



Planning Incentive Grant (PIG) Easement Purchase Application



NEW JERSEY
State Agriculture Development Committee

⇒ **Section I: To be completed by Landowner or Applicant**

County PIG

⇒ **Section II: To be completed by County or Municipality**

Municipal PIG

Section I

PROPERTY INFORMATION

Landowner Name(s): _____

Home Address: _____

Farm Address: (If different) _____

Email: _____

Phone: _____ Alternate Phone: _____

County: _____ Total Farm Acreage: _____

Municipality: _____ Block & Lot _____ Acres _____

Municipality: _____ Block & Lot _____ Acres _____

Municipality: _____ Block & Lot _____ Acres _____

Municipality: _____ Block & Lot _____ Acres _____

Municipality: _____ Block & Lot _____ Acres _____

Municipality: _____ Block & Lot _____ Acres _____

Primary Contact Landowner Other: below

Name: _____ Relation: _____

Phone: _____ Email: _____

Address: _____

Contact for Farm Visits Primary Contact Landowner Farmer Other: _____

Name: _____ Relation: _____

Phone: _____ Email: _____

**Please don't hesitate to contact the
Regional Acquisition Coordinators (RAC)
with any questions (609) 984-2504**

For SADC use only
SADC ID# _____
Date Received _____



LANDOWNER ELIGIBILITY

Pursuant to N.J.A.C. 2:76-6.18(z) an applicant or the applicant's immediate family defined as applicant's spouse, child, parent, or sibling residing in the same household cannot be a current CADB board member or Municipal Agriculture Advisory Committee member at the time of application to sell their development easement.

1. Are you or anyone in your immediate family a current member of the CADB? **YES** **NO**
2. Are you or anyone in your immediate family a current member of an Municipal Agriculture Advisory Committee (AAC)? **YES** **NO**
3. Are you or anyone in your immediate a current member of the Township Committee or Board of Chosen Freeholders? **YES** **NO**

If Yes, Position _____ Term _____

If you said YES to any of the above questions, please stop and contact your SADC Regional Acquisition Coordinator at (609) 984-2504.

AGRICULTURAL PRODUCTION & DEVELOPMENT

1. Is the farmland rented or leased **YES** **NO** **If Yes,** please describe the terms of a verbal lease or provide a copy of the lease. _____
2. Are there horses on the property? Check all that apply: **none** **personal use** **breeding**
3. **boarding** **Other** _____
4. Do you have livestock? **YES** **NO**
If Yes, do you have an Animal Waste Management Plan? **YES** **NO**
5. Are there greenhouses/hoop houses on the property? **YES** **NO** **If Yes,**
 - a. What is the composition of the floor of the greenhouse/hoop house? **dirt** **gravel**
 weed block over dirt **concrete** **other** _____
 - b. Are agricultural/horticultural products grown **in the ground** **in pots**
 in hydroponics **in something else** _____?
 - c. How many months of the year are the greenhouses/hoop houses covered? _____ months
 - d. Was any grading done to level the ground for the greenhouse/hoop house? **YES** **NO**
6. Is the property enrolled in a Federal Program (e.g., WHIP, EQUIP, CREP, CRP, WRE)?
 YES **NO** **If Yes,** describe & please provide map of restricted areas:

AGRICULTURAL PRODUCTION ACTIVITIES

Is there any agricultural production currently taking place on the property that is not covered on the current Farmland Assessment Form you provided with this application? **YES** **NO** If **Yes**, please describe.

NON-AGRICULTURAL ACTIVITIES

Appraisers must be aware of non-agricultural uses and determine their impact on the development easement value in their reports pursuant to the SADC Appraiser's Handbook. If you have any questions regarding potential non-agricultural use, please address them with the CADB and/or SADC prior to submission of the application.

An identified non-agricultural use can continue after preservation but CANNOT be expanded or intensified after the premises are preserved if it is located on the preserved farmland outside of an exception area.

1. Are there existing non-agricultural uses on the land to be preserved? **YES** **NO**

If **Yes**, please describe: _____

2. Are there non-agricultural uses occurring or planned within the exception area(s)? **YES** **NO**

If **Yes**, please describe: _____

3. Please provide a map or list the approximate dimensions and locations of any structures and/or areas utilized for a non-agricultural use. _____

4. Does the non-agricultural use involve a lease with another party? **YES** **NO**

If **Yes**, please identify the lessee, describe the business/operation, and provide a copy of the lease:

5. Describe how the non-agricultural use is and will be accessed on the parcel:

**Please review the guidance documents on Exception Areas and Non-Agricultural Use in the reference section for additional information.*

RESIDENTIAL INFORMATION & IMPROVEMENTS

What types of residential opportunities are available?

