

## Minimum Eligibility Criteria

SADC Minimum Eligibility Criteria (adopted 07/07/2007)	For lands less than or equal to 10 acres	For lands greater than 10 acres
<b>I. Minimum Value of Annual Agricultural or Horticultural Production</b>	<b>\$2,500 per year</b> (documentation must be included with an application)	<b>No requirement</b>
<b>II. Minimum “Tillable” Acres*</b>	<b>At least 75% of the land or 5 acres, whichever is less</b>	<b>At least 50% of the land or 25 acres, whichever is less</b>
<b>III. Minimum Acreage of Soils Capable of Supporting Agricultural or Horticultural Production**</b>	<b>At least 75% of the land or 5 acres, whichever is less</b>	<b>At least 50% of the land or 25 acres, whichever is less</b>
<b>IV. Development Potential</b>		
<b>(1) Zoning – General</b>	The municipal zoning ordinance for the land as it is being appraised must allow additional development, and in the case of residential zoning, at least one additional residential site beyond that which will potentially exist on the premises.	
<b>(2) Access for Additional Development</b>	Where additional development of the land depends on the potential to provide access, the municipal zoning ordinances allowing further subdivision of the land must be verified in writing by the municipal zoning officer or planner. If access is only available by means of an easement, then the easement must specify that further subdivision of the land is possible.	
<b>(3) Maximum Acreage of Freshwater Wetlands</b> (as per NJDEP wetlands maps; or onsite analysis if in dispute)	<b>No more than 80% of the land</b>	<b>No more than 80% of the land for lands less than 25 acres; No requirement for lands ≥ 25 acres</b>
<b>(4) Maximum Acreage of Steep Slope Areas</b> (i.e. slopes >15 percent as per current version of USDA Soil Survey)	<b>No more than 80% of the land</b>	<b>No more than 80% of the land for lands less than 25 acres; No requirement for lands ≥ 25 acres</b>
<b>V. Transfer of Development Rights (TDR) Eligibility</b>		

\* For evaluation purposes, the term “tillable” means the sum of lands that are classified as cropland harvested, cropland pastured and permanent pasture as specified on the farmland assessment form(s) for the land in question, subject to verification.

\*\* Soils capable of supporting agricultural or horticultural production are those soils classified by the most current edition of the county soil survey (USDA) as Prime Importance and/or State-wide Importance and in some instances Local/Unique Importance.



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# MIDDLESEX COUNTY AGRICULTURE DEVELOPMENT BOARD (CADB) FACT SHEET

## Creation of the Middlesex CADB

The Middlesex County Agriculture Development Board (CADB) was created by resolution of the Middlesex County Board of Chosen Freeholders in September 1985.

The Freeholder Board responded to municipal concerns that farmland was being lost to non-agricultural development at an alarming rate. The programs offered under the New Jersey Agriculture Retention and Development Act of 1983 presented an opportunity to help prevent the loss of some of the most productive agricultural land in the State of New Jersey and the associated farming operations on that land. In order to take advantage of those programs, the County formed an Agriculture Development Board.

The Board went to work almost immediately to adopt the criteria and standards to implement a Farmland Preservation Program for Middlesex County.

## Facts About Middlesex County Farming

Of the 200,000 acres of land in Middlesex County, about 17,000 acres is considered land in farms, of which over 11,000 acres are in croplands. This farmland is owned by farmers, developers, and investors. Most of the agricultural production acreage is devoted to field crops such as corn for grain, soybeans, hay, wheat, and vegetable and fruit production with the produce sold directly to the consumer. This is evident through roadside markets and pick-your-own operations throughout the southern part of the County. There are also nursery and flower growing operations which account for two-thirds of the 30 million dollars of annual agricultural sales of Middlesex County.

The largest concentration of farmland is in the Townships of Cranbury, Monroe, Plainsboro, and South Brunswick. There are also farms in East Brunswick and Old Bridge. Some farms still remain in a few of the northern towns of the County.

It is estimated that the direct marketing of agricultural products will continue to support a long-term agricultural industry in Middlesex County, especially in light of the close proximity of large concentrations of urban residents who have easy access to the fresh locally grown produce.

## Purpose of the Middlesex CADB

The primary purpose of the Middlesex CADB is to encourage the preservation of the County’s remaining farmland. This purpose is implemented through the State’s Farmland Preservation Program. Under this program, authorized under the New Jersey Agriculture Retention and Development Act of 1983, State, county and local levels work together to offer benefits and compensation in return for a landowner’s agreement to accept agricultural deed restrictions prohibiting non-farm development.

The southwestern portion of the County, encompassing parts of Cranbury, Plainsboro, South Brunswick, and Monroe Township, have significant areas of prime farmland and continues to be the main thrust of the County’s farmland preservation program. East Brunswick and Old Bridge also participate in the program.

An Agricultural Development Area (ADA) is an area where the CADB has determined agriculture is the preferred use of the land, which is certified by the SADC.

In February of 1990 the Middlesex CADB adopted a contiguous 5,578 acre Agricultural Development Area (ADA) in parts of Cranbury, Plainsboro, and South Brunswick. The CADB adopted a 5,300 acre ADA in south central Monroe Township on May 13, 1999. A 2,000 acre ADA in South Brunswick and a 4,000 acre ADA in Old Bridge were created in the year 2000. In addition, the CADB has approved a number of ADAs that have been requested on a voluntary basis by individual landowners.



