

The background image is a faded photograph of a rural landscape. On the left, a large, multi-armed irrigation fan is visible, with a person standing nearby. The middle ground shows a field of green crops, possibly corn, with a white fence line. The background is filled with a dense line of trees under a bright, overcast sky.

5.0 Farmland Preservation

5.0 FARMLAND PRESERVATION

MASTER PLAN RECOMMENDATION 5.1



Sinha Farm, Millstone

Source: Harriet Hönigfeld

5.1: Maintain and update, as needed, the *Monmouth County Farmland Preservation Plan (2008)* as a component of the *Monmouth County Master Plan*.

Purpose

Guide Monmouth County's efforts in preserving farmland and maintaining a viable agricultural industry in compliance with the NJ State regulations regarding county comprehensive farmland preservation plans (N.J.A.C. 2:76-17 and N.J.S.A. 4:1C-43.1).

Monmouth County Departments & Organizations Involvement

Division of Planning	Prepare the <i>Monmouth County Farmland Preservation Plan</i> and annual updates; assist municipalities with the preparation of their farmland preservation plans to ensure coordination with the <i>Monmouth County Master Plan</i> .
Planning Board (MCPB)	Incorporate the <i>Monmouth County Farmland Preservation Plan</i> by reference as a component of the <i>Monmouth County Master Plan</i> .
Park System (MCPS)	Confer on annual submission of Open Space Addendum to the <i>Monmouth County Farmland Preservation Plan</i> ; partner on projects of mutual interest, particularly along identified greenways; meet regularly to discuss joint acquisition projects.
Agriculture Development Board (MCADB)	Provide input and feedback.
Division of Economic Development	Provide support and guidance for implementation of Chapter 6 of the <i>Monmouth County Farmland Preservation Plan</i> and related initiatives.

Other Project Stakeholder Involvement

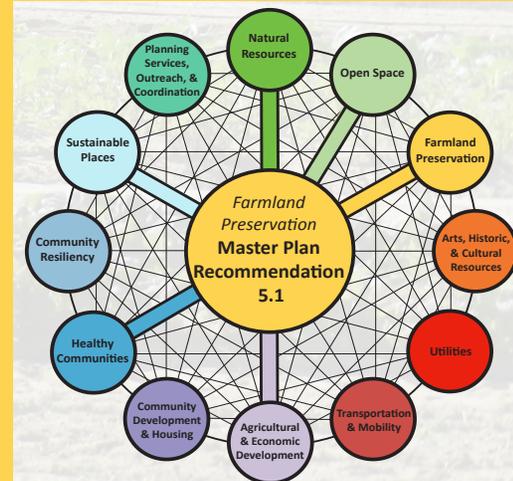
State Agriculture Development Committee (SADC)	Establish framework of county comprehensive farmland preservation plans and develop schedule for updates through their statutes, rules, and policies; provide tools, data, and resources.
Municipalities	Provide feedback; coordinate municipal farmland preservation plans with the <i>Monmouth County Master Plan</i> and <i>Monmouth County Preservation Plan</i> .
Farmland Owners	Provide input into the <i>Monmouth County Farmland Preservation Plan</i> and annual updates.
Nonprofits	Provide input into the <i>Monmouth County Farmland Preservation Plan</i> and annual updates.
Agricultural Agencies	Provide insight into past, current, and future agricultural trends and practices; administer programs detailed in Chapter 7 of the <i>Monmouth County Farmland Preservation Plan</i> .

Master Plan Goals, Principles, & Objectives (GPOs) Relating to 5.1

PRINCIPLES	GOAL 1			GOAL 2				GOAL 3						
	1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4	3.5	3.6	3.7
Comprehensive Planning	●	●	●		●		●	●	●		●	●		
Coordination	●	●	●		●		●				●	●		
Planning Approach	●	●	●	●	●		●				●	●		
Environmental Resources					●		●				●	●		
Farmland Preservation					●		●				●	●		
Arts, Culture, & Historic														
Preservation Investments							●							
Vibrant & Sustainable Communities								●	●					
Community Preservation								●	●					
Housing									●	●				
Economic Development											●	●		
Agricultural Development												●	●	
Recovery & Resiliency													●	●
Growth Investments														●

Implementation Strategy

- Prepare annual plan updates per state regulations, circulating drafts to preservation partners each September.
- Revise target farms list and project areas as needed.
- Update geographic information system (GIS) layers as they relate to the *Monmouth County Farmland Preservation Plan*.
- Have all stakeholders use the *Monmouth County Farmland Preservation Plan* as a guide and resource for relevant projects and planning initiatives.
- Provide information and findings from annual plan updates for use in the proposed *Agricultural Sustainability Plan* for Monmouth County (discussed further in Element 9.0 Agricultural & Economic Development).



Strongest Associated Master Plan Elements

5.0 FARMLAND PRESERVATION

MASTER PLAN RECOMMENDATION 5.2



Sinha Farm, Millstone

Source: Harriet Honigfeld

5.2: Manage and coordinate the purchase of agricultural easements, as guided by the *Monmouth County Farmland Preservation Plan (2008)*.

Purpose

Coordinate the purchase of agriculture development easements in accordance with the eligibility requirements outlined in the *Monmouth County Farmland Preservation Plan* to ensure that an adequate land base is available for current and future agricultural operations.

Monmouth County Departments & Organizations Involvement

Division of Planning	Manage easement acquisition projects from inquiry stage to application to post-closing; conduct outreach to local farmers and municipalities.
Ag. Dev. Board (MCADB)	Approve acquisition projects.
Finance Department	Administer funding; oversee accounts payable and receivable.
Board of Chosen Freeholders	Adopt resolutions approving projects; sign grant agreements.
Department of Public Works and Engineering	Review surveys; conduct surveys as schedule allows; provide feedback on necessary right-of-way and bridge accommodations.
Park System (MCPS)	Partner on joint acquisition projects.
Purchasing Division	Coordinate and process Request for Proposals (RFPs), requisitions, payment vouchers, and contracts with vendors.
County Counsel	Provide legal counsel.

Other Project Stakeholder Involvement

State Agriculture Development Committee (SADC)	Provide grants and funding for projects; process applications; co-sign deeds of easement; approve projects.
Municipalities	Provide funds for projects; apply for grants; conduct outreach to potential applicants.
Nonprofits	Apply for preservation funds through the Grants to Nonprofits program; partner on easement acquisition projects.
U.S. Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS)	Provide funds for eligible projects; co-sign certain deeds of easement.
U.S. Department of Defense	Potential partner on easement acquisition projects.
Landowners	Apply to programs; preserve farms.
Vendors	Appraisers, surveyors, title companies, and other vendors provide real estate services.

Master Plan Goals, Principles, & Objectives (GPOs) Relating to 5.2

PRINCIPLES	GOAL 1			GOAL 2				GOAL 3						
	1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4	3.5	3.6	3.7
A. Comprehensive Planning														
B. Coordination														
C. Planning Approach														
D. Environmental Resources														
E. Farmland Preservation														
F. Arts, Culture, & Historic														
G. Preservation Investments														
H. Vibrant & Sustainable Communities														
I. Community Preservation														
J. Housing														
K. Economic Development														
L. Agricultural Development														
M. Recovery & Resiliency														
N. Growth Investments														

Implementation Strategy

- Continue to work with partners to process applications and coordinate real estate transactions.
- Continue to work with partners to conduct outreach to targeted farm owners.
- Seek alternate funding strategies, techniques, and new partnerships.



Strongest Associated Master Plan Elements

5.0 FARMLAND PRESERVATION

MASTER PLAN RECOMMENDATION 5.3



Sinha Farm, Millstone

Source: Harriet Honigfeld

5.3: Continue to provide professional and technical assistance to the Monmouth County Agriculture Development Board (MCADB), municipal partners, and other agricultural community stakeholders.

Purpose

The Division of Planning provides technical and administrative support to the MCADB. The MCADB is mandated to promote and coordinate agricultural preservation activities in the county. Therefore, the Division of Planning provides assistance to all interested municipal partners, nonprofit organizations, and any other community groups, as requested in furtherance of MCADB's mission.

Monmouth County Departments & Organizations Involvement

Division of Planning	Provide technical assistance to other Division of Planning staff as it relates to farmland interests; prepare documents and resources for the benefit of the decisions and topics before MCADB review.
MCADB	Review and provide input on various policies, programs, and legislation that could impact farming in Monmouth County.
Rutgers Cooperative Extension (RCE)	Serve as an advisor to the MCADB for technical support and industry standards in a range of agricultural areas.

Other Project Stakeholder Involvement

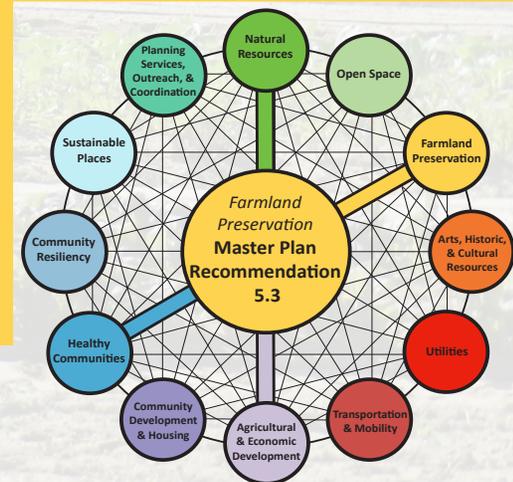
Municipalities	Provide feedback on potential projects and coordinate regarding agricultural disputes through the Right to Farm Act or mediation.
Farmland Owners	Contact staff regarding interest in preservation, right-to-farm matters, agricultural mediation, and other agricultural related matters.
Nonprofits	Coordinate with the Division of Planning on projects of shared interest.

