

COMPREHENSIVE FARMLAND PRESERVATION PLAN

**TOWNSHIP OF FRANKLIN
Somerset County, New Jersey**

May 2019



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Adopted by the Planning Board as an element of the
Township Master Plan: August 7, 2019

The original of this report was signed and
sealed in accordance with N.J.S.A. 13:41-1.2

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Introduction

The main objective of this Franklin Township “Comprehensive Farmland Preservation Plan” is to guide Franklin Township’s continuing efforts to preserve its remaining farmland and maintain a viable agricultural industry. Farming is a significant component of the Township’s economy, and farmland is an irreplaceable resource. The plan identifies farms targeted for preservation and sets preservation goals and objectives.

The Township is updating its current farmland preservation plan to reflect the current state of farmland within the Township and to meet the State Agriculture Development Committee’s (SADC) requirements for the municipal Planning Incentive Grant (PIG) program. It is also anticipated that the plan will improve coordination between the Township, Somerset County Agriculture Development Board (CADB) and the State Agriculture Development Committee (SADC) for their respective farmland preservation programs.

The agricultural landscape in Franklin Township continues to be subjected to pressures. Much of the new development has occurred on farmland. Market pressures have already raised the price of farmlands such that the current generation of farmers essentially can no longer afford to buy land for farming alone. In today’s agricultural climate farmers must rely on opportunities to rent farmland from landholders, Township, County or the State (as is the case with the tillable land in the Six Mile Run Reservoir Site).

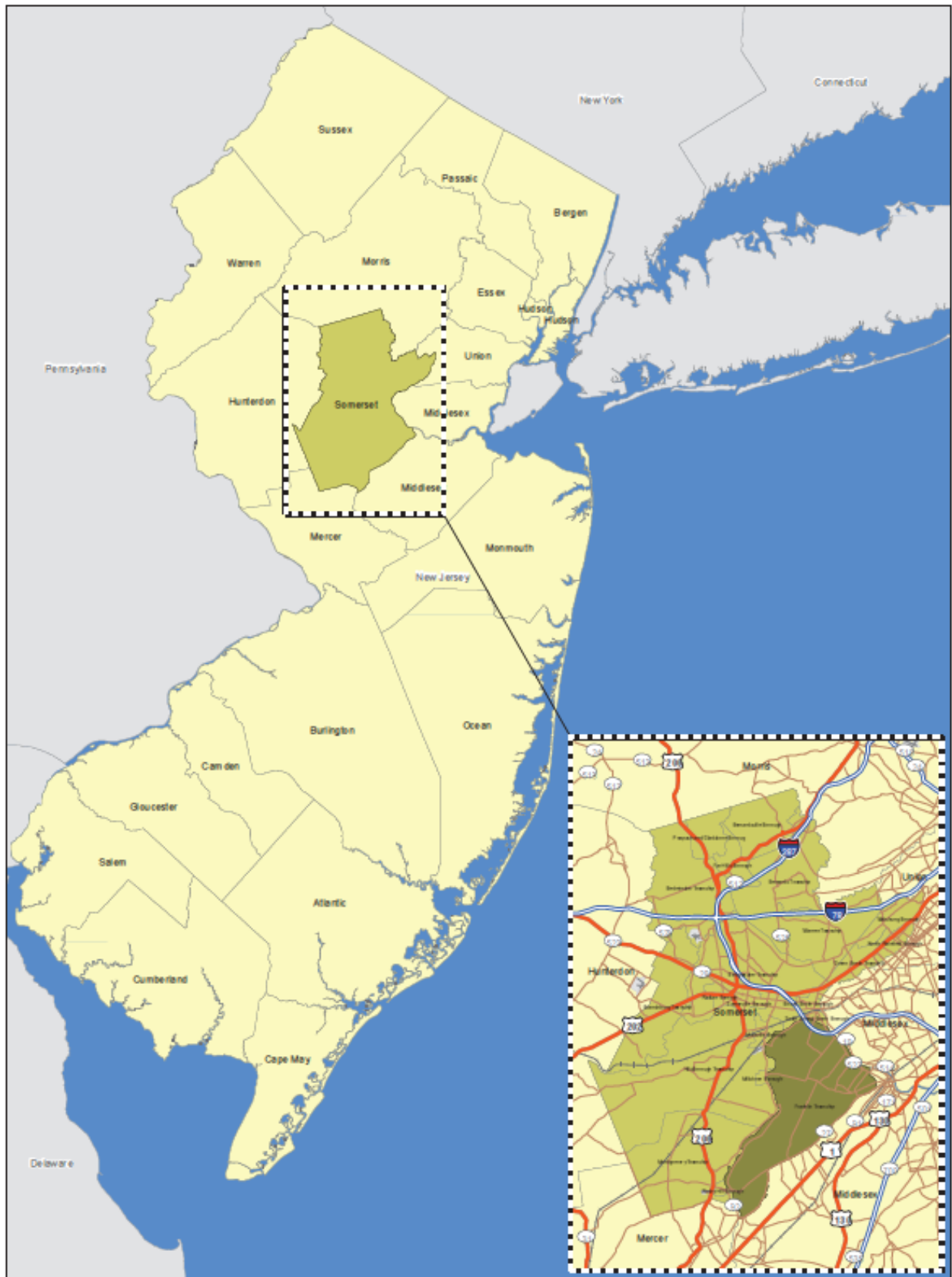
The Township established an Agricultural Advisory Committee that evaluates and ranks farmland preservation applications received from landowners. The lots that comprise the list of Franklin Township’s targeted farms were recommended by the AAC for the purchase of development rights after taking into consideration the criteria described herein and ranking these properties against other potential preservation opportunities.

The following goals for agricultural preservation have been identified:

1. Maximize efforts to preserve active farms.
2. Focus on preservation of prime agricultural lands.
3. Work with willing landowners in pursuing the best method of preservation for the Township and the landowner, taking into account available funding, landowner needs and Township goals.
4. Coordinate the open space preservation effort of Franklin Township with all interested agencies, including other municipalities, counties, state and federal governments, and private organizations and individuals.

5. Protect farmland by purchase of development rights, continued use of farmland assessment and other effective mechanisms.
6. Discourage the extension of public water and sewer into the Project PIG Areas.
7. Maintain the open space dedication requirement under cluster options.
8. Encourage on-going dialogue between Township officials and farmers to determine needs and opportunities.
9. Urge the State of New Jersey to dedicate all viable land to be used for agricultural purposes.
10. Develop a wildlife management plan to reduce crop damage.
11. Develop and foster alternative agricultural opportunities.

Figure 1: Location Map



I. Franklin's Agricultural Land Base

Agriculture is the historically predominant land use in Franklin Township and this has greatly influenced the scenic landscape that is valued so much today. Agriculture must always be considered from complex and sometimes conflicting perspectives. It represents a soil resource, a gross land resource, an economic activity, and frequently an important scenic resource. The presence of such an agricultural resource in both large quantity and prime quality underline the importance of opportunities for farmland conservation practices.

A. Location and Size of Agricultural Land Base

Franklin Township retains a large amount of active farmland despite the Township's suburban growth. Currently, about thirty percent (30%) of the Township land area, exclusive of road rights-of-way, is put to agricultural use (i.e., either preserved farmland, open space lands leased for farming or farmland assessed).

The inventory of farmland within the Township is identified in Tables 1 through 3, below. Table 1 identifies permanently preserved agricultural land by the Township, County or State via agricultural easements. Table 2 identifies the Township, County or State-owned lands within the Township that are leased to tenant farmers. Table 3 identifies the farmland assessed properties within the Township. The farms identified within these tables, along with two farms operated by Rutgers University, constitute the inventory of existing farmland within the Township.

Figure 2, *Existing Farmland Inventory*, identifies the location and type of the Township's existing farmland inventory.

Table 1, below, identifies the farms within the Township that have been permanently preserved by the Township, County or State via agricultural easements. In total, 29 farm parcels have been so preserved, totaling 1,223.12 acres. Table 1 identifies the preserved farms by name and block/lot, identifies the entity responsible for monitoring of the agricultural easement and identifies the acreage of each farm.

Figure 2: Existing Farmland Inventory

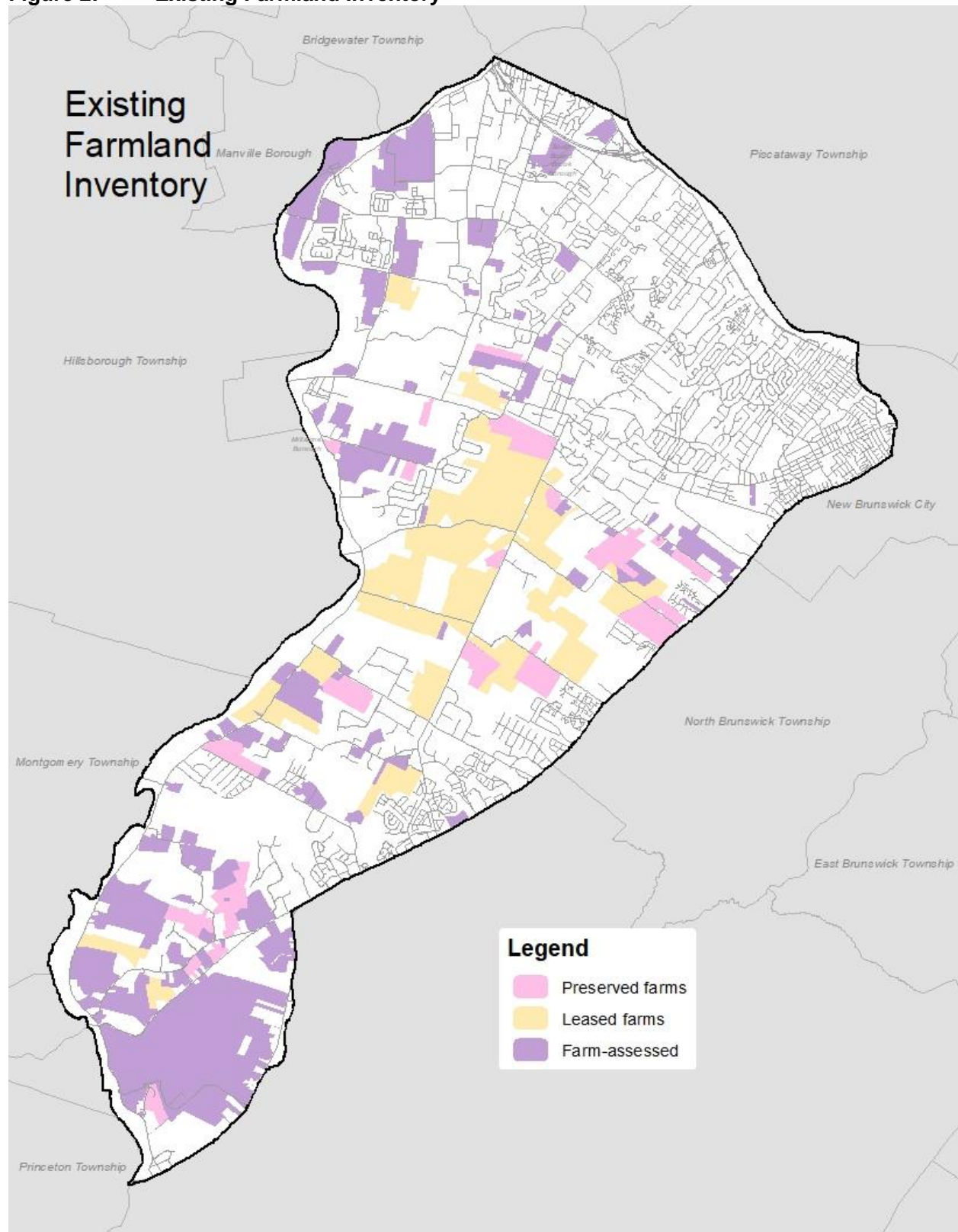


Table 1: Preserved Farmland

Farm	Block	Lot	Monitored by	Acres
RAJOS/ NEMETH – S. MIDDLEBUSH RD	37.02	46.04	County	75.95
NEGRI ESTATE - SKILLMANS LN	85	20, 65	County	108.91
PEACOS - COPPERMINE RD	9	34, 38, 40	County	65.4
MEADOW GLEN ESTATES/ ADAMS FARM – MARSHALL - CORTELYOUS LN	37.02	2	Township	56.62
CICHOWSKI - BENNETTS LN	85	32	County	37.83
MARSHALL - CORTELYOUS LN	37.02	1.01	County	32.05
GALDI - S. MIDDLEBUSH RD	74.01	9	County	69.29
HARRIS - BENNETTS LN	85	22	State	17.50
MIDDLEBUSH FARMS - BENNETTS LN	85	14.04	County	21.57
JULIUS KISS - RT. 518	10	6.03	County	9.06
KATHLEEN KISS - RT. 518	10	2, 6.04	County	8.5
PERRIN - CORTELYOUS LN	57.01	56	State	6.95
ANDERSON, WEGNER - AMWELL RD	74.01	8.01	County	57.42
MADDEN - OLD GEORGETOWN RD	10	10.03, 10.05	County	18.31
MADDEN - SUYDAM RD	33.01	3.01	County	84.10
LAKE - CEDAR GROVE LN	508.02	10	State	28.56
RIYA - S. MIDDLEBUSH RD	58	9.01, 10.05	State	19.02
CHRIN - OLD GEORGETOWN RD	11.01	23	Township	85.57
SUYDAM - SKILLMANS LN	57.01 85	32.01 62.01	State	141.06
GRIGGSTOWN QUAIL FARM/ QUAIL FARM - CANAL RD & BUNKER HILL RD	20.02	45.03	State	23.30
PAGANO - BENNETTS LN	85	27	Township	7.19
JACKSON, HOLZ, SHIELDS - AMWELL RD	73.01	40	Township	16.77

Farm	Block	Lot	Monitored by	Acres
RANDOLPH - GROUSER RD	59.01	9, 10.02	Township	17.29
FEIBEL-SMITH - OLD GEORGETOWN RD	11.01	24.01	Township	22.67
DUCHAI/ ELVERHIGH - CANAL RD	59.01	3.02	Township	14.65
LISBETH HIGGINS - LAUREL AV	5.02	171	Township	38.10
FRANKLIN TOWNSHIP	58	10.05	Township	13.16
GRIGGSTOWN QUAIL FARM	20.02	45.04	State	24.87
GRIGGSTOWN QUAIL FARM	20.02	45.05	State	25.65
HIGGINS FARM	5.02	26.01	State	75.80
Total				1,223.12

Table 2, below, identifies the Township, County or State-owned lands within the Township that are leased to tenant farmers. In total, 2,522 acres of such land within the Township are leased to farmers. The Township leases a number of sites to farmers, totaling 676 acres, with all of these lands consisting of permanently-preserved open space. The County leases a number of sites, totaling 81 acres of County open space for farming. However, the vast majority of the public lands leased for farming is done so by the State with 1,765 acres within the Six Mile Run and the Delaware & Raritan Canal State Parks.

Table 2: Preserved Open Space Leased for Farming (last updated April 2019)

Block	Lot	Property Location	Leased by	Acres
19	35	Canal Rd	State	16.2
36.01	4.02	61 Jacques La	State	16.0
36.01	5.01	61 Jacques La	State	16.7
36.01	6.04	393 S Middlebush Rd	State	20.8
37.02	1.02	109 Cortelyous La	State	37.0
37.02	46.02	Cortleyous La	State	87.1
57.01	28.01	159 Skillmans La	State	127.9
57.01	32.02	Skillmans La	State	60.3
57.01	49	40 Cortleyous La	State	107.8
58	3	97 Blackwells Mills Rd	State	80.6
58	5	77 Blackwells Mills Rd	State	129.7
58	6	35 Blackwells Mills Rd	State	20.2
58	9.02	1 Blackwells Mills Rd	State	21.5
58	11	409 S Middlebush Rd	State	5.0

Block	Lot	Property Location	Leased by	Acres
58	12	425 S Middlebush Rd	State	156.8
58	14	80 Jacques Rd	State	72.5
58	17	683 Canal Rd	State	87.8
74.01	1.02	100 Blackwells Mills Rd	State	22.5
74.01	2.02	37 Van Cleef Rd	State	38.2
74.01	10	159 S Middlebush Rd	State	88.5
74.01	11	209 S Middlebush Rd	State	102.9
74.01	14	255 S Middlebush Rd	State	97.0
74.01	15	265 S Middlebush Rd	State	107.1
74.01	16	60 Blackwells Mills Rd	State	9.3
84.03	2.07	S Middlebush Rd	State	16.3
85	6	194 Skillmans La	State	56.4
85	8	266 S Middlebush Rd	State	31.3
85	12	210 S Middlebush Rd	State	54.6
85	14.02	150 S Middlebush Rd	State	16.2
85	15.04	Bennetts La	State	5.3
85	62.02	Skillmans La	State	25.8
85	62.04	Skillmans La	State	10.8
85	63.02	Skillmans La	State	19.3
511	5	Weston Rd	County	7.0
511	2.04	Weston Rd	County	18.0
511	1.03	Mettlers Rd	County	40.0
9	8.01, p/o 8.02	Canal Rd	County	16.0
8	25.01	Georgetown - Franklin Tpke	Township	44.54
19	31	1030 Canal Rd	Township	15.4
19	34	960 Canal Rd	Township	27.7
20.02	8	15 Old Vliet Rd	Township	107.8
33.01	1.01	Suydam Rd	Township	43.3
33.01	1.02	Canal Rd	Township	23.5
33.01	14.17	Butler Rd	Township	34.7
33.01	15.01	200 Butler Rd	Township	36.3
36.01	2	681 Canal Rd	Township	83.3
36.01	4.01	69 Jacques La	Township	35.5
36.01	p/o 20.01, 20.02	S. Middlebush Rd	Township	77.76
74.01	7	1970 Amwell Rd	Township	69.9
508.02	48.01	1893 Amwell Rd	Township	75.9
TOTAL				2,522

Table 3, below, identifies the farmland assessed properties within the Township. The table identifies these parcels by block/lot and acreage. In total, 3,815 acres within the Township are farmland assessed. It is noted that, in order to avoid double-counting, this table does not include the acreage of farm preserved properties. Further, the acreage figures in the table represent only the farm-qualified portions of the respective properties.

Table 3: Farm Assessed Properties (last updated – April 2019)

Block	Lot(s)	Acres
1.01	4	9.0
1.01	9.01	13.3
1.01	11.01	2.0
5.02	1.02	96.3
5.02	11.01	9.8
5.02	11.02	19.7
5.02	18	19.5
5.02	20	60.7
5.02	24	65.3
5.02	25	51.4
5.02	26.01	74.5
5.02	47	3.1
5.02	48	2.1
5.02	49	2.8
5.02	58	44.9
5.02	61.01	3.1
5.02	61.02	3.1
5.02	61.03	3.2
5.02	61.04	3.2
5.02	61.05	6.9
5.02	61.06	8.5
5.02	61.07	5.1
5.02	61.08	3.0
5.02	61.09	3.1
5.02	70	29.5
5.02	71	9.0
5.02	72	10.3
5.02	74	7.1
5.02	92	3.2
5.02	93	2.6
5.02	97	2.0

Block	Lot(s)	Acres
5.02	98	10.2
5.02	99	4.1
5.02	102.01	16.5
5.02	108.01	26.3
5.02	112.04	30.4
5.02	113.03	19.0
5.02	117.02	70.0
5.02	165	171.0
5.02	171	36.0
5.02	173.03	93.9
8	7	47.8
8	18.09	7.0
8	18.10	6.0
8	18.11	6.4
8	18.13	5.5
9	2.04	32.0
9	5	9.0
9	7	43.5
9	9.03	5.6
9	10.02	108.9
9	13.01	110.1
9	13.02	8.2
9	14.01	7.1
9	32	9.0
9	34	12.7
9	38	2.5
9	40	50.0
9	41	10.0
9	44	4.0
9	45	27.4
10	2	1.8
10	4	1.8
10	6.01	6.9
10	6.02	8.9
10	6.03	8.9
10	6.04	6.7
10	10.03	14.8
10	10.05	3.9
10	10.06	3.0
11.01	21.01	46.1

Block	Lot(s)	Acres
11.01	22.01	21.9
11.01	23	83.7
11.01	24.01	21.0
11.01	40	28.9
11.01	41	11.6
11.01	46	18.5
11.01	49	25.9
11.01	62	17.4
11.01	66.04	7.3
11.01	82.01	11.3
19	25.02	4.9
19	28	3.4
19	30.01	6.0
19	30.02	9.3
19	32.01	1.0
19	32.04	7.4
19	36	23.9
20.02	6	8.5
20.02	7	22.1
20.02	19.01	6.0
20.02	19.02	6.9
20.02	23.09	37.0
20.02	45.04	25.0
20.02	45.05	25.7
20.02	45.06	14.8
20.02	46.05	8.1
20.02	48	6.1
20.02	49	6.7
20.02	50	6.2
20.02	52.01	7.0
20.02	53.01	6.9
20.02	54	6.0
20.02	55.01	6.8
20.02	60.01	7.3
33.01	2.01	5.0
33.01	11.01	16.6
33.01	16	83.3
33.01	17	35.9
34.08	57	15.2
36.01	5.02	7.7

Block	Lot(s)	Acres
36.01	15	7.0
36.01	16.02	12.0
57.01	56	6.0
57.01	65.01	4.0
57.01	65.03	8.7
58	9.05	18.1
59.01	3.03	104.6
59.01	6	6.0
59.01	9	16.4
59.01	18.1	5.3
73.01	1.05	5.1
73.01	1.14	8.8
73.01	1.17	16.2
73.01	1.2	16.6
73.01	2.03	8.2
73.01	40.01	14.3
73.01	64.01	10.7
73.01	65	7.5
73.01	66	10.9
73.01	67	10.9
73.01	68	91.8
73.01	73.04	5.5
74.01	8.01	57.9
74.01	9	69.2
85	2	7.3
85	3	3.9
85	4	6.6
85	15.01	5.8
85	15.06	0.9
85	15.07	1.0
85	15.08	3.1
85	29	5.2
85	30	4.5
85	61.03	37.9
85	62.03	12.1
85	63.01	26.6
88.02	13	61.7
88.02	19	9.5
88.02	26	21.4
88.02	30	5.8

Block	Lot(s)	Acres
88.02	35.01	5.2
88.02	71	2.0
88.02	72	2.0
103	3	7.0
417.01	9.01	7.5
423.01	1.01	40.4
423.01	1.04	39.4
423.01	16	9.0
423.01	17.11	7.2
423.01	26	5.0
469	1.06	20.9
502.02	12.03	27.8
506.02	18.01	1.1
507.01	29	8.0
507.14	60.01	12.8
507.37	6	27.3
508.02	11	30.3
508.02	13.01	14.1
508.02	46	2.9
508.02	47.01	1.1
508.02	48.03	1.6
512	5.05	10.0
512	5.06	6.2
512	10	11.0
512	11.01	43.2
512	12.01	17.6
512	18.02	6.1
512	18.03	6.1
512	18.04	7.1
512	18.05	6.5
512	22.01	51.0
513.01	5	41.6
514	1	4.9
514	20.04	36.4
514	56	61.0
514	60	17.8
515	3	50.8
515	5	40.2
516.01	4.03	5.0
516.01	6.01	8.6

Block	Lot(s)	Acres
516.01	6.02	32.0
Total		3,815.1¹

The overall farmland inventory is summarized as follows:

- *Preserved farms: 1,223 acres*
- *Open space leased for farming: 2,522 acres*
- *Farm assessed properties: 3,815 acres*
- *Two farms operated by Rutgers University: 108 acres*
- *Total farm inventory: 7,668*

B. Distribution of Soil Types and their Characteristics

According to the “New Jersey Important Farmlands Inventory”, prepared by the State Agriculture Development Committee in 1990, soil classifications are defined as:

- Prime Farmlands - Prime Farmlands include all those soils in Land Capability Class I and selected soils from Land Capability Class II. Prime Farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops and is also available for these uses. It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed according to acceptable farming methods. Prime Farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.
- Soils of Statewide Importance - Farmlands of statewide importance include those soils in Land Capability Classes II and III that do not meet the criteria as Prime Farmland. These soils are nearly Prime Farmland and economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce yields as high as Prime Farmland if conditions are favorable.
- Farmland of Local Importance - Farmland of local importance includes those soils that are not prime or statewide importance and are used for the production of high value food, fiber or horticultural crops.

The soils that are found in Franklin are highly suitable for farmland production (Figure 3). Overall, 93% (27,832 acres) of the Township has farmland capable soils (Table 4). Nearly 50% of the soils

¹ Farm preserved properties (see Table 1) are also farmland assessed. However, so to avoid double-counting, this table does not include the acreage of farm preserved properties. Further, it is noted that these figures represent only the farm-qualified portions of the respective properties.

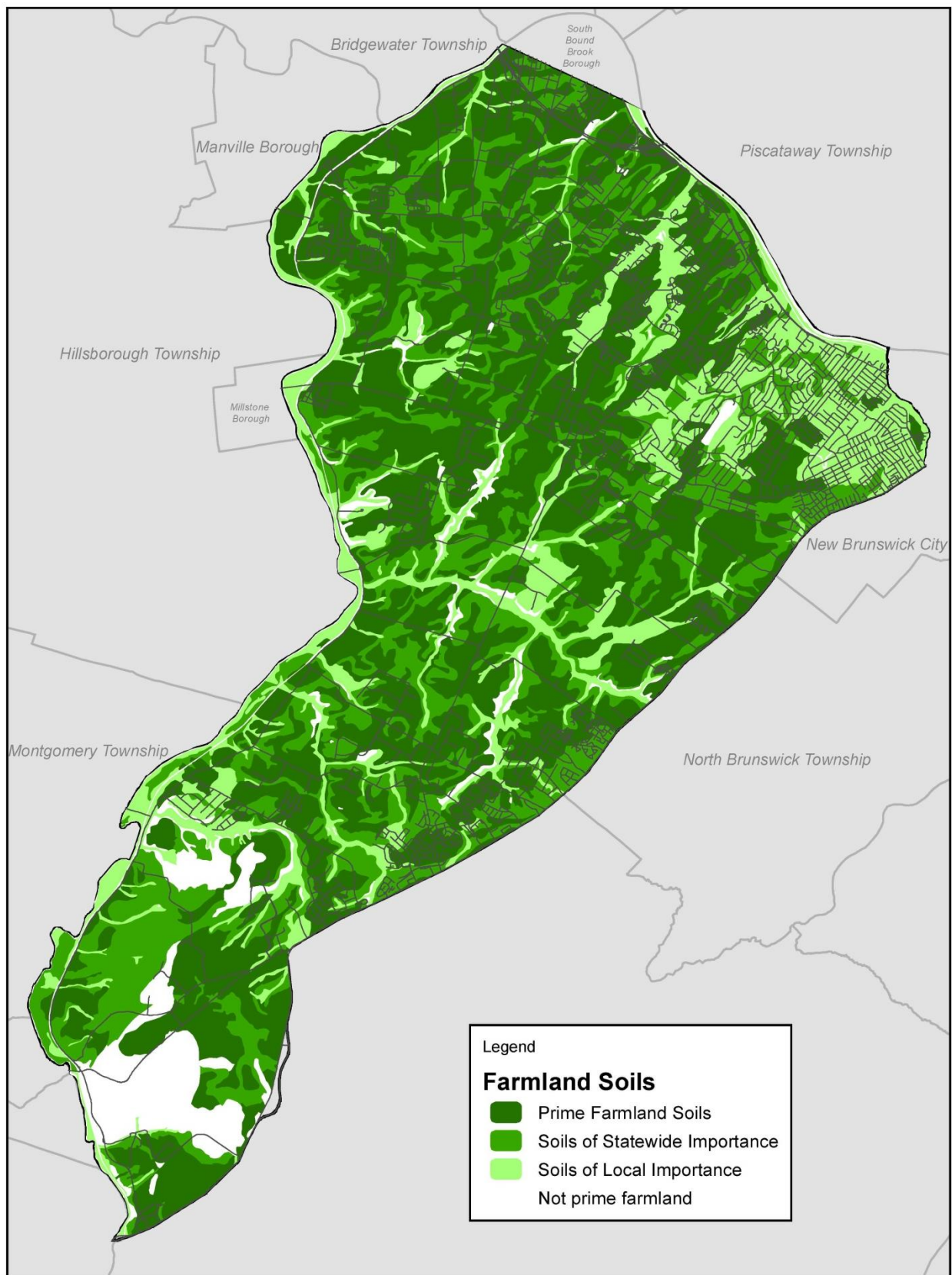
in the Township qualify as Prime Farmland soils (14,615) while another 27% and 17% qualify as Statewide Important and Locally Important, respectively.

Table 4: Farm Capable Soils for Franklin Township

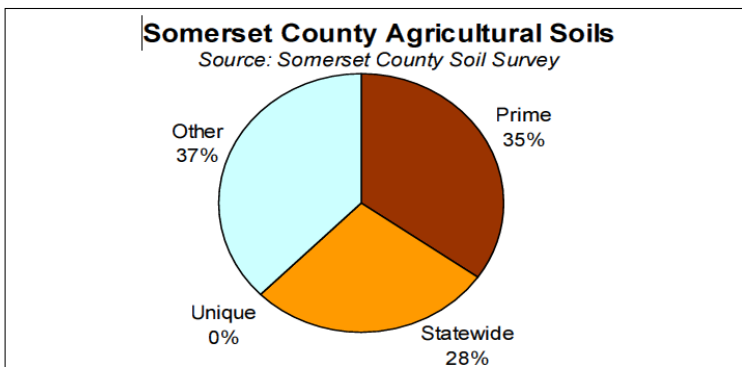
Soil	Acres	Percent
Prime Farmland	14,615	49%
Statewide Important	8,022	27%
Locally Important Soils	5,195	17%
Other	2,048	7%

Figure 3: Farmland

Soils



Prime, Statewide, and Unique farmland soils cover 122,940 acres (62.6%) of Somerset County (see Agricultural Soils chart below). These agricultural soils are found in abundance throughout the County but are less commonly found within the Sourland and Watchung Mountains as well as wetland areas bordering the County's principal waterways, such as the Raritan and Millstone Rivers. Areas of steeply sloping topography associated with the Highlands Physiographic province in northern Somerset County also exhibit sparser concentrations of agricultural soils.



Source: Somerset County Farmland Preservation Plan

The following is a brief description of the soils located in Franklin Township.

- **Abbottsville Series** – consists of deep and somewhat poorly drained soils on upland areas. Abbottsville soils are suited well for hay and pastures consisting of grasses and legumes that tolerate wetness.
- **Birdsboro Series** – consist of deep well drained soil often located on stream terraces. These soils are suitable for a variety of crops including vegetables, fruits, nursery stock, and are excellent for corn, soybeans and small grains.
- **Bowmansville Series** – consist of deep poorly drained soils located on floodplains and major rivers and streams. These soils are typically not suitable for crops since they are located in areas that are frequently flooded. Areas that can be productive are used for pasture or hay.
- **Bucks Series** – consist of deep well-drained soils on upland areas. These soils are well suited for a variety of crops including corn, soybeans, small grains and vegetables.
- **Croton Series** – these soils are deep and poorly drained and are usually located in areas that are level or gently rolling. The soils often require a delay in plowing and cultivation due to excessive wetness in spring after heavy rains. The soils are mainly used for hay and pasture.
- **Dunellen Series** – these soils are deep and well drained and often located on nearly level to sloping areas. Dunellen soils are well suited for vegetables, fruit, corn, small grains, nursery crops and alfalfa.
- **Klinesville Series** – consist of shallow well drained soils located on the narrow divides and rolling uplands. These soils are well suited for small grains, hay and pasture plants, but pasture plants grow slowly due to a low availability of water capacity.
- **Lansdowne Series** – these soils are deep and moderately well drained. They are typically found on broad uplands and low lying flats. These soils are typically used for hay and pasture, and if drained, can be used for row crops. However, water tolerant grasses and legumes are better suited for these soils.

