

Farmland Preservation Plan Update

TOWNSHIP OF HOLLAND, HUNTERDON COUNTY

March 1, 2018

Adopted by the Planning Board: April 9, 2018



Farmland Preservation Plan Update

Township of Holland

Hunterdon County, New Jersey

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The original of this report was signed and sealed in accordance with NJS.A 45:14A-12.
MC Project # HLP-021

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INTRODUCTION

On May 5, 2010 the Holland Township Planning Board approved the 2010 Farmland Preservation Plan Element. The 100-plus page document provides a comprehensive review of the Township’s agricultural land base, agricultural industry, the plan to preserve farmland, future preservation program and agricultural industry sustainability, retention and promotion.

The New Jersey Highlands Council provided grant funding to prepare a new Farmland Preservation Plan, but after reviewing the 2010 document, it was determined that only an update to certain facts and figures was needed. The overwhelming majority of the 2010 document remains valid and there is no need to waste finite resources and grant funding to reinvent the wheel. Therefore, this Farmland Preservation Plan Update has been prepared with a purposefully limited scope using grant funding from the New Jersey Highlands Council.

The remaining chapters are divided into six sections. The first chapter reviews the vision statement. The second chapter provides updated data figures. The third chapter offers updated mapping. The fourth chapter discusses any issues that have occurred since the adoption of the 2010 plan. The next chapter analyzes opportunities that have occurred in the past seven years. Finally, the last chapter discusses the target areas.

VISION STATEMENT

Page 88 of the 2010 plan provides the vision statement guiding the Farmland Preservation Plan. It is as follows:

Holland Township views the primary objective of farmland preservation as protection and enhancement of the local agricultural economy and promotion of the general welfare by strengthening the economic viability of agriculture as an industry. Farmland preservation promotes opportunities for continued agriculture as a way of life and protects the livelihood of farmers that are the stewards of the Township’s farmland. Preservation of agriculture also protects the natural, historic and rural character of the cultural landscape. The preservation of farmland and agriculture in Holland Township also enhances opportunities for both local and regional agri-tourism, community supported agriculture, farmers markets and farm-to-table businesses.

The Agricultural Advisory Committee (“AAC”) determined that the vision statement is well-written and still represents the goals and objectives of the community. However, the Committee asked to add language regarding soil quality and contiguous acres of preserved farmland. Based upon their request, the vision statement has been modified as follows:

Holland Township views the primary objective of farmland preservation as protection and enhancement of the local agricultural economy and promotion of the general welfare by strengthening the economic viability of agriculture as an industry. Farmland preservation promotes opportunities for continued agriculture as a way of life and protects the livelihood of farmers that are the stewards of the Township’s farmland.

Preservation of agriculture also protects the future economic viability and productive capacity of quality soils in the Township. The preservation of farmland and agriculture in Holland Township also enhances opportunities for both local and regional agri-tourism, community supported agriculture, farmers markets and farm-to-table businesses. One of the central tenants of farmland preservation in Holland Township is the retention of contiguous areas of preserved farmland.

DATA

This document updates key data tables contained within the 2010 plan. To aid readers in comparing the data in this document against the data in the 2010 document, we have maintained the table numbering. The first table to be updated is the Holland Township Property Class. This table provides a snapshot of the number of parcels within the community by tax classification for the year 2016. As shown in the below table, approximately 46% of Holland’s land area qualifies for reduced tax assessment under the Farmland Assessment Act of 1964. According to the 2016 MOD IV tax data, there are 1,869 “residential” or one to four family dwellings, within the Township. This accounts for nearly 28% of Holland’s land. Publicly-owned land comprises 16.1% of the Township’s area while the remaining 10% of Holland consists of commercial, industrial, vacant and tax exempted properties. See the table below for complete details.

Table 1 - Holland Township Property Class			
Class	Number of Parcels	Total Acres (GIS)	%
Farm Assessed/Qualified	244	6,789	46.0%
Residential	1,869	4,103	27.8%
Public Property	77	2,374	16.1%
Vacant	124	772	5.2%
Industrial	5	226	1.5%
Commercial	21	251	1.7%
Railroad	4	63	0.4%
Church	5	24	0.2%
Other Exempt	15	135	0.9%
Public School	2	33	0.2%
Total	2,366	14,769	100.0%

Source: NJ Real Estate MOD-IV Tax List Search Plus Database, 2016

Table 6 on page 5 provides information on the acres of preserved farmland by program. Through September of 2017 the Township has preserved 2,346 acres of farmland through the State Agricultural Development Committee (“SADC”), Hunterdon County and Municipal programs. The Hunterdon County Easement Purchase Program has preserved the most farmland with 900 acres followed by the SADC’s Easement Purchase Program, which has preserved 851 acres.

Table 6 - Preserved Farmland By Agency	
Type of Acquisition	Acres
Hunterdon County Easement Purchase Program	900
SADC Easement Purchase Program	851
Municipal Planning Incentive Grant	359
SADC Non-Profit	235
Total	2,346

Source: "Holland Township Preserved Farms - 17" excel file provided by Larry LaFevre

To date, over \$12 million has been spent within Holland to preserve farmland. The SADC has provided most of the funds, nearly seven million dollars. Holland Township has spent almost \$1,556,000 preserving farmland, while the County has expended just under \$1.5 million. See Appendix B on page 9 for total cost of each preserved property.

Table 21 - Total Cost of Preserved Farmland To Date	
	Total
Preserved Acres	2,346
Total Cost	\$12,205,786
Municipal Share	\$1,555,987
County Share	\$1,497,196
SADC Share	\$6,979,169
Federal Share	\$700,000
Average Cost/Acre	\$5,202.81

Source: "Holland Township Preserved Farms - 17" excel file provided by Larry LaFevre

Table 22 on page 6 illustrates the preserved farm acreage by year since 2001. Holland has set an ambitious preservation goal of 250 acres per year. There have been three instances where Holland exceeded the goal of preserving 250 acres per year, 2002, 2003 and 2007. There were five years where no acres were preserved, three of which occurred since 2010 Farmland Preservation Plan was adopted. On average the Township has preserved 138 acres per year over the 17-year period.

