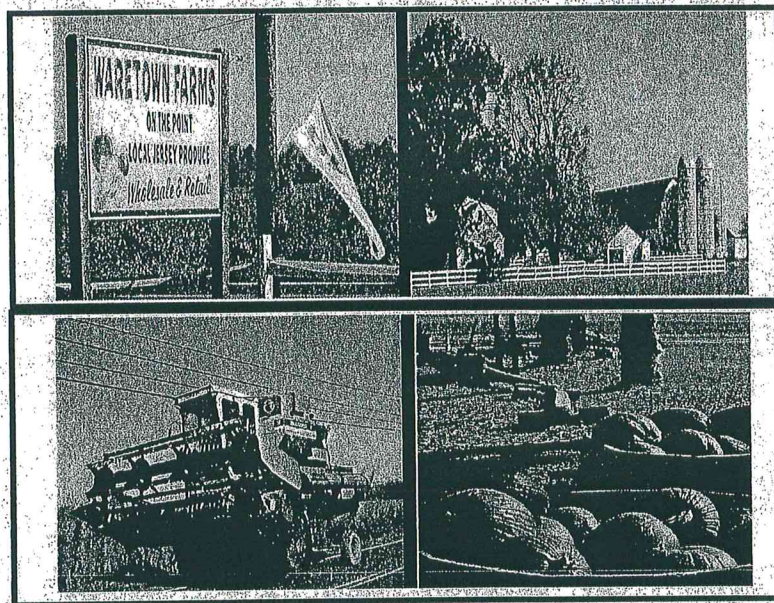


## FARMLAND PRESERVATION PROGRAM

### Municipal Comprehensive Farmland Preservation Plan Southampton Township Burlington County, New Jersey



NOVEMBER 2010

Prepared by:

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# TABLE OF CONTENTS

<b>INTRODUCTION</b>	<b>4</b>
<b>GOALS AND OBJECTIVES</b>	<b>6</b>
<b>COMPREHENSIVE FARMLAND PRESERVATION PLAN</b>	<b>7</b>
<b>CHAPTER I: AGRICULTURAL LAND BASE</b>	<b>7</b>
A. Location and Size	7
B. Soil types and their characteristics	10
C. Irrigated acres and water sources	16
D. Farmland Assessment and Census of Agricultural Statistics and Trends	19
<b>CHAPTER II. AGRICULTURAL INDUSTRY – OVERVIEW</b>	<b>22</b>
A. Trends.	22
B. Crop Production Trends Over the Last 20+ years.	22
C. Support Services within Market Region	27
<b>CHAPTER III. LAND USE PLANNING CONTEXT</b>	<b>34</b>
A. State Development and Redevelopment Plan Planning Areas, Designated Centers and Endorsed Plans	34
B. Special Resource Areas	35
C. Municipal Master Plan and Development Regulations	37
D. Current Land Use and Trends	38
E. Sewer Service Areas / Public Water Supply Service Areas	39
F. Municipal Master Plan and Zoning – Overview	39
G. Municipal and Regional TDR Opportunities	47
<b>CHAPTER IV. FARMLAND PRESERVATION PROGRAM</b>	<b>48</b>
A. County Agricultural Development Areas	48
B. Farmland preserved to date by program	48
C. Consistency with SADC Strategic Targeting Project.	54
D. Eight Year Programs	57
E. Coordination with Municipal and County Open Space Preservation Initiatives.	57
F. Farmland Preservation Program Funding Expended to Date	60
G. Monitoring of Farmland Preservation	61
H. Coordination with Transfer of Development Rights Programs	62
<b>CHAPTER V. FUTURE FARMLAND PRESERVATION PROGRAM</b>	<b>63</b>
A. Preservation Goals (1, 5, and 10 year acreage targets)	63







B. Municipal and County Minimum Eligibility Criteria Coordination	63
D. Municipal and County Policies Related to Farmland Preservation Applications	66
E. Funding Plan	71
F. Farmland Preservation Program and AAC Resources	71
G. Factors Limiting Farmland Preservation Implementation	72
<b>CHAPTER VI. ECONOMIC DEVELOPMENT</b>	<b>75</b>
A. Consistency with N.J. Department of Agriculture Economic Development Strategies	75
B. Agricultural Industry Retention, Expansion and Recruitment Strategies	77
<b>CHAPTER VII. NATURAL RESOURCE CONSERVATION</b>	<b>84</b>
A. Stewardship of Natural Resources on Farmland	84
<b>CHAPTER VIII. AGRICULTURAL INDUSTRY SUSTAINABILITY, RETENTION AND PROMOTION</b>	<b>94</b>
A. Existing Agricultural Industry Support	94
B. Additional Strategies	96
<b>BIBLIOGRAPHY</b>	<b>98</b>
<b>LIST OF TABLES</b>	<b>99</b>
<b>LIST OF CHARTS</b>	<b>100</b>
<b>APPENDIX A</b>	<b>101</b>
<b>APPENDIX B</b>	<b>113</b>
<b>APPENDIX C</b>	<b>121</b>



## INTRODUCTION

The Farmland Preservation Program, administered by the State Agricultural Development Committee (SADC), provides grants to counties, municipalities and nonprofit groups to fund the purchase of development easements on farmland; it directly purchases farms and development easements from landowners; and the program offers grants to landowners who are participating in the program to fund up to 50 percent of the cost of soil and water conservation projects.