A “Residential Opportunity” means any existing or future residential unit on the farm to be preserved, and those to be located inside a severable or non-severable exception area.

Residential opportunities include:

- **Existing or future residential units and ancillary residential structures (garage, pool, utilities, etc.) in Exception Areas***
 - An Exception Area is an area free from the farmland preservation Deed of Easement restrictions that will apply once the farm is preserved.
 - Improvements must stay within the exception area unless additional SADC policies apply.
 - Non-agricultural uses may occur within the structures, subject to municipal ordinances.
- **Existing residential units and ancillary residential structures (garage, pool, utilities, etc.) on the Preserved Acreage**
 - May be improved, subject to municipal ordinances, and may be relocated subject to SADC and County and municipal approval.
 - Non-agricultural uses may not occur within the structures unless additional SADC policies apply*
- **Future residential units and ancillary residential structures (garage, pool, utilities, etc.) on the Preserved Acreage**
 - A Residual Dwelling Site Opportunity (RDSO) is the opportunity for the limited future construction of a residential unit for agricultural purposes. There is a limit of one RDSO per 100 acres, including existing residences, provided there are no other residential opportunities associated with the farm.
 - RDSOs are allocated to the farm at the time of application and are subject to approval by the CADB or appropriate easement holder.
 - You do not need to designate the area for the future residence until you are ready to “exercise the RDSO” – meaning construct the residential unit. The residence is not sited on the property until approval is granted.
 - To be eligible for approval and continued use, at least one person living in the residence must be regularly engaged in common farm site activities on the property.

**Please review the guidance documents on Exception Areas and Non-Agricultural Use in the reference section for additional information.*

EXCEPTION AREA INFORMATION

Why should I take an exception area*?

- Do you wish to provide a building lot for a child?
- Do you have a barn where you might want to operate a business that might not be permitted under the farmland Deed of Easement (i.e. a nonagricultural use)?
- Do you want the flexibility to replace your home without farmland preservation program approvals?
- Are you entertaining the idea of operating a Bed & Breakfast in the main farmhouse someday?

These are just a few common reasons why landowners choose to take exception areas. If your plans for future uses of the premises include any nonagricultural production based activity you should consider an exception area. Although nonagricultural uses existing and recognized at the time of preservation are allowed, they cannot be expanded in the future unless they are within an exception area.

There are two kinds of exception areas:

- **Non-severable exception:** an area of the farm which is excepted from the Deed of Easement but remains tied to the farm and cannot be subdivided, transferred, or conveyed separately from the farm.
- **Severable Exception:** an area that can be subdivided and sold separately from the farm provided it meets local subdivision requirements. It is not necessary to sever (subdivide) a severable exception prior to preservation.

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. Factors for determining if there is an adverse effect to the applicant's agricultural operation are as follows: severability potential from the premises, number requested, size, percent of premises, Right to Farm language, location, and use.

Landowners will not be paid for areas designated as a severable or non-severable exception and exception areas cannot be granted, moved, or expanded once the farm is preserved.

Sample Residence in Easement and Non-Severable Exception Area



Sample Non-Severable and Severable Exception Area



**Please review the guidance documents on Exception Areas and Non-Agricultural Use in the reference section for additional information.*

RESIDENCES ON THE EASEMENT AREA

Are there any residential units on the property within the easement area? **YES** **NO**

If No, please skip to the next page.

If Yes, please describe how many and the type of residential units (single-family, duplex, apartment(s), attached, trailer, etc.) and accessory buildings (garages, barns, pools, etc.) are within the easement area.

1. Are any of the existing residential units used for agricultural labor? **YES** **NO**

If Yes:

a. Which and how many units are used for agricultural labor? (apartment, single-family, etc.)

b. How many occupants? _____

c. When and how many months of the year are the units occupied? _____ months

d. Do all the occupants work on this farm? **YES** **NO** **If No**, please explain:

2. Are any of the existing residential units rented or leased? **YES** **NO**

If Yes, please provide copy of the lease.

3. Do you or the county or municipality want to place a size limitation on any of the residential units?

YES **NO** **If Yes**, please list:

4. Do any of the residential units also contain a nonagricultural use? **YES** **NO**

If Yes, please describe:

5. How many Residual Dwelling Site Opportunities (RDSO) would you like to reserve? _____

One RDSO per 100 acres, including existing residences, is permitted provided there are no other residential opportunities associated with the farm.

