

RESOLUTION #2021-16

TOWNSHIP OF FRANKLIN, HUNTERDON COUNTY

**FARMLAND PRESERVATION – FINAL COST SHARE APPROVAL –
MAGNOLIA CREEK FARM – 555 PITTSTOWN RD –
BLOCK 42, LOTS 1 & 1.02**

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, on October 22, 2020, the Township Committee expressed support subject to appraisal for the proposed acquisition of a development easement for the approximately 31.8-acre property owned by Meghan Walker, located at 555 Pittstown Rd., Pittstown, NJ; and designated as Block 42, Lots 1 and 1.02 in the Township of Franklin, County of Hunterdon, State of New Jersey; 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, the CADB requests confirmation that Franklin Township approves of and will provide a 20% cost-share on the proposed application; and

WHEREAS, on February 4, 2021, the SADC certified the fair market value (CMV) of the development easement pursuant to N.J.A.C. 2:76-7.14 at \$7,000.00 per acre --with two dwelling opportunities consisting of: zero Residential Dwelling Site Opportunity (RDSO); zero existing dwellings in the Proposed Easement Area; zero severable exceptions; and two 1.0-acre non-severable exceptions for future flexibility, each with, and restricted to, one existing single-family residential unit; resulting in approximately 29.8 preserved acres; and

WHEREAS, on March 2, 2021, the landowner accepted the CMV of \$7,000.00 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, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 29.8 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 ~\$125,160.00
(\$4,200.00/acre; ~60% of est. total cost)

Hunterdon County ~\$41,720.00
(\$1,400.00/acre; ~20% of est. total cost)

Franklin Township
(\$1,400.00/acre; ~20% of est. total cost)

~\$41,720.00


Total ~\$208,600.00

NOW, THEREFORE, BE IT RESOLVED, that the Franklin Township gives final approval to the proposed acquisition of a development easement on the property owned Meghan Walker, located at 555 Pittstown Rd., Pittstown, NJ; and designated as Block 42, Lots 1 and 1.02 in the Township of Franklin, County of Hunterdon, State of New Jersey, and on approximately 29.8 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: two 1.0-acre non-severable exceptions for future flexibility, each with, and restricted to, one existing single-family residential unit
 - b. Dwellings: two existing dwellings in a non-severable exception area
 - c. Agricultural Labor Housing Units: Zero existing
 - d. Preexisting Non-Agricultural Uses: None
 - 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.

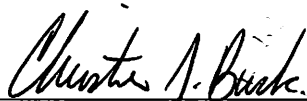
A copy of this Resolution shall be forwarded to the landowner/applicant, County of Hunterdon Agriculture Development Committee, and the State Agriculture Development Committee.

ADOPTED: 04/22/2021

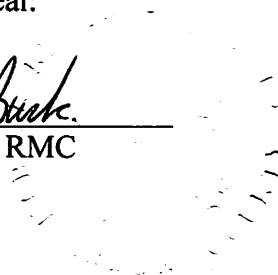


Philip Koury, Mayor
Township Committee

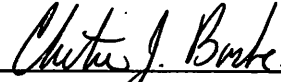
Attest and Affix Seal:



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 April 22, 2021.



Christine J. Burke.

Christine Burke, RMC
Municipal Clerk

Magnolia Creek Farm
555 Pittstown Rd.
Franklin Twp.
Block 42 Lots 1 and 1.02



~1.0 acre
Non-severable
Exception Area

OLD FRANKLIN SCHOOL RD

Lot 1.02

Statewide Soils

~1.0 acre
Non-severable
Exception Area

Lot 1

Prime Soils

PITTS TOWN RD

Muehlbauer Farm
Preserved 2005

DuBrow Farm
Current Application

31.9 Total acres
29.9 Preserved acres
28.4 acres Tillable (95%)
16.5 acres Prime Soils (55%)
13.4 acres Statewide (45%)

RMH 10/29/20

