

FRANKLIN TOWNSHIP  
RESOLUTION #2019-48

**WHEREAS**, the Hunterdon County Agriculture Development Board (CADB) informed Franklin Township that it has received farmland preservation applications from landowners within Franklin Township; and

**WHEREAS**, the State Agriculture Development Committee (SADC) provides approximately sixty percent of the funds to acquire a development easement on a farm; and

**WHEREAS**, for the balance of the easement purchase funds Hunterdon County determines the portion to be paid by the County and the portion to be paid by Franklin Township; and

**WHEREAS**, the Hunterdon County Agriculture Development Board requests confirmation from the Township that Franklin Township approves of and will provide their cost-share on farmland preservation applications within the Township; and

**WHEREAS**, on June 27, 2019, the SADC certified the fair market value (CMV) of the development easement pursuant to N.J.A.C. 2:76-7.14 at \$8,100.00 per acre on the DuBrow Farm in Franklin Township Block 42, Lot 1.01 --with one dwelling opportunity consisting of: zero Residential Dwelling Site Opportunity (RDSO); zero existing dwellings in the Proposed Easement Area; zero severable exceptions; and one 4.5-acre non-severable exception limited to one future single-family residential unit; resulting in approximately 33.05 net acres; and

**WHEREAS**, on July 12, 2019, the landowner accepted the CMV of \$8,100.00 per acre, conditioned upon all interested parties granting final approval for acquisition of a development easement; and

**WHEREAS**, on August 2, 2019, the CADB has provided a funding formula and requests a commitment of funding pursuant to N.J.A.C. 2:76-17.16, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 33.05 acres), subject to:

- a) The actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program requirements, and
- b) Any additional adjustments pursuant to State statute, rule, regulation, or policy;

State Agriculture Development Committee (\$4,950.00/acre; ~60% of est. total cost)	~\$163,597.50
Hunterdon County (\$1,575.00/acre; ~20% of est. total cost)	~\$52,053.75
Franklin Township (\$1,575.00/acre; ~20% of est. total cost)	~\$52,053.75

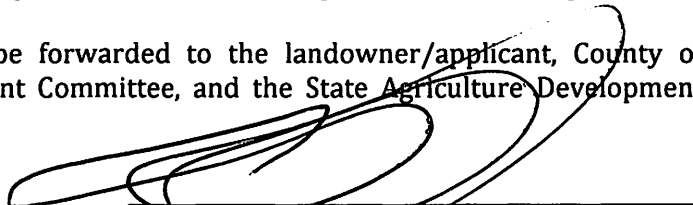
**Total**      **~\$267,705.00**

**NOW, THEREFORE, BE IT RESOLVED**, that the Franklin Township Committee gives final approval to the proposed acquisition of a development easement on the property owned by Paula DuBrow, located at 567 Pittstown Rd., Pittstown, NJ; and designated as Block 42, Lot 1.01 in the Township of Franklin, County of Hunterdon, State of New Jersey, and on approximately 33.05 acres pursuant to the County Planning Incentive Grant application subject to the following:

1. The conveyance of a development easement which shall provide for the following:
  - a. Exceptions: one 4.5-acre non-severable exception limited to one future single-family residential unit;
  - b. Dwellings: One future dwelling in a non-severable exception area;
  - c. Agricultural Labor Housing Units: Zero
  - d. Preexisting Non-Agricultural Uses: Office area in the proposed exception area
  - e. Trail or Access Easements: Zero Existing or Proposed
2. The conveyance of a Restrictive Covenant providing for an annual mowing of the property; and
3. The conveyance of any and all proposed County rights-of-way from the owners of the fee simple title to the property as indicated by the office of the Hunterdon County Engineer; and
4. The County's contribution is based on the assumption that the Township paid an amount of consideration for the Development Easement based upon an amount equal to, or greater than, the SADC certified fair market value per acre of the Development Easement. The County's contribution shall be reduced in accordance with County policy if that was not the case; and
5. The Township of Franklin will contribute an estimated sum of approximately \$52,053.75. The Township's contribution shall be paid in full at closing.

A copy of this Resolution shall be forwarded to the landowner/applicant, County of Hunterdon Agriculture Development Committee, and the State Agriculture Development Committee.

