursuant to N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, shall be distributed among the Grantor and the Grantee in shares in proportion to the fair market value of their interests in the Premises on the date of execution of this Deed of Easement. For this purpose, the Grantee's allocable share of the proceeds shall be the net proceeds multiplied by a fraction, the numerator of which is the fair market value of the development easement as certified by the Committee at the time of the initial acquisition and the denominator of which is the full fair market value of the unrestricted Premises as certified by the Committee at the time of the initial acquisition, which is identified as (____ / ____).

Furthermore, the Grantee's proceeds shall be distributed among the Grantee and the Committee in shares in proportion to their respective cost share grants on the date of execution of this Deed of Easement. The Grantee shall use its share of the proceeds in a manner consistent with the provisions of N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32.

24. No historic building or structure located on the Premises may be demolished by the grantor or any other person without the prior approval of the State Agriculture Development Committee. Historic building or structure is a building or structure that, as of the date of this Deed of Easement, has been included in the New Jersey Register of Historic Places established pursuant to N.J.S.A. 13:1B-15.128 et seq.

The Grantor signs this Deed of Easement as of the date of the top of the first page. If the Grantor is a corporation, this Deed of Easement is signed and attested to by its proper corporate officers, and its corporate seal, if any, is affixed.

_____(L.S.)

_____(L.S.)

_____(Corporate Seal)

Secretary
(For use by corporations only)

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF NEW JERSEY, COUNTY OF _____ SS.:

I CERTIFY that on _____, 20 _____,

_____ personally came before me and acknowledged under oath, to my satisfaction, this that person (or if more than one, each person):

- (a) is named in and personally signed this DEED OF EASEMENT;
- (b) signed, sealed and delivered this DEED OF EASEMENT as his or her act and deed;
- (c) made this DEED OF EASEMENT for and in consideration of mutual obligations and benefits to each party; and
- (d) the actual and true consideration paid for this instrument is \$_____.

Print name and title below signature

(CORPORATE ACKNOWLEDGMENT)

STATE OF NEW JERSEY, COUNTY OF _____ SS.:

I CERTIFY that on _____ 20 _____, the subscriber

_____, personally appeared before me, who, being by me duly sworn on his or her oath, deposes and makes proof to my satisfaction, that he or she is the Secretary of _____, the Corporation named in the within Instrument; that _____ is the President of said Corporation; that the execution, as well as the making of this Instrument, has been duly authorized by a proper resolution of the Board of Directors of the said Corporation, that deponent well knows the corporate seal of said Corporation; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation, in presence of deponent, who thereupon subscribed his or her name thereto as attesting witness; and that the full and actual consideration paid to purchase a development easement as evidenced by the DEED OF EASEMENT is \$ _____ and the mutual obligations and benefits contained herein.

Sworn to and subscribed before me, the date aforesaid

Print name and title below signature

(COUNTY AGRICULTURE DEVELOPMENT BOARD)

THE UNDERSIGNED, being Chairperson of the _____ County Agriculture Development Board, hereby accepts and approves the foregoing restrictions, benefits and covenants.

ACCEPTED AND APPROVED this _____ day of _____, 20 ____.

Chairperson
_____ County Agriculture Development Board

STATE OF NEW JERSEY, COUNTY OF _____ SS.:

I CERTIFY that on _____, 20 _____,

_____ personally came before me and acknowledged under oath, to my satisfaction that this person: (a) is named in and personally signed this DEED OF EASEMENT, (b) signed, sealed and delivered this DEED OF EASEMENT as the Board's act and deed; and (c) is the Chairperson of the _____ County Agriculture Development Board.

Print name and title below signature

(STATE AGRICULTURE DEVELOPMENT COMMITTEE)

The State Agriculture Development Committee has approved the purchase of the development easement on the Premises pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, and has authorized a grant of _____% of the purchase price of the development easement to _____ County in the amount of \$ _____.

Gregory Romano, Executive Director
State Agriculture Development Committee
Date _____

STATE OF NEW JERSEY, COUNTY OF _____ SS.:

I CERTIFY that on _____, 20 _____,

_____ personally came before me and acknowledged under oath, to my satisfaction, that this person:

- (a) is named in and personally signed this DEED OF EASEMENT,
- (b) signed, sealed and delivered this DEED OF EASEMENT as the Committee's act and deed, and
- (c) is the Executive Director of the State Agriculture Development Committee.

Print name and title below signature