Table 22 - Preserved Farms by Year	
Year	Acres
2001	122
2002	422
2003	326
2004	-
2005	184
2006	-
2007	313
2008	189
2009	88
2010	182
2011	137
2012	-
2013	178
2014	-
2015	71
2016	-
2017	133
Total	2,346

Source: "Holland Township Preserved Farms - 17" excel file provided by Larry LaFevre

Based on data provided by the Agricultural Advisory Committee, Holland plans to preserve 2,145.3 acres over the next ten years. This equates to approximately 215 acres per year. See Appendix C on pages 10 and 11 for complete details on each of the targeted farms.¹

Table 23 - Holland Township Preservation Goal by Year	
Year	Acres
1	706.6
5	1,618.5
10	2,145.3

Source: "TargetedFarmsYr2018 09-15-17" excel file provided by Larry LaFevre

There are four project areas within the Township totaling 11,143 acres. Preserved farmland comprises approximately 21% of the total land area. As the table below indicates, the Bunn Valley area, the largest of the four, has 1,578 (27.8%) acres of existing preserved farmland. Areas 2 (Holland Station) and 3

(Hawkes Schoolhouse) have had some farmland preservation activity. It should be noted that there is currently no preserved farmland within the Musconetcong Area (Area 4).

Table 25A - Preserved Farmland in Holland Township Project Areas			
Target Area	Total Target Area (Acres)	Preserved Farmland (Acres)	Percent Preserved
1 - Bunn Valley	5,680	1,578	27.8%
2 - Holland Station	2,664	588	22.1%
3 - Hawkes Schoolhouse	1,078	179	16.6%
4 - Musconetcong	1,721	0	0.0%

Source: "Holland Township Preserved Farms - 17" excel file provided by Larry LaFevre

When preserved open space is included in the preserved lands calculation, 37.14% (4,139 acres) of the 11,143 acres of the total project areas are preserved. Like preserved farmland, the Bunn Valley Area has the most acres of preserved open space with 952 acres preserved, bringing the total to 2,530 acres (44.5%) of preserved land in Area 1. The Musconetcong Area (Area 4) has the second highest number of preserved acres with 450 acres preserved. Less open space preservation activity has occurred in Areas 2 and 3. See the table below for complete details.

Table 25B - Preserved Land in Holland Township Project Areas			
Target Area	Total Target Area (Acres)	Preserved Land (Acres)	Percent Preserved
1 - Bunn Valley	5,680	2,530	44.5%
2 - Holland Station	2,664	661	24.8%
3 - Hawkes Schoolhouse	1,078	498	46.2%
4 - Musconetcong	1,721	450	26.1%

Source: "Holland Township Preserved Farms - 17" & "Holland Twp Preserved Open Space" excel files provided by Larry LaFevre

In addition to the data tables, the 2010 plan provided a series of appendix documents. Two of these appendix documents have been updated through September of 2017 based on data provided by the Agricultural Advisory Committee. Appendix B, which is located on page 9, provides a table summarizing preserved farmland by agency. As indicated in the table, the 27 preserved farms within the Township have been preserved using Federal, State, County, Municipal and a combination of the four's funds. To date, \$700,000 has been spent by the Federal government, \$6,979,196 has been expended by the State, \$1,497,196 has been spent by the County and \$1,555,987 has been disbursed by the Municipality. The most expensive per acre cost has been the KJA Holdings, LLC farm, which totaled \$9,000 an acre. Comparatively, the most economical per acre price has been the Holland Township/Kinney farm, which totaled only \$1,952 per acre.

Appendix C is located on pages 10 and 11. This table provides a list of the Target Farms. The properties are grouped by target year (1, 5 and 10). The largest target farm is the Clark Farm (Block 6, Lot 60) with over 179 acres. The smallest is the Snyder Farm (Block 14, Lot 52.01).

MAPPING

Based on information received from the Agricultural Advisory Committee, two maps have been updated to reflect conditions as of September 2017. The first map is the Preserved Farmland by Agency Map, which is located on page 12. This map color codes the preserved properties into one of four colors. Pink highlighting indicates County Easement Purchase farms. Lime-highlighted lots are Municipal Planning Incentive Grant (“PIG”) farms. Light blue-highlighted lots are SADC Easement Purchase farms. Dark blue-highlighted lots are SADC Non-Profit farms. This map also illustrates the four project areas within the Township.

The second map is the Target Farms and Year of Priority Map, which is located on page 13. This map is a visual illustration of Appendix C. The target farms are color-coded by year (1, 5, 10). The map also illustrates the relationship of these target farms to the Township’s target areas.

