

CHAPTER 4: SUSSEX COUNTY'S FARMLAND PRESERVATION PROGRAM – OVERVIEW



Farmland is an irreplaceable natural resource, and the farmers who are stewards of this land are important to the County for their value to both the local economy and the quality of life for residents. Agriculture provides food and fiber, clean air, stormwater management, groundwater recharge, wildlife habitat, and the open, scenic vistas that are the hallmark of Sussex County's landscapes. The farming industry is the basis of the County's successful Agritourism program which brings visitors to the County supporting both the farmer and other ancillary businesses.

Since 1983 Sussex County has permanently preserved **12,362 acres** of farmland. Sussex County remains firmly committed to land conservation and supports this highly successful program through their County Agriculture Development Board and its careful utilization of the County's dedicated trust fund for the purchase and preservation of open space and farmland.

Agricultural Development Area for Sussex County

The Sussex County Agriculture Development Board (CADB) developed the Sussex County Agriculture Development Area (ADA) based upon both statutory and county criteria. The ADA designates land that has the potential for long-term agricultural viability. This agricultural use would be the preferred, but not the exclusive, use.

Statutory Criteria:

- The land must be agriculturally productive or have future production potential. Also, zoning for the land must permit agriculture or permit it as a nonconforming use.
- Suburban and/or commercial development must be reasonably non-existent in the ADA area.
- The land must comprise no greater than 90% of the agricultural land mass of the County.
- Any attributes deemed appropriate by the Board must also be incorporated.

In 2007 the Sussex CADB identified and recommended areas in the County as part of the ADA. To help encourage and sustain agriculture in Sussex County and support the County's farmland preservation program, the Sussex CADB designated as much land as appropriate within the County's ADA. Prior to this time the County had designated ADAs

on a voluntary, case-by-case basis for farmland assessed properties or those properties eligible for farmland assessment. These properties had to have a minimum of 40 acres, or be located within a project area or reasonably contiguous to another application for farmland preservation. Utilizing the state's regulatory criteria for designating ADA and existing farmland assessment data, public water and sewer, centers designated per the *State Development and Redevelopment Plan*, tillable acreage, and soils, the County designated an ADA on a county-wide basis that does not exceed 90% of the County's agricultural land base. A map of the ADA is included in the *Maps Section* of this Plan.

County Criteria:

- All farm assessed property in Andover, Frankford, Fredon, Green, Hampton, Hardyston, Lafayette, Montague, Sandyston, Sparta, Stillwater, Vernon, and Wantage Townships as cited by tax assessments as of July 2006.
- The ADA does not include farm assessed property that is in an existing sewer service area or designated Center as per State Development and Redevelopment Plan.
- Land is currently in agricultural production or has strong potential for agricultural production or is farm assessed through a woodland management plan.
- Agriculture is the preferred, but not necessarily the exclusive use.
- Agriculture is permitted by current municipal zoning ordinance or is a protected, pre-existing, non-conforming use.

Description of the Sussex County ADA

The Sussex County ADA was approved by the Sussex CADB at its February 2007 meeting and was approved by the SADC at their July 2007 meeting (*Donna Traylor and Steve Bruder*)¹. Of the total assessed farmland in Sussex County, 80% of the non-preserved farmland is included within the ADA. (*February 2007 CADB Resolution and below table*) All preserved farmland is included within the ADA.

The Sussex ADA excludes the town centers as designated and/or proposed by the State Development and Redevelopment Plan. The ADA also excludes those sites with proposed and/or existing sewer service areas. Thus, the County's small towns and boroughs are outside of the designated ADA due to their proximity and suitability for development.

In addition, densely wooded farm-assessed property in Byram Township and publicly held open space are also excluded from the ADA. The Sussex CADB focused the ADA on the most agriculturally productive land in the County.

Acres of Farm Assessed Property within the Agriculture Development Area:

Municipality	Acres of Q-Farm Assessed Property	Acres of Q-Farm minus Town Centers and Sewer Service Areas	Q-Farm in Town Centers/SSA
ANDOVER TOWNSHIP	5,110.74	5,106.37	4.36
FRANKFORD TOWNSHIP	10,706.53	10,706.53	-
FREDON TOWNSHIP	5,466.28	5,466.28	-
GREEN TOWNSHIP	5,641.76	5,299.39	342.38
HAMPTON TOWNSHIP	7,107.24	7,107.24	-
HARDYSTON TOWNSHIP	6,922.00	3,901.18	3,020.82
LAFAYETTE TOWNSHIP	6,449.17	6,449.17	-
MONTAGUE TOWNSHIP	2,848.66	2,515.94	332.72
SANDYSTON TOWNSHIP	4,639.00	4,632.37	6.63
SPARTA TOWNSHIP	2,454.29	2,419.66	34.63
STILLWATER TOWNSHIP	7,835.96	7,835.96	-
VERNON TOWNSHIP	6,030.27	5,995.19	35.07
WANTAGE TOWNSHIP	24,620.13	24,613.76	6.37
TOTAL	95,832.03	92,049.04	3,782.98

Acres of Farm Assessed Property Outside of Agriculture Development Area:

ANDOVER BOROUGH	341.74
BRANCHVILLE BOROUGH	15.02
BYRAM TOWNSHIP	4,221.32
FRANKLIN BOROUGH	489.20
HAMBURG BOROUGH	12.78
HOPATCONG BOROUGH	1,130.01
NEWTON TOWN	110.17
OGDENSBURG BOROUGH	101.38
STANHOPE BOROUGH	166.93
SUSSEX BOROUGH	34.05
WALPACK TOWNSHIP	92.41
TOTAL	6,715.02

Summary Table –Adopted Agriculture Development Area as of February 2007:

TOTAL FARM ASSESSED PROPERTY:	102,547.05	
<i>PRESERVED FARMS</i>	9,468.00	
TOTAL QFARM IN ADA	92,049.04	
TOTAL QFARM IN TOWN CENTER/SSA	3,782.98	
TOTAL QFARM NON-ADA TOWN	6,715.02	
TOTAL QFARM (Not Preserved) WITHIN ADA	82,581.04	80.53%
QFARM PRESERVED/TOWN CENTER/ADA	19,966.01	19.47%
TOTAL	102,547.05	100.00%

The heaviest concentration of farmland assessed land in the County is located within the Kittatinny Valley stretching from Wantage Township west to Stillwater and Fredon Townships. There is also a productive belt of farmland stretching from Montague Township into neighboring Sandyston Township. These agricultural lands are bounded by High Point State Park, Stokes State Forest, and the Delaware Water Gap National Recreation Area. Further southwest of Sandyston is Walpack Township, which contains land that is farmland assessed, but Walpack is entirely encompassed by the Delaware Water Gap National Recreation Area and is excluded from the ADA.

Within the Highlands physiographic province in Sussex County there is agricultural land from Vernon Township through Hardyston and Sparta into Green Township. Farmland in this region of the County is surrounded by Wallkill River National Wildlife Refuge, Wawayanda State Park, Newark Pequannock Watershed, and Hamburg Mountain Wildlife Management Area.

Farmland Preserved to Date by Program and Municipality

The Sussex County Board of Chosen Freeholders created the Sussex County Agriculture Development Board (CADB) in 1983. This was the same year that the New Jersey State Legislature adopted the State Agriculture Retention and Development Act and created the State Agriculture Development Committee (SADC), which provides funding for farmland preservation programs, establishes farmland preservation policy statewide, and oversees program administration.

The Sussex CADB is comprised of seven voting members and three ex-officio members, including the County Agriculture Agent, a representative of the County Planning Department, and Sussex County Soil Conservation District. By law, a simple majority of the voting members must be farmers. The members are appointed by the Board of Chosen Freeholders.

The Sussex CADB made their first purchase of development rights on a 47-acre farm in Andover Township in 1990. Although funding for preservation was in short supply during the early years of the program, landowner participation and the number of farms approved for preservation have grown steadily. As of June 2007, there are **12,362 acres** of pending and preserved farmland in Sussex County. This includes projects for which the closing date is pending and will close this year. Of this number, **9,468 acres** (as of February 2007) (see above *ADA table*) are permanently preserved and **2,894 acres** have final approval and are pending preservation (see attached *Program History Table*). (*Sussex County Division of Planning*)². Additional acreage preserved through several SADC programs can be added to this total, including the 166-acre farm in Fredon preserved through the state-direct program, the 577-acre Lusscroft Farm, and two farms preserved through the nonprofit grant program totaling 329 acres.

Note: Farmland in Sussex County has been preserved with funding from the state and county, currently no municipality has been required to or contributed funding to purchase an agricultural easement. Thus, there is no "municipal cost share" column on the attached Program History Table

Sussex County Farmland Preservation – Program History

FARM NAME	ACRES PRESERVED	CLOSED DATE	TOTAL COST	SUSSEX COUNTY COST SHARE	SADC COST SHARE	TOTAL PER ACRE
Coray Kirby	72.97	07/27/1990	\$436,962.98	\$107,348.98	\$329,616.00	\$5,914.92
Minifie/Elwood	46.74	6/12/1991	\$299,585.00	\$59,917.00	\$239,668.00	\$6,500
Beemer/Cosh	197.86	06/30/1995	\$593,601.00	\$158,293.60	\$435,307.40	\$3,000.00
Kuperus Meadows	308.50	06/30/1995	\$925,507.80	\$246,802.08	\$678,705.72	\$3,000.00
Siek & Rena Postma	88.97	10/28/1996	\$199,295.04	\$50,891.41	\$148,403.63	\$2,240.00
Richard Harden	237.27	10/28/1996	\$642,845.16	\$169,044.47	\$473,800.69	\$2,700.00
Marjorie Cosh	258.88	06/26/1997	\$654,455.22	\$170,448.31	\$484,006.91	\$2,528.00
Ricker Brothers	250.11	8/13/1997	\$737,598.73	\$196,265.40	\$541,324.33	\$2,949.00
Bertha Compton	151.14	08/13/1997	\$430,456.69	\$114,022.66	\$316,434.03	\$2,848.00
Ernest & Marilyn Cosh	309.69	11/18/1997	\$774,247.25	\$201,304.28	\$572,942.97	\$2,500.00
Fred Joseph/Hans Amell	246.66	06/23/1998	\$616,668.25	\$299,515.77	\$317,152.48	\$2,500.00
Borderland Farm	69.24	06/23/1998	\$155,196.89	\$75,380.00	\$79,816.89	\$2,310.00
Elizabeth & Ruth Struble	106.66	10/07/1998	\$255,381.84	\$123,889.00	\$131,491.85	\$2,400.00
I. & B. Hamming	281.51	10/13/1999	\$492,131.46	\$239,029.77	\$253,101.69	\$1,785.00
John Russell	87.58	12/09/1999	\$283,593.60	\$70,898.10	\$212,695.20	\$2,000.00
Barbara Snook	141.79	12/09/1999	\$283,593.60	\$70,898.40	\$212,695.20	\$2,000.00
Edward Zebrowski	158.91	12/15/1999	\$401,138.53	\$104,581.13	\$296,557.40	\$2,542.00
John & Irene Frankowski	111.66	03/08/2000	\$206,986.00	\$51,237.80	\$155,784.20	\$1,900.00
Bruce & Beverly Hoehn	112.31	10/24/2000	\$242,828.49	\$81,616.89	\$161,211.60	\$2,162.00
John & Holly Vaughan	636.12	12/12/2000	\$1,073,282.76	\$258,850.55	\$814,432.21	\$1,700.00
Raymond Mooney Dairy	294.07	01/08/2001	\$1,099,245.20	\$322,068.81	\$777,176.39	\$3,738.00
Gilman Farm, Inc	86.87	02/07/2001	\$185,673.94	\$138,658.26	\$47,015.68	\$2,137.50
Marlyn & Margaret Shaffer	183.01	03/02/2001	\$274,515.45	\$64,853.36	\$210,461.85	\$1,500.00
Robert Cahill	39.11	06/11/2001	\$131,520.61	\$38,187.12	\$93,333.49	\$3,800.00
Patrick Kelly	123.61	08/31/2001	\$105,073.18	\$21,014.64	\$84,058.54	\$850.00
Harold Wirths	225.36	08/31/2001	\$392,983.36	\$95,357.20	\$297,626.16	\$1,875.00
James Cuneo	52.04	09/19/2001	\$98,583.66	\$24,388.67	\$74,194.99	\$1,900.80
John C. & Sonya Kuperus	37.07	10/15/2001	\$118,624.00	\$32,621.60	\$86,002.40	\$3,200.00
Paul Lundbergh	122.01	11/15/2001	\$372,137.52	\$100,050.09	\$272,087.43	\$3,050.00
Warsex Developers	149.70	12/21/2001	\$280,878.50	\$69,292.84	\$211,586.66	\$1,676.25
Claus Nepple	86.62	01/15/2002	\$190,370.84	\$48,458.03	\$141,912.81	\$1,640.00
John & Anita Hoitsma	74.69	07/19/2002	\$351,068.39	\$110,549.20	\$240,519.19	\$4,700.00