Valuable incentives can be offered to landowners who participate, such as: helping them meet their financial goals; providing them with the capital to expand their existing operations; eliminating or reducing their debt load; or furthering their estate or retirement planning. Participation also provides limited protection from government acquisition of land through eminent domain; public and private nuisances; and emergency restrictions on the use of water and energy supplies. Farms or development easements that are acquired through the Farmland Preservation Program will forever be protected for agricultural use. Landowners who have sold their development rights still can sell their land at any time. Deed restrictions prohibiting non-agricultural development run with the land, so future owners of preserved farms also would be required to comply with the deed restrictions.

Farms are an essential part of the character, culture, economy and scenic background of Southampton Township. To be an active participant in the Farmland Preservation Program, the Township must first submit a Comprehensive Farmland Preservation Plan for approval by SADC. What follows is Southampton Township's Comprehensive Farmland Preservation Plan in compliance with the new rules (N.J.A.C. 2:76-17A). The Plan will become a formal part of the Township's Master Plan. It was developed in consultation with the Agricultural Advisory Committee, the Southampton Planning Board, the Burlington County Agricultural Board, the Burlington County Planning Board and the Burlington County Board of Agriculture. Additionally, in order to satisfy regional concerns, the Plan was coordinated with surrounding municipalities and the Burlington County Comprehensive Farmland Preservation Plan.

The criteria under N.J.A.C. 2:76-17A require Farmland Preservation Plans to include a description of:

- Municipality's Agricultural Land Base
- Municipality's Agricultural Industry – Overview
- Land Use Planning Context
- Municipality's Farmland Preservation Program – Overview



- Future Farmland Preservation Program
- Economic Development
- Natural Resource Conservation
- Agricultural Industry Sustainability, Retention and Promotion

The Plan also contains the following information:

1. An inventory of farm properties in the entire municipality and a map illustrating significant areas of agricultural lands;
2. A detailed statement showing that municipal plans and ordinances support and promote agriculture as a business;
3. A plan for preserving as much farmland as possible in the short-term by leveraging monies made available by the Garden State Preservation Trust Act, N.J.S.A. 13:8-1 et seq., P.L. 1999, c. 152 through a variety of mechanisms including but not limited to utilizing:
  - a. Option agreements;
  - b. Installment purchases; and
  - c. Encouraging donations for permanent development easements.
4. A statement of farming trends, characterizing the type(s) of agricultural production in the municipality; and
5. A discussion of plans to develop the agricultural industry in the municipality.

The first step toward a fully realized Farmland Preservation Plan was the establishment of the Agricultural Advisory Committee, which will represent the needs and concerns of farmland owners and operators within the community and facilitate communication and understanding among township officials, residents and the agricultural community. The committee will also be responsible for the following: assisting township officials in efforts to plan for the continuation of agriculture and prevent the loss of agricultural resources; reviewing the impact of existing and proposed plans, policies and ordinances on the agricultural community and recommending changes as needed; partially meeting eligibility requirements for Planning Incentive Grants administered by the SADC; ensuring that previous and on-going public investment in the preservation of agricultural land by the residents of Southampton Township and the State of New Jersey is reinforced by policies at all levels of government to allow for a viable agricultural industry in the future; and ensuring that the municipal Right to Farm ordinance is consistent with the State Model



Right to Farm Ordinance and that other municipal ordinances and development regulations reinforce the fact that farmers operating under generally accepted agricultural practices are not a nuisance to the community.

It has long been the desire of officials and residents of Southampton Township to maintain the rural atmosphere that still exists. That desire is evidenced by the amount of land that is currently preserved in the Township. Including Open Space, Recreation and Farm Lands, about 32.5% of the Township acreage has some form of protection or preservation. In order to preserve the rural atmosphere, quality of life and relatively low tax rate enjoyed by the Township residents, development must be carefully regulated.

## GOALS AND OBJECTIVES

The principle preservation/conservation goals of Farmland Preservation consists of the following:

- Protection of contiguous (or nearly contiguous) areas of productive agricultural/horticultural lands; and
- Allowing the continuation of farming in areas while minimizing conflicts between residential and agricultural uses.