Appendix B - Preserved Farmland by Agency

Block	Lot	Original Owner (Last Name)	First Name/ Other	MPIG Target Area	Acres (Rounded)	Type of Acquisition	Date of Purchase	State Cost	County Cost	Municipal Cost	Federal Cost	Total Cost	Per Acre Total Cost
15	3	Holland Twp/Kinney		1	198	Cnty EP	01/16/02	\$259,902	\$43,317	\$43,317		\$346,536	\$1,952
20	9	Lafevre	R. & P.	2	59	Cnty EP	03/14/05	\$210,725	\$49,131	\$55,435		\$315,291	\$5,345
25	59	Kozak	P. & E.	1	125	Cnty EP	07/14/05	\$311,918	\$62,384	\$62,384		\$436,686	\$4,300
22	22	Shire	C. & D.	1	114	Cnty EP	03/08/07	\$386,651	\$90,977	\$90,977		\$568,605	\$5,000
9	15.05	Milz	D. & P.	2	45	Cnty EP	03/14/07	\$213,677	\$59,829	\$73,718		\$347,224	\$7,800
20	7	Borwegan	R. & B.	2	39	Cnty EP	06/19/07	\$131,801	\$31,012	\$31,012		\$193,825	\$5,000
22	34	Zeller	Karl F.	1	64	Cnty EP	06/17/08	\$253,098	\$67,284	\$83,437		\$403,820	\$7,100
16	4	Lane	Bryan, P.	1	88	Cnty EP	07/13/09	\$263,134	\$58,278	\$58,278		\$379,690	\$4,300
6	48	Gardner/Cullinane		1	52	Cnty EP	03/08/13	\$215,581	\$62,929	\$62,929		\$341,440	\$6,850
15 & 16	6 & 16	Cooper	Gail	1	46	Cnty EP	09/26/13	\$189,250	\$56,350	\$56,349		\$301,949	\$7,100
25	34	KJA Holdings, LLC		1	71	Cnty EP	10/01/15	\$352,836	\$117,612	\$117,612		\$588,060	\$9,000
21	18	Jeness	Walter	2	17	MPIG	05/17/07	\$83,133	\$26,297	\$26,297		\$135,728	\$8,000
14 & 22	35 & 98	Murphy	Suzanne, S.	2	37	MPIG	01/02/08	\$160,155	\$49,080	\$49,080		\$258,315	\$7,500
21	18.01	Wilson/Smith	Laura & Ken	2	35	MPIG	09/15/08	\$144,047	\$42,559	\$42,559		\$229,166	\$7,000
15	7	H. Boss Estate		1	137	MPIG	12/07/11	\$576,272	\$170,262	\$170,262		\$916,797	\$7,000
9 & 14	20.01,2,38	Brown, Charles	Estate of	2	133	MPIG	09/15/17	\$444,164	\$111,041	\$111,041		\$666,247	\$5,400
15	4,5	Wydner	L. & D.	1	122	SADC EP	12/20/01	\$445,961				\$445,961	\$3,700
22	39,47	Young/Ryan	K.D. & M.	2	94	SADC EP	06/12/02	\$302,834				\$302,834	\$3,300
20	3	Phillips	R. & I.	2	65	SADC EP	12/03/02	\$259,240				\$259,240	\$4,000
26	16,17,19	Phillips/Sciarello	R.,I.,M., & K.	2	65	SADC EP	12/30/02	\$194,706				\$194,706	\$3,000
6	49.02	Hun Cnty/Hoffman A		1	127	SADC EP	12/29/03					\$517,440	\$4,264
6	49.06	Hun Cnty/Hoffman B		1	110	SADC EP	12/29/03					\$562,479	\$5,172
6	49	Hun Cnty/Hoffman C		1	90	SADC EP	12/29/03					\$393,586	\$4,632
3	22	Balogh	Katheryn	3	99	SADC EP	12/06/07	\$791,696				\$791,696	\$8,000
1	6.01	Karmondi	Estate of T.	3	80	SADC EP	05/01/13	\$459,090				\$459,090	\$6,000
25	28.01	Cain	Richard	1	53	SADC non-profit	12/30/08	\$229,298	\$117,197	\$86,700		\$433,118	\$8,494
25	60	W.P. Stamets Estate		1	182	SADC non-profit	03/29/10	\$100,000	\$281,657	\$334,600	\$700,000	\$1,416,257	\$7,750
Totals					2,346			\$6,979,169	\$1,497,196	\$1,555,987	\$700,000	\$12,205,786	

Source: "Holland Township Preserved Farms - 17" excel file provided by Larry LaFevre

Appendix C - Target Farms

#	Last Name	Target Area	First Name/Other	Blk	Lot	Size (Acres)	Target Year	ADA	Active Farmland / Assessed?	Application Pending/Type	Soils	Proximity	View Shed	Comments
1	Cernecaro	1	R.	17	19	104.1	1	Y	Y	CPIG		Y	Y	appl 04-12-17
2	Clark	1	Olga (Tomson)	6	60	179.3	1	Y	Y			Y	Y	
3	Firetto	4	Onofrio	12	1.02	20.8	1	P	Y			Y	Y	P=proposed ADA
4	Harwick	4	Theadore	4	8	50.3	1	P	Y			Y	Y	P=proposed ADA
5	Lippincott	4	Anna	9	22	34.1	1	P	Y			Y	Y	P=proposed ADA
6	Rothenberg	1		17	20	122.0	1	Y	Y			Y	Y	New owner - Pursuing preservation.
7	Silva	1	R.	10	43	97.3	1	Y	Y			Y	Y	Farm is for sale. Will apply.
8	Silva	1	R.	14	20	33.0	1	Y	Y	Application Pending		Y	Y	Farm is for sale. Will apply.
9	Slate	1	Jane	24	6	65.9	1	Y	Y	MPIG		Y	Y	appl 04-12-17 (CADB rejected)
10	Boss	1	Ed	16	16.04	23.1	5	Y	Y			Y	Y	
11	Boss	1	Neil	16	16.03	23.0	5	Y	Y			Y	Y	
12	Braun	1	O.	15	2	112.4	5	Y	Y	MPIG		Y	Y	Rejected \$4700/ac offer 1/28/16.
13	Braun	1	O.	15	22.01	15.0	5	Y	Y	MPIG		Y	Y	
14	Firestone	3	Marc	1	4	130.0	5	Y	Y			Y	Y	
15	Gombosi	1	E.	17	24	101.9	5	Y	Y			Y	Y	
16	Gombosi	1	Lydia	25	30	48.5	5	Y	Y			Y	Y	Had been listed for sale.
17	Hammerstone	3	M.	1	6	25.4	5	Y	Y			Y	Y	
18	Harder	1	R.	11	2	111.0	5	Y	Y	non-Profit		Y	Y	Withdrew Jun 2011
19	Harder	1	R.	11	2.06	5.9	5	Y	Y	non-Profit		Y	Y	Withdrew Jun 2011
20	IPP	4		4	1	92.5	5	P	Y			Y	Y	P=proposed ADA; called HLT.
21	Kerr	1	R. & J.	15	1	39.9	5	Y	Y			Y	Y	Sold April 2017.
22	Moore	2	Trust	13	30	28.0	5	P	Y			Y	Y	P=proposed ADA
23	Moore	2	Trust	13	29	9.0	5	P	Y			Y	Y	P=proposed ADA
24	Moore	2	Trust	13	29.10	3.5	5	P	Y			Y	Y	P=proposed ADA
25	Phillips	2		14	42	22.5	5	Y	Y			Y	Y	
26	Phillips	2		26	17.01	11.8	5	Y	Y			Y	Y	
27	Phillips	2		26	20	19.1	5	Y	Y			Y	Y	
28	Smith	1	Suzzane	15	1.02	18.0	5	Y	Y			Y	Y	
29	Smith	1	C. & S.	15	1.01	23.8	5	Y	Y			Y	Y	
30	Van Gilson	1	Evan & Alicia	11	8	47.5	5	Y	Y			Y	Y	
31	Bickhardt	2	Ronald (Shigo)	20	10	28.4	10	Y	Y			Y	Y	CADB rejected 2010; new owner
32	Carlson	4	Norman	5	6	76.5	10	P	Y			Y	Y	P=proposed ADA
33	Cummins	1	Virgil	6	62.03	21.0	10	Y	Y			Y	Y	
34	Dodds	2	E.	21	4	18.8	10	Y	Y			Y	Y	
35	Dodds	2	E.	21	4.02	12.4	10	Y	Y			Y	Y	
36	Dodds	2	E.	21	4.03	17.8	10	Y	Y			Y	Y	
37	Dufek	1	F. & M.	16	19	54.0	10	Y	Y			Y	Y	CADB rejected
38	Gaffney	2	Michele & Melissa	26	5	13.3	10	N	Y			Y	Y	
39	Gaffney	2	Michele & Melissa	26	5.01	2.6	10	N	Y			Y	Y	
40	Gercie	2	Ross	13	4	20.5	10	Y	Y			Y	Y	CADB rejected 2010

