

FARMLAND PRESERVATION PLAN

*Township of Frankford
Sussex County, New Jersey*

July 25, 2007



Prepared by

H2MGROUP

H2M Associates, Inc.

555 Preakness Avenue
Totowa, New Jersey 07512

Farmland Preservation Plan

Frankford Township, Sussex County, New Jersey

Prepared for:

Township of Frankford

Municipal Building

151 State Highway 206

Augusta, NJ 07822

The original of this report was signed and
sealed in accordance with N.J.S.A. 45:14A-12.

Janice E. Talley, P.P. #5059

ACKNOWLEDGEMENTS

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Sussex County, New Jersey

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William Hahn, *Deputy Mayor*
Robert McDowell, *Council*

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TABLE OF CONTENTS

INTRODUCTION 1

GOALS AND OBJECTIVES 2

FRANKFORD TOWNSHIP’S AGRICULTURAL LANDSCAPE 2

 PRIME AGRICULTURAL LANDS (SOILS).....4

 INVENTORY OF FARM PROPERTIES.....5

MUNICIPAL SUPPORT FOR AGRICULTURE 8

 ZONING.....9

 TRANSFER DEVELOPMENT RIGHTS9

FARMLAND PRESERVATION PLAN 10

 PRIORITY PROPERTIES.....10

 FINANCING.....13

 ADMINISTRATION.....14

 ACTION PROGRAM.....14

LIST OF MAPS:

- AERIAL MAP – PAGE 3
- PRIME AGRICULTURAL SOILS MAP – PAGE 6
- FARMLAND PRESERVATION PLAN MAP – PAGE 11

APPENDICES:

- APPENDIX A: LIST OF QUALIFIED FARMS
- APPENDIX B: PLANNING INCENTIVE GRANTS REGULATIONS
- APPENDIX C: FRANKFORD TOWNSHIP RIGHT TO FARM ORDINANCE

INTRODUCTION

Farmland preservation is essential to achieving the overriding goal of the Frankford Township Master Plan, which is the preservation of the Township's rural character. The Farmland Preservation Plan portion of the Frankford Township Master Plan outlines the Township's goals and objectives for the future of farming and farmland preservation, reports on the state of agriculture within the Township, and describes the various mechanisms utilized to preserve farmland. This plan is intended to build upon the 2000 Master Plan, 2002 Open Space and Recreation Plan, and the 2005 Master Plan Reexamination Report.

Over the past six years, the Township and other entities that preserve farmland have had much success, but there is still more that should be done to develop the agricultural industry and support the viability of agriculture as a business in the Township. The Township recognizes that agriculture is a dynamic and ever-changing industry and it is committed to creating an atmosphere that supports the viability of agriculture as a business. Moreover, in recognition of the tremendous assets that local farmers bring to the community, the Township will work towards fostering an environment that helps family farms prosper and to identify ways to expand operations, should they choose.

This Farmland Preservation Plan is prepared pursuant to paragraph 13 of section 19 P.L. 1975, c. 291, the Municipal Land Use Law (C.40:55D-28). The farmland preservation plan includes:

1. An inventory of farm properties in the entire municipality and a map illustrating significant areas of agricultural land;
2. A detailed statement showing that municipal plans and ordinances support and promote agriculture as a business; and
3. A plan for preserving as much farmland as possible in the short term by leveraging monies made available by the Garden State Preservation Trust Act, through a variety of mechanisms including, but not limited to:
 - a. Option agreements
 - b. Installment purchases; and
 - c. Encouraging donations for permanent easements.

4. A statement of farming trends, characterizing the type(s) of agricultural production in the municipality; and
5. A discussion of plans to develop the agricultural industry in the municipality.

GOALS AND OBJECTIVES

The goals and objectives set forth in the Farmland Preservation Plan incorporate the goals and objectives of the Open Space and Recreation Plan portion of the Master Plan that was adopted in September 2001 and updated on September 14, 2002. These goals and objectives have been expanded to recognize certain principles set forth by the State Agriculture Development Committee.

The goals and objectives include:

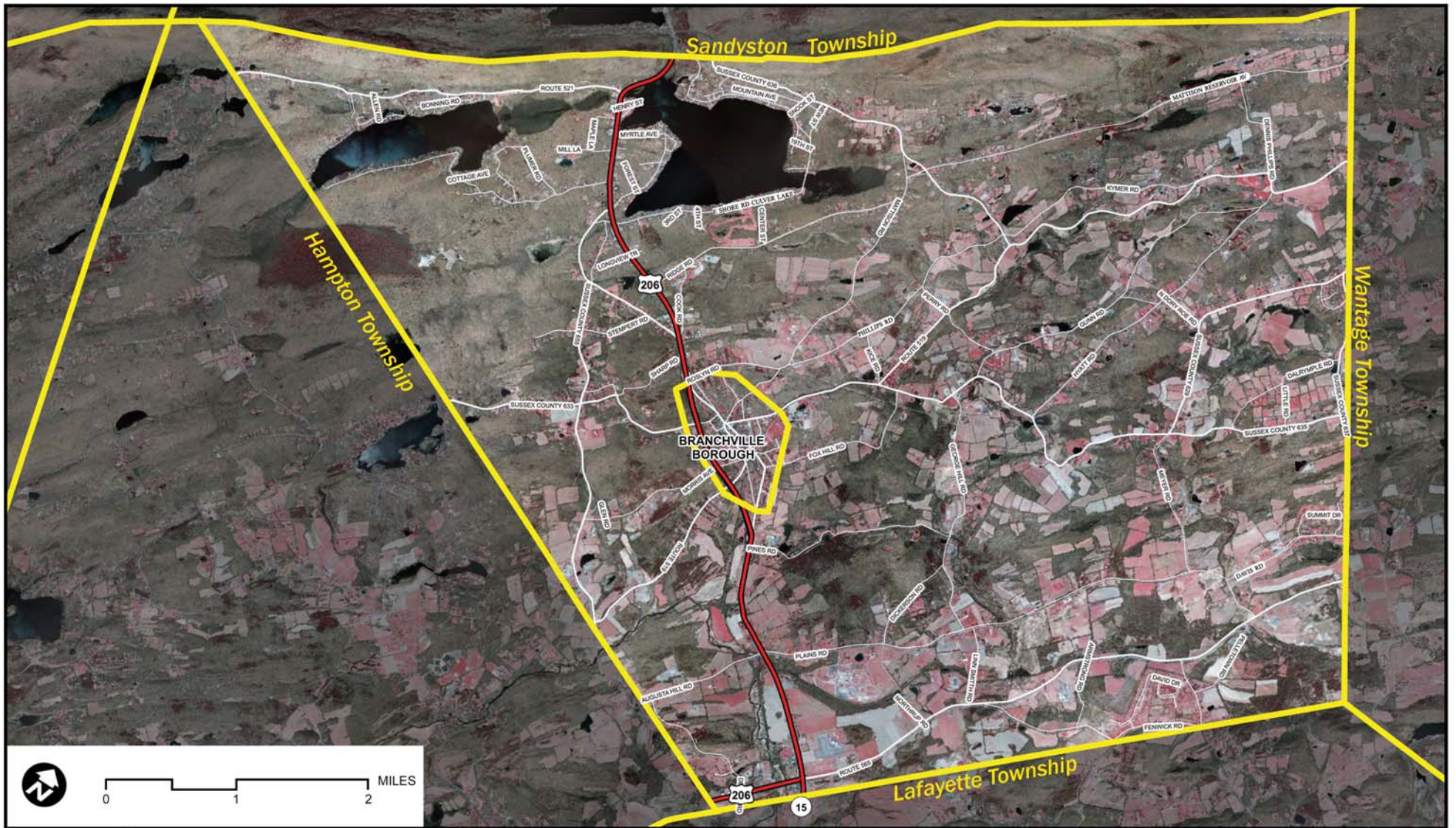
- 1) To maintain Frankford Township’s agricultural heritage through the preservation of large, contiguous areas of farmland.
- 2) To support the viability of agriculture as a business.
- 3) To encourage private and public support and participation in the New Jersey and Sussex County Farmland Preservation programs and in local and nonprofit farmland preservation initiatives.

- 4) To employ the use of creative planning tools and techniques that promote farmland preservation including, but not limited to, lot averaging and transfer of development rights.

FRANKFORD TOWNSHIP’S AGRICULTURAL LANDSCAPE

With a population estimate of 5,600 residents within a 34.8 square miles area, Frankford Township is characterized by rolling hills containing farms and forested areas, with residential homes scattered across the landscape, as illustrated on the Aerial Map. The map clearly illustrates the importance of protecting large, contiguous farmland and open space areas in order to preserve the rural character of the Township.

Frankford Township has a long history of farmland operations, especially in the dairy industry. The Township is home to the New Jersey State Fair/Sussex County Farm and Horse Show. Through the years, the Township has evolved from mainly dairy operation uses to a more diversified local economy which includes dairying home gardening, horse and livestock areas, and with improved transportation routes, a vacation destination area.



FRANKFORD TOWNSHIP - AERIAL
Township of Frankford, Sussex County, New Jersey

November 28, 2006

Source: New Jersey Department of Environmental Protection
 Orthophotography 2002

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Between 1995 and 2005, the number of farm-assessed acres decreased by almost 1,000 acres, a 9 percent decline, as shown in Table 1. Despite significant losses in tillable land between 1995 and 2005, harvested cropland remains the largest agricultural use in Frankford and those farms with a high proportion of tillable land are typically given a high priority in the State’s Farmland Preservation Program review process.

Table 1: SUMMARY OF ACREAGE AND TYPE OF AGRICULTURE REPORTED FOR FARMLAND QUALIFIED TAX ASSESSMENT

Township of Frankford, Sussex County, New Jersey

	<u>1995</u>	<u>2000</u>	<u>2005</u>	Change (95 - 05)	
				<u>Number</u>	<u>Percent</u>
Cropland Harvested	4,433	4,366	3,987	-446	-10%
Cropland Pastured	490	538	479	-11	-2%
Permanent Pasture	2,411	2,453	2,088	-323	-13%
Unattached Woodland	992	1,411	1,303	311	31%
Attached Woodland	2,980	2,360	2,450	-530	-18%
Equine Acres	*	9	30	NA	NA
Total for Ag. Use	11,306	11,137	10,337	-969	-9%

Source: New Jersey State Agriculture Development Committee

“Cropland harvested” is defined by the State Agricultural Development Board as land that a crop was harvested in the current year, and can include the land under structures utilized for agriculture or horticulture production.

“Cropland pastured” means land that can be and often is used to produce crops, but its maximum income may not be realized

in a particular year. This includes land which is fallow or in cover crops as part of a rotational program.

“Permanent pasture” means land that is not cultivated because its maximum economic potential is realized from grazing or as part of erosion control programs. Animals may or may not be part of the farm operation.

The Township has been actively involved in preserving its agricultural heritage by various mechanisms including the purchase of development rights or easements through the Sussex County Farmland Preservation Program and zoning provisions. The Township is currently establishing a Transfer Development Rights (TDR) program to supplement the Township’s farmland preservation efforts. The Township has received a grant from the State TDR Bank Board to establish a local TDR program.

Prime Agricultural Lands (Soils)

In planning for farmland preservation, a key indicator as to suitability for agriculture and the location of important farmland is soil classification. The United States Department of Agriculture Natural Resources Conservation Service (NRCS) classifies important soils for farmland as “Prime” or of “Statewide Importance”. The Natural Resources Conservation Service (NRCS) defines productive agricultural soils as follows:

“Prime” agricultural soils are those soils that offer the best combination of physical and chemical characteristics to produce sustained yields of a variety of crops when treated and managed according to accepted farming practices.

“Soils of Statewide Importance” are nearly prime soils and can produce high yields of crops when treated and managed according to accepted farming practices and under certain favorable conditions may provide yields as high as prime soils.