Sussex County Farmland Preservation – Program History (continued)

FARM NAME	ACRES PRESERVED	CLOSED DATE	TOTAL COST	SUSSEX COUNTY COST SHARE	SADC COST SHARE	TOTAL PER ACRE
Ed Scott	134.73	11/14/2002	\$547,946.91	\$165,266.76	\$382,680.15	\$4,067.00
Allen Ulrich	27.79	11/14/2002	\$71,531.46	\$18,680.44	\$52,851.02	\$2,574.00
Leonard Cagno	99.61	11/27/2002	\$209,181.00	\$52,793.30	\$156,387.70	\$2,100.00
Daniel & Judith Kadish	265.41	12/10/2002	\$712,929.33	\$187,474.01	\$525,455.32	\$2,700.00
Harriet Brooks	70.02	01/07/2003	\$157,837.03	\$40,348.58	\$117,488.45	\$2,254.00
Maple Farm Endeavors, L.P.	154.03	05/20/2003	\$254,152.30	\$60,842.52	\$193,309.78	\$1,650.00
Andrew Fairclough	65.63	05/30/2003	\$197,477.96	\$52,917.18	\$144,560.78	\$3,029.50
Christian & Brooks Parrott	121.15	06/27/2003	\$202,931.78	\$48,764.21	\$154,167.57	\$1,675.00
Alfred Jaeger	120.81	08/23/2003	\$223,511.27	\$54,971.69	\$168,539.58	\$1,850.00
Henry Boheim	89.80	12/29/2003	\$211,219.01	\$54,385.30	\$156,833.71	\$2,352.00
Jeffery Beetle	91.99	12/30/2003	\$289,777.95	\$79,113.98	\$210,663.97	\$3,150.00
Edward Gaffney	35.72	01/06/2004	\$99,658.80	\$26,325.74	\$73,333.16	\$2,790.00
Wolfpit Trust	52.25	03/16/2004	\$170,611.31	\$48,143.04	\$122,468.27	\$3,395.00
Ed Nowicki	174.40	04/08/2004	\$431,654.85	\$112,055.86	\$319,598.99	\$2,475.00
Johnathan Alpert	31.94	05/07/2004	\$79,650.00	\$20,561.00	\$59,069.00	\$2,500.00
Stephen & Tracy Landauer	85.14	06/25/2004	\$149,855.20	\$36,442.06	\$113,413.14	\$1,760.00
Jacob & Karen Westbrook	117.82	11/05/2004	\$291,020.34	\$75,523.90	\$215,496.44	\$2,600.00
James Ayers	72.67	11/05/2004	\$181,302.50	\$47,138.65	\$134,163.85	\$1,850.00
Raymond Barnitt	67.03	11/19/2004	\$147,481.40	\$37,540.72	\$109,940.68	\$2,200.00
Glenn Thomas	76.12	12/20/2004	\$220,756.70	\$58,614.71	\$162,141.99	\$2,900.00
Westfall Winery	332.30	12/20/2004	\$564,468.00	\$136,136.40	\$428,331.60	\$1,700.00
William Van Wingerdan	75.71	12/21/2004	\$271,306.80	\$78,377.52	\$192,929.28	\$3,600.00
Nicholas Cerbo	214.36	01/04/2005	\$601,592.21	\$159,523.56	\$442,068.65	\$2,871.00
Jack Dreisbach	244.76	01/13/2005	\$689,983.50	\$182,527.55	\$507,455.95	\$2,820.00
Peter Bina	25.56	07/15/2005	\$76,704.00	\$20,454.40	\$76,704.00	\$3,000.00
James Luckey	81.83	11/03/2005	\$261,659.20	\$91,811.28	\$169,847.92	\$3,200.00
Karen Takacs	67.56	12/12/2005	\$668,923.20	\$267,569.28	\$401,353.92	\$9,900.00
Carolyn Sadlon	109.41	12/23/2005	\$381,940.65	\$109,690.39	\$272,690.39	\$2,735.00
Lorraine Jordan	45.33	03/16/2006	\$206,260.60	\$64,371.44	\$141,889.16	\$4,550.00
John K. & Naomi Komar	35.34	04/10/2006	\$169,632.00	\$63,716.80	\$115,915.20	\$4,800.00
George & Leon Roof	84.42	05/19/2006	\$360,895.50	\$110,590.20	\$250,305.30	\$4,275.00
John & Barbara Fairclough #1	37.63	5/31/2006	\$160,600.00	\$49,640.00	\$110,960.00	\$4,400.00
Miriam Rogers	120.36	06/27/2006	\$431,589.62	\$124,501.85	\$307,267.77	\$3,588.00
Frank & Nancy Pritchard	19.64	07/26/2006	\$113,946.80	\$39,292.00	\$74,654.80	\$5,800.00
Helen Lust	29.91	08/01/2006	\$151,719.90	\$49,085.85	\$102,634.85	\$5,100.00
Bruce Ringier	67.79	08/11/2006	\$155,096.24	\$40,249.67	\$114,846.57	\$2,470.00
Ralph Hunt	101.28	08/16/2006	\$341,034.80	\$100,515.52	\$240,519.28	\$3,800.00
Arthur & Sarah Braunwell	34.04	09/20/2006	\$173,997.25	\$56,579.53	\$117,417.72	\$5,148.00