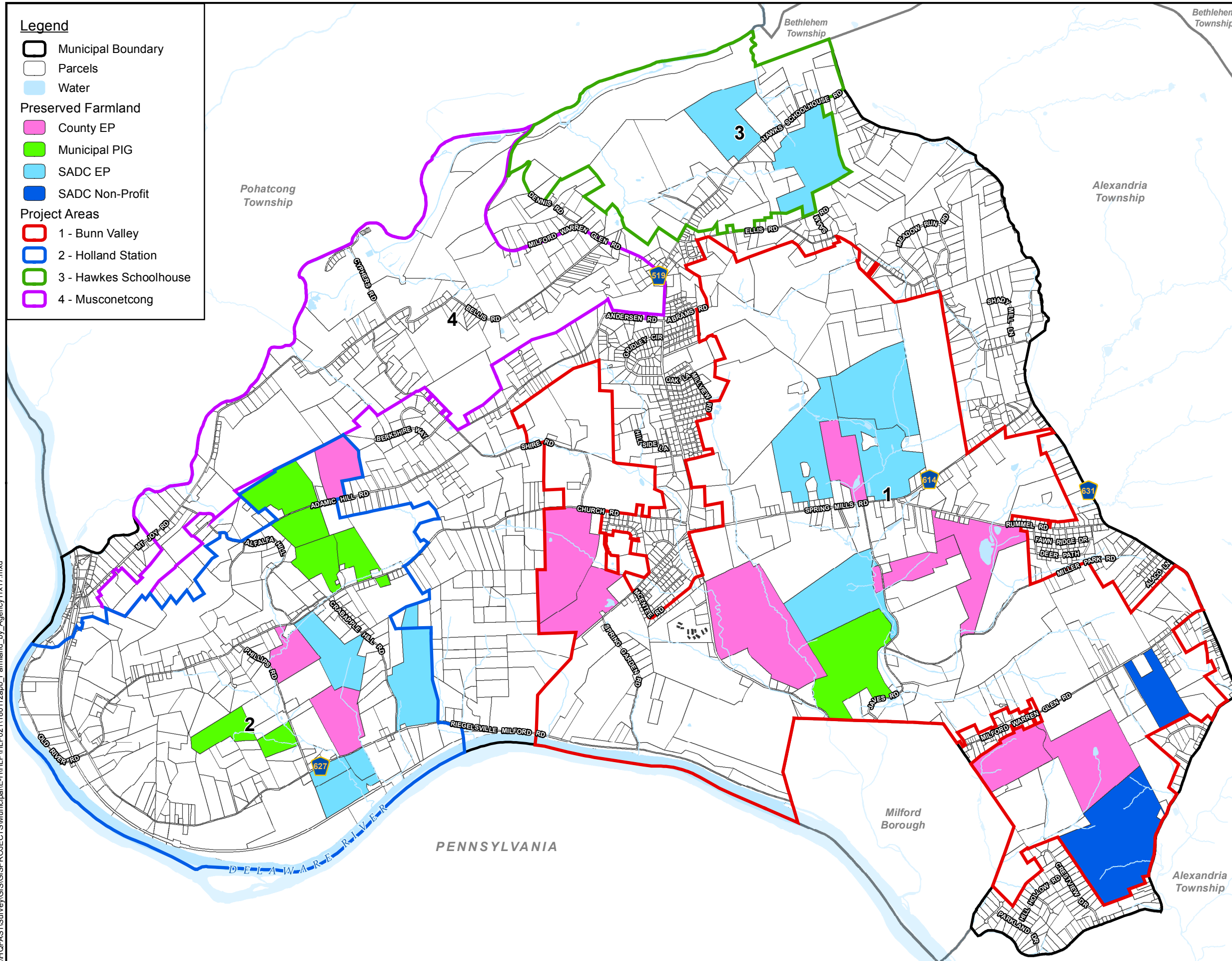
Appendix C - Target Farms

#	Last Name	Target Area	First Name/Other	Blk	Lot	Size (Acres)	Target Year	ADA	Active Farmland / Assessed?	Application Pending/Type	Soils	Proximity	View Shed	Comments
41	Gercie	2	Ross	13	58	5.0	10	Y	Y			Y	Y	CADB rejected 2010
42	Kinney	1	Ruth	15	3.01	20.2	10	Y	Y			Y	Y	
43	Oliver	4	T.	2	4	86.0	10	P	Y			Y	Y	P=proposed ADA
44	Rubin	1	Gloria (Fuchs)	16	17	86.3	10	Y	Y			Y	Y	
45	Snyder	2	David & Diane	14	52.01	14.2	10	Y	Y			Y	Y	
46	Thompson	1	Paul & Kathleen	25	45	49.9	10	Y	Y			Y	Y	(Hric)
Total Acres						2,145.2								

Source: "TargetedFarmsYr2018 09-15-17" excel file provided by Larry LaFevre

Legend

-  Municipal Boundary
-  Parcels
-  Water
- Preserved Farmland**
-  County EP
-  Municipal PIG
-  SADC EP
-  SADC Non-Profit
- Project Areas**
-  1 - Bunn Valley
-  2 - Holland Station
-  3 - Hawkes Schoolhouse
-  4 - Musconetcong