Master Plan Goals, Principles, & Objectives (GPOs) Relating to 5.3

PRINCIPLES	GOAL 1			GOAL 2				GOAL 3						
	1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4	3.5	3.6	3.7
Comprehensive Planning	●													
Coordination		●												
Planning Approach			●											
Environmental Resources				●										
Farmland Preservation					●									
Arts, Culture, & Historic						●								
Preservation Investments							●							
Vibrant & Sustainable Communities								●						
Community Preservation									●					
Housing										●				
Economic Development											●			
Agricultural Development												●		
Recovery & Resiliency													●	
Growth Investments														●

Implementation Strategy

- Continue to support the mission of the MCADB by providing administrative and technical support to the board.
- Continue to provide technical assistance to participating Municipal Planning Incentive Grant (PIG) Program municipalities on plan development, annual plan updates, and plan implementation.
- Continue to provide technical assistance to nonprofit organizations interested in preserving farmland.



Strongest Associated Master Plan Elements

5.0 FARMLAND PRESERVATION

MASTER PLAN RECOMMENDATION 5.4

5.4: Continue annual monitoring of preserved farms to ensure deed compliance and respond to post-closing requests.

Purpose

The deed of easement obligates the easement holder to conduct an annual site visit to verify compliance with the terms of the deed of easement. The deed of easement also requires the county and the state to approve certain changes to the structures and use of the land within the easement area. Therefore, the Division of Planning handles post-closing requests to approve particular changes within a farm's restricted areas and works to resolve deed violations.

Monmouth County Departments & Organizations Involvement

Division of Planning	Staff to monitor easements; meet with landowners and farmers; process post-closing requests; address easement violations; conduct outreach.
Agriculture Development Board (MCADB)	Vote on post-closing requests; advise on easement violations and deed interpretations.

Other Project Stakeholder Involvement

State Agriculture Development Committee (SADC)	As coholders of easements, vote on post-closing requests; review monitoring paperwork; promulgate rules related to new legislation.
Landowners and Farmers	Comply with deeds of easement; ask questions; submit paperwork and applications as necessary.
New Jersey Department of Agriculture	Houses the SADC; provide sources for farmers on subjects such as animal health, plants, and marketing; oversees animal waste management rule compliance.
Rutgers New Jersey Agricultural Experiment Station (NJAES)	Offer extension services and soil testing; process water withdrawal paperwork.
U.S. Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS)	Coholders of a number of our deeds of easements; prepare soil and water conservation plans; advise farmers on soil and water protection methods; connect farmers to grant programs.
New Jersey Farm Bureau	Serve as a resource for farmers and landowners.



Sinha Farm, Millstone

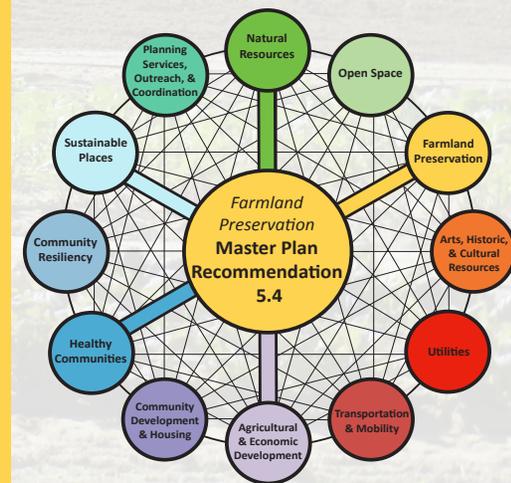
Source: Harriet Honigfeld

Master Plan Goals, Principles, & Objectives (GPOs) Relating to 5.4

PRINCIPLES	GOAL 1			GOAL 2				GOAL 3						
	1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4	3.5	3.6	3.7
A. Comprehensive Planning														
B. Coordination		●		●				●						
C. Planning Approach						●				●		●		
D. Environmental Resources				●				●						
E. Farmland Preservation					●									
F. Arts, Culture, & Historic						●								
G. Preservation Investments														
H. Vibrant & Sustainable Communities								●						
I. Community Preservation									●					
J. Housing										●				
K. Economic Development											●			
L. Agricultural Development												●		
M. Recovery & Resiliency													●	
N. Growth Investments														●

Implementation Strategy

- Conduct annual visits to preserved farms to ensure compliance with the terms of the deed of easement.
- Submit monitoring reports to SADC and interested parties.
- The MCADB and SADC with assistance of Division of Planning staff and Monmouth County Counsel resolve deed violations and process post-closing requests
- Keep landowners apprised of latest regulations and information.
- Process post-closing requests including house replacements, agricultural labor housing, divisions of premises, and energy generation facilities, as prescribed by the deeds of easement.
- Connect farmers and landowners to resources so they can better steward their lands and manage their operations.



Strongest Associated Master Plan Elements

5.0 FARMLAND PRESERVATION

MASTER PLAN RECOMMENDATION 5.5

5.5: Continue to hear right-to-farm complaints, review requests for Site-Specific Agricultural Management Practice (SSAMP) recommendations, and provide program resources to support the Right to Farm Act.

Purpose

The Right to Farm Act (N.J.A.C. 4:1C-10.4) mandates that County Agriculture Development Boards (CADBs) hear requests relative to compliance with generally accepted practices on commercial farms, prepare SSAMP recommendations, and resolve right-to-farm complaints. Protection under the Right to Farm Act also helps promote generally accepted agricultural management practices (AMPs) in farming and land stewardship.

Monmouth County Departments & Organizations Involvement

Division of Planning	Provide technical assistance to guide the Monmouth County Agriculture Development Board (MCADB) and other stakeholders through the right-to-farm process.
Other County Departments	Provide technical assistance to help the MCADB to resolve right-to-farm issues.
MCADB	Board members hear complaints and SSAMPs for right-to-farm issues that arise in the county.
Rutgers Cooperative Extension (RCE)	A RCE representative serves in an advisory capacity to the MCADB as a nonvoting member of the board; serves as a vital role in providing agricultural expertise in right to farm site visits and hearings.

Other Project Stakeholder Involvement

State Agriculture Development Committee (SADC)	Coordinates the right-to-farm program in partnership with CADBs, and if appealed go to the SADC. SADC also provides support to MCADB staff; drafts and approves SSAMP requests in addition to drafting and updating right-to-farm regulations.
Municipalities	Recipient of notifications when a complaint or SSAMP is filed; participation in the research and hearing process.
USDA - Natural Resource Conservation Service (NRCS)	Provide technical assistance to the MCADB and farmers that are involved in right to farm matters when applicable to generally accepted AMPs.
Commercial Farms	If an operation meets the definition of a commercial farm as defined by the Right to Farm Act, it is eligible to seek protection for generally accepted agricultural activities.
Neighboring Landowners	If a neighboring landowner or member of the community takes issue with an agricultural activity on a commercial farm, they may seek relief through the Right to Farm Act; recipient of notification of public hearings.



Sinha Farm, Millstone

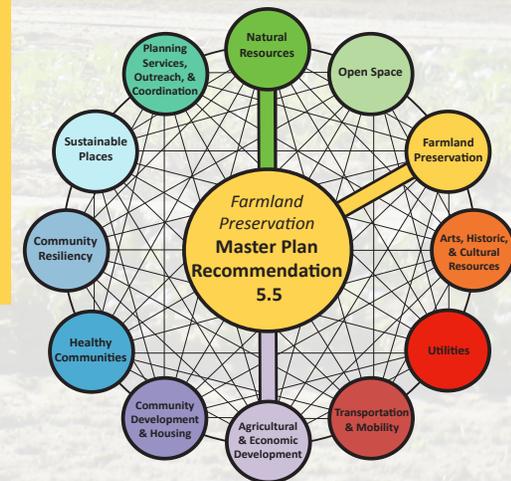
Source: Harriet Honigfeld

Master Plan Goals, Principles, & Objectives (GPOs) Relating to 5.5

PRINCIPLES	GOAL 1			GOAL 2				GOAL 3						
	1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4	3.5	3.6	3.7
A. Comprehensive Planning														
B. Coordination														
C. Planning Approach														
D. Environmental Resources														
E. Farmland Preservation														
F. Arts, Culture, & Historic Preservation Investments														
G. Vibrant & Sustainable Communities														
H. Community Preservation														
I. Housing														
J. Economic Development														
K. Agricultural Development														
L. Recovery & Resiliency														
M. Growth Investments														
N.														

Implementation Strategy

- Process SSAMP applications and right-to-farm complaints.
- Conduct outreach to farmers, municipalities, attorneys, etc. to promote AMPs, increase understanding of relevant statutes, and encourage good relationships with neighbors.
- Promote the SADC's Agricultural Mediation Program to help resolve Right to Farm-related issues



Strongest Associated Master Plan Elements

5.0 FARMLAND PRESERVATION

MASTER PLAN RECOMMENDATION 5.6



Sinha Farm, Millstone

Source: Harriet Honigfeld

5.6: Proceed with planning efforts to understand, evaluate, and support our agricultural industry in a regional context to improve long-term agricultural sustainability.

Purpose

Through the successes of the Farmland Preservation Program, the county now has a permanent land base available for farming. Support of the agriculture business industry is a natural next step that will protect the county's investment in preserved lands and ensure the viability of unreserved lands, making them less likely to succumb to development pressures. The Division of Planning will support planning efforts that promote the agriculture industry as a whole. This includes such efforts as the preparation of the *Agricultural Sustainability Plan (ASP)* for Monmouth County (as detailed in *Master Plan Recommendation 9.1*), providing and recommending resources to farmers through the expertise of Division of Planning staff, and supporting agriculture industry efforts through the Division of Economic Development.

Monmouth County Departments & Organizations Involvement

Division of Planning	Research planning techniques to promote the agriculture industry; research and write grants to fund agricultural industry viability issues; develop an <i>ASP</i> for Monmouth County.
Agriculture Development Board (MCADB)	Provide guidance and feedback regarding industry needs and sustainability planning issues.
Division of Economic Development	Pursue grants to conduct industry research and offer agriculture business development training and resources.