## Application Process Summary

### Step 1: Landowner submits an Eligibility Determination Form.

Completion of the Eligibility Determination Form is only preliminary in nature and is subject to final determination of eligibility by the staff of the Middlesex County Agriculture Development Board and the State Agriculture Development Committee, pursuant to the review of a more detailed application form and an onsite inspection of the property.

### Step 2: Has your farm been identified on the County's approved Planning Incentive Grant (PIG) application as a targeted farm and is located within an Agricultural Development Area (ADA)?

In addition to being located in an ADA, your farm must have been identified on the County's PIG application approved by the State Agriculture Development Committee (SADC). If your farm has not been identified as a targeted farm in the County's current PIG application, you may petition that the CADB include your farm in the list of targeted farms for the next round of PIG applications submitted to the SADC. In order to apply to the Easement Purchase Program, your property must be located in an ADA. If your property is not within an ADA, you may petition the Middlesex County Agriculture Development Board (CADB) to have your property designated in an ADA. [Criteria for inclusion in an ADA includes the following: (1) farmland assessment status; (2) land must encompass productive agricultural lands which are currently in production or have a strong potential for future production in agriculture; (3) agriculture must be a permitted use under current municipal zoning, or must be permitted as a non-conforming use; (4) land must be reasonably free of suburban and/or conflicting commercial development; (5) land must not include greater than 90% of the County's agricultural land mass; (6) soils must include a predominance of Prime Farmland and Soils of Statewide Importance; (7) property must have a minimum contiguous acreage of 10 acres or more.]

### Step 3: A completed Easement Purchase Application is submitted to the CADB for review.

If your farm qualifies for application submission under the first two steps, you now may submit your "Application to Sell a Development Easement" to the CADB Administrator along with a \$50.00 application fee.

### Step 4: Does your farm meet the minimum criteria standards for participation in the farmland preservation program?

CADB Staff evaluates the application and supporting documentation against the SADC's "Minimum Eligibility Criteria" (summarized on Page 4). CADB staff also meets with the applicant to conduct a site visit and to discuss the information provided on the application.

### Step 5: CADB Preliminary Approval

The application is placed on the CADB meeting agenda, at which time the application may be granted preliminary approval. The CADB's resolution of preliminary approval is contingent upon documented support from the municipality by way of a letter of endorsement from the township and a municipal resolution of preliminary approval.

### Step 6: "Green Light" Approval

If a farm is preliminarily approved by the CADB, then the CADB staff completes and submits an SADC Easement Purchase Application form to the SADC. The SADC staff reviews the application materials to determine if the property is an "Eligible Farm". An "Eligible Farm" is a targeted farm that meets all of SADC's minimum eligibility criteria and achieves an individual rank score that is equal to or greater than 70 percent of the county's average quality score of all farms granted preliminary approval by the SADC within the previous three fiscal years.

If the property is found to be an "Eligible Farm", then the SADC grants a "Green Light" approval, which formally authorizes commencement of the property appraisal process. If the SADC determines that a farm fails to meet the 70 percent quality score threshold for qualification as an eligible farm, then the CADB has the discretion to request a waiver from the SADC of the minimum score criteria. If a waiver is applicable and granted, the appraisal process may begin.

### Step 7: Appraisal Process and Certification of Appraised Value

Middlesex County retains appraisers to perform two independent appraisals of the property. The CADB authorizes the submission of the appraisal reports to the SADC for their certification of a development easement value (on a per-acre basis). The development easement value is the difference between the unrestricted full value of the farm and the after-value as a preserved farm.

### Step 8: Offer to Purchase the Development Rights

Once the SADC certifies a development easement value, the CADB makes an offer to purchase the development rights from the landowner. If a settlement of price is reached, the County grants final approval of the project and request final SADC approval. Once final SADC approval has been received, the landowner and County proceed towards closing.

### Step 9: Closing Process

The landowner and the County enter into a Contract for Sale. After the Contract for Sale is executed, a title search is completed. Once the title search is done, a survey of the property is prepared. When the survey is finalized, a closing date can be scheduled. The final total purchase price is based upon the final surveyed acreage and the per-acre purchase price of the development easement established between the County and the landowner.

## Middlesex County Joins Other Counties in Participating in the County Planning Incentive Grant (PIG) Program

In June 2007, the State Agriculture Development Committee (SADC) encouraged counties to transition from the Traditional County Easement Purchase Program to the County Planning Incentive Grant (PIG) Program. The staff of the Middlesex County Office of Planning has worked diligently to meet the requirements of the PIG Program, which allows landowners to submit applications to sell their development easements on an open enrollment basis. The good news is this new rolling application review process ensures that applications will be processed more efficiently; closings can occur within a shorter timeframe; and farmers can compete with other farms in the County, versus statewide for base grant funds.

Each county participating in the PIG Program will receive a base grant in State funding with the possibility of receiving additional competitive grant funds. Landowners are encouraged to submit an application as early as possible so they are eligible to receive funds from the base grant. If a landowner applies for funding later in the year, the base grant may have been spent and they would fall into the competitive grant category.

With the approval of the Middlesex County Comprehensive Farmland Preservation Plan 2008, the County can seek SADC "green light" approvals to proceed on individual applications for the Sale of a Development Easement. A summary of the application process appears on Page 3.

### Questions Regarding the County Easement Purchase Program Should Be Directed To:

Laurie Sobel, PP, AICP, CADB Administrator  
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Website: [www.middlesexcountynj.gov](http://www.middlesexcountynj.gov)



Interested in Obtaining  
Information on the  
State Agriculture Development  
Committee (SADC)  
Farmland Preservation Programs?

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