**PRESERVED
FARMLAND
BY AGENCY**

**TOWNSHIP
OF
HOLLAND**

HUNTERDON COUNTY
NEW JERSEY



0 1,550 3,100
Feet
1 inch = 3,100 feet



January 2018

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Legend

-  Municipal Boundary
-  Parcels
-  Water
- Targeted Farms by Priority**
-  1 year
-  5 years
-  10 years
- Project Areas**
-  1 - Bunn Valley
-  2 - Holland Station
-  3 - Hawkes Schoolhouse
-  4 - Musconetcong

TARGET FARMS AND YEAR OF PRIORITY

TOWNSHIP OF HOLLAND

HUNTERDON COUNTY
NEW JERSEY

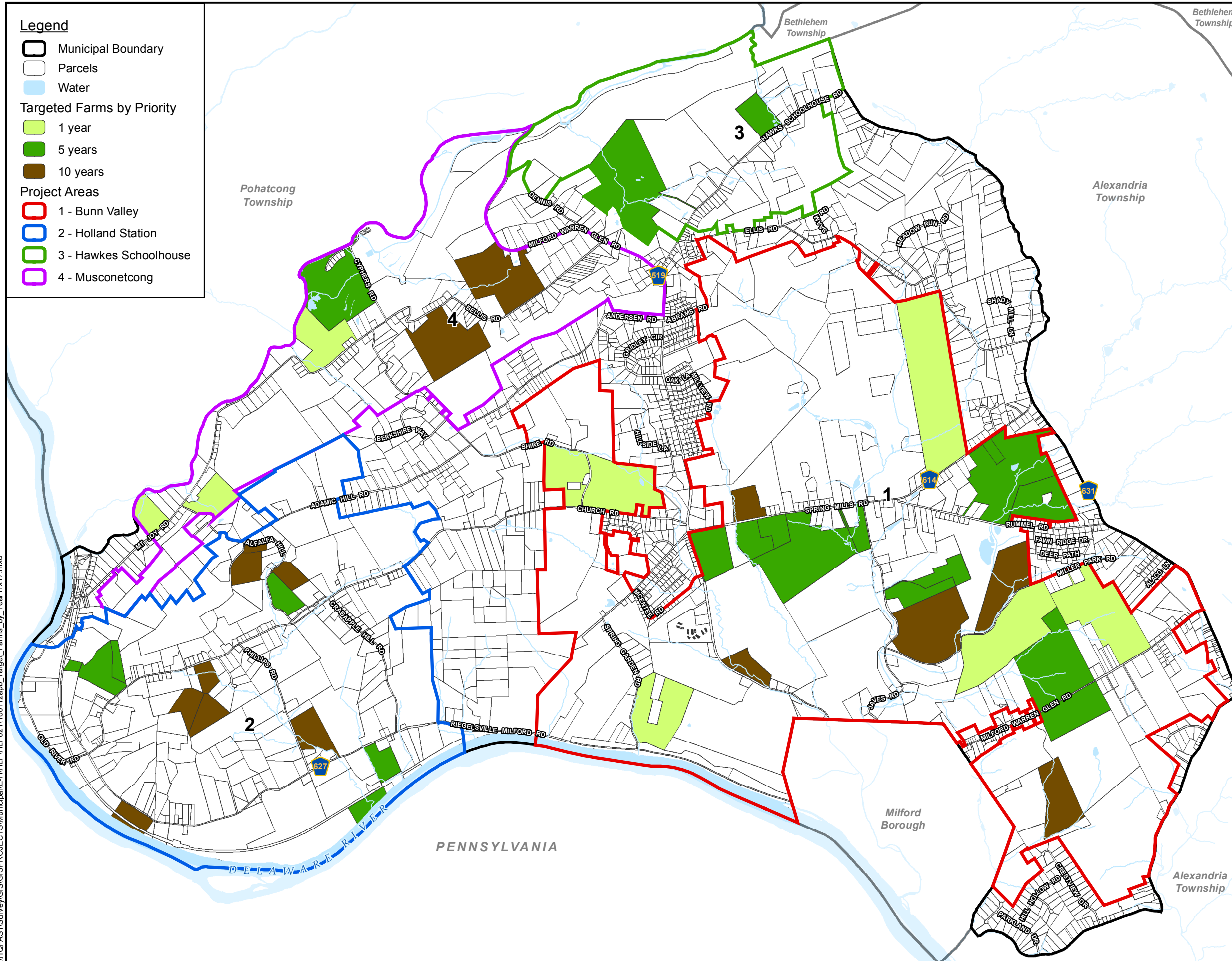


0 1,550 3,100
Feet
1 inch = 3,100 feet



January 2018

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ISSUES SINCE THE 2010 PLAN

Six issues have been identified by the AAC that have the potential to impact farmland preservation, the agricultural economy, the Township's scenic vistas and other agricultural-related activities. The following sections describe these issues.

PENNEAST PIPELINE PROJECT

The PennEast Pipeline is a proposed project involving the installation of a 120-mile-long, 36-inch wide pipeline to transport natural gas from the Marcellus Shale region in Pennsylvania to New Jersey. The proposal also includes above ground facilities including eight metering and regulating stations, eleven mainline valves, launching and receiving stations and a compressor station.² The proposed pipeline begins in Dallas, Luzerne County, Pennsylvania and ends near Pennington, Mercer County, New Jersey at the Transco pipeline interconnection. The project was proposed by the PennEast Pipeline Company, LLC, a conglomerate of six energy companies, originally AGL Resources, NJR Pipeline Company, Public Service Enterprise Group, South Jersey Industries, Spectra Energy Partners and UGI Energy Services.³ The pipeline would travel through four Pennsylvania counties and two New Jersey counties.⁴

The proposed pipeline path would cross the State border south of Riegelsville, but north of the Georgia-Pacific Corporation site in Holland. The pipeline will then travel in a southeast fashion and turn to run eastward in a parallel fashion to the Delaware River.

According to the Final Environmental Impact Statement⁵ prepared by the Federal Energy Regulatory Commission ("FERC") issued on April 7, 2017, the PennEast Pipeline would temporarily affect 496.6 acres of prime farmland soils during construction. This represents approximately 50% of the total soil along the proposed route. Of the nearly 497 acres, 326.6 acres will be permanently impacted by the pipeline. The proposed above ground facilities and access roads would temporarily impact an additional 241.1 acres of prime farmland and permanently affect 24.7 additional acres of prime farmland soils.