Additional goals and objectives:

- Protection of all water sources;
- Support existing farming activities and, to the extent possible, protect the prime agricultural lands within the Township;
- Support agricultural productivity so that it is allowed to be a viable economic activity;
- Encourage both private and public support and participation in the New Jersey State Farmland Preservation Program;
- Support activities that reinforce Southampton Township as a “right-to-farm” community; and
- Continue to build the local economy, especially the commercial “core”, which will in turn support the long-term preservation of agricultural lands.

**COMPREHENSIVE FARMLAND PRESERVATION PLAN  
SOUTHAMPTON TOWNSHIP  
BURLINGTON COUNTY, NEW JERSEY**

<b>CHAPTER I:        AGRICULTURAL LAND BASE</b>
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**A.        Location and Size**

Southampton Township is located in Burlington County, one of the leading agricultural counties in the country. The Township borders Pemberton Township, Woodland Township, Tabernacle Township, Medford Township, Lumberton Township, and Eastampton Township. It is situated on what is known as the Atlantic Coastal Plain, with the boundary between the Inner and Outer Coastal Plains running through Southampton in a generally northeast to southwesterly direction.

Southampton Township is a rural agricultural community that covers a total of 43.31 square miles. The Township has evolved since the early European settlement in the 1700's into the present as a municipality that offers a strong sense of place and exceptional quality of life to its residents. Approximately 75% of the Township lies within the boundaries of the Pinelands National Reserve. The Pinelands Commission strictly regulates development in that portion of the Township. About 60% of the land area of the Township is classified as wetlands. Wetlands are an important natural resource and much of the Planning for the Township is influenced by their presence. Southampton Township includes a large farming community and agricultural activities remain as an important element of life. Important historic, archeological and paleontological sites are also included within Southampton Township. The State of New Jersey has officially designated the Village of Vincentown, which includes a number of historic properties, as a "Town Center". The largest population concentration is in the retirement community of Leisuretowne that is located within the Pinelands.

Farms are an essential part of the character, culture, economy and scenic background of the Township. According to the USDA- NASS 2006 New Jersey Farmland Assessment, Southampton Township's agricultural land base comprised 12,239 acres in area. Sixty percent of the township land area is assessed as farmland. About 45% of the total land area is actually devoted to traditional farming operations. The remainder includes a wide range of non-typical farm activities such as "woodland management" or "farmettes". So strongly have the Township officials and residents advocated the preserving of farming traditions that about 6,015 acres of farmland have been preserved and saved from development to date.



<b>Table 1: Property Class / Southampton Township</b>		
Class	Total acres	%
Farming (includes preserved farms)	14,276	50.8
Residential	9,686	34.5
Commercial	258	0.9
Industrial	741	2.6
Other	3,134	11.2
Total	28,095	100.0

Source: : Southampton Township Resource Inventory, 2009

<b>Table 2: Land Use / Land Cover – Southampton Township –Tax Year 2008</b>	
Type	Acres
Agriculture	13,020
Wetlands	14,216
Forest-Coniferous	1,136
Forest – Deciduous	1,252
Forest – Mixed (Coniferous Dominant)	1,852
Forest – Mixed (Deciduous Dominant)	1,578
Brush/Shrubland - Coniferous	32
Brush/Shrubland - Deciduous	127
Brush/Shrubland - Mixed	119
Streams and Canals	165
Natural Lakes	.4
Artificial Lakes	246

Source: Southampton Township Resource Inventory, 2009

The Land Use Map can be found in Appendix A, Map #1.



## Wetlands <sup>1</sup>

Freshwater wetlands within Southampton Township are derived from NJDEP GIS data that is based on the National Wetland Inventory Maps. Wetlands and the associated transition areas are controlled by State wetlands regulations and are identified on the Wetlands Map found in Appendix A: Map #2.

As indicated on the Wetlands Map, approximately 15,000 acres within Southampton Township are considered wetlands. The flood hazard areas within Southampton Township have been identified and mapped by the Federal Emergency Management Agency (FEMA). These areas are regulated by standards that control construction consistent with the national flood insurance program.

Southampton Township lies within the Atlantic Coastal Plain. Generally, the Pinelands area within the Township is included within the Outer Atlantic Coastal Plain. Other parts of the Township are included within the Inner Atlantic Coastal Plain. Vegetation and forests in the two areas have a distinctively distinctive makeup and character.

Forested wetlands within Southampton Township are characterized by a preponderance of woody vegetation taller than twenty feet, adapted either to mesic (moist) conditions or to inundated or saturated soil conditions. Dominated by Red Maple, these wetland communities are typically associated with Sycamore, Sweet Gum, Silver Maple, Muscelwood, Box Elder, River Birch, Pin Oak, Willow Oak, Sweet Bay, American Holly, Tulip Poplar, White Ash, Black Willow, and Persimmon. Several of these species can also occur on upland or transitional sites.