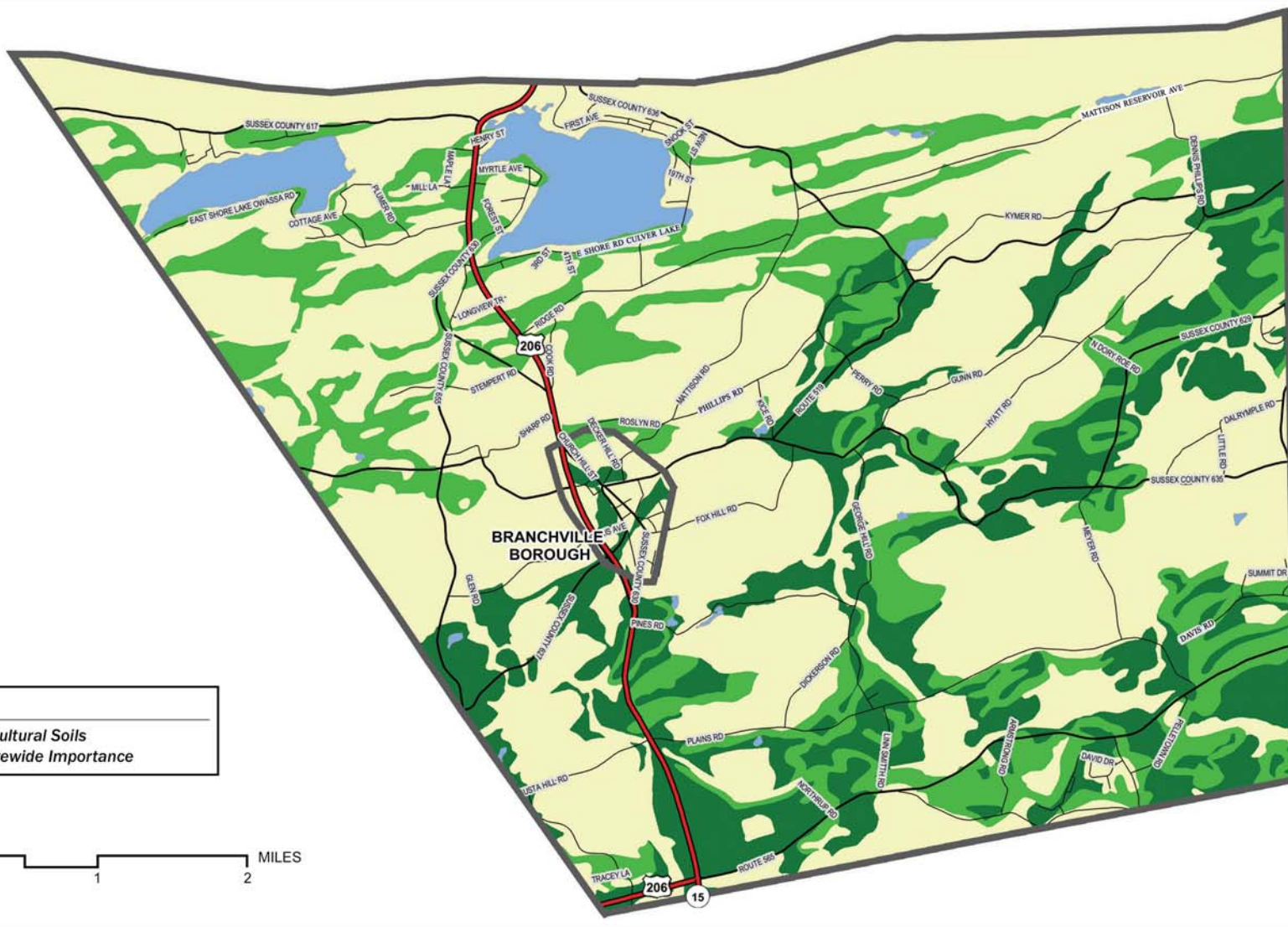
A significant amount of the land within Frankford Township consists of productive agricultural soils. These areas are represented on the Important Soils for Farmland Map on the following page.

Inventory of Farm Properties

Nearly fifty percent of the total land area in Frankford Township (11,297 acres) is maintained for agriculture and/or qualifies for farmland assessment. This includes a total of 360 farmland properties that are currently in farmland assessment, which have a total acreage of 10,642 acres. Another 902 acres of land in the Township is classified as farmland, but is not assessed as farmland. While the majority of these lots are one-acre lots containing a house associated with a qualified farm, it also includes a total of 684 acres of agricultural properties in

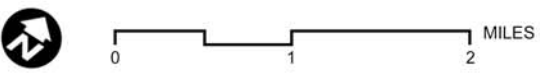
excess of five-acres. The lands that qualify for farmland assessment may be in cropland, woodland management or some other agricultural use. The vast majority of the qualified farms in the municipality are located in the Agricultural/Residential AR zoning district. Appendix A includes a list of qualified farms and shows block and lot, property location, owner’s name and address and acreages.

There are approximately 845 acres of preserved farmland in Frankford Township, as shown in Table 1 and delineated on the Farmland Preservation Plan Map. Virtually all of the preserved farms are within the AR zoning district and are located adjacent to other active farms and public lands of



Legend

- Prime Agricultural Soils
- Soils of Statewide Importance



FARMLAND SOILS

Township of Frankford, Sussex County, New Jersey

November 28, 2006

Source: New Jersey Department of Environmental Protection
Natural Resources Conservation Service (NRCS) - SSURGO Data

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over 20 acres as shown on the map. For example, there are three (3) preserved farms that are contiguous to each other as well as adjacent to other active farms or open space areas that are over 20 acres. Currently, most of the preserved farms are generally located near the Township boundaries of Wantage and Hampton, which has resulted in several joint applications recently between Frankford and Wantage Townships for farmland preservation areas.

Public lands are also shown on the Farmland Preservation Plan Map. These are lands that are publicly owned properties (i.e., State, County and Municipal Parks and Open Space Areas). Finally, this map also depicts commercial/recreational properties, which include golf courses, within the Township.

Table 2: INVENTORY OF PRESERVED FARM PROPERTIES

Township of Frankford, Sussex County, New Jersey

<u>OWNER</u>	<u>BLOCK</u>	<u>LOT</u>	<u>ACREAGE</u>	<u>ZONE</u>
Kolich	17	3	35.06	AR
Cerbo	19	10	87.22	AR
Van Wingerden	19	15	75.72	AR
Cerbo	21	6	153.40	AR
Sadlon	22	8	109.41	AR
Everett	32	12	76.12	AR
Cuneo	35	1	52.04	AR
Anderson	35	2	120.82	AR
Boheim	35	4 & 4.02	86.36	AR
Kelly	37.01	1	2.77	AR
Barnitt	39	2	45.77	AR
			844.69*	

*Pending Application: Stoll, Block 25 / Lot 19.01, 29.53 acres, AR zone (TBD June-2007)

MUNICIPAL SUPPORT FOR AGRICULTURE

Frankford Township has demonstrated a longtime commitment to the preservation of agriculture. The Township has been an active participant in the Sussex County Farmland Preservation Program mandated through the Agriculture Retention and Development Act of 1983.

In 1998, the residents of Frankford Township voted and passed on a Municipal Open Space Tax referendum whereby a one (1) cent tax per \$100.00 of total Municipal equalized real property valuation was established in 1999. That year, the Frankford Township Committee also approved by ordinance an Open Space, Recreation, Farmland Preservation and Historic Preservation Committee. Following the one (1) cent open space tax in 1999, it was raised in 2000 to two (2) cents, and raised once more in 2004 to three (3) cents. The creation of the Open Space Trust Fund is to fund the acquisition of open space properties including the preservation of prime agricultural land under development pressure.

Continued participation in the farmland preservation program is anticipated to maintain the open farmland areas in the Township. In addition, the Township has enacted a Right-to-Farm ordinance to provide further protection for agricultural operations and is actively participating with the Sussex County Agricultural Development Board in establishing the local Agricultural Development Area and preserving farmland

within this area (see Appendix C). The Township intends to continue to work closely with Sussex County and the State of New Jersey, through their Farmland Preservation programs, to advance the protection and preservation farmlands and farmers. Lastly, the Township is preparing a Transfer of Development Rights program that will establish a financial and administrative mechanism to preserve farmland in the Township.

Zoning

The Township of Frankford has established zoning policies that support agricultural use. The Township's Land Use Ordinances permits agricultural uses in every zoning district except in the Commercial Recreational Resort zone (C-R).

The Township has established a zone district, Agricultural / Park (AP), which encourages agricultural uses for the properties that exist in the northeastern section of the Township near the Wantage border. Under this zoning district, no residential buildings are permitted and minimum farm acreages are set at five (5) acres. Aside from farms, other permitted uses in this zone include orchard stands, public buildings, golf courses and active recreational uses.

The vast majority of the Township is classified as Agricultural / Residential (AR) which has a gross density of one unit per five acres. Under the AR zoning district, farms, orchard stands and other agricultural uses are permitted. The AR zone includes an Open Space/Agriculture Preservation Option for development which is intended to preserve farmland and open space. The development option, which has a minimum tract size of 40 acres, permits lot averaged development in which homes may be located on lots of 1.5 to 2.5 acres in size, provided that at least 45 percent of the tract is deed restricted for farmland or open space.

This ordinance is fully consistent with the municipal master plan objectives, which recommends concentrated residential development to preserve critical land for environmental protection and recreation as well as prime agricultural land.

Transfer Development Rights

Transfer of development rights is a growth management tool that transfers development rights from one location (sending area) to an identified growth area (receiving area). Since developers purchase these rights, the private market affords landowners compensation, thus the use of public funds are unnecessary. Overall, TDRs provides an economic incentive for preserving undeveloped land. As indicated in the introduction, the Township is in the process of establishing a transfer of development rights program that would be the first in Sussex County. It is anticipated that the priority farmland properties identified in this plan will be the sending area (preservation area) of the Township's TDR program.

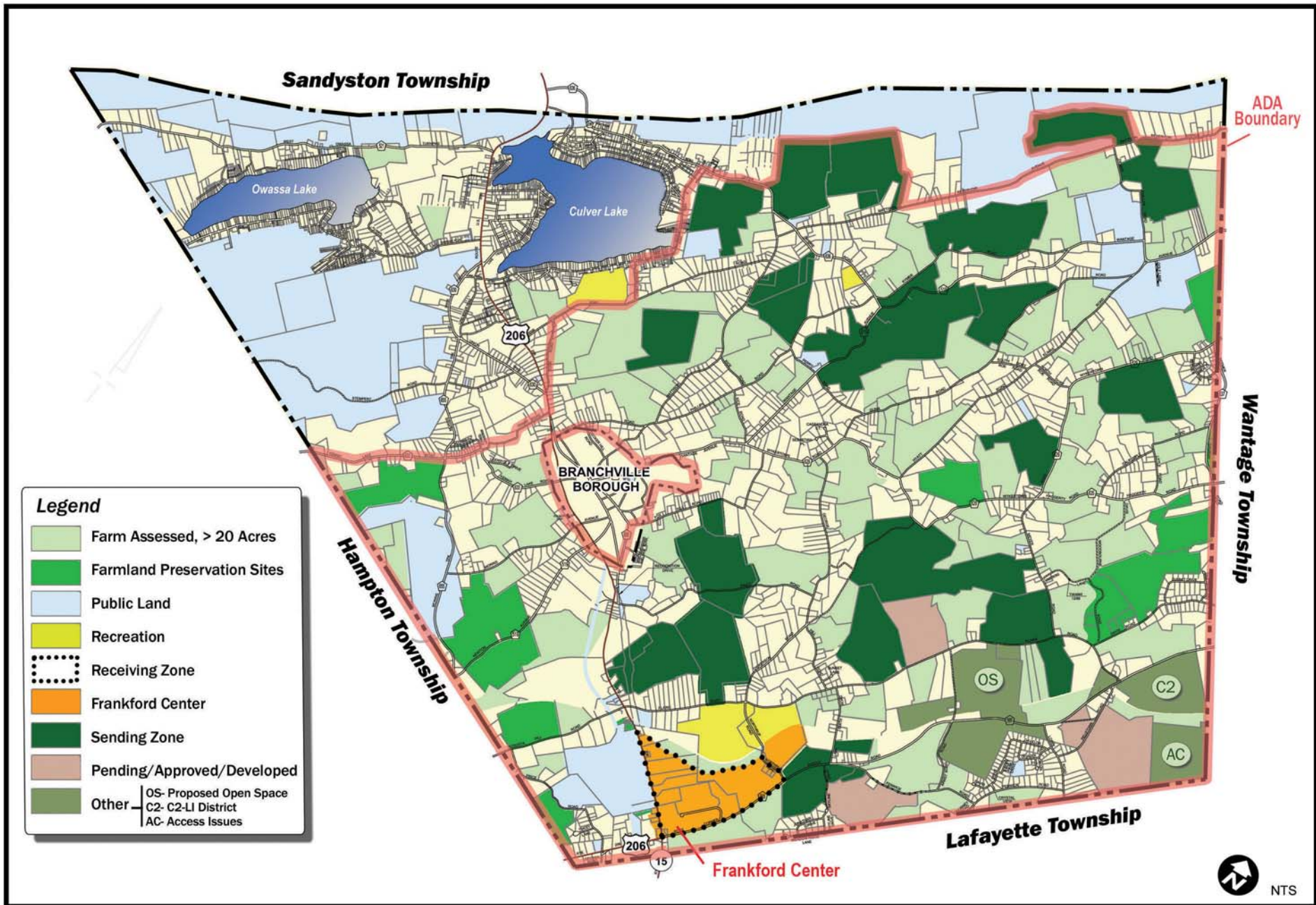
FARMLAND PRESERVATION PLAN

Frankford's plan for prioritizing potential farmland properties for preservation targets large, viable existing farms and prime agricultural land. Areas of farming that are critical to the agricultural economy in both Frankford and Sussex County is agritourism, livestock, niche markets, floriculture, nursery growers, harvesting of hay, greenhouse, agricultural processing – food value added products. All of these agricultural components play a pivotal role in shaping the Township's diverse and wide variety of agricultural activities that may not fit with past traditional views of farming.