Activities that cause impacts on prime agricultural soils include clearing, grading, trench excavation, backfilling and the movement of construction equipment and vehicles. Because of land clearing, the protective vegetative layer of soil decreases or is removed completely, exposing the prime soil to natural processes, such as wind and rain, and increasing the chance for soil erosion. The grading of land and movement of equipment can compact vulnerable soils, which reduces the porousness of the soil and increases runoff potential. Additionally, when material is brought on-site for backfill, the soil content is modified and reduces the existing soils revegetation potential. These impacts to prime agricultural soils are possible during the construction of the proposed pipeline project. Moreover, the Township understands that the pipeline will need to perform blasting, which may disturb livestock, especially horses, and impact private wells.

PennEast's Agricultural Mitigation Plan can be found at the following location:
<http://penneastpipeline.com/wp-content/uploads/2016/03/2016%20Ag%20Mitigation%20Plan%203-9-16%20330pm.pdf>

The Township is rightfully concerned about the impact of the pipeline on the community's farmland due to the miles of pipeline proposed in the community. As noted in the FERC report, the pipeline will impact prime farmland soils. Moreover, there is concern about the pipeline bisecting farms and creating non-contiguous areas of farmland. There is also apprehension regarding the visual impact to the community, potential farm access issues over the pipeline and potential negative impact to the Township's many waterways.

On January 19, 2018 the FERC issued a Certificate of Public Convenience and Necessity (Certificate) that is conditioned on additional state and federal permits and approvals to PennEast. The next step in the process will involve eminent domain proceedings against landowners who have not given easements for the project. Upon receipt of either condemnation or easement, the pipeline will complete wetlands delineations, threatened and endangered species surveys and other surveys required by the New Jersey Department of Environmental Protection ("NJDEP") for wetlands and flood hazard area permitting, and submit their applications for those permits. During NJDEP's review the New Jersey Highlands Council is able to comment on the permit applications through a full Consistency Determination for impacts to Highlands Resources. After the permits are issued, the pipeline may begin construction.

EMERALD ASH BORER

The Emerald Ash Borer ("EAB") is a one inch long by one eighth inch wide metallic green invasive insect that attacks and kills ash trees. After the female lays eggs on the bark of an ash tree, the eggs hatch and the larvae bore into the tree, cutting off the flow of nutrients and killing the tree. Typically, it takes three to five years for a tree to die after the initial infestation. The first sighting of an EAB in the United States was in Michigan in 2002. However, it was not until May of 2014 that an EAB was discovered in New Jersey, specifically the Township of Bridgewater in Somerset County.⁶ As of July 2017, the New Jersey Department of Agriculture has reported the EAB in 52 towns in 12 counties, including Hunterdon County. West Amwell Township reported the EAB in 2016, while Delaware Township and neighboring Alexandria Township reported the EAB in 2017.⁷

There are approximately 24.7 million ash trees in New Jersey, 99% of which have the potential to be killed. The detecting and preventing of the EAB is rather difficult due to the size of the insect. However, active awareness and evaluation of ash trees for symptoms help fight the insect before the tree declines further or the infestation spreads.⁸

One method of mitigation is tree removal. Ash trees that are dead or already declining, in poor locations, untreated or infested should be removed to help reduce the risk of the EAB spreading to other trees in the area. Tree removal and processing should be done in the fall months before emergence of the EAB in the spring. The wood from removal should be used as fully and locally as possible to reduce spreading impacts.⁹

The Township is exploring another treatment option, which involves spraying or injecting an insecticide into the trunk of an infected tree. However, this treatment should only be done on trees with at least 70% live crown remaining or any tree where an EAB infestation has occurred within 10-15 miles to ensure the tree can recover. Trees with less than 50% crown remaining typically will not be able to be saved.

There are four different types of insecticide treatment, systemic insecticides applied as soil injections or drenches, systemic insecticides applied as trunk injections, systemic insecticides applied as lower trunk sprays and protective cover sprays applied to the trunk, main branches and occasionally the foliage.¹⁰

The utilization of EAB predators can also help control or reduce existing EAB populations. The main predator of the EAB are stingless parasitic wasps. In the fall of 2015, the New Jersey Department of Agriculture released nearly 9,000 larval and 1,600 eggs of the predator into four locations containing low levels of EAB. Bridgewater, Hillsborough, Franklin and Ewing Townships received this treatment.¹¹ In May of 2016, a press release was issued stating that additional biocontrol parasitoids will be released in parts of Mercer and Somerset counties every two weeks throughout the EAB's active season.¹²

There is concern that EAB will spread to Holland Township and destroy the ash trees within the community. This will have a visual impact on the community as well as an impact on any landowner that relies on the logging of ash as an income.

PROLIFERATION OF SOLAR FARMS

Within the Township solar facilities are permitted as principal and accessory uses in certain zones. Solar panels are permitted as accessory uses in the Village Residential District (roof-mounted only), Village Residential – A District (roof- or ground-mounted), R-1 and R-5 Residential Districts (roof- and ground-mounted), Multi-family Residential District (roof-mounted), Commercial District (roof- or ground-mounted) and Planned Commercial Development/Planned Senior Village Development District (roof- or ground-mounted).

A solar energy facility is permitted as a principal use in the Limited Industrial Park District if the use meets several conditions outlined in Section 100-21M. Within this zone a solar energy facility must have a minimum lot area of at least 20 contiguous acres.

Since the 2010 plan, two applications have been approved for solar facilities. The first site is known as Garden Solar located on Spring Mills – Little York Road. The application was filed in September of 2011 and heard between November 2011 and January 2012. The Applicant was approved to construct two solar arrays that are not connected to each other in March of 2012.

The second is known as the Mill Road Solar Project, located at 10 Mill Road. This application was filed in January 2016. On November 14, 2016 the application was deemed completed. Public hearings occurred in January, February and May of 2017. The Board approved the application and memorialized the resolution in June of 2017. The site consists of Block 2, Lot 1.02 (abandoned paper mill buildings) and Block 4, Lot 1 (farm fields). The Applicant was approved to construct a solar farm facility consisting of three distinct solar arrays on the site, generating 8.9 megawatts. The system is known as a “direct grid” system, which connects to an existing off-tract electrical distribution grid system.