Sussex County Farmland Preservation – Program History (continued)

FARM NAME	ACRES PRESERVED	CLOSED DATE	TOTAL COST	SUSSEX COUNTY COST SHARE	SADC COST SHARE	TOTAL PER ACRE
Lorenz Frank	129.51	12/22/2006	\$336,744.20	\$88,071.56	\$248,672.64	\$2,600.00
Alice Gebhard	164.16	02/13/2007	\$443,234.70	\$116,553.61	\$326,680.39	\$2,700.00
Nelson Ortiz	41.76	02/26/2007	\$133,638.40	\$36,770.56	\$96,867.84	\$3,200.00
John & Barbara Fairclough #2	78.75	5/31/2007	\$172,035.12	\$49,342.05	\$122,693.07	\$3,800.00
John & Barbara Fairclough #3	31.59	5/31/2007	\$132,673.80	\$40,433.92	\$92,239.88	\$4,200.00
	9475.78	Total Cost:	\$25,156,194.53	\$ 7,269,444.01	\$17,918,633.72	
			Percent Share:	29%	71%	

Below is a table detailing the breakdown of preserved farmland by program and by municipality (provided by Sussex County Division of Planning, June 8, 2007). This data does not include pending farmland applications for projects that will be closing within the calendar year. This table includes the type of program the land was preserved under and the acreage totals for each municipality. Overall, 93% of all projects in Sussex County have been completed through the County Easement Purchase program.

Preserved Farmland by Municipality and Type of Program:

Municipality	Acres	Type
Andover Township	131.18	County Easement Purchase
Andover Township	38.564	Non-Profit
Frankford Township	693.28	County Easement Purchase
Fredon Township	101.27	County Easement Purchase
Fredon Township	165.91	SADC Direct Easement
Fredon Township	291.4	Non-Profit
Green Township	100	8-Year Program
Green Township	94.23	Emergency Appropriation
Green Township	523.56	County Easement Purchase
Hampton Township	764.43	County Easement Purchase
Lafayette Township	1,231.54	County Easement Purchase
Montague Township	515.05	County Easement Purchase
Sandyston Township	53.63	8-Year Program
Sandyston Township	202.18	County Easement Purchase
Sparta Township	67.56	County Easement Purchase
Stillwater Township	324.5	County Easement Purchase
Vernon Township	332.59	County Easement Purchase
Wantage Township	5,239.9	County Easement Purchase

total preserved:	10,870.77
total preserved (not including 8-year):	10,717.14
% County Easement Purchase:	93%
% SADC Direct Easement:	2%
% Non-Profit:	3%
% Emergency Appropriation:	1%
% 8-Year Program	1%

County Easement Purchase Program

County Easement Purchases involve the sale of farmland development rights to the County by the landowner. By selling their development rights to the County, the landowner agrees to restrict their land to agricultural use. To be eligible for the County Easement Purchase program, a landowner must complete an application. These applications are distributed once a year. Following review of the application and a site visit by the Sussex CADB are two independent appraisals, which determine the land's fair market value and its agricultural value. The difference between these two is the price of the farm's "development rights," also known as the easement value. This is the price that the State offers to the landowner, and if this price is accepted, the County has title work and a survey done for farms receiving final State, County and Municipal approvals, and then schedules a closing. The landowner still retains ownership of his or her farm and can sell it on the open market at any time, but the land is deed-restricted, in perpetuity, for agricultural use.

The majority of farmland preservation projects in Sussex County have been accomplished using County Easement Purchase program. Since 1990, 75 projects have been completed in twelve municipalities.

The below chart is a summary of the Sussex County Farmland Preservation program detailing the acres preserved, the number of projects completed each year since 1990, and the cost share between Sussex County and the SADC for the county easement purchase program.