EXCEPTION AREAS

Will you be requesting any exception areas? **YES** **NO**

If Yes, please answer the following and indicate location on a tax map with access/driveways included.

If No, please skip to the next page.

Exception Area 1:

1. # _____ Acres Non-severable Severable

If Severable, the acreage and frontage of the exception should meet local zoning minimum area, bulk, and dimension requirements for the proposed use.

2. Is the exception area for an existing or future residential use? **Existing** **Future** **Other**

If Existing, please describe existing residential units:

If Other, please describe:

3. Will the exception area have additional restrictions?

One single-family residence # _____ residences / type _____

Zero (0) single-family residences **Other** _____

4. Does the exception contain the existing/proposed septic & utilities for the residence(s)?

YES **NO** Please review the Septic Policy in the reference section for additional information.

5. Does the exception contain any buildings? **YES** **NO** **If Yes**, please describe:

6. Is the exception area for an existing or planned future non-agricultural use? **YES** **NO**

If Yes, please describe: _____

7. Is the Exception area for a Trail or Open Space? **YES** **NO** **If Yes:**

a. Did the County or Township request it? **YES** **NO**

b. Please provide detail on width, buffers, improvements, and maintenance:

c. Please attach maps showing how it connects to a trail system or an open space plan within the municipality or county.

EXCEPTION AREAS (continued)

Copy page if additional exceptions are requested.

Exception Area 2: Please indicate location on a tax map with access/driveways included.

8. # _____ Acres Non-severable Severable

If Severable, the acreage and frontage of the exception should meet local zoning minimum area, bulk, and dimension requirements for the proposed use.

9. Is the exception area for an existing or future residential use? Existing Future Other
If Existing, please describe existing residential units:

If Other, please describe:

10. Will the exception area have additional restrictions?

One single-family residence # _____ residences / type _____

Zero (0) single-family residences Other _____

11. Does the exception contain the existing/proposed septic & utilities for the residence(s)?

YES NO Please review the Septic Policy in the reference section for additional information.

12. Does the exception contain any buildings? YES NO **If Yes**, please describe:

13. Is the exception area for an existing or planned future non-agricultural use? YES NO

If Yes, please describe: _____

14. Is the Exception area for a Trail or Open Space? YES NO **If Yes:**

a. Did the County or Township request it? YES NO

b. Please provide detail on width, buffers, improvements, and maintenance:

c. Please attach maps showing how it connects to a trail system or an open space plan within the municipality or county.

OTHER BUILDINGS

Are there any other buildings on the property? **YES** **NO**

If No, please skip to the next section.

If Yes:

1. Please describe any non-residential structures (barn, run-in sheds, garage, trailer, etc.) on the area to be preserved.

2. Do any of the structures also contain a nonagricultural use? **YES** **NO**

If Yes, please describe:

Please provide copies of any written leases for any buildings.

EASEMENTS AND RIGHTS OF WAY

Are there any easements or rights of way associated with the land being preserved? **YES** **NO**

If No, please skip to the next section.

If Yes, please check all easements that apply:

- | | | |
|--------------------------------------|--|--|
| <input type="checkbox"/> Power Lines | <input type="checkbox"/> Gas Lines | <input type="checkbox"/> Bridge/Road ROW |
| <input type="checkbox"/> Water Lines | <input type="checkbox"/> Sight Triangle | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Sewer Lines | <input type="checkbox"/> Telephone Lines | <input type="checkbox"/> Other: _____ |

1. Are there access easements on the land being preserved? **YES** **NO** **If Yes**, please describe:

2. Are parts of this farm participating in any federal programs? (WHIP, EQUIP, CRP, WRP, etc.)

YES **NO** **If Yes**, please describe: _____

3. Do you have existing or approvals for solar, wind, or biomass energy generating installations?

Existing **Approvals** **None** **If Existing or Approvals**, please describe:

SUBDIVISION APPROVALS

Has this property been the subject of an application for subdivision? Major Minor None

If **None**, please skip to the next page.

If **Major** or **Minor**, **COPIES OF THE RESOLUTIONS & MEETING MINUTES ARE REQUIRED.**
Supporting documentation should be submitted (surveys, municipal ordinances applicable at time of approval, etc.).