Other Project Stakeholder Involvement

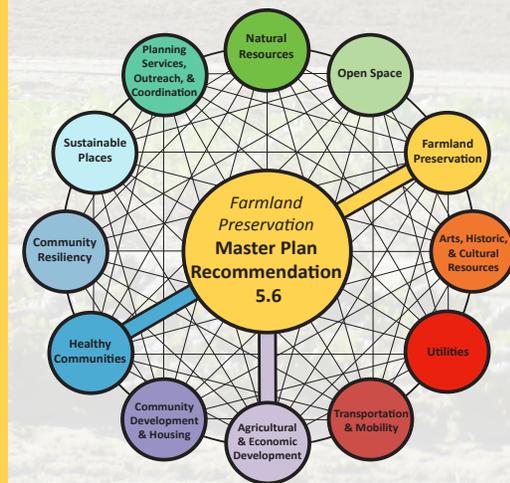
Agriculture Business Owners and Operators	Provide feedback and guidance to offer a better understanding of their needs and challenges.
Municipalities	Coordinate and encourage planning practices and decisions that support the agricultural industry.
Agriculture Agencies and Interest Groups	Provide industry feedback.

Master Plan Goals, Principles, & Objectives (GPOs) Relating to 5.6

PRINCIPLES	GOAL 1			GOAL 2				GOAL 3						
	1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4	3.5	3.6	3.7
Comprehensive Planning														
Coordination														
Planning Approach														
Environmental Resources														
Farmland Preservation														
Arts, Culture, & Historic														
Preservation Investments														
Vibrant & Sustainable Communities														
Community Preservation														
Housing														
Economic Development														
Agricultural Development														
Recovery & Resiliency														
Growth Investments														

Implementation Strategy

- Begin working towards the development of the *ASP* for Monmouth County, as identified in the *Agricultural & Economic Development Master Plan Element Recommendation 9.1*.
- Continue to coordinate with municipalities, agriculture interest groups, and other applicable stakeholders to facilitate rural planning initiatives in accordance with the *Monmouth County Farmland Preservation Plan* and any applicable municipal farmland preservation plans.
- Promote the NJ Land Link: Online Listings and State Agriculture Development Committee (SADC) land linking initiatives.
- Seek ways to support the agricultural industry that would include, but not be limited to: seeking grants, connecting producers with resources, and establishing stronger partnerships with agriculture industry stakeholders and business groups to ensure resources are reaching our Monmouth County farmers.



Strongest Association to Master Plan Elements

5.0 Farmland Preservation

5.1 Introduction

After New Jersey passed the Farmland Preservation Bond Act in 1981 that authorized counties to create county agriculture development boards, the Monmouth County Board of Chosen Freeholders acted quickly to create the Monmouth County Agriculture Development Board (MCADB). Soon after in 1987, the MCADB preserved its first farm, the 63-acre Meade farm (now Reid Sod Farm) on Howell Road in Howell. Since that time, the county has consistently supported the preservation of agricultural land through the acquisition of development easements on eligible farmland. The success of the Farmland Preservation Program is reliant upon collaborative project partnerships among the municipality, county, state, and other allies. As our county land base continues to creep towards complete build-out, we are continually reminded of the importance of farmland preservation in ensuring that current and future generations benefit from the aesthetic, health, economic, and environmental benefits that access to fertile agricultural lands brings to the community.

5.2 Existing Conditions

5.2.1 Monmouth County Agriculture Development Board (MCADB):

The MCADB is the appointed arm of the county's Farmland Preservation Program and reports directly to the Monmouth County Board of Chosen Freeholders. The MCADB governs agricultural preservation activities in the county, issues decisions in Right to Farm cases, and makes determinations about deed of easement compliance. The MCADB consists of nine voting members, one nonvoting advisory member, and two alternates. Three members and one alternate are first nominated by the Monmouth County Board of Agriculture (see 9.4.2 Partnership Efforts) and appointed by the Freeholders. At least one of the members is a farmer with extensive experience in Monmouth County. Four members and one alternate are selected by the Board of Chosen

Freeholders in consultation with staff, existing MCADB members, and the Board of Agriculture. The MCADB's enabling resolutions give examples of suitable members such as a rural community leader, a realtor, a lender, a representative with environmental interests, a farmer, and a marketing expert. An eighth member of the MCADB represents the Freehold Soil Conservation District. A ninth member represents the Monmouth County Planning Board. The county's most senior Agricultural Agent serves as a nonvoting advisor.

The Division of Planning provides support to the MCADB and handles the day-to-day administration of the programs overseen by the MCADB. For instance, staff serves as the custodian of all MCADB records and documents, prepares monthly meeting agendas, and drafts meeting minutes and resolutions. Staff manage easement acquisition projects, monitors the county's many easements, prepares planning documents and updates, and assembles the maps and documents needed for the board to hear Right to Farm cases and make decisions on preservation projects, stewardship matters, and policy considerations.

5.2.2 Supportive Reports and Guiding Documents

Monmouth County Farmland Preservation Plan: In 2008, the Monmouth County Planning Board adopted the [Monmouth County Farmland Preservation Plan \(2008\)](#) as an element of the *Monmouth County Growth Management Guide (1982)*. It replaced the previous plan element from 2000. State administrative code N.J.A.C. 2:76-17.4 dictates the content of county comprehensive farmland preservation plans, a requirement for counties seeking funding through the state's [County Planning Incentive Grant \(PIG\) Program](#). The most recent *Monmouth County Farmland Preservation Plan* includes eight chapters and several appendices covering topics such as the county's agricultural land base, industry trends, land use planning, past and future preservation program activities including acreage goals and project areas, economic development, natural resource conservation, and agricultural industry sustainability and retention. Per the regulations,



the plan contains a map of the county’s Agriculture Development Areas (ADAs), a funding plan, and criteria for preservation. It also includes a list of farms targeted for preservation by the county.

County Planning Incentive Grant (PIG) Program: Every December, Division of Planning staff submits to the [State Agriculture Development Committee \(SADC\)](#) an annual PIG Program application along with forms for each preservation project area. The submission follows notification to municipal and other interested parties and a 90-day comment period. The update presents an opportunity to edit the target farms list and associated geographic information system (GIS) data and maps. During the course of the year, properties may have been preserved, developed, determined to be ineligible, or missed from the original list. The update is also a chance to add new project areas, as the county did with the addition of the Wall Township Project Area in 2010. For the past few years, the submissions have included an Open Space Addendum to the target farms list that highlights parcels of joint interest to the Monmouth County Park System and Farmland Preservation Program. These properties often lie along stream corridors featured in the [Monmouth County Open Space Plan \(2006\)](#), further discussed in the 4.0 Open Space Element.

Municipal Farmland Preservation Plans: Seven municipalities in the county have adopted their own comprehensive farmland preservation plans as elements of their master plans. Colts Neck, Holmdel, Howell, Manalapan, Marlboro, Millstone, and Upper Freehold prepared their plans in compliance with state

guidelines and are thus eligible for funding through the [Municipal Planning Incentive Grant Program](#). The content of these documents mirrors that of the *Monmouth County Farmland Preservation Plan* but reflects more localized data and knowledge.

Panhandle Region Plan: Adopted in 2011, this regional planning study covers the western reaches of Monmouth County including Upper Freehold, Millstone, Allentown, and Roosevelt. One of the plan’s three primary goals is to “promote farmland retention and support for the agricultural industry, and retain the areas rural and historic landscape and character.” The document includes a chapter on agriculture that discusses overarching stakeholder concerns, the equine industry, agritourism, soils, Monmouth County and municipal farmland preservation efforts, zoning strategies, agribusiness, the Upper Freehold Historic Scenic Byway, and emergency animal response.

5.2.3 Preserved Farmland

Acres Preserved: As stated in the enabling resolution for the county’s Farmland Preservation Program, the continuing loss of farms and high-yield farmland is of great concern to Monmouth County. Therefore, starting in the 1980s Monmouth County has made a substantial investment in securing an agricultural land base for current and future generations of farmers. As of December 2015, there were 14,890 acres of preserved farmland in Monmouth County and 204 agricultural easements. This represents 38% of the remaining



Monmouth County and Upper Freehold Township preserved the organic Harvest Hill Farm in 2008 using an Installment Purchase Agreement

Source: Harriet Honigfeld



38,961 acres of Monmouth County farmland reported by the 2012 Census of Agriculture and 37% of the 40,000 farmland-assessed acres in the county. Much of this preservation activity transpired after the preparation of the *Monmouth County Farmland Preservation Plan (2008)*. Since June 2007, the county and its partners increased the number of acres restricted by agricultural easements in Monmouth County from 10,602 to 14,890 acres, a 40% increase. [Figure 5.1: Preserved Farms in Monmouth County Map, 2015](#), shows the location of existing preserved farmland in Monmouth County as of December 31, 2015.

Figure 5.2: Monmouth County Preserved Farmland as of 12/31/2015 shows farmland preservation activity by municipality from June 2007 to December 2015. Upper Freehold continues to lead the county in preserved agricultural land with a tally just shy of 10,000 acres. The municipality has seen significant activity in the last eight and a half years with 2,372 acres of preserved farmland added to the rolls. These new

easements include 608 acres of the former Princeton Nurseries lands and 303 acres of Baier Lustgarten Farms and Nurseries land. These protected farms not only lie in the heart of a regional farmland belt but also enhance Monmouth County Park System’s open space efforts including Crosswicks Creek and Lahaway Creek greenways. During this same period, other municipalities have also made notable strides in protecting farms from development. Monmouth County now has 511 more acres of agricultural easements in Manalapan for a total of 1,242, and 548 more acres in Millstone for a total of 1,196. The county saw three easements secured in Middletown in the last decade. Also, Wall and its partners acquired the first easement in the municipality to receive state Farmland Preservation Program funding.