- Mount Lucas Series – these soils are deep and moderately to somewhat poorly drained and are often located on level to sloping areas. Due to wetness and stoniness, these soils are not good for intense cultivation but are suited for row crops.
- Norton Series – these soils are typically deep and well drained located on nearly level to strongly sloping areas. If cultivated, these soils are well suited for corn, soybeans, small grains, vegetables and nursery crops.
- Penn Series – the Penn series are often moderately deep and well drained soils located on nearly level to strongly sloping areas. These soils are well suited for all general crops.
- Raritan Series – these soils are deep and moderately to poorly drained. They are often located on stream terraces. These soils are suitable for commonly grown field crops however the wetness of the soils limits the selection of crops.
- Reaville Series – consist of moderately deep and moderately well drained to poorly drained soils. They are often located on nearly level to gently sloping soils. These soils are best suited hay and pasture land consisting of grasses and legumes that can tolerate wetness.
- Rowland Series – the Rowland series consist of deep moderately well drained to somewhat poorly drained soils. They are often located on flood plains. Because of the flood prone nature of these areas, they are not well suited for crops and are more suited for pasture.
- Royce Series – these spoils are deep and well drained and located on gently sloping soils in upland areas. These soils are well suited for all general crop production.

C. Number of Irrigated Acres and Available Water Sources

Franklin Township has approximately 82 irrigated acres. The land farmed in the Township is primarily dedicated to field crops, pasture land and livestock. Field crops such as corn, grass, alfalfa, and small grains typically rely on groundwater resources and require no additional irrigated water sources. The Township's farmers can use wells, ponds, streams and public water to support their enterprises, should they need water.

It should be noted that in 1983 there were 223 irrigated acres in the Township so there has been considerable decline in this regard. The reason for this is that there was a sod farm located adjacent to the D&R Canal and this sod farm had a permit to draw water out of the canal. This farm relocated to Montgomery Township and should any new farm seek to duplicate the previous farming operation, it would have to reapply for appropriate permits to draw water from the canal.

According to the most recent Census of Agriculture (2017), 88 agricultural operations use irrigation over 8,155 acres. This marks an increase of 62% in acreage from the 2012 Census of Agriculture where only 53 agricultural operations used irrigation over their 3,117 acres of farmland.

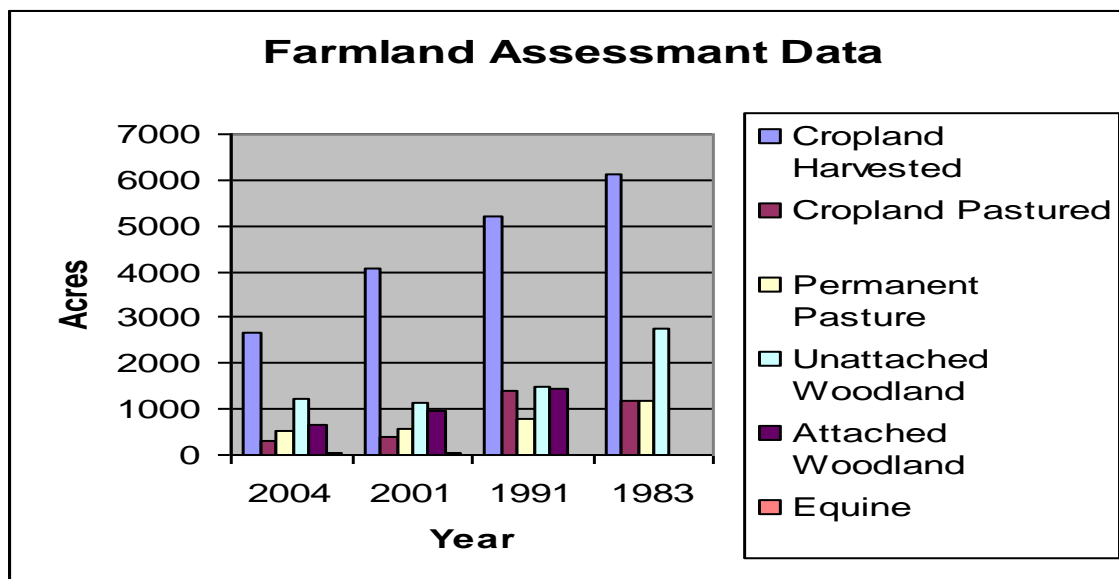
D. Farmland Assessment and Census of Agriculture Statistics and Trends

1. Number of Farms and Farms by Size, Average and Median Farm Size

There are 283 farm parcels in Franklin Township. One single farm may consist of multiple farm parcels. The table below provides the average and median size of farm assessed properties, leased farms and preserved farms, as well as the total average and median farm size.

Table 5: Farms by Size

	Farm Assessed	Open Space Leased Farms	Preserved Farms	Total
Average	19.9	51.5	40.5	37.3
Median	8.9	36.6	30.3	30.3



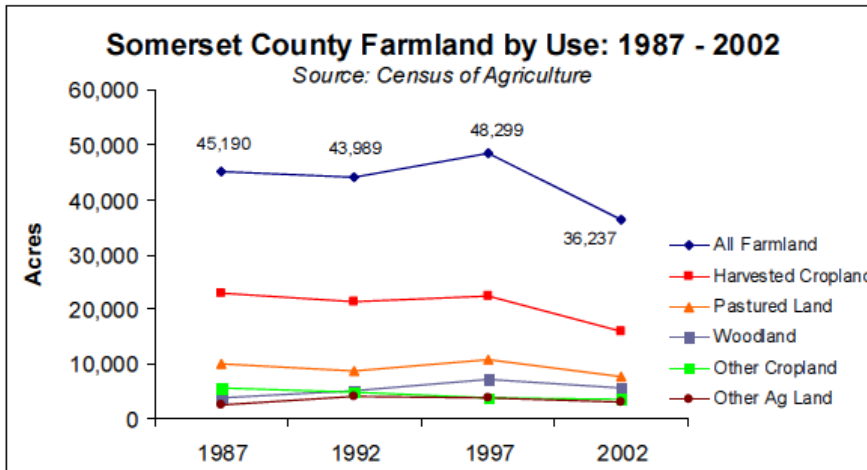
The larger percentage of land devoted to cropland in the Township correlates to the amount of cropland in the County. According to the *Somerset County Comprehensive Farmland Preservation Plan*, 44% of the County's farmland is devoted to cropland.

Agricultural lands occupy nearly 20% of Somerset County. However, the area of agricultural land in Somerset County has been declining during the last twenty years. As shown in the figures below, the 2002 Census of Agriculture reports that the amount of land in farms within the County fell 25% between 1997 and 2002 alone. Most of the farmland that has been lost in Somerset County has been active crop and pasturelands.

The 2012 Census of Agriculture showed a decline in farms from 445 to 400, however the land in farms increased from 32,721 acres to 34,735 acres. The average size of a farm in Somerset County also increased from 74 acres in 2007 to 87 acres in 2012. This trend may be

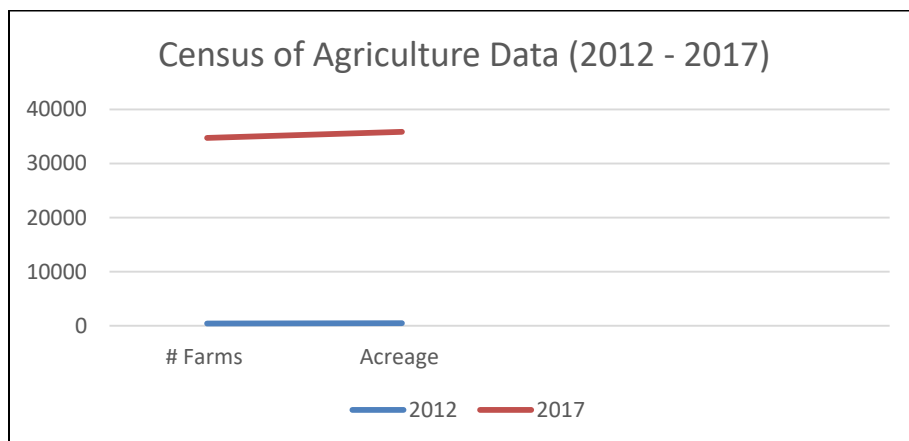
demonstrating the beginning of young farmers entering the industry after a period of industry loss.

The most recent 2017 Census of Agriculture showed the opposite trend, with the number of agricultural operations increasing to 452 in number which even surpassed the 2007 reported numbers. 35,862 acres were in agricultural production according to the 2017 Census of Agriculture, representing a corresponding increase of 3,141 acres to the number of agricultural operations. The chart below show the changes over time, reflecting the most recent data from the 2017 Census of Agriculture.



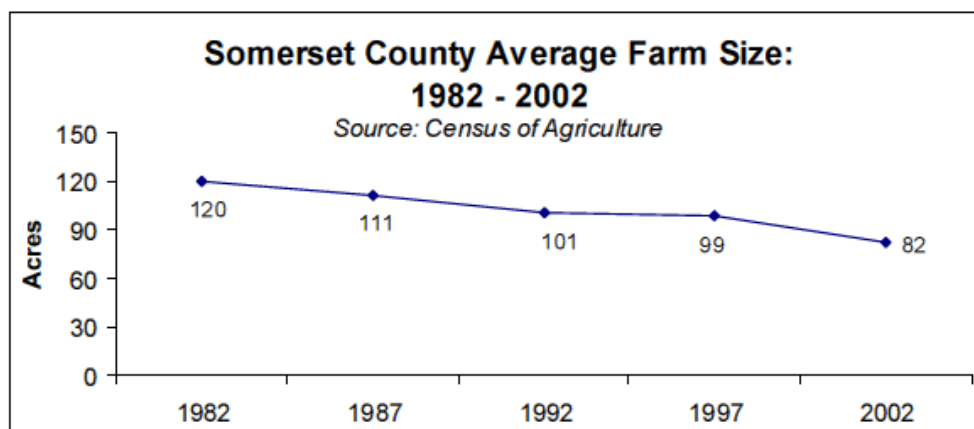
	1987	1992	1997	2002	% change ('97-'02)
All Farmland	45,190	43,989	48,299	36,237	-25%
Harvested Cropland	22,951	21,316	22,471	15,931	-29%
Pastured Land	10,142	8,686	10,694	7,663	-28%
Woodlands, not pastured	3,882	5,044	7,296	5,770	-21%
Other Croplands	5,741	4,916	3,859	3,675	-5%
Other Agricultural Land	2,474	4,027	3,979	3,198	-20%

Source: Somerset County Farmland Preservation Plan



The remaining paragraphs and figures of this section are excerpted from the Somerset County Farmland Preservation Plan as they have applicability in Franklin.

Somerset County supported 442 farms in 2002. This number has remained relatively constant during the past 25 years, when the number of farms in the County ranged between 407 in 1987 and 486 in 1997. However, these farms are operating on a shrinking stock of available farmland. Consequently, the average size of Somerset County farms has dropped dramatically (see Average Farm Size chart below). The average farm in Somerset County during 2002 was 82 acres in size – more than 30% smaller than in 1982.



Source: Somerset County Farmland Preservation Plan

Somerset County's growing number of small farms and shrinking number of large farms indicates that large farms are being subdivided and converted into smaller operations. In some cases, portions of subdivided farms that are not retained by the original landowner are converted into non-agricultural areas such as residential, commercial, or vacant land uses. In other cases, the leftover parcels are kept in active agricultural production by their new owners but are recorded separately from their neighboring parcels.

This trend towards smaller farms is cause for concern in Somerset County. The resulting landscape is one in which many small farm parcels are interspersed amidst other small, non-agricultural neighborhoods and commercial areas. This land use pattern is responsible for elevated conflicts between farmers and non-farmers and is more difficult for farmers and their support businesses to operate within. In addition, Somerset County's larger farms account for the vast majority of local agricultural sales and are generally more profitable than smaller farms. Large farms also support more career farmers than small farms.

II. Franklin's Agricultural Industry – Overview

The farming industry is an important piece of Somerset County's local economy in general and of Franklin Township's in particular. While agriculture accounts for a relatively small portion of the County's overall business sales, it exerts a considerable economic influence through its many market linkages. Agriculture directly supports ancillary businesses, such as equipment suppliers and livestock veterinarians, whose sales are not captured within agricultural figures, but who depend upon agriculture to create the necessary demand for their services. Farms also provide indirect support to the local economy. For example, they offer seasonal employment opportunities for young residents and seasonal workers who, in turn, patronize local stores and businesses. The influence of these agricultural linkages in Somerset County's rural areas is unmistakable. Agriculture also provides a greater economic benefit to the local community than other kinds of land uses. In contrast to residential neighborhoods and commercial districts, farms require few municipal services. The *Somerset County Agriculture Retention and Development Master Plan* reports that farmland necessitates the expenditure of \$0.33 in municipal services for every \$1.00 in taxes levied against it, while residential land uses demand \$1.76 per dollar. (*Somerset County Agricultural Master Plan*). Not only do farms require fewer services, but they often provide important benefits, such as groundwater recharge and storm water control, that local governments might otherwise have to supply. Additionally, farms generate a positive cash flow by selling their products to buyers outside the County. Local farmers spend the revenue earned from these sales locally, and thus in turn support the County's economy. Agricultural production promotes a more stable and independent local economy.

A. Trends in Market Value of Agricultural Products and Crop/ Production Trends

Agricultural production and market value trends were calculated using data from the United States Department of Agriculture's National Agriculture Statistics Service. (*NASS*). The agricultural yields for many products have been tabulated annually since 1953, while the yields of other products have been recorded only in more recent years. Historical pricing information for some of these products is also available. These historical trends are supplemented by data from the annual reports of the New Jersey Department of Agriculture. (*New Jersey Department of Agriculture Annual Reports*). Trends in the market value of the products produced by Somerset County's agricultural industry are difficult to determine. Overall market values are not compiled annually at the County level, but rather reported every five years as part of the National Census of Agriculture. Further obscuring this trend is the additional susceptibility to sampling error that occurs with less frequent data observations.

The Census of Agriculture separates agricultural activities into two categories: "crops, including nursery and greenhouse" and "livestock, poultry and their products". County sales from the "crops, including nursery and greenhouse" category, which had steadily increased from 1987 to 1997, were down 27% from \$10.5 million in 1997 to \$8.3 million in 2002. According to the 2012 United States Census of Agriculture, these sales dramatically increased from \$9.6 million in 2007 to \$20.7 million in 2012, reflecting an increase of 115%. The most recent Census of Agriculture (2017) reports

income of \$2,664,000 in crops sales in Somerset County alone. “Livestock, poultry and their products” from Somerset County produced \$2.4 million according to the 2012 Census of Agriculture, reflecting an extensive decrease of 74% from \$9.2 million in 2007. The 2017 Census of Agriculture reported total sales of \$5,736,000.00 from livestock in Somerset County alone, representing a bounce-back increase from the 2012 data.

The nursery, greenhouse, and sod subsector – which encompasses flowers, flower seeds, landscaping plants, potted plants, and other products – was the highest grossing field crop category according to the 2012 Census of Agriculture. Sales of these products totaled \$14.6 million, which corresponds to 70% of the County’s crop sales and 63% of its overall agricultural sales. The market share of Somerset County agricultural sales that is comprised of nursery and greenhouse products (63%), was substantially higher than in the rest of New Jersey, where nursery/greenhouse products account for 40.2% of the State’s total agricultural sales. The market share of nursery and greenhouse products among crops in Somerset County (70%) was much higher than its market share among crops in all of New Jersey (45.5%), indicating that the County’s crop sector is less diverse. (2012 Census of Agriculture). The 2017 Census of Agriculture demonstrated a sharp decrease to \$7,196,000.00 in nursery, greenhouse and sod sales in Somerset County – a decrease of \$7,404,000.00 or half of what was reported in 2012. The amount of operations only decreased by 4 (from 61 nursery operations to 57).

The role of the nursery/greenhouse subsector within the agricultural industry of Somerset County is substantial, but sales figures alone overstate its importance in relation to other field crops. The County’s sales percentage from nursery, greenhouse, and sod operations (70%) is disproportionate to the number of farms in the County (57 of 445, or 12.81%) that actually grow these products. Also, the nursery, greenhouse, and sod products sold by Somerset County farmers have much higher market values than other agricultural goods, indicating that higher input costs, and smaller profits, must be borne by their producers. The nursery/greenhouse subsector has been the most rapidly growing in New Jersey during recent years and will continue expanding into the future.

The most commonly produced field crop in Somerset County and in Franklin Township is hay. Hay is grown on 45.25% of the County’s farms and is planted on more than one-third of the County’s cropland – 9,775 acres, according to the 2017 Census of Agriculture (see *Harvested Hay* chart below) (NASS). Minimal change was reported from the 2012 Census of Agriculture, where the acreage in hay production was 9,758. Hay is a low-intensity crop to grow because it does not require the substantial inputs of fertilizers, irrigation, or labor that are necessary with other field crops. Increases in the costs of these inputs have encouraged farmers in Somerset County to rely increasingly and heavily on hay production.

Sales of hay from Somerset County totaled only \$1,849,000 or only about 8% of total market value (2012 Census of Agriculture). The 2017 Census of Agriculture reported \$2,664,000, or 18% of total market value in crop sales. This is because much of the County’s hay is produced on local horse and livestock farms that, in turn, use it as feed for their animals. This hay is never sold and is not recorded in the Census of Agriculture sales figures. Consequently, hay plays a much larger role within the local agricultural industry than its sales numbers indicate. Also, the 2002 Census year was

among the lowest in terms of hay production in Somerset County's history causing hay sales to be lower than average (see *Hay Production* chart below). Future hay yields will depend upon local livestock farms to maintain the demand for hay and the availability of land on which to grow hay. The most recent iteration of the Census of Agriculture (2017) shows a total of 9,775 acres in hay production in comparison to only 9,758 acres as shown in the 2012 Census of Agriculture.

Fruits, vegetables, and short-rotation crops (Christmas trees) made up smaller, but significant, portions of Somerset County's crop sales in according to the 2012 Census of Agriculture. Fruit sales (\$249,000) came primarily from apples and peaches, which occupied only 156 acres of County land. Fruit orchards yield among the highest per acre sales figures of any agricultural product, and have excellent potential for value-added products, such as pies and jams. Vegetables (\$965,000) and short-rotation woody crops (\$43,000) also have high sales values relative to the land area required to grow them. However, these products require expensive inputs of fertilizers, pesticides, and labor to produce, which reduce the profits derived from these crops. Consequently, most Somerset County farms growing these products do so at a small scale (5 acres or less) and derive only supplementary income from them.

The most recent iteration of the Census of Agriculture (2017) separates the values for "Fruits and Tree Nuts" and "Christmas Trees and Short-Term Woody Crops". This data reports 44 fruit and tree nut operations in Somerset County (an increase from the 2012 number of 26) with sales of \$211,000 (a decrease of \$38,000 from \$249,00 from the 2012 number). Short-term woody crops and Christmas Trees were grown on 35 farms (no change from the 2012 Census of Agriculture) with sales representing \$114,000 in Somerset County alone (an increase of \$71,000 from the reported figure of \$43,000 from the 2012 Census of Agriculture).

Grass and Grain Products, Somerset County

Year	Barley for grain (acres)	Corn for grain (acres)	Corn for silage (acres)	Soybeans (Acres)	Alfalfa hay (acres)	Oats for grain (acres)	Rye for grain (acres)	Soybeans (acres)	Wheat (acres)
2017	NR	1,112	155	2310	1,067	30	72	2,310	1,154
2012	NR	2,657	NR	2354	1,121	255	143	2,354	1,169
2007	NR	2,378	382	1345	954	157	133	1,345	1,179
2002	24	421	43	1640	72	68	141	264	165
2001	0	446	35	NR	468	8	180	332	683
1991	0	579	17	NR	120	87	195	1074	479
1983/84	6	928	166	2803	233	0	139	2504	433

Fruit Products, Somerset County

Year	Apples (acres)	Peaches (acres)	Cherries (acres)	Strawberries (acres)	Pears (acres)	Other fruit (acres)	Blueberries (acres)
2017	28	9	NR	NR	4	NR	5
2012	38	12	NR	NR	4	NR	NR
2007	67	NR	NR	NR	NR	NR	NR
2005	4	0	0	0	1	3	1
2001	8	1	0	0	1	1	1
1991	23	11	0	1	0	0	2
1983/84	32	15	0	8	0	1	0

Vegetable Products, Somerset County

Year	Total Vegetables (acres)
2017	336
2012	213
2007	129
2002	159
1991	36
1983/84	46

Tree and Shrub Products, Somerset County

Year	Bedding plants (acres)	Cut flowers (acres)	Trees and shrubs (acres)	Sod (acres)	Christmas trees (acres)
2017	20	8	113	450	195
2012	40	NR	247	NR	238
2007	23	NR	285	NR	384
2005	10	4	70	222	117
2001	5	6	60	404	105

1991	6	6	80	370	131
1983/84	24	1	178	270	72

Livestock and Poultry Products

Livestock plays a smaller role in the agricultural industry of Somerset County than in most areas of New Jersey. According to the 2012 Census of Agriculture, livestock sales accounted for \$2.5 million, representing roughly 10% of the County’s overall agricultural sales – slightly less than the Statewide average of 11.6%. \$5,736,000 in sales were reported for Somerset County in the 2017 Census of Agriculture, marked increase in individual sales and percentage of the State’s livestock sales. The livestock industry also provides the demand for much of the County’s field crop production. Many of the grain and hay crops that are produced in Somerset County are sold to local livestock farmers for feed. Other livestock farmers minimize feed costs by growing their own grain, which is not reported in the Census sales figures. Consequently, the viability and continued growth of Somerset County’s livestock farms is fundamentally important to the County’s agriculture industry. Significant changes are occurring within Somerset County’s livestock industry. The most important of these may be the gradual transition from dairy to other forms of livestock farming. Dairy, which has been the traditional economic engine for the livestock subsector, is being replaced by other types of livestock operations, such as beef cattle. Dairy sales from Somerset County have consistently declined since 1987, and currently make up only 19% of all livestock sales – their lowest on record. (Data regarding dairy milk from cows is unavailable for Somerset County in the 2012 Census of Agriculture, as only one farm reported with no supporting data related to market value)

Animal Products, Somerset County

Year	Beef cattle (head)	Mature dairy (head)	Young dairy (head)	Equine (head)	Sheep (head)	Swine (head)	Bee hives (#)	Ducks (head)	Fur animals (head)	Goats (head)	Meat chickens (head)	Egg chickens (head)	Turkeys (head)
2017	1620	NR		1055	1253	919	170	30		226	NR	10296	473
2012	2942	NR		1507	926	140	174	13		226	NR	7758	NR
2007	1935	NR		1190	1292	362	113	24		289	NR	6864	NR
2005	65	2	0	142	58	33	48	2010	7	17	100,038	153	1500
2001	118	0	0	137	84	24	16	0	0	0	109	311	350
1991	165	2	0	130	54	16	44	41	40	12	105	2494	12
1983/84	215	1002	9	150	86	63	33	340	656	23	335	3947	621

Diminishing dairy production within Somerset County has been the primary contributor to this trend. A number of factors have combined to decrease dairy production. Development pressures created locally high land prices during the 1980's, which subjected most of Somerset County to elevated property taxes and similar expenses. Land-intensive agriculture operations, such as dairy farms, were especially hard hit, causing many dairy farmers to sell their land or transition to other agricultural land uses. The County's fourteen dairy farms in 1987 were reduced to one by 2012. (*2012 Census of Agriculture*). Unfavorable market conditions have also taken a toll on the County's dairy farms. Most recently, a combination of high input costs, historically low milk prices, and weather-related losses created a scenario that the New Jersey Department of Agriculture likened to "a perfect storm" of negative market conditions for dairy production. (*New Jersey Department of Agriculture 2006 Annual Report*). Erosion of local dairy support services, such as creameries and livestock veterinarians, has also hurt Somerset County dairy farmers. Many of the businesses that offered these services could not be sustained after refrigeration and shipping advancements, which reduced New York City's dependence on North Jersey dairy products, were pioneered during the 1960's. Consequently, the dairy farmers that remain in Somerset County must incur additional transportation-related expenses to ship their products to be processed or transport their animals to a veterinarian. The relative inaccessibility of these services often forces dairy farms in Somerset County to go without them, which can negatively affect production. The influence of these market trends on the County's dairy production is evident. Somerset County's milk production has greatly declined since 1971, when the County's dairy farms produced 31.8 million pounds of milk (see *Milk Production* chart). In 1999, the last year on record, the County's dairy farms produced only 11.8 million pounds of milk – a 63% drop. (*NASS*)

Despite falling sales from the dairy sector, livestock farms have remained a large part of Somerset County's agricultural industry. This is partly attributable to former dairy farms transitioning to non-dairy cattle and other livestock production. The comparatively low land intensity of non-dairy cattle operations has made this a more attractive option for some dairy farmers in Somerset County. Especially since the late 1980's, growth in non-dairy cattle operations helped to offset the continuing downturn among dairy farms. Sales of non-dairy cattle products have exceeded dairy sales since 1997 and will likely continue to do so in the future.

B. Support Services within Market Region and Other Agricultural Related Industries

The Somerset County Comprehensive Farmland Preservation Plan identified a variety of local support services in the Region. Overall, large production farmers in the County generally rely on mail order for special items and will travel to Pennsylvania or other large agricultural areas to purchase large scale items such as tractors and other heavy equipment. This has led to a decrease in retail stores specializing in farm supplies in the County.

However, Somerset County still has a number of active agricultural and businesses that support the practice of farming throughout the County. Farmers in Somerset County depend upon local supply

stores for necessary agricultural products, such as equipment parts and seeds. Consequently, local retailers reflect the kinds of agricultural that are practiced in Somerset County and in its surrounding areas. Saddlery and stable supply stores can be found in Hillsborough and Bedminster; grain and feed retailers can be found in Bernardsville and Hackettstown; irrigation and turf equipment suppliers operate in Branchburg and nearby South Plainfield; and nursery shops are common throughout the County (see *Supplier* chart below). Local hardware stores also serve as important depots for agricultural tools and equipment.

Supplier Information

Belle Mead Coop 100 Township Line Road Hillsborough, NJ 908 359-5173	Somerset Grain, Feed, & Supply Corp 74 Mine Brook Rd Bernardsville, NJ 07924 908-766-0204 www.somersetgrain.com	The Horse and Rider Shop 284 Route 206 Hillsborough, NJ 08844 908-281-5333 www.thehorseandrider.com
Binder Machinery 2820 Hamilton Blvd South Plainfield, NJ 07080 908-561-9000	Storr Tractor Company 3191 Route 22 Somerville, NJ 08876 908-722-9830 www.storrtractor.com	Raritan Agway 77 Thompson St Raritan, NJ 08869 908-725-9252

However, these local support businesses are often insufficient to meet all the supply and repair needs of Somerset County's agricultural community. Somerset County's farmers rely heavily upon mail order and non-local retailers for their agricultural supplies. Some farmers have found that reliance upon non-local suppliers imposes high shipping and transportation costs that can cut deeply in to the profitability of their operations. Consequently, the County's farmers have become adept at minimizing the need for supply and repair services by fixing many mechanical problems themselves and maintaining their equipment. Farmers tend to specialize in some kind of agricultural repair and supplement their incomes by offering their services to other farmers. Somerset County farmers benefit from the services of private organizations and public agencies as well. These groups work together to undertake various initiatives that substantively improve the County's agricultural industry. Some of these groups include: the Somerset County Board of Agriculture and Agriculture Development Board, the New Jersey Farm Bureau, Rutgers Cooperative Extension of Somerset County, Somerset 4-H Club, Duke Farms, Somerset-Union Soil Conservation District, and the Natural Resource Conservation Service, among others. These organizations offer a variety of services including planning assistance, financial aid, and marketing support. *Chapter 6* contains a more thorough discussion of these groups and their efforts. The farmers' markets of Somerset County provide another valuable service for local farmers. They attract large numbers of nearby and far-away residents to the County with the sole purpose of buying local produce. Local produce is very popular among New Jersey residents, and farmers' markets create a direct link between Somerset County farmers and their potential customers. Farmers' markets also serve as excellent venues for selling "value added" products that can significantly bolster farmers' cash flows.

In 2017, the Township of Franklin established the Franklin Township Community Farmers Market, running from the beginning of June through the end of September and located at the large field at the Township Complex (475 DeMott Lane, Somerset). The location of the market is at the intersection of two busy roads – DeMott Lane, and municipal road centrally situated in the Township, and Amwell Road (County Route 514), a county road running through the southern portion of the Somerset County in an east-west direction. The market is now entering its third season, and services an average of 400 weekly visitors. The Market is SNAP/EBT certified and listed with the Jersey Fresh Program.

In addition to the above, the Rutgers Cooperative Extension Service of Salem County maintains a good website that provides additional resources for farmers. It's "Green Pages--An Agricultural Resource Guide," can be located on the web at <http://saalem.rutgers.edu/greenpages/index.html>

III. Land Use Planning Context

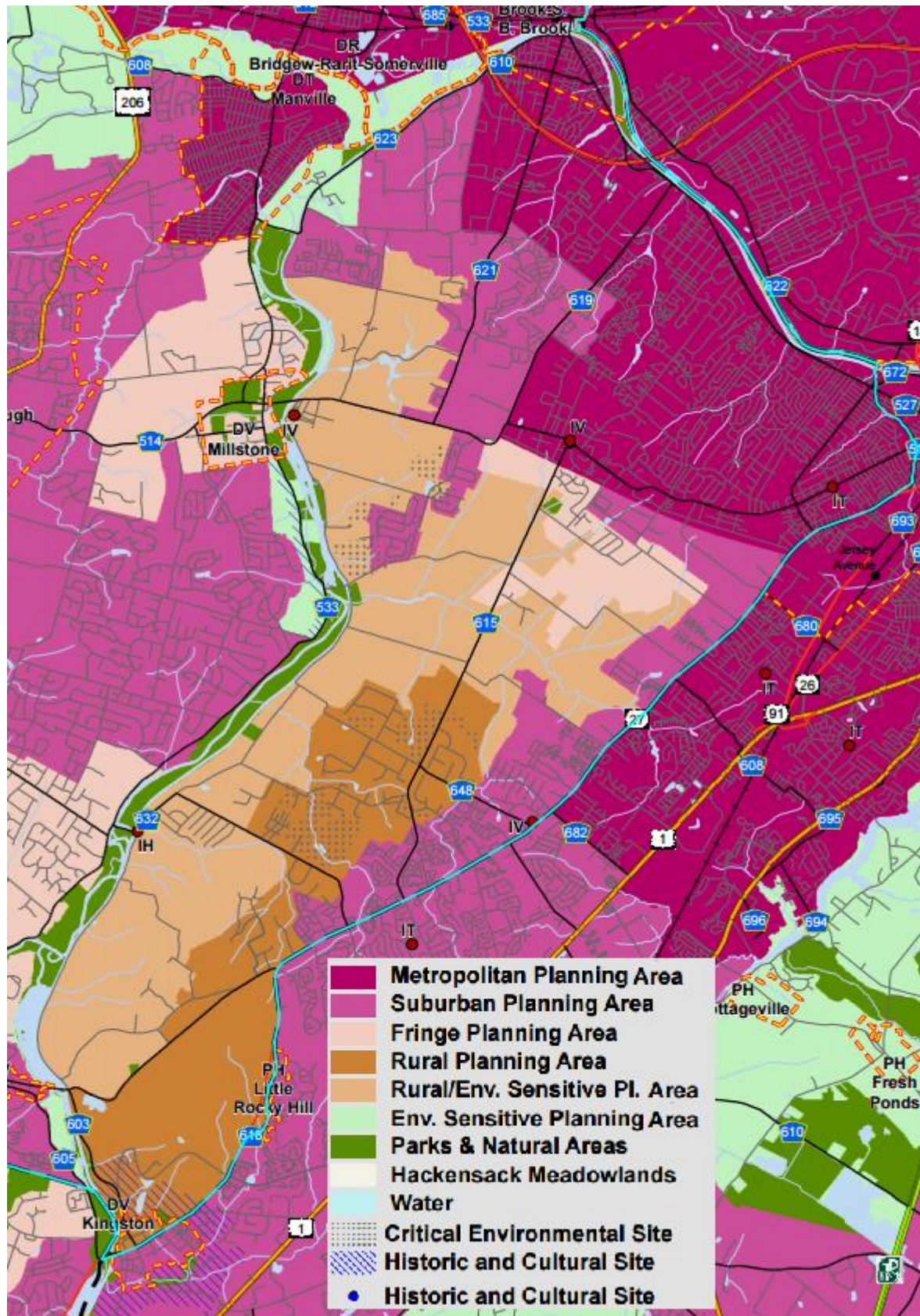
A. State Development and Redevelopment Plan Planning Areas, Designated Centers and Endorsed Plans

The State Plan is intended to serve as a guide for public and private sector investment in New Jersey's future. The State Plan is a policy document for state, regional and local agencies, to guide their functional plans, regulatory processes and investment decisions. While the State Plan is voluntary for local communities, municipalities are encouraged to make their plans reflective the provisions of the State Plan. The State Plan guides when and where state funds should be expended to achieve the goals of the State Planning Act. The principal source of this guidance is provided by the State Plan's Statewide Policies, such as the policies on Public Investment Priorities, as they are applied in accordance with the State Plan Policy Map.