1. If approved, the subdivision application was Preliminary Final
2. Type of development (residential, commercial, office, mixed): _____
units or square footage _____
Preliminary Approval Date: _____ expiration _____
Final Approval Date: _____ expiration _____
3. Are all the parcels included in the final subdivision approval in the preservation application?
 YES NO
4. Have any extensions been obtained? YES NO
5. Are there any outstanding and/or expired permits needed to perfect the approvals and/or build?
 YES NO **If Yes**, please describe and provide supporting documentation:

6. Please provide details & estimates to cure/clean up all environmental contamination and materials in order to build housing, if applicable:

7. Are there any conservation easements other than what was already provided in the application?

8. List and discuss any past, current and/or ongoing litigation involving this project, including bankruptcy and foreclosure, or “builder’s remedy” actions. Any litigation that needs resolution in order to proceed with the project?

9. What conditions of approval have not been addressed? How likely are they to be resolved and what are the obstacles and costs involved?

10. Please provide any sewer/septic information, capacity, status, costs, soil logs, or related documents.
11. Please provide any NJDEP approvals.
12. Please provide any water permits and capacity.

ADDITIONAL APPLICANT INFORMATION

1. Is the property for sale? **YES** **NO**

2. Is the landowner of the Premises involved in an estate situation? **YES** **NO**
If the land is held by an Estate, please provide:
 Will Probate and Tax Waiver **or** statement that no waiver is needed and why
If the land is held in a Trust please provide: Will **and** Trust Documents

3. Has the landowner filed for bankruptcy? **YES** **NO**
If Yes, provide documentation from the Court authorizing the application for farmland preservation.

4. Is the property involved in a foreclosure? **YES** **NO**

5. Is there a mortgage on the property? **YES** **NO** Please note that if the farm proceeds to preservation, any mortgages or liens will have to be paid off or subordinated to the deed of easement prior to closing. Please contact your Regional Acquisition Coordinator with questions.

6. Is the landowner a Corporation? **YES** **NO** If **Yes**, please provide:
 Corporate Resolutions (authorizing application and contact person(s))
 Copy of Certificate of Incorporation
 Copy of By-Laws any amendments and schedules

7. Is the landowner an LLC? **YES** **NO**
If **Yes**, please provide Operating Agreement **and** Certificate of Formation

8. Is the applicant a Contract Purchaser? **YES** **NO** If **Yes**, please provide:
 Copy of the Contract Date of Contract Expiration: _____
Is the landowner aware of the application for preservation? **YES** **NO**

***Changes can be made throughout the preservation process.
However, changes may result in delays and changes to the easement offer.***

All applicants must sign here to acknowledge submission of the application and to confirm you've received and signed copies of the Guidance Documents on Exception Areas, Non-Agricultural Uses, and Division of the Premises.

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

QUESTIONS? _____

FARM CONSERVATION PLAN

Pursuant to paragraph 7 of the Farmland Deed of Easement, every farm preserved must obtain a Conservation Plan within a year of closing on the easement purchase.

A Farm Conservation Plan is a FREE site-specific plan developed by the Natural Resources Conservation Service (NRCS) that guides you through a variety of conservation and environmental farming practices and explain how each practice helps improve your land. They help you inventory the resources on your land and consider which conservation practices could contribute to an environmentally and economically sound farm. The implementation of these conservation practices is voluntary, although the NRCS may have grants available to implement the conservation practices and enhance the viability of your farm operation. More detail on Conservation Plans can be found here:

<https://www.nj.gov/agriculture/sadc/farmpreserve/resources/summit07conservationplanning.pdf>

Does the farm currently have a Conservation Plan? YES NO

AUTHORIZATION TO RELEASE CONSERVATION PLAN TO SADC

I request and authorize the USDA - Natural Resource Conservation Service (NRCS), the USDA - Farm Service Agency (FSA) and/or a Technical Service Provider (TSP) to provide the State of New Jersey, State Agriculture Development Committee (SADC), with a copy of my conservation plan and all associated documents, including geospatial data, as needed. I further understand that SADC will not release these documents to any person or organization without my permission. I understand from time to time, SADC may request additional or updated information, if available, from NRCS, FSA, or a TSP for the Block and Lots or Farm and Tracts listed.

This request and authorization applies to the blocks and lots contained within this application and the surrounding lands that may be part of the same conservation plan, which may include, but is not limited to:

The following Farm/Tracts: _____

All Farms/Tracts on record with NRCS in my name.

Other: _____

Name and address of TSP, if applicable:

Signature: _____

Date: _____

Signature: _____

Date: _____

Signature: _____

Date: _____

Signature: _____

Date: _____