The Frankford Township Farmland Preservation Plan relies on three mechanisms for farmland preservation: participation in the farmland preservation program, zoning, and transfer of development rights. The Farmland Preservation Plan, which is shown on the following map, includes an Agricultural Development Area where continued agriculture use is encouraged. The Agricultural Development Area is characterized by contiguous farm areas, preserved farmland and prime agricultural soils.

Priority Properties

A list of priority farmland properties has been created that targets the largest existing farms in the Township. These properties, which are shown on the Plan, include existing farms in excess of 100 acres. It also includes properties that have been considered for permanent preservation in the Sussex County Farmland Preservation Program. Forty lots totaling 3,136 acres in area are included in the list of priority farms. Most of the priority properties are located within the AR zone district. As in the same case with the general location of the farmland preservation areas, most of the priority farmland properties are also located in the eastern half of the Township.



Legend

- Farm Assessed, > 20 Acres
- Farmland Preservation Sites
- Public Land
- Recreation
- Receiving Zone
- Frankford Center
- Sending Zone
- Pending/Approved/Developed
- Other
 - OS- Proposed Open Space
 - C2- C2-LI District
 - AC- Access Issues

TDR SENDING AND RECEIVING ZONE MAP

Township of Frankford, Sussex County, New Jersey

April 2007

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Source: New Jersey Department of Environmental Protection
Frankford Township Open Space Plan 2002



Table 3: PRIORITY FARMS FOR PRESERVATION
 Township of Frankford, Sussex County, New Jersey

Block(s)	Lot(s)	# Lots	Acreage
3; 29; 30; 32	4; 1 & 11; 1; 9	5	485.23
43; 44; 46	4; 10 & 10.02; 2	4	464.29
19; 25; 26	26; 10.01 & 16; 3 & 22	5	363.06
42	18	1	121.72
29	16 & 16.02	2	145.80
44	4 & 5	2	172.01
68	7	1	124.64
26	15 - 17	3	134.95
9; 10; 12; 7	11; 1; 2.01; 3	4	117.83
46; 47	4.05; 2, 2.01, 6 & 12.02	5	142.9
68	14	1	142
48	18	1	107.78
38	4	1	126.77
41; 42	8; 2	2	133.46
68	2	1	125.27
32	17	1	101.00
66	12	1	127.14
TOTAL		40	3,135.85

Financing

In June 1999, the New Jersey Legislature passed the “Garden State Preservation Trust Act” which establishes the framework for the annual distribution of a \$98 million trust fund for open space, farmland and historic resources. One of the programs established in the Garden State Preservation Trust Act is the Planning Incentive Grant Program, which allows municipalities and counties to receive State grants to preserve a significant area of reasonably contiguous farmland. Municipalities that wish to participate in the Planning Incentive Grant Program must coordinate with the County Agriculture Development Board and prepare and adopt a Farmland Preservation Plan. This document has been prepared in accordance with the requirements of the Sussex County Farmland Preservation Program and constitutes Frankford Township’s Farmland Preservation Plan.

The Township will continue to participate in the Sussex County Farmland Preservation Program and may decide to participate in the Planning Incentive Grant Program, which is part of the Garden State Preservation Trust Act. The Planning Incentive Grant Program provides grants to local governments to preserve a significant area of “reasonably contiguous farmland” rather than waiting for individual applications. The grants pay 60 to 80 percent of the costs for acquisition, development easements or fee simple titles. The requirements to participate in the Planning Incentive Grant Program are explained in more detail in Appendix B.

Frankford Township has a proven track record in farmland preservation with almost 1,000 acres of farmland preserved, most through the Sussex County Farmland Preservation Program. The Township has created an open space tax to help fund the municipal portion of the program. The tax, which is 3 cents for every \$100 dollars of assessed value, will generate approximately over \$127,000 annually (Based upon 2005 tax collection). This fund can be used to pay for the acquisition of farmland for preservation purposes, as well as for the acquisition, development or maintenance of lands for recreation and conservation purposes.

Farm properties not preserved through the farmland preservation program will be preserved through zoning and the proposed Transfer of Development Rights program. The AR zone encourages continued agricultural use through a lot averaging development option that preserves 45 percent of the tract for farmland. The Township’s Land Use Ordinance includes provisions for density adjustments to further preserve properties that contain environmental constraints. In addition, in cases where agricultural properties are improperly zoned (i.e., farms within an industrial or commercial zone), recommendations will be made to rezone those agricultural properties to zoning districts that provide for greater land use protection for farming. Finally, in accordance with the Township’s Open Space and Recreation Master Plan from September of 2002, the Township has initiated resource

assessment and land evaluation criteria for open space including agricultural value. Potential development areas are delineated in the Master Plan to preserve contiguous tracts of farmland, as well as scenic vistas, important open space areas, historic sites and districts and woodlands.

Administration

Purchases funded through the Planning Incentive Grant Program must be approved by the State Agriculture Development Committee (SADC) and the Township, and if county funds are sought, by the County Agriculture Development Board. Easements will be held by the SADC, or by the CADB if county funds are involved. As required by the Planning Incentive Grant Program, Frankford Township has established a Transfer Development Rights (TDR) Advisory Committee to oversee the TDR program. The Open Space Committee will continue to serve as the municipal overseeing agency for the open space program.

Action Program

1. Adopt the Farmland Preservation Plan as part of the Frankford Township Master Plan.
2. Submit the Farmland Preservation Plan to the Sussex County Agriculture Development Board and the State Agriculture Development Committee for approval.
3. Submit letters of interest to owners of Priority Farms and offer assistance in applying to the Farmland Preservation Program.

APPENDIX A: LIST OF QUALIFIED FARMS

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
1	2	QFARM	L15	3B	749 COUNTY ROUTE 565	NORTH PLAINS HOLDINGS, INC	125.12
1	5	QFARM		3B	43 PELLETOWN ROAD	WINGLE, RICHARD	45.10
1	10	QFARM		3B	29 PELLETOWN ROAD	18 PLUS, INC.	165.62
1	11	QFARM		3B	15 LOSEY ROAD	LOSEY, EARL M & ESTHER T	13.41
1	12	QFARM		3B	5 LOSEY ROAD	KAYSER, KENNETH G & BONNIE A	6.90
1	13	QFARM		3B	3 PELLETOWN ROAD	MARAGLIANO, GEORGE A	109.79
2	1.01	QFARM	LIFE ESTATE	3B	39 DAVIS ROAD	BORTONE, MICHAEL & KOEHLER, ANGELA	12.17
2	3	QFARM		3B	224 PLAINS ROAD	AKRONOWITZ FAMILY, LP	102.50
2	3.01	QFARM		3B	218 PLAINS ROAD	GSTATTEBAUER, WOLFGANG & PHYLLIS	3.80
2	5	QFARM		3B	234 PLAINS ROAD	NICHOLSON, CONSTANTIN & CHRISTINA	12.23
3	1	QFARM	L 1-A 1-B 1-C 1-D	3B	724 COUNTY ROUTE 565	NORTH PLAINS HOLDINGS, INC	9.09
3	2	QFARM	PUBLIC FARMLAND	3B	219 PLAINS ROAD	TOWNSHIP OF FRANKFORD	30.34
3	3	QFARM		3B	199 PLAINS ROAD	GEORGE, JAMES & HENZE, THOMAS	13.01
3	4	QFARM	PRIORITY SITE	3B	191 PLAINS ROAD	STAMER, PETER E & WENDELYN ET AL	46.09
3	5.01	QFARM		3B	177 PLAINS ROAD	FERNANDEZ, LILLIAN	14.70
3	5.02	QFARM		3B	175 PLAINS ROAD	FERNANDEZ, LILLIAN	16.33
3	6	QFARM		3B	169 PLAINS ROAD	FRANKFORD 320, LLC	11.72
3	8	QFARM		3B	43 ARMSTRONG ROAD	FRANKFORD 320, LLC	133.73
3	9	QFARM		3B	676 COUNTY ROUTE 565	FRANKFORD 320, LLC	20.90
3	9.01	QFARM		3B	658 COUNTY ROUTE 565	NADOLNY, PETER R & AUSTIN, JEAN L	5.00
3	11	QFARM		3B	704 COUNTY ROUTE 565	MTAE, INC C/O LAPATKA, ALEXANDER J	44.70
3	13	QFARM	L 13-A	3B	720 COUNTY ROUTE 565	NORTH PLAINS HOLDINGS, INC	2.18
4	2	QFARM		3B	26 PELLETOWN ROAD	18 PLUS, INC.	28.11
4	3	QFARM		3B	31 LOSEY ROAD	KOBIS, BRUCE H	8.00
5	2	QFARM	L3	3B	95 FENWICK ROAD	ALLISON, WILLIAM F & BARBARA J	41.36
6	1	QFARM		3B	677 COUNTY ROUTE 565	FRANKFORD 320, LLC	109.77
7	1	QFARM	PRIORITY SITE	3B	51 FENWICK ROAD	DE PIANO, MARK & ANTOINETTE	44.41
7	2	QFARM		3B	3 FENWICK ROAD	MORGAN, WILBUR A	12.71
7	3	QFARM		3B	599 COUNTY ROUTE 565	CASTIMORE, EMERY JR	11.86
7	4	QFARM		3B	27 FENWICK ROAD	KIM, DUKPIL & KYUNG, OK ET AL	102.14
7	5	QFARM		3B	2 SKYLINE DRIVE	MOOSE, JAMES	10.76
8	1	QFARM		3B	26 ARMSTRONG ROAD	FRANKFORD 320, LLC	5.02
8	6	QFARM		3B	8 FENWICK RD	KRAJEWSKI, HENRY	10.00
9	3	QFARM		3B	630 COUNTY ROUTE 565	SCHINDELAR, RICHARD P	15.12
9	4	QFARM		3B	650 COUNTY ROUTE 565	FRANKFORD 320, LLC	1.71
9	5	QFARM		3B	34 ARMSTRONG ROAD	FRANKFORD 320, LLC	41.26
9	6	QFARM		3B	129 PLAINS RD	GEBAUER, BARRY & VIRGINIA	29.01
9	6.01	QFARM		3B	137 PLAINS RD	MORBEE, JOAN & OLSEN, KENNETH	14.02

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
9	6.02	QFARM		3B	139 PLAINS RD	SMITH, GARY W & KAREN	14.37
9	7	QFARM		3B	117 PLAINS RD	LOFARO, VINCENT	31.90
9	9	QFARM		3B	23 LINN SMITH ROAD	SMITH, LINDEN B JR FAMILY LP	34.47
9	9.07	QFARM		3B	17 LINN SMITH ROAD	WINGLE, MATTHEW J IV & CHERYL L	24.90
9	11	QFARM		3B	7 LINN SMITH ROAD	CASTIMORE, EMERY JR	15.28
10	1	QFARM		3B	578 COUNTY ROUTE 565	CASTIMORE, EMERY JR	31.91
10	2	QFARM		3B	8 LINN SMITH ROAD	CAROUSEL LAND COMPANY, LLC	15.58
10	3	QFARM	PUBLIC FARMLAND	3B	65 PLAINS ROAD	SUSSEX COUNTY FARM & HORSE SHOW	45.10
10	3.02	QFARM		3B	18 LINN SMITH ROAD	WITTRIEN, ALFRED & JOAN	10.99
10	3.05	QFARM		3B	81 PLAINS ROAD	BRANNING, KATHLEEN	18.62
10	3.13	QFARM		3B	30 LINN SMITH ROAD	PALLAY, JOSEPH A JR & BEVERLY ET AL	5.66
10	6	QFARM		3B	11 NORTHRUP ROAD	WESTVIEW PROPERTIES, INC	37.42
10	7	QFARM		3B	15 NORTHRUP ROAD	WESTVIEW PROPERTIES, INC	1.10
11	1	QFARM		3B	552 COUNTY ROUTE 565	WESTVIEW PROPERTIES, INC	93.79
11	2	QFARM		3B	20 NORTHRUP ROAD	WESTVIEW PROPERTIES, INC	0.37
11	13	QFARM		3B	524 COUNTY ROUTE 565	SUSSEX COMMONS OUTLETS, LLC	23.14
11	13.04	QFARM		3B	106 US HIGHWAY 206	TANIS, ROSE MC KINNON	26.00
11	13.05	QFARM		3B	96 US HIGHWAY 206	G & G ENTERPRISES, LLC	14.30
11	13.06	QFARM		3B	90 US HIGHWAY 206	TANIS, JACOB JR	10.91
11	13.07	QFARM		3B	100 US HIGHWAY 206	SUSSEX COUNTY STATE BANK	11.18
11	13.08	QFARM		3B	118 US HIGHWAY 206	RAINBOW OF LEARNING, INC	9.41
11	13.09	QFARM	L 13.12,13.13,13.15	3B	506 COUNTY ROUTE 565	HIGH POINT FINANCIAL CORP	34.63
11	13.1	QFARM		3B	110 US HIGHWAY 206	CASTIMORE, LILLIAN T & EMERY	24.03
12	1	QFARM		3B	553 COUNTY ROUTE 565	WESTVIEW PROPERTIES, INC	53.77
12	2.01	QFARM		3B	579 COUNTY ROUTE 565	CASTIMORE, EMERY JR	58.78
13	1	QFARM		3B	8 STATE ROUTE 15	TANIS, JACOB	61.20
17	3	QFARM	FARMLAND PRESERVE	3B	32 PRICE ROAD	KOLICH, MARK & JILL	35.06
17	4.01	QFARM		3B	62 PRICE ROAD	HANSEN, DAVID S & KAREN L	0.71
17	4.02	QFARM		3B	50 PRICE ROAD		10.37
18	7	QFARM	FARMLAND PRESERVE	3B	111 ROUTE 206	NEW JERSEY DEP	54.83
18	18	QFARM		3B	12 AUGUSTA HILL ROAD	HUFF, JAMES & NANCY	12.46
18	18.01	QFARM	L18.02	3B	30 AUGUSTA HILL ROAD	TELL, WILHELM	14.61
18	18.03	QFARM		3B	18 AUGUSTA HILL ROAD	AMBROSINO, GARY M	8.00
18	19	QFARM		3B	71 PRICE ROAD	THOMAS, JERRY	10.00
18	19.01	QFARM		3B	53 PRICE ROAD	VAN WINGERDEN, CORNELIS & RITA	7.44
18	19.02	QFARM		3B	44 AUGUSTA HILL ROAD	LAWRENCE, ROBERT W & BEVERLY A	16.80
18	19.03	QFARM		3B	63 PRICE ROAD	WILSON, WILLIAM S	28.88
18	19.04	QFARM		3B	55 PRICE ROAD	VAN WINGERDEN, CORNELIUS & RITA	4.02