It should be noted that in 2009 the State passed legislation that added “wind, solar or photovoltaic energy facility(ies) or structure(s)” as inherently beneficial uses. The statute also permits renewable energy facilities on parcels of 20 or more acres owned by the same entity in all industrial zones.

In October of 2012, the New Jersey Department of Environmental Protection issued a Solar Siting Analysis. The purpose of the guidance document is to “aid the Department, local communities and potential developers in planning for solar installations by distinguishing between sites where the Department encourages solar development from those where the Department discourages solar development.”¹³ The report provides two categories – sites preferred by the Department for Solar Development and sites not preferred by the Department for Solar Development. Page 5 commences the discussion of preferred sites, which are summarized below:

- Existing impervious surface
- Properly capped/closed landfills and remediated brownfields
- Landfills requiring proper closure and brownfields requiring remediation
- Barren and disturbed uplands

Sites not preferred by the Department for Solar Development are as follows:

- Agriculture
 - Agricultural lands provide important and economically valuable ecosystem services including stormwater retention, preservation of soil and water resources, wildlife habitat, and carbon sequestration. ... A solar project could potentially damage agricultural land, impede or reduce the productive agricultural capacity of the land for future use, and displace wildlife habitat.”¹⁴
- Natural and/or protected lands
 - “Solar projects on natural and/or protected lands such as forest, wetlands, flood hazard areas, wildlife habitat, open space, historic lands, etc. are also not preferred.”¹⁵

According to the NJDEP’s Division of Land Use Regulation website, the division supports solar panel projects and encourages the siting of solar projects within developed areas of the State.¹⁶ The website notes that solar projects may require authorization for the Division of Land use Regulation if there are potential impacts to special areas, such as critical wildlife habitats, farmland conservation areas, public open space, riparian zones, steep slopes and wetlands. For a full list of “special areas”, see: <http://www.nj.gov/dep/landuse/specialareas.html>.

In reviewing any future solar applications, the AAC encourages the Planning and Zoning Board to refer to this guidance document in evaluating the site(s) selected by the developer.

The AAC is concerned about the impact solar facilities will have on the Township’s viewsheds as well as the impact to farmland soils where these arrays are installed.

WIND ENERGY

In May of 2010 the Township Committee adopted Ordinance 2010-14, which permits small wind energy systems as conditional uses in the Limited Industrial Park District. There are 13 conditions. The maximum tower height is 120 feet. The Ordinance also permits small wind energy systems as an accessory use to a permitted farm that encompasses 20 or more contiguous acres within the Limited Industrial Park District.

Small wind energy systems are also permitted as an accessory use to an agricultural use on at least 20 acres in the R-1 and R-5 Residential Districts.

As noted in the section above, wind energy facilities have been determined by the State to be inherently beneficial uses.

The AAC has expressed concern about the potential development of wind energy in the future. The Committee is apprehensive about the potential viewshed impacts to what is otherwise a bucolic landscape.

ILLEGAL DUMPING

Illegal dumping is an issue in rural communities across the country. Items that are difficult to dispose of such as electronics, bulk items, etc. are the typical roadside castaways. Illegal dumping can cause property damage and contaminate the soil and/or waterways. It is a nuisance to the property owner, who is left to appropriately dispose of the items, and unsightly to the traveling public.

Section 105-4 of the Township code prohibits illegal dumping. However, the section does not contain fines. The AAC should work with the Township Committee to ensure that hefty fines are in place to penalize any perpetrators.

TRANSFER OF FARMLAND

The last, but not least, apprehension of the AAC is the fact that many farmers are near retirement age and will be looking to sell their farms. The Committee is concerned about the transfer of farmland, especially those parcels that are not preserved, from the current owner to the future owner and how the Township ensures those parcels remain farmland. The worst possibility is that the farmland is sold to a developer, who is interested in developing the land for some other use. However, the Township expects to realize some protections from this since the new Highlands Land Use Ordinance requires residential developers to set aside at least 80% of the project area as open space or preserved farmland.

The key to preventing the sale of a farm to a developer is ensuring there is a supply of young farmers. The National Young Farmers Coalition, established in 2010, represents, mobilizes and engages young farmers to ensure their success. The Coalition works to connect young farmers to older farmers. They offer training and even provide a list of farming internships, jobs and land to rent on their website (<http://www.youngfarmers.org>). Resources also include reports and a guide on where to find credit and capital. The AAC is establishing a relationship with the National Young Farmers Coalition.

The difficulty in transferring farmland from a retiring farmer to a beginning farmer is affordability. For the farmer looking to retire, this is his 401(k) and the money from the land sale is needed to support his retirement years. For the beginning farmer, who doesn't have a lot of money, it is difficult to find suitable and affordable farmland due to New Jersey's high real estate values. One entity that helps young farmers is Dirt Capital Partners, whose mission is to invest in farmland in partnership with farmers in the northeast. For more information on Dirt Capital see: <http://www.dirtpartners.com/>

Another issue regarding the transfer of farmland is the dual appraisal provision, unique to property owners within the Highlands Region. Under the dual appraisal method, property owners in the Highlands Region who preserve their land under the Green Acres Program or State Farmland Preservation Program receive two appraisals – one based on the current property value and one based on the local zoning, State environmental laws and NJDEP regulations in effect as of January 1, 2004 (before the adoption of the Highlands Act). The higher of these two values is used as the basis for negotiation when the applicant meets certain conditions.¹⁷ The conditions include:

- The Applicant owned the property as of August 10, 2004;
- The Applicant is an immediate family member of the owner that owned the property as of August 10, 2004; or
- The Applicant is a governmental unit or non-profit organization that acquired the property from an original owner or immediate family member.

However, the dual appraisal provision is set to expire on June 30, 2019. The dual appraisal is an invaluable tool in preserving farmland within Holland Township. The AAC encourages the legislature to extend or renew the law that permits dual appraisals within the Highlands Region.

OPPORTUNITIES SINCE THE 2010 PLAN

There have been three “opportunities” or positive factors that have occurred since the 2010 Plan that support the preservation of farmland and/or the farming economy.