Common undergrowth shrubs and herbs in these wetlands include Arrowwood, Spice-bush, Common Elderberry, Swamp Azalea, Sweet Pepperbush, Green briers, Skunk Cabbage, Spotted Jewelweed, Sensitive Fern, Marsh Fern, and Sedges. Among the invasive species of both wetlands and uplands are Poison Ivy, Japanese Honeysuckle, Grapes, and Virginia Creeper.

Non-forested palustrine emergent wetlands (emergent marshes) frequently occur on the edges of farm fields and pastures, or they were once used as pastures. These often contain Soft Rush, Multiflora rose, Swamp Loose strife, Sensitive Fern, and Tussock Sedge. Associated with the Vincentown Formation, the stream corridor, flood plain, and upland slopes and forest along the South Branch of the Rancocas Creek from Vincentown to the Lumberton Township border comprise a significant paleontological site as well as a rich soil flora worthy of protection. Similar conditions prevail along the old marl excavations within the Beaverdam Creek corridor south of Vincentown. Natural upland vegetation within the Township includes mature deciduous associations and edge of field shrub and scrub species. Typical trees in these uplands include American Beech, Poplars, Black Oak, White Oak, Southern Red Oak, Sassafras, Hickories, Sweet gum, and Virginia Pine. A number of these species can also occur on mesic sites

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<sup>1</sup> (Conservation, Open Space & Recreation Plan Element of the Master Plan, May 2007)



within the Beaverdam Creek corridor south of Vincentown and within sections of the Little Creek corridor along the western border of the Township.

### **Inner Coastal Plain**

Woodland areas in Southampton Township located outside of the Pinelands consist primarily of lowland (palustrine) deciduous forests. These woodlands are typically associated with floodplain areas and areas of seasonal high water table, which made them unsuitable for crop production. Thus, farmers often did not clear these lands, or if once farmed through the laying of drainage tiles, have subsequently preferred to cultivate the drier, upland areas of the Township. The nature and extent of these woodlands are related to soil types and the geologic formations from which the soils are derived.

### **Outer Coastal Plain (Pinelands)**

Wooded areas in the Pinelands section of the Township are occupied by both upland and lowland (wetland) forests. Dominating large upland areas are oak-pine forests, comprised of mixed oak species (Black, White Chestnut, and Post) and to a lesser degree of Pitch and Short-leaved Pines. The undergrowth consists largely of huckleberries, blueberries, and other members of the heath family. Pockets of Virginia Pine also are present as well as a White Pine plantation on a portion of Lebanon State Forest within the Township. Lowlands are dominated by mixed hardwood swamps comprised of Red Maple, Black Gum, Swamp Magnolia, Grey Birch, and perhaps scattered Atlantic White Cedar. The undergrowth consists of heath shrubs. Pitch Pine lowland forests and almost pure pockets of Atlantic White Cedar also are present. Three active commercial cranberry bogs comprise a significant portion of the wetlands. There are also several abandoned cranberry bogs that have reverted to shrub or forested communities.

## **B. Soil types and their characteristics**

Southampton Township is situated on what is known as the Atlantic Coastal Plain. The Surface Geology Map #3, found in Appendix A, illustrates the geological conditions found in the Township. The Atlantic Coastal Plain is formulated from clays, silts, sands and gravels. The boundary between the Inner and Outer Coastal Plains runs through Southampton in a generally northeast to southwesterly direction. The specific composition of the soils within Southampton Township is shown on maps published by the Burlington County Soils District as shown in Appendix A Map #4. Southampton Township overlays a variety of soils ranging from porous sandy soil to poorly drained marl. The drainage characteristics of the soils are tabulated in Table 3. A major factor in determining permissible lot size is the soil type. The percolation rates and nitrate diffusion from on-site disposal systems is critically dependent on the type of soil.

**Table 3: Soil Characteristics**

<b>Soil Type</b>	<b>Soil Characteristics</b>
<b>Adelphia</b>	Depth Class: Very deep Drainage Class (Agricultural): Moderately well drained Slope: 0 to 10 %  Permeability: Moderate or moderately slow
<b>Atsion</b>	Depth Class: Very deep Drainage Class: Poorly drained  Slope: 0 to 2 percent Permeability: Moderately rapid or rapid above 40 inches and moderately slow to rapid below 40 inches
<b>Berryland</b>	Depth Class: Very deep Drainage Class (Agricultural): Very poorly drained  Slope: 0 to 2 percent
<b>Buddtown</b>	Depth Class: Very deep Drainage Class (Agricultural): Moderately well drained Slope: 0 to 5 percent  Permeability: Moderate
<b>Colemantown</b>	Depth Class: Very deep Drainage Class (Agricultural): Poorly drained  Slope: 0 to 2 percent
<b>Collington</b>	Depth Class: Very deep Drainage Class (Agricultural): Well drained Slope: 0 to 80 percent Permeability: Moderate or moderately slow
<b>Downer</b>	Depth Class: Very deep Drainage Class: (Agricultural) Well drained Slope: 0 to 30 percent Permeability: Moderate or moderately rapid
<b>Evesboro</b>	Depth Class: Very deep Drainage Class (Agricultural): Excessively drained Slope: 0 to 40 percent, commonly 0 to 5 percent