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
18	20.03	QFARM		3B	27 PRICE ROAD	AMERMAN, BRUCE & ROSEANN	5.98
18	20.04	QFARM		3B	15 PRICE ROAD	DE WITT, FRANK & DAWN	12.33
19	7	QFARM	L 8.01	3B	27 NEWTON AVENUE		12.05
19	8	QFARM		3B	47 NEWTON AVENUE	WILLIAMS, RUTH ANN DUFFY & DONALD E	44.08
19	8.02	QFARM		3B	35 NEWTON AVENUE	SPINELLI, ERNEST	23.05
19	9	QFARM		3B	59 NEWTON AVENUE	TANIS, JACOB III	90.41
19	10	QFARM	FARMLAND PRESERVE	3B	71 NEWTON AVENUE	CERBO'S FRANKFORD FARM, LLC	73.15
19	10.01	QFARM	FARMLAND PRESERVE	3B	91 NEWTON AVE	CERBO'S FRANKFORD FARM, LLC	4.39
19	10.02	QFARM	FARMLAND PRESERVE	3B	93 NEWTON AVE	CERBO'S FRANKFORD FARM LLC	6.64
19	11	QFARM		3B	207 COUNTY ROUTE 519	OZDEN, ENVER	15.12
19	12	QFARM		3B	109 NEWTON AVENUE	BAIN, THOMAS J & ANN G	33.66
19	14	QFARM		3B	199 COUNTY ROUTE 519	DIBSIE, DAVID	11.51
19	14.01	QFARM		3B	65 AUGUSTA HILL ROAD	GUILE, LESLIE W & DEBORAH	5.69
19	14.02	QFARM		3B	195 COUNTY ROUTE 519	ZAZZALI, BARTHOLOMEW A & LINDA I	5.69
19	15	QFARM	FARMLAND PRESERVE	3B	47 AUGUSTA HILL ROAD	VAN WINGERDEN, WILLIAM & CHARMAINE	78.68
19	16	QFARM		3B	23 AUGUSTA HILL ROAD	CRESPO, FRANCISCO	27.65
19	24	QFARM		3B	167 US HIGHWAY 206	BAIN, THOMAS J	19.99
19	26	QFARM		3B	205 US HIGHWAY 206	HARRIS, RICHARD H & LESLEY A	25.56
21	3	QFARM		3B	53 MORRIS AVENUE	GIANATTASIO, PETER J & MARCY	23.92
21	3.08	QFARM		3B	43 MORRIS AVENUE	GIANATTASIO, JOSEPH	5.15
21	6	QFARM	FARMLAND PRESERVE	3B	64 NEWTON AVENUE	CERBO'S FRANKFORD FARM, LLC	153.40
21	6.03	QFARM		3B	67 MORRIS AVE	CERBO'S FRANKFORD FARM LLC	2.54
21	6.04	QFARM		3B	63 MORRIS AVE	CERBO'S FRANKFORD FARM LLC	4.20
21	7.03	QFARM	L7-D	3B	50 NEWTON AVENUE	TOMASINO, SHERMAN L & SALLY H	9.69
22	3	QFARM		3B	108 MORRIS TURNPIKE	WAGNER, LEE A & JACQUELINE	5.00
22	6	QFARM		3B	138 MORRIS TURNPIKE	VAN WINGERDEN, THOMAS & MARY	22.61
22	8	QFARM	FARMLAND PRESERVE	3B	180 MORRIS TURNPIKE	SADLON, CAROLYN	109.41
22	13	QFARM	L 8.01	3B	591 KEMAH LAKE ROAD	TROLLER, HARRY C JR	9.00
22	15	QFARM		3B	617 KEMAH LAKE ROAD	SADLON, PAUL	24.00
23	1	QFARM		3B	555 KEMAH LAKE ROAD	TONNESEN, WILLIAM & PHYLLIS	8.33
23	1.03	QFARM		3B	179 MORRIS TURNPIKE	LORENZO, MICHAEL J & DOROTHY A	75.70
23	8	QFARM		3B	66 MORRIS AVENUE	REHE, WILLIAM & PATRICIA	11.58
23	9	QFARM		3B	34 MORRIS AVENUE	BRUNING, RICHARD	73.76
23	9.04	QFARM		3B	40 MORRIS AVE	MASKER, DIANE E	13.58
23	9.05	QFARM		3B	54 MORRIS AVENUE	BRUNING, RICHARD	22.16
24	2	QFARM		3B	1 WYKERTOWN ROAD	WALLACE, ANDREW C & DEMBY, PATRICIA	29.13
24	4	QFARM		3B	57 FOX HILL RD	BECKER, DONALD G & JULIE M	24.44
25	4	QFARM		3B	24 FOX HILL ROAD	MC MAHON, ARTHUR & JUDITH	56.41

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
25	10	QFARM		3B	64 FOX HILL ROAD	GARDNER, ARTHUR C ET AL	17.55
25	10.01	QFARM		3B	46 FOX HILL ROAD	HARRIS, RICHARD H & LESLEY A	24.00
25	10.02	QFARM		3B	56 FOX HILL ROAD	SPAGNUOLO, SALVATORE & JOSEPHINE	16.00
25	11	QFARM		3B	68 FOX HILL ROAD	SHELTON, WILLIAM S & JUDITH E	23.42
25	12	QFARM		3B	80 FOX HILL ROAD	BRADY, BRIAN G & KATHLEEN	5.18
25	12.01	QFARM		3B	17 WYKERTOWN ROAD	WINTERBERGER, PETER J	15.69
25	13	QFARM		3B	100 GEORGE HILL ROAD	WINGLE, JOHN & MICHELE	33.60
25	14.02	QFARM		3B	82 GEORGE HILL ROAD	SANTOS, MARCOS & MARIA	14.35
25	14.05	QFARM		3B	72 GEORGE HILL ROAD	VAN BOERUM, GARY & BARBARA	4.50
25	14.08	QFARM		3B	80 GEORGE HILL ROAD	GASSELLE, GENE	4.42
25	14.09	QFARM		3B	82 GEORGE HILL ROAD	GASSELLE, GENE	4.60
25	16	QFARM		3B	54 PINES RD	HARRIS, RICHARD H & LESLEY A	129.50
26	2.02	QFARM	L2.03	3B	85 PINES ROAD	NEWTON, ROBERT & JOAN	16.00
26	3	QFARM		3B	59 PINES ROAD	HARRIS, RICHARD H & LESLEY A	27.90
26	13	QFARM	112 QF	3B	178 US HIGHWAY 206	FMI, INC	35.54
26	14	QFARM		3B	164 US HIGHWAY 206	BAIN, MARGARET	12.11
26	15	QFARM		3B	164 US HIGHWAY 206	BAIN, MARGARET	6.00
26	16	QFARM		3B	156 US HIGHWAY 206	BAIN, MARGARET	107.42
26	17	QFARM		3B	152 US HIGHWAY 206	BAIN, MARGARET	9.42
26	20.05	QFARM	L 20.06	3B	26 PLAINS ROAD	LONGCORE, RICHARD P & SUSAN JANE	10.00
26	22	QFARM		3B	38 PLAINS ROAD	HARRIS, LESLEY A	156.10
26	23	QFARM		3B	10 DICKERSON ROAD	GEBAUER, ANNETTE	27.96
26	23.01	QFARM		3B	14 DICKERSON ROAD	KIPSEY, HELEN KATHLEEN	3.01
26	23.02	QFARM		3B	12 DICKERSON ROAD	KIPSEY, HELEN KATHLEEN	3.61
26	25	QFARM		3B	20 DICKERSON ROAD	MORROW, MATHEW C & ELAINE M	5.00
26	26.02	QFARM		3B	89 PINES ROAD	HANSEN, JOHN & CAROL	12.96
26	26.06	QFARM		3B	75 PINES ROAD	MULLER, JEFFREY & GAIL T	6.50
27	2	QFARM		3B	8 GEORGE HILL ROAD	WINGLE, MATTHEW J & MARGARET	16.16
27	2.01	QFARM		3B	21 DICKERSON ROAD	CONCANNON, CATHERINE	6.00
27	4	QFARM		3B	62 PLAINS ROAD	SMITH, LINDEN B JR FAMILY LP	15.19
27	6	QFARM		3B	80 PLAINS ROAD	TRESSLAR, RICHARD F & RUTH	5.73
27	6.02	QFARM		3B	82 PLAINS ROAD	NELSON, CHRISTIAN E & ELLEN L	25.01
27	7	QFARM		3B	86 PLAINS ROAD	SCHOCH, PETER K & JODIE L	3.68
28	1	QFARM		3B	45 GEORGE HILL ROAD	H J HAUTAU & SONS, INC	11.75
28	2	QFARM		3B	61 GEORGE HILL ROAD	KERSHA, VADIN & FRANCINA	16.00
28	2.02	QFARM		3B	105 DICKERSON LANE	GOERIG, PATRICK & DOROTHY	5.50
29	1	QFARM	PRIORITY SITE	3B	174 PLAINS ROAD	STAMER, PETER E & WENDELYN ET AL	110.73
29	2	QFARM		3B	228 MEYER ROAD	GIUNTA, JOSEPH J & ALICE	5.00

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
29	6	QFARM		3B	252 MEYER ROAD	LISTA, GEORGE	47.23
29	6.03	QFARM		3B	260 MEYER ROAD	BAWA, MANJIT & CATHERINE C	8.00
29	6.04	QFARM		3B	264 MEYER ROAD	CAGNO, DOMINICK & ISABEL	9.00
29	9	QFARM		3B	153 WYKERTOWN ROAD		27.90
29	10	QFARM		3B	137 WYKERTOWN ROAD	COZINE, EDWARD L	32.50
29	11	QFARM	PRIORITY SITE	3B	100 DICKERSON ROAD	STAMER, PETER E & WENDELYN W	293.32
29	12	QFARM		3B	61 DICKERSON ROAD	GOERIG, PATRICK M & DOROTHY M	30.80
29	14.03	QFARM		3B	27 GEORGE HILL ROAD	LOPATIN, KEVIN	33.00
29	16	QFARM	L16.02	3B	110 PLAINS ROAD	POLK, IRA & EMILY	145.80
29	17	QFARM		3B	128 PLAINS ROAD	M C LAND TRUST OF FRANKFORD, LLC	103.70
29	18	QFARM		3B	144 PLAINS ROAD	COSTANZO, FRANK J & DIANA SUE	69.91
30	1	QFARM	PRIORITY SITE	3B	105 DICKERSON ROAD	STAMER, PETER E & WENDELYN W	23.67
30	2.01	QFARM	L2.02	3B	65 GEORGE HILL ROAD	GOERIG, PATRICK M & DOROTHY	19.19
30	3.03	QFARM		3B	79 GEORGE HILL ROAD	MARIN, RONALD & RUTH	9.23
30	3.04	QFARM		3B	75 GEORGE HILL ROAD	BRODHECKER, STEPHEN A & DEBRA	40.43
30	3.06	QFARM		3B	71 GEORGE HILL ROAD	KEHDE, JUDITH A	6.00
30	4	QFARM		3B	101 GEORGE HILL ROAD	MOUNTAINVIEW FARM	86.24
30	6	QFARM		3B	105 WYKERTOWN ROAD	CASSIDY, LEON	31.20
31	5	QFARM		3B	88 WYKERTOWN ROAD	NICHOLS, ERNEST & LOUISE	22.87
31	6	QFARM		3B	26 HYATT RD	TRICER MANAGEMENT, LP	79.54
31	9	QFARM		3B	51 GUNN ROAD	FLYNN, STEPHEN & JUNE	6.23
31	9.03	QFARM		3B	41 GUNN ROAD	RIOTTO, LILLIAN	7.10
31	9.04	QFARM		3B	47 GUNN ROAD	MALFATTO, FRANK & GRACE	5.50
31	9.05	QFARM		3B	55 GUNN ROAD	GUILD, JAMES & CAROL	8.56
31	10.01	QFARM		3B	27 GUNN ROAD	ALBERTSON, JAMES D & MANYA S	9.30
31	10.02	QFARM		3B	25 GUNN ROAD	SHARROCK, KENNETH & MELINDA	5.00
31	12	QFARM	1 & 3	3B	63 WYKERTOWN ROAD	ROLL, EUGENE & JOAN A	11.48
32	1.03	QFARM		3B	228 WYKERTOWN ROAD	ROMANO, DIANA	11.00
32	2.01	QFARM		3B	73 HYATT ROAD	GREGORIO, JOSEPH & SUSAN	6.47
32	3.02	QFARM	L 19	3B	71 HYATT RD	KRILL, JOEL & CLARA ANN	7.52
32	5	QFARM		3B	53 HYATT ROAD	RHEEDER, WERNER J & JOHANNA J	5.18
32	6	QFARM		3B	33 HYATT ROAD	MC DERMOTT, JOHN V JR & MARY M	14.60
32	6.02	QFARM		3B	43 HYATT ROAD	CERRA, JAMES M & LINDA R	14.43
32	6.03	QFARM		3B	31 HYATT ROAD	PHILLIPS, JESSE R JR & WENDY M	2.30
32	6.04	QFARM		3B	37 HYATT ROAD	PIRRELLO, LOUIS A & ROSE MARIE	6.60
32	6.07	QFARM		3B	27 HYATT ROAD	EATON, THOMAS E & KAREN L	14.04
32	7	QFARM		3B	108 WYKERTOWN ROAD	CASSIDY, LEON & ANN	14.60
32	9	QFARM		3B	118 WYKERTOWN ROAD	STAMER, PETER E & WENDELYN W	11.42