Easement acquisition through the Farmland Preservation Program involves many steps, some of which go beyond a typical real estate transaction. Aside from making an offer, executing a contract, surveying a property, obtaining a title commitment, securing funding and closing, projects involve a substantial volume of paperwork and agency review. The process adheres to statutory requirements of the various grant programs, funding sources and government entities. Additional steps include parcel evaluation, application preparation and submission, Green Light Approval (the name given to the SADC’s preliminary acceptance of a project), appraisals, appraisal certification, final approval from all project partners, deed preparation, and funds release resolutions. Not surprisingly, it can take a year or two to bring a project to closing. The state required that Monmouth County set 1, 5, and 10-year goals for the acquisition of easements in its comprehensive farmland preservation plan. In the *Monmouth County Farmland Preservation Plan (2008)*, the five-year cumulative acquisition goal was set at 15,765 acres and ten-year goal was set at 18,840 acres. Given funding limitations and the declining pool of larger, eligible preservation candidates, these targets have proven difficult to attain. In recent annual updates of the Farmland Preservation Plan, target goals have been lowered to 3,000 acres within 5 years and 6,000 additional acres

Figure 5.2: Monmouth County Preserved Farmland as of 12/31/15

Municipality	December 2015 Acreage	June 2007 Acreage	Increase
Colts Neck	893	813	80
Freehold Township	226	35	191
Holmdel	328	190	138
Howell	637	393	244
Manalapan	1,242	731	511
Marlboro	237	167	70
Middletown	101	0	101
Millstone	1,196	648	548
Roosevelt	257	257	0
Upper Freehold	9,718	7,346	2,372
Wall	55	22	33
Totals	14,890	10,602	4,288



Figure 5.1: Preserved Farms in Monmouth County Map, 2015

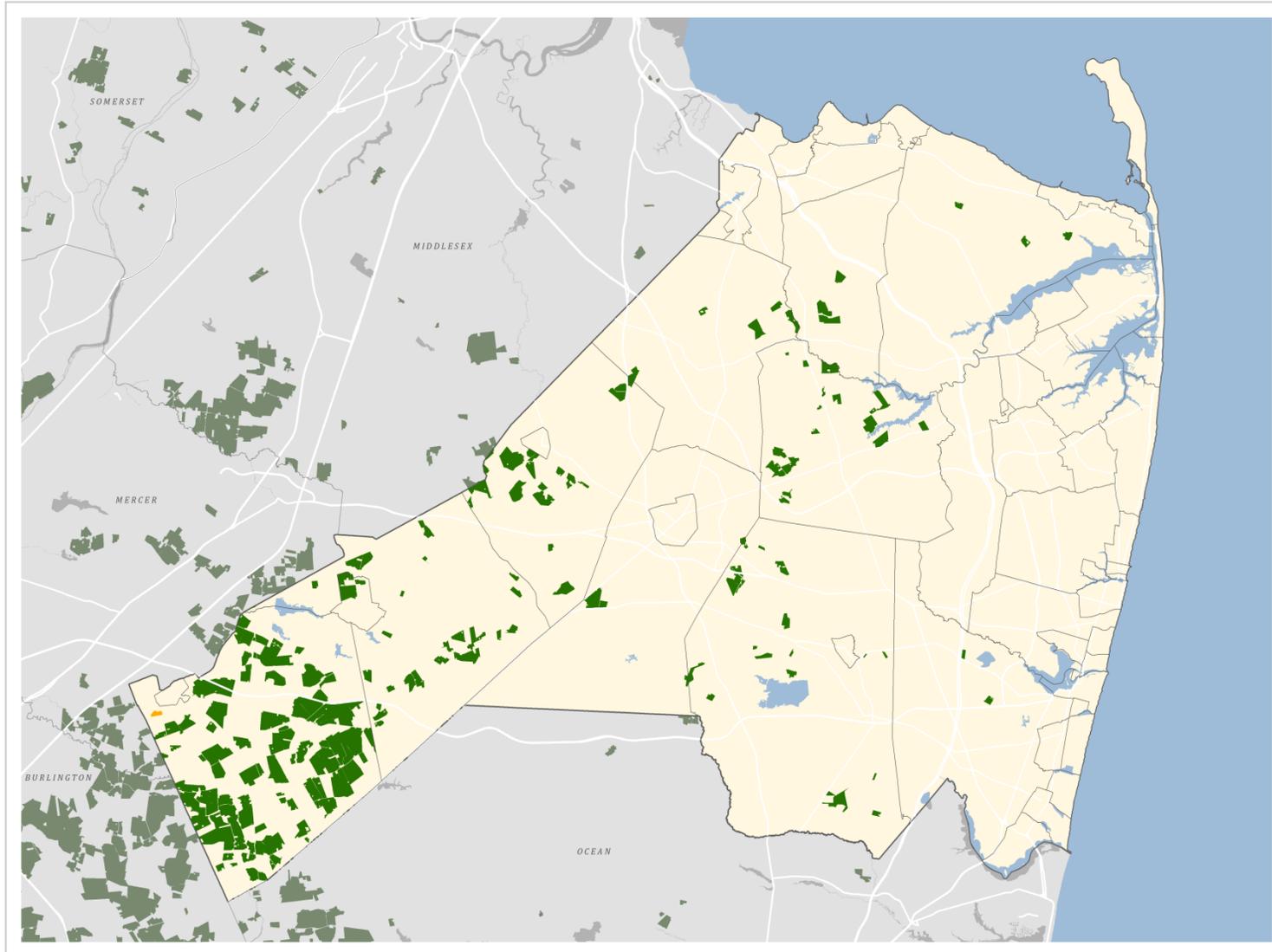


FIGURE 5.1
Preserved Farms in
Monmouth County Map
2015

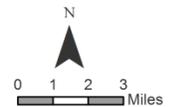
Monmouth County
Master Plan

May 2016

Data current through 12/31/2015

- Preserved Farm
- Eight-Year Program Farm
- Preserved Farms in Other Counties

This map was developed using Monmouth County Digital Data from the Monmouth County Division of Planning GIS Section, New Jersey Office of GIS, and the SADC. The County GIS parcel data layer is intended as informational purposes only and is not intended to replace any legal record.



This map was created using GIS digital data supplied by county and external resources. Data accuracy is limited by the accuracy and scale of the original source. The digital data herein is for consultative and deliberative purposes only. Site specific conditions should be verified.

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.



Flemer Entities/Princeton Nurseries

In its heyday, Princeton Nurseries was one of the largest and most prestigious commercial nurseries in the country. However, the nursery's announcement in 2007 that it would be closing threatened to leave a crucial hole in a band of farmland and open space that spans across four counties. Much of this land surrounded Crosswicks Creek, of which a seven-mile stretch runs through Monmouth County. Knowing the operation's shut down was imminent, state, county, local, and nonprofit officials began negotiations with representatives from the Flemer family to preserve the farm. Of the 2,400 or so acres affiliated with the operation, 1,900 acres had no existing deed restrictions.

After many years of work, the project partners came to the closing table in August 2012. The parties signed and recorded 93 different deeds, something of a record. The owners received payment of \$27.8 million, a discounted price, for a mix of outright land sales that allowed for the expansion of parks and establishment of wildlife management areas as well as the sale of agricultural easements to restrict future development and guarantee that the associated parcels would remain in farm use. The majority of the newly preserved land is situated in Upper Freehold, but some also lies in Hamilton Township (Mercer County) and North Hanover Township and Chesterfield (Burlington County).

In Monmouth County itself, the deal enabled the purchase of eight agricultural easements on 627 acres of highly productive soils, additions to Crosswicks Creek Park, the creation of the 512-acre Pleasant Run Wildlife Management Area, and delineation of the Countryside Trail along historic carriage roads.

The project relied on the cooperation of a myriad of agencies and organizations. Two state agencies, the SADC and NJ Department of Environmental Protection (NJDEP) Green Acres Program led the way with support from departments such as the Attorney General's office. Three counties were intimately involved in the project: Monmouth, Mercer, and Burlington. In Monmouth County's case, staff from multiple departments and boards coordinated efforts; participants including the MCADB, the Division of Planning, the Monmouth County Park System, the Board of Chosen Freeholders, Administration, Finance, and Engineering. Upper Freehold was among the municipalities that contributed funds and support. Two nonprofits, the Monmouth Conservation Foundation and D&R Greenway Land Trust, helped facilitate the deal. Finally, the landowners and their attorneys invested a tremendous amount of time and effort into preserving the land holdings.

Today, the Pleasant Run Wildlife Management Area is open for public access. Crosswicks Creek Park in Upper Freehold now extends over 1,500 acres and is a popular spot for hiking, canoeing and fishing. The preserved farm parcels that once made up Princeton Nurseries have recently transferred to new owners with plans for their own nursery operations as well as wineries and other ventures. All of this was made possible by the project partners who had the vision, expertise, and financial resources to save Monmouth County's largest farm.



within 10 years from the date of plan publication. As Monmouth County has averaged more than 500 acres per year of agricultural easement acquisitions since 1987, these revised projections now appear within reach.

Acquisition Costs: Since the inception of the Farmland Preservation Program, almost a quarter of a billion dollars has been spent on permanently deed restricting farms in Monmouth County. The 77 easements purchased after June 2007 cost over \$109 million (see: [List of Cost Per Farm as of 12/31/2015](#)). The state provided 58% of these funds, the county 23%, and the municipalities 18%. Monmouth Conservation Foundation and the U.S. Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) contributed funds as well. The state money emanated from the Garden State Preservation Trust via its allocations to the SADC. County money derived from the Monmouth County’s Open Space and Farmland Preservation Trust Fund and the county’s capital budget. Most municipal funds came from local open space and farmland preservation trust funds.

Monmouth County’s average easement price from July 2007 to December 2015 was \$30,949 as compared to \$20,686 over the life of the program. Over the same time period, the median easement price per acre was \$27,811 as compared to \$16,600 over the life of program. Easement considerations in the late 2000s were higher than in recent years for several reasons. Some of the values reflected appraisals prepared prior to the recession. Appraisals in communities such as Upper Freehold benefited from a grandfathering provision that allowed values to be calculated based on 2004 zoning. Furthermore, a number of purchases since 2007 occurred in locations with particularly high land values.