YEAR	ACRES PRESERVED	NUMBER of PROJECTS	TOTAL COST	SUSSEX COUNTY COST SHARE	SADC COST SHARE	TOTAL PER ACRE
1990	72.97	1	\$ 436,962.98	\$ 107,348.98	\$ 329,616.00	\$ 5,914.92
1991	46.74	1	\$ 299,585.00	\$ 59,917.00	\$ 239,668.00	\$ 6,500.00
1995	506.36	2	\$ 1,519,108.80	\$ 405,095.68	\$ 1,114,013.12	\$ 3,000.00
1996	326.24	2	\$ 842,140.20	\$ 219,935.88	\$ 622,204.32	\$ 2,470.00
1997	969.82	4	\$ 2,596,757.89	\$ 682,040.65	\$ 1,914,708.24	\$ 2,706.25
1998	422.56	3	\$ 1,027,246.98	\$ 498,784.77	\$ 528,461.22	\$ 2,403.33
1999	669.79	4	\$ 1,460,457.19	\$ 485,407.40	\$ 975,049.49	\$ 2,081.75
2000	860.09	3	\$ 1,523,097.25	\$ 391,705.24	\$ 1,131,428.01	\$ 1,920.67
2001	1312.85	10	\$ 3,059,235.42	\$ 906,492.59	\$ 2,153,543.59	\$ 2,372.76
2002	688.85	6	\$ 2,083,027.93	\$ 583,221.74	\$ 1,499,806.19	\$ 2,963.50
2003	713.43	7	\$ 1,536,907.30	\$ 391,343.46	\$ 1,145,563.84	\$ 2,280.07
2004	1121.10	11	\$ 2,607,765.90	\$ 676,859.60	\$ 1,930,886.40	\$ 2,524.55
2005	743.48	6	\$ 2,680,802.76	\$ 831,576.46	\$ 1,870,120.83	\$ 4,087.67
2006	705.25	11	\$ 2,601,516.91	\$ 786,614.42	\$ 1,825,083.29	\$ 4,230.09
2007	316.25	4	\$ 881,582.02	\$ 243,100.14	\$ 638,481.18	\$ 3,475.00
TOTALS:	9475.78	75	\$ 25,156,194.53	\$ 7,269,444.01	\$17,918,633.72	\$ 3,009.00

County Planning Incentive Grants

The goal of County Planning Incentive Grants (PIGs) is to protect and preserve large pieces of contiguous farmland through the purchase of development easements. The State Agricultural Development Committee (SADC) has recently updated their rules (N.J.A.C. 2:76-6.3 through 2:76-17A.17) to promote County PIGs to streamline and expand the farmland preservation program throughout the state. In order to qualify for PIGs, an agricultural advisory committee, as which the County Agricultural Development Board (CADB) functions for the county, is necessary. Additionally, the county must maintain a dedicated source of funding or alternative means for funding farmland preservation. Both county and municipal applications should correlate with county comprehensive farmland preservation plans. Sussex County has developed this *Comprehensive Farmland Preservation Plan Update* in order to bring it in to compliance with the newly adopted guidelines and qualify for the County Planning Incentive Grant program.

Municipal Planning Incentive Grants

Municipal Planning Incentive Grants (PIGs) are very similar to the County PIGs in their goals, requirements, and implementation. Like the County PIGs, Municipal PIGs require a local financial commitment for preserving farmland. Upon the completion of a municipal Farmland Preservation Plan and application to the SADC, grants are provided by the SADC in order to purchase development easements. The Farmland Preservation Plan Element describes the farms and programs that are the focus of the Municipal PIG. In order to qualify for this program, the town must have an agricultural advisory committee, a source of funding for farmland preservation, and a municipally approved Right to Farm ordinance. Currently there are no communities in Sussex County enrolled in the Municipal Planning Incentive Grant program. The Sussex CADB promotes the County Easement Purchase program for farmland preservation as the most effective and direct tool in Sussex County for farmland preservation.

SADC Direct Easement Purchase

Also important to Sussex County farmers is the State Agriculture Development Committee (SADC). The SADC is the lead program in administering the state's Farmland Preservation Program. The SADC:

- Provides cost share funding for purchase of development easements.
- Directly purchases farms and development easements from landowners;
- Administers grants to landowners in the Farmland Preservation Program to fund up to 50 % of soil and water conservation projects;
- Administers the Right to Farm Program (discussed in *Chapter 8*);
- Administers the Transfer of Development Rights Bank; and,
- Operates the Farm Link Program, which helps connect farm owners with potential tenant farmers.

The SADC Direct Easement Purchase is a program that allows a landowner to apply directly to the SADC for the sale of development rights. Landowners do not have to be within an ADA if they are making an application directly to the State, although this is not encouraged it is strongly recommended that the farm be located within the ADA. In most cases, the State will pay up to 100% of the certified appraised easement value in the direct easement purchase program. By participating in this program, the landowner still retains ownership of their land, but agrees to restrict land use to agricultural purposes. The Direct Easement Program does not receive monetary contributions from the County. In Sussex County, one farm in Fredon Township was preserved using SADC Direct Easement Purchase. The farm was 166 acres and was preserved at a cost of \$630,469 or \$3,800 per acre. The state covered 100% of the cost of preserving this farm.

SADC Fee Simple

A fee simple acquisition involves an entire property being purchased directly by the state. The SADC pays the survey and title costs, the landowner is exempt from paying rollback taxes for farmland assessment and the transaction can be completed in a matter of months. The SADC negotiates a purchase price subject to recommendations of two independent appraisers and review by a state review appraiser. The land becomes restricted so that it becomes permanently preserved for agriculture. In this type of acquisition, the landowner does not retain any rights. The property is then resold at auction, the SADC does not retain ownership. To qualify to participate in this program, the farmland must be within an ADA and be eligible for Farmland Assessment. Currently, no farm in Sussex County has been preserved through the fee simple program.

Nonprofit Grant Program

Grants are provided to nonprofit organizations by the State Agricultural Development Committee. These grants fund up to 50% of the fee simple or development easement values on farms. (*SADC website*) These grants help to preserve farmland throughout the county, and generally these transactions involve properties with both agricultural and environmental significance. These grants are obtained through an application process, in which the land is valued by independent appraisers.

Two farms were preserved in 2001 and 2002 using the nonprofit grant program, one in Fredon and one in both Andover Township and Fredon. Both were completed by The Nature Conservancy. Farmland acres preserved through the nonprofit program totals to 330 acres for a cost of \$4,250,000, 50% of which was covered by the state. The average total cost per acre was \$12,880.

In 2006 Morris Land Conservancy received a nonprofit Planning Incentive Grant to aid in the preservation of farmland in Sussex County. Working closely with the Sussex CADB, the Conservancy has identified five farmland preservation projects. Morris Land Conservancy will be contributing 30% of the funding towards these projects. As of July 2007, Morris Land Conservancy had signed contracts on all five farms. The County will be providing the balance of the funding.