<b>Fallsington</b>	Depth Class: Very deep Drainage Class (Agricultural): Poorly drained Slope: 0 to 5 percent Permeability: Moderate or moderately slow
<b>Fluvaquents</b>	
<b>Freehold</b>	The Freehold series are very deep, well drained, moderately permeable soils formed in marine sediments containing glauconite. These soils are on uplands in the coastal plains and have slopes ranging from 0 to 40 percent. Mean annual precipitation is 46 inches and mean annual temperature is 52 degrees F.
<b>Galloway</b>	DEPTH CLASS: Very deep DRAINAGE CLASS: Moderately well drained SLOPE: 0 to 5 percent PERMEABILITY: Rapid or very rapid
<b>Holmdel</b>	Depth Class: Very deep Drainage Class (Agricultural): Moderately well drained and somewhat poorly drained Slope: 0 to 5 percent Permeability: Moderate
<b>Jade Run</b>	Depth Class: Very deep Drainage Class (Agricultural): Poorly drained Permeability: Moderately slow Slope: 0 to 2 percent
<b>Keansburg</b>	The Keansurg series consists of deep, very poorly drained soils formed in water laid deposits containing low to moderate amounts of glauconite. They typically have a thick dark colored fine sandy loam A horizon, gray heavy fine sandy loam B horizons, and sandy C horizon at a depth of 24 to 40 inches.
<b>Lakehurst</b>	DEPTH CLASS: Very deep DRAINAGE CLASS: Moderately well drained  SLOPE: 0 to 5 percent PERMEABILITY: Rapid in the subsoil and to slow in the substratum
<b>Lakewood</b>	DEPTH CLASS: Very deep

	<p>DRAINAGE CLASS: Excessively drained</p> <p>SLOPE: 0 to 25 percent</p> <p>PERMEABILITY: Rapid</p>
<b>Manahawkin</b>	<p>Depth Class: Very deep</p> <p>Drainage Class (Agricultural): Very poorly drained</p> <p>Slope: 0 to 2 percent</p>
<b>Mullica</b>	<p>Depth Class: Very deep</p> <p>Drainage Class (Agricultural): Very poorly drained</p> <p>Slope: 0 to 2 percent</p>
<b>Pemberton</b>	<p>DEPTH CLASS: Very deep</p> <p>DRAINAGE CLASS: Moderately well</p> <p>SLOPE: 0 to 5 percent</p> <p>PERMEABILITY: Moderately rapid in the solum and moderate or moderately rapid in the substratum</p>
<b>Pits</b>	Clay
<b>Pits</b>	Sand and gravel
<b>Shrewsbury</b>	<p>DEPTH CLASS: Very Deep</p> <p>DRAINAGE CLASS: PoorlySLOPE: 0 to 2</p> <p>PERMEABILITY: Moderately slow or moderate in solum and moderately rapid or rapid in the substratum</p>
<b>Tinton</b>	<p>Depth Class: Very deep</p> <p>Drainage Class (Agricultural): Well drained</p> <p>Slope: 0 to 25 percent</p> <p>Permeability: Moderate to moderately rapid</p>
<b>Udorthents</b>	
<b>Urban</b>	Sandy
<b>Westphalia</b>	<p>The Westphalia series consists of very deep, well drained soils on up-land Coastal Plain terraces. They formed in unconsolidated Coastal Plain sediments containing fine and very fine sands. Slope ranges from 0 to 50 percent. Mean annual temperature is 55 degrees F, and mean annual precipitation is 44 inches.</p>



## Agricultural Soils

The National Resources Conservation Services (NRCS) classifies certain soils as **prime**, **statewide important** or **unique** based on their agricultural productivity. **Prime farmland soils** rest on land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops. They have the quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed according to acceptable farming methods. Prime soils are not excessively erodible or saturated with water for a long period of time, and they either flood infrequently or are protected from flooding.

Soil Conservation Service mapping shows that prime farmland soils are located primarily in the north-northeast portion of the township, and that the farmland of statewide importance occurs in scattered locations about the township. Most notable of these locations are: just south of Red Lion Circle; in the Beaverville area; and along the north side of Retreat Road east of Route 206.