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
32	11	QFARM		3B	138 WYKERTOWN ROAD	OPILLA, KAREN M	13.00
32	12	QFARM	FARMLAND PRESERVE	3B	148 WYKERTOWN ROAD	EVERETT, RICHARD & ELIZABETH	78.18
32	16	QFARM		3B	166 WYKERTOWN ROAD	LOFARO, DOMINICK, VINCENT ET AL	67.00
32	17	QFARM		3B	204 WYKERTOWN RD	DALRYMPLE, BARRET	101.00
32	18	QFARM		3B	61 HYATT RD	CERRA, JAMES M & LINDA R	8.20
32	20	QFARM	L 21	3B	69 HYATT RD	KLIMAS, CARROLL G SR & ANNA	10.00
33	1	QFARM		3B	1 HAGGERTY ROAD	GANNON, LYNN S	9.40
33	2.01	QFARM		3B	257 MEYER ROAD	LOEFFLER, THERESA V	9.00
33	4	QFARM		3B	237 MEYER ROAD	WINGLE, RICHARD JR & CLAUDINE	66.00
33	5	QFARM		3B	13 HAGGERTY RD	DALRYMPLE, BARRET D	35.71
33	6	QFARM		3B	31 HAGGERTY ROAD	LOPEZ, PETER	5.00
33	6.01	QFARM		3B	37 HAGGERTY RD	KOBIS, TY & EUGENIA C	49.45
34	2	QFARM		3B	200 PLAINS RD	ROMAN CATHOLIC DIOCESE OF PATERSON	70.58
35	1	QFARM	FARMLAND PRESERVE	3B	8 DAVIS ROAD	CUNEO, JAMES A & DIANE C	54.04
35	1.04	QFARM		3B	12 DAVIS ROAD	COCCIO, ANDREW C & DONNA M	6.31
35	2	QFARM	FARMLAND PRESERVE	3B	20 DAVIS ROAD	ANDERSEN, MARK & CARL	118.42
35	4	QFARM	FARMLAND PRESERVE	3B	57-61 BEEMER CHURCH ROAD	HMB REALTY CORPORATION	78.00
35	4.02	QFARM	FARMLAND PRESERVE	3B	73 HAGGERTY ROAD	BOHEIM, HENRY M & HELEN E	8.36
35	4.04	QFARM	L4.05	3B	55 BEEMER CHURCH ROAD	BOHEIM, HENRY M & HELEN E	10.00
35	4.06	QFARM		3B	67 BEEMER CHURCH ROAD	IACOPELLI, JOHN & STEPHANIE	7.26
35	7	QFARM		3B	61 HAGGERTY RD	KOBIS, TY & EUGENIA C	58.90
36	2.01	QFARM		3B	8 LITTLE RD	HUNTER, GREGORY J & SHIELA M	5.00
36	2.03	QFARM		3B	46 HAGERTY RD	UNISS, GEORGE	9.08
36	2.04	QFARM		3B	42 HAGGERTY RD	BRIEGEL, MICHAEL & CLAIRE	6.56
37	1	QFARM		3B	57 DALRYMPLE ROAD	KONDRATICK, MICHAEL J & PAMELA	20.75
37	2.01	QFARM	L 2.03	3B	56 HAGGERTY RD	POSTHUMUS, HENRY & ELEANOR L	47.23
37	4	QFARM		3B	77 BEEMER CHURCH ROAD	KELLY, ALFRED	5.35
37.01	1	QFARM	FARMLAND PRESERVE	3B	96-100 BEEMER CHURCH RD	KELLY, PATRICK B & MARJORIE P TST	2.77
37.01	1.01	QFARM		3B	92 BEEMER CHURCH ROAD	FERRUGGIA, CHARLES R SR	2.50
38	3	QFARM		3B	285 WYKERTOWN RD	MC WALTERS, HELEN	15.50
38	4	QFARM		3B	269 WYKERTOWN RD	KLIMAS, CARROLL & BEATRICE	126.77
38	5	QFARM		3B	223 WYKERTOWN RD	DOUMA, HARRY C/O FOX, M	65.09
38	5.02	QFARM		3B	235 WYKERTOWN RD	INGENITO, ROBERT G & EVELYN	5.00
38	6	QFARM		3B	197 WYKERTOWN RD	DALRYMPLE, BARRET V & ANN F	75.93
38	6.04	QFARM		3B	213 WYKERTOWN ROAD	ROMANIA, JEROME J & SUZANNE H	9.46
38	8	QFARM		3B	14 DALRYMPLE RD	RUGGIERO, LOUIS R & DOMENICK	19.70
38	8.02	QFARM		3B	32 DALRYMPLE ROAD	DE LIMA, CHRISTOPHER & STEPHANIE	5.77
38	8.03	QFARM		3B	26 DALRYMPLE RD	GERBER, ROBERT C & SUSANN L	9.00

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
38	8.04	QFARM		3B	24 DALRYMPLE RD	BLOCH, DAVID S & MICHELLE A	27.00
38	10	QFARM		3B	56 DALRYMPLE RD	DEAVER, THERESA C	20.65
39	2	QFARM	FARMLAND PRESERVE	3B	320 WYKERTOWN ROAD	BARNITT, RAY	45.77
39	5	QFARM		3B	304 WYKERTOWN RD	FELDMAN, ROBERT J & FELICE	71.00
39	6.05	QFARM		3B	276 WYKERTOWN RD	MANGANO, CLAUDINE & ROBERT	8.49
39	7	QFARM		3B	264 WYKERTOWN RD	PELLOW, HAROLD & LOIS	68.04
39	9.02	QFARM		3B	242 WYKERTOWN RD	PELLOW, HAROLD & LOIS	6.40
39	10	QFARM		3B	22 DORY ROE RD	GARBER, GEORGE & PHYLLIS	8.02
39	12	QFARM		3B	335 KLIMAS ROAD	MORSELL, KEITH R & BARO, GIANILDA A	25.68
39	12.02	QFARM		3B	343 KLIMAS ROAD	BEINKOWSKI, ED & BARBARA	10.00
39	17	QFARM		3B	376 WANTAGE AVENUE	BARTSCH, WILLIAM J & SUSAN	11.85
40	2	QFARM		3B	322 KLIMAS RD	BERARDO, JOSEPH C/O DURONIA, INC	52.00
40	4	QFARM	L6	3B	101 GUNN RD	BOVE, GENE & THOMAS	66.52
40	4.01	QFARM		3B	97 GUNN RD	BOVE, THOMAS	5.88
41	1	QFARM		3B	371 WANTAGE AVENUE	BARTSCH, ROBERT A & LUANN	36.00
41	5	QFARM		3B	363 WANTAGE AVE	BUCHWALD, RONALD G	6.01
41	8	QFARM		3B	191 DENNIS PHILLIPS RD	BEEMERVILLE FARMS LP	130.23
41	11	QFARM		3B	334 MATTISON RESERVOIR AV	ANDERSEN, CHRIS G	30.00
41	12	QFARM		3B	352 MATTISON RESERVOIR AV	LIBBY, LANE F & LINDA	12.33
41	13	QFARM		3B	350 MATTISON RESERVOIR AV	ROYAL CHAMBORD, INC	0.00
42	2	QFARM		3B	190 DENNIS PHILLIPS RD	BEEMERVILLE FARMS LP	3.23
42	4	QFARM		3B	296 MATTISON RESERVOIR AV	ROYAL CHAMBORD, INC	85.88
42	7	QFARM		3B	214 MATTISON RESERVOIR AV	RADIMER, LOIS FAMILY LP	18.00
42	12	QFARM		3B	169 UPPER NORTH SHORE RD	DE WOLF, RAYMOND & MARGARET	5.13
42	14.01	QFARM		3B	180 MATTISON RESERVOIR AV		26 25.19
42	14.04	QFARM		3B	173 UPPER NORTH SHORE RD	HARPER, DOUGLAS & KAREN	14.19
42	14.05	QFARM	L 14.28	3B	185 UPPER NORTH SHORE RD	ECKERT, WILLIAM J IV & LORI A	38.98
42	14.06	QFARM		3B	180B MATTISON RESERVOIR A	RADIMER, TODD J & FAITH	5.62
42	14.09	QFARM		3B	163 UPPER NORTH SHORE RD	CARR, MICHAEL T & DONNA	6.93
42	14.25	QFARM		3B	179 UPPER NORTH SHORE RD	ANSBACH, H&C, AYERS, J & L	7.09
42	15	QFARM		3B	204 UPPER NORTH SHORE RD	ANSBACH, HARRIETTE ETALS	58.06
42	18	QFARM	L18.01	3B	69 KYMER RD	KYMER, IRIS	121.72
42	18.02	QFARM		3B	85 KYMER RD	PRESTE, JOHN & AUDRA LEE	5.00
42	19	QFARM	FARMLAND PRESERVE	3B	297 WANTAGE AVE	TIPTON, PATRICK B & MARIA	67.78
42	19.01	QFARM		3B	305 WANTAGE AVE	TORIELLO, SANDRA W	19.79
42	19.02	QFARM		3B	97 KYMER RD	TIPTON, PATRICK B & GRILLO, MARIA	5.00
43	2	QFARM		3B	275 WANTAGE AVE	MALCOLM, LEE ANN	5.03
43	2.03	QFARM		3B	72 KYMER RD	ERICSON, IRENE L	5.00