Grant Programs: Several grant programs have supported preservation activity in the years since July 2007. Monmouth County and its partners preserved 1,000 acres or more through the County

Easement Purchase Program, the Direct Easement Purchase Program, and the Municipal Planning Incentive Grant Program. Figure 5.3: Easement Acreage Totals Per Grant Program shows the various grant programs and their use in farmland preservation as of December 2015. The Monmouth County Easement Purchase Program, once the mainstay of the state Farmland Preservation Program, has since been phased out. Monmouth County preserved 645 acres through the Monmouth County Planning Incentive Grant Program, the successor to the County Easement Purchase Program. Three new Grants to Nonprofits Program easements span 105 acres. The MCADB also preserved one farm without SADC participation, Harvest Hill Farm in Upper Freehold, using an Installment Purchase Agreement (IPA). With the IPA, the county paid a portion of the total consideration in cash to the seller at closing, invested a pre-determined amount of money in bonds, and makes installment payments twice a year to the landowner. A more detailed description of the various types of preservation programs and options including grants, purchase types, transfers/exchanges, and the eight-year program can be found in the [Monmouth County Farmland](#)

Figure 5.3: Easement Acreage Totals Per Grant Program

Grant Program	June 2007 Acres	December 2015 Acres
County Easement Purchase Program	7,527	8,507
County Planning Incentive Grant Program	0	645
Municipal Planning Incentive Grant Program	1,465	2,829
Direct Easement Program	1,218	2,378
Fee Simple Program	249	249
Interagency Transfer	110	110
Preserved by Municipality	10	10
Preserved by Monmouth County	23	23
Grants to Nonprofits Program	0	105
Preserved by MCADB	0	36
Permanently Preserved Acreage	10,602	14,892



[Preservation Plan \(2008\)](#).

5.2.4 Farmland Preservation Criteria

All farmland helps to contribute to the overall agricultural community in the region; even small or marginal lands can be productive agricultural operations with the some creativity and ingenuity. However, limited public funds demand that lands be prioritized using eligibility and ranking criteria. The primary goal of the state and county is to preserve the most agriculturally productive farmland.

Therefore, some of the main criteria used to determine the suitability of a farm for preservation are: soil types, parcel size, potential for development, and amount of wetlands. In addition, the county strives to preserve contiguous parcels of farmland to create dense groupings of land in active agricultural production. As a result, applications benefit from proximity to other preserved farmland. [Figure 5.4: Monmouth County PIG Project Areas and Target Farms Map, 2016](#), shows target farms that have been identified as potential candidates for preservation based on these criterion.

The Monmouth County Farmland Preservation Program utilizes the eligibility criteria established by the SADC as a baseline for evaluating potential candidates. A detailed explanation of the SADC’s [eligibility criteria](#) can be found on the agency’s website. Additionally, each SADC funding program has slightly different eligibility criteria. More information about the program’s specific requirements can be found on pages 54 to 55 of the [Monmouth County Farmland Preservation Plan \(2008\)](#).

Monmouth County recognizes that farms that do not qualify for the various farmland preservation grant programs are still an important part of the overall agricultural economy. Accordingly, all farms and related businesses will benefit from the county’s new Grown in Monmouth initiative that is detailed in Element 9.0 Agricultural & Economic



Gladiolas are grown on the Cicalese Farm in Colts Neck

Source: Harriet Honigfeld

Development. This effort will assess the potential for new and innovative agricultural businesses and markets, establish a countywide branding and marketing strategy, and provide business development support services.

5.3 Emerging Issues and Long Range Challenges

5.3.1 Agricultural Development Areas (ADAs) Review: Despite the progress made to date in preserving the county’s agricultural land base, there are close to 25,000 acres of farmland assessed lands that are unrestricted and open to the possibility of development. Monmouth County will continue to use a variety of tools to set priorities and protect these valuable lands. To meet statutory guidelines, the county has designated ADAs that serve as the focal point for farmland preservation efforts. ADAs encompass productive lands, do not conflict with municipal zoning ordinances, and remain free of commercial and suburban development. Monmouth County’s last major revision of its



Figure 5.4: Monmouth County PIG Project Areas and Target Farms Map, 2016

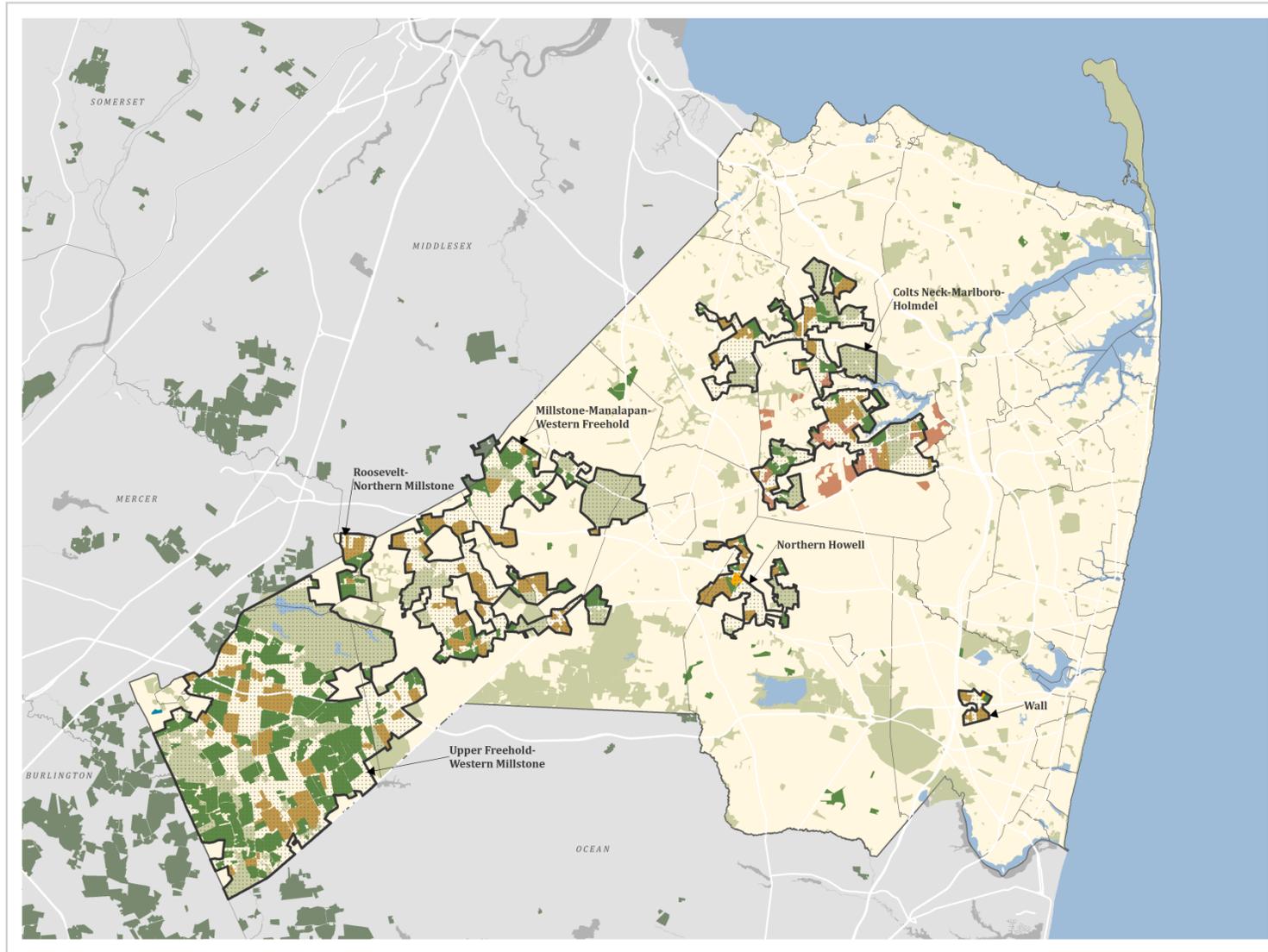


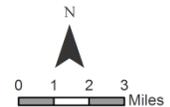
FIGURE 5.4
Monmouth County PIG
Project Areas and Target
Farms Map

Monmouth County
Master Plan
 May 2016

Data current through 12/31/2015

- County PIG Project Area
- County PIG Target Farm
- Preserved Farm
- Farm Receiving Final Approval
- Eight-Year Program
- Preserved via Lot Size Averaging
- Parks and Open Space
- Preserved Farms in Other Counties

This map was developed using Monmouth County Digital Data from the Monmouth County Division of Planning GIS Section, New Jersey Office of GIS, SADC, Monmouth Conservation Foundation, and the National Park Service. Municipal open space was mapped using parcels and the NJDEP Green Acres Recreation and Open Space Inventory (ROSI) list. The municipal open space dataset is for planning purposes and may be missing properties or contain inaccuracies.



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ADAs took place in 2006. As land use patterns continue to shift and development fractures blocks of continuous farmland, the MCADB and SADC may need to revisit the boundaries of the county's ADAs.

5.3.2 Limited Sources of Funding: The availability of funds may further influence the pace of preservation. Passage of a 2014 voter referendum was expected to lead to a stable source of funding for farmland preservation and open space preservation in the state. The intention was for a percentage of New Jersey's Corporate Business Tax revenue to be set aside for the State Agriculture Development Committee (SADC) and NJ Department of Environmental Protection (NJDEP) Green Acres Program. This would guarantee an annual allotment of funds for these programs although at lower levels than in the past decade. Unfortunately, an implementation bill has yet to be adopted, and the Governor's budget for fiscal year 2016 ended up allocating only a portion of the expected funding.