The State Plan Policy Map identifies areas for growth, limited growth, agriculture, open space, conservation and other appropriate designations as required by the State Planning Act. Planning Areas identify areas with common characteristics and provide policy direction for each area. Centers and Environs promote the preferred forms for future development and redevelopment, designing and locating compact, mixed-use communities surrounded by protected natural landscapes. Generally, areas designated for growth consist of: Metropolitan Planning areas (Planning Area 1), Suburban Planning Areas (Planning Area 2) and Designated Centers in any planning area. Areas generally designated for limited growth consist of: Fringe Planning Areas (Planning Area 3), Rural Planning Areas (Planning Area 4), and Environmentally Sensitive Planning Areas (Planning Area 5). Areas generally designated for conservation consist of: Fringe Planning Area (Planning Area 3), Rural Planning Areas (Planning Area 4), and Environmentally Sensitive Planning Areas (Planning Area 5).

The figure below shows the portion of the Preliminary State Plan Policy Map pertaining to Franklin Township. As shown in the figure a relatively significant portion of the Township is located with the PA4 and PA4B planning areas – i.e., those areas most compatible with farmland preservation and agricultural retention. The Rural Planning Area (PA4) and Rural/Environmentally Sensitive Planning Area (PA4B) are intended to maintain farmland as contiguous areas, to promote agriculture as a viable industry, and to confine sewer and water service to Centers.

Figure 4: State Plan Policy Map (Franklin)



The following critical issues of consistency with the State Development and Redevelopment Plan are noted

- o The Township planning documents are highly consistent with the State Development and Redevelopment Plan (and most notably the State Plan Policy Map). The Township's Master Plan seeks to direct development to the already developed portions of the Township where infrastructure exists. The Township Zoning Map (Figure 8) directs infill development in favor of sprawling patterns of development.
 - The areas of the Township planned for more intensive development (i.e., those areas within the commercial, industrial and higher-density residential land use designations on the Land Use Plan) correlate with Planning Areas PA1 and PA2 on the SPPM.
 - Conversely, the areas within the Township planned for continued agricultural use and compatible land use (i.e., those within the A, C-P, RR-3 and RR-5 land use designations on the Land Use Plan) correspond with Planning Areas PA4 and PA4B on the SPPM
- o Agriculture preservation is a fundamental goal of the Township Master Plan:

Goal: Protect the Township's cultural heritage by encouraging the continuation of farming as a viable land use.

 - o Protect farmland by purchase of development rights, continued use of farmland assessment and other effective mechanisms
 - o Discourage the extension of utilities to large farms except where needed to service existing development and improve environmental conditions.
- o Public water and public sewer service areas within the Township (see Figure 5) correlate highly with the delineation of growth areas (PA1 and PA2) on the SPPM. Conversely, the areas of the Township within those state planning areas most compatible with farmland preservation and agricultural retention (i.e., PA4 and PA4B) are almost entirely located outside of public water and public sewer service areas.
- o The Township's Land Development Regulations, most notably the Zoning Map, are highly consistent with the SPPM. The zoning designations that are most compatible with farmland preservation and agricultural retention (the C-P, A, RR-3 and RR-5 zones) correspond virtually without exception to the Rural (PA4) and Rural/Environmentally Sensitive (PA4B) Planning Areas on the SPPM. Descriptions of these zoning districts are provided below.

Consistency with Somerset County's Comprehensive Farmland Preservation Plan.

Somerset County adopted a Comprehensive Farmland Preservation Plan Update (November 2007). Franklin Township's Farmland Preservation Plan is consistent with the County plan in many ways:

1. The County ADA for Franklin Township and the Township PIG project area are mostly consistent. Franklin's PIG Project Areas are slightly larger than the County's ADA for flexibility of farmland preservation projects at the municipal level.
2. The County's Millstone Valley project area overlaps with the Township's PIG target areas.

3. The eligibility criteria in both plans are consistent.

B. Special Resource Areas (Highlands, Pinelands, CAFRA, etc.)

Franklin Township is not located within any special resource areas such the Highlands, Pinelands or the CAFRA-regulated area of the State.

However, the regulations of the Delaware and Raritan Canal Commission govern development throughout the Township. The entire Township of Franklin (with the exception of a very small area along Route 27) is included in the Review Zone. The Commission is required to review all public and private projects with respect to drainage, aesthetic and ecological factors. The D&R Canal Commission administers a land-use regulatory program within the area where new development could have drainage, visual or other ecological impact on the Canal Park. Major projects (those that involve an acre or more of impervious surface) must meet the Commissions standards for managing storm water runoff. If a project of any size is proposed within 1,000 feet of the canal, it is reviewed for its visual impact on the park. Further, the Commission reviews large projects that are within a mile of the park for their traffic impact, and the Commission requires the preservation of corridors along the major streams that enter the park. An implication for farmland preservation exists in Review Zone A (i.e., the area in closest proximity to the Canal) wherein development is significantly restricted. Such significant restrictions may help to retain farmland.

The Commission's regulations do not directly require alternative land use and growth management strategies such as TDR, clustering or conservation. However, as described herein, the Township's Land Development Ordinance contains a number of provisions that allow and encourage cluster development. In addition, the Township Scenic Corridor Ordinance and the required review by the Township Historic Commission in areas of visual concern to the Commission both reinforce objections of the Canal Commission. Further, Township staff works closely with staff of the Canal Commission to ensure that the Canal Commission's regulations are adhered to.

C. Municipal Master Plan and Development Regulations

Farmland preservation and agricultural retention are key elements of Franklin Township's planning efforts.

The Township continues to pursue zoning techniques that are compatible with open space and farmland preservation and the retention of agriculture and rural character. The zoning districts outlined below are most compatible with such objectives (see Figure 8):

- *Agricultural (A) Zone*: To preserve those agricultural areas in the Township where it is necessary and desirable because of their highly productive agricultural capability to promote, maintain and enhance the use of the land for agricultural purposes, and to protect from encroachment by non-agricultural uses, structure or activities. Permitted uses include farming and horse stabling

operations and low-density single-family residential development. The required lot size for a single-family dwelling is 6 acres.

- *Canal Preservation (CP) Zone:* To protect unique resources of the D&R Canal, protect groundwater and surface water which flow into the Canal, maintain the scenic amenity of the Canal, reduce the impact on streets adjacent to the Canal, protect wooded slopes from development, and maintain agricultural resources. Permitted uses include low-density single-family residential development, farming and horse stabling operations. The required lot size for a single-family dwelling is 6 acres. A lot size averaging option is available that permits lots as small as 3 acres, provided that the overall average lot size is 6 acres, and all lots over 6 acres are deed restricted against further subdivision.
- *Rural Residential (RR-3) Zone:* To recognize the development opportunities with respect to the Brunswick shale formation and underlying soils, protect groundwater, maintain and enhance forested areas, preserve stream quality which feeds into the Canal, and permit low-density single-family residential development. Permitted uses include farming operations and low-density single-family residential development. The required lot size for a single-family residential unit is 3 acres. Lot size averaging is also an available option in the RR-3 district, on minimum tracts of 20 acres, which allows a reduction in lot size to 2 acres.
- *Rural Residential (RR-5) Zone:* To recognize the development opportunities with respect to the diabase formation and overlying soils, protect steep slopes from development activities, maintain agricultural resources, protect groundwater, maintain and enhance forested areas, preserve stream quality which feeds into the Canal, and permit low-density single-family residential development. Permitted uses include farming operations and low-density single-family residential development. The required lot size for a single-family dwelling is 5 acres. Lot size averaging is also an available option in the RR-5 district, on minimum tracts of 30 acres, which allows a reduction in lot size to 3 acres.

The following zoning provisions are also consistent with farmland preservation, agricultural retention and the preservation of rural character and should continue to be implemented:

- *Scenic Corridor Ordinance.* The purpose of the Scenic Corridor District Overlay Zone is to preserve the aesthetic character of Township-designated scenic corridors (most of which run through the rural areas of Township where agricultural uses predominate).

The purpose of the ordinance is to protect the Township's aesthetic resources, to direct the location and design of development so that it will enhance the visual character of the Township, to provide sufficient visual buffers and view sheds for future residential development, and to protect the Township's remaining open spaces from conventional development patterns and measures that tend to compromise the intrinsic value of farmlands, fields, hedgerows, woodlands, mountain profiles or ridgelines, plateaus, and water bodies and watercourses.

Characteristics of scenic corridors include those that exhibit one or more of the following features: extended, unobstructed viewsheds (which is characteristic of the Township's agricultural areas); and fallow, open fields or active agricultural operations.

The ordinance regulates development along the corridor, within 1,000 linear feet of the centerline of the scenic roadway, on either side of the roadway. Among the items regulated are: building setback, new roadway layout, fences, signs, curbs and stormwater control.

- *Township Right-to-Farm Ordinance.* The Township of Franklin has adopted a Right-to-Farm Ordinance that is consistent with the Right to Farm Act, N.J.S.A. 4:1C-1 et seq. It is included in the Appendices.

D. Current Land Use and Trends

Land use cover types according to NJDEP for 2002 and 2012 digital GIS coverage are presented on the Land Use/Land Cover maps (Figures 5 and 6, below) on which the following land cover types are documented: Agricultural, Forest, Wetlands, Water, Recreational, Developed, and Barren Land. The approximate acreages of these land cover types are summarized in Table 6. The table also shows land cover changes (in acres and percent) between 1995 and 2012.

Evaluation of Table 6 and the Land Use/ Land Cover maps in Figures 5 and 6 reveal the following general trends:

- As of 2012, roughly 41% (about 12,300 acres) of the Township consists of developed land cover (i.e., residential, commercial and industrial land uses), with another 2% consisting of barren land (i.e., the quarry and sites under development). The remaining roughly 57% (about 17,000 acres) of the Township consists of agriculture, forest, recreation, water or wetlands.
- While more than roughly 4,900 acres remain in agricultural use in 2012, there was a roughly 2,300-acre loss of agricultural land cover between 1995 and 2012. Comparison of Figures 5 and 6 appears to reveal that a large proportion of this decrease occurred in the northwestern portion of the Township with the development of the age-restricted communities and that a portion of this decrease occurring in the Six Mile Run State Park (with a relatively large amount of land converting to forest in the intervening years).
- Corresponding largely with the loss of agricultural land cover is an increase in the developed land cover which increased by roughly 2,800 acres (30%) between 1995 and 2012.

Table 6: Land Use/Land Cover Types 1995-2012

Land Cover Type	1995		2002		2012		Change 1995-2012	
	Acres	Percent	Acres	Percent	Acres	Percent	Acres	Percent
Agriculture	7,243	24%	5,483	18%	4,936	16%	-2,307	-32%

Land Cover Type	1995		2002		2012		Change 1995-2012	
	Acres	Percent	Acres	Percent	Acres	Percent	Acres	Percent
Barren Land	363	1%	315	1%	515	2%	153	42%
Forest	6,033	20%	6,294	21%	5,911	20%	-122	-2%
Recreational	898	3%	934	3%	938	3%	41	5%
Developed	9,505	32%	11,241	37%	12,344	41%	2,839	30%
Water	503	2%	506	2%	557	2%	54	11%
Wetlands	5,466	18%	5,236	17%	4,809	16%	-657	-12%

While there has been additional development since 2012 such additional development would not significantly change the figures presented in Table 6. Nonetheless the following developments are noted:

- The Summerfields development in the northwesterly portion of the Township is shown on Figure 6 (2012) as a combination of developed, barren (under development) and agricultural. That development is nearing completion and the land cover (with the exception of the wetlands which remains) would be mapped as developed.
- The portion of the Avalon Somerset development at the corner of Easton/ Demott shown on Figure 13 (2012) as barren (as it was under construction at the time) would now be mapped as developed.

Figure 5: Land Use/ Land Cover (2002)

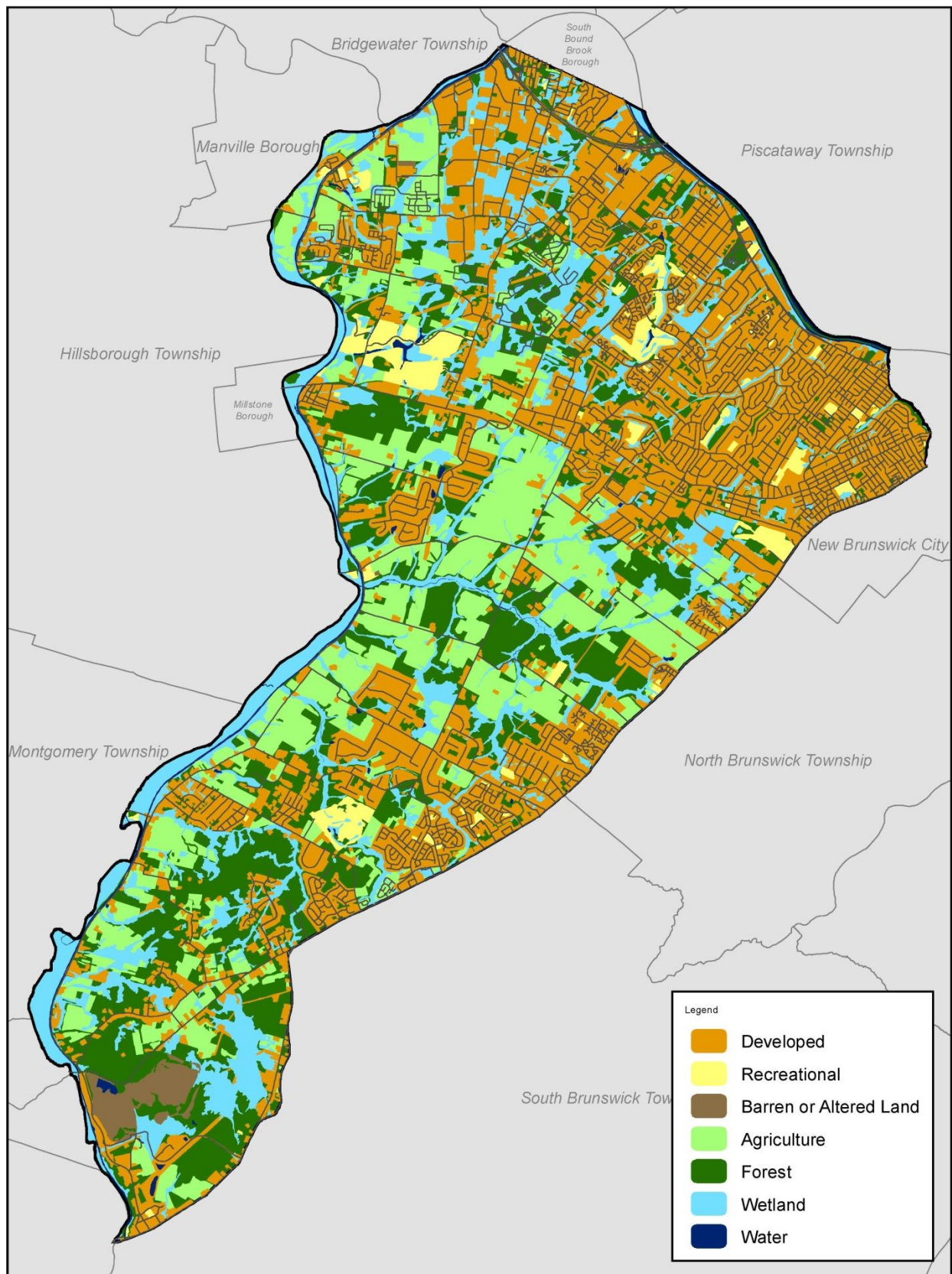


Figure 6: Land Use/ Land Cover (2012)

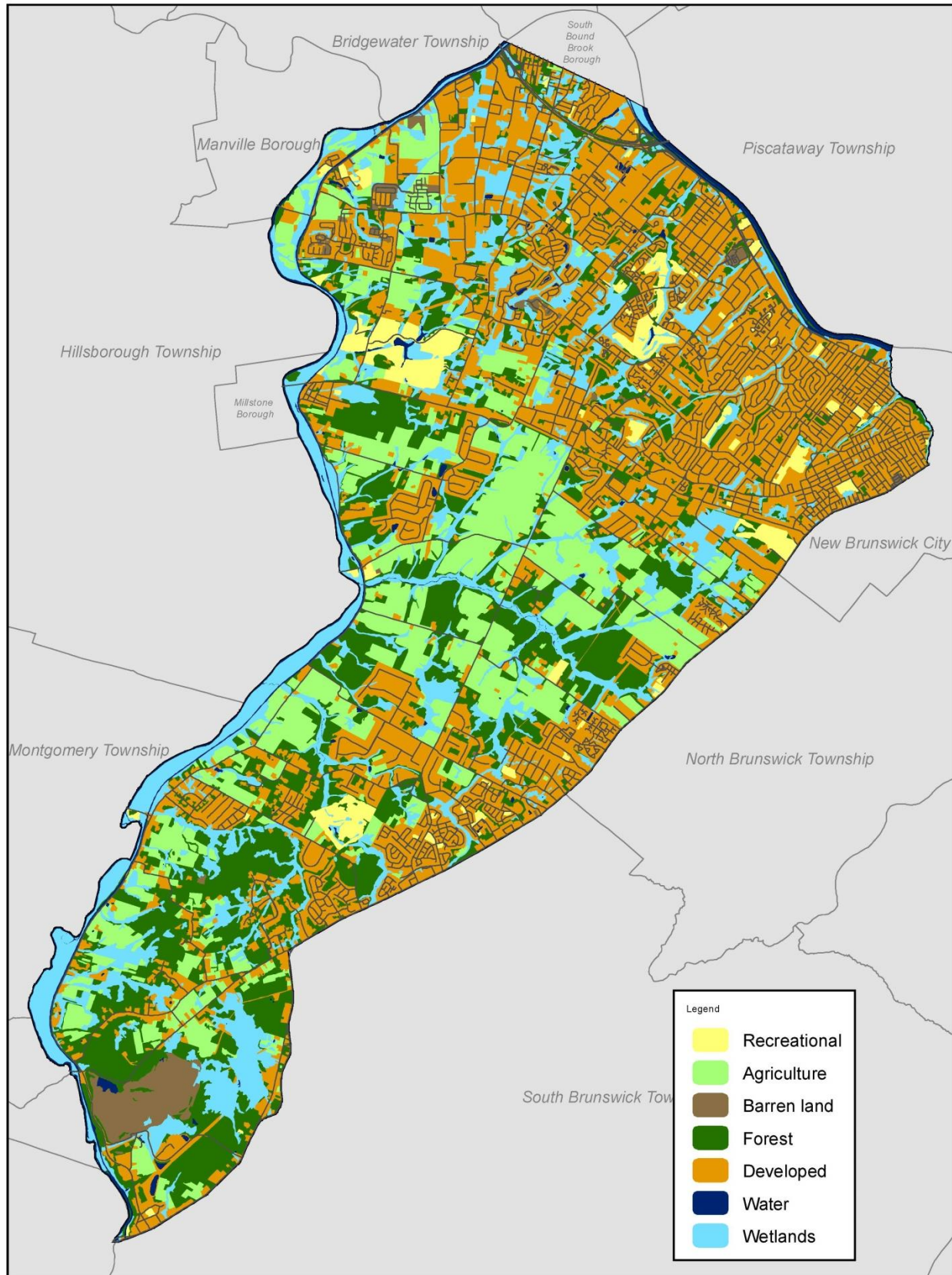
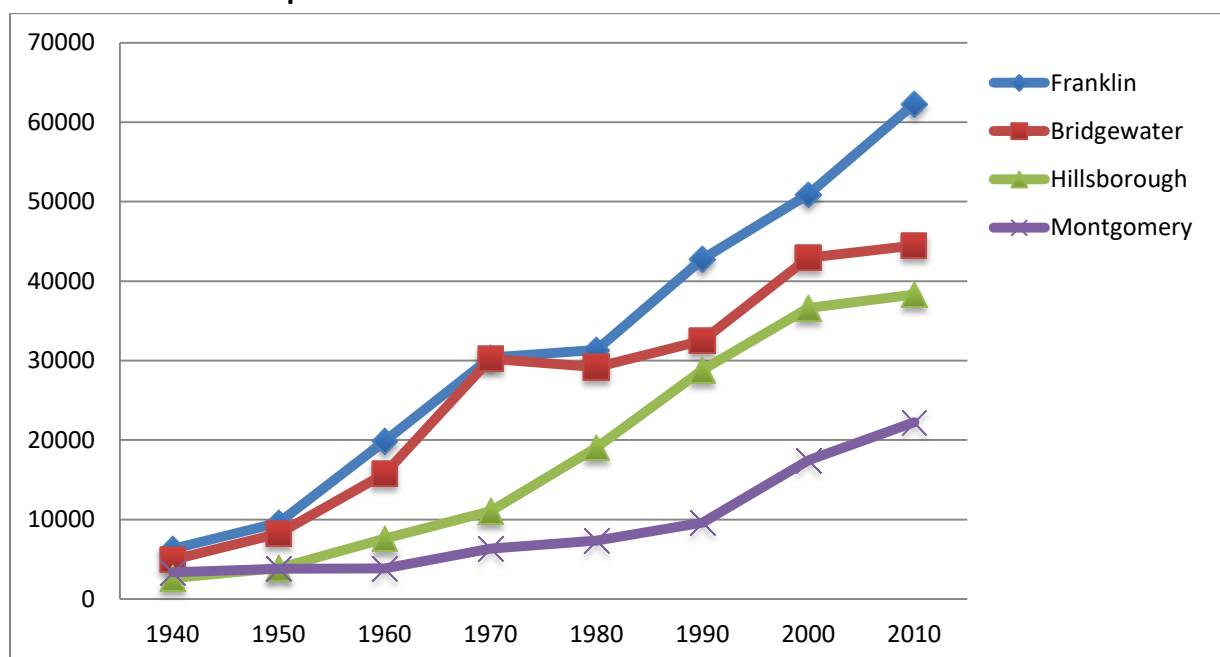


Figure 7 below shows the growth in population in Franklin Township as well as selected surrounding communities from 1940 through the last census. The figure shows the tremendous post World War II population boom in these Somerset County communities. In fact, the population of Somerset County more than doubled between 1950 and 1970. This population growth was attributed to a number of factors including government incentives encouraging construction of single-family homes, the construction of Interstate and regional highways, and the availability of large amounts of inexpensive land. While development was largely stagnant through the 1970s, the 1980s and 1990s saw substantial growth in all of these communities (and Somerset County as a whole). Post 2000, Franklin Township continued to experience population growth. The Township population increased by another 11,000 persons between 2000 and 2010 to 62,300 according to the 2010 Census.

Figure 7: Population Growth in Franklin Township & Selected Surrounding Municipalities



Source: County of Somerset Comprehensive Farmland Preservation Plan Update (2007) and 2010 Census

The table below shows trend in residential certificates of occupancy during the year 2001 – 2015 timeframe. As one can see, the Township experienced significant residential growth. The vast majority of this growth is attributed to the development of several age-restricted developments in the northwest quadrant of the Township. The Township may experience some additional residential growth in the next few years in the areas of the Township that are currently serviced by public water and sewer. Such development, however, will not take place in areas of the Township contemplated for farmland preservation.

Table 7: Franklin Residential Development Trends

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Number of units	222	88	120	163	148	280	462	214	239	432	83

Source: NJ Department of Community Affairs (last updated April 2018)

E. Sewer Service Areas/ Public Water Supply Service Areas

Comparison of the existing sewer service area to the Township Zoning Map reveals that the sewer service area within the Township correlates highly to the Township's non-residential, multi-family residential, higher-density single-family zones (1-acre per unit or denser) and certain cluster developments. Conversely, areas planned to remain less dense (i.e., those zones that permit less than 1 unit per acre) are not served by sewer. The sole notable exceptions to the above consist of the following:

- Sanitary sewer service was extended within the last 20 years to serve the Griggstown and Sunset Hill neighborhoods located off of Bunker Hill Road. These neighborhoods were originally built with summer residences and pre-date the Township’s zoning ordinance (1958). Sanitary sewer was extended to these neighborhoods to mitigate existing malfunctioning septic systems (and the health and environmental impacts that might result), not to induce growth. The infrastructure (e.g., the capacity of the sewer mains and pumps) was carefully sized to meet the sewerage needs of these two, existing neighborhoods only and do not allow for further development/ effluent.
- The Quail Farm on Bunker Hill Road was added to the sewer service area to address environmental issues. The infrastructure was carefully sized to meet the sewerage needs of the existing operation and do not allow for further development/ effluent.

The areas of the Township currently within the sewer service area are shown in Figure 9. As indicated above, these areas correlate highly with the Township's non-residential, multi-family residential, higher- density single-family zones (1-acre per unit or denser) , while areas planned to remain less dense (i.e., those zones that permit less than 1 unit per acre) are not within the future sewer service area.

As the provision of sewer service significantly increases development pressure and significantly increases potential intensity of development, it is critical that the Township carefully restrict the expansion of the sewer service area into areas of the Township that are inappropriate and/or unsuitable for more intensive development.

The areas of the Township that are served by public water service are also shown on Figure 9. Water systems are classified as community or non-community systems. Community water systems

contain no less than 15 service connections used by year round residents, or regularly serve at least 25 year round residents. Examples include municipal systems and mobile home community systems. The Franklin Township Department of Public Works supplies public community water to the majority of the Township residents. The remaining portion of municipal residences (>25%) utilize private individual wells.

Similar to public sewer the provision of public water increases development pressure and increases potential intensity of development. Therefore, it is critical that the Township carefully restrict the expansion of public water into areas of the Township that are inappropriate and/or unsuitable for more intensive development.

Figure 11 shows the location of targeted farms in relation to the Sewer Service Area and the areas served by public water. As shown on Figure 11, targeted farms are located in areas of the Township that are not served by such public infrastructure. This, coupled with the corresponding very low density zoning of such areas, demonstrates the Township’s intention to keep such areas at rural densities consistent with farming.

F. Municipal Master Plan and Zoning – Overview

1. General Lot Size Categories and Distribution throughout the Township

The table below shows the breakdown of zoning densities throughout the Township, in terms of small lots (less than 1 acre minimum); medium lots (1 to 5 acres minimum); large lots (5 to 10 acres minimum); and very large lots (over 10 acre minimum). The table demonstrates the diversity of housing and landscapes within the Township - i.e., while a significant portion of the Township is comprised of higher density housing densities (i.e., more than a 11,000 acres) at densities greater than 1 unit/ acre), an even greater amount of land (i.e., more than a 18,000 acres) is comprised of lands devoted to rural densities (with the vast majority at densities of less than 1 unit/ 5 acres). The areas comprised of higher density housing correlate with the sewer service area, while areas with rural densities are located outside of sewer service areas. Figure 8 shows the location of the zoning districts within the Township.

Table 8: Franklin Township Zoning Densities

Less than 1 acre per unit	1 to <5 acres per unit	5 to 10 acres per unit
11,296 ac.	2,885 ac.	15,476 ac.

Source: County of Somerset Comprehensive Farmland Preservation Plan Update

- a. *Small lots (less than 1-acre minimum lots on sewer/water) or greater density.* The following zoning districts within Franklin Township fall within this category:
 - The following single-family zones: R-40; R-20; R-15; R-10; R-10A, R-10B; R-7; and R-F
 - The following townhouse/ multifamily/ age-restricted zones: C-R; SCV; PAC; CMR; MFR; PRC; I-P; and ISL
 - The following mixed-use zones: HSBD and CMMU

- b. *Medium lots (>1 < 5 acre minimum; septic/well)*. The following zoning districts within Franklin Township fall within this category:
- Rural Residential (RR-3) Zone: 3 acre minimum
- c. *Large lots (> 5 < 10 acre minimum; septic/well)*. The following zoning districts within Franklin Township fall within this category:
- Agricultural (A) Zone: 6 acre minimum
 - Canal Preservation (CP) Zone: 6 acre minimum
 - Rural Residential (RR-5) Zone: 5 acre minimum
- d. *Very large lots (> 10 acre minimum; septic/well)*. No zoning district within Franklin requires lot greater than 10 acres in size. However, lots greater than 10 acres in size are prevalent in the rural areas of the Township.

2. Description of Innovative Planning Techniques.

- a. *Cluster Zoning and Lot Size Averaging*. The Township's development regulations have been very successful in preserving agriculture and open space while managing a significant amount of growth. In this way, development in the more rural areas of the Township have not simply consumed massive amounts of agricultural land but has actually led to the permanent preservation of open space. None of the techniques described are mandatory. However, as demonstrated below, the techniques have been successful by virtue of the flexibility offered to developers, potential infrastructure cost savings and, in some cases, an incentive in the form of a density bonus. The following techniques are available in the Township's development regulations towards open space preservation, farmland preservation and agricultural retention:

- *Lot Size Averaging*. Lot size averaging is available in the C-P, RR-5 and RR-3 Districts. In the RR-5 and C-P Districts the lot size averaging provisions allow a reduction in lot size down to 3 acres. Lot size averaging is also an available option in the RR-3 district, on minimum tracts of 20 acres, and allows a reduction in lot size to 2 acres. The overall density shall be no greater than ordinarily permitted and the "excess land" created by the clustering shall be deed restricted from further development.
- *NRPC Cluster Option*. The Natural Resource Preservation Cluster (NRPC) Option is available in the R-40, RR-3, RR-5 and A zoning districts and may be applied to contiguous or non-contiguous tracts of land.