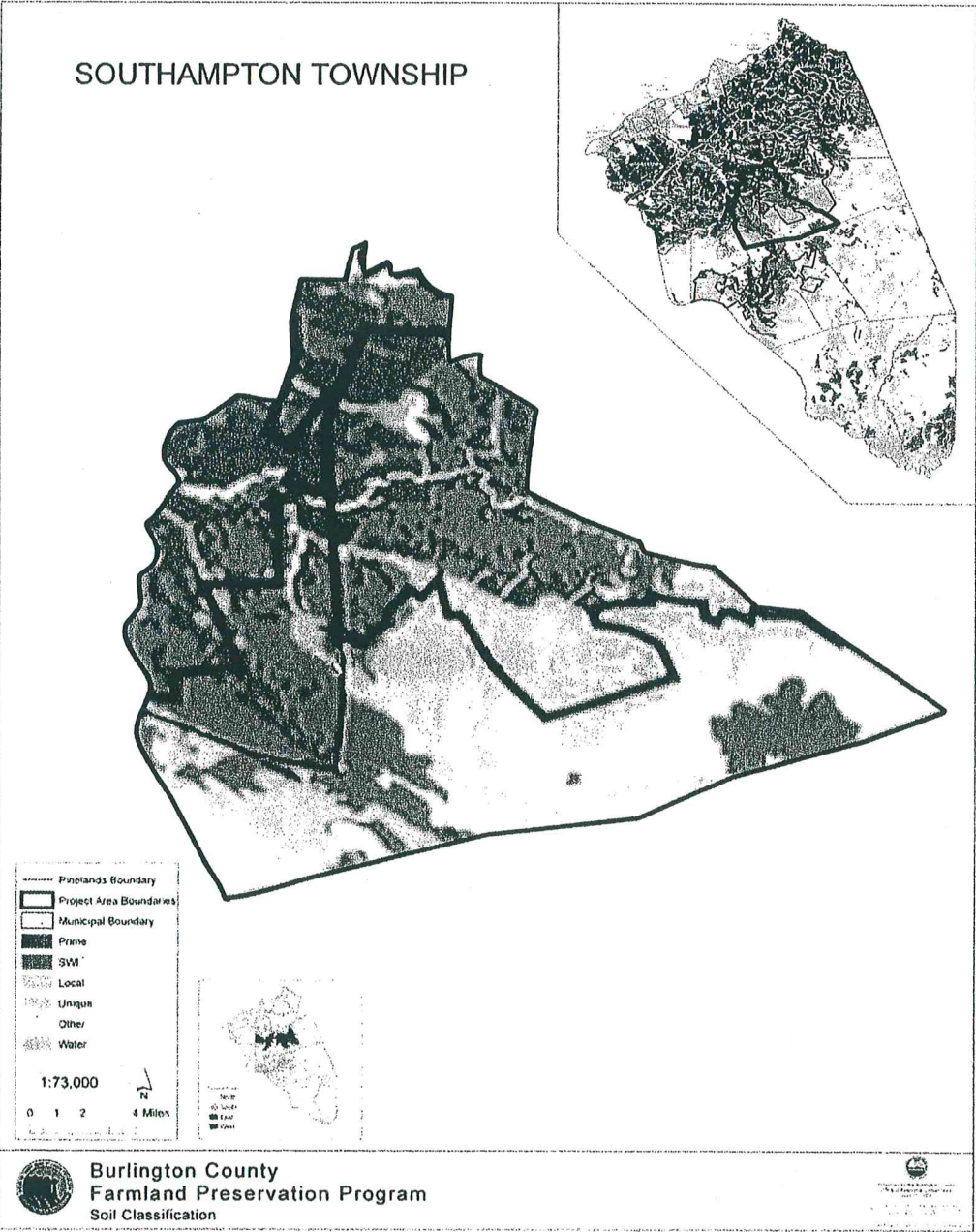
Farmland soils of **statewide importance** produce high yields of crops when treated and managed according to acceptable farming methods, but have yields that are not as high as prime soils. **Unique soils** exhibit specific qualities that may be favorable to the production of specialized crops. Unique soil has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality and/or a high yield of a specific crop when treated and managed according to modern farming methods. An examples of such a crop grown in Southampton Township is cranberries.

Soils of **local importance** are not mapped or designated by NRCS as agricultural soils, but exhibit viability for the production of field crops, hay, livestock pasturing, and some fruits and vegetables.

The soils found in the northern half of the municipality are predominantly **prime and statewide importance**, and the land in the southern half of Southampton Township exhibits characteristics of **unique** soils. Almost all of the unique soils found in the township are located within the Pinelands area.

The soils of the Pinelands have developed from sandy geologic deposits and are unusually porous and acidic. The parent soil material has a greater proportion of coarse sandy particles than finer silt and clay particles. The greater the proportion of coarse particles in a soil, the less its capacity to retain both water and nutrients. Thus, even though the Pinelands get the same amount of rainfall as the surrounding areas, the water drains so rapidly through the soil that little moisture or nutrients are left. This leaching has significant implications when examining the relationship between land use and water quality. It is particularly relevant when evaluating the use of chemicals on both agriculture and residential areas.