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
43	2.05	QFARM		3B	257 WANTAGE AVE	BARONE, JOHN	22.45
43	3	QFARM		3B	42 KYMER RD	DESOTO, CHARLES A & PHYLLIS H	23.00
43	4	QFARM		3B	207 WANTAGE AVE	GOLDMAN FRANKFORD FARM PARTNERS	33.00
44	4	QFARM		3B	108 GUNN RD	GRANDE, ANTONIO & CLARA	102.22
44	5	QFARM		3B	72 GUNN RD	GRANDE, ANTONIO & CLARA	69.79
44	8	QFARM		3B	38 GUNN RD	RHOAT ASSOCIATES	5.07
44	8.01	QFARM		3B	48 GUNN RD	RHOAT, WILLIAM & MARGARET	21.10
44	10	QFARM		3B	224 WANTAGE AVE	GOLDMAN FRANKFORD FARM PARTNERS	251.00
44	10.02	QFARM		3B	204 WANTAGE AVE	GOLDMAN FRANKFORD FARM PARTNERS	12.49
44	12	QFARM		3B	298 WANTAGE AVE	MARINI, PASQUALINO & GERALDINE C	6.28
44	13	QFARM		3B	306 WANTAGE AVE	MARINI, PASQUALINO & GERALDINE C	5.25
44.01	1.04	QFARM		3B	4 PERRY RD	MC CHESNEY, LOUISE	7.60
44.01	3.05	QFARM		3B	30 WYKERTOWN ROAD	PLOCH, ROBERT H & JANICE	5.75
44.01	3.06	QFARM		3B	138 WANTAGE AVE	MAINARDI, MARK & FRANCES	3.09
44.01	3.07	QFARM		3B	136 WANTAGE AVE	MAINARDI, MARK E & FRANCES B TRUST	16.37
44.01	3.08	QFARM		3B	134 WANTAGE AVE	MAINARDI, MARK & FRANCES	2.34
44.01	3.09	QFARM		3B	128 WANTAGE AVE	MAINARDI LIVING TRUST	13.74
44.01	3.1	QFARM		3B	8 CASSANDRA CT	MAINARDI, MARK & FRANCES	13.08
44.01	4	QFARM		3B	16 WYKERTOWN RD	LONGSON, KIM L	7.70
44.01	4.01	QFARM		3B	12 WYKERTOWN ROAD	NOLAND, EVELYN	9.69
45	1	QFARM		3B	30 PERRY RD	KYMER, CLARENCE	19.00
45	2	QFARM		3B	45 PHILLIPS RD	HANS, MAXINE STEPHINIE	6.60
45	3	QFARM		3B	55 PHILLIPS RD	OBSHARSKI, JOSEPH & MONICA	23.66
45	4	QFARM		3B	61 PHILLIPS RD	GRIMAL, JANET	3.53
46	2	QFARM		3B	167 WANTAGE AVE	GOLDMAN FRANKFORD FARM PARTNERS	58.80
46	4	QFARM		3B	83 PHILLIPS RD	ADLER, DONALD A & MARION S	9.30
46	4.03	QFARM		3B	93 PHILLIPS RD	KONOPKA, MARK J & SHARON R	6.05
46	4.05	QFARM		3B	81 PHILLIPS RD	ROY, RICHARD M	8.31
47	2	QFARM		3B	70 PHILLIPS RD	ROY, RICHARD M	80.01
47	2.01	QFARM		3B	82 PHILLIPS RD	ROY, RICHARD M	10.32
47	2.03	QFARM		3B	90 PHILLIPS RD	HOPKINS, MICHAEL & HEATHER	11.65
47	3	QFARM		3B	66 PHILLIPS RD	GRIMAL, JANET	62.00
47	4	QFARM		3B	98 MATTISON RD	RISDON, HUGH C JR	46.89
47	6	QFARM		3B	120 MATTISON RESERVOIR AV	ROY, RICHARD M	35.08
47	9	QFARM		3B	144 MATTISON RD	HEATER, JERRY M & LINDA J	6.35
47	12	QFARM		3B	164 UPPER NORTH SHORE RD	ESPOSITO, MARY	14.77
47	12.01	QFARM		3B	166 UPPER NORTH SHORE RD	YOHE, PHILLIP & CONSTANCE	5.20
47	12.02	QFARM		3B	154 UPPER NORTH SHORE RD	ROY, RICHARD M	9.18

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
48	16	QFARM		3B	95 MATTISON RD	BAILEY, GUY C & BONNIE A	50.10
48	18	QFARM		3B	67 MATTISON RD	FIORE, VICTOR R JR & PATRICIA	107.78
48	20	QFARM		3B	40 ROSLYN RD	GOLDERN VIEW FARM, LLC	58.68
48	20.02	QFARM	L20-03	3B	28 ROSLYN RD	BERHMAN, FRANCIS P	13.56
48	20.04	QFARM		3B	57 MATTISON RD		10.72
48	20.06	QFARM		3B	63 MATTISON RD	RODRIGUEZ, IVAN C/O ANTIQUE BAKERY	30.62
48	20.07	QFARM		3B	59 MATTISON RD	MCCAIN, WILLIAM	17.55
48	20.1	QFARM		3B	3 COOK RD	CASTLE STORAGE, INC	17.15
48	21.1	QFARM		3B	14 ROSLYN ROAD	VANCE, SCOTT A & MELISSA A	5.00
48	21.14	QFARM		3B	22 ROSLYN RD	TOLLEN, MARC R & INA-LEE	5.00
48	26	QFARM		3B	15 COOK ROAD	FABEL, CHARLES JR	62.07
48.01	2	QFARM		3B	18 PHILLIPS RD	PURFUERST, PAUL J & ROBERTA E	5.00
48.01	2.02	QFARM		3B	34 PHILLIPS RD	TAURIELLO, PETER A & PATRICIA A	7.00
48.02	4.01	QFARM		3B	35 KICE RD	HAMM,AMBROSE & LILLIAN	29.70
48.02	4.07	QFARM		3B	23 PHILLPS RD	TALLAMY, PAUL T & ALICE A	5.10
49	1	QFARM		3B	29 ROSLYN RD	LAWSON, REX & SHIRLEY	3.43
49	2.01	QFARM		3B	35 MATTISON ROAD	LAWSON, D REX & SHIRLEY	3.48
55	3.01	QFARM	L12	3B	15 SHARP ROAD	UTTER, JACK & KRAUSS, MARIANNE L	54.35
55	14	QFARM		3B	18 STEMPERT RD	MEYER, JEFFREY	11.65
55	19.01	QFARM		3B	221 MORRIS TNPK	CLARK, ROBERT	5.29
55	19.02	QFARM		3B	219 MORRIS TNPK	CLARK, MARLENE	5.00
56	2	QFARM		3B	522 KEMAH LAKE RD	LEENHEER, CASEY A & PATRICIA	52.88
57	6.07	QFARM	L6-08	3B	210 MORRIS TNPK	CLARK, MARK & CYNTHIA H	5.62
57	6.09	QFARM	LOT 6.10	3B	212 MORRIS TNPK		5.23
58	16	QFARM		3B	234 MORRIS TURNPIKE	KASIEWNICK, MARK	6.78
62	22	QFARM		3B	71 WEST OWASSA TNPK	POLLAK, CHARLES & NADINE	31.40
63	4	QFARM		3B	20 MAPLE LANE		12.70
63	22	QFARM		3B	467 US HIGHWAY 206	MILLER MABEL A & MILLER, J A	66.60
63	29	QFARM		3B	144 WEST OWASSA TNPK	ROWAN, HAROLD F JR	24.77
65	25	QFARM		3B	26 MILL LN	KNAKKENGAARD, PAUL V & MICHELLE L	24.06
65	25.02	QFARM		3B	6 MILL LN	KNAKKERGAARD, PAUL V	18.90
66	5	QFARM		3B	66 RIDGE RD	VESPER, MARILYN & ROBERT D	8.21
66	11	QFARM		3B	151 MATTISON ROAD		29.50
66	12	QFARM	B114 L7	3B	110 UPPER NORTH SHORE RD	CIRALDO, ANDREW G	127.14
67	2	QFARM		3B	153 MATTISON RESERVOIR RD	HEATER, RONALD M & EVELEEORA	5.00
68	1	QFARM		3B	341 MATTISON RESERVOIR AV	MOSEFUND FARMS	12.21
68	1.03	QFARM	DANA RAY FARM L 1.01	3B	349 MATTISON RESERVOIR AV	EISELE, RAYMOND	13.84
68	2	QFARM		3B	315 MATTISON RESERVOIR AV	ANDERSON, CHRIS G	125.27

List of Qualified Farms
Frankford Township, Sussex County, New Jersey

Block	Lot	Qualify	Additional Lots	Class	Location	Owner	Acres
68	2.01	QFARM		3B	335 MATTISON RESERVOIR RD	ANDERSON, CHRIS G	6.12
68	2.02	QFARM		3B	333 MATTISON RESERVOIR AV	GORAB, GREGORY T & COLLEEN J	8.36
68	2.03	QFARM		3B	329 MATTISON RESERVOIR AV		7.89
68	2.04	QFARM		3B	325 MATTISON RESERVOIR RD	KIEFFER, CHARLES & DIANE M	7.50
68	2.05	QFARM	LOT 2.06	3B	321 MATTISON RESERVOIR AV	MOSEFUNDFARM	9.45
68	5.01	QFARM		3B	233 MATTISON RESERVOIR AV	SAPONE, ANTHONY C & STEPHANIE A	18.32
68	6.01	QFARM		3B	11 RISDON DR	GROSSKURTH, ALFRED & MARGARET	42.00
68	6.02	QFARM		3B	7 RISDON DR	UNTIG, ROBERT & MARGARET	18.69
68	6.04	QFARM		3B	6 RISDON DRIVE	RISDON, EDWIN F & DORIS ANN	8.74
68	7	QFARM		3B	23 RISDON DRIVE	RISDON, EDWIN F	102.90
68	9.01	QFARM		3B	187 MATTISON RESERVOIR AV	RISDON, EDWIN F & DORIS ANN	13.00
68	15	QFARM		3B	109 UPPER NORTH SHORE RD	PLATT, DAVID ALLEN	6.11
68	15.03	QFARM		3B	113 UPPER NORTH SHORE RD	CONNOLLY, PATRICIA	7.70
68.03	8	QFARM	L7,9,10,11 & 12	3B	3 GIGI LN	WORTS, HOWARD & DORIS B	17.15
130	21	QFARM		3B	16 MC NEEL RD	ULCHINSKY, JUDITH	16.52
267	1.01	QFARM		3B	74 WEST OWASSA TURNPIKE		8.02
270	12	QFARM	12.01,12.02	3B	69 BLACKFORD ROAD	SULLIVAN, PATRICIA & FRANK	8.42
270	12.01	QFARM		3B	77 BLACKFORD ROAD	SULLIVAN, PATRICIA & FRANK	12.04
270	12.02	QFARM		3B	73 BLACKFORD ROAD	SULLIVAN, PATRICIA & FRANK	7.81
Total							10,642.80

APPENDIX B: Planning Incentive Grants Regulations

SUBCHAPTER 17A. MUNICIPAL **PLANNING INCENTIVE GRANTS**

2:76-17A.1 Applicability

This subchapter implements [N.J.S.A. 4:1C-43.1](#) by establishing a municipal farmland preservation **planning incentive grant** program. The rules describe the procedures that the State Agriculture Development Committee shall follow to provide grants to eligible municipalities, which grants shall be for the purpose of preserving a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry in a municipality.

2:76-17A.2 Definitions

As used in this subchapter, the following words and terms shall have the following meanings:

"Agricultural Development Area" or "ADA" means 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.

"An application for the sale of a development easement" means a standard form, as developed and identified by the Committee, to be submitted to the municipality from a landowner interested in selling his or her development easement, in which the landowner shall provide parcel-specific information to the municipality.

"Application" means the formal submission of a **planning incentive grant** program application by the municipality to the Committee, which includes a copy of the municipality's farmland preservation plan element and a project area summary for each project area submitted for approval, and other information required by the Committee.

"Board or county" means a county agriculture development board established pursuant to [N.J.S.A. 4:1C-14](#) or a subregional agricultural retention board established pursuant to [N.J.S.A. 4:1C-17](#).

"Committee" or "SADC" means the State Agriculture Development Committee established pursuant to [N.J.S.A. 4:1C-4](#).

"Eligible farm" means a property included within an SADC-approved project area that is deemed eligible by the municipality to be preserved through the municipality's farmland preservation program, which, at a minimum, meets the criteria at [N.J.A.C. 2:76-6.20](#).

"Garden State Preservation Trust" means the public body created pursuant to [N.J.S.A. 13:8C-1](#) et seq., P.L. 1999, c. 152.

"Governing body" means, in the case of a county, the board of chosen freeholders, and in the case of a municipality, the commission, council, board or body, by whatever name it may be known, having charge of the finances of the municipality.

"Mayor" means the municipal official identified pursuant to section 3.2 of P.L. 1975, c. 291 ([N.J.S.A. 40:55D-5](#)).

"Project area" means an area identified by a municipality that identifies discrete areas within the municipality's farmland preservation plan that constitute separate, significant areas of reasonably contiguous farmland that will promote the long-term viability of agriculture as an industry in the municipality, and which consists of the following lands and lands that are within one mile of any of the following lands:

1. Targeted farms located within an ADA;
2. Lands from which an application for the sale of a development easement has been granted final approval by the municipality, the county and/or the Committee pursuant to the Agriculture Retention and Development Act, as amended, and the Garden State Preservation Act;
3. Lands from which development easements have already been purchased;
4. Other permanently deed restricted farmlands;
5. Lands enrolled in an eight-year farmland preservation program or municipally-approved farmland preservation programs; and
6. Other permanently preserved lands dedicated for open space purposes that are compatible with agriculture, as approved by the Committee.

"Targeted farm" means a specific property, contained within an approved project area, that a municipality may seek to solicit for preservation through the municipal **planning incentive grant** program. ***In the event a landowner requests his or her land to be removed from consideration as a targeted farm, the municipal agricultural advisory committee shall remove the targeted farm from its project area.***

2:76-17A.3 Grant eligibility

(a) A municipality seeking to establish its eligibility for a grant under this subchapter shall establish or develop the following:

1. An agricultural advisory committee shall be appointed by the mayor with the consent of the municipal governing body. The municipal agricultural advisory committee shall report to the municipal planning board. A municipal agricultural advisory

committee shall be composed of:

- i. At least three, but not more than five, residents of the municipality;
- ii. A majority of the members actively engaged in farming and owning a portion of the land they farm; and
- iii. A member of the committee or a member of his or her immediate family, is prohibited from selling or applying to sell a development easement on his or her property or from selling or applying to sell his or her property in fee simple title pursuant to the Agriculture Retention and Development Act, [N.J.S.A. 4:1C-11](#) et seq. and the Garden State Preservation Trust Act, [N.J.S.A. 13:8C-1](#) et seq.