5.3.3 Implementation of Innovative Land Use Preservation Techniques: Given funding limitations, communities are exploring alternatives to agricultural easement acquisition for protecting important lands. One newly strengthened tool is noncontiguous clustering whereby one parcel is preserved while its development rights are transferred to a different, noncontiguous parcel that is developed at a higher density than otherwise permitted. As described on the [NJ Future website](#), "In 2013 the state legislature passed an update to the cluster development provisions in New Jersey's Municipal Land Use Law, giving municipalities greater authority to include contiguous and noncontiguous clustering and lot-size averaging in their land use regulations. Municipalities now have the option of directing development through their existing zoning ordinances, or of offering landowners and developers additional benefits via these updated clustering opportunities."

5.3.4 Extent of Post Preservation Activities: The county's involvement with a preserved farm does not end at closing. The deed of easement

requires the holder (i.e. the county, state, or nonprofit) to monitor each farm on an annual basis. At this time, county staff monitors 180 different easements and completes inspection forms it submits electronically to the SADC. The purpose of the visits is twofold: to ensure compliance with the terms of the deed and to conduct outreach to landowners and farmers. The visits allow MCADB staff to obtain updated ownership and contact information, share news, answer questions, and direct landowners and farmers to helpful resources. The inspections also enable staff to identify problems on the farm and work with owners to resolve them. Because staff maintains strong relationships with landowners, usually a problem can be resolved through verbal and written communication. Occasionally, a formal MCADB determination or legal action is necessary.

Staff also communicates with landowners and their representatives throughout the year, fielding calls and emails related to a host of topics including potential property sales, proposed new buildings, leases municipal requirements, drainage issues, evolving business operations, farmland assessment, and legal and accounting concerns. Staff refers these inquiries to other colleagues and professionals when appropriate. For example, the USDA-NRCS, Rutgers Cooperative Extension (RCE), the New Jersey Farm Bureau, the New Jersey Department of Agriculture, and municipal zoning officials often provide assistance.

The deeds of easement and state legislation dictate that the MCADB take formal action on certain matters related to preserved farms. Each year the board considers requests for agriculture labor housing units, residential house replacements, and divisions of premises. Staff processes the requests then places them on an MCADB meeting agenda. The MCADB then approves or rejects the request by adopting a resolution. Subsequently, the SADC must take action. Rooftop and ground-mounted solar energy generation facilities approvals are a new type of review. As a result of legislative action, applications for solar facilities on preserved farms, even within exception areas, must be



approved by the SADC. The MCADB, however, provides input to the state.

In an effort to be proactive, the MCADB invites landowners and potential buyers of preserved farms to request a formal deed interpretation by the board at a regular public meeting. Recent requests have focused on a potential paintball operation, a veterinary practice that services the region's racehorses, a distillery, a brewery, and a greenhouse operation. [The board determined that the paintball proposal conflicted with the deed of easement but that the other requests were compatible.]

Through the annual inspections and inquiries made by interested parties, the county may discover a deed violation. Some of the more common deed compliance issues relate to trash and debris accumulation, new commercial nonagricultural uses, and unauthorized divisions of premises. Staff has had success in getting landowners to clean up sites by connecting them with the county's Solid Waste Enforcement Team and [Recycling and Solid Waste Planning Division](#). Nonagricultural and recreation use violations have been handled in various ways. For example, a utility that rented preserved farmland for an off-site water main repair project had to remediate the site. A soccer organization that used sod fields for a tournament was told to find a different location for future events. A farmer receiving rent for billboards on his land was deemed to be grandfathered since the use was proven to have existed on farm at time of preservation. More than one landowner had to remove off-road vehicle ramps from active agriculture land. Others brought their farms into compliance by converting a tennis court and a pool house built outside designated exception areas into storage structures tied to agricultural production.

Transfer of ownership of portions of a lot or lots bound by an agricultural easement, known as divisions of premises, are possible with MCADB and SADC approval. However, the division must meet a two-

pronged test: the split must be for an agriculture purpose, and the resultant parcels must be agriculturally viable. Applicants do not always pass both tests and title transfers of portions of a farm through executions of estates, foreclosures, and tax liens are not always easy to rectify. The MCADB has compelled landowners to re-record vesting deeds to consolidate ownership, municipalities to halt tax lien sales, and contract purchasers to expand their plans and buy all lots bound by an easement.

5.3.5 Increased Reliance on Right to Farm: The intent of the Right to Farm Act (RTFA) is to protect responsible commercial farms from nuisance complaints and unreasonably restrictive municipal ordinances that hinder the ability to continue agricultural production. The protections of the RTFA are particularly important in Monmouth County where the remaining farms are operating in close proximity to different and often conflicting land uses. For example, imagine a residential housing subdivision is built next to a farm and the neighbors begin to complain about the sound of the tractor or the smell of manure. In such a situation, the farmer or neighbor could request that the MCADB hear the matter and make a determination. The farmer must be operating according to generally accepted agricultural management practices in order for the activity to be protected by the RTFA. Depending on which party contacts the county first, the farmer or the neighbor, the case will proceed under conflict resolution or [Site-Specific Agricultural Management Practice \(SSAMP\)](#) guidelines. Chapter 8 of the *Monmouth County Farmland Preservation Plan (2008)* provides more detailed information about the RTFA.

Since the adoption of the *Monmouth County Farmland Preservation Plan* in April of 2008, New Jersey adopted new rules for Right to Farm, [N.J.A.C. 2:76-2.3 to 2.8](#), which became effective on April 7, 2014.

The rule adoption changed some of the procedures for how the RTFA is promulgated at the county and state level. In addition, the SADC made



changes to the rules in response to recent right-to-farm case law. The first main change is a public notice requirement for SSAMP applications. The applicant is now required to send notice to all property owners and other stakeholders within 200 feet of the commercial farm. The SADC implemented this requirement in response to *Curzi v. Raub*, NJ Superior Ct., App. Div. (2010), to ensure that neighboring property owners are aware of SSAMP requests to be considered before County Agriculture Development Boards (CADBs). The courts have made it clear that the board is responsible for balancing the interests of the farmer and the aggrieved party, so that all parties have ample opportunity to express their concerns to the board and thereby be considered as part of the final decision. The second main change to the procedures relates to the content of the resolutions passed by the MCADB. The procedures now require that the resolutions be detailed, including findings of fact and conclusions of law in addition to referencing any supporting documents that were used to make the board’s decision. This requirement was added to ensure that a clear record of the decision is created in the event an appeal is filed.

As the regulations have become more complex, so have the cases that come before the board. The amount of time it takes staff and board to review and prepare for cases has increased significantly as the Right to Farm procedures have required that all complaints or SSAMPs follow an increasingly formal process. The procedural changes have also translated to a more costly process for both the county and the farmer. Legal representation has become more common for all parties involved and administrative costs, such as public noticing and stenography for hearings, are now necessary or required by law.

5.3.6 Focus on Long-Term Agricultural Sustainability: Due to changes in both the equine and nursery industries, tremendous opportunity for emerging sectors has arisen, but the Quarterly Census of Employment and Wages data from 2001-2012 reveal a 30% decline in agricultural related employment in the county. Additionally, more than 13% of the

preserved farms in Monmouth County are listed for sale, oftentimes as a result of an equine farm closure. Monmouth County’s farms are in transition, leading to job losses and uncertainty about the future of our regional agricultural industry. The changing agricultural landscape is being fueled by several trends: an aging population of farmers, a depressed nursery industry (which is tied to the vagaries of the real estate market and the disposable income of local residents), and a depressed horse racing industry adversely affected by more lucrative purses and conditions in nearby states prompting a migration of business.



Preservation of the former Princeton Nurseries lands was a top priority for the region in the last decade due to their geographic and economic importance

Source: Harriet Honigfeld



5.3.7 Need for Economic Development: Chapter 4 of the *Monmouth County Farmland Preservation Plan (2008)* focused on economic development topics pertinent to agriculture. Subjects range from marketing, public relations, and education to industry-specific issues. The 9.0 Agricultural & Economic Development Element delves further into agricultural economic development matters.

5.3.8 Limiting Impacts on Natural Resources: Since the adoption of the *Monmouth County Farmland Preservation Plan (2008)*, new rules have taken effect related to animal waste management and solar and wind energy generation facilities. These laws and regulations pertain to both preserved and unpreserved farms in the state. Specifically, the New Jersey Department of Agriculture adopted regulations in March 2009 that require owners of more than a certain number of livestock to prepare and implement manure management plans for their operations. The goal is to reduce nonpoint source pollution that may originate from livestock farms.

Public Law 2009, c. 213, signed in January 2010, identifies allowable limits and criteria for farms wishing to install solar, wind, or biomass energy generation systems. The law impacted preserved farms as well as non-preserved farms that are seeking to maintain farmland assessment status or obtain Right to Farm protection. The SADC, in turn, established application procedures for preserved farms erecting rooftop solar panels and ground-mounted solar arrays, and adopted an agricultural management practice (AMP) for any commercial farm seeking to construct, install, operate, or maintain solar energy generation facilities, structures and equipment. The SADC also drafted rules for wind energy facilities on preserved farms that have yet to be adopted.

The 2014 Farm Bill brought about some changes to the U.S. Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) grant programs. The Farm and Ranch Lands Protection Program (FRPP)

was replaced by the Agricultural Conservation Easement Program (ACEP). The Wildlife Habitat Incentives Program (WHIP) was folded into the Environmental Quality Incentives Program (EQIP). The EQIP helps agricultural producers maintain and improve their existing conservation systems and adopt additional strategies to address priority resource concerns.

For many years New Jersey's agricultural easements have included a requirement that preserved farms obtain a soil and water conservation plan. The Freehold Township office of the USDA-NRCS typically prepares the plans for Monmouth County in consultation with the landowner and farmer. A Soil Conservationist visits the property to evaluate soil, water, air, plant, and animal resources and proposes alternatives to address the resource conditions. There is a significant backlog of those waiting for soil conservation plans in Monmouth County, and the NRCS has partnered with the Department of Agriculture to ease this bottleneck. It is expected that a portion of future state farmland preservation funding will be set aside for cost share grants to preserved farm owners looking to install and implement projects detailed in their plans.