Transfer of Development Rights

Currently, Frankford Township is the only municipality in Sussex County looking to develop and implement a Transfer of Development Rights program. More information about this can be found in *Chapter 3* under “Coordination with Transfer of Development Rights Program.” Transfer of Development Rights can be used in conjunction with the traditional Purchase of Development Rights program and other preservation tools that are available to the Sussex CADB.

Other programs and partnerships

The Lusscroft Farm in Sussex County was donated to the State of New Jersey by James Turner in 1930 and is preserved directly by the State as state-owned land. This 577 acre farm is located in Montague and Wantage Townships and is owned and managed by the NJDEP, Division of Parks and Forestry. The Lusscroft Farm is under the auspices of High Point State Park. There is a Memorandum of Understanding (MOU) between NJDEP and the SADC regarding the farmland.

Consistency with SADC Strategic Targeting Project

The purpose of the SADC Strategic Targeting Project is to prioritize farmland to be preserved by targeting farms for preservation based on specific criteria, including the prioritization of prime and statewide soils in agricultural production outside sewer service areas. According to the SADC, the Strategic Targeting Project has three primary goals. These are as follows:

- The coordination of farmland preservation and retention of agricultural practices “with proactive planning initiatives.”
- To update and create maps which serve as a tool for more accurate preservation targets
- To coordinate different preservation efforts, such as open space, with farmland preservation

Through the use of the Strategic Targeting Program, the SADC hopes to more efficiently target and designate farmland for preservation and, by doing so, boost the State’s agricultural industry.

The Sussex CADB, through the completion of its *2003 Comprehensive Farmland Preservation Plan* and this *Plan Update*, meets each of the goals as outlined in the Strategic Targeting Project.

Eight Year Programs

The 8-Year Farmland Preservation Program and the Municipally Approved 8-Year Farmland Preservation Program are both cost sharing programs for soil and water

conservation projects, in which the farmer receives 50% cost sharing for these projects as well as protection against emergency energy and water restrictions and eminent domain. In return, the farmer signs an agreement that restricts the land to agricultural use for eight years. For entrance into these programs and to qualify for benefits, a farm must be located within an ADA. Technical assistance for the soil and water practices comes through the Natural Resource Conservation Service. The cost share is based on the number of acres enrolled.

In Sussex County, two landowners are currently participating in an eight-year program. A 100-acre farm in Green Township and 54-acre farm in Sandyston Township are currently enrolled in the 8-Year Program.

Coordination with Open Space Preservation Initiatives

A cooperative project involves a partnership and/or funding from more than one agency. This kind of project leverages county farmland preservation dollars and makes use of municipal open space trust funds or grants to non-profit organizations. These “hybrid” projects are an opportunity to use traditional open space funds, where appropriate, to help preserve farm properties, especially where those properties are a mixture of cropland and woodland areas. The use of Green Acres funding, local open space trust funds, and nonprofit grant funds are becoming increasingly important to preserving agricultural landscapes. Sussex County has not completed cooperative/hybrid projects to date, but would be willing to do so should the opportunity arise. Thirty percent of Sussex County’s total land mass is permanently preserved, public open space.

Farmland preservation and the identification of targeted farms should be coordinated with open space planning efforts. Trail easements and adjacency to proposed and existing active recreational facilities are potential areas of concern for farmers. As the establishment of trails and parks in local communities grows in Sussex County the CADB can look to the Open Space Plans to determine whether public access easements should be negotiated as part of a farmland preservation project.

Twelve towns in Sussex County currently have municipal Open Space trust funds (see *Municipal Open Space Funding table on page 4-13*). Through the adoption of Open Space Plans, the Sussex CADB is in a better position to coordinate farmland preservation with open space preservation.

It has never been the policy of the Sussex CADB to require a municipal monetary contribution toward farmland preservation projects. All easements (except one) to date have been funded through SADC and County monies. Although many county municipalities currently have dedicated funding for open space and farmland preservation, the amounts raised are small (on average \$40,000 to \$75,000 per year). It has been County policy to suggest that municipalities refer any interested farmland owners to the County farmland preservation program in order for towns to use their limited funds for open space projects. This protocol allows for more land protected under both programs.

Municipal Open Space Funding in Sussex County:

TOWNS	Municipal Open Space fund	Municipal Tax Rate (per \$100)	Existing Balance (\$)	Open Space Plan	Enrolled in the Green Acres Planning Incentive Program	Farmland Plan
Andover Borough	No	\$ -	\$ -	Master Plan	No	Master Plan
Andover Township *	Yes	\$ 0.01	will generate \$55,000 per year	2008 anticipated	No - plan to enroll	No
Branchville Borough	No	\$ -	\$ -	No	No	No
Byram Township *	Yes	\$ 0.02	\$ 383,379	Yes - 2001	Yes	No
Frankford Township *	Yes	\$ 0.03	\$ 687,977	Yes	Yes	under development
Franklin Borough	No	\$ -	\$ -	Master Plan - 2003	No	
Fredon Township *	Yes	\$ 0.02	\$ 136,463	Yes - 2003	Yes	
Green Township *	Yes	\$ 0.03	\$ 491,295	Yes - 2001	Yes	No
Hamburg Borough *	Yes	\$ 0.003	\$ 26,691	No	No	
Hampton Township *	Yes	\$ 0.03	\$ 799,455	Yes - 2000	No	
Hardyston Township	No	\$ -	\$ -	Master Plan - 2003	No	No
Hopatcong Borough *	Yes	\$ 0.01	\$ 256,523	Yes	No	
Lafayette Township *	Yes	\$0.01-\$0.03	\$ 70,515	Yes - 2005	Yes	
Montague Township	No	\$ -	\$ -	No	No	
Newton	No	\$ -	\$ -	No	No	No
Ogdensburg Borough	No	\$ -	\$ -	No	No	No
Sandyston Township	No	\$ -	\$ -	No	No	No