(1) "Member of the immediate family" means a member's spouse, child, parent, or sibling, residing in the same household;

2. Maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c. 24 (N.J.S.A. *[4012]****40:12***-15.1 et seq.), or an alternative means of funding for farmland preservation, such as, but not limited to:

- i. A dedicated tax pursuant to P.L. 1997, c. 24 ([N.J.S.A. 40:12-15.1](#) et seq.);
- ii. Repeated, continuing annual appropriations; or
- iii. Repeated issuance of bonded indebtedness.

(1) The Committee may determine that a funding source, other than those identified in (a)2 above, is, in effect, a dedicated source of funding based upon a demonstrated commitment to farmland preservation by the municipality;

3. Prepare and adopt a farmland preservation plan element pursuant to paragraph 13 of section 19 of P.L. 1975, c. 291 (N.J.S.A. 40:55D-28b(13)) in consultation with the municipal agriculture advisory committee. The plan shall include, at a minimum, the following:

- i. An inventory of farm properties in the entire municipality and a map illustrating significant areas of agricultural land;
- ii. A detailed statement showing that municipal plans and ordinances support and promote agriculture as a business; and
- iii. A plan for preserving as much farmland as possible in the short term by leveraging monies made available by the Garden State Preservation Trust Act, [N.J.S.A. 13:8C-1](#) et seq., P.L. 1999, c. 152 through a variety of mechanisms including, but not

limited to, utilizing:

(1) Option agreements;

(2) Installment purchases; and

(3) Encouraging donations for permanent development easements;

iv. A statement of farming trends, characterizing the type(s) of agricultural production in the municipality; and

v. A discussion of plans to develop the agricultural industry in the municipality; and

4. Prepare and adopt a right-to-farm ordinance that is consistent with, or provides greater protections to commercial farm operators and owners than, the Right to Farm Act, [N.J.S.A. 4:1C-1](#) et seq., as determined by the Committee.

2:76-17A.4 Municipal farmland preservation plan

(a) A comprehensive farmland preservation plan shall include, at a minimum, the following components:

1. The adopted farmland preservation plan element of the municipal master plan;

2. A map and description of the municipality's agricultural resource base including, at a minimum, the proposed farmland preservation project areas;

3. A description of the land use planning context for the municipality's farmland preservation initiatives including the following:

i. Identification and detailed map of the county's adopted ADA within the municipality;

ii. Consistency of the municipality's farmland preservation program with county and other farmland preservation program initiatives; and

iii. Consistency with municipal, regional and State land use planning and conservation efforts;

4. A description of the municipality's past and future farmland preservation program activities, including program goals and objectives, as follows:

- i. A summary identifying municipal funding dedicated to, or available for, preservation of farmland through the State farmland preservation program; and
 - ii. A funding plan for the preservation of land consistent with the municipality's one-, five- and 10-year preservation projections that includes identification of available funding sources and any approved policies related to funding sources;
5. A discussion of actions the municipality has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
 6. Other farmland preservation techniques being utilized or considered by the municipality;
 7. A description of the policies, guidelines or standards used by the municipality in conducting its farmland preservation efforts including the following:
 - i. Any minimum eligibility criteria or standards used by the municipality for solicitation and approval of farmland preservation program applications, which shall address the criteria at [N.J.A.C. 2:76-6.20](#);
 - ii. The adopted ranking criteria that the municipality will use to prioritize farms for farmland preservation funding, which, at a minimum, shall address the factors included in the criteria at [N.J.A.C. 2:76-6.16](#);
 - iii. Any other policies, guidelines or standards used by the municipality that affect farmland preservation application evaluation or selection;
 8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; and
 9. Any other information as deemed appropriate by the municipality.

2:76-17A.5 Project area summary

(a) The municipality shall prepare a project area summary containing the following information for each project area designated within the municipality's farmland preservation plan for which the municipality intends to seek Committee funding:

1. An inventory showing the number of farms or properties, and their individual and aggregate acreage, for each of the following categories of land within the project area:

- i. Targeted farms;
 - ii. Lands from which an application for the sale of a development easement has been granted final approval by the municipality, county and/or the Committee pursuant to the Agriculture Retention and Development Act, as amended, and the Garden State Preservation Trust Act;
 - iii. Lands from which development easements have already been purchased;
 - iv. Other permanently deed-restricted farmlands;
 - v. Lands enrolled in an eight-year farmland preservation program or municipally-approved farmland preservation program; and
 - vi. Other permanently preserved lands dedicated for open space purposes that are compatible with agriculture, as approved by the Committee;
2. Aggregate size of the entire project area;
 3. Density of the project area expressed as the ratio between the total area of the properties listed (a)1ii, iii, iv, v and vi above and the total area of the project area;
 4. Description of soil productivity of the targeted farms in the project area expressed as the ratio between the total area of the following important farmland soils and the total area of the targeted farms:
 - i. Prime soils identified by the U.S.D.A. Natural Resources Conservation Service;
 - ii. Soils of Statewide importance as identified by the New Jersey Department of Agriculture, State Soil Conservation Committee; and
 - iii. Unique soils which are specially suited for the production of specialty crops and are being used, or intended to be used, for that purpose;
 5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area, which shall be determined through existing appraisal data, or an appraisal for the entire project area; and

6. The municipality's multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the municipality's and, if appropriate, any other funding partner's share of the estimated purchase price.

i. If a municipality intends to leverage monies made available through [N.J.S.A. 13:8C-1](#) et seq., P.L. 1999, c. 152, the municipality shall provide an accounting of such leveraging, including, but not limited to, the estimated percentage of leveraged State funds in the application, and the time period of installment purchase agreements.

2:76-17A.6 Municipal application procedures

(a) All **planning incentive grant** applications shall be received by the Committee no later than December 15 of each year for the following fiscal year in which the municipality seeks to participate in the **planning incentive grant** program subject to the following:

1. The municipality's initial application shall include a copy of the municipality's comprehensive farmland preservation plan and all applicable project area summaries.

2. In any subsequent year, the municipality's application shall include the following:

i. A copy of the municipality's comprehensive farmland preservation plan, as amended, if appropriate;

ii. Project area summaries for any new or amended project areas; and

iii. A report summarizing the status of the purchase of development easements on farms identified in prior year's applications and expenditure of Committee funds previously available pursuant to [N.J.A.C. 2:76-17A.8](#).

(b) To improve municipal and county farmland preservation coordination, the municipality shall forward its application to the county for review *[and approval]* no later than 90 days prior to the date on which it submits its application to the Committee, and no less than 90 days prior to the December 15 deadline.

1. If county funding is sought, the county shall review the application and provide comments within 60 days of receipt of the application to ensure that the application is consistent with the county's comprehensive farmland preservation plan.

i. The county shall*[, by resolution, indicate its approval of the purchase of a development easement on the targeted farms and determine whether or not any funding will be provided by the county]* ***provide any comments and, if appropriate, identify the level of funding that the county is willing to provide to assist in the purchase of development**

easements on targeted farms*.

ii. The municipality shall consider the county's comments before submitting the application to the Committee, amend the application, if appropriate, and forward the approved application to the Committee.

2. If county funding is not sought, the county shall review the application and provide comments to the municipality within 60 days of receipt of the application to determine to what extent the municipality's application is consistent with the county's comprehensive farmland preservation plan.

(c) A municipality may enhance its application by submitting a joint proposal with one or more contiguous municipalities resulting in the preservation of a more significant area of reasonably contiguous farmland and submit it to the board pursuant to the provisions in (b) above.

(d) Any application submitted after December 15 shall be considered by the Committee as an application for the subsequent program year.

2:76-17A.7 Committee review of municipal **planning incentive grant** applications

(a) Within 60 days of receipt thereof, the Committee shall review and evaluate the municipality's application submitted pursuant to [N.J.A.C. 2:76-17A.6](#) as follows:

1. The Committee shall determine whether all of the components of the comprehensive farmland preservation plan are fully addressed and complete; and

2. The Committee shall determine, for each designated project area, whether the project area summary is complete and technically accurate.

(b) If the Committee finds that the application is complete and accurate, and that it is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry, it shall approve the application.

1. Funding eligibility shall be established pursuant to [N.J.A.C. 2:76-17A.8](#).

2. The Committee shall notify the municipality of its decision in writing.

(c) If the Committee finds that the comprehensive farmland preservation plan and/or the project area summary are not complete and accurate, it may grant conditional preliminary approval of the application.

1. The Committee shall notify the municipality of its decision in writing of the deficiencies in the application.
2. The municipality shall respond with the required information to the Committee within 60 days of receiving notification of the submission deficiencies.
3. Upon receipt of the required information, the Committee shall review the information within 60 days of receipt thereof, and if appropriate grant approval pursuant to [N.J.A.C. 2:76-17A.7](#).

(d) The municipality's failure to provide the requested information within the 60 days of receiving notification of the submission deficiencies shall result in a rejection of the application by the Committee.

1. An application rejected by the Committee shall not be re-submitted by the municipality until the following fiscal year.

2:76-17A.8 Annual funding eligibility

(a) The Committee shall establish a preliminary funding eligibility to the municipality for all project areas receiving approval. Preliminary funding allocations shall be established as follows:

1. The Committee shall determine the estimated total cost of development easement acquisitions contained in the application. (Example: 10-year funding plan requiring \$ 1 million per year = \$ 10 million total development easement cost.)
2. The Committee's estimated cost share shall be calculated based on the average county or municipal cost share of development easements to date. If data is not available, the Committee's current average Statewide cost share for the purchase of development easements shall be utilized. (Example: \$ 10 million total development easement cost x 65 percent = \$ 6.5 million.)
3. The Committee shall establish an eligibility of 75 percent of the total of the estimated Committee cost share needed for the purchase of development easements on the targeted farms contained in the application subject to the following:
 - i. The available funds earmarked by the Committee for municipal **planning incentive grants**;
 - ii. The maximum eligibility, which shall not exceed \$ 1.5 million per municipality per year; and

iii. The maximum allocation of \$ 1.5 million per municipality per year may be increased with the approval of the Committee pursuant to [N.J.A.C. 2:76-17A.17](#).

(b) The Committee's preliminary funding eligibility for each applicant shall be submitted to the Garden State Preservation Trust.

1. The Garden State Preservation Trust shall be notified of future funding requests for the purchase of development easements through installment purchases based on the anticipated schedule of installment payments as contained in the application.

(c) The Committee shall monitor the municipality's funding plan pursuant to [N.J.A.C. 2:76-17A.17](#) and adjust the eligibility of funds based on the municipality's progress in implementing the proposed funding plan.

1. The municipality shall expend its funding eligibility within three years from the date the funds were appropriated or risk the loss of those funds or funds to be allocated in subsequent funding cycles.

2:76-17A.9 Committee review of an application for the sale of a development easement

(a) At any time after the Committee has granted approval of an application, and prior to commencement of any appraisals to be submitted to the Committee for review and certification, the municipality shall submit to the Committee the following information for any eligible farm that the municipality intends to commence processing for purchase:

1. A completed application for the sale of a development easement;

2. Appropriate GIS mapping and soils analysis, as required by the Committee;

3. Clear delineation of all exception areas, whether severable or non-severable, all housing opportunities and all pre-existing nonagricultural uses that shall identify*[:]* ***the information in (a)3i and ii below. Exception areas shall be permitted only if they do not cause a substantially negative impact on the continued use of the land for agricultural purposes.***

i. The allocation of any residual dwelling site opportunities authorized pursuant to [N.J.A.C. 2:76-6.17](#); and

ii. Any other residential opportunities that currently exist on the premises*[:]* *;*

*[(1) Exception areas shall be permitted only if they do not cause a negative impact on the continued use of the land for

agricultural purposes;]*

4. Confirmation that the farm meets the minimum eligibility criteria established by the municipality in its comprehensive farmland preservation plan developed in accordance with [N.J.A.C. 2:76-17A.4\(a\)](#)⁷; and

5. Rank score of the farm based on the municipality's adopted ranking criteria.

(b) The Committee shall conduct a review of the application(s) for the sale of a development easement submitted and confirm that it is complete and accurate and that it otherwise meets the criteria of (a) above.

1. If an application for the sale of a development easement is determined to be complete and meets the criteria as set forth in (a) above, the Committee shall notify the municipality, in writing, that the application is approved and that appraisals may commence pursuant to [N.J.A.C. 2:76-17A.10](#).

2. If an application for the sale of a development easement is determined to be incomplete, the Committee shall notify the municipality, in writing, to address the deficiencies.

i. Upon receipt and review of an amended application for the sale of a development easement that is determined to be complete and meets the criteria as set forth in (a) above, the Committee shall notify the municipality, in writing, that the application is approved and that appraisals may commence pursuant to [N.J.A.C. 2:76-17A.10](#).

