

**RESOLUTION #2020-45
TOWNSHIP OF FRANKLIN, HUNTERDON COUNTY**

**FARMLAND PRESERVATION – FINAL COST SHARE APPROVAL
JASON AND ASHLEY ONUSCHAK FARM
452 CHERRYVILL ROAD – BLOCK 30, LOT 13**

WHEREAS, the County of Hunterdon may acquire a development easement in accordance with the State Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et. seq., the County Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1, and the regulations thereunder; and

WHEREAS, the County of Hunterdon submitted a County Planning Incentive Grant (PIG) Application in the 2019 Planting funding round to the Hunterdon County Agriculture Development Board (CADB) and the State Agriculture Development Committee (SADC); and

WHEREAS, the application provided for the proposed acquisition of a development easement for the approximately 23.6-acre property owned by Jason and Ashley Onuschak, located at 452 Cherryville Road, Pittstown, NJ; and designated as Block 30, Lot 13 in the Township of Franklin, County of Hunterdon, State of New Jersey; and

WHEREAS, on May 28, 2020, the SADC certified the fair market value (CMV) of the development easement pursuant to N.J.A.C. 2:76-7.14 at \$3,100.00 per acre --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 3.0-acre non-severable exception with one existing single-family residential unit for future flexibility; resulting in approximately 20.6 preserved acres; and

WHEREAS, on August 14, 2020, the landowner accepted the CMV of \$3,100.00 per acre, conditioned upon all interested parties granting final approval for acquisition of a development easement; and providing for a commitment of funding pursuant to N.J.A.C. 2:76-17.16; and

WHEREAS, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 20.64 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;

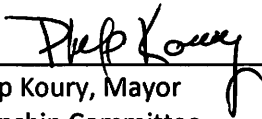
State Agriculture Development Committee (\$2,260.00/acre; ~73% of est. total cost)	~\$46,646.40
Hunterdon County (\$420.00/acre; ~13% of est. total cost)	~\$8,668.80
Franklin Township (\$420.00/acre; ~13% of est. total cost)	~\$8,668.80
Total @ \$3,100/acre	~\$63,984.00

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 Jason and Ashley Onuschak, located at 452 Cherryville Road, Pittstown, NJ; and designated as Block 30, Lot 13 in the Township of Franklin, County of Hunterdon, State of New Jersey, and on approximately 20.64 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 3.0-acre non-severable exception with one existing single-family residential unit for future flexibility;
 - b. Dwellings: One existing dwelling in a non-severable exception area;
 - c. Agricultural Labor Housing Units: Zero existing
 - d. Preexisting Non-Agricultural Uses: None existing
 - 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.
5. The exact acreage to be determined by survey;
6. The easement will be held by Hunterdon County upon closing.

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

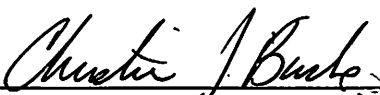
ADOPTED: 09/10/2020

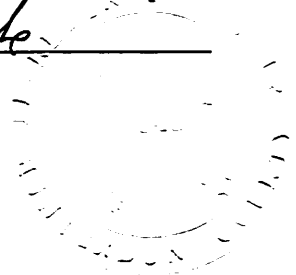

Philip Koury, Mayor
Township Committee

Attest and Affix Seal:


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 10, 2020.


Christine Burke, RMC
Municipal Clerk



Presenter: Prepared by: Bob Hornby, CADB Administrator	Date of Meeting: 9/10/20								
Matter to be considered: Final cost share approval to purchase the Onuschak Farm development easement via a County Planning Incentive Grant (CPIG) Agreement between Hunterdon County, Franklin Township, and the NJ State Agriculture Development Committee (SADC).									
Board Consideration to be Presented: Resolution									
Brief Narrative including Special Issues, Considerations for Board review: <p>The property is owned by Jason and Ashley Onuschak, located at 452 Cherryville Road, Pittstown, NJ; and designated as Block 30, Lot 13 in Franklin Township, Hunterdon County.</p> <ul style="list-style-type: none"> ▪ The farm is approximately 23.6 acres 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 3.0-acre non-severable exception with one existing single-family residential unit for future flexibility; resulting in approximately 20.6 preserved acres. ▪ There is an existing house and utilities within the exception area. ▪ Agricultural use(s): At the time of application the farm was in hay production. ▪ 2019 Planting Round submission ▪ July 3, 2019-SADC Green Light Approval for the easement acquisition ▪ May 28, 2020- SADC certified \$3,100.00 per acre Certified Market Value (CMV) ▪ August 14, 2020- The Landowners accepted the offer. ▪ September 10, 2020- Franklin Township Agenda for Final Approval ▪ September 10, 2020- CADB Agenda for Final Approval ▪ October 6, 2020- BOCF Preliminary Agenda for Final Approval conditioned on CADB Approval ▪ TBA - SADC Preliminary Agenda for Final Approval conditioned on prior Approvals <p>The Township's cost share represents ~13% of the purchase price of the development easement for a 23.6-acre parcel in Franklin Twp. with the understanding that the easement will be held by the County upon closing.</p>									
County Agriculture Development Board and Staff Recommendation: <i>CADB Staff recommends approval</i>									
Costs/Effect: ~ \$8,668.80 to be finalized by survey									
Funding Source & Partners: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 40px;">State Agriculture Development Committee (\$2,260.00/acre; ~73% of est. total cost)</td> <td style="text-align: right; vertical-align: top;">~\$46,646.40</td> </tr> <tr> <td style="padding-left: 40px;">Hunterdon County (\$420.00/acre; ~13% of est. total cost)</td> <td style="text-align: right; vertical-align: top;">~\$8,668.80</td> </tr> <tr> <td style="padding-left: 40px;">Franklin Township (\$420.00/acre; ~13% of est. total cost)</td> <td style="text-align: right; vertical-align: top;">~\$8,668.80</td> </tr> <tr> <td style="text-align: right; padding-right: 40px;">Total</td> <td style="text-align: right; vertical-align: top;">~\$63,984.00</td> </tr> </table>		State Agriculture Development Committee (\$2,260.00/acre; ~73% of est. total cost)	~\$46,646.40	Hunterdon County (\$420.00/acre; ~13% of est. total cost)	~\$8,668.80	Franklin Township (\$420.00/acre; ~13% of est. total cost)	~\$8,668.80	Total	~\$63,984.00
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Decision/Direction/Comments of the Board:									



TINNES CT

CHERRYVILLE RD

~3.0 acre
Non-severable
Exception Area

23.6 Total acres
20.6 Preserved acres
20.2 acres Tillable (98%)
20.6 acres Prime Soils (100%)

Volk Farm
CPIG 2002

PSE & G
200' ROW

NJP & L
100' ROW

Peterson Farm
CPIG 1992

Peterson High Plain Farm
CPIG 2013

AT & T
20' ROW

Onuschak Farm
452 Cherryville Rd.
Franklin Twp.
Block 30 Lot 13

RMH 8/21/20