Figure 1: Southampton Township Soil Classification





### C. Irrigated acres and water sources

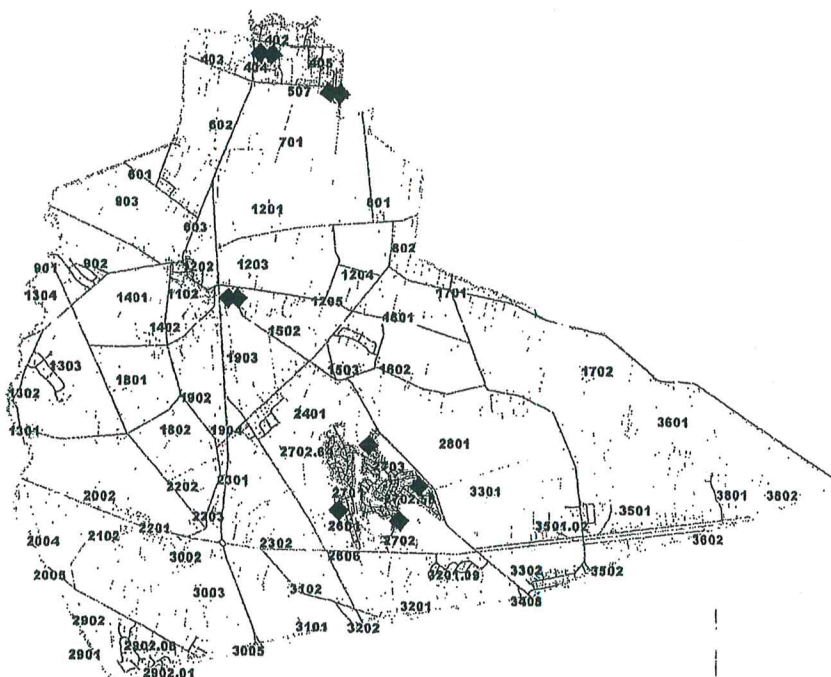
Agricultural viability and production are tied into and dependent upon not only an adequate farmland base, but also the water cycle. Without water there would be no crops. Farmland acres absorb water and recharge underground aquifers, and hold water to allow the movement of nutrients into crops and woodlands through evapotranspiration. Without farmland and open space, water is more likely to run off over the surface of the land with the potential to carry soil particles and nutrients with it down to surface water bodies and streams.<sup>2</sup>

The hydrology of Southampton Township includes ground water (aquifers, water bearing geologic formations), surface water (streams, lakes), wetlands and flood prone areas. Except for areas of concentrated housing (Leisuretowne, Hampton Lakes, and the Village of Vincentown), the Township is served by surface water from individual wells. A private water company (Pinelands Water Company) supplies water from four deep wells (three in Leisuretowne and one in Hampton Lakes) that draw from the Mt. Laurel-Wenona aquifer. The areas serviced by the Pinelands Water Company include about 2,495 properties. The Mt. Holly Water Company services about 700 customers in Vincentown. The Southampton Township schools located on Pleasant Street are also supplied from the Mt. Holly Water Company. The water is supplied from 2 wells located on Retreat Road east of Route 206. That water is also drawn from the Mt. Laurel-Wenona aquifer. A mobile home complex and a trailer park in the northern section of the Township each have two wells that serve those areas. The approximate locations of the public wells are shown in Figure 1 below.

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<sup>2</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

**Figure 2: Well Locations**



The NJDEP Bureau of Water Allocation regulates the diversion of Water in New Jersey. An Agricultural Water Usage Certification or Agricultural Water Use Registration must be obtained from the County agricultural agent if an agricultural operator seeks to withdraw ground and/or surface water in excess of 100,000 gallons per day, or has a combined pump capacity of 70 gallons per minute or greater is regulated by the Bureau of Water Allocation for agricultural, aquacultural or horticultural purposes.

The Bureau of Water Allocation regulates water diversion through permitting, certification, and registration programs. According to their website, agricultural facilities diverting more than 100,000 gallons per day are regulated with Agricultural Water Use Certifications. Agricultural facilities diverting less than 100,000 gallons per day but with a capability to divert over 100,000 gallons per day (70 gpm) are regulated by Agricultural Water Use Registrations. Non-agricultural facilities diverting less than 100,000 gallons per day but with a capability to divert over 100,000 gallons per day (70 gpm) are regulated by Water Use Registrations.

Southampton Township has 220 irrigated acres of land, representing roughly 4.7 percent of the County's irrigated farmland. According to the Burlington County Department of Resource Conservation, Southampton's total agricultural water demand in 2005 was 1,205,060 gallons per



day with a projected 27% reduction in demand based on the build-out conditions on agricultural land.<sup>3</sup>

Current regulations do not limit the amount of water that may be withdrawn, but annual registration by farmers enables the NJDEP to determine whether total withdrawals exceed the sustainable yield of available ground and surface waters. According to Rutgers Cooperative Extension of Burlington County, two (2) farm operators in Southampton Township are registered and 20 farm operators have certifications.