The purpose of the NRPC Cluster Option is to recognize, preserve and protect certain defined natural resources and to preserve an environment for the continuance of viable agricultural and horticultural uses; preserve open space to serve environmental, scenic, and public service purposes, promote imaginative, well-designed residential subdivisions; and respect the physical and socioeconomic qualities of the land. The

NRPC Cluster Option permits an even far greater degree of flexibility than the lot size averaging technique described above. In order to utilize this technique, however, a minimum of 40% of the tract shall be preserved. Agricultural retention (in addition to preservation of sensitive environmental features) is cited as a purpose and use of the NRPC Cluster Option.

The NRPC Cluster Option has been used to preserve a total of 19 parcels comprising 684 acres of land. These lands comprise a significant proportion of the Township's stock of open space and is scattered in the agricultural heart of the Township generally between Jacques Lane and Butler Road. All of the tillable acres of this land is leased to tenant farmers for agricultural use.

The NRPC R-40 Cluster Option has been used on various development proposals to preserve another 5 parcels comprising 158 acres of environmentally-sensitive lands.

- *Agricultural Cluster Option.* The Agricultural Cluster Option is available within the A, C-R, RR-5, RR-3 and R-40 zones. It is permitted on contiguous tracts over 200 acres in size and requires a 50% set-aside (for a one-hundred acre farm). A rather significant reduction in lot size is permitted in order to accommodate for the 50% set-aside. In addition, a density bonus is permitted in order to encourage the set-aside of large farms.

The Agricultural Cluster (AC) Cluster Option has been used to preserve a total of 6 parcels comprising 256 acres of land. These lands are now owned by Rutgers University for agricultural preservation and silviculture research.

b. *Transfer of Development Rights.* The Township currently does not have a TDR program.

3. Description of the Buffer Requirements that Separate Agricultural Uses from Other Land Uses

There are currently no provisions for a required buffer area between agricultural uses and non-agricultural uses. The Township does, however, subscribe to the Right-to Farm Act and promotes and encourages agricultural uses and the rights afforded farmers through the act.

4. Discussion of Development Pressures and Land Value Trends

The Township has experienced steady non-residential growth over the last few years consisting of: light industrial, office and similar uses along Veronica Avenue and in the northwest quadrant of the Township near I-287; and various retail developments along the Elizabeth Avenue corridor, Route 27 and Pierce Street. It is anticipated that future development and redevelopment will occur along the Hamilton Street corridor and in the Township's Redevelopment Area along Somerset Street.

Figure 8: Zoning

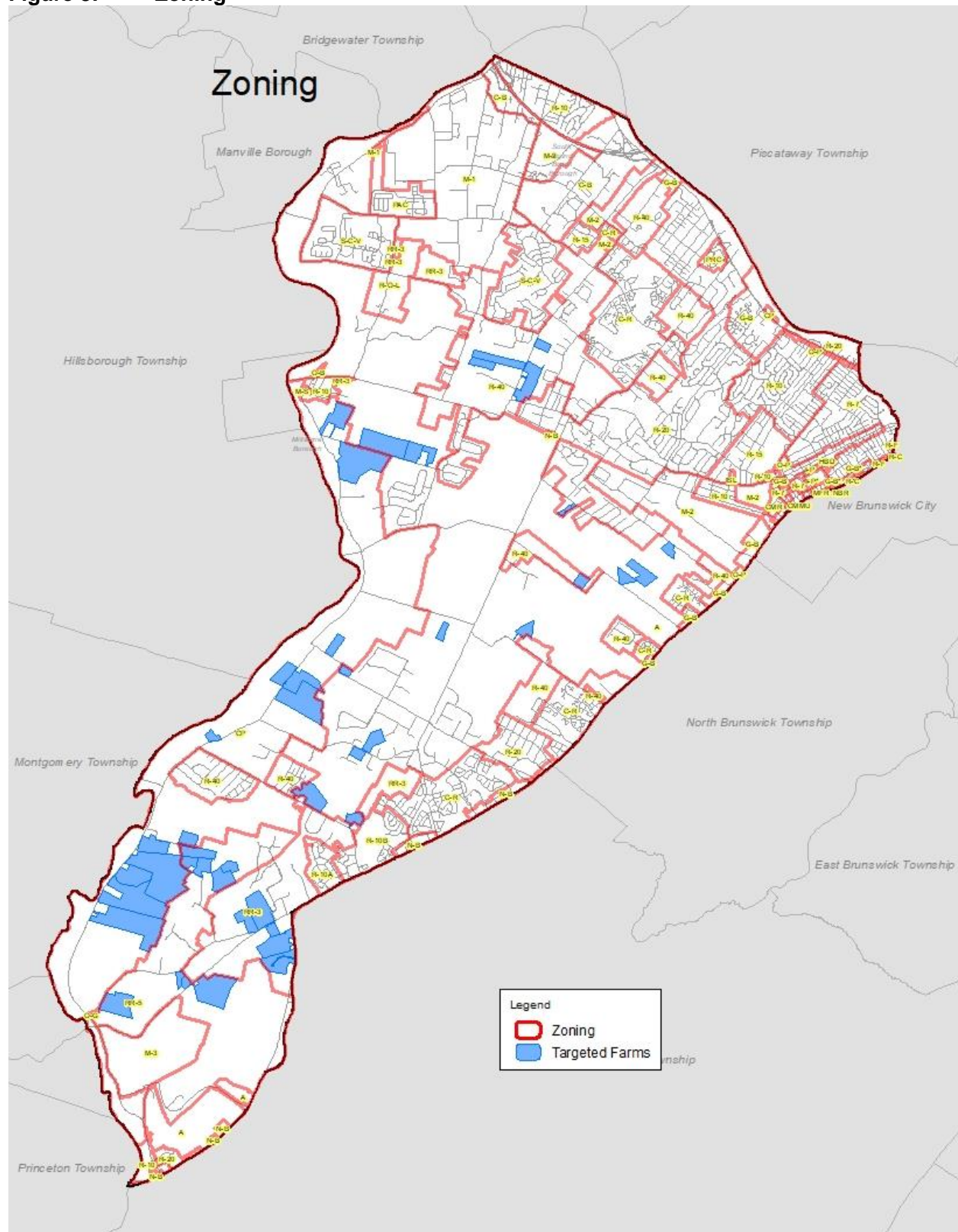
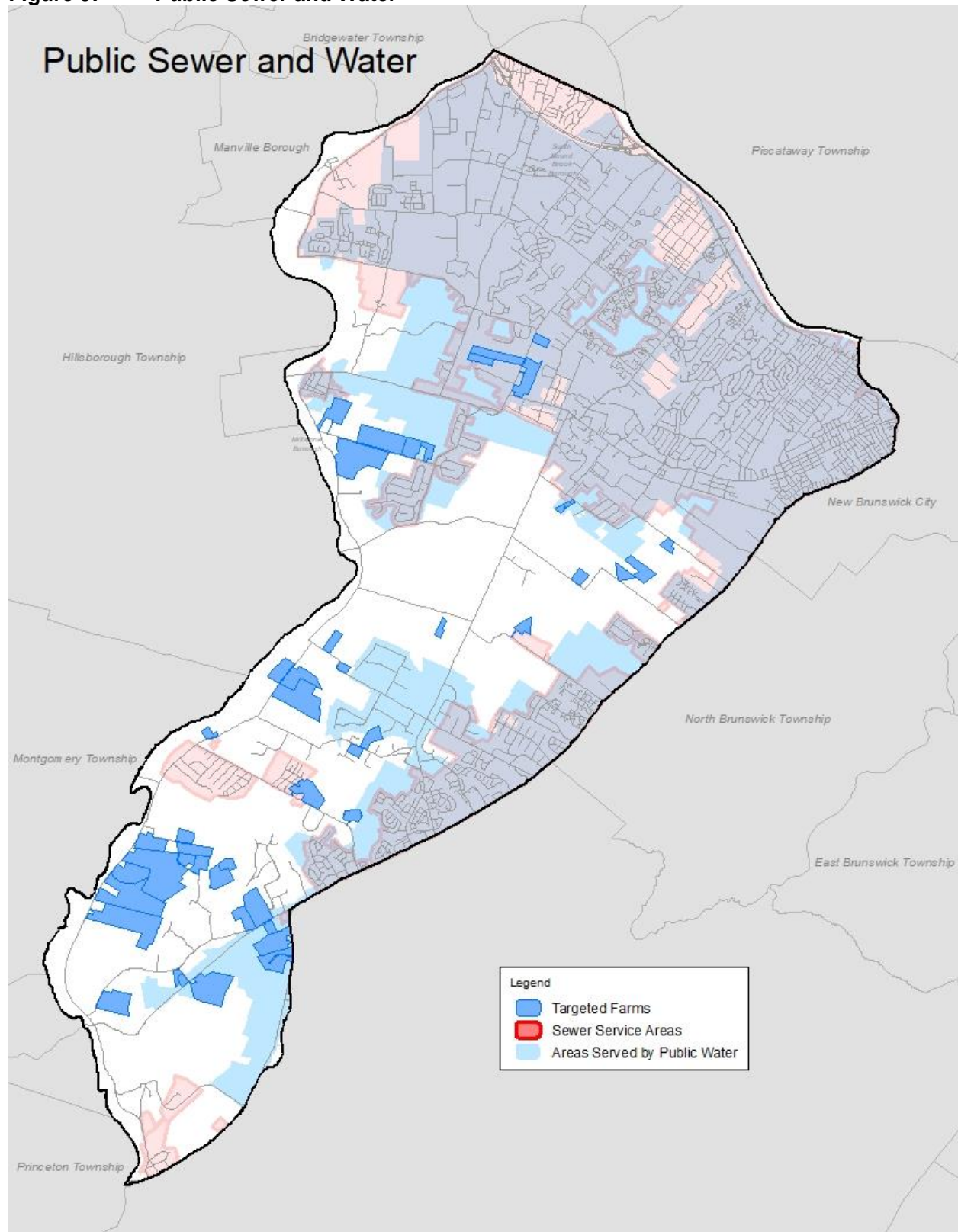


Figure 9: Public Sewer and Water



The table below provides statistics of trends in undeveloped land values in different in zoning districts in the Township’s two PIG planning areas.

Table 10: Undeveloped Easement Land Values by Zoning District

	R-40	RR-3	RR-5	CP	A
Estimated cost per acre of development rights	\$34,000	\$17,000	\$15,000	\$14,000	\$14,000

Note: All values are approximate. Value of individual properties based on property-specific appraisals

G. Discussion of Municipal and Regional TDR Opportunities

Transfer of Development Rights (TDR) is a planning and preservation tool used to protect agricultural, historic or environmental resources while accommodating the needs of development. TDR is a realty transfer mechanism permitting owners of preservation area land to separate the development rights of their property from the property itself and sell them for use elsewhere. Developers who purchase these “development credits” may then develop areas deemed appropriate for growth at densities higher than otherwise permitted. Once the development rights of a property are sold the land will permanently restricted from further development. TDR is an equity protection mechanism that, unlike traditional zoning, enables preservation area landowners to be compensated for reductions in development potential. When well-designed, TDR can provide benefits to landowners, developers and municipalities.

There are currently three TDR programs in place on the State level, (1) through the State TDR Program (2) in the NJ Pinelands and (3) through the Highlands regulations. The Somerset County Farmland Plan states that the New Jersey State Transfer of Development Rights Act (N.J.S.A. 40:55D-140) authorizes the transfer of development rights by municipalities and outlines procedures to adopt or amend a TDR ordinance.

The Township has not considered TDR opportunities. It is not likely that the Township would consider participation in a TDR program at this time due to the complexities involved. The Township is not located in the Pinelands or Highlands areas, thus those programs are not available in the Township.

IV. Franklin's Farmland Preservation Program – Overview

A. County Agricultural Development Areas

An Agricultural Development Area (ADA) is a defined area of land that has been identified by the County Agricultural Development Board as having the potential for long-term agricultural viability. The Somerset County Farmland Preservation Plan identifies a number of such areas within the County. The Millstone Valley ADA falls within Franklin Township and mostly aligns with the PIG Project Areas shown on Figure 11. All of the targeted farms shown on Figure 11 fall within the Millstone Valley ADA. It should be noted that farmland preservation applications must be within the ADA to be eligible for County and State funding.

Somerset County tries to ensure the long-term viability of agriculture when selecting ADA areas. In order for the County to designate an ADA, the following criteria must be met:

- Land is currently in agricultural production or has strong potential for agricultural production or is farm assessed through a woodland management plan.
- Agriculture is the preferred but not necessarily the exclusive use.
- Agriculture is a use permitted by current municipal zoning ordinance or is allowed as a nonconforming use.

The Somerset County Agriculture Development Board serves as a County Agricultural Development Board to municipalities included in the *Somerset County Comprehensive Farmland Preservation Plan*. The County Planning Incentive Grant program does not necessarily require that Township applications correlate with County plans beyond targeting farms in the ADA.

B. Farmland Preserved to Date by Program

Franklin Township has been an active participant in the State Farmland Preservation Program administered by either the State or Somerset County. Additionally, the Township has preserved several farms on its own through its Municipal Direct Purchase program. This is a program whereby the Township, utilizing funds from the Open Space Trust Fund, has a farm appraised in accordance with SADC appraiser guidelines, then enters into a contract for the sale of the development rights and then purchases an easement on the farm). The easement utilized is modeled after the SADC municipal PIG easement, except that the Township holds the easement. The municipality may, at some later date within 3 years from the time of easement purchase, apply to the SADC for an amendment to its PIG grant to add these farms to the targeted farm list and then seek reimbursement for a portion of the costs from the SADC (NJAC 2:76-6.5g). Currently, there are a total of 1,223.12 farmland acres currently preserved. The development rights for these properties have been purchased, leaving the land in private ownership to continue in agricultural use. The preserved farms are shown on Figure 2. Table 11 identifies each preserved farm by program.

Figure 10: County Agricultural Development Areas

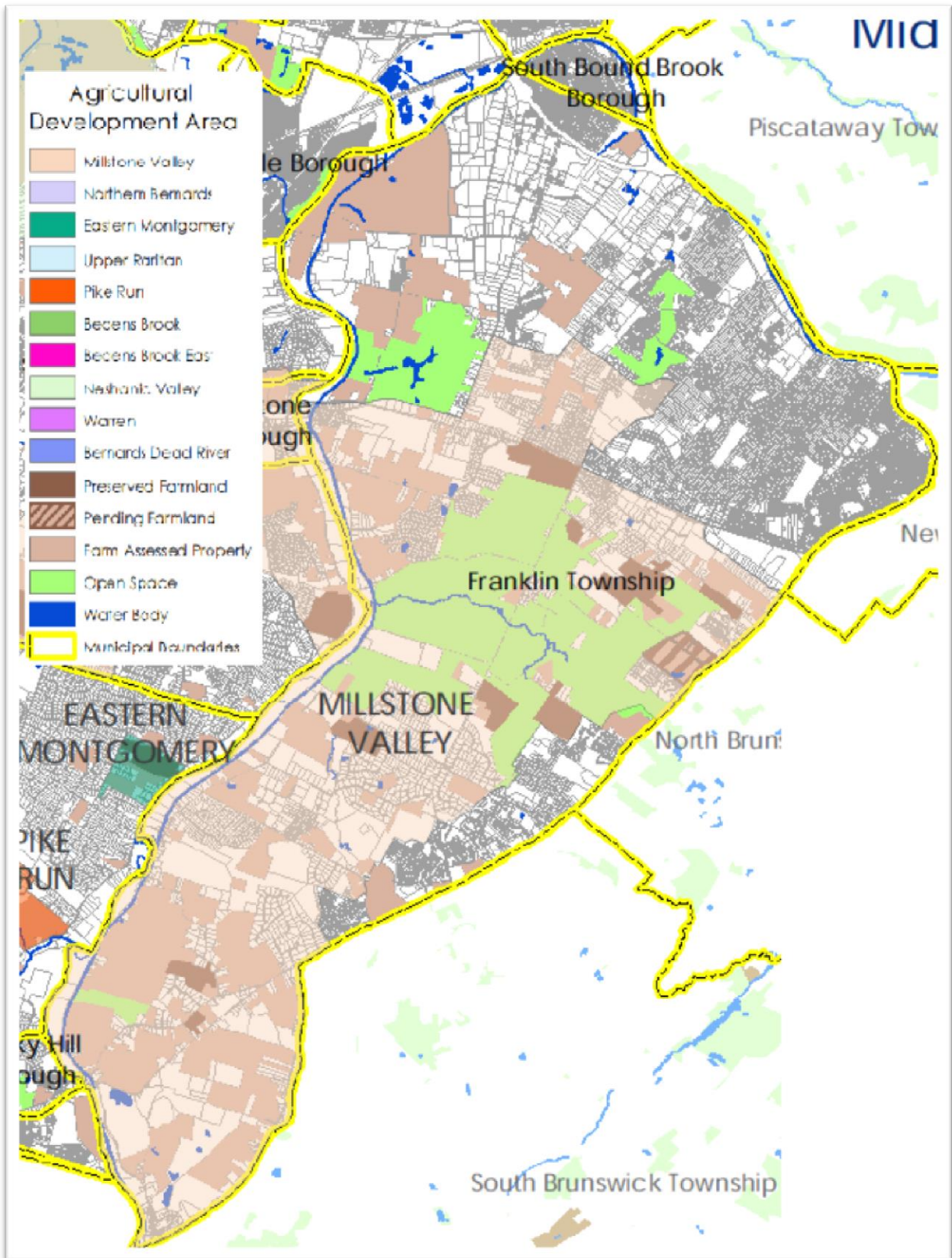
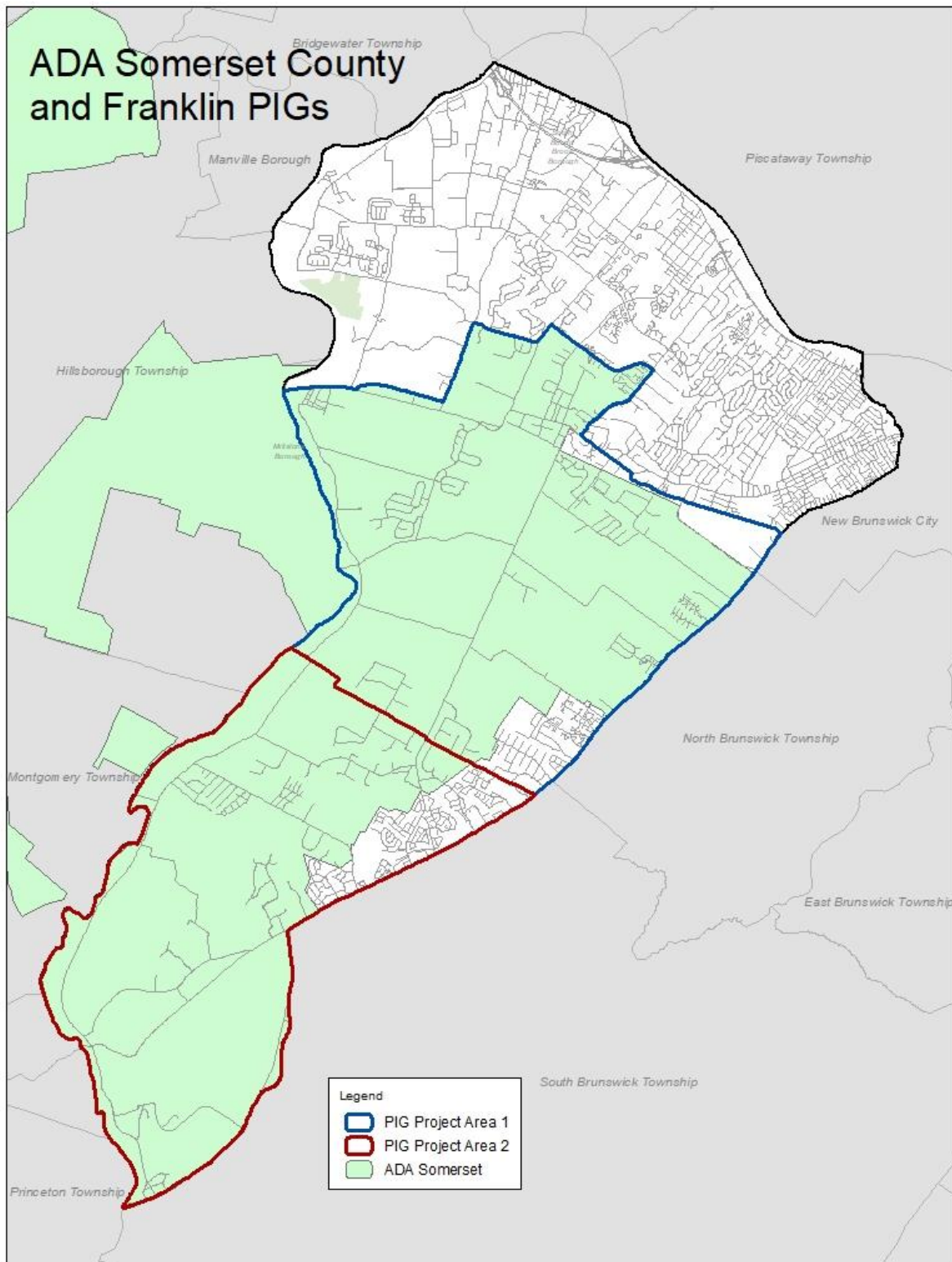


Figure 11: County's ADA with Franklin Township's PIG Project Areas



1. County Easement Purchase

County Easement Purchases involve the sale of farmland development rights to the county by the landowner. By selling their development rights to the county, the landowner agrees to restrict their land to agricultural use. The landowner still retains ownership of his or her farm and can sell it on the open market at any time, but the land is deed-restricted, in perpetuity, for agricultural use.

To be eligible for the County Easement Purchase program, a landowner must complete an application. In the past, these applications were distributed once a year, with the County Planning Incentive Grant program there is no longer an annual application date for the County Easement Purchase program. Following review of the application and site visit by the Somerset CADB are two independent appraisals, both appraisals determine the fair market “free” value and the “restricted” agricultural value. The difference between these two is the price of the farm’s “development rights,” also known as the easement value. This is the price that the State offers to the landowner, and if this price is accepted, the county “has title work and a survey done for farms receiving final state, county and municipal approvals, and then schedules a closing.” The landowner still retains ownership of his or her farm and can sell it on the open market at any time, but the land is deed-restricted, in perpetuity, for agricultural use. The SADC’s rules require that Counties either choose between continuing to participate in this traditional County program or elect to participate in the County Planning Incentive Grant program. Somerset has elected to do the latter, so the traditional County easement program will not be available in the future. Rather, the County will consider applications from its target farms for its Planning Incentive Grant program that is currently in development.

2. County Planning Incentive Grants

The County Planning Incentive Grants (PIGs) program is intended to protect and preserve large pieces of contiguous farmland through the purchase of development easements. In order to qualify for PIGs, the County must create an agricultural advisory board (the County Agriculture Development Board or CADB), develop a comprehensive farmland preservation plan, and must also maintain a dedicated funding source to purchase development easements. Participating counties are eligible for block grants and access to competitive funding from the SADC towards acquiring easements on their priority farms. In order to be eligible for farmland preservation through the County PIG’s, a farm must correlate with the County’s comprehensive farmland preservation plans. Under this program, typically 60% of the funding comes from SADC and 40% from the County. A complete version of SADC policy is addressed in detail on page 67.

3. Municipal Planning Incentive Grants

The Municipal Planning Incentive Grants (PIG’s), like the County PIG’s program, have similar requirements. Municipal PIG’s require the adoption of a Farmland Preservation Plan, a right to farm ordinance, an Agricultural Advisory Board, a dedicated source of funding for farmland preservation and a standing commitment for preserving farmland. Municipal Planning Incentive Grants must target farms that are within the corresponding County’s ADA. Grants for a municipal

PIG are provided by the SADC to purchase development easements. As identified in this Plan, the Township has identified farms for future preservation efforts. These targets will continue to be updated as farmer interest changes and farms are either preserved or removed for ineligibility. SADC typically provides matching funding (60%), Somerset County provides matching funding (20%) and the municipality provides matching funding (20%), as part of a municipal PIG, as long as its minimum criteria are met. In some cases, the funding provided by the State may be less than 60%, and County funding may not be included at all. The funding structure depends on many aspects of the application in question.

4. Municipal Direct Easement Purchase

Another option for farmland preservation is the Municipal Direct Easement Program. The Township directly purchases development easements from landowners. By participating in this program, the landowner still retains ownership of their land, but agrees to restrict land use to agricultural purposes. The Direct Easement Program does not receive monetary contributions from the County or State. The Municipal Direct Easement Program has successfully preserved 323 acres of farmland in Franklin.

5. SADC Direct Easement Purchase

A fifth option for farmland preservation is the SADC Direct Easement Program. The SADC directly purchases development easements from landowners. Landowners do not have to be within an ADA if they are making an application directly to the State. In most cases, the State will pay up to 100% of the certified appraised easement value in the direct easement purchase program. By participating in this program, the landowner still retains ownership of their land, but agrees to restrict land use to agricultural purposes. The Direct Easement Program does not usually receive monetary contributions from the County. The State Direct program has successfully preserved 215 acres of farmland in Franklin. As with the County program, Franklin and its consultants have assisted interested landowners in applying to and navigating through the program.

6. SADC Fee Simple

The SADC fee simple acquisition program involves an entire property being purchased directly by the state. The SADC pays the survey and title costs, the landowner is exempt from paying rollback taxes for farmland assessment and the transaction can be completed in a matter of months. The SADC negotiates a purchase price subject to recommendations of two independent appraisers and review by a state review appraiser. The land becomes restricted so that it becomes permanently preserved for agriculture. In this type of acquisition, the landowner does not retain any rights. The deed restricted property is then resold at auction, the SADC does not retain ownership. To qualify to participate in this program, the farmland must be within an ADA and be eligible for Farmland Assessment. To date, no Franklin farms have been sold to the Fee Simple program.

7. Non-Profit Grant Programs

The State Agriculture Development Committee (SADC) provides grants to nonprofit organizations to fund up to 50 percent of the fee simple or development easement values on farms to ensure their permanent preservation. Nonprofit organizations should apply to the SADC. Notice of available funds will be published in the New Jersey Register. Applications must be submitted within 90 days of that notice. Nonprofit groups also must publish a notice that an application has been filed and notify the municipality and county agriculture development board. The SADC reviews and ranks applications based on the following criteria: percentage of high-quality soils; percentage of tillable acres; suitable boundaries and buffers, such as other nearby preserved farms and open space; the local commitment to agriculture (e.g., right to farm ordinances, community financial support); size of the farm; agricultural density of the area, and imminence of development. The SADC certifies a development easement or fee simple.

8. Transfer of Development Rights

Transfer of Development Rights (TDR) is a municipal planning and preservation tool used to protect agricultural, historic or environmental resources while accommodating the needs of development.

TDR is a realty transfer mechanism permitting owners of preservation area land to separate the development rights of their property from the property itself and sell them for use elsewhere. Developers who purchase these “development credits” may then develop areas deemed appropriate for growth at densities higher than otherwise permitted. Once the development rights of a property are sold the land will be permanently restricted from further development.

TDR is an equity protection mechanism that, unlike traditional zoning, enables preservation area landowners to be compensated for reductions in development potential. When well-designed, TDR can provide benefits to landowners, developers and municipalities.

The Township has not considered TDR opportunities. The Township is not located in the Pinelands or Highlands areas; thus those programs are not available in the Township.

9. Other programs and Partnerships

Significant swaths of farmland have been preserved through other mechanisms besides the Farmland Preservation Programs, listed above. Most notably, lands preserved through the State, County and Township open space preservation programs are leased for agricultural use. As addressed above, in total, 2,566 acres of such land within the Township are leased to farmers. The Township leases a number of sites to farmers, totaling 676 acres, with all of these lands consisting of permanently-preserved open space. The County leases a number of sites, totaling 81 acres of County open space for farming. However, the vast majority of the public lands leased for farming is done so by the State with 1,765 acres within the Six Mile Run and the Delaware & Raritan Canal State Parks.

C. Consistency with SADC Strategic Targeting Project

The purpose of the SADC Strategic Targeting Project is to prioritize farmland to be preserved by targeting farms for preservation based on specific criteria, including the prioritization of prime and statewide soils in agricultural production outside sewer service areas. According to the SADC, the Strategic Targeting Project has three primary goals. These are as follows:

- The coordination of farmland preservation and retention of agricultural practices “with proactive planning initiatives.”
- To update and create maps which serve as a tool for more accurate preservation targets.
- To coordinate different preservation efforts, such as open space, with farmland preservation.

Through the use of the Strategic Targeting Program, the SADC hopes to more efficiently target and designate farmland for preservation and, by doing so, boost the State’s agricultural industry. Franklin Township has identified target farms that meet the SADC primary goals (Figure 11). In addition, the Township continues to update all available information, through GIS, statistical data and the like, in order to maintain a data base of potential target farms for preservation efforts.

Preserving Franklin Township’s targeted farms is consistent with the foundation of the Agricultural Smart Growth Plan of the State Agriculture Development Committee’s Strategic Targeting Project, which encourages county agriculture development boards and county planning boards to: adopt comprehensive farmland preservation plans that identify and inventory existing farmland; coordinate efforts to sustain the agricultural community within municipal and regional master plans, and generally promote the expansion of agriculture as an industry that is key to their region and New Jersey’s economy.

Somerset County and Franklin Township also coordinate many efforts through consultation between the County CADB and the Township AAC, primarily through the services of the Township’s PIG coordinator. Currently the PIG coordinator is the Township’s Land Preservation Consultant. Matters that require coordination include: landowner outreach; farmland preservation application processing; cost-share determination; trail planning; conservation subdivisions; habitat preservation; and historical preservation. Additionally, the Township’s Open Space Advisory Committee has a member of the township’s Agricultural Advisory Committee that has a permanent seat on the OSAC. As a result, the AAC has input into township parkland and open space development.

D. Eight Year Programs

The 8-Year Farmland Preservation Program is a temporary farmland preservation option that includes a cost sharing programs for soil and water conservation projects. Landowners receive a 50% cost sharing match for projects and gain protection against emergency energy and water restrictions and eminent domain. The landowner must sign an agreement that restricts the land to agricultural use for eight years. A farm must be located within an ADA to qualify for the program.

The Baumley farm (Block 20.02, Lot 48 (6.07 acres) and Block 20.02, Lot 49 (78.33 acres), on Hans Voje Drive, was participating in the eight-year program option of the State Farmland Preservation Program. The owner of this property became eligible for low interest financing to fund the installation of a drip irrigation system by committing the property to agricultural use for at least eight years. This eight-year program expired in October 2007 and the landowner did not continue in the eight-year program. There are no farms in the Township that have been preserved using this program.

E. Coordination with Municipal and County Open Space Preservation Initiatives

Coordination between the County and the Township results in large contiguous portions of land being preserved. These areas, called greenways, or greenbelts, are specifically identified in both the County Park Master plan and the Township's Open Space and Recreation Plan (OSRP).

The Township's open space and farmland preservation efforts are closely coordinated. The Township's Land Preservation Consultant oversees all aspects of the Township's open space and farm preservation programs and serves as consultant to both the Township's Open Space Advisory Committee and the Agricultural Advisory Committee. Further, the Township's Open Space Advisory Committee has a permanent seat dedicated to a member of the Agricultural Advisory Committee.