Sparta Township *	Yes	\$ 0.02	\$ 144,634	Yes 1997	No	No
Stanhope Borough	No	\$ -	\$ -	No	No	
Stillwater Township *	Yes	\$ 0.01	\$ 49,402	Yes 2006	Yes	
Sussex Borough	No	\$ -	\$ -	No	No	No
Vernon Township	No	\$ -	on November ballot for renewal	Yes 2003	Yes	
Walpack Township	No	\$ -	\$ -	No	No	
Wantage Township *	Yes 2007	\$ 0.02	will generate \$140,000 per year	No	No	

* tax data from Sussex Tax Administrator Carol Dennis

Last Updated: June 28, 2007

On the following page is the *Garden State Greenways Map* for Sussex County. This map details the location of local and regional open space and recreational lands in and around Sussex County and may be used in conjunction with the County's *Project Area Map* to identify land for preservation.

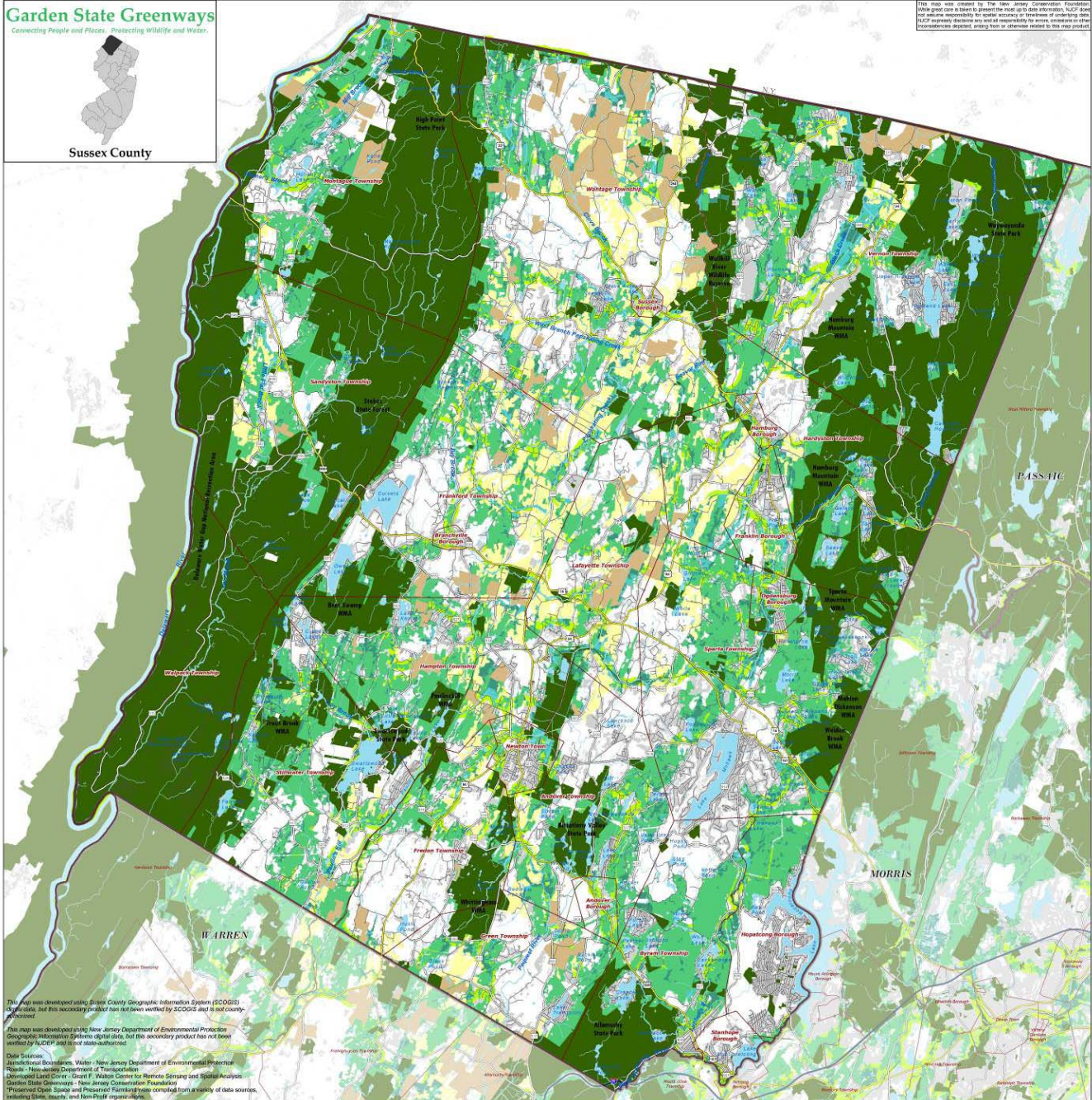
Garden State Greenways

Connecting People and Places. Protecting Wildlife and Water.



Sussex County

This map was created by The New Jersey Conservation Foundation. The map user assumes full responsibility for the accuracy of the data presented. NJCF does not assume responsibility for spatial accuracy or treatment of underlying data. NJCF expressly disclaims any and all responsibility for errors, omissions or other inaccuracies resulting from or otherwise related to this map product.



This map was developed using Sussex County Geographic Information System (SCGIS) data files, but this secondary product has not been verified by SCGIS and is not county authorized.

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state authorized.

Data Sources:
 Municipal Boundaries, Water - New Jersey Department of Environmental Protection
 Agricultural Land Cover - Grant F. Walton Center for Remote Sensing and Spatial Analysis
 Garden State Greenways - New Jersey Conservation Foundation
 Protected Open Space and Protected Farmland data compiled from a variety of data sources, including State, County, and Non-Profit organizations.

Garden State Greenways	
	Agriculture/Grassland
	Emergent Wetland
	Forested Wetland
	Upland Forest
	Beach/Dune
	Connectors

Other Land Cover	
	Preserved Open Space
	Preserved Farmland
	Water
	Developed 2001
	County Boundary
	Municipal Boundary

Infrastructure	
	Interstate/Toll Highway
	U.S./State Highway
	County Road
	Local Road



Garden State Greenways (GSG) is a vision for an interconnected, statewide system of open space. GSG county maps depict the results of the New Jersey Green Infrastructure Assessment (NJGIA) conducted by the New Jersey Conservation Foundation in cooperation with the New Jersey Department of Environmental Protection Green Acres Program and the Grant F. Walton Center for Remote Sensing and Spatial Analysis at Rutgers University.

The NJGIA identified large tracts of undeveloped land that could function as "hubs" of an interconnected open space system in New Jersey. Linear "connectors" were also identified by the NJGIA in order to represent potential linkages among identified hubs.

Garden State Greenways refers to the "green infrastructure" identified by the NJGIA and represents a vision of interconnected open space that can help to lessen the environmental and social impacts of sprawl and maintain quality of life in New Jersey.

Green infrastructure plays a vital role in maintaining public health and quality of life in New Jersey by providing close-to-home recreation opportunities, safeguarding surface and underground water supplies and productive soils, protecting native plant and animal populations, and upholding scenic, cultural and historic amenities contributing to community character and livability throughout the state.

- Garden State Greenways sets forth eight broad goals towards achieving the vision of a "green infrastructure":
1. Establish parks, trails, or other protected lands within walking distance of every New Jersey resident.
 2. Permanently protect New Jersey's critical natural resource lands: those contributing to groundwater or aquifer recharge, surface water quality, rare and endangered species habitat, and prime soils.
 3. Permanently protect large, contiguous tracts of natural land for the long-term survival of native plant and animal species.
 4. Permanently protect large, contiguous tracts of farmland for the long-term viability of agriculture and the maintenance of scenic and cultural landscapes.
 5. Permanently protect parks, natural lands, and farmland surrounding historic sites, in order to maintain their historic character, visual context and interpretive value.
 6. Link together New Jersey's protected natural, agricultural, historic, and recreation lands via trails and greenway connectors.
 7. Grant public access and trail rights-of-way, where appropriate, across green infrastructure lands to allow the public to benefit from the scenic, recreational and interpretive opportunities provided therein.
 8. Coordinate state, local, and private preservation as well as land use planning efforts, around common maps and shared GIS data, towards achieving goals one through seven.



Farmland Preservation Program Funding Expended to Date

The Sussex County Open Space and Farmland Preservation Trust Fund was established in 2000, with the support of 73% of voters. This trust was initially set at two cents, with 90% of the income from the Trust allocated towards farmland preservation. Prior to the establishment of the dedicated Trust, Sussex County funded farmland preservation through a \$3 million bond issued in 1987. In 2005 the voters of Sussex County approved a second dedicated fund of one and one-half cents. This second source of funding is competitive and is shared between open space and farmland preservation. The below table details the amount generated per year since 2006 and the funds expended for farmland preservation and open space preservation.

County of Sussex Analysis of Open Space Tax Levies				
Year	Total Levy	Original Rate(0.02)		Additional Rate(0.015)
		Dedicated to Farmland Preservation	Dedicated to Open Space	Dedicated to Farmland or Open Space Preservation
2006	\$6,026,531.56	\$3,099,359.09	\$344,373.23	\$2,582,799.24
2007	\$6,940,123.99	\$3,569,206.60	\$396,578.52	\$2,974,338.87

To date, Sussex County has spent \$7,269,444 to preserve farmland in the County. (*See Farmland Program History Table*) State funding has totaled \$17,918,633.72 for farmland preservation in Sussex County. As noted earlier, there has been no municipal cost share to date in Sussex County.

Monitoring of Preserved Farmland

The Sussex CADB monitors the preserved farms on an annual basis to insure that the deed restrictions are being adhered to (*see SADC website*). This on-site visit and contact with the farmer also provides an important opportunity for meeting with landowners.

Nonprofit organizations holding farmland easements monitor their preserved farms on an annual basis, without the participation of County staff, to insure that the deed restrictions are adhered to. As noted earlier, when a nonprofit organization preserves a farm it may be both for its agricultural value and its natural resource value. In Sussex County, one of the two farms preserved by nonprofit organizations not only has an agricultural easement, it has a conservation easement as well. It is the responsibility of the owner of the easement, in this case, the New Jersey Conservation Foundation, to monitor both the agricultural easement and the conservation easement. An additional farm in Sussex County was preserved by The Nature Conservancy and was partially funded by other grant sources, in addition to state farmland funding.

Coordination with Transfer of Development Rights Programs

Frankford Township is currently the only municipality in Sussex County currently seeking to develop and implement a transfer-of-development rights program. Frankford is attempting to direct development activity towards land that is adjacent to existing commercial buildings and highways. Towards this end, the Township has identified a desirable receiving zone at Ross's Corner – a 250-acre site located at the intersection of Routes 15, 206 and County Road 565. Desirable sending zones and acceptable mechanisms for determining and transferring development credits have not yet been determined. Frankford Township has received an Office of Smart Growth Smart Future Grant for \$45,000 and a Planning Assistance Grant from the State TDR Bank for \$40,000 to cover a portion of the estimated cost of this project.

Developing a TDR program in Frankford Township is highly consistent with the County's goal of concentrating development while preserving its rural environs. Frankford is a predominately agricultural municipality, and most areas in the Township could provide excellent TDR sending zones.

¹ Personal Communication, Donna Traylor Sussex CADB and Steve Bruder State Agriculture Development Committee, June 2007.

² Information provided by Sussex County Division of Planning, July 11, 2007.