Since June 1999, twenty (20) Burlington County farm operators with either preserved farms or 8-year program agreements have received \$302,359 in state soil and water conservation grants in order to design and install irrigation systems, according to the minutes of the State Soil Conservation Committee. Many of these systems use the latest technology in drip irrigation or in flow control devices. Some farmers within Southampton have utilized irrigation ponds as a water source for irrigating their land.

**Table 4: Irrigated Land / Agricultural Land Use**

Tax Year	1984	1991	2001	2003	2005	2006	2007	2008
<b><u>Southampton</u></b>								
Acres of Ag. Use	15,461	14,141	14,011	13,940	12,406	13,579	12,239	13,769
Acres Irrigated	115.60	103	88	128	121	176	247	220
% of total Ag. Use	1.8%	.7%	.6%	.9%	1.0%	1.3%	2.0%	1.6%
<b><u>Burlington County</u></b>								
Acres of Ag. Use	154,119	148,919	148,364	143,250	138,321	116,833	119,565	122,746
Acres Irrigated	9,174.76	2,195	2,793	2,626	4,459	4,079	4,227	4,688
% of total Ag. Use	6.0%	1.5%	1.9%	1.8%	3.2%	3.5%	3.5%	3.8%

Source: NJ Farmland Assessment –County Summary, Tax Years 1984-2008

It has been increasingly difficult for farmers to acquire the permits to drill new wells or make other withdrawals over 100,000 gallons per day. The inability to develop a new water supply through the Agricultural Diversion program will limit future farmers to crops dependent upon natural rainfall such as grains and field crops, including hay. Only the latter crop could, if marketed directly, increase profitability. The other commodities that could grow with only natural rainfall are priced by market systems out of the control of the farm operator.<sup>4</sup>

<sup>3</sup> (Integrated Water Resource Management Project for the 206 Corridor, January 2005)

<sup>4</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

## D. Farmland Assessment and Census of Agricultural Statistics and Trends

### D.1 Number of Farms and Farms by Size

Based on the Southampton Township Assessor's 2010 list of properties with farmland assessment there are total of 352 farms in Southampton Township, which cover approximately 14,201.94 acres of land. They range in size from .12 acres to 1,175 acres, with the largest tracts being utilized for the production of soybeans, sod, cranberries and blueberries.

Appendix A: Map #5 Farmland

Appendix B: List of Properties with Farmland Assessment

### D.2 Average and Median Farm Size

The Southampton Township Assessor's 2010 list of properties with farmland assessment includes approximately three hundred and fifty two (352) parcels with farmland assessment with an average acreage of one hundred and twenty three (123) acres. Those lots under 50 acres equal roughly 4,373 acres with an average size of 15.2 acres. The County's average farm size according to the US Census of Agriculture's 2002 report is one hundred and twenty three (123) acres with a median of twenty one (21) acres.

**Table 5: Size distribution of Southampton Township Assessed Farmland (2010)\***

Acres	Lots	%	Total # of Acres	%
1 - 9	109	30.9	638.66	4.5
10 - 49	162	46.0	3,734.76	26.3
50 - 69	20	5.7	1,175.77	8.3
70 -99	26	7.4	2,141.77	15.1
100 - 139	20	5.7	2,356.64	16.6
140 - 179	6	1.7	919.27	6.4
180 - 219	5	1.4	970.77	6.8
220 - 259	2	0.6	495.50	3.5
260 - 499	0	0.0	-	
500 - 999	1	0.3	593.80	4.2
1000- 1999	1	0.3	1,175.00	8.3
2000+	0	0	-	
All Farms	352	100%	14,201.94	100%

\*The Assessor's farmland list identifies farms by parcel which is reflected in the chart above.



According to data provided by the County and reproduced here, the majority (74 percent) of farm operators fully own the land they farm. However, such operators only control 43,505 acres (42 percent of total county farmland). While tenants (defined as farmers that rent all of the land they farm) account for less than 9 percent of farm operators, they operate 14.5 percent (15,065 acres) of total farmland. About 18 percent of farmers both own and rent portions of the land they farm.

Between full- and part owners, farm operators own 60,058 acres (58 percent) of the land farmed in Burlington County.

Farm operators rent the remaining 43,609 acres (42 percent) of farmland from unspecified landowners (including, potentially, other farmers). Statewide, 41 percent of farmland is rented.

Across the nation, the rental of farmland is a normal and important farm practice. Farmers renting farmland are able to expand production and achieve more favorable economies of scale without the expense of a permanent investment in land. Access to rental land is especially important in commodities such as grains.<sup>5</sup>

The trends in farmland ownership and rental is not available for Southampton Township.