2:76-17A.10 Appraisal of an eligible farm

(a) Upon Committee approval of an application for the sale of a development easement pursuant to [N.J.A.C. 2:76-17A.9\(b\)](#), the municipality shall select two appraisers from the list of appraisers approved by the Committee pursuant to [N.J.A.C. 2:76-6.22](#) to conduct independent appraisals of each farm to determine the market value of the development easement for which funding is requested.

1. The municipality shall provide to the appraisers a completed appraisal order checklist as required by the Committee and a copy of the application for the purchase of a development easement including, but not limited to, residential opportunities, exceptions, soils, wetlands and any other factors that may affect the market value of the development easement.

2. The appraisers shall perform appraisals in accordance with procedures detailed in the appraisal handbook for standards at [N.J.A.C. 2:76-6.10](#), generally recognized appraisal practices, [N.J.S.A. 4:1C-11](#) et seq., and [13:8C-1](#) et seq., P.L. 1999, c. 152 and the Committee's appraisal handbook.

(b) The two appraisers shall certify the current market value of the development easement as of a uniform date established by the municipality pursuant to (a)1 above.

(c) The valuation of a development easement for lands located in the Pinelands with Pinelands Development Credits shall be determined pursuant to [N.J.S.A. 13:8C-1](#) et seq., P.L. 1999, c. 152, and 4:1C-11 et seq., N.J.A.C. 2:76-19 and the Committee's appraisal handbook.

(d) Upon completion of the appraisals, the appraisers shall forward the appraisal reports to a person designated by the municipality, who shall review the reports for completeness of contractual requirements.

(e) The municipality shall forward the completed appraisals to the Committee.

2:76-17A.11 Committee certification of development easement values

(a) The Committee shall review appraisals of eligible farms only after they have been authorized for appraisal pursuant to [N.J.A.C. 2:76-17A.9\(b\)](#).

(b) The Committee shall appoint a review appraiser to evaluate the appraisals submitted by the municipality and to recommend a market value of the development easement for each farm. The review appraisal shall be conducted in accordance with the appraisal standards contained in N.J.A.C. 2:76-10.

(c) The Committee shall have final authority for certifying the market value of the development easement pursuant to [N.J.A.C. 2:76-6.8](#).

(d) The Committee shall certify the market value of the development easement and report the certified value to the municipality.

(e) The Committee may determine not to certify the market value of the development easement if an appraisal does not comply with the appraisal handbook for standards at N.J.A.C. 2:76-10 or generally recognized appraisal practices.

1. If the appraisal is not amended to comply with the appraisal handbook or generally recognized appraisal practice within 60 days of the Committee review appraiser requesting such amendments, the Committee may invalidate the appraisal.

2:76-17A.12 Landowner offer

(a) Within 30 days of receipt of the Committee's certification of market value of the development easement, the municipality shall report the certified value to the landowner.

1. The municipality may negotiate a purchase price of the development easement for an amount greater than or less than the Committee's certified market value of the development easement, but not greater than the higher of the two independent appraised development easement values determined pursuant to [N.J.S.A. 4:1C-31\(c\)](#) and [13:8C-1](#) et seq., P.L. 1999, c. 152 and [N.J.A.C. 2:76-17A.11](#).

2. If applicable, the municipality shall inform the landowner of the terms and conditions of any installment purchase agreements, options or potential donations.

(b) Within 60 days of the landowner's receipt of the Committee's certification of market value of the development easement, the landowner shall submit, in writing, an acceptance or rejection of the offer. A copy of the acceptance or rejection shall be provided to the Committee.

1. An offer by a landowner to sell his or her development easement for a value that is greater than the higher of the two independent appraised development easement values determined pursuant to [N.J.S.A. 4:1C-31\(c\)](#), and [13:8C-1](#) et seq., P.L. 1999, c. 152 and [N.J.A.C. 2:76-17A.11](#) shall be deemed a rejection of the offer.

2. If the landowner accepts the municipality's offer, and the development easement is to be held by the county, the municipality shall cause the preparation of an agreement between the landowner and the municipality and/or county, contingent upon the municipality's final review pursuant to [N.J.A.C. 2:76-17A.13](#), the Committee's final review pursuant to [N.J.A.C. 2:76-17A.14](#), and the county's final approval. A copy of the agreement shall be provided to the Committee and the county.

i. If the development easement is to be held by the Committee, the municipality shall request the Committee to prepare an agreement between the landowner and the Committee contingent on all appropriate final reviews pursuant to (b)2 above. A copy of the agreement shall be provided to the municipality.

3. If a landowner rejects an offer for an amount equal to or greater than the certified market value, the Committee shall not accept for processing any application for the sale of a development easement or for sale of land in fee simple pursuant to the **planning incentive grant** program or any other farmland preservation program authorized pursuant to [N.J.S.A. 4:1C-11](#) et seq., or [13:1C-1](#) et seq. for two years from the date that the municipality originally submitted an application for the sale of a development easement. This provision applies only to an application from the same landowner for the same farm property.

2:76-17A.13 Final municipal review

(a) The municipality shall approve or disapprove the acquisition of a development easement on an eligible farm based on total available funding and provide the following to the Committee:

1. A commitment of funding by the municipality and each level of government that is providing funding, as evidenced by an adopted resolution of each governing body.

i. In the event that the municipality is acquiring the development easement, it shall adopt the appropriate ordinance pursuant to the local lands and building law at [N.J.S.A. 40A:12-1](#) et seq.

ii. In the event that the county is not providing funding, the county*[, by resolution, must approve of]* ***must be notified that an application for*** the purchase of the development easement ***was granted final approval and submitted to the Committee for final review***;

2. A commitment of funding in the event the development easement shall be acquired under installment purchase pursuant to the Agriculture Retention and Development Act, [N.J.S.A. 4:1C-32](#), as amended; and

3. In the event that a donation or other method of leveraging monies authorized pursuant to [N.J.S.A. 13:1C-1](#) et seq., P.L. 1999, c. 152, is being utilized, a commitment of funding.

(b) Nothing in this subchapter shall be construed to require that any eligible farm in a project area shall receive a price per acre that is the same as any other farm in that project area or that any eligible farm must be purchased with installment payments because other farms in the project area are so purchased.

(c) No development easement shall be purchased at a price greater than the higher of the two independent appraised values determined pursuant to [N.J.A.C. 2:76-17A.11](#), [N.J.S.A. 4:1C-31\(c\)](#) and [13:8C-1](#) et seq., P.L. 1999, c. 152.

(d) In the event that the municipality submits a request for a cost share grant on more than one farm at a time in excess of its eligible funds, the municipality shall establish a priority ranking of farms pursuant to its ranking criteria and [N.J.A.C. 2:76-6.10\(a\)](#)1i and shall forward to the Committee requests for final approval for only those farms for which there is a sufficient local funding commitment.

(e) Copies of the municipal governing body's resolution, county governing body's resolution and the board's resolution

approving the funding proposal and the purchase of the development easement shall be submitted to the Committee.

2:76-17A.14 Final committee review

(a) The Committee shall review all requests for funding for the purchase of a development easement on an eligible farm approved by the municipality for compliance with all applicable statutes, rules and regulations.

1. The Committee shall confirm receipt of appropriate resolutions from the municipality, ***and if funding is being provided,*** the board and governing body of the county approving of the purchase of a development easement and dedicating sufficient funds to account for local cost share*[, if appropriate]*.

2. The Committee shall confirm receipt of the adopted ordinance if appropriate pursuant to [N.J.A.C. 2:76-17A.13\(a\)](#)1i.

3. The Committee shall confirm receipt of the agreement between the municipality and/or county, and the landowner.

(b) The Committee shall approve a cost share grant for any farm that qualifies for final approval and for which there are sufficient State funds available.

1. The Committee's cost share for the purchase of the development easement shall be consistent with the provisions of [N.J.A.C. 2:76-6.11\(d\)](#).

(c) In the event that the approval requires a schedule of installment payments, the Committee shall enter into an agreement with the municipality and, if appropriate the county, pursuant to N.J.A.C. 2:76-17.20(c), subject to the following:

1. The provisions of [N.J.S.A. 4:1C-32](#), as amended;

2. The approval of funding by the Garden State Preservation Trust; and

3. The appropriation of funds.

(d) The Committee shall inform the municipality, and if appropriate the county, of its decision.

2:76-17A.15 Deed restrictions

(a) Deed restrictions shall be attached to and recorded with the deed of the land and shall be consistent with [N.J.A.C. 2:76-](#)

[6.15.](#)

(b) A development easement shall be held by the Committee, or by the appropriate county if county funds are utilized in the purchase of development easements on a farm.

2:76-17A.16 Terms, contingencies and conditions of purchase

(a) Terms, contingencies and conditions of a purchase shall be consistent with the provisions of [N.J.A.C. 2:76-6.13](#).

1. For monitoring purposes, if the county does not provide funding toward the purchase of the development easement, the Committee shall be responsible for monitoring the farm annually to ensure compliance with the deed of easement.

2:76-17A.17 Annual review of **planning incentive grant** application

(a) The Committee shall review each application annually, within 60 days of the anniversary of the Committee's preliminary approval pursuant to [N.J.A.C. 2:76-17A.7](#).

(b) The Committee may modify its preliminary funding eligibility for a municipality pursuant to [N.J.A.C. 2:76-17A.8](#) or approval of a grant pursuant to [N.J.A.C. 2:76-17A.7](#). In determining whether to modify the preliminary funding allocation, the Committee shall consider the following:

1. Geographic distribution of funds;
2. Available funds;
3. Unanticipated imminence of conversion of the land to a nonagricultural use;
4. Increased costs due to higher than anticipated Committee-certified development easement values;
5. Increased costs due to a higher than anticipated rate of acceptances by landowners in the list of farms;
6. Ancillary costs associated with successful acquisitions;
7. An amendment to the schedule of payments in which funding may be needed sooner than anticipated to acquire a development easement on an eligible farm;

8. The municipality and/or the county have not completed easement acquisitions by the specified dates in the application or agreement;

9. The actual purchase price relative to the Committee's certified development easement value; and

10. The degree of adherence by the municipality to its application.

(c) Any unexpended funds resulting from a modification pursuant to (b) above may be reallocated by the Committee to any farmland preservation program administered by the Committee, subject to the provisions of the Garden State Preservation Trust Act.

APPENDIX C: RIGHT TO FARM ORDINANCE

CHAPTER XXVIII RIGHT TO FARM

28-1 FINDINGS.

a. The retention of agricultural activities would serve the best interest of all citizens of the Township by insuring the numerous social, economic and environmental benefits which accrue from one of the largest industries in the Garden State;

b. Several factors have combined to create a situation wherein the regulations of various State agencies and the ordinances of individual municipalities may unnecessarily constrain essential farm practices;

c. It is the express intention of this chapter to establish as the policy of this Township the protection of commercial farm operations from nuisance actions, where recognized methods and techniques of agricultural production are applied, while, at the same time, acknowledging the need to provide a proper balance among the varied and sometimes conflicting interests of all lawful activities in the Township.

(Ord. No. 99-1 § 1)

28-2 DEFINITIONS.

As used in this chapter:

Commercial farm shall mean any place producing agricultural or horticultural products worth two thousand five hundred (\$2,500.00) dollars or more annually. (Ord. No. 99-1 § 2)

28-3 PERMISSIBLE ACTS.

The owner or operator of a commercial farm which meets the eligibility criteria for differential property taxation pursuant to the "Farmland Assessment Act of 1964", P.L. 1964, c.48 (C.54:4-23.1 et seq.) and the operation of which conforms to agricultural management practices recommended by the State Agriculture Development Committee and to all relevant Federal, State, or municipal statutes, ordinances, rules and regulations and which does not pose a direct threat to public health and safety may;

- a. Produce agricultural and horticultural crops, trees and forest products, livestock, and poultry and other commodities as described in the Standard Industrial Classification for agriculture, forestry, fishing and trapping;
- b. Process and package the agricultural output of the commercial farm;
- c. Provide for the wholesale and retail marketing of the agricultural output of the commercial farm and related products that contribute to farm income, including the construction of building and parking areas in conformance with municipal land use and site plan ordinances;
- d. Replenish soil nutrients;
- e. Control pests, predators and diseases of plants and animals;
- f. Clear woodlands using open burning and other techniques, install and maintain vegetative and terrain alterations and other physical facilities for water and soil conservation and surface water control in wetland areas; and
- g. Conduct on-site disposal of organic agricultural wastes.

(Ord. No. 99-1 § 3)

SOURCE INFORMATION

A complete inventory of the agricultural properties that constitute the Frankford Township Farmland Preservation Area is provided in Table 1 and illustrated on Map 1. A variety of informational sources were used to obtain farm properties in Table 1. They are as follows:

1. The Frankford Township Master Plan Update, November 2000;
2. The Frankford Township Master Plan Reexamination Report, March 2005;
3. The Frankford Township Open Space and Recreation Master Plan, September 2002;
4. Sussex County Comprehensive Farmland Preservation Plan, September 2003;
5. Frankford Township Tax Board Information, 2006;
6. Township and County meetings, Spring of 2006.