The following areas of open space emphasis identified within the Township's open space plan are compatible with the Township's farmland preservation efforts:

- *Canal Preservation / Millstone Valley Area* - The Canal Preservation / Millstone Valley Area is located along the D&R Canal on the western border of the Township. The Area identified for preservation by the State as part of the Green Acres State Acquisition Project area. The main project initiative is to connect the D&R Canal Greenway into a system of greenways within the region. The County identifies the Area as the Millstone River Valley Initiative in its 2000 Open Space, Parks and Recreation Plan.
- *Kingston / Griggstown Preserve* - The Kingston / Griggstown Preserve is located in the southern portion of the Township. It includes one of the largest contiguous areas of woodlands remaining in the Township and includes large areas of sensitive environmental features.
- *Village greenbelts* - Village greenbelts have formed around the historic villages in the Township, including Kingston, Griggstown, East Millstone, and Middlebush. The Plan recommends that these greenbelts, plus an area around Franklin Park, are worthy of protection in order to preserve the historic settlement patterns of the Township.
- *Agricultural Preservation Area* - The Agricultural Preservation Area would link Six Mile Run Reservoir Site's state lands with the Village of Zarephath to the north in order to make farming a viable practice in the area. Zarephath Village is part of the Preservation Area.

- *State and County Lands Preservation* - The Plan indicates that land adjacent to State and County-owned land should be preserved to expand upon existing open space/recreational land.
- *Scenic Resources* - The Plan also indicates a number of scenic resources that are worthy of acquisition. Many of these resources have either been preserved by the Township or County since the time of the report, such as the Catalpa property, or have been approved for development, such as the Canal Walk properties.

The Open Space Plan also describes a variety of farmland protection measures other than financial that should be explored, such a cluster subdivisions, greenway plans, best management practices, scenic corridor plans, riparian buffer plans and historic and village preservation plans. Many techniques can serve to protect the historic agricultural community within the Township.

Franklin Township supports the use of partnerships and/or funding from more than one agency to leverage farmland preservation dollars. These “hybrid” projects are an opportunity to use traditional open space funds, where appropriate, to help preserve farm properties, especially where those properties are a mixture of cropland and woodland areas. The use of Green Acres funding, local open space funds and nonprofit grant funds are becoming increasingly important for the preservation of agricultural landscapes. Franklin Township has successfully implemented a number of hybrid projects that seek to protect a property’s individual and unique resources.

F. Farmland Preservation Program Funding Expended to Date by Source

A total of \$37,337,987 has been expended to date in municipal, State, County and Federal funds to preserve 1,223.12 acres of farmland within Franklin Township as part of the farmland preservation program.

Table12: Farmland Preserved to Date by Funding Source

Year	Site	Address	Acres	Purchase Price	Township	SADC	Somerset Co.	Federal Grant
1991	Rajos/Nemeth	586 S Middlebush	75.95	\$476,217		\$295,905	\$180,312	
1993	Madden	117 Suydam Rd	84.1	\$671,512		\$402,907	\$268,605	
1997	Battin	289 Bennetts Lane	108.91	\$959,740		\$623,831	\$335,909	
1998	Peacos	11 & 41 Coppermine Rd	65.4	\$418,062		\$271,740	\$146,322	
2001	Meadow Glen Estates	Courtelyous Ln.	56.62	\$2,802,331	\$1,120,987	\$1,681,344		
2005	Cichowski	Bennetts Lane	37.83	\$658,774	\$123,655	\$411,464	\$123,655	

Year	Site	Address	Acres	Purchase Price	Township	SADC	Somerset Co.	Federal Grant
2005	Marshall	Courtelyous Ln.	32.05	\$1,129,201	\$230,446	\$668,309	\$230,446	
2005	Galdi	S. Middlebush Rd.	69.29	\$2,558,225	\$420,078	\$1,212,049	\$421,078	\$505,020
2006	Harris	277 Bennetts Ln	17.5	\$462,270	\$184,908	\$277,362		
2006	Middlebush Farms	Bennetts Lane	21.57	\$917,953	\$217,450	\$483,053	\$217,450	
2006	Julius Kiss	Rt. 518	9.06	\$306,911	\$61,382	\$184,147	\$61,382	
2006	Kathleen Kiss	Rt. 518	8.5	\$293,801	\$58,760	\$176,281	\$58,760	
2006	Perrin	106 Cortelyous Ln	6.95	\$216,269	\$86,508	\$129,761		
2007	Anderson, Wegner	1930 Amwell Rd.	57.42	\$3,854,167	\$1,387,629	\$1,847,372	\$619,166	
2007	Madden	59 Old Georgetown Rd.	18.31	\$510,945	\$510,945			
2007	Lake	Cedar Grove Ln.	28.56	\$645,888	\$258,355	\$387,533		
2007	Riya	S. Middlebush Rd.	19.02	\$816,480	\$326,592	\$489,888		
2008	Chrin	Old Georgetown Rd	85.57	\$2,459,231	\$2,459,231			
2008	Suydam	Skillman Lane	141.06	\$12,422,010	\$6,139,229	\$4,282,781	\$2,000,000	
2008	Griggstown Quail Farm	Canal Rd & Bunker Hill	73.81	\$1,813,000		\$1,813,000		
2009	Pagano	191 Bennetts Lane	7.19	\$521,234	\$521,234			
2009	Jackson, Holz, Shields	2072 Amwell Road	16.77	\$997,710	\$997,710			
2009	Randolph	25 & 33 Grouser Rd	17.29	\$544,425	\$544,425			
2009	Feibel-Smith	28 Old Georgetown Rd	22.67	\$545,490	\$545,490			
2010	Duchai	455 Canal Rd.	14.65	\$336,141	\$336,141			
2015	Higgins	121 Laurel Ave	38.1	donated				
<i>Total</i>			1,223.12	\$37,337,987	\$16,531,155	\$15,638,727	\$4,663,085	\$505,020

G. Monitoring of Preserved Farmland

Monitoring of farmland easements is done, annually, by the holder of the easement. Accordingly, land preserved through the SADC's Direct Easement Program is monitored by the SADC; land preserved through the County Direct Easement or the County PIG program is monitored by the County; and land preserved through the municipal PIG program is generally monitored by the County, if county funding was provided toward the easement purchase, or by the SADC if no county funding was provided. In the event that the Township suspects a violation of the terms of the easement, the Township will notify the easement holder. Monitoring of easements that were

purchased by the Township is a priority. The Township's land preservation consultant manages the monitoring program.

H. Coordination with TDR Programs

The Township has not considered TDR opportunities. It is not likely that the Township would consider participation in a TDR program at this time due to the complexities involved. The Township is not located in the Pinelands or Highlands areas, thus those programs are not available in the Township.

V. Future Farmland Preservation Program

A. Preservation Goals (1, 5 and 10 year acreage targets)

Franklin Township remains committed to the preservation of agriculture and the rural character of the community. Revenue from the open space trust fund will continue to be used for agricultural preservation purposes, preferably as part of a financing package partnering with other public entities and non-profits. By leveraging the local tax monies in this manner the Township will be in the most favorable position to protect and preserve the remaining farmland. The 10-year acreage target corresponds to the 1,462 acres of targeted farms identified in this plan.

The preservation goals of this plan area are as follows:

- 1-year acreage target: 146 acres
- 5-year acreage target: 731 acres
- 10-year acreage target: 1,462 acres

B. Project Area Summaries

Project Area 1 includes most of the agricultural lands in the central portion of the Township. Project Area 2 includes all lands in the southern portion of the township. Figure 11 illustrates the two "Project Areas." PIG Area 1 is 10,095 acres in area while PIG Area 2 is 8,837 acres in size. The total for PIG 1 and PIG 2 is 18,932 acres.

The Township has targeted those farms that represent productive, viable farms, with the resources available to support them. Focusing on preservation will result in a sustainable supply of agricultural land for farming to continue into the future. Table 13 identifies each of the targeted farms and identifies the respective PIG Project Area. The table also assigns a "Target Farm #" to each target farm. Figure 11 identifies each target farm by number.

The PIG Project Areas:

- Contains all of the targeted farms
- Correspond to the Rural Planning Area and Rural/ Environmentally Sensitive Planning Area on the State Plan Policy Map
- Contain all farms within the County ADA
- With the exception of a small area extending north of Amwell Road, are located outside of areas currently served by public sewer and public water and outside of approved Sewer Service Area
- With the exception of a small area extending north of Amwell Road (which is within the R-40 zone) are located within very low density zoning districts consistent with agriculture: Agricultural (A) Zone; Canal Preservation (CP) Zone; Rural Residential (RR-3) Zone; and Rural Residential (RR-5) Zone.

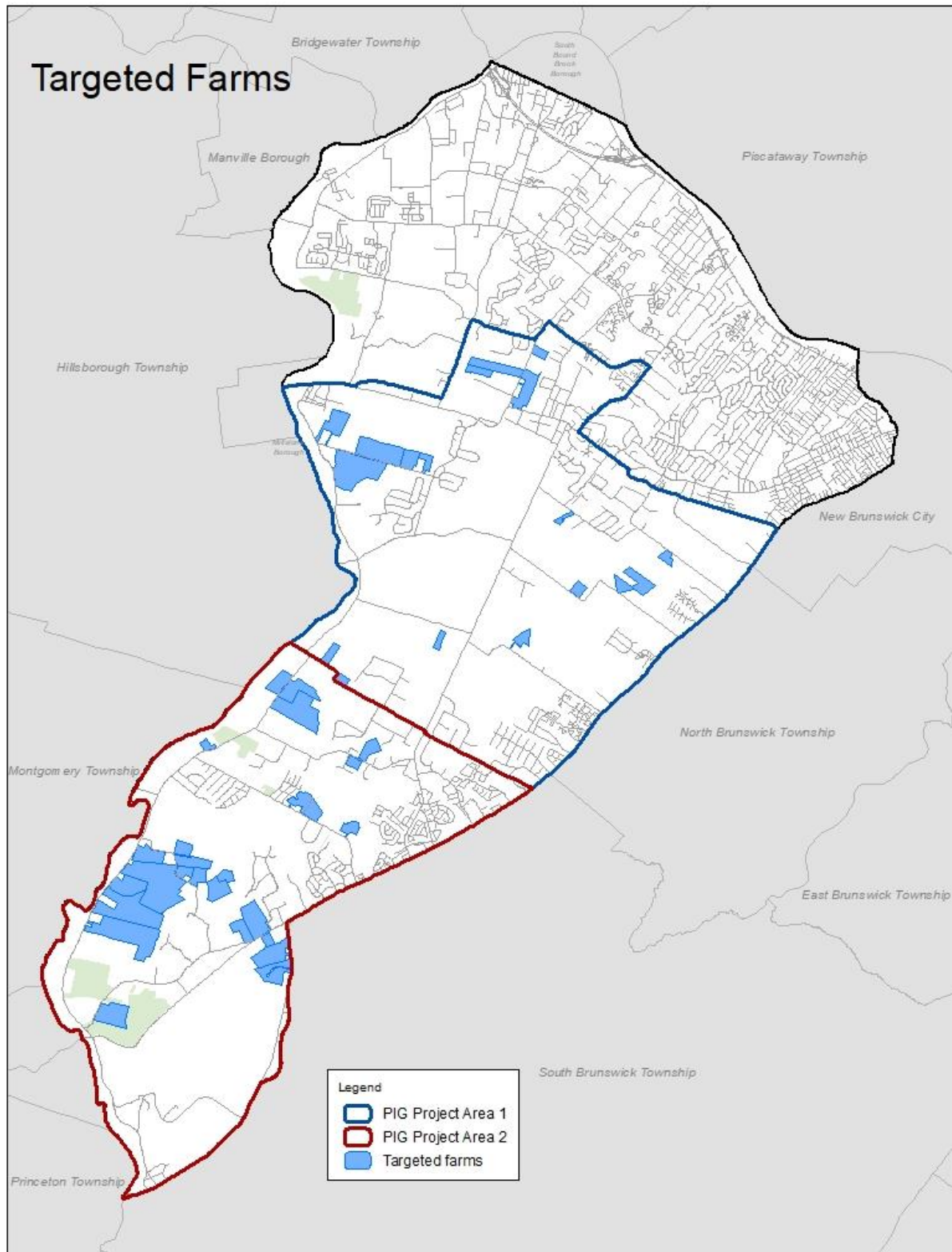
- Contain several thousands of acres of preserved open space, preserved farms, farm assessed properties and open space properties leased for farming.

Table 13: Targeted Farms

Block	Lot	Acres	PIG Project Area
59.01	3.03	103.8	1
73.01	64.01	11.6	1
73.01	66, 67	21.8	1
73.01	68	66.8	1
85	62.03	12.6	1
85	63.01	26.5	1
423.01	1.01	40.2	1
423.01	16	10.2	1
508.02	11	31.8	1
508.02	13.01	14.9	1
85	29, 30	9.7	1
85	15.05 - 15.08	6.1	1
73.01	1.17, 1.20, 1.07	36.3	1
57.01	65.01, 65.03	14.0	1
85	2, 3	11.8	1
36.01	5.02	8.2	1
36.01	16.02	15.1	1
36.01	15	7.4	1
19	25.02, 28	8.4	2
11.01	62	16.5	2
11.01	49	25.9	2
11.01	48	13.3	2
11.01	41	11.8	2
5.02	47, 48, 49	9.5	2
5.02	58	47.2	2
5.02	61.01 - 61.09	39.0	2
11.01	21.01	50.6	2
11.01	22.01	22.2	2
8	7	47.7	2
20.02	19.01, 19.02	14.3	2
33.01	11.01	19.9	2
20.02	6	10.1	2
9	10.02, 11.03, 44	113.7	2
9	13.01	109.2	2
9	14	42.7	2
9	16	148.6	2

Block	Lot	Acres	PIG Project Area
9	20.01	32.2	2
11.01	40	29.7	2
11.01	46	18.3	2
19	36	23.9	2
20.02	23.09	39.8	2
33.01	16	82.9	2
33.01	17	35.8	2
Total		1,462	

Figure 12: Targeted Farms



C. Municipal and County Minimum Eligibility Criteria Coordination

When participation in the SADC and/or CADB program(s) is anticipated Franklin Township uses the same minimum eligibility criteria as the State. The State regulations (N.J.A.C. 2:76-6.20) set a minimum eligibility criteria that all farms participating in farmland preservation must satisfy. The criteria differentiate between farms that are less than or equal to 10 acres in size and farms that are greater than 10 acres in size.

§ 2:76-6.20 Minimum eligibility criteria

- (a) All lands from which a development easement is acquired and all lands purchased in fee simple title pursuant to section 24 of P.L. 1983, c. 32 (N.J.S.A. 4:1C-31), section 5 of P.L. 1988, c. 4 (N.J.S.A. 4:1C-31.1), section 1 of P.L. 1989, c. 28 (N.J.S.A. 4:1C-38), section 1 of P.L. 1999, c. 180 (N.J.S.A. 4:1C-43.1), or sections 37 through 40 of P.L. 1999, c. 152 (N.J.S.A. 13:8C-37 through 40) shall at a minimum satisfy the following criteria:
1. For lands less than or equal to 10 acres, the land must meet the criteria in (a)1i, ii, iii and iv, or (a)1v below.
 - i. The land produces agricultural or horticultural products of at least \$ 2,500 annually;
 - ii. At least 75 percent of the land is tillable or a minimum of five acres, whichever is less;
 - iii. At least 75 percent of the land, or a minimum of five acres, whichever is less, consists of soils that are capable of supporting agricultural or horticultural production; and
 - iv. The land must exhibit development potential based on a finding that all of the following standards are met:
 - (1) 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;
 - (2) Where the purported development value of the land depends on the potential to provide access for additional development, the municipal zoning ordinances allowing further subdivision of the land must be verified. If access is only available pursuant to an easement, the easement must specify that further subdivision of the land is possible. To the extent that this potential access is subject to ordinances such as those governing allowable subdivisions, common driveways and shared access, these facts must be confirmed in writing by the municipal zoning officer or planner;
 - (3) The land shall not contain more than 80 percent soils classified as freshwater or modified agricultural wetlands according to the New Jersey Department of Environmental Protection (DEP) wetlands maps. If the DEP wetlands maps are in dispute, further investigation and onsite analysis may be conducted by a certified licensed engineer or qualified wetlands consultant and/or a letter of interpretation issued by the New Jersey Department of Environmental Protection, may be secured and used to provide a more accurate assessment of the site conditions, provided, however, that nothing herein shall require the Committee to conduct such additional investigation; and
 - (4) The land shall not contain more than 80 percent soils with slopes in excess of 15 percent as identified on a USDA, Natural Resources Conservation Service SSURGO version 2.2 or newer soils map; or
 - v. The land is eligible for allocation of development credits pursuant to a transfer of development potential program authorized and duly adopted by law including development credits authorized pursuant to the Pinelands Comprehensive Management Plan and authorized rules.
 - vi. For evaluation purposes, the term "tillable" means lands that are classified as cropland harvested, cropland pastured and permanent pasture for farmland assessment purposes.

- (1) "Cropland harvested" means land from which a crop was harvested in the current year. Cropland harvested shall include land under structures utilized for agricultural or horticultural production.
 - (2) "Cropland pastured" means land which can be and often is used to produce crops, but its maximum income may not be realized in a particular year. This includes land that is fallow or in cover crops as part of a rotational program.
 - (3) "Permanent pasture" means land that is not cultivated because its maximum economic potential is realized from grazing or as part of erosion control programs. Animals may or may not be part of the farm operation.
2. For lands greater than 10 acres, the land must meet the criteria in (a)2i, ii and iii, or (a)2iv.
 - i. At least 50 percent of the land, or a minimum of 25 acres, whichever is less, is tillable;
 - ii. At least 50 percent of the land, or a minimum of 25 acres, whichever is less, consists of soils that are capable of supporting agricultural or horticultural production; and
 - iii. The land must exhibit development potential based on a finding that all of the following standards are met:
 - (1) 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;
 - (2) Where the purported development value of the land depends on the potential to provide access for additional development, the municipal zoning ordinances allowing further subdivision of the land must be verified. If access is only available pursuant to an easement, the easement must specify that further subdivision of the land is possible. To the extent that this potential access is subject to ordinances such as those governing allowable subdivisions, common driveways and shared access, these facts must be confirmed in writing by the municipal zoning officer or planner.
 - (3) Land that is less than 25 acres in size shall not contain more than 80 percent soils classified as freshwater or modified agricultural wetlands according to the New Jersey Department of Environmental Protection (DEP) wetlands maps. If the DEP wetlands maps are in dispute, further investigation and onsite analysis may be conducted by a certified licensed engineer or qualified wetlands consultant and/or a letter of interpretation issued by the New Jersey Department of Environmental Protection, may be secured and used to provide a more accurate assessment of the site conditions, provided, however, that nothing herein shall require the Committee to conduct such additional investigation; and
 - (4) Land that is less than 25 acres in size shall not contain more than 80 percent soils with slopes in excess of 15 percent as identified on a USDA, Natural Resources Conservation Service SSURGO version 2.2 or newer soils map; or
 - iv. The land is eligible for allocation of development credits pursuant to a transfer of development potential program authorized and duly adopted by law including development credits authorized pursuant to the Pinelands Comprehensive Management Plan and authorized rules.
 - v. For evaluation purposes, the term "tillable" means lands that are classified as cropland harvested, cropland pastured and permanent pasture for farmland assessment purposes.
 - (1) "Cropland harvested" means land from which a crop was harvested in the current year. Cropland harvested shall include land under structures utilized for agricultural or horticultural production.
 - (2) "Cropland pastured" means land which can be and often is used to produce crops, but its maximum income may not be realized in a particular year. This includes land that is fallow or in cover crops as part of a rotational program.
 - (3) "Permanent pasture" means land that is not cultivated because its maximum economic potential is realized from grazing or as part of erosion control programs. Animals may or may not be part of the farm operation.

- (b) Lands that do not meet the minimum eligibility criteria are not eligible for a State cost share grant for farmland preservation purposes.
- (c) No application being reviewed by the Committee for permanent farmland preservation purposes shall be eligible to be considered in more than one program at any time.
- (d) If a landowner rejects an offer for an amount equal to or greater than the certified market value, the Committee shall not accept for processing any application for the sale of a development easement, or for sale of land in fee simple, pursuant to the planning incentive grant program or any other farmland preservation program authorized pursuant to N.J.S.A. 4:1C-11 et seq., or 13:1C-1 et seq. for two years from the date that the application for a sale of the development easement was originally submitted to the Committee. This provision applies only to an application from the same landowner for the same farm property.

Franklin Township views the farmland preservation program as dynamic. It is understood that farmland preservation candidates may not rigidly conform to the eligibility criteria identified in the State regulations. Where the Township wishes to pursue a farm not meeting SADC minimum eligibility requirements, it does so without State or County funding. Factors and circumstances that may be considered by Franklin Township in requesting/granting waivers from the minimum criteria would include the quality of soils that are capable of supporting agricultural or horticultural production and the character and viability of agricultural operations that may be threatened by development. Other circumstances that may warrant a waiver from the strict application of the minimum eligibility requirements may include consideration of the potential detrimental impact on the ADA of the development/conversion of farmland to nonfarm use.

When the Municipal Direct Easement Purchase program is anticipated for a particular property, the Township will use the following criteria:

- The State regulations (N.J.A.C. 2:76-6.20) will be used as a guide including but necessarily limited to:
 - the degree of existing and potential agricultural or horticultural production;
 - the overall size, tillable acreage of the parcel, and extent of farmland productive soils; and
 - the extent of development potential including zoning, wetlands, and steep slopes.
- The following additional criteria will be considered:
 - the proximity of the parcel to nearby preserved farmland and/or open space (i.e., would preservation serve to connect preserved land, fill in a “gap” in preserved land area, and/or serve to preserve the rural nature of an area);
 - preservation would serve to protect a rural or scenic vista;
 - does the farm have some characteristic that speaks to the Township's farming history; and
 - extent of development threat.

D. Municipal and County Ranking Criteria Used to Prioritize Farms

The Township AAC has adopted the ranking criteria discussed herein for prioritization of farms. The AAC generally considers farm preservation applications on a first-come, first-served basis. Because of this, each farm is ranked at the time that the application is received. If the Township is ever in a

situation where there is insufficient funds to preserve all applications received, then the ranking criteria will be utilized to prioritize projects. The Township's ranking criteria follows SADC's adopted Criteria for evaluating development easement applications that is found at N.J.A.C 2:76-6.16.

§ 2:76-6.16 Criteria for evaluating development easement applications

- (a) The evaluation shall be based on the merits of the individual application and the application's contribution to its respective project area. The weight factor assigned to each criterion identifies the relative importance of the specific criterion in relation to the other criteria.
- (b) The criteria listed in (c), (d), (e), (f), (g), and (h) below shall be combined to demonstrate the degree to which the purchase would encourage the survivability of the municipally approved program in productive agriculture.
- (c) The soil quality criterion (weight 15) is as follows:
 1. Priority will be given to soils which exhibit superior quality, require minimal maintenance and have a greater potential for long term viability for a variety of agricultural purposes.
 2. Factors to be considered are as follows:
 - i. Prime soils identified by the U.S.D.A., Soil Conservation Service;
 - ii. Soils of Statewide importance as identified by the New Jersey Department of Agriculture, State Soil Conservation Committee; and
 - iii. Other soils which are specifically suited for the production of specialty crops and are being used or intended to be used for that purpose.
- (d) The tillable acres criterion (weight 15) is as follows:
 1. Priority will be given to the proportion of the land that is deemed tillable.
 2. Factors to be considered and deemed to be tillable will be lands devoted to cropland harvested, cropland pastured and permanent pasture. For purposes of evaluating these factors, the following terms shall have the following meanings:
 - i. "Cropland harvested" means land from which a crop was harvested in the current year. Cropland harvested shall include the land under structures utilized for agricultural or horticultural production.
 - ii. "Cropland pastured" means land which can be and often is used to produce crops, but its maximum income may not be realized in a particular year. This includes land that is fallow or in cover crops as part of a rotational program.
 - iii. "Permanent pasture" means land that is not cultivated because its maximum economic potential is realized from grazing or as part of erosion control programs. Animals may or may not be part of the farm operation.
- (e) The boundaries and buffers criterion (weight 20) is as follows:
 1. Priority will be given to the greatest proportion of boundaries with buffers which help protect the integrity of the individual application and/or project area from conflicting nonagricultural uses.
 2. Factors to be considered are as follows:
 - i. The type and quality of buffers, including:
 - (1) Compatible uses as follows:
 - (A) Deed restricted farmland (permanent);
 - (B) Deed restricted wildlife areas;
 - (C) Eight year programs;
 - (D) Farmland (unrestricted);
 - (E) Streams (perennial) and wetlands;
 - (F) Parks (limited public access);
 - (G) Parks (high use);
 - (H) Military installations;
 - (I) Highways (limited access);
 - (J) Golf course (public); and
 - (K) Other compatible buffers.

- (2) Conflicting uses as follows:
 - (A) Residential; and
 - (B) Other;
 - (3) Negative consideration:
 - (A) Exceptions which adversely affect the applicant's agricultural operation (weight 10); and
 - ii. Percentage of boundaries buffering the individual application.
- (f) The local commitment criterion (weight 20) is as follows:
 - 1. Priority will be given where municipal and county land use regulations and policies support the long term viability of the agricultural industry.
 - 2. Factors to be considered are as follows:
 - i. Zoning ordinances and densities which discourage conflicting nonagricultural development;
 - ii. Absence of sewer or other growth leading infrastructure;
 - iii. Consistency with municipal, county, state and regional plans;
 - iv. Municipal commitment to actively participate in the Agriculture Retention and Development Program;
 - v. Right to farm and other ordinances supporting agriculture; and
 - vi. Community financial support for the project area.
- (g) The size and density criterion (weight 20) is as follows:
 - 1. Priority will be given to larger masses with higher density of the lands dedicated to farmland preservation.
 - 2. Factors to be considered are as follows:
 - i. The size of the individual application;
 - ii. The size of the individual application in relation to the average farm size in the respective county; and
 - iii. The density of the individual application in relation to the project area. Density shall be recognized as the reasonable contiguity, within one-half mile, of lands encompassed by development easement purchase applications, development easements purchased, other permanently deed restricted farmlands, farmland preservation programs and municipally approved programs.
- (h) The board's highest ranked application (weight 10) will be given priority consideration to recognize local factors which encourage the degree to which the purchase would encourage the survivability of the municipally approved program in productive agriculture and degree of imminence of change of the land from productive agriculture to nonagricultural use.
- (i) Factors which determine the degree of imminence of change of the land from productive agriculture to nonagricultural use criterion (weight 10) are as follows:
 - 1. Priority will be given to minimizing the negative impacts caused by the imminent conversion of agricultural land to a nonagricultural use.
 - 2. Factors to be considered are as follows:
 - i. The degree of imminence of change; and
 - ii. The impact of the conversion.

According to the Somerset County Plan, the County also evaluates an applications based on parcel size, contiguous farmland and if the farm is of local importance or has historic significance. The County might also take into consideration farms that may be a unique agricultural operation.

E. Municipal and County Policies Related to Farmland Preservation Applications

The Township abides by the SADC's policies, including those regarding housing opportunities, division of premises and approval of exceptions. The Somerset County Comprehensive Farmland Preservation Plan provided a brief summary of the state policies for each of these issues:

Approval of Housing Opportunities

The Farmland Advisory Committee advises that the Township should seek to limit additional housing opportunities beyond those existing at the time of application wherever possible, except that vacant farms should provide for future farm house site so that they remain viable farms in the future. In cases where multiple house sites are requested, farm size should be considered. Limits to the size of future houses should be requested in all cases, though participation should not be excluded in cases where current landowner is not willing to place such limits.

Agricultural labor housing: Agricultural labor housing is not currently considered a protected activity under the Right-to-Farm Act in the State of New Jersey. However, the State Agricultural Development Committee understands the need for this type of housing and does have a policy that a landowner may refer to in order to construct labor housing. These applications require review and approval by the SADC and CADB unless a state held easement acquired through the Direct Easement Program. The Farmland Advisory Committee advises that the Township should allow agricultural labor housing where necessary, but generally recommends that it be provided for in buildings already in existence on the farm where possible, such as above a barn or in an existing gate house, caretakers' cottage, or guest or rental unit so as not to increase the total Floor Area Ratio, or detract from the scenic landscape.

House replacement: The policy of the State Agricultural Development Committee on house replacement is that requests for replacement of a residence on permanently preserved land must be reviewed and approved on an individual basis by the CADB and the SADC. However, for agricultural labor, house replacement and division state held easements only need SADC approval. The Farmland Advisory Committee does not seek to establish policies that might restrict house replacement – they should continue to be considered on a case-by-case basis by the SADC, though Acts of God replacement of houses in the same location should be automatically approved by SADC. Replacement dwellings would be subject to local ordinance regulations, and landowners would be encouraged to located dwellings in a manner that does not conflict with agricultural operations. The Township will work with the County and the SADC to minimize impacts to agricultural operations.

Residual dwelling site opportunity allocation: Residual Dwelling Site Opportunities (RDSOs) are lingering potential housing prospects located within a deed-restricted farm. By designating an area as an RDSO, the landowner is implying that the land will be used for a residential unit or other structure as referred to in N.J.A.C. 2:76-6.17. RSDOs are only allocated at the time of preservation. These prospective residential units can be allocated to parcels that are over 100 acres in size, at a

maximum rate of up to one RDSO per 100 acres (including existing houses). The purpose of the building in question must be for “single-family residential housing and its appurtenant uses.” To qualify as an RDSO, the SADC requires that the use of the residential unit be for agricultural purposes and “at least one person residing in the residential unit shall be regularly engaged in common farm site practices.” The Farmland Advisory Committee feels that the provision for an RDSO can enhance the economic viability of a productive farm and assist farmers that are aging in place in keeping their farm in agricultural production by allowing younger farmers to reside on the farm. Additionally, the RDSO can be used to assist the farmer in transferring ownership of the farm over to the next generation farmer who may be insufficiently capitalized to buy an active agricultural operation. However, RDSO’s should be made sufficiently flexible to permit occupants and/or widows/widowers living in an RDSO residence to age in place.

Division of the Premises

The goal of the State Agriculture Development Committee is to preserve large tracts of farmland and, therefore, a division of the premises is not an encouraged practice. A landowner wishing to divide permanently preserved farmland must submit a written request. The application must be approved, in writing, by both the State Agriculture Development Committee and the CADB. The AAC recommends that division of premises should be carefully considered and should be limited to situations where there is no negative impact on the agricultural resources. Such divisions should continue to be subject to SADC review and approval on a case by case basis. Divisions must be for an agricultural purpose and result in viable farm parcels.

Approval of Exception

Exceptions are defined by the SADC as “acres within a farm being preserved” which are “not subject to the terms of the deed of easement.” When an exception is made, the landowner does not receive any compensation in the excepted area. Exceptions are not a practice that is encouraged by the SADC and, when they occur, it is recommended that they should be as small as possible. There are two types of exceptions that can occur; severable and non-severable.

Severable: A severable exception is defined by the SADC as an “area which is part of an existing Block and Lot owned by the applicant which will be excluded from the restrictions of the Deed of Easement and may be sold as a separate lot in the future.” A severable exception is made “if a landowner wants to be able to sell the excepted area separate from the deed-restricted farm.”

Non-severable: Non-severable exceptions are defined by the SADC as “areas which are part of an existing Block and Lot owned by the application that will not be subject to the restrictions of the Deed of Easement but cannot be sold separately from the remaining premises.” Unlike a severable exception, a nonseverable exception is “always attached to the protected farm.” Exceptions made to farmland have the potential to impact the value of the property. When an appraisal occurs, both severable and non-severable exceptions are considered in the determination of the restricted/ after value of the property.” The AAC agrees that landowners should be encouraged to limit the size and location of nonseverable exceptions such that their impact on natural and agricultural resources is limited. Generally they should be limited to one exception per farm unless current circumstances and

uses make additional exceptions appropriate, such as: An existing residence and an existing non-agricultural use are located too far from each other to be included in the same exception; or a particularly large farm owned by multiple family members or farm partners makes multiple housing opportunities/exception areas appropriate).