FARMER’S MARKET

On May 17, 2011, the Township Committee adopted an ordinance, which established the farmer’s market within Holland. The first farmer’s market occurred in 2011 and the first food handlers’ licenses were issued in 2013.

The market is located at the Holland Township Firehouse on the corner of Milford-Warren Glen Road (Route 519) and Anderson Road. Hours of operation are 9am to 1pm every Saturday starting in June. The vendors offer a variety of goods including fruits, vegetables, eggs, fresh cut flowers, plants, herbs, desserts and breads, beef, pork, chicken, dairy products, etc.

BOBOLINK DAIRY & BAKEHOUSE

Located at 369 Stamets Road is Bobolink Dairy and Bakehouse. The White family moved into Holland Township in June of 2010. The farm produces and sells artisanal cheeses and bakes breads in a wood-fired oven. They also sell pastured meats. In addition, the farm offers classes on baking and cheesemaking.¹⁸ The farm store is open six days a week, but Bobolink also attends several farmer’s markets across the state. One can also book a tour of the farm, offered on Saturdays and Sundays. Visitors can see the bakery, farm store, cows, chickens and pigs. During the one hour plus tour, visitors also can taste the breads and cheeses made on-site.

The farm store and tours attract Township residents as well as visitors from outside the community and exposes them to agricultural activities and nature. It is a great way to bring awareness to the importance of agriculture and farmland preservation in both Holland and in the State of New Jersey.

HIGHLANDS LAND USE ORDINANCE

On November 8, 2017 the Township Committee adopted Ordinance No. 2017-2012, the Highlands Land Use Ordinance, which became effective November 21, 2017. This was the result of years of work of volunteers and Township professionals. The Ordinance applies to any application that creates three or more dwelling units and non-residential applications that disturb more than one acre of land, produce a cumulative impervious surface area of ¼ acre or more or introduce or expand a use not permitted by the regulations (unless the application is able to obtain an exclusion or exemption).

The Ordinance works to both enhance the ability to farm and protect the natural resources that make farming financially feasible and sustainable. Section 5-2.1 allows agricultural and horticultural uses as a principal permitted use in the defined Agricultural Resource Area (unless the site is forested) regardless of the underlying Township zoning. As noted in the Ordinance, The Agricultural Resource Area (“ARA”) consists of the areas of most concentrated and contiguous agricultural uses in the Highlands Area and contains major areas of Important Farmland Soils.

Section 6-9.3 of the ordinance works to preserve contiguous pieces of farmland, by restricting permitted residential development in the ARA to residential cluster development. Therefore, if a farmer wanted to sell his 80-acre farm to a residential developer, the developer would have to abide by the regulations contained in Section 8 of the code. The ordinance requires that 80% of the site must be preserved in perpetuity for agricultural use or for environmental protection.¹⁹ If this hypothetical 80-acre farm is in the Planning Area, Conservation Zone, under the Ordinance, 64 acres of the farm would have to be preserved for farming or open space and 16 acres could be used for residential development. In accordance with the septic requirements, 6 homes would be permitted to be constructed on the remaining 16 acres.

The clustering requirement ensures that most of a large tract is going to be preserved for farmland or open space and that area will be contiguous and not subdivided into useless slivers. The ordinance provides a new opportunity to preserve farmland in a non-traditional way even when a portion of the tract is being developed for residential uses. Between 80 and 90% of any new project would be preserved for either open space or agriculture. If the project area is contiguous to a preserved farm or within a project area, the AAC would prefer the land be preserved for farmland. This new ordinance creates a new dimension to managing preserved land within the Township.

PROJECT AREAS

There are four project areas within Holland Township. The boundaries of these four areas can be seen on page 12. Area 1 – Bunn Valley is both the largest area and the area of highest priority. The Holland Station District is the second highest priority project area. The third highest priority project area is Hawks Schoolhouse. Finally, the fourth highest priority project area is Musconetcong.

The AAC has some concerns for future farmland preservation in the project areas. The first concern is maintaining contiguous acres of farmland. Proximity of farmland is important for farmers and their ability to farm efficiently and effectively. The Committee is worried with the pending pipeline project traversing the Township, that the ability to retain contiguous acres will be undermined. The second concern the Committee noted is the worry that the pipeline will bring with it easements that farmers can't cross or that they must maintain setbacks from during day-to day operations. These easements could translate into physical barriers and financial impediments for farmers within Holland.

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¹ The Township recently adopted the Highlands Land Use Ordinance that mandates any new residential subdivisions to cluster and preserve at least 80% of the site. To the extent such projects occur, it will positively affect the anticipated acreage of preserved farmland and open space within the Township. Furthermore, it should be noted that these additional preserved lands would not draw upon the usual four funding sources because the developer purchases the land and then deed restricts it.

² <https://www.ferc.gov/industries/gas/enviro/eis/2017/04-07-17-FEIS.asp>

³ <http://penneastpipeline.com/member-companies/>

⁴ <http://penneastpipeline.com/proposed-route/>

⁵ <https://www.ferc.gov/industries/gas/enviro/eis/2017/04-07-17-FEIS.asp>

⁶ <http://www.nj.gov/agriculture/news/press/2015/approved/press151008.html>

⁷ <http://www.nj.gov/agriculture/divisions/pi/prog/emeraldashborer.html>

⁸ <http://www.nj.gov/agriculture/divisions/pi/prog/whatiseab.html>

⁹ Ibid.

¹⁰ <http://www.nj.gov/agriculture/divisions/pi/pdf/eabinsecticidefactsheet.pdf>

¹¹ <http://www.nj.gov/agriculture/news/press/2015/approved/press151008.html>

¹² http://www.nj.gov/dep/newsrel/2016/16_0047.htm

¹³ http://www.nj.gov/dep/ages/docs/solar_analysis_final.pdf, page 3.

¹⁴ Ibid, page 9.

¹⁵ Ibid, page 10.

¹⁶ <http://www.nj.gov/dep/landuse/activity/solar.html>

¹⁷ http://www.highlands.state.nj.us/njhighlands/news/pres/dual_062910.pdf

¹⁸ <http://www.cowsoutside.com/>

¹⁹ This assumes the site is outside a sewer service or public water service area.