5.3.9 Long Range Challenges Identified by the Working Group: The Long Range Challenges identified during development of the *Master Plan* by community stakeholders during Working Group workshops are:

- **High Land Values:** The current market value of land and buildings in Monmouth County is \$1,021,640 per farm, which works out to \$21,581 per acre. The median cost per acre of an easement preserved in Monmouth County since 1987 is \$16,600. Monmouth is not the most expensive county in the state, but relative to other parts of the country land costs are very high. Accordingly, preservation funds do not stretch as far as elsewhere. High land values also create barriers to entry for young and new farmers, fuel pressure for landowners to sell to developers, and complicate estate planning since heirs may owe substantial taxes.



- *Dedicated Funding Source:* The state's share of farmland preservation funding has come from intermittent bonds supported by voter referenda over the years. Because of the unpredictability in the quantity and timing of funding, the preservation community pushed for a dedicated source of funding. In November 2014, New Jersey voters approved Public Question No. 2 that proposed dedicating a percentage of the Corporate Business Tax revenue to replenish the Garden State Preservation Trust. As noted in 5.3.2 Limited Sources of Funding, implementation of the Public Question No. 2 has not been finalized as of this writing and uncertainties remain.
- *Increasing Number of Land Use Conflicts:* The MCADB has heard numerous agricultural disputes in previous years. The demand for Right to Farm protection in Monmouth County continues to be steady, underscoring the importance of the Right to Farm Act (RTFA) in our county. Two of the most intensely disputed cases to come before the MCADB have occurred in the previous three years. Both of these cases came to the board as SSAMP applications and were disputes between a commercial farm and a municipality. The RTFA provides for the option of preempting municipal regulations in situations where the board determines that the regulations are unreasonable towards the farmer and that an agriculturally based reason is present. In both cases, the board determined that the issue warranted preemption of municipal regulations to protect the commercial farmer's ability to continue or expand agricultural production and marketing of their agricultural product.

Recent Right to Farm cases have required numerous lengthy hearings to resolve. The board believes it to be in the best interest of all parties to make every effort to resolve the issue informally before proceeding to a hearing. The [New Jersey Agriculture Mediation Program](#) offers a way to accomplish this through the aid of a trained mediator whose services are provided free to

participants. Mediation has been used successfully in the past by the county, but the importance of mediating an issue before bringing it to a hearing has become increasingly important to the board. Monmouth County staff and the board strongly encourage entities involved in agricultural disputes to participate in mediation as a first step. Ideally, disputes will be resolved through mediation. However, even if a matter is not able to be resolved completely through mediation, some progress can be made before proceeding to a formal hearing that can save time and money for all stakeholders.

- *Protecting Farms that Do Not Meet Eligibility Criteria:* There are many farms of economic, environmental, and cultural importance that do not meet the criteria for preservation through one of the SADC's grant programs. Sometimes a community will pursue and craft its own easement, using language from the Farmland Preservation Program deed of easement as a model. For example, the Borough of Shrewsbury placed a conservation and public access easement on the 12-acre Bonanno farm, an equine operation of local importance. Municipalities should also look to land use techniques to further preservation goals. Some of these tools are already incorporated into local ordinances and some may need to be implemented. Colts Neck, for instance, has preserved large sections of a number of farms using its lot-size averaging zoning provisions. The noncontiguous cluster tool described in Section 5.3.3 Implementation of Innovative Land Use Preservation Techniques is another land use technique used for preserving agricultural lands.
- *Fostering Market Opportunities and Emerging Sectors:* To combat the decline being witnessed in the regional agricultural sector and to support long-term agricultural sustainability of our remaining farms, the Monmouth County Board of Chosen Freeholders successfully applied for a U.S. Department of Agriculture (USDA) grant. The county received funding to compile a working document



for Monmouth County's Grown in Monmouth initiative. Key aspects of this initiative include mapping available agricultural products in rural sections of the county, analyzing the food supply chain to identify strategies that will overcome impediments, identifying potential new business opportunities, and creating a marketing plan to develop an awareness of and preference for buying products grown and made locally. See *Master Plan* Recommendation 9.1.

- **Agricultural Adaptability to More Extreme Weather Events:** With Superstorm Sandy and Hurricane Irene still fresh in the minds of Monmouth County residents, farmers are contemplating how to adapt to extreme weather events as well as the potential shift in overall weather patterns. To cope with potential floods, farmers in the Midwest are experimenting with the idea of planting of strips of native plants in strategic locations to prevent soil erosion and slow stormwater runoff. Similarly, they are purchasing equipment with tracks instead of wheels to enable mobility in muddy and wet conditions. On the other hand, periods of drought may lead more farmers to invest in irrigation systems and methods to recapture stormwater and gray water. A potential shift in temperature ranges and frost free dates would impact plant hardiness. Diversifying crops and erecting season-extending growing structures are two means of addressing this issue. ([Iowa's Corn Farmers Learn To Adapt To Weather Extremes, NPR, 2014](#))
- **Agricultural Labor and Associated Housing:** Many farms need to hire full-time and seasonal employees to care for livestock and produce and harvest crops. A shortage in the supply of agricultural laborers is of concern to many farm owners. In addition, high housing and rental costs in Monmouth County, and the need for a round-the-clock presence on certain operations, necessitate housing options for farm laborers directly on site. Most farming communities allow for the construction of agricultural labor units on farms and the deeds of easement allow for agricultural labor housing with permission. Unfortunately, the Council on Affordable Housing

(COAH) does not give municipalities' credit for low-to moderate-income housing for agricultural labor housing units. The state should credit affordable labor housing on farms as a means of satisfying affordable housing obligations in rural communities.

5.4 Farmland Preservation Stakeholder Action and Efforts

5.4.1 Monmouth County Farmland Preservation Program

MCADB staff, housed in the Division of Planning, manages all phases of easement acquisition projects from the inquiry stage to application preparation and submission to post-closing administration and monitoring. Staff communicates regularly with local farmers, municipalities, and other agencies through the preservation process and life of the easement. The MCADB and the Board of Chosen Freeholders adopt resolutions approving county participation and financial contributions. The MCADB and staff monitor easements, vote on post-closing requests, and address easement violations. The MCADB hears complaints and SSAMP requests for Right to Farm issues that arise in the county.

In addition, the Division of Planning prepares the *Monmouth County Farmland Preservation Plan* and annual updates. The Division of Planning also assists municipalities with the preparation of their relevant master plan elements to ensure consistency among the documents. The Monmouth County Park System confers on the annual submission of the Open Space Addendum to the target farms list, and partners with the Division of Planning on projects of mutual interest, particularly along identified greenways.

5.4.2 Partnership Efforts

The [State Agriculture Development Committee \(SADC\)](#) is the primary funding partner in the county's easement purchase projects. As co-signators of the deeds, the SADC also votes on post-closing requests, reviews monitoring paperwork, and promulgates rules related to new legislation. The state coordinates the Right to Farm Program in



conjunction with the counties, and handles appeals of County Agriculture Development Board (CADB) decisions. The committee provides support to the counties and updates Right to Farm regulations. The SADC, through its regulations, also establishes the content of the county comprehensive farmland preservation plans and provides data and resources.

The [Monmouth County Farmland Preservation Program](#) and the [Monmouth County Park System \(MCPS\)](#) have a long history of working in tandem to assemble greenways and preserve contiguous farms. The *Monmouth County Open Space Plan (2006)* identifies a number of greenways that are a priority for county preservation. These greenways happen to lie within some of the more rural areas of Monmouth County and encompass waterways such as Crosswicks Creek, Doctors Creek, Lahaway Creek, and the Manasquan River. Accordingly, the waterways and their stream corridors often run adjacent to, and through, farms targeted for preservation. When a parcel is of interest to both programs, the MCPS and Farmland Preservation Program work out the proposed division lines upfront, and negotiate with the landowners accordingly. If the project moves to closing, the tilled land is encumbered with an agricultural easement and the stream corridor is purchased outright by the MCPS. The partners may also make arrangements to enable access for MCPS maintenance vehicles and personnel or allow access to a water source for the farm's irrigation needs.

Municipalities provide feedback on the county's planning documents and coordinate their municipal farmland plans with the *Monmouth County Master Plan*. They also draft their own farmland preservation elements for their local master plans, administer their own Municipal Planning Incentive Grants from the state, conduct outreach with landowners, and provide financial contributions for easement acquisitions.

Nonprofits acquire easements through the state's [Grants to Nonprofits Program](#) or in partnership with the county, municipalities, and state. They often conduct outreach to landowners and assist with obtaining appraisals, surveys and other documents needed to bring a project to closing. The [Monmouth Conservation Foundation](#) is a frequent county partner. They hold three agricultural easements in Monmouth County and have played a key role in a number of deals in Middletown, Wall, Upper Freehold, and Howell. The county has also worked with the [Fund for Roosevelt](#), [New Jersey Conservation Foundation](#), and [D&R Greenway Land Trust](#) on several projects.

Agricultural Agencies provide insight into past, current and future agricultural trends and practices. These agencies include the [USDA-Natural Resources Conservation Service](#), [Rutgers Cooperative Extension \(RCE\)](#), and [Freehold Soil Conservation District](#). Their services are critical to support farmers in their production, business and land stewardship efforts. They administer programs detailed in Chapter 7 of the *Monmouth County Farmland Preservation Plan (2008)*.

5.5 Additional Resources and Funding Opportunities

Federal

The Federal Government is another occasional source of funds. Monmouth County has preserved a dozen or so farms through the USDA's former Farm and Ranch Lands Protection Program. That program has been superseded by the [Agricultural Conservation Easement Program](#).

State

As previously discussed in Section 5.2.3 Preserved Farmland, Monmouth County relies heavily on grant funding from the SADC to cover the costs of agricultural easement acquisition projects. A typical cost share split for an easement is 60% state, 24% county, and 16% municipal money. There are a variety of [grant programs](#) administered by the SADC, each with its own criteria and funding limitations, that are used for farmland



preservation.