F. Funding Plan

1. Description of Municipal and County Funding Sources

Funding for preservation comes from several sources including the municipal open space tax, State funding (Green Acres & SADC), County funds, non-profit funds and partnerships with conservation buyers.

On November 3, 1998 Franklin Township voters approved a referendum recommending a 3-cent per 100 dollars assessed property value tax to generate funds to be used for open space purposes. The ordinance to implement the referendum was adopted on January 4, 1999 and specifically addresses farmland preservation as identified in its title "Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund" (commonly referred to as the Open Space Trust Fund or OSTF). There also was a question on the November 2000 ballot asking the voters if the tax should be increased to 5 cents per 100 dollars assessed property value and that was approved. This dedicated tax raises roughly \$4.5 million each year. The Township uses this money to pay down old debt and to purchase new properties (open space and farmland). Currently there is approximately 15 million left in the OSTF.

The Township is also committed to utilizing revenues from its open space tax to serve as seed money for alternative grants and loans, and to partner with other governmental entities and non-profits. Consideration will also be given to any alternative appropriate funding mechanism, many of which are outlined in the Franklin Township Recreation and Open Space Plan. The plan details various funding mechanisms such as fee simple acquisition, donation, conservation easements (both purchase and donation) and land trusts.

The longer the target time is, the less the below cost projections for preserving these acres is reliable. Changing real estate markets make it very difficult to predict ten years out. If real estate values drop further and or remain stable, more land could be preserved and, in the alternative, if more funding became available, more acres could be targeted for preservation. Conversely, if less funding is available, less would likely be preserved.

2. Financial Policies Related to Cost-Share Requirements Between County and Municipal/ other Funding Partners / Installment Purchases

Using the Planning Incentive Grant program, the Township follows the cost-share guidelines set forth by SADC; the SADC contributes 60%, Somerset County 20% and the Township 20%. The Township, however, has contributed more than 20% funding due to the SADC sliding scale policy for easements costing more than \$50,000 and due to contract prices with landowners in

which the Township agreed to pay over the appraised value. The SADC and SCADB will not match a purchase price dollar-for-dollar when the Township agrees to exceed the SADC certified value. In addition, cost shares may be unavailable from the SADC and SCADB if the Township prioritizes a farm that does not meet the minimum eligible criteria as established by both agencies.

SADC sliding scale cost share policy pursuant to § 2:76-6.11(d)1:

Certified Market Value	SADC % Cost Share
From \$0.00 to \$1,000	80% of the first \$1000 of easement value
From \$1,000 to \$3,000	\$800 + 70% over \$1000
From \$3,000 to \$5,000	\$2,200 + 60% over \$3,000
From \$5,000 to \$9,000	\$3,400 + 50% over \$5,000
From \$9,000 to \$50,000	60%
From \$50,000 to \$75,000	\$30,000 + 55% of easement value over \$50,000
From \$75,000 to \$85,000	\$43,750 + 50% of easement value over \$75,000
From \$85,000 to \$95,000	\$48,750 + 40% of easement value over \$85,000
From \$95,000 to \$105,000	\$52,750 + 30% of easement value over \$95,000
From \$105,000 to \$115,000	\$55,750 + 20% of easement value over \$105,000
Over \$115,000	\$57,750 + 10% of easement value over \$115,000

The Township has developed relationships with non-profit groups that also contribute to funding of preservation projects. These organizations could also be useful in working with the Township to purchase annuities for landowners who wish to structure a payment schedule over time.

Installment purchase agreements provide for development rights to be acquired by the Township (or County) through a payment plan that provides payments to the landowner over time. Receiving the income from the sale in installments may provide the landowner with financial management and/or tax advantages. Installment purchases are permitted by the Township but have not yet been used. This funding option could become an especially useful tool in the interim while State funding is uncertain.

3. Cost Projections and Funding Plan Associated with 1, 5 and 10 Year Preservation Goals

The tables below show cost projections associated with the 1, 5 and 10 year preservation goals. Each of the tables assumes the following cost share ratios: Municipal - 20% cost share; County - 20%; and SADC - 60%. The projected costs were calculated using the undeveloped easement

land values by zoning district identified in Table 10, based upon the acreage of targeted farms in respective zoning districts.

The Township will seek to cost share with the State and County on farmland preservation projects when farms meet the minimum eligibility requirements as listed in the State regulations (N.J.A.C. 2:76-6.20). If the applying farm does not meet the minimum eligibility requirements set forth by SADC the Township will determine if the farm would be preserved through the Township's municipal direct easement program.

The first table provides cost projections for all 1,462 acres of targeted farms. The total 10-year cost is estimated at \$23,184,200 (\$4,636,840 municipal share). The table also shows the first year, years 2-5 and years 6-10 cost projections broken down by municipal, county and SADC share. The average yearly cost is projected at \$1,677,580 (\$335,516 municipal share).

Cost Projection – All Targeted Farms

Year(s)	Acres	Total	Franklin	County	SADC
1	73	\$1,159,210	\$231,842	\$231,842	\$695,526
2-5	658	\$10,432,890	\$2,086,578	\$2,086,578	\$6,259,734
6-10	731	\$11,592,100	\$2,318,420	\$2,318,420	\$6,955,260
Total	1,462	\$23,184,200	\$4,636,840	\$4,636,840	\$13,910,520

The above are based on estimated averages only. Many of the easements are anticipated to be valued substantially higher or lower, due to broad range of value that Franklin has seen in recent appraisals.

If land values increase significantly beyond that projected, it will be that much more difficult to preserve the targeted farms. Land resources are limited in Franklin Township and farmers are facing increasing competition among users for land and water. Challenges to the farmland preservation program include the available supply of farmland, the cost of purchasing that land, potential limitations of the preservation program once the land is preserved, and the infrastructure to support farming operations into the future. Flexibility in funding and preservation programs will enhance and sustain the agricultural program in the township.

Landowner interest remains high and applications continue to be submitted to the AAC for their review. The Township prides itself on innovative partnerships, which can be seen by the popularity and success of the Municipal PIG program (Partnering with County and SADC), and local conservation projects with local nonprofit groups. It will take the effort and teamwork of landowners, government officials, nonprofit organizations, and local residents to ensure the farmland preservation program remains popular, supported and successful.

4. Other Financial Information

Franklin Township has utilized a variety of creative mechanisms to preserve farmland and open space, and the Township would continue to pursue the use of option agreements, installment

purchases and encourage donations for permanent development easements, and seek out other options as deemed necessary and appropriate.

Partnerships with local nonprofit land trusts and conservancy groups are critical to the success of the Township's efforts to preserve farmland. The ability of these groups to obtain donations of development rights and their flexibility in structuring land transactions has played a key role in land preservation in Franklin Township.

Somerset CADB will fund one-half of the difference between the state match and the total cost for preserving a farm through the municipal Planning Incentive Grant program, generally the County contributes 20% of the funding cost-share for a municipal PIG project. The Somerset CADB is supportive of donation/bargain sales and has not recently preserved farms using an installment purchase. Both of these tools serve to leverage limited funding resources and are described below:

Donation and Bargain Sale: This mechanism for preserving a farm involves a donation by the landowner. If the landowner donates a portion of the value of the development rights when an easement is sold, this is called a bargain sale. A bargain sale can result in substantial tax savings for the landowner and can stretch County farmland preservation funds. The landowner donation is a reduction in the amount of gain that is subject to the capital gains tax, and the landowner can take a tax deduction for the amount donated against his or her federal and state income taxes.

G. Farmland Preservation Program/ Agriculture Advisory Committee Administrative Resources

The Township established, in June 2000, an Agricultural Advisory Committee that evaluates and ranks farmland preservation applications received from landowners. The lots that comprise the list of Franklin Township's targeted farms were recommended by the AAC for the purchase of development rights after taking into consideration the criteria described herein and ranking these properties against other potential preservation opportunities. In preparation of completing the Comprehensive Farmland Plan, the Committee reviewed the existing targeted farms in PIG area 1 & 2. The Committee agreed that the existing targeted farms in PIG area 1 & 2 should remain as targeted. The Committee then reviewed a map of all farm assessed properties in PIG area 1 & 2 and went through each property parcel by parcel to determine if the farm should be targeted. This process identified additional farms to be included on the targeted farm list. The Consultant sends yearly outreach letters to the owners of the targeted farms to explain the farmland preservation program and inviting them to contact the Consultant for a meeting to discuss the program in further detail.

The Township has hired a land preservation consultant to perform various duties with respect to open space and farmland preservation. It is extremely important to designate either a staff person or

a consultant to provide assistance with the application process for the various farmland preservation programs. This position is also necessary for outreach efforts to promote agricultural preservation and to explain the various methods of preservation from the perspective of the property owner, as well as assisting in the identification of future parcels for preservation and the various methods to fund such preservation.

The following Township staff and consultants are used to facilitate the preservation of farms:

- Tara Kenyon, AICP/PP, of Kenyon Planning, LLC, is the Township's Land Preservation and Management Consultant. Kenyon oversees all aspects of the Township's farm preservation program, including
 - preparing the monthly agendas and minutes for the AAC, arranging for the production of all appropriate maps, photographs and other background information that should accompany the AAC agendas;
 - Negotiating contracts with land owners for the preservation of their land;
 - Providing all necessary administrative support to ensure proper follow-up after AAC meetings;
 - Keeping an accurate database of all secured and pending acquisitions and all properties that are under consideration by the AAC;
 - Coordinating with the Department of Public Works to display proper signs on farm-preserved properties;
 - Preparing press releases;
 - Attending AAC meetings;
 - Developing and maintaining the farmland preservation portion of the Township's web site;
 - Coordinating with state, county, federal and private non-profits to leverage available funding;
 - Assisting the Township with grant preparation;
 - Fulfilling all requirements of the SADC as the Township's PIG Coordinator;
 - Coordinating with other township contractors who are involved in any aspect of the Township farmland preservation programs.

- Mark Healey, AICP/PP, Township Planner, assists with the preparation of the PIG grant application, assists in the management of GIS database and the preparation of mapping in support of the farmland preservation program, and coordinated production of this plan.

- Scott Thomas, Senior Engineer, coordinates all surveying work associated with farmland preservation projects.

- Marianna Frederickson, in the Township's Department of Public Works, provides administrative support to the AAC.

- The Township's Information Services (IT) Department has an employee dedicated to the maintenance of the Township's geographic information system (GIS). This individual works with

the Township planner and the land preservation consultant on database and mapping support to the Farmland preservation program.

- Legal support for the Township's farmland preservation program is provided by the office of the Township's Attorney, Louis N. Rainone, DeCotiis, FitzPatrick & Cole.

H. Factors Limiting Farmland Preservation Implementation

Funding

Funding for farmland preservation within the Township is dependent on the amount and timing of funding sources on the State and County level. The Township has successfully been able to preserve farmland through a variety of sources in the past, including through County Easement Purchase and the State Direct Easement Purchase Program. The Township would like to continue this relationship with the County to preserve additional properties. The Township is able to use the collection of the Open Space Tax, but these funds are a shared resource with open space preservation efforts and commonly require the assistance of County and State matching funds. Therefore, the limiting factor for funding is dependent on matching funds for the County and State.

Projected Costs

The Township has been able to identify a reasonable per acre value that can be projected out through the 10-year funding cycle as identified above. Rising costs per acre will limit programs success, however declining costs per acre could significantly improve program success.

Land Supply

Franklin, like much of the State and County, has witnessed increasing development pressure over the last 20 years. This increased pressure has resulted in a net loss of actively farmed land which has been converted to residential and non-residential development. However a strong agricultural base still exists in the Township with an active community of farmers and supportive land owners. This has resulted in a continued land supply of agricultural areas that can still be brought under the farmland preservation program.

Landowner Interest

Franklin is fortunate to still have actively farmed areas with land owners dedicated to the promotion of farmland preservation and agricultural retention. This constant interest in local farmers has resulted in a large amount of lands being entered into the preservation program. There has been a great deal of interest by land owners to enter farmland preservation. Landowner interest continues to grow and is not anticipated to be a limiting factor in the foreseeable future.

Administrative Resources

The Township has been successful in the promotion and execution of the farmland preservation program. Land owners have been able to contact the AAC and Township for assistance in preparing

applications for farmland preservation. Administrative resources are not a limiting factor to the Township's preservation efforts.

VI. Economic Development

The future of agriculture in Franklin Township is being shaped by market forces and social trends that are occurring throughout New Jersey. These trends have already begun to redefine the traditional agricultural industry and will continue to change the agricultural landscape in the near future. Among the most substantial trends shaping agriculture is the increase in the prices of essential agricultural inputs such as farm labor, property taxes, and fuel energy. Minimum wage increases, as well as rising land, gas, and transportation prices, have combined to make farming in Franklin Township more costly than it has ever been before.

The impacts from rising input prices will be multifaceted. Full-time farmers, whose primary incomes are from their agricultural operations, may find it increasingly difficult to live in a County that continues to add affluent residents and businesses that cater to them. Farms will continue to shrink in size, and farmers will rent, instead of own, increasing proportions of the ground that they work. Farmers will also show a growing proclivity for high market value products that do not require large acreages of land, such as nursery crops. In addition, Somerset County farmers are likely to continue producing “value added” products, such as homemade jams and salsas, in order to maximize their cash flows. Organic goods offer another opportunity for local farmers to add value to their products. Another challenging trend facing Somerset County farmers is accommodating growing amounts of non-agricultural land uses. Somerset County remains very attractive to home buyers, and residential and commercial areas continue expanding into previously agricultural and natural areas. This has important implications for the future of farming in the County. Growing residential populations offer farmers an expanded consumer base to whom they can sell their products. Many County farmers have already capitalized on the influx of new residents by establishing farm stands and similar agri-tourism attractions on their farms. Farmers have also begun to provide agricultural services that more effectively cater to nearby residents, such as horse boarding and training. These practices are expected to occupy increasing shares of future agricultural sales in Somerset County. Unfortunately, growing residential and commercial areas pose significant problems for County farmers as well. Some farmers are directly displaced by new development that takes place on and around their farms. Other farmers are indirectly displaced by right-to farm conflicts or increased production costs associated with farming in urban environs. For example, road access for farming vehicles has become more difficult and contentious in some areas as local roads have become more heavily traveled. Water rights are another common source of conflict between farmers and their neighbors. Due largely to residents’ fears of water pressure drops and groundwater contamination, the amount of irrigated land in Somerset County fell nearly 50% between 1997 and 2002. (2002 *Census of Agriculture*)

This trend is at odds with the growing number of farmers who are looking to irrigate their crops. Somerset County’s agricultural industry responds quickly to market demands and continues to evolve as its support system shifts and its economic base changes. Innovation is very important to Somerset County’s farmers. Many of the County’s farming operations have already diversified and stabilized their products in response to changing industry and market conditions. Agri-tourism facilities such as farm stands, pick-your-owns, and petting zoos are expected to thrive as the

County's residential population grows and the market for these types of services expands. Value-added revenue streams from niche products such as organic produce and farm stand goods will continue increasing as well. The various agricultural organizations and governmental agencies in the County are working to make this transition easy for most farmers.

Franklin Township's farmers are at an economic disadvantage to farmers in many other parts of New Jersey in that they do not have seed suppliers or equipment dealers located in the Township. Thus getting supplies and equipment is more costly to them than if these services were located locally.

Franklin Township has taken the following actions to promote agricultural economic development in order to sustain the agricultural industry:

- Adopted a Farmland Preservation Element of the Master Plan
- Appointed an Agricultural Advisory Committee that meets monthly.
- Adopted a Right-to-Farm Ordinance. This ordinance is modeled exclusively upon the SADC model ordinance. It does not include a mediation process, but it does include a real estate transfer disclosure statement, which is utilized to help notify new residents of agricultural activities in the area.
- Hired a Land Preservation Consultant for the past dozen years to assist the Township in preserving farmland and in providing staffing support to the AAC.
- Prepared an eco-heritage tourism map that shows the location of all farm markets and all Christmas tree farms that are located in the Township.
- Established an "Open Space, Farmland, Recreation and Historic Preservation Trust Fund" that collects over \$4 million each year for property preservation efforts.
- Bonded for over \$45 million for land preservation projects.
- Applied for and received PIG grants from the SADC.
- Managing a white-tailed deer hunting program on Township-owned open space to reduce the deer population in the Township. By managing the deer population on open space, the Township is assisting farmers whose crops are negatively impacted by the deer. Open space as used herein includes property that is owned in-fee by the Township and is managed either as open space, in which case township-issued hunting permits are given out each year on the property, or on open space, owned by the Township, that is being managed as farmland, in which case the Township permits white-tailed deer hunting by the tenant-farmer who leases the land from the Township. All of these activities are contributing to the reduction of the deer herd in the township.
- Leasing hundreds of acres of township-owned open space to farmers.
- The Township's AAC has discussed the likelihood of conducting outreach seminars to local farmers to advise them of current programs that may be of interest to the local farmers. Subjects could include preservation programs and natural resource conservation programs. These seminars would be coordinated with the SADC, the CADB and perhaps the NRCS.

With thousands of acres in farmland use, agriculture is a major contributor to the economic sector in Franklin Township.

Throughout the state, the marketing and profitability of the agricultural industry has gained renewed focus. The farmland preservation program is a critical component of the farming industry, and the success of the farmland preservation program in Franklin is not measured just by acres preserved, but also by the programs put in place to support the farmers and their businesses. The Township's agricultural community and its supporting groups and agencies understand that a farmland preservation program constitutes much more than the act of preserving land. In order to be a full partner in a successful farmland preservation program, agriculture as an industry must be vibrant, self-sustaining, and innovative.

A. Consistency with N.J. Department of Agriculture Economic Development Strategies

The Somerset County Comprehensive Farmland Preservation Plan highlights the economic development strategies offered by the NJ Department of Agriculture. The Township has used the support services provided by the State and will continue to look to the State for guidance on ways to retain and promote agricultural production. The primary agricultural activities in the Township center around field crop production, nursery sales, and livestock. The AAC finds these strategies useful and applicable to employ in Franklin. The following section has been provided by the Somerset County plan as it relates to the efforts of Franklin Township.

Nursery, Greenhouses, Floriculture, and Sod

These are fairly limited in Franklin. However to the extent that these agricultural activities are being conducted, the following strategies could be promoted:

- Explore the feasibility of more Somerset County farmers diversifying a portion of their output into this sector;
- Support efforts by NJDA to ensure plant health and disease-free material;
- Increase consumer awareness of the Jersey Grown brand; • Seek contracts with big box store operations such as Home Depot and Lowes;
- Reach out to pharmaceutical and biotech companies to explore partnerships and growing contracts with County farmers;
- Promote “drive up” operations where consumers can buy directly from the nursery or greenhouse; and
- Encourage a) municipal support for irrigation (often necessary for sod and other crop cultivation in this area) and b) research into alternative water management strategies, such as drip tape.

Dairy

Strategies for augmenting the County dairy industry might include:

- Promote Jersey Fresh dairy products locally and statewide;
- Explore various additional products and markets for dairy, including local restaurants and grocery markets;

- Work to ensure the health of the dairy industry, and the quality of raw and processed milk;
- Work to bring more livestock veterinarians back to the area. This strategy may include economic incentives, as many veterinarians prefer to treat house pets (dogs, cats, etc.) to increase profitability;
- Aggressively market value-added dairy products; and,
- Consider establishing an Agriculture Enterprise District, where discounts and exemptions on taxes and other fees could reduce the expense of dairy farming, making Somerset County product more competitive with other regions.

Field and Forage Crops

Strategies to consider include:

- Educate farmers about any improved management practices and ways to improve yield per acre;
- Alert farmers to any available workshops on pasture and cropland management;
- Encourage diversification to row crops that meet newly emerging markets or markets with increasing demand (such as spelt as a dietary substitute for wheat) or lend themselves to value-added marketing opportunities (such as sorghum for homemade jams and jellies that can be marketed from roadside stands, at community markets and over the Internet);
- Encourage transition to certified organic or naturally grown bean and grain crops to increase their value;
- Engage the Somerset County Business Partnership in a campaign to promote the County as a site for construction of biofuels processing plant(s) by connecting with the multi-agency working group that is carrying forward the NJDA initiative to create a biofuels plant. The NJDA sees biofuels – ethanol, biodiesel and biogas – as an excellent opportunity for farmers in New Jersey to develop new markets for their agricultural products, byproducts and waste-stream items;
- Publicize to farmers the availability of state-sponsored grain marketing sessions, when scheduled;
- Inform producers about the role of crop insurance in mitigating marketing risk; and
- Investigate availability of free deer fencing programs, as well as other measures for deterrence of wildlife, and promote to County farmers.

Livestock

Traditional cattle farming is very limited in Franklin, and the trend has been the expansion of nontraditional livestock, including llamas and alpaca. To strengthen and expand its place in the County economy, some non-dairy cattle, sheep, hogs, and poultry strategies may include:

- Ensure animal health, including investigating incentives for bringing large animal veterinarians back to the area;
- Explore various additional products and markets, including local hospitals and assisted living operations, restaurants and grocery markets, and increased outlets for meat sales at community markets and special events;
- Seek more opportunities for production contracts with poultry and livestock processors;

- Investigate outlets for dairy products for goats, and educate farmers about the benefits of diversifying into this sector, especially considering the development of value-added dairy products for goats;
- Explore increased marketing opportunities for goat meat to meet the preferences of growing ethnic populations in the county and the region;
- Assist farmers with farming techniques, regulatory requirements and the latest research for livestock and poultry, including continued and additional cooperation with the RCRE, NJDA and Natural Resources Conservation Service (NRCS); and
- Promote the agritourism portion of livestock, including exotic animals and poultry, such as “looking” zoos and educational school tours.

Organic Farming

As the interest by consumers in organic produce and animal products increases, Franklin Township farmers may be encouraged to expand or diversify into this sector. As a result, Franklin Township may look to:

- Improve marketing of organic and natural produce;
- Explore various additional markets, including local restaurants and grocery markets and cooperative farm stands at municipal and county events;
- Promote agri-tourism for organic and natural farms stands;
- Promote the Jersey Organic brand when established by the NJDA;
- Educate growers about organic and natural regulatory and certification requirements and about the availability of federal funds to help offset certification costs; and,
- Explore ways to support organic food growing and processing, such as assisting growers, with the help of the NJDA and the Rutgers Extension, to identify products that can benefit as organic (high value/high demand products).

Agritourism

This sector can benefit agriculture in the County both from an individual farmer’s perspective and from the perspective of increased visibility for, and understanding and appreciation of, farming by County residents and visitors. Agritourism can be an important contributor toward the long term sustainability of Somerset County’s agricultural industry. According to the 2007 Economic Development Strategies, “Agricultural tourism draws upon two great strengths of the Garden State, a rich agricultural heritage and a large population of affluent consumers,” and “...Agritourism is critical to ensuring the future viability of agriculture in the state.” Agritourism can draw its clientele not only from the county and region but also, across state borders, from New York and Pennsylvania.

The *Opportunity for Agritourism Development in New Jersey*, a report prepared for the NJDA by two independent consultants and personnel from the Food Policy Institute at Rutgers, defines agritourism as “the business of establishing farms as travel destinations for educational and recreational purposes.” The report states that “agritourism represents an opportunity [for the farmer] to generate supplemental income during periods when land and equipment may be underutilized or idle and afford the opportunity for feedback from consumers regarding preferences for various farm

products and services.” In addition it “can create positive interactions between non-farmers and farmers,” helping to reduce right to farm conflicts and garnering support for farm retention policies”; it “contributes to and enhances the quality of life in communities” and provides consumers with “direct access to fresh, locally-produced farm products” (page 2). The New Jersey State Board of Agriculture formally recognized agritourism development as a strategy for “bolstering the viability of New Jersey agriculture” and in 2005, New Jersey’s Secretary of Agriculture convened the New Jersey Agritourism Industry Advisory Council.

Among the series of recommendations included in this report are:

- Marketing and Promotion – centralized promotion system, agritourism marketing website, better inclusion and integration of agritourism on the N.J. Division of Travel and Tourism marketing materials; stronger links between farmers and WIC, Senior and school lunch nutritional programs; and assisting counties with funding for agritourism promotion;
- Liability Protection and Insurance – develop a New Jersey Agritourism Limited Liability act modeled after laws in Virginia and North Carolina and explore ways to reduce cost of liability insurance;
- Establish a state level Agritourism Industry Development program with a capacity to support regional agritourism initiatives and assist operators with marketing and promotion;
- Regulatory Guidance for Operators – include proactive communication about relevant regulations, and education about requirements and protections under the Right to Farm Act; address impediments to signage;
- Municipal Outreach – educate municipalities about building agricultural retention elements and regulations supportive of agritourism into their master plans and ordinances;
- Training and Information Workshops for Farmers – include hospitality training, marketing strategies and other, issue specific workshops such as liability, grant, traffic, signage; offer a forum for farmers getting into agritourism to interact with those who already are involved;
- Role of CADB – examine preservation policies to identify and address any restraints to agritourism development; provide outreach to operators and municipal officials; develop model long-term leases for farmers renting preserved farmland; host open houses and tours at agritourism operations “such as those offered by the Somerset CADB and County Board of Agriculture”; encourage municipal adoption of model Right to Farm ordinance;
- Resources – “how-to” website; innovation fund providing grants or low interest loans; technical assistance for farmers in identifying and obtaining grant funding; and
- School Tours – identify and compile farm-related curriculum for different grade levels; provide opportunities for farmers to participate in school programs; and develop “fast facts” to educate farm visitors.

The study concludes that farmers have, over the years, adopted a range of agritourism activities, that agritourism is financially beneficial to both the farmer and the economy and farmers need specific assistance and resources in order to be successful at integrating agritourism activities into their operations.

Festivals and Tours. Possibilities that the Somerset County Comprehensive Farmland Preservation Plan contemplates include:

- Creating a regional harvest festival in the fall, a horticultural festival in the spring;
- Finding a nonprofit organization to organize a farm tour as a fundraiser; for example, the Northwest NJ Buy Fresh Buy Local Campaign offers its 2nd annual Farm and Food Open House, with 12 farms from Sussex, Warren and Hunterdon counties— Somerset County farms could seek to participate in this event in future years; and
- Reaching out to schools to build farm tours into their curriculum. According to the 1999 survey, schools are more than willing to pay \$2-3 per person for these tours. In addition, once a child has visited a farm, they often bring the family back for another visit.

The Township encourages the Buy Local initiative, in part, by posting of an Agricultural Directory on the Township's website (<http://franklintwpnj.org/government/boards-committees/agriculture-farmland/agricultural-directory>).

B. Agricultural Industry Retention, Expansion and Recruitment Strategies

The Somerset County Comprehensive Farmland Preservation Plan provided an extensive wealth of information on agricultural retention, expansion and recruitment strategies. The following sections have been taken from the County's plan as it relates to Franklin Township, for additional information refer to the County's plan.

Institutional Strategies

Farmer Support

Farmers at all levels can benefit from support, from the experienced farmer who owns a multigenerational farm and is concerned about farm succession, to a tenant farmer who seeks ways to maximize his profitability, to a young would-be farmer looking for guidance on how to break into agribusiness. There are a variety of resources at the state level, published on the SADC website. One such program, Farm Link, serves as a resource and referral center for new farmers, farmers seeking access to land and farming opportunities, landowners seeking farmers, and farmers working on estate and farm transfer plans.

Farm succession is a concern. The 2012 Census of Agriculture reported the average age of farmers in Somerset County as 57.8. When farmers express an interest in entering the farmland preservation program, the CADB advises them to consult with their financial and tax advisors about estate planning to be sure they understand the implications and find the best solutions for their particular situations. In addition, the SADC's Farm Link website offers Estate Planning Tools, including "Transferring the Family Farm: What Worked, What Didn't for 10 New Jersey Families," estate planning tips from First Pioneer Credit, "Your Land is Your Legacy: A Guide to Planning for the Future of Your Farm" — a reference available from the American Farmland Trust — and other references.

The Farm Link website also has a page devoted to Web resources for new farmers, who are a critical component in the ongoing success of farming in the county as well as the state. Plus, there are resources that provide helpful information and guidelines for established farmers and landowners interested in creating tenure agreements. The NJDOA website offers a variety of technical and financial resources for agritourism assistance, First Pioneer Farm Credit, deer fencing, farmers' market assistance, etc.

Marketing / Advertising / Public Relation Support

Marketing and advertising are critical to profitability. According to the 1999 Survey of Somerset County Farmland Owners, some Somerset County farm operations market their crops to regional wholesale outlets (grain elevators, such as Perdue in south Jersey and Penfield in New York State and the Livestock Cooperative Auction in Hackettstown, which deals in crops and eggs as well as livestock). Many more directly market to consumers from farm stands or more often out of the barn on the farm. Some market through participation in community markets as well.

Advertising.

According to survey results and direct conversations with farmers, few farmers take the route of individually advertising their product in print, although many of those involved in on-site direct marketing do maintain websites.

Community Farmers Markets

- Explore with municipalities and farmers the feasibility of starting markets in towns that don't have them (contacts: New Jersey Council of Farmers and Communities, a nonprofit organization serving as a liaison between New Jersey Farm families and 35 market members, can help with logistics of startups, ongoing management).
- Explore organizing a pool of farmers who would be interested in cooperative stands at regular and special County events.

Community Supported Agriculture.

The CADB and the RCRE can work to publicize this concept, which has not been widely adopted in Somerset County, through newsletters such as Green and Growing, or a workshop led by a current CSA farmer or farmers. According to the University of Massachusetts extension "CSA is a partnership of mutual commitment between a farm and a community of supporters which provides a direct link between the production and consumption of food. Supporters cover a farm's yearly operating budget by purchasing a share of the season's harvest." Additional advantages of CSA include not having to worry about the time, labor and transportation costs of selling at community markets, or the time and labor of running a farm stand. A CSA farmer can control scheduling of pick-ups to utilize existing farm personnel in labor downtimes (e.g. family members, one day a week, etc.).

The CADB also can encourage connection between The Food Shed Alliance (FSA) and local farmers. The FSA is a grassroots, nonprofit group devoted to “promoting profitable, sustainable farming and locally-grown, fresh, healthy food in northwestern New Jersey.” The FSA closely links the health of land and communities with the existence of local farms, believing that farmers are the key in connecting people with “food, the land, and our sense of place.” These tenets foster a “self-sustaining “food shed” that supports farmers, nourishes people, respects the land, and strengthens (our) communities.” An extension of the FSA’s work is the Northwest Jersey “Buy Fresh, Buy Local” Campaign. This is an effort by the Food Shed Alliance, local farmers, and community leaders to build connections between farmers and consumers through food guides, food and farming events, and community outreach, and therefore encourage local residents to buy fresh, local produce. (Buy Fresh, Buy Local).

Agricultural Education and Market Research Coordination

Farmers need to keep up to date with the latest information on agricultural practices and new market opportunities, as they strive to maximize their profitability and achieve their farming goals. The CADB has suggested:

- Coordinate with Rutgers Extension and NJDA to research and market agricultural education; and
- Seek grants to fund farmer education.

New Jersey Agricultural Experiment Station (NJAES) and Rutgers Cooperative Research and Extension

According to the NJAES website Jersey Fresh Information Exchange, Rutgers Cooperative Extension launched an innovative produce distribution and merchandising pilot project in 2004 to help New Jersey farmers get their products into new retail locations, such as white-table restaurants and grocery chains. Less than a month after a kickoff meeting that brought New Jersey growers face-to-face with noted New Jersey chefs, national chain grocers and multi-state distributors, these new relationships had already turned into critically needed new sales. In addition, the NJAES website offers a wealth of information relating to animal agriculture, farm management and safety, pest management, plant agriculture and other elements of interest to those involved in commercial agriculture. The Somerset County RCRE traditionally has been a sponsor of workshops and a helpful resource for local farmers.

Rutgers School of Environmental and Biological Sciences

The municipality can touch base periodically with Rutgers regarding any opportunities for farm research, test/experimental projects that might be appropriate for local farms. The RCRE in Somerset County can keep farmers abreast, through the Green and Growing newsletter and the RCRE website, of any upcoming special workshops or information or appropriate continuing education curriculum.

Businesses

The municipality relies upon county, State and federal policies to advocate on behalf of the regions farmland businesses.

Input Suppliers and Services

Somerset County farmers obtain farm supplies from a number of sources in and near the County, such as Belle Mead Farmers Coop; Neshanic Home & Garden; Somerset Grain, Feed & Supply, Bernardsville; and the Raritan Agway. Additional Agways are nearby in Clinton, Flemington, and Washington. Feed and hay supplies for livestock and equine often come from the farm itself or from other farms in the County. In its 2006 Directory of Facilities, the NJDA New Jersey Equine Advisory Board offers three listings in Somerset County for saddle shops and feed supply: The Horse and Rider Shop, Hillsborough; Coach Stop Saddlery, Ltd., Bedminster; and Raritan Agway. In addition, four Somerset County operations are listed on the Jersey Grown website as certified suppliers of nursery product.

For new machinery, local farmers generally look out of county, to Tractor Supply in Washington, to New Holland dealers in Lawrenceville or Washington, or to a dealer over the state border in Elizabethtown, Pennsylvania, who will deliver and pick up. In-county, the Storr Tractor Company is located in Somerville, and nearby, in Middlesex County, Binder Machinery is located in South Plainfield. A couple of farmers noted that they have bought "remotely," ordering equipment and parts either over the phone or by Internet and getting delivery by UPS or FedEx.

For equipment repairs, about half of the farmers often choose to "do it themselves" although that becomes increasingly more difficult as the new equipment becomes more sophisticated. A few offer repair services to other farmers, and there is a dealer in Ringoes (Hunterdon County), D&R Equipment, that does repairs and sells used machinery, short line machinery, mowers, balers, sheep wranglers and the like. A farmer in Jugtown (Hunterdon County) also does repairs and will come to the farm or have the farmer drop off the equipment.

Veterinarian services for large animals (livestock and equine) are available locally, including Dr. Gregory Staller, DVM Running S Equine Veterinary service on Fairmount Road (CR512) in Califon; and Dr. Brendon Furlong has a clinic named Equine Mri Of New Jersey LLC., on Homestead Road in Oldwick. Local farmers mentioned one in Hopewell (Mercer), one in Belle Mead (Somerset), several in Warren County, and a major equine hospital in Ringoes. The Equine Board's 2006 Directory of Facilities lists some dozen equine practitioners in Somerset County, although several appear to be associated with companies such as Ethicon and Johnson & Johnson and probably service their private farms.

The RCE of Salem County's "Green Pages" is an additional source of statewide resource information (<http://saalem.njaes.rutgers.edu/greenpages/>)

Product Distributors and Processors

Hay and other forage crops are often sold locally, to other farms, equine operations, landscapers and nurseries as baled straw, or used for the farmer's own livestock and other uses. Some grain crops also are sold locally to small farmers with a few animals. In addition, there are three in-county feed outlets that process their own feed -- one does just feed; two are combination feed mill and

garden center; all are in Hillsborough. Generally, however, grains are sold to large grain brokers, such as the one in Yardville, also out of county. Other outlets include the Perdue grain elevators in Bordentown and Bridgeton or Penfield in New York State. Another potential outlet is an ethanol plant in Pennsylvania, which can process up to 30 million bushels of corn and needs to draw from beyond its own area, which produces only 10 million bushels.

For livestock sales, there are two options in the state: the popular Livestock Cooperative Auction in Hackettstown auction or a more distant opportunity at Cowtown, in Swedesboro. At the Hackettstown auction, farmers sell one on one to other farmers or in lots to wholesalers.

Those wishing to directly market their meat products must use a federally licensed processor. The nearest facility is in Green Village, Morris County.

In summary, the Township would benefit from increased availability of equipment, equipment repair and large livestock veterinarians. The Township will continue to work with County and State agencies to assist the agriculture community in securing these services.

Anticipated Agricultural Trends

Market Location

Certainly, from a market location perspective Somerset County is in a strong position. In the 1990s it was one of the fastest growing counties in the state and the second most affluent county in the United States according to the U.S. Census Bureau's 2004 American Community Survey. In 2017 it boasted a median household income of \$106,046, and a population of 333,316 people in 115,970 households, predominantly single unit structures (58.5%). Many of these housing units are fairly new, with fully 28% having been built since 1990. In addition, the County is centrally located in a metropolitan area that includes New York and Philadelphia and other affluent New Jersey counties.

Product Demand

If the trend to more equine farms continues, this could provide additional outlets for hay producers, a popular low-intensity crop that requires little in the way of fertilizers or irrigation, and possibly an opportunity for more large-animal veterinarians to locate in Somerset County. The livestock sector, while still significant, has seen declines in inventory numbers, and, particularly in dairy farming, with the number of farms reduced from five in 2002 to just one in 2017. One avenue for diversifying in this sector is to look into exotic animals, which are marketable from an agritourism perspective as part of "looking" or "petting" zoos and whose byproducts, such as alpaca fur, can provide value-added direct marketing products, e.g., the sheared wool itself or clothing and other products made from that wool. Sheep and goats may offer the advantages of value-added marketing opportunities as well, in the form of goat cheese and products made from sheep's wool. Another opportunity for expansion may be in the area of supplying goat meat, which has seen a rise in demand due to the growing ethnic populations in the County and region.

Although vegetable and fruit crops make up a small sector of Somerset County's agricultural output, this is certainly not from a lack of demand. If challenges such as the deterrent of short-term leases versus high upfront costs and the cost of labor and transportation difficulties of getting labor to the farm site (no public transportation) can be addressed, more farmers might take advantage of this sector. Employing the Community Supported Agriculture model may be a way to overcome many of these financial issues that prevent farmers from branching into the fresh produce market. Societal issues of food availability and cost, as well as trends towards purchasing local and organic produce serve to amplify the potential market for CSA's. Franklin's population centers are generally both affluent and health conscious and could easily sustain a local CSA. An additional challenge for those considering direct marketing homemade food products at farmers markets is the need to have the goods prepared in inspected facilities such as federally approved facilities for meats and cheeses and state inspected and licensed facilities for baked good and other food products. On the output side, there are the advantages of selling at retail rather than wholesale, selling from your own location rather than having to pay transport costs, and of generating additional income by developing value-added products such as pies, cheeses, jams, honey, and other products that serve the increasing numbers of customers who want the advantages of ready-made.

Increased demand for organic products may encourage farmers to adopt more natural farming methods. Since federal certification requires a three-year commitment, many farmers may lean toward "natural" rather than strictly organic processes, such as grass-fed beef raised without hormones or antibiotics and food crops that use natural farming methods.

Agricultural Support Needs

Agricultural Facilities, and Infrastructure

Although many of the suppliers and processors the farmers utilize are not located in the County, declining production and inventory figures in the crop and livestock sectors may indicate that there is little need to alter this state of affairs. The infrastructure the farmers most need is on the regulatory and technical assistance side: getting municipalities, residents and consumers to look favorably on agriculture and understand the economic and quality of life advantages it brings to the County, getting municipal support through flexible land use regulations and ordinances that take into consideration the special needs of the agricultural operations, and getting help with financial and planning matters through workshops and other educational and counseling services provided by the state, RCRE, the CADB and the federal government.

Additional support could come from a concerted effort to promote agritourism through signage, publications, website and media promotion.

Flexible Land Use Regulations

The County can work with local municipalities toward understanding the importance of agriculture to the economy of the county and the importance of an agriculture-friendly environment at the municipal level in support of the agricultural sector of the community. Right to Farm and accommodations for agricultural vehicle movement and the building of an awareness of and

provisions supportive of agriculture into municipal master plans and zoning ordinances go a long way towards the kind of support agriculture needs in order to be an economically viable sector.

Other areas where municipal sensitivity to the land use needs of agriculture can be helpful include consideration of the following issues when creating municipal ordinances and regulations:

- Setting specific buffer standards for non-farm development adjacent to working farms that help to limit trespassing and littering and also protect the residential landowner from dust and spray materials spread during farming activities, thus minimizing potential Right to Farm conflicts;
- Code or ordinance provisions requiring developers to notify purchasers of the proximate existence of active agriculture;
- Exemptions for certain farm structures from building height restrictions;
- Allowing additional principal dwelling units on farms in order to meet the needs of farmers for additional housing for their children or for farm managers;
- Exemptions from setback requirements when farmers seek to expand an existing nonconforming structure;
- Flexible fencing ordinances that make allowances for types of fencing on farms that might not be desirable in residential zones, in consideration of the farmers needs to prevent wildlife damage; and
- Construction fee reduction for agricultural buildings.

Agricultural Support Implementation

Suggestions for future agricultural support include workshops and other educational opportunities at the state and county level that may require funding through the many grant opportunities available from state and federal programs. In addition, support for the implementation and monitoring of farmland preservation, one of the chief ways to protect and ensure the continued presence of agriculture in the County, comes from the County's open space trust fund, local contributions from municipalities, SADC dollars through programs such as Planning Incentive Grants and soil and water conservation grants and federal dollars from federal programs such as the Farm and Ranch Lands Protection Program. The mechanism is in place for increasing the trust fund if the county freeholders see the need. In addition, the freeholders reevaluate the trust fund each year and can shift the proportion of trust fund dollars allotted to farmland preservation, open space and historic preservation based on the priorities for the given year.

In addition, the County maximizes the amount of land it preserves by encouraging applicants to donate a portion of the land preserved through the traditional easement program and to accept a lower amount for the land than the certified market value. This benefits the preservation program by enabling the acquisition of property it might not otherwise have been able to acquire, while at the same time providing the landowner with tax benefits.

Franklin's consultant reaches out to landowners and provides information regarding various farmland preservation options, as well as landowner tax benefits for donations and bargain sales. The AAC

functions as the eyes and ears for identifying the agricultural development needs as they emerge. The Township will work with county, State and federal agencies to advocate for farmers and farm-related businesses.

VII. Natural Resource Conservation

Preservation of farmland is the cornerstone of the New Jersey Department of Agriculture's (NJDA) Agricultural Smart Growth Plan, and the state and County's Farmland Preservation Program. However, there is more to farmland preservation than the retirement of development rights or the outright purchase of farms. One of the cornerstones of a successful, long term Farmland Preservation Program is the conservation of natural resources on farms, without which the long-term sustainability and viability of New Jersey's preserved farmland would be in doubt. Franklin Township recognizes the conservation of these natural resources as a long-term goal, and a necessary part of farmland preservation.

A. Natural Resource Protection Coordination

Natural Resource Protection Agencies

There are numerous entities, both public and private, which administer, fund, and provide technical guidance for farmers relative to natural resource conservation. These entities are in place to assist farmers with natural resource conservation issues, and are assets for farmers to assist in the management of the land and water upon which their farms depend.

Natural Resource Conservation Service

An important partner in support of natural resource conservation for the agricultural community is the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS). The NRCS "provides assistance to private land owners (including farmers) in the conservation and management of their soil, water, and other natural resources. Local, state and federal agencies and policymakers also rely on (its) expertise." The NRCS provides technical assistance suited to the natural resource issues that are specific to a farmer's needs, with ample opportunity for cost shares and financial incentives for such conservation programs as the Wildlife Habitat Incentive Program (WHIP) and Environmental Quality Incentive Program (EQIP).

Franklin farmers may utilize the local NRCS office for technical assistance with conservation issues. NRCS will also reach out directly to landowners if they know of a farmer who is in need of assistance, or can use the guidance of the NRCS staff. The local NRCS office also helps to prepare Conservation Plans for Franklin farmers. These Conservation Plans nearly always include strategies to conserve soil and water, but may also include conservation practices for flora, fauna and clean air. If all five elements are included, they are referred to as Resource Management Plans.

Within one year of selling their development easement, owners of preserved farms are required to enter into a Conservation Plan. The Plans are also a prerequisite to apply for natural resource conservation program grants such as the WHIP and EQIP. The local NRCS office administers these conservation program grants, which offer financial incentives to support conservation projects, such as stream riparian buffers and wildlife habitat. Administration of these grant programs includes field visits to prepare the Conservation Plans, preparation of grant program contracts, assistance with

installation of contract conservation practices, and inspection of farms to verify contract conservation practices are implemented and maintained. It should be noted that the Somerset County Soil Conservation District gives final approval on all Conservation Plans and program contracts, and the USDA Farm Service Agency (FSA) assists NRCS in administration of an additional natural resource conservation program entitled Conservation Reserve Enhancement Program (CREP).

An additional resource for Franklin farmers is the “Field Office Technical Guide” (Guide), which is published by NRCS. It contains technical information detailing the development and implementation of soil, water, air, flora, and fauna resource conservation practices, and is used to develop Conservation and Resource Management Plans. Each state has its own Guide, which lists and discusses conservation practices particular to a state. These conservation practices improve water and soil quality, improve plant condition, and in some instances can improve air quality. Conservation practices discussed in the Guide that may be pertinent in Franklin include:

- Riparian Buffers, including necessary buffer widths and appropriate plant species;
- No till and minimum till practices;
- Prescribed grazing and pasture rotation;
- Soil erosion control via vegetation stabilization of farm field storm water gullies;
- Nutrient management, including manure and fertilizers; and,
- Animal waste control, including heavy use area concrete protection pads, which keep animal waste off the ground, and use of 3-sided animal waste storage facilities, both of which minimize manure contact with soils, groundwater and surface water.

Somerset County Soil Conservation District

An additional partner in the conservation of agricultural resources is the New Jersey Department of Agriculture, Division of Agricultural and Natural Resources. Among its responsibilities, the Division implements natural resource conservation programs, administered by the State Soil Conservation Committee (SSCC). These programs “provide engineering services and regulatory guidance to soil conservation districts, homeowners, engineers, planners and virtually all development activities. The Division provides technical standards applicable to construction and mining sites regulated by the Soil Erosion and Sediment Control Act program ...”

The SSCC coordinates and supports the work of the state’s 15 local soil conservation districts (SCD), one of which is the Somerset County SCD. The Somerset County SCD is charged with reviewing and approving natural resource conservation and assistance program grants, implementing agricultural conservation planning assistance, agricultural conservation cost-sharing program grants, application of organic materials on agricultural land, agricultural water supply and management, soil erosion and sediment control, storm water discharge authorization, and soil surveys.

Franklin Farmers may approach this local SCD office (as well as the local NRCS office) with a Request for Assistance (RFA), to apply for funds from natural resource conservation grant programs such as WHIP and EQIP. If approved, the RFA is forwarded to the local NRCS office in Franklin

Township for processing. The administration of the RFA includes preparation of a Conservation Plan and grant program contract, as previously described. The Somerset County SCD is involved in review of Conservation Plans and grant program contracts, and must give final approval to both.

Rutgers Cooperative Extension of Somerset County

The Rutgers Cooperative Extension (RCE) of Somerset County provides both field and technical research which is focused on best management practices for farmers, to ensure the long term viability of both the agricultural economy and the natural resources upon which it is based. The RCE of Somerset County is located in the 4-H Center at 310 Milltown Road in Bridgewater.

Relative to natural resource conservation, the RCE of Somerset County addresses “agricultural, environmental, and ecological concerns, and promoting the use of science based knowledge and management techniques, agriculture and resource management agents and specialists provide professional expertise and training through a wide array of programming and outreach.” Furthermore, the RCE of Somerset County has the following objectives:

- To provide educational tools necessary for proper resource management decisions;
- To improve the knowledge and appreciation of agriculture and environmental resources;
- To strengthen the relationships between agricultural and residential communities; and,
- To encourage the proper use and development of management strategies.

The SSCC, NRCS, Somerset County SCD, and Rutgers Cooperative Extension (RCE) of Somerset County, are part of the New Jersey Conservation Partnership. This partnership of agencies strives to further soil and natural resource conservation efforts.

New Jersey Department of Environmental Protection

The New Jersey Department of Environmental Protection (NJDEP)'s Division of Parks and Forestry, oversees the “Private Lands Management Program.” The aim of this program is to foster wise stewardship and management of the state's 270,000 acres of private woodlands currently under Farmland Assessment. Many properties in Somerset County that are farmland assessed include extensive woodland tracts. Such tracts were added as “farm products” in the 1970's. These woodland tracts, which must be utilized by the farmer as a sustainable “product”, require Woodland Management Plans (WMPs) to receive reduced local property taxes accorded properties in the farmland tax assessment program. The NJDEP's Division of Parks and Forestry, Bureau of Forest Management (BFM), reviews applications for WMPs, which are prepared for farmers by private consultants. Once a WMP is in place, a “Woodland Data Form” must be submitted yearly to certify that the WMP is being complied with. However, the NJDEP, BFM, also inspects each site once every three years to verify compliance with WMP conditions. Since reduced local property taxes are often critical in keeping active agricultural lands economically viable, the NJDEP, BFM is an important partner for Franklin's farmland preservation efforts.

The New Jersey Department of Environmental Protection's Nongame and Endangered Species Program administers the Landowner Incentive Program (LIP). LIP works to improve habitat, habitat

management, and habitat protection for threatened and endangered species on private lands, some of which are agricultural lands. Project durations must be for a minimum of five years, and the property owner contributes a minimum 25% cost share. Some grain farmers have expressed concern over the use of LIP. This is because it not only provides habitat for threatened and endangered species, but also for such nuisance wildlife as deer and turkey, which are known to cause severe loss to farmer products such as corn. In Somerset County there are a total of 235 acres enrolled in LIP on two farms. Of this, 110 acres are planted in warm season grasses, while on the remaining 125 acres delayed mowing is utilized to satisfy LIP habitat requirements. LIP has been in existence for three years, and funding for the program is competitive due to available funds not being equal to funding requests. There are at least two local farmers who participate in Federal Conservation programs that involved planting and mowing of warm-season native grasses.

USDA, Forest Service's Forest Stewardship Program

The United States Forest Service sponsors the Forest Stewardship Program. This program supports landowners whose property has a woodland management plan that recognizes and manages the wetlands, wildlife, aesthetics, soil and water in addition to the woodlands on the property. This program, when fully funded, offers landowners cost-share initiatives to allow the landowners to fully follow the guidelines in their woodland management plan. In New Jersey, the state farmland tax program and the U.S. Forest Service program have merged to allow one planning document for the landowner where the stewardship plan meets the state tax code and eliminates conflicts between the two. Increasing enrollment of landowners in this merged state-federal program will ensure increased protection of the natural resources for an extended period. The minimum is a ten-year management plan. This does not ensure preservation of the land in perpetuity, but it does allow recognition of the importance of the land value and stewardship of the property for a longer period of time.

Private non-profit groups and local community support

Agriculture needs not only the broad support of state, county and local governments to help preserve agriculture resources, but also the help of private non-profit groups and local citizens. Indeed, without their support, government programs and support for agriculture would fall short of what is needed to protect the natural resource base of the agricultural landscape. These individuals spend countless hours providing and sharing their expertise, as well as raising and contributing money. They are an invaluable asset for Franklin's agricultural community and landscape, including natural resource conservation and stewardship and include: the Somerset County Board of Agriculture, New Jersey Farm Bureau, 4-H (including the annual 4-H Fair), and Future Farmers of America. Local and regional non-profit organizations also contribute to the permanent protection of farmland.

Sustainable Agriculture

The term "sustainable agriculture" can mean something different to every farmer in the agriculture community. The issue was first referenced in the 1990 Farm Bill, which defined it in terms of an integrated system of plant and animal practices having site-specific applications. Practices such as Integrated Pest Management (IPM), Rotational Grazing, Soil Conservation, Cover Crops, Planting Riparian Buffers, Management of Agriculture Impervious Cover, and Crop/Landscape Diversity are

some methods to help farmers protect the quality of the environment and conserve the resources that sustain agriculture. A nationwide “Sustainable Agriculture and Education Report” points out that “sustainable agriculture” is more than a set of prescribed practices, since a “key goal is to understand agriculture from an ecological perspective- in terms of nutrient and energy dynamics and interaction of plants, animals, insects and other organisms in agri-ecosystems, and then balance it with profit, community and consumer needs”

Sustainable agriculture is also grounded in the premise of creating an environment that is supportive of agriculture as an industry by blending innovative marketing strategies like farmers markets, buy local programs and community supported agriculture, with good comprehensive planning, economic development and natural conservation practices. Strategies at the local level including agriculture-friendly zoning, clustering, and lot averaging are a few of the land use planning techniques utilized in Franklin. Franklin incorporates agriculture into its economic development plans by engaging and integrating agriculture into traditional business-support systems through the local Chambers and creating economic development incentives to support farm-related businesses.

Another important sustainability tool for the farm community is the River-Friendly Farm Program, which was developed to address water quality problems in the Raritan Basin, where streams within the watershed have been assessed as being impaired for phosphorus. The program seeks to promote best management agriculture practices by recognizing those farms which utilize good stewardship practices in the areas of soil loss management, nutrient management, pest management, stream corridor protection and irrigation water management. In addition to providing much deserved public recognition, River-Friendly Farms can benefit from the increased availability of funding for conservation practices, technical assistance, and creates opportunities for increased marketing with a “River Friendly Farm” label.

B. Natural Resource Protection Programs

The Township and local farmers are encouraged to use any available grant program to retain agricultural production in the Township. The Township will seek to provide additional support to local farmers in educating and outreach to ensure that land owners are aware of all the support opportunities available to them. The follow is an outline of some of the grant opportunities provided by the State and Federal programs.

NJDA Soil and Water Conservation Grants

The New Jersey Department of Agriculture, State Agriculture Development Committee (SADC) has in the past provided soil and water conservation grants to farms that are permanently preserved, or are enrolled in the eight-year preservation program, with priority for preserved farms. The purpose of the grants and program is to protect Somerset County agricultural lands from soil erosion.

These grants fund soil and water conservation projects approved by the Somerset County Soil Conservation District (District), with the program administered by both the district and the local

NRCS office in Franklin Township. Once the District deems the conservation project necessary and feasible, applications are forwarded to the N.J. State Soil Conservation Committee, which recommends projects to the SADC for funding approvals. Traditionally 50% of the costs of approved soil and water conservation projects are paid with grant funds, but up to 75% has also been approved in the past.

The types of soil and water conservation projects funded by SADC include soil erosion and sediment control systems (terrace systems), control of farmland pollution (stream protection; sediment retention, erosion or water control systems; animal waste control facilities; and agri-chemical handling facilities), the impoundment, storage and management of water for agricultural purposes (diversions; water impoundment reservoirs; irrigation systems; and, drainage systems), and management of land to achieve maximum agricultural productivity (land shaping or grading).

Conservation Reserve Enhancement Program (CREP) and Conservation Reserve Program (CRP)

Through CREP and CRP, agricultural producers voluntarily retire land to protect environmentally sensitive areas, decrease soil erosion, provide and restore wildlife habitat, and protect ground and surface water. Examples of conservation practices include riparian buffers and filter strips for water quality, and contour buffer strips to reduce soil erosion. With incentive payments for farmers to fully implement a CREP contract, payment for this program can be fully funded by NRCS and NJDA. Within Somerset County, CREP has been “slow getting started” due to strict eligibility requirements. This includes requirements that the land must have been cropped for 4 of the 6 years between 1998 and 2002, and detailed paperwork documentation is required when applying. CRP is more widely used in Somerset County than CREP.

Conservation Innovation Grant program (CIG)

The aim of the CIG program is to stimulate the development and adoption of conservation approaches and technologies which are innovative, in conjunction with agricultural production. Funds are awarded as competitive 50-50 match grants to non-governmental organizations, tribes, or individuals. At present, CIG is not being used in Somerset County.

Environmental Quality Incentive Program (EQIP)

The Environmental Quality Incentives Program (EQIP) provides financial and technical assistance to agricultural producers to address natural resource concerns and deliver environmental benefits such as improved water and air quality, conserved ground and surface water, reduced soil erosion and sedimentation, and improved or created wildlife habitat.

This voluntary conservation programs helps producers make conservation work for them. Together, NRCS and producers invest in solutions that conserve natural resources for the future while also improving agricultural operations.

Through EQIP, NRCS provides agricultural producers with financial resources and one-on-one help to plan and implement improvements, or what NRCS calls conservation practices. Using these

practices can lead to cleaner water and air, healthier soil and better wildlife habitat, all while improving agricultural operations.

(<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/financial/eqip/>)

Agricultural Conservation Easement Program (ACEP)

The ACEP replaced the previous version of this federal funding program, originally entitled the Federal Farm and Ranchland Preservation Program (FRPP). The ACEP provides financial and technical assistance to help conserve agricultural lands and wetlands and their related benefits (<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/acep/>). The Natural Resources Conservation Program intends to invest 450 million dollars into this program in Fiscal Year 2019.

Grassland Reserve Program (GRP)

The Grassland Reserve Program (GRP) was a voluntary conservation program that emphasized support for working grazing operations, enhancement of plant and animal biodiversity, and protection of grassland under threat of conversion to other uses.

Participants voluntarily limited future development and cropping uses of the land and retained the right to conduct common grazing practices and operations related to the production of forage and seeding, subject to certain restrictions during nesting seasons of bird species that were in significant decline or were protected under Federal or State law. A grazing management plan was required for participants.

The 2014 Farm Bill repealed the Grasslands Reserve Program, but does not rescind existing contracts.

Wetlands Reserve Enhancement Partnership

The 2014 Farm Bill replaced the Wetland Reserve Program with the Wetlands Reserve enhancement Partnership under the ACEP. WREP continues to be a voluntary program through which NRCS signs agreements with eligible partners to leverage resources to carry out high priority wetland protection, restoration and enhancement and to improve wildlife habitat. Partner benefits through WREP agreements include Wetland restoration and protection in critical areas, ability to cost-share restoration or enhancement beyond NRCS requirements through leveraging, able to participate in the management or monitoring of selected project locations, ability to use innovative restoration methods and practices. (<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/acep/>)

Wildlife Habitat Incentives Program (WHIP)

WHIP provides technical and financial assistance for creating, enhancing, and maintaining wildlife habitat. The State Technical Committee for WHIP in New Jersey awards project contracts for designated wildlife habitat categories. Since its inception in 1998, WHIP has been a popular program for non-federal landowners interested in wildlife habitat management in New Jersey. WHIP is second only to EQIP in use for Somerset County, with 1,800 contracted acres and 8 active contracts since 2005.

NJDEP Landowner Incentive Program

New Jersey's Landowner Incentive Program provides technical and financial assistance to private landowners interested in conserving threatened and endangered plant and animal species on their property. Potential projects include vernal pool restoration, prescribed burns, and stream fencing. The State is particularly focused on grassland within regional priority areas and lands adjacent to Wildlife Management Areas and other permanently protected areas.

C. Water Resources

The Importance of the Water Resource

The protection of the water resource as it relates to agriculture and farmland preservation cannot be overstated. Quite simply, without a consistent, plentiful, adequate and clean water source, agriculture cannot exist. In addition, farms are critical as open space areas to provide aquifer water recharge. To a certain extent, some aspects of ensuring clean and plentiful water can be controlled at the individual farm level. These include:

- o Minimizing the use of synthetic chemicals such as fertilizers, herbicides, pesticides, and fungicides so as to lessen impacts to groundwater;
- o Providing riparian buffers along watercourses, so as to protect streams from the above-mentioned synthetic chemicals, and from soil erosion;
- o When possible, practicing organic farming methods;
- o Practicing appropriate timing of chemical application, so as to minimize its use; and,
- o Practicing water conservation techniques, such as drip irrigation and water re-use for certain types of farming where feasible, such as smaller scale vegetable and fruit operations.

Competing demands for water will likely increase, as well as conflicts between agricultural and non-agricultural users. The necessity of groundwater to water certain crops, and the difficulty in sometimes obtaining local and state approval to withdraw the necessary groundwater is often cited as a problem. Though farmers must use water wisely and conserve wherever possible, as an important and vital part of the Township's economic vitality and social fabric, they must also be allocated sufficient amounts of water to operate their farming business.

Physical Features and Water Aquifer Supply Characteristics

The physiographic and geologic layout of Franklin dictates water supply, availability and recharge, as well as location of agriculture. Franklin Township is located within the Somerville Lowlands. These lowlands are a local division of the Piedmont Province. These lowlands are underlain mainly by red shale, sandstone, and lesser areas of limestone. The terrain is generally of low relief, low rolling hills, and wide valleys.

The major (water) aquifer in Somerset County is known as the Brunswick Shale. It has a limited capacity for water storage and is usually filled during periods of normal precipitation. The limited ability of this aquifer to accept and transmit water is exhibited in the extreme differences between

minimum and maximum flow in streams overlying the shale. In areas underlain by highly fractured shale containing mineral voids, the groundwater storage capacity is moderately high. Large diameter industrial wells in the Brunswick Formation of the Raritan Valley typically yield over 200 gallons per minute and can exceed 500 gallons per minute.

Groundwater recharge is derived primarily from the local region. It comes either from precipitation falling on intake or outcrop areas, vertical leakage from nearby runoff, or from infiltration from adjacent water bodies. Variables such as depth to water table, runoff, vegetation, soil type, soil thickness, temperature, and topography can affect the amount of water available and able to enter the aquifer. Most of the natural infiltration occurs between late fall and early spring, when the ground is not frozen and vegetation is in early growth or dormant. It is possible for the prolonged withdrawal of water to exceed the recharge potential in an aquifer, resulting in diminution of available water which can be economically pumped. Natural groundwater quality is considered to be generally good. However, this quality can be affected by infiltration from surface sources, particularly in populated and industrialized areas. Contamination can come from such diverse sources as malfunctioning or improperly designed septic systems; infiltration of agricultural fertilizers such as nitrates, and pesticides; salt run-off from winter road de-icing; gas and oil products from leaking underground storage tanks; leachate from landfills; and, industrial discharges.

Water Conservation Strategies

An adequate water supply is important to successful agriculture operations in Franklin. Droughts in recent years have highlighted the precarious nature of the agriculture (and general) water supply, and the need for water conservation systems and regimens. The State Agriculture Development Committee, through its Agricultural Smart Growth Plan, encourages farmers to “ ... work to accelerate the use of efficient water conservation technologies, such as drip irrigation. Identify and promote new and efficient methods to conduct water distribution on farms, utilizing farm ponds and water reuse options.”

The dominant field crops in Somerset County are corn, soybean and hay. These crops rely on rain and some groundwater for water needs and, as such, water conservation strategies are difficult to implement. With nursery and greenhouse, sod, and vegetable farming, it is possible to implement conservation strategies such as drip irrigation, or watering crops in the cooler parts of the day so as to minimize evaporation. Water re-use is another possible option. For livestock, floats and timers in watering troughs can conserve water by negating the need for constantly running water to keep troughs full.

Because the Township is not located in the Highlands, the Highlands Plan has not been utilized by the Township's farmers.

The D&R Canal Commission regulates several aspects of the Township's land use. Among those are: construction of anything within the established Canal buffer zones; noise and visual impact on the canal state park. Additionally, storm water runoff is regulated by the commission for certain

portions of the Township. Those seeking additional information, can find it at <http://www.dandrccanal.com/drcc/index.html>.

