



ELIGIBILITY DETERMINATION REQUEST FORM

MIDDLESEX COUNTY
FARMLAND PRESERVATION PROGRAM

Include all owners of record (attach additional sheets, if necessary):

Name of Applicant(s): _____

Mailing Address: _____

City, State, Zip Code _____ Tel. Number: _____

E-Mail Address: _____ Fax Number: _____

Subject Property Information:

Block, Lot: _____ Area: _____ acres (total)

Municipality: _____ Address: _____

Agricultural Land Use(s): _____

Municipal Zoning District: _____ Farmland Assessed? Yes No

Total acres reported on Farmland Tax Assessment Form: _____ (line 11 from form)

(1) Cropland harvested: _____ (4) Non-appurtenant woodland: _____

(2) Cropland pastured: _____ (5) Appurtenant woodland or wetland: _____

(3) Permanent pasture: _____ (6) Equine (boarding/training): _____

Tillable (1+2+3): _____ Total Other (Line 10): _____

Deed Reference:

Recorded in County: _____ Deed Book: _____ Page: _____

Required Attachments:

The following documents **must** be included with this form:

1. Deed
2. Tax map identifying the boundaries of the property
3. Copy of current municipal zoning map identifying the property & applicable zoning schedule
4. Application for Farmland Assessment, if farmland assessed
5. **For lands less than or equal to 10 acres only**, documentation that the farm produces agricultural or horticultural products of at least \$2,500 annually

The landowner(s) understand(s) that this Eligibility Determination Request is only preliminary in nature and is subject to final determination of eligibility by the staff of the Middlesex County Agriculture Development Board (CADB) and the State Agriculture Development Committee (SADC) pursuant to the review of a more detailed application form and an onsite inspection of the property.

Signature of Applicant	Date	Signature of Applicant	Date
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Applicant's Name (Please print)	Applicant's Name (Please print)
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DIRECTIONS: Applicant is to complete Section 1 below. Middlesex CADB staff will complete Sections 2 through 4 of this form.

1. APPLICANT QUESTIONNAIRE

A. Is the land to be preserved being considered in any other farmland preservation or open space program at time? YES NO If YES, please explain (use additional paper as needed):

B. The CADB is not permitted to accept an application for two years from the date that a prior application for a sale of the development easement was originally submitted to the CADB if the landowner had rejected an offer for an amount equal to or greater than the certified market value. This provision applies only to an application from the same landowner for the same farm property. Would this application conflict with the above provision? YES NO

C. Is this property associated with any outstanding violations or judicial or administrative proceedings pertaining to Federal, State, County or municipal statutes, rules, regulations, ordinances or requirements? YES NO

If YES, please explain (use additional paper as needed): _____

D. Is this the property involved in any pending or active Right-to-Farm (RTF) proceeding pursuant to the RTF Act of New Jersey? YES NO

(If the answer is "YES" to A, B, C, or D, then the application may not be presented to the CADB for consideration at this time.)

PLEASE DO NOT COMPLETE THE CHECKLISTS BELOW THIS LINE. However, applicants should review the checklist to be familiar with the criteria used to determine eligibility.

RETURN THE COMPLETED FORM TO:

**Middlesex County Agriculture Development Board
Middlesex County Office of Planning
75 Bayard Street, 5th Floor
New Brunswick, NJ 08901**

Middlesex CADB staff will complete the following checklists to determine compliance with eligibility criteria of the farmland preservation program.

2. MINIMUM ELIGIBILITY CRITERIA

Criteria for which a waiver is not permitted

- A. For lands less than or equal to 10 acres, the land must produce agricultural or horticultural products of at least \$2,500 annually.
- Not applicable, the land is greater than 10 acres
- If applicable, does the property meet the production requirement? YES NO
- \$ _____ in annual production
- Supporting documentation has been provided (tax forms, receipts, etc.)
- B. Minimum Area of Tillable Land:
1. For lands less than or equal to 10 acres, at least 75% of the land is tillable or a minimum of 5 acres, whichever is less, must be tillable.
- Not applicable, the land is greater than 10 acres
- If applicable, does the property meet this tillable land area requirement?
- YES NO _____% of the land is tillable (_____ acres) as
2. For lands greater than 10 acres, at least 50% of the land or a minimum of 25 acres, whichever is less, must be tillable.
- Not applicable, the land is less than or equal to 10 acres
- If applicable, does the property meet this tillable land area requirement?
- YES NO _____% of the land is tillable (_____ acres)
- C. Minimum Area of Capable Soils (i.e. Prime and Statewide Important Farmland Soils):
1. For lands less than or equal to 10 acres, at least 75% of the land, or a minimum of 5 acres, whichever is less, consist of soils that are capable of supporting agricultural or horticultural production.
- Not applicable, the land is greater than 10 acres
- If applicable, does the property meet this capable soils requirement?
- YES NO _____% of the land consists of capable soils (_____ acres)
2. For lands greater than 10 acres, at least 50% of the land or a minimum of 25 acres, whichever is less, consists of soils that are capable of supporting agricultural or horticultural production.
- Not applicable, the land is less than or equal to 10 acres
- If applicable, does the property meet this capable soils requirement?
- YES NO _____% of the land consists of capable soils (_____ acres)
- D. Does the land exhibit development potential based on a finding that all of the following standards are met? YES NO
1. The municipal zoning ordinance for the land must allow additional development:
Property is located in the: _____ Zoning District
Minimum Lot Size is: _____ acres Subject property is: _____ acres
2. Does existing access to the property provide sufficient access to support development?
 YES NO
- (a) If no, do local zoning ordinances or subdivision regulations allow the creation of access that would be necessary to support additional development?
 YES NO
- (b) If yes, a confirmation letter must be solicited from the municipal zoning officer or planner.
 Letter has been requested, Date of request: _____
 Letter has been received, Date received: _____
3. Land that is less than 25 acres in size may not contain more than 80 percent soils classified as freshwater or modified agricultural wetlands according to NJDEP wetlands maps (or a wetlands delineation or a letter of interpretation provided by the landowner).

- Not applicable, land is 25 acres or greater
- _____% soils classified as freshwater or modified agricultural wetlands
- A wetland delineation or a letter of interpretation has been submitted

4. Land that is less than 25 acres in size may not contain more than 80% soils with slopes in excess of 15% as identified on a USDA NRCS SSURGO version 2.2 or newer soils map.

- Not applicable, land is 25 acres or greater
- _____% soils with slopes in excess of 15%

3. Eligibility Determination Summary

If the answer is "NO" to A, B, C, or D, then an easement purchase application may not be presented to the CADB for their consideration at this time, however, if the answer is "NO" to either C or D, then a landowner may voluntarily petition the CADB for ADA designation and/or identification as a targeted farm but only if the answer is "YES" to both A and B.)

- A. Does the land meet all of the eligibility provisions at Section 1 above? YES NO
- B. Does the land meet all of the minimum eligibility criteria at Section 2 above? YES NO
- C. Is the subject property located within an adopted Agricultural Development Area? YES NO
- D. Is the subject property identified on the County's approved Planning Incentive Grant (PIG) application as a targeted farm? YES NO

If no, is the subject property already situated within an approved project area or located within 1-mile of an approved project area? YES NO

4. Recommendations and Comments

Check all that apply:

- Send an Application to Sell a Development Easement
- Send a Voluntary ADA Petition Application Form
- Send a Voluntary Targeted Farm Request Form
- Request a Site Visit
- Send a letter of ineligibility

Comments:
