

**THE COLTS NECK
FARMLAND PRESERVATION
BULLETIN
WINTER/SPRING – 2005**

**PUBLISHED BY THE
COLTS NECK FARMLAND PRESERVATION
AND OPEN SPACE COMMITTEE**

**CAROL BARNETT - CHAIRPERSON – 732-946-4358
TOM ORGO - VICE CHAIRPERSON – 732-772-1772
LILLIAN BURRY - TOWNSHIP COMMITTEEWOMAN AND FARMLAND
COMMITTEE MEMBER – 732-462-6888
JOHN JACOBY – EDITOR – 732-462-6567
RICHARD MALINOWSKI – 732-834-0088
PATRICIA POLGAR – 732-946-4875
KIM ROTHBERG – 732-460-9430
RICHARD REHM – 732-946-2644
MARIO SESSA – 732-845-3956
JAMES STUART COMMITTEEMAN AND MEMBER OF THE
MONMOUTH COUNTY AGRICULTURE DEVELOPMENT
COMMITTEE – 732-530-0662**

FORWARD:

THE FARMLAND PRESERVATION AND OPEN SPACE COMMITTEE OF COLTS NECK TOWNSHIP ISSUES A SEMI-ANNUAL BULLETIN TO IMPROVE COMMUNICATIONS BETWEEN COLTS NECK LANDOWNERS AND THE COMMITTEE. IN THE INTEREST OF EFFICIENCY, THE BULLETIN WILL BE KEPT BRIEF BUT WILL COVER TOPICS THAT THE COMMITTEE BELIEVES WILL BE OF INTEREST AND USEFUL TO COLTS NECK LANDOWNERS. IN ADDITION TO KEEPING LANDOWNERS APPRISED OF LOCAL, COUNTY AND STATE ACTIONS, ISSUES AND OPTIONS RELATED TO THE FARMLAND PRESERVATION PROGRAM, THE BULLETIN WILL COVER FARM BUREAU APPLICATIONS AND OTHER INFORMATION ON AGRICULTURE PROGRAMS AND FARMLAND USE IN GENERAL. QUESTIONS SHOULD BE REFERRED TO THE ABOVE COMMITTEE MEMBERS.

COLTS NECK FARMLAND PRESERVED TO DATE

QUIET WINTER FARM (THOMPSON)	63 ACRES
DUCK HOLLOW FARM (DITTMAR)	90 ACRES
YELLOW BROOK FARM (MUMFORD) (PRESERVED AS SCHANCK FARM – DITTMAR)	101 ACRES
MCCRANE FARM	104 ACRES
BLACKBURN FARM	86 ACRES
TOURELAY FARM (BARNEY)	50 ACRES
EASTMONT ORCHARDS (BARCLAY)	100 ACRES
COLTS NECK TWP. FIVE POINTS ROAD	27 ACRES
VICTORY STABLES (SESSA) (NOTE – 1)	30 ACRES
MEDLIN FARM (NOTE – 1)	7 ACRES
COOLEY FARM (NOTE – 1)	8.6 ACRES
TOTAL ACREAGE PRESERVED	666.6. ACRES

Note-1 – 2004 Preservations

WHAT'S HAPPENING AROUND TOWN.....

MAYOR PROPOSES OPEN SPACE TAX INCREASE

MAYOR FORRESTER HAS PROPOSED INCREASING THE LOCAL TAX SET ASIDE FOR FARMLAND, OPEN SPACE AND HISTORIC PRESERVATION FROM THE CURRENT 2.5 CENTS PER \$100.00 OF ASSESSED VALUATION TO 5 CENTS. THIS PROPOSED CHANGE WILL HAVE TO BE APPROVED BY THE TOWNSHIP COMMITTEE AND THE VOTERS OF THE TOWNSHIP. HOWEVER, THE PROPOSAL SIGNALS THE STRONG SUPPORT OF THE MAYOR FOR THE PRESERVATION PROGRAM GOING FORWARD.

SADC RULING REGARDING PROPANE CANNONS

THE STATE AGRICULTURAL DEVELOPMENT COMMITTEE (SADC) RECENTLY RULED THAT JOHN SAMAHA, AN ABERDEEN RESIDENT WHO USES A LIQUID PROPANE CANNON TO SCARE BLACKBIRDS AND CROWS FROM HIS SWEET CORN CROP, IS FOLLOWING AN ACCEPTABLE AGRICULTURAL MANAGEMENT PRACTICE (AMP). MR. SAMAHA, WHO USES THE CANNON AT A 70-ACRE FARM ON MULLENBRINK ROAD, SAID HE HOPES THE RULING “PUTS TO REST THE NOTION THAT FARMERS HAVE TO FIND SOMETHING ELSE TO DO WHEN PEOPLE DECIDE TO MOVE INTO A FARMING COMMUNITY”.

THIS RULING UPHOLDS A 2002 DECISION OF THE MONMOUTH COUNTY AGRICULTURAL DEVELOPMENT BOARD (MCADB).

JEFF BEACH, SPOKESMAN FOR THE SADC, SAID ON JANUARY 3, 2005 THAT SUCH CROP-MANAGEMENT PRACTICES ARE PROTECTED UNDER THE STATE'S RIGHT TO FARM ACT, ADOPTED IN 1983 AND AMENDED IN 1998. THE LAW PROTECTS RESPONSIBLE COMMERCIAL FARMERS FROM PUBLIC AND PRIVATE NUISANCE ACTIONS AND RESTRICTIVE MUNICIPAL REGULATIONS. WHILE THIS

HAS BEEN A PROBLEM IN NEIGHBORING TOWNSHIPS, IT HAS NOT BEEN A PROBLEM IN COLTS NECK.

THE CASE THAT PRECIPITATED THIS RULING WAS BROUGHT BY A HOMEOWNER ON COUNTRY MEADOW DRIVE BECAUSE OF NOISE NUISANCE CONCERNS. THE MCADB RULED THAT SAMAHA CAN ONLY FIRE THE CANNON FROM A HALF-HOUR AFTER SUNRISE TO A HALF-HOUR BEFORE SUNSET AND MUST USE ALTERNATIVE MEASURES IN ADDITION TO KEEP BIRDS FROM EATING HIS CROP.

MR. BEACH SAID THE SADC RULING IS BINDING, SUBJECT TO APPEAL TO THE APPELLATE DIVISION OF SUPERIOR COURT. BEACH IS NOT AWARE IF A JUDICIAL APPEAL IS BEING PLANNED.

NEW JERSEY FARM BUREAU UPDATE – SELECTED EXTRACTS

CAN PRESERVED FARMLAND BE AFFORDABLE TO FARMERS?

BECAUSE OF CONCERNS THAT PRESERVED FARMLAND IS STILL PRICED OUT OF THE RANGE OF MOST FARMERS, ESPECIALLY NEW AND BEGINNING FARM OPERATORS, SECRETARY CHARLES KUPERUS CREATED A STUDY GROUP TO DEVELOP POTENTIAL SOLUTIONS CHAIRED BY SADC MEMBER GARY MOUNT. THE SADC ACCEPTED THE REPORT OF THIS AFFORDABLE FARMLAND WORKING GROUP AT ITS REGULAR MEETING ON SEPTEMBER 28, 2004.

FARMERS AND THE GENERAL PUBLIC HAVE BEEN CRITICAL OF THE FARMLAND PRESERVATION PROGRAM FOR SEVERAL REASONS:

- SALES VALUES OF FARMS AFTER THEY HAVE BEEN PRESERVED ARE RISING ALL OVER THE STATE TO LEVELS THE “BONA FIDE” FARMER CANNOT AFFORD TO PAY. THIS BECOMES AN ESCALATING CYCLE: HIGH “FARM VALUES” IN TURN BECOME THE COMPARATIVE SALES USED TO VALUE DEVELOPMENT EASEMENTS AND LOWER FUTURE EASEMENT PURCHASE APPLICATIONS.
- SUCH FARMERS AND NEW/YOUNG FARMERS ARE BEING OUT-BID BY MORE WEALTHY NON-FARMERS WHO WANT LARGE PROPERTIES FOR RESIDENTIAL AND RECREATIONAL PURPOSES. LESS THAN “ACTIVE FARMING” IS TAKING PLACE AND OFTEN VERY LARGE HOUSES ARE BUILT, MORE LIKE MANSIONS THAN FARM-HOUSES.
- THE PUBLIC IS CRITICAL OF FARMLAND PRESERVATION PURCHASES THAT ACHIEVE ONLY THAT RESULT — LESS FAMILY FARMING AND CROP PRODUCTION, MORE CONSPICUOUS CONSUMPTION AT THE PUBLIC’S EXPENSE.
- DEMAND FOR LAND FOR FARMING IN NJ IS HIGH: GRAIN FARMERS COMPETE IN SOME AREAS FOR BEST CROPLAND; NEW FARMERS WANT REASONABLY PRICED LAND OR AT LEAST SOME LAND ON A LONG-TERM LEASE; YOUNG FARMERS NEED LAND UPON WHICH TO GAIN EXPERIENCE, AND THE OPPORTUNITY TO BUY INTO THE FARM AND PROPERTY.

THE WORKING GROUP FOUND THAT APPLYING SOLUTIONS THAT APPEAR TO BE KEEPING FARMLAND AFFORDABLE IN OTHER STATES LIKE MASSACHUSETTS

AND VERMONT WOULD BE DIFFICULT. CONTROL OF LAND PRICES IS UNLIKELY IN A STATE LIKE NEW JERSEY, WHERE, RESEARCH SHOWS, 82 PERCENT OF THE LAND VALUE IS COMPOSED OF THE DEVELOPMENT VALUE. FEW OTHER STATES HAVE LIMITED DEVELOPMENT ON SO MUCH OF ITS LAND THROUGH REGIONAL PLANNING STRATEGIES LIKE THE PINELANDS AND HIGHLANDS, AGGRESSIVE LAND PRESERVATION PROGRAMS, AND TOUGH ENVIRONMENTAL REGULATIONS. A SHORTAGE OF AFFORDABLE LAND AND HOUSING PUTS EVEN MORE ATTENTION ON PRESERVED FARMS SIMPLY AS MORE AFFORDABLE PLACES TO LIVE.

THE WORKING GROUP IS RECOMMENDING A NUMBER OF CHANGES TO THE FARMLAND PRESERVATION PROGRAM THAT WILL NOT BE RETROACTIVE, BUT MAY, IF ADOPTED BY THE SADC, IMPACT FUTURE LAND PRESERVATION TO ADDRESS THE ABOVE CONCERNS. THEY ARE:

- IN ORDER TO DISCOURAGE BUYERS WHO ONLY DESIRE A LARGE, INEXPENSIVE RESIDENTIAL PROPERTY, CHANGES MAY BE MADE TO THE EASEMENT PURCHASE DEED REQUIREMENTS THAT THE FARM CONSERVATION PLAN (A DEED REQUIREMENT NOW) BE IMPLEMENTED AS A FIRST STEP. IN ADDITION, THE DEED MAY REQUIRE THAT THE LAND BE ACTIVELY FARMED TO THE STANDARD OF A “COMMERCIAL FARM” DEFINITION UNDER THE RIGHT TO FARM ACT (AT LEAST \$2500.00 WORTH OF FARM PRODUCTION) OR LEASED TO SOMEONE WHO WOULD ACTIVELY FARM IT. AT PRESENT, OWNERS OF PRESERVED FARMS ARE ONLY REQUIRED TO KEEP THE LAND “AVAILABLE FOR AGRICULTURE.”**
- REGARDING AUCTIONS OF FEE SIMPLE-PRESERVED FARMS, THE GROUP IS RECOMMENDING THAT THE SADC AND CADBs PRE-QUALIFY BIDDERS FOR THEIR AUCTIONS, GIVING FIRST ACCESS TO THOSE WHO CAN SHOW THAT THEY ACTIVELY FARM OR HAVE A BUSINESS TO DO SO.**
- THE GROUP HAS OBSERVED THAT A LARGE PART OF THE INFLATION OF PRESERVED FARM VALUE IS DUE TO THE EXISTING RESIDENCES AND THE NON-FARM HOUSING OPPORTUNITIES GRANTED AS PART OF THE CONTRACT. EASEMENT PURCHASE CONTRACTS HAVE INCLUDED POSSIBLE CHANGES TO EXISTING RESIDENCES ON THE PROPERTIES AND OPPORTUNITIES FOR ADDITIONAL RURAL DWELLINGS ON LAND NOT INCLUDED IN THE PRESERVATION EASEMENT — SEVERABLE EXCEPTIONS. THE PUBLIC IS PARTICULARLY CRITICAL OF THE LARGE “MCMANSIONS” SEEN APPEARING ON WHAT IT PERCEIVES AS PRESERVED FARMS. THE GROUP IS RECOMMENDING THAT THE SADC GRANT NO MORE NEW RESIDENCES AT ALL UNLESS THEY ARE AGRICULTURAL WORKER HOUSING OR FOR THOSE INVOLVED IN THE FARM OPERATION. IN ADDITION, THE WORKING GROUP RECOMMENDED THAT THE SIZE OF NEW HOUSING OR RENOVATIONS TO EXISTING HOUSING BE LIMITED, THE FORMER TO 2500 SQUARE FEET AND THE LATTER TO THE EXISTING FOOTPRINT OR 2,500 SQUARE FEET, WHICHEVER IS LARGER. THIS FIGURE IS SAID TO BE THE MEDIAN HOUSE SIZE STATEWIDE IN NEW JERSEY.**
- FINALLY, THE GROUP IS RECOMMENDING THAT AT THE TIME OF APPLICATION FOR EASEMENT PURCHASE, THE LANDOWNER WOULD HAVE TWO OPTIONS: TO SUBDIVIDE EXISTING HOUSES FROM THE FARMLAND TO SELL THEM IN THE FUTURE AT MARKET PRICES, GAINING A NEW HOUSING OPPORTUNITY ON THE SEVERED LAND BUT ONLY FOR THE FARMER, OR TO KEEP THE RESIDENCE ATTACHED TO THE**

FARMLAND, BE GRANTED NO ADDITIONAL NON-FARM HOUSING OPPORTUNITIES, AND BE LIMITED IN THE SIZE OF CHANGES THAT CAN BE MADE TO EXISTING RESIDENCES.

THE CONSEQUENCES OF THE WORK AND SUBSEQUENT RECOMMENDATIONS OF THE SADC WORKING GROUP CAN BE ASSUMED TO BE THAT FARMS PLACED IN THE PRESERVATION PROGRAM STARTING AT SOME YET-TO-BE-DEFINED FUTURE DATE WILL BE SUBJECTED TO TIGHTER CONSTRAINTS REGARDING HOUSING AND FARM PRODUCTION. LANDOWNERS SHOULD BE AWARE OF THIS POSSIBILITY IF THEY HAVE BEEN CONSIDERING FARMLAND PRESERVATION. IT MAY BE IMPORTANT FOR SOME TO COMMIT TO THE PROGRAM BEFORE THESE TIGHTER CONSTRAINTS ARE IMPOSED, SINCE THEY WILL NOT BE RETROACTIVE.

THE EIGHT-YEAR PRESERVATION PROGRAM

THE EIGHT-YEAR PRESERVATION PROGRAM HAS RECENTLY BEEN INTRODUCED AS A PROGRAM THAT HAS BEEN DESIGNED TO BRING MORE LAND OWNERS INTO FARMLAND PRESERVATION WITHOUT THE MORE PERMANENT COMMITMENTS OF THE OTHER PRESERVATION PROGRAMS.

WITH THIS PROGRAM, FARMLAND OWNERS AGREE TO VOLUNTARILY RESTRICT NONAGRICULTURAL DEVELOPMENT FOR A PERIOD OF EIGHT YEARS IN EXCHANGE FOR CERTAIN BENEFITS. THERE ARE TWO TYPES OF EIGHT YEAR PROGRAMS: MUNICIPALLY APPROVED PROGRAMS, WHICH REQUIRE A FORMAL AGREEMENT AMONG THE LANDOWNER, COUNTY AND MUNICIPALITY, AND NON-MUNICIPALITY APPROVED PROGRAMS, WHICH REQUIRE AN AGREEMENT BETWEEN ONLY THE LANDOWNER AND COUNTY. BOTH PROGRAMS PLACE A RESTRICTION ON NON-AGRICULTURAL DEVELOPMENT ON A PROPERTY FOR EIGHT YEARS.

LANDOWNERS MAY APPLY TO THEIR MUNICIPALITY AND/OR THEIR COUNTY AGRICULTURAL DEVELOPMENT BOARD(CADB).

LANDOWNERS ENROLLED IN BOTH MUNICIPALLY AND NON-MUNICIPALLY APPROVED PROGRAMS RECEIVE NO DIRECT COMPENSATION FOR PARTICIPATING, BUT ARE ELIGIBLE TO APPLY TO THE STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC) FOR GRANTS THAT FUND UP TO 75 PERCENT OF THE COSTS OF APPROVED SOIL AND WATER CONSERVATION PROJECTS. (INFORMATION REGARDING SOIL AND WATER CONSERVATION GRANTS IS PROVIDED IN THE FOLLOWING SECTION OF THIS BULLETIN ISSUE.)

WHILE THE MUNICIPALLY APPROVED PROGRAM TAKES LONGER TO PROCESS, IT PROVIDES MORE BENEFITS TO THE LANDOWNER. A MORE SPECIFIC SUMMARY AND COMPARISON OF THE BENEFITS OF THE NON-MUNICIPALLY APPROVED AND MUNICIPALLY APPROVED PROGRAMS ARE AS FOLLOWS:

NON-MUNICIPALLY APPROVED

- 75% COST-SHARE ON AN APPROVED SOIL AND WATER CONSERVATION PROJECT.
- USE OF FARM STRUCTURE DESIGNS APPROVED BY THE SADC WITHOUT REQUIRING APPROVAL FROM AN ARCHITECT OR ENGINEER.

MUNICIPALLY APPROVED

- **75% COST-SHARE ON AN APPROVED SOIL AND WATER CONSERVATION PROJECT.**
- **USE OF FARM STRUCTURE DESIGNS APPROVED BY THE SADC WITHOUT REQUIRING APPROVAL FROM AN ARCHITECT OR ENGINEER.**
- **PROTECTION FOR 11 YEARS FROM A MUNICIPALITY CHANGING ITS ZONING ON THE PROPERTY.**
- **PROTECTION FROM A PUBLIC BODY ACQUIRING LANDS THROUGH EMINENT DOMAIN OR FUNDS FOR CONSTRUCTION OF INFRASTRUCTURE, UNLESS IT IS THE ONLY OPTION FOR PUBLIC SAFETY.**
- **PROTECTION FROM NUISANCE COMPLAINTS REGARDING THE FARM OPERATION.**
- **EXEMPTION FROM EMERGENCY WATER OR ENERGY RESTRICTIONS.**

ENROLLMENT IN EITHER PROGRAM PROVIDES THE LANDOWNER WITH ADDITIONAL POINTS TOWARD THEIR SITE ASSESSMENT SCORE FOR EASEMENT PURCHASE SHOULD THEY DECIDE TO APPLY FOR FARMLAND PRESERVATION.

AN EIGHT-YEAR AGREEMENT IS RECORDED WITH THE COUNTY CLERK IN THE SAME MANNER AS A DEED. LAND MAY BE WITHDRAWN PRIOR TO EXPIRATION OF THE EIGHT-YEAR PERIOD ONLY IN CASES OF DEATH OR INCAPACITATING ILLNESS OF THE OWNER OR OTHER SERIOUS HARDSHIP OR BANKRUPTCY. WITHDRAWAL FROM THE PROGRAM MUST BE APPROVED BY THE CADB AND, FOR MUNICIPALLY APPROVED PROGRAMS, BY THE MUNICIPALITY.

AN OWNER WHO WANTS TO SELL THE FARM WHILE ENROLLED IN AN EIGHT-YEAR PROGRAM MUST PROVIDE THE SADC WITH AN EXECUTED CONTRACT OF SALE FOR THE PROPERTY. THE SADC THEN HAS THE FIRST RIGHT AND OPTION TO MATCH THE CONDITIONS OF THAT CONTRACT AND PURCHASE THE PROPERTY ITSELF.

FOR MORE INFORMATION REGARDING THE EIGHT-YEAR PROGRAM, LANDOWNERS SHOULD CONTACT THEIR CADB AT 732-431-7460, OR THE SADC AT 609-984-2504.

SOIL & WATER CONSERVATION GRANTS

THE SADC PROVIDES GRANTS TO ELIGIBLE LANDOWNERS TO FUND UP TO 75 PERCENT OF THE COSTS OF APPROVED SOIL AND WATER CONSERVATION PROJECTS.

LANDOWNERS APPLY TO LOCAL SOIL CONSERVATION DISTRICTS, WHICH ASSIST IN DEVELOPING FARM CONSERVATION PLANS TO ENSURE PROJECTS ARE NECESSARY AND FEASIBLE. APPLICATIONS ARE FORWARDED TO THE N.J. STATE CONSERVATION COMMITTEE, WHICH RECOMMENDS PROJECTS TO THE SADC FOR FUNDING APPROVALS.

FARMS MUST BE PERMANENTLY PRESERVED OR ENROLLED IN AN EIGHT-YEAR PRESERVATION PROGRAM TO BE ELIGIBLE FOR GRANT APPLICATIONS.

SOIL AND WATER CONSERVATION PROJECTS INCLUDE PROJECTS DESIGNED FOR THE CONTROL AND PREVENTION OF SOIL EROSION AND SEDIMENT DAMAGES; THE CONTROL OF POLLUTION ON FARMLAND; THE IMPOUNDMENT, STORAGE AND MANAGEMENT OF WATER FOR AGRICULTURAL PURPOSES; OR THE IMPROVED MANAGEMENT OF LAND AND SOILS TO ACHIEVE MAXIMUM AGRICULTURAL PRODUCTIVITY.

EXAMPLES OF ELIGIBLE PROJECTS INCLUDE: TERRACE SYSTEMS; DIVERSIONS; STREAM PROTECTION; WATER IMPOUNDMENT RESERVOIRS; IRRIGATION SYSTEMS; SEDIMENT RETENTION, EROSION OR WATER CONTROL SYSTEMS; DRAINAGE SYSTEMS; ANIMAL WASTE CONTROL FACILITIES; AGRI-CHEMICAL HANDLING FACILITIES; AND LAND SHAPING OR GRADING.

PERMANENTLY PRESERVED FARMS RECEIVE FIRST PRIORITY FOR GRANT FUNDING. PROJECTS MUST BE COMPLETED WITHIN THREE YEARS OF SADC FUNDING APPROVAL . GRANTS MAY BE RENEWED FOR A ONE-YEAR PERIOD UNDER CERTAIN CIRCUMSTANCES, SUCH AS SEASONAL CONSTRAINTS OR OTHER UNAVOIDABLE DELAYS, ONLY UPON THE APPROVAL OF THE LOCAL SOIL CONSERVATION DISTRICT, THE STATE SOIL CONSERVATION COMMITTEE AND THE SADC.

FOR MORE INFORMATION ABOUT SOIL AND WATER CONSERVATION GRANTS, LANDOWNERS SHOULD CONTACT THEIR LOCAL SOIL CONSERVATION DISTRICT AT 732-446-2300, OR THE SADC AT 609-984-2504.

RIGHT TO FARM PROGRAM – AGRICULTURAL MEDIATION

AGRICULTURAL MEDIATION IS A VOLUNTARY PROCESS IN WHICH A TRAINED, IMPARTIAL MEDIATOR HELPS DISPUTING PARTIES EXAMINE THEIR MUTUAL PROBLEMS, IDENTIFY AND CONSIDER OPTIONS, AND DETERMINE IF THEY CAN AGREE ON A SOLUTION. A MEDIATOR HAS NO DECISION-MAKING AUTHORITY. SUCCESSFUL MEDIATION IS BASED ON THE VOLUNTARY COOPERATION AND PARTICIPATION OF ALL PARTIES.

MEDIATION CAN SAVE LANDOWNERS BOTH TIME AND COSTLY LEGAL FEES. IT IS A FREE SERVICE, IS CONFIDENTIAL AND GENERALLY TAKES A FEW MEETINGS TO COMPLETE.

MEDIATION CAN BE USED TO RESOLVE RIGHT-TO-FARM DISPUTES, CREDIT DISPUTES WITH THE FARM SERVICE AGENCY OR PRIVATE LENDERS, AND OTHER CONFLICTS INVOLVING U.S. DEPARTMENT OF AGRICULTURE PROGRAMS.

THE RIGHT TO FARM ACT PROTECTS COMMERCIAL FARM OWNERS AND OPERATORS FROM RESTRICTIVE MUNICIPAL ORDINANCES AND PUBLIC AND PRIVATE NUISANCE ACTIONS, PROVIDED THAT THEY OPERATE RESPONSIBLY AND IN ACCORDANCE WITH FEDERAL AND STATE LAWS, AND MEET CERTAIN OTHER CRITERIA. IN THE EVENT OF DISPUTES, FORMAL COMPLAINTS MUST BE FILED WITH THE APPROPRIATE CADB OR THE SADC BEFORE ANY COURT ACTIONS CAN BE TAKEN. COMPLAINTS ARE ADDRESSED THROUGH A SERIES OF FORMAL PUBLIC HEARINGS IN WHICH TESTIMONY IS PRESENTED AND WITNESSES MAY BE CALLED.

MEDIATION IS AN ALTERNATIVE TO THE MORE LENGTHY PUBLIC HEARING PROCESS AND SHOULD BE REQUESTED BEFORE PUBLIC HEARINGS BEGIN.

LANDOWNERS SHOULD REQUEST MEDIATION IMMEDIATELY AFTER RECEIVING NOTICES OF ADVERSE DETERMINATIONS THEY WOULD LIKE TO APPEAL.

IN ALL CASES, ALL PARTIES IN A DISPUTE MUST AGREE TO MEDIATION.

FOR MORE INFORMATION ON AGRICULTURAL MEDIATION, CONTACT THE SADC AT 609-984-2504.

USEFUL INTERNET LINKS

THE FOLLOWING ARE SELECTED INTERNET LINKS THAT ARE PROVIDED HERE TO ASSIST COLTS NECK LANDOWNERS DESIRING ACCESS TO ADDITIONAL INFORMATION RELATING TO FARMLAND PRESERVATION AND OTHER AGRICULTURAL ISSUES:

STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC) – <http://www.state.nj.us/agriculture/sadc/sadc.htm>

NJ FARM BUREAU – <http://www.njfb.org/>

THE FOLLOWING LINK WILL PROVIDE ACCESS TO THE BLOOD-HORSE MAGAZINE ARTICLE OF JULY 19, 2003 BY LEIGH MCKEE AND DOUG FORD ENTITLED “DISPOSITION OF DEVELOPMENT RIGHTS”. THE ARTICLE PROVIDES EXAMPLES OF CONSERVATION EASEMENTS AND ILLUSTRATES THE ASSOCIATED INCOME TAX CONSEQUENCES. THE LINK TO THIS ARTICLE IS: <http://ownership.bloodhorse.com/viewstory.asp?id=17933>

THE BLOOD-HORSE ARTICLE ALSO REFERS TO WEB SITES THAT PROVIDE ADDITIONAL INFORMATION TO ASSIST IN PROPER PLANNING EARLY IN THE CONSERVATION EASEMENT PROCESS TO MAXIMIZE THE TAX BENEFITS. THESE ARE:

**THE AMERICAN FARMLAND TRUST’S WEB SITE (www.farmlandinfo.org),
AND**

THE NATURE CONSERVANCY’S WEB SITE (www.nature.org)