For parcels of significant environmental or public value that may not meet eligibility requirements for farmland preservation, staff will refer inquiries to other agencies and funding partners that focus on land conservation such as the [NJDEP Green Acres Program](#).

County and Local

Monmouth County has a dedicated open space and farmland preservation tax that generates over \$16 million per year. \$1.1 million of this annual tax revenue is set aside for farmland preservation. These funds have been used in conjunction with capital budget allocations to purchase easements. The county set aside over \$8 million per year from the capital budget in 2007, 2008, and 2009 for farmland preservation projects. No new capital budget appropriations were needed from 2010 to 2015. Monmouth County periodically bonds to generate money for land acquisitions. The Monmouth County Park System (MCPS) uses this option more frequently than the Farmland Program but it may be an option for the future. Most municipal funds used for the purchase of agricultural easements come from local open space and farmland preservation trust funds.

The MCPS has acquired several of its own agricultural and conservation easements on lands abutting county parks with a right of first refusal so that it may purchase the land outright once the owner is ready to sell and transition out of farming.

Nonprofits, Research Centers, and Other Stakeholders

To bring a number of projects to fruition, nonprofit partners such as [Monmouth Conservation Foundation](#) have contributed financially while providing other outreach and support services. In other scenarios, a land trust may line up a conservation-minded buyer to purchase the fee simple rights to a farm at the same time it is preserved or soon after. This may be advantageous in instances in which the original owners are no longer able or interested in retaining the property themselves.

5.6 Master Plan Recommendations and Stakeholder Strategies

Six Recommendations and numerous Stakeholder Strategies emerged from meetings and conversations with stakeholders as well as the SADC or Board of Chosen Freeholder directives.

Master Plan Recommendations

Recommendation 5.1: Maintain and update, as needed, the *Monmouth County Farmland Preservation Plan (2008)* as a component of the *Monmouth County Master Plan*. The *Monmouth County Farmland Preservation Plan* guides Monmouth County's efforts in preserving farmland and maintaining a viable agricultural industry. It details the county's agricultural preservation efforts to date, targets land remaining for preservation, and lays the groundwork for efforts to retain and enhance the local agricultural economy.

Recommendation 5.2: Manage and coordinate the purchase of agricultural easements, as guided by the *Monmouth County Farmland Preservation Plan*. The county would accomplish this Recommendation in accordance with the eligibility requirements outlined in the *Farmland Preservation Plan* and state regulations to ensure that an adequate land base is available for current and future agricultural operations. The Division of Planning works with numerous internal county departments and a host of outside agencies to preserve farms.

Recommendation 5.3: Continue to provide professional and technical assistance to the *Monmouth County Agriculture Development Board (MCADB)*, municipal partners, and other agricultural community stakeholders. The Division of Planning provides technical and administrative support to the MCADB. The state and Board of Chosen Freeholders have authorized the MCADB to promote and coordinate agricultural preservation activities in the county. Therefore, to further the MCADB's mission, staff assists all interested municipal partners, nonprofit organizations, and other community groups that seek help.



Recommendation 5.4: Continue annual monitoring of preserved farms to ensure deed compliance and respond to post-closing requests. The deed of easement obligates the easement holder to perform an annual site visit to verify compliance with the terms of the document. The deed also requires the county and the state to approve certain changes to the structures and the use of the land within the easement area. These changes may center on house replacements, agricultural labor housing, divisions of premises, and green energy facilities. Staff of the Division of Planning handles such post-closing requests to approve particular changes within a farm's restricted areas and works to resolve deed violations.

Recommendation 5.5: Continue to hear right-to-farm complaints, review requests for Site-Specific Agricultural Management Practice (SSAMP) recommendations, and provide program resources to support the Right to Farm Act. The intent of the Right to Farm Act is to help agriculture exist in areas with a variety of land uses in close proximity to each other and to ensure that commercial farms seeking protection under the act use generally accepted agricultural management practices in their operations. The Right to Farm Act mandates that county agriculture development boards evaluate requests to determine if a farm's land management and stewardship practices meet or exceed the standards of the agricultural community. The MCADB is also authorized to resolve disputes between a farm and its neighbors or municipality. In addition, the MCADB has the ability to grant relief from municipal ordinances that may constrain an agricultural operation.

Recommendation 5.6: Proceed with planning efforts to understand, evaluate, and support our agricultural industry in a regional context to improve long-term agricultural sustainability. Through the success of the Farmland Preservation Program, the county now has a permanent land base available for farming. Support of the agricultural economy is a natural next step to uphold the county's investment in preserved

lands and ensure the viability of unpreserved lands. The Division of Planning will embark on the preparation of the *Agricultural Sustainability Plan (ASP)* for Monmouth County, providing and recommending resources and strategies to farmers and complementing the work of the Division of Economic Development.

Stakeholder Strategies

General

- Encourage creative land use planning and design to accommodate future growth while avoiding conflicts with existing agricultural uses.
- Identify lands currently ineligible for preservation through state and local programs and explore new options to encourage agricultural retention of these lands.
- Direct the public to appropriate resources concerning the Farmland Assessment Act.
- Support reliable, dedicated sources of farmland preservation funding.
- Seek to preserve the highest quality farmland for the best value.
- Support the land-grant mission of Rutgers Cooperative Extension (RCE) that integrates campus programs with research conducted at experiment stations.
- Continue to partner with municipalities, private partners, nonprofits, other county departments, and state agencies to preserve agricultural lands.

Natural Resources

- Encourage the preservation of environmentally sensitive lands through the use of conservation easements or other preservation methods, as appropriate.
- Promote the use of Best Management Practices (BMPs) that foster stewardship of farming operations and natural resource protection.
- Incorporate monetary evaluations of natural capital to assist decision-making and justify expenditures for environmental



services.

Open Space

- Encourage coordinated management of invasive species, soils, and water resources in ways that are mutually beneficial to open space stewardship and agricultural viability.
- Encourage projects that preserve both farm sites and historic structures.
- Through the preservation of contiguous farms, maintain scenic viewsheds and agrarian landscapes.
- Promote the continued production of ethnic specialty crops and multicultural marketplaces in response to evolving markets.
- Support the 4-H Youth Development and Mentoring Programs and National Future Farmers of America Organization in our rural communities to encourage the retention of our local agrarian culture.

Utilities

- Provide for necessary infrastructure improvements and support services in preservation areas under regional development pressure while buffering and protecting existing agricultural, natural, and significant resources.
- Promote the use of sustainable energy resources on farms that are consistent with NJ State Agriculture Development Committee initiatives like agricultural management practices, site-specific agricultural management practices, or the most suitable BMPs available (e.g. solar, wind, geothermal generation for farm use, composting, and growing bio-energy crops).
- Consider irrigation needs and future access issues when preserving land in agricultural areas.
- Maintain drainage and drainage ways that flow to and from farms, taking into consideration downstream impacts.

Transportation & Mobility

- Ensure sufficient public road rights-of-way are reserved along

properties acquired for farmland preservation and left unencumbered.

- Ensure that adequate vehicular access to farms is maintained when adjacent land is developed.
- Apply appropriate design guidelines for vehicular access that support existing and/or proposed agricultural uses on a site.
- Create better mobility between farms located in western Monmouth County and the more densely populated areas along the coast (connecting producers with consumers).

Agricultural & Economic Development

- Recognize farms as independent businesses.
- Recognize farmers as entrepreneurs and independent business owners.
- Encourage farm leasing options as a tool for economic viability and to assist new farm entrepreneurs.
- Promote the development of new market opportunities for locally grown agricultural products.
- Support further development of the agritourism industry and other emerging sectors of the agricultural economy.
- Promote nursery and equine industries recognizing the ancillary economic benefits derived by other sectors of the economy.
- Evaluate the concept of using preserved land in long-term leasing to a cooperative of new or beginning growers for high-value, perennial crops such as grapes, blueberries, and tree nuts.

Community Development & Housing

- Promote preservational land use techniques, such as noncontiguous clustering and lot-size averaging that provide for development in rural communities in conjunction with preservation of farmland and open spaces.
- Create awareness of the need for suitable agricultural labor housing and encourage municipalities to provide the appropriate zoning mechanisms.



Healthy Communities

- Promote the establishment of food hubs, which increases access to healthy and affordable local foods, eliminating food deserts.
- Support policies and the implementation of local land use mechanisms for community food system planning in which food production, processing, distribution, and consumption are integrated to enhance the environmental, economic, social, and nutritional health of the community.
- Encourage the National Farm to School Network programs that provide educational opportunities emphasizing locally grown food, farming, school gardens, and nutrition.

Community Resiliency

- Serve as a resource for farmers that need assistance with rebuilding and cleanup after an extreme weather event or other emergencies.
- Encourage farm owners to establish emergency plans for their properties in order to protect crops, livestock, residences, and other agricultural buildings and infrastructure from natural disasters and other hazards.

Sustainable Places

- Support efforts to diversify and strengthen the long-term sustainability of the farming industry and develop strategies to encourage a broad range of agricultural operations including food production, equine, nurseries, aquaculture, and fisheries.
- Increase awareness about the significance of Agricultural Development Areas in locations where agriculture is the prevalent land use.
- Encourage the use of contiguous and noncontiguous clustering and density transfers.
- Educate nonfarm residents on the importance of farming as an industry and assist with proper mitigation of conflicts between farm and nonfarm uses.

Planning Services, Outreach, & Coordination

- Utilize the county’s facilities as a venue to promote preservation, outreach, and awareness education.
- Encourage the continuation of farm markets as a community outreach effort for the farming community.
- Promote community, municipal, and school gardens in partnership with RCE of Monmouth County.
- Encourage ag-related classes in the county’s vocational schools and at Brookdale Community College to ensure that the upcoming generation of local farmers has suitable educational opportunities.
- Promote participation in annual agriculture stakeholders input meetings.