D. Waste Management Planning

Management of livestock waste could have serious implications for the quality of ground and surface waters. Unchecked, or poorly managed, these wastes can cause serious water quality problems by the introduction of unwanted microorganisms into natural systems. Poor management of animal waste can also cause disease among farm animals. Proper animal waste management is not only required, but is also a sign of good environmental stewardship, as is recycling of farm by-products whenever possible. Concentrated Animal Feeding Operations (CAFO) and Animal Feeding Operations (AFO) have the potential to cause water pollution through the collection of large amounts of animal waste in relatively small areas. Mismanagement of the animal waste has the potential to cause soil and groundwater contamination via introduction of the bacteria, fecal coliform, a known contaminant from animal farming operations. As such, proper management is essential.

The NJDEP has outlined a statewide strategy to manage and regulate these operations. The strategy calls for NJDEP to administer CAFO permits, and NJDA to administer the appropriate measures for AFOs and self-certification plans. These measures require development and implementation of comprehensive waste management plans, utilizing “animal waste standards”, proposed by NJDA. The strategy emphasizes the use of cost effective voluntary measures, limiting the need for permits. Self-certified waste management plans will be coordinated through the RCE of Somerset County, unless otherwise specified in the aforementioned “animal waste standards”.

NJDEP, Division of Water Quality - Concentrated Animal Feeding Operations

To protect the quality of surface and groundwater in and around animal farming operations, the NJDEP has adopted a general permit for managing and regulating CAFOs. The permit is administered through the NJPDES regulations at N.J.A.C. 7:14A-2.13, under authority of the Water Pollution Control Act. The permits require CAFOs to comply with the federal effluent limitation guidelines that prohibit discharge to state waters. The New Jersey Department of Agriculture, State Soil Conservation Committee, Natural Resources Conservation Service and New Jersey Soil Conservation Districts have partnered with NJDEP to implement the general permit as part of a statewide strategy to control pollution from CAFOs.

Recycling

Recycling is an important part of natural resource conservation for the agriculture industry. Recycling saves natural resources, and also saves farmers money through creative reuse, such as using leaves and grass clippings to mulch and fertilize farm fields and saving on solid waste disposal costs. Recycling reduces the amount of refuse finding its way to limited landfill space. The nursery and greenhouse industry in the County also offers recycling opportunities for such things as nursery film and potting and pesticide containers. Somerset County has a tire recycling program for all

county residents, including farmers. Additionally, local breweries are starting to team up with cattle/dairy farmers to sell spent grain as feed.

E. Energy Conservation Planning

Energy Conservation

Setting energy efficiency goals makes sense for all economic sectors, including agriculture, and can be part of a basic business plan. Issue to address include energy usage, methods to reduce energy consumption and other energy-related strategies. There are also a number of promising alternatives ranging from solar to wind turbines, that provide farmers a balance of economic and environmental benefits. Identifying which technologies make the most sense for Franklin farms, educating farmers, and encouraging their application are important implementation action steps. Creating a stable and predictable regulatory environment, both at the state and local level, is also critical.

Renewable Energy Grant Programs

The NJDA provides the following information on renewable energy grant programs, which can help encourage the use of these energy sources:

- *New Jersey's Clean Energy Program*: Administered by the New Jersey Board of Public Utilities, this program provides financial incentives to install clean energy systems, including fuel cells, solar energy, small wind and sustainable biomass equipment. Financial incentives are in the form of rebates, grants and loans.
- *Renewable Energy Systems and Energy Efficiency Improvements Program*: This program helps increase American energy independence by increasing the private sector supply of renewable energy and decreasing the demand for energy through energy efficiency improvements. Over time, these investments can also help lower the cost of energy costs for small businesses and agricultural producers. Agricultural producers with at least 50% gross income from agricultural operations and small businesses in eligible rural area are eligible for a variety of grant funding (unrestricted and restricted funds and reporting). Funds may be used for projects such as biomass, geothermal, hydropower and wind renewable energy system. Funding is anticipated as part of the approved 2019 Fiscal Year budget (<https://www.rd.usda.gov/programs-services/rural-energy-america-program-renewable-energy-systems-energy-efficiency>)
- *Biomass Research and Development Initiative Grants*: The United States Departments of Agriculture and Energy support development of biomass energy. Grants are available for research, development and demonstrations on bio-based products, bio-energy, bio-fuels, bio-power and additional related processes. In the recent past, grants have focused on development and demonstration projects that lead to greater commercialization. Additional information is available at the following website: (Agriculture and Green Energy) <http://www.state.nj.us/agriculture/news/hottopics/topics060222.html>.)

The Township looks to the County and state to take the lead in these initiatives. Franklin can help by publicizing and referring programs. The AAC will host seminars and encourage local farmers to attend these educational opportunities.

VIII. Agricultural Industry Sustainability, Retention and Promotion

Throughout the state, the marketing and profitability of the agricultural industry has gained renewed focus. The farmland preservation program is a critical component of the farming industry, and the success of the farmland preservation program in Franklin is not measured just by acres preserved, but also by the programs put in place to support the farmers and their businesses. The Township's agricultural community and its supporting groups and agencies understand that a farmland preservation program constitutes much more than the act of preserving land. In order to be a full partner in a successful farmland preservation program, agriculture as an industry must be vibrant, self-sustaining, and innovative.

Franklin is committed to sustaining its farmers as well as preserving its farmland. The Township, through its AAC Committee, through its partnership with the County, endorses the following economic development and conservation strategies aimed at maintaining local agricultural productivity:

- *Institutional support* – provide local farmers access to educational programs and offer public advertisements of farm stands, markets, fairs, and other agricultural campaigns, and facilitate inter-agency coordination between State, County and municipal agencies on agricultural initiatives.
- *Branding* – offer local farmers information about Jersey Fresh, Jersey Grown, and other branding efforts that try to increase consumption of local farm products.
- *Public outreach* – educate County residents about local farming, and work with municipalities in order to minimize right-to-farm conflicts.
- *Regulatory flexibility* – allow farm operations the opportunity to explore potentially lucrative projects while enforcing prohibitive legal mandates on a cost-benefit basis.
- *Business partnerships* – encourage cooperation between local businesses and farmers in order to make their products available to local consumers. Provide farmers with representation in the County's economic development bodies. Ensure that farmers can obtain health and other forms of insurance.
- *Innovative practices* – provide information about non-traditional agriculture such as Community Supported Agriculture (CSA's), farming coops, incubator farms, and niche markets (organics, wine).

- *Conservation* – Ensure that farmers have knowledge of and access to federal conservation programs such as the Grasslands Reserve Program (GRP), the Conservation Reserve Enhancement Program (CREP), and the Environmental Quality Incentive Program (EQIP). Also, provide assistance to farmers in the development of safe and humane wildlife management strategies.

Franklin Township has taken the following actions to promote agricultural economic development in order to sustain the agricultural industry:

- Adopted a Farmland Preservation Element of the Master Plan
- Appointed an Agricultural Advisory Committee that meets monthly.
- Adopted a Right-to-Farm Ordinance. This ordinance is modeled exclusively upon the SADC model ordinance. It does not include a mediation process, but it does include a real estate transfer disclosure statement, which is utilized to help notify new residents of agricultural activities in the area.
- Hired a Land Preservation Consultant for the past ten years to assist the Township in preserving farmland and in providing staffing support to the AAC.
- Prepared an eco-heritage tourism map that shows the location of all farm markets and all Christmas tree farms that are located in the Township.
- Established an “Open Space, Farmland, Recreation and Historic Preservation Trust Fund” that collects over \$4 million each year for property preservation efforts.
- Bonded for over \$45 million for land preservation projects.
- Applied for and received PIG grants from the SADC.
- Working with the Department of Environmental Protection’s Division of Parks and Forestry to develop a land management plan for the State-owned 3,000 acre Six Mile Run Reservoir Site. (The Reservoir Site was purchased in the 1970’s by the State and is being land-banked for a possible future reservoir site.) This land management plan, if ever developed, would designate certain areas of the State to be agricultural areas. A significant portion of the Six Mile Run Reservoir Site are identified as being compatible with agriculture with many sites being leased by the State to farmers. Until and unless the reservoir is constructed, state law (codified at C.58:1A-13.1) states that the Department of Environmental Protection “. . . shall take actions to assure that State-owned lands identified pursuant to paragraph (6) of subsection b. of section 13 of P.L.1981, c.262 (C.58:1A-13) shall be maintained in a manner to ensure that their future use for water supply purposes is not materially impaired or

increased significantly in cost. Until State-owned lands identified pursuant to paragraph (6) of subsection b. of section 13 of P.L.1981, c.262 (C.58:1A-13) are used for water supply purposes, these lands shall be dedicated to the protection of natural resources, including grasslands, wetlands, forests and reforestation, ecosystem improvement, natural ground water recharge, and agricultural purposes that are compatible with natural resource protection and water quality protection.” As is shown in Table 6, approximately 2,759 acres are currently dedicated to agricultural purposes through leases with local farmers.

- Managing a white-tailed deer hunting program on Township-owned open space to reduce the deer population in the Township. By managing the deer population on open space, the Township is assisting farmers whose crops are negatively impacted by the deer. Open space as used herein includes property that is owned in-fee by the Township and is managed either as open space, in which case township-issued hunting permits are given out each year on the property, or on open space, owned by the Township, that is being managed as farmland, in which case the Township permits white-tailed deer hunting by the tenant-farmer who leases the land from the Township. All of these activities are contributing to the reduction of the deer herd in the township.
- Leasing over 300 acres of township-owned open space to local farmers.

The State of New Jersey offers Franklin Township's farmers a number of support agencies and programs ranging from technical advice to farm loans. The New Jersey Department of Agriculture (NJDA) *Smart Growth Tool Kit* provides information to support municipal governments, businesses, non-profit groups, and local citizens in their efforts to achieve the goals and objectives outlined in the NJDA *Agricultural Smart Growth Plan for New Jersey, 2006. (Agricultural Smart Growth Tool Kit)* and *(Agricultural Smart Growth Plan 2006)* The Tool Kit embraces the five components that have been identified by NJDA as critical for the future of farming: Farmland Preservation, Innovative Conservation Planning, Economic Development, Agriculture Industry Sustainability, and Natural Resource Conservation. As part of this emphasis on the business of agriculture, the NJDA has issued its 2007 "Economic Development Strategies", which identifies and proposes strategies to expand and strengthen various sectors of the agriculture industry in New Jersey, including produce, horticulture, dairy, livestock and poultry, field crops, organic, equine, wine, and Agritourism. The NJDA observes that *"local access to large affluent markets has long been an advantage for the marketing of (those) products. While our markets are still there, competition for those markets has become tougher. New Jersey's (produce) industry must continually work to rediscover its competitive advantages, improving access to nearby markets and strengthening consumer loyalty."* (*Economic Development Strategies*) Franklin Township's farmers continue to look for ways to explore new markets, promote their products, and increase the profitability of their agricultural operations.

Another NJDA program, *Farm Link*, serves as a resource and referral center for new farmers, farmers seeking access to land and farming opportunities, landowners seeking farmers, and farmers working on estate and farm transfer plans. A linking service lists farmland for lease, partnership and farm manager opportunities, preserved farms for sale (including auctions of preserved farms),

apprenticeship, internship and other opportunities for gaining farming experience. However, once the listings are up, farmers are pretty much on their own to sort things out.

The NJDOA website offers a variety of technical and financial resources for Agritourism assistance, First Pioneer Farm Credit, deer fencing, farmers' market assistance, etc. In addition, the NJDA's Strategic Plan through June 2006 (*New Jersey Department of Agriculture Strategic Plan*) lists among its objectives to increase the profitability of New Jersey's agricultural industry through new market opportunities and to create additional income for farmers.

Another opportunity is the New Jersey Agricultural Leadership Development Program (NJALDP), sponsored by the New Jersey Agricultural Society, a two-year professional development opportunity, which is designed specifically for individuals in farming and agribusiness. Through a series of seminars and interactive workshops, NJALDP participants explore various agricultural topics, debate key issues, sharpen communications skills, particularly public speaking, and establish and cultivate an extensive agricultural network throughout the State.

A. Existing Agricultural Industry Support

1. Right to Farm / Agricultural Mediation Programs

To ensure farmers have the ability to continue accepted agricultural operations, the Right to Farm Act was enacted by the State Legislature in 1983 and amended in 1998. The Act provides "protection of commercial farm operations from nuisance action, where recognized methods and techniques of agricultural production are applied, while, at the same time, acknowledging the need to provide a proper balance among the varied and conflicting interests of all lawful activities in New Jersey." Another critical piece of legislation to support agriculture was the 1983 Agriculture Retention and Development Act. This act created the State Agriculture Development Committee (SADC), and eighteen County Agriculture Development Boards (CADB's). Both the SADC and CADB's implement the Right to Farm Act on the state and local levels.

The SADC works to maximize protections for commercial farmers under the Right to Farm Act by developing Agricultural Management Practices (AMPs), tracking Right to Farm cases, offering a conflict resolution process, and reviewing rules proposed by other state agencies for the impact they may have on agriculture. In order to qualify for Right to Farm protection a farm must meet the definition of a "commercial farm" in the Right to Farm Act; be operated in conformance with federal and state law; comply with AMPs recommended by the SADC, or site specific AMPs developed by the Somerset County Agriculture Development Board (CADB) at the request of a commercial farmer; must not be a direct threat to public health and safety; and, must be located in an area where agriculture was a permitted use under municipal zoning ordinances as of December 31, 1997, or thereafter; or, must have been an operating farm as of December 31, 1997. The Somerset CADB has developed a "Policy for Development and Recommendation of Site-Specific Agricultural Management Practices" that closely mirrors guidelines of the SADC.

The right to farm is recognized to exist in the Township and is a permitted use in all zones. Protected activities include production of agricultural and horticultural crops, trees, apiary and forest products, livestock, poultry and other commodities; the grazing of animals and use of range for fowl; the operation and transportation of large, slow-moving equipment over roads within the Township; use of any and all equipment; and, the application of manure and chemical fertilizers, insecticides and herbicides. The protected practices and activities may occur on holidays, weekdays and weekends, by day or night.

The Township AAC will work with landowners to resolve and avoid conflicts as early as possible when complaints are filed under the Township's ordinance and participate where appropriate in the conflict resolution process and encourage the participation in SADC agriculture mediation programs.

2. Farmland Assessment

The Farmland Assessment program is a tax incentive which reduces property taxes on active commercial farmed land, thereby assisting farmers with a critical financial aspect in helping to keep land in farms. This tax incentive is made possible by the Farmland Assessment Act of 1964, N.J.S.A. 54:4-23.1 et seq.

Basic eligibility requirements include:

- The applicant must own the land;
- The property owner must apply annually for Farmland Assessment
- Land must be devoted to agricultural and/or horticultural uses for at least two years prior to the tax year;
- Land must consist of at least five contiguous farmed and/or woodland management plan acres. Land under or adjoining a farmhouse is not counted towards the minimum five acres;
- Gross sales of products from the land must average at least \$1,000.00 per year for the first five acres, plus an average of \$5.00 per acre for each acre over five. In the case of woodland or wetland, the income requirement is \$.50 per acre for any acreage over five. Dependent on the agricultural or horticultural products being produced, the farmer can also offer clear evidence of anticipated yearly gross sales, payments, or fees within a reasonable period
- The property owner must represent that the land will continue in agricultural or horticultural use to the end of the tax year.

Without farmland assessment, farming in Franklin Township would have disappeared long before now because of high land values in the Township. The decreased taxes help farmers to afford their land. The State could examine revising the Assessment regulations to provide a more exact formula for assessing agricultural buildings. Currently, the roll back penalty requires repayment of the previous three years of taxes. This penalty already acts a deterrent for some landowners.

B. Additional Strategies to Sustain, Retain, and Promote Agriculture in Franklin Township

1. Regulatory Flexibility and Permit Streamlining

Municipalities play a key role in the preservation of farming as an industry. Without strong and active support from municipal governments, farming can be too costly and burdensome to be profitable or worthwhile. In towns with a sizable acreage of assessed farmland, zoning powers can be utilized to require buffers between agriculture and other uses to minimize conflict. The aforementioned Right to Farm Ordinances are an active example of municipalities' support for agriculture. However, the support of municipal governments must not only be on paper, but also be actively practiced so that agriculture is seen as an important and permanent part of the community. An example is enforcing farmers' rights to move slow moving farm vehicles on town roads, which assists farmers in running their agriculture business. Such actions create an atmosphere favorable to agriculture, and its economics and profitability.

The viability of farming in New Jersey is impacted by many issues, including government regulation, development pressures and the economics of the marketplace. While land preservation is vital for maintaining a sufficient land base suitable for farming, sustaining Franklin Township's strong agricultural base requires support on many fronts, one of which is flexibility in government regulation.

The 2006 Agricultural Smart Growth Plan for New Jersey identified the following as important relative to regulatory flexibility and priority:

- *Positive and supportive public policy:* This includes legal protection (Right to Farm), priority in decisions on taxation (farmland assessment), regulation exemptions, and financial incentives (Planning Incentive Grants). These need to be strengthened and modified if and when, necessary;
- *Exemptions:* State, county and municipal regulations must be responsive to the needs of farmers. Minor changes to, or exemptions from, certain local and state regulations, rules, and ordinances help to buffer agricultural operations from burdensome costs, thereby creating a farmer-friendly environment. Pertinent examples are the strong Right to Farm Ordinances in seven of the twenty-one municipalities within the county. At a state level, the Department of Environmental Protection's "Freshwater Wetlands Protection Act Rules" (N.J.A.C. 7:7A-et. seq.), and the "Flood Hazard Area Control Act Rules" (N.J.A.C. 7:13), grant exemptions, permits-by-rule, or general permits for agricultural activities. The Somerset County agriculture community must work to ensure that exemptions are adequate and reasonable;

- *Flexibility*: State agencies such as the Department of Environmental Protection, Department of Transportation, Department of Community Affairs, Department of Labor, and New Jersey Commerce Commission, should consider the NJDA 2006 Agricultural Smart Growth Plan for New Jersey when making important decisions regarding existing and proposed infrastructure, developing and amending regulations and programs, and protecting environmental and historic resources. These agencies should coordinate with NJDA to ensure that regulations and programs are attuned to the needs of Somerset County farmers;
- *Agriculture-Friendly Zoning*: This refers to a comprehensive land use practice that coordinates zoning and land use policy in a proactive way. The desired result is that it encourages agribusiness while at the same time reducing the incidence of farmer-homeowner nuisance issues. In other words, it seeks to harmonize potentially conflicting land use policies. This strategy would be done mostly at the local and county levels. As enumerated in the 2001 Master Plan, the Somerset County CADB can "... encourage municipalities to use their planning and zoning powers to promote and enhance agriculture".

2. Agricultural Vehicle Movement

In recent years, as many portions of the rural landscape have become developed with residential subdivisions and shopping malls, the sometimes conflicting lifestyles of farmers and suburban residents clash. Farmers need to move heavy, slow moving agricultural equipment over local, county and sometimes state roads to access unconnected fields, barns, etc. Residents need to commute to workplaces, or drive to area destinations for shopping, town sports and social activities, at a pace much faster than the slow moving agricultural equipment. These different paces can, and do, cause conflict between farmers and suburban dwellers. They can also create unsafe road conditions as residents and farmers "compete" for road space.

Since many farm vehicles travel over local roads, Franklin Township should continue to support local agricultural business' right to do so.

Signage alerting fast moving cars as to the possible movement and road crossing of slow moving farm vehicles is an additional, effective tool to protect farmer (and automobile passenger) safety. Signage also informs the public at large that agriculture is an important, equal and permanent fixture of township life. Local officials should consult with farmers as to what adequate signage is and where it should be posted.

If local non-agriculture residents are to enjoy the scenic vistas, fresh produce, clean air and limited traffic congestion that Somerset County's agriculture provides, they must be more tolerant of the farming community. Local, county and state government can advertise the contributions of the farming community via public outreach at local schools and various community activities.

3. Agricultural Labor and Training

An adequate labor supply is integral to farming. Measured in farmed acreage, Franklin has a relatively small industry for produce products compared with field crops such as corn, soybeans,

and hay, and nursery products. Harvesting of the latter farm products is more mechanized, and/or not as labor intensive as produce or equine.

Using Somerset County as an example, produce (fruits, berries and vegetables) occupy approximately 98% less land than field crops and nursery products. As of 2012, 410 acres were devoted to fruit, berries and vegetables, while 16,504 acres were devoted to field crops and nursery products. Since the overall portion of agriculture in Somerset County devoted to labor intensive farming is small farm labor housing, a large issue in counties with high farm labor populations, is for the most part, not a pressing concern in Franklin.

The U.S. Census of Agriculture reports that in 2007 hired farm labor costs for workers of 150 days or more in New Jersey were \$158.7 million and rose to \$169.0 million in 2012, representing 19% and 18.5% of total farm production costs respectively, a fall of 0.5%. In Somerset County hired farm labor costs for 2007 were \$5.1 million, which increased in 2012 to \$8.9 million, representing 24.6 % and 31.6% of total farm production costs respectively, an increase of 7% (more recent county figures are not available).

Rising farm labor costs in Somerset County are not currently impacting agriculture sustainability, which is due at least in part to the continued strong trend of mechanized, non-labor intensive crop farming in the county.

To sustain a modern, diverse and stable food and agricultural industry, education and progressive, ongoing training for farmers will promote a more efficient and productive business environment. This includes programs covering “farmer risk management education, labor education including worker safety, agricultural leadership training, secondary school and college agricultural education.”

One educational link for Somerset County agricultural land owners and operators is to collaborate with the Rutgers Cooperative Extension (RCE) of Somerset County (associated with Cook College, Rutgers University). There is not a minimum or maximum size farm to which the RCE will lend assistance, so long as it is farmland assessed.

During the growing season, RCE of Somerset County coordinates with other RCE offices in northwest New Jersey to conduct on-site farm meetings regarding a range of agricultural issues including vegetable growing, safe operation of farm equipment, and programs to certify and recertify farmers for pesticide application licenses.

The RCE of Somerset County performs applied research on area farms to further knowledge on a wide range of issues pertaining to agricultural plants and animals. Results of any research are used to advise local farmers on an as needed basis.

Through its Division of Agriculture and Natural Resources’ Natural Resource Conservation Program, the New Jersey Department of Agriculture offers technical, financial and regulatory

assistance, and provides educational outreach to landowners throughout the state. The Department also offers, in conjunction with the U.S. Department of Agriculture, farm risk management and crop insurance education programs to assist farmers in understanding what assistance is available to reduce agricultural risks.

Agriculture labor education and training funding may be available through the New Jersey Department of Labor and Workforce Development programs. These programs can help to assist in upgrading the skills and productivity of the agricultural workforce. Some of the programs which may be applicable include Customized Training Initiative, Basic Skills Program, and Occupational Safety and Health Training Program.

4. Management of Nuisance and Crop Damaging Wildlife

Management of nuisance and crop damaging wildlife is critical to the short and long-term sustainability of Franklin Township's agriculture industry. Crop damage from wildlife leads to economic loss for the farmer and/or landowner and is a serious problem with huge crop loss in certain instances. Most damage is caused by a multitude of insects as well as deer, turkey, Canada Geese and other wildlife. It is imperative to not only control and manage damage to crops, but also to do so in a manner which causes the least amount of collateral natural resource damage (i.e. limit pesticide use to the greatest extent possible, using natural pest control).

Deer exclusion fencing may be effective for protecting produce since produce is grown on relatively small plots of land. However, it is not cost effective to erect deer fencing on very large tracts of land where, for example, corn may be grown. One way farmers may control damage from deer is through hunting of crop damaging animals. This hunting is allowed on private lands through depredation permits, issued by the New Jersey Department of Environmental Protection's (NJDEP) Fish and Wildlife Program.

The New Jersey Department of Agriculture's Division of Plant Industry works to safeguard New Jersey's plant resources from injurious insect and disease pests. The Division implements several programs for detection, inspection, eradication and control of insect pests, which helps to ensure that the public can enjoy high quality, pest-free agricultural products. Protection of forest resources is important to Franklin farmers who harvest wood as part of woodland management plans on their farmland assessed properties.

The Township's AAC will assess the benefits and costs of expanding its role in anticipating future directions for agriculture. Some possibilities include surveying the needs of local farmers and closer coordination with county, state and federal agricultural agencies.

5. Agricultural Education and Promotion

The federal government is a key partner in supporting Somerset County agriculture. There are several federal programs that support, or could support, the agricultural industry in Somerset County. As such a discussion of each is warranted and follows below.

- *USDA Rural Development Program* - Known as the Rural Development Program, the United States Department of Agriculture (USDA) has an extensive array of loans and grants to assist residents in rural areas of the Country to support essential public facilities and services such as water and sewer systems, housing, health clinics, emergency service facilities, and electric and telephone service. Through the program the USDA offers technical assistance and information to agricultural cooperatives as well as to communities for empowerment programs. With a multi-billion dollar portfolio of loans, loan guarantees, and grants the USDA is an effective partner to assist the agricultural community.
- *Income Averaging for Farmers* - The U.S. Taxpayer Relief Act of 1997, administered by the U.S. Department of Treasury's Internal Revenue Service, is meant to smooth out economic disparities that farmers experience from year to year due to the cyclical nature of agriculture. Known as Farm Income Averaging, qualified farmers can average all or part of their current year farm income over the previous three years. Substantial tax dollars can be saved by income averaging.
- *USDA Farm Service Agriculture Program* - Farming is a business which can be cyclical and unpredictable, with factors such as weather and market conditions affecting crops and profitability, both out of the farmer's control. As such, farmers often need assistance to make ends meet, to stay profitable, and to stay in business. Many times federal government loan programs are available, and farmers can take advantage of these loans as a tool in running their farm business.

The United States Department of Agriculture (USDA), Farm Service Agency (FSA) makes "... guaranteed farm ownership and operating loans to (beginning farmers), family-size farmers and ranchers who cannot obtain commercial credit from a bank, Farm Credit System institution, or other lender", often due to financial setbacks from natural disasters, or whose resources are too limited to maintain profitable farming operations. FSA loans can be used for most agriculture necessities such as purchasing land, livestock, equipment, feed, seed, supplies, and also for construction of buildings, or to make farm improvements.

The FSA also makes "Direct" farm loans. These loans include supervision and credit counseling for farmers so they have a better chance for success. Under this program, farm ownership, operating, emergency and youth loans are the main types of loans available, but there are also minority applicant and beginning farmer loans.

APPENDIX

RIGHT-TO-FARM ORDINANCE

ARTICLE XXI
Right to Farm

§ 112-171. Definitions.

As used in this chapter, the following words shall have the following meanings:

COMMERCIAL FARM —

- A. A farm management unit of no less than five acres producing agricultural or horticultural products worth \$2,500 or more annually, and satisfying the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, N.J.S.A. 54:4-23.1 et seq.; or
- B. A farm management unit less than five acres, producing agricultural or horticultural products worth \$50,000 or more annually and otherwise satisfying the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, N.J.S.A. 54:4-23.1 et seq.

FARM MANAGEMENT UNIT — A parcel or parcels of land, whether contiguous or noncontiguous, together with agricultural or horticultural buildings, structures and facilities, producing agricultural or horticultural products, and operated as a single enterprise.

FARM MARKET — A facility used for the wholesale or retail marketing of the agricultural output of a commercial farm, and products that contribute to farm income, except that if a farm market is used for retail marketing, at least 51% of the annual gross sales of the retail farm market shall be generated from sales of agricultural output of the commercial farm, or at least 51% of the sales area shall be devoted to the sale of the agricultural output of the commercial farm, and except that if a retail farm market is located on land less than five acres in area, the land on which the farm market is located shall produce annually agricultural or horticultural products worth at least \$2,500.

PICK-YOUR-OWN OPERATION — A direct marketing alternative wherein retail or wholesale customers are invited onto a commercial farm in order to harvest agricultural, floricultural or horticultural products.

§ 112-172. Farming declared a permitted use in all zones.

- A. The right to farm is hereby recognized to exist in this Township and is hereby declared a permitted use in all zones of this Township. This right to farm includes, but not by way of limitation:
- (1) Production of agricultural and horticultural crops, trees, apiary and forest products, livestock, poultry and other commodities as described in the Standard Industrial Classification for agriculture, forestry, fishing and trapping.
 - (2) Housing and employment of necessary farm laborers.
 - (3) Erection of essential agricultural buildings, including those dedicated to the processing and packaging of the output of the commercial farm and ancillary to agricultural and horticultural production.
 - (4) The grazing of animals and use of range for fowl.
 - (5) Construction of fences.
 - (6) The operation and transportation of large, slow-moving equipment over roads within the Township.
 - (7) Control of pests, including but not limited to insects and weeds, predators and diseases of plants and animals.
 - (8) Conduction of agriculture-related educational and farm-based recreational activities, provided that the activities are related to marketing the agricultural or horticultural output of the commercial farm and permission of the farm owner and lessee is obtained.
 - (9) Use of any and all equipment, including but not limited to irrigation pumps and equipment, aerial and ground seeding and spraying, tractors, harvest aids, and bird control devices.
 - (10) Processing and packaging of the agricultural output of the commercial farm.
 - (11) The operation of a farm market with attendant signage, including the construction of building and parking areas in conformance with Township standards.
 - (12) The operation of a pick-your-own operation with attendant signage.
 - (13) Replenishment of soil nutrients and improvements of soil tilth.

- (14) Clearing of woodlands using open burning and other techniques, installation and maintenance of vegetative and terrain alterations and other physical facilities for water and soil conservation and surface water control in wetland areas.
 - (15) On-site disposal of organic agricultural wastes.
 - (16) The application of manure and chemical fertilizers, insecticides and herbicides.
 - (17) Installation of wells, ponds and other water resources for agricultural purposes such as irrigation, sanitation and marketing preparation.
- B. Commercial farm operators may engage in any other agricultural activity as determined by the State Agriculture Development Committee and adopted by rule or regulation pursuant to the provisions of the Administrative Procedure Act, P.L. 1968, c. 410 (N.J.S.A.52:14B-1 et seq.).

§ 112-173. Adherence to accepted practices.

Commercial farm operators are strongly advised to adhere to generally accepted agricultural management practices that have been:

- A. Promulgated as rules by the State Agriculture Development Committee;
- B. Recommended as site-specific agricultural management practices by the County Agriculture Development Board;
- C. Approved by the local Soil Conservation District in the form of a farm conservation plan that is prepared in conformance with the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG), revised April 20, 1998, as amended and supplemented; or
- D. Recommended by the New Jersey Agricultural Experiment Station.

§ 112-174. Conformance with federal and state law.

The foregoing activities must be in conformance with applicable federal and state law.

§ 112-175. Time and days of activities not restricted.

The foregoing practices and activities may occur on holidays, weekdays and weekends by day or night and shall include the attendant or incidental noise, odors, dust and fumes associated with these practices.

§ 112-176. Nuisance factor offset by benefits.

It is hereby determined that whatever nuisance may be caused to others by these foregoing uses and activities is more than offset by the benefits of farming to the neighborhood community and society in general.

§ 112-177. Filing of complaints.

Any person aggrieved by the operation of a commercial farm shall file a complaint with the applicable County Agriculture Development Board or the State Agriculture Development Committee in counties where no county board exists prior to filing an action in court.

§ 112-178. Additional purpose.

An additional purpose of this chapter is to promote a good neighbor policy by advising purchasers and users of property adjacent to or near commercial farms of accepted activities or practices associated with those neighboring farms. It is intended that, through mandatory disclosures, purchasers and users will better understand the impacts of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near land actively devoted to commercial agriculture or in an agricultural development area, meaning an area identified by a County Agriculture Development Board pursuant to the provisions of N.J.S.A. 4:1C-18 and certified by the State Agriculture Development Committee. The disclosure required by this section is set forth in the form attached hereto as Appendix A.¹

1. Editor's Note: Appendix A, Real Estate Transfer and Disclosure Statement, is included at the end of this chapter.