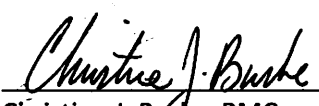
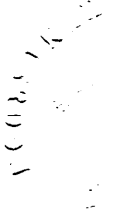
ADOPTED: 09/12/2019



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Craig Reppmann, Mayor  
Township Committee

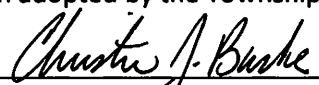
Attest and Affix Seal:



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Christine J. Burke, RMC  
Municipal Clerk

I, Christine J. Burke, Municipal Clerk of the Township of Franklin, County of Hunterdon, do hereby certify this to be a true copy of a resolution adopted by the Township Committee at a meeting held on September 12, 2019.



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Christine Burke, RMC  
Municipal Clerk



<b>Presenter:</b> Prepared by: Bob Hornby, CADB Administrator	<b>Date of Meeting:</b> Franklin Township 9/12/19								
<b>Matter to be considered:</b> <b>Final approval to purchase the DuBrow Farm development easement via a County Planning Incentive Grant (CPIG) Agreement between Hunterdon County, Franklin Township, and the NJ State Agriculture Development Committee (SADC).</b>									
<b>Board Consideration to be Presented:</b> Resolution									
<b>Brief Narrative including Special Issues, Considerations for Board review:</b> The property is owned by Paula DuBrow, located at 567 Pittstown Rd, Pittstown, NJ; and designated as Block 42, Lot 1.01 in Franklin Township, Hunterdon County. <ul style="list-style-type: none"> <li>▪ The farm is approximately <b>37.55 acres</b> with one dwelling opportunity consisting of: zero Residential Dwelling Site Opportunity (RDSO); zero existing dwellings in the Proposed Easement Area; zero severable exceptions; and one 4.5-acre non-severable exception limited to one future single-family residential unit; resulting in approximately <b>33.05 net preserved acres</b>.</li> <li>▪ There are 2 Morton buildings and one greenhouse on the property within the exception area.</li> <li>▪ Agricultural use(s): At the time of application the farm was in <b>soy production</b>.</li> <li>▪ <b>2018 Harvest Round</b> submission</li> <li>▪ <b>January 23, 2019-SADC Green Light Approval</b> on for the easement acquisition</li> <li>▪ <b>June 27, 2019- SADC certified \$8,100.00 per acre Certified Market Value (CMV)</b></li> <li>▪ <b>July 12, 2019- The Landowners accepted the offer.</b></li> <li>▪ <b>September 12, 2019- Franklin Township Agenda for Final Approval</b></li> <li>▪ <b>September 12, 2019- CADB Agenda for Final Approval</b></li> <li>▪ <b>October 1, 2019- BOCF Agenda for Final Approval</b> conditioned on CADB Approval</li> <li>▪ <b>December 6, 2019 - SADC Preliminary Agenda for Final Approval</b> conditioned on prior Approvals</li> </ul> <p>The Township's cost share represents <b>~20% of the purchase price</b> of the development easement for a <b>33.05-acre parcel in Franklin Twp.</b> with the understanding that the easement would be held by the County upon closing.</p>									
<b>County Agriculture Development Board and Staff Recommendation:</b> <i>CADB Staff recommends approval</i>									
<b>Costs/Effect:</b> ~ \$52,053.75									
<b>Funding Source &amp; Partners:</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 40px;">State Agriculture Development Committee (\$4,950.00/acre; ~60% of est. total cost)</td> <td style="text-align: right; vertical-align: top;">~\$163,597.50</td> </tr> <tr> <td style="padding-left: 40px;">Hunterdon County (\$1,575.00/acre; ~20% of est. total cost)</td> <td style="text-align: right; vertical-align: top;">~\$52,053.75</td> </tr> <tr> <td style="padding-left: 40px;"><b>Franklin Township</b> <b>(\$1,575.00/acre; ~20% of est. total cost)</b></td> <td style="text-align: right; vertical-align: top;"><b>~\$52,053.75</b></td> </tr> <tr> <td style="text-align: right;"><b>Total</b></td> <td style="text-align: right;"><b>~\$267,705.00</b></td> </tr> </table>		State Agriculture Development Committee (\$4,950.00/acre; ~60% of est. total cost)	~\$163,597.50	Hunterdon County (\$1,575.00/acre; ~20% of est. total cost)	~\$52,053.75	<b>Franklin Township</b> <b>(\$1,575.00/acre; ~20% of est. total cost)</b>	<b>~\$52,053.75</b>	<b>Total</b>	<b>~\$267,705.00</b>
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<b>Decision/Direction/Comments of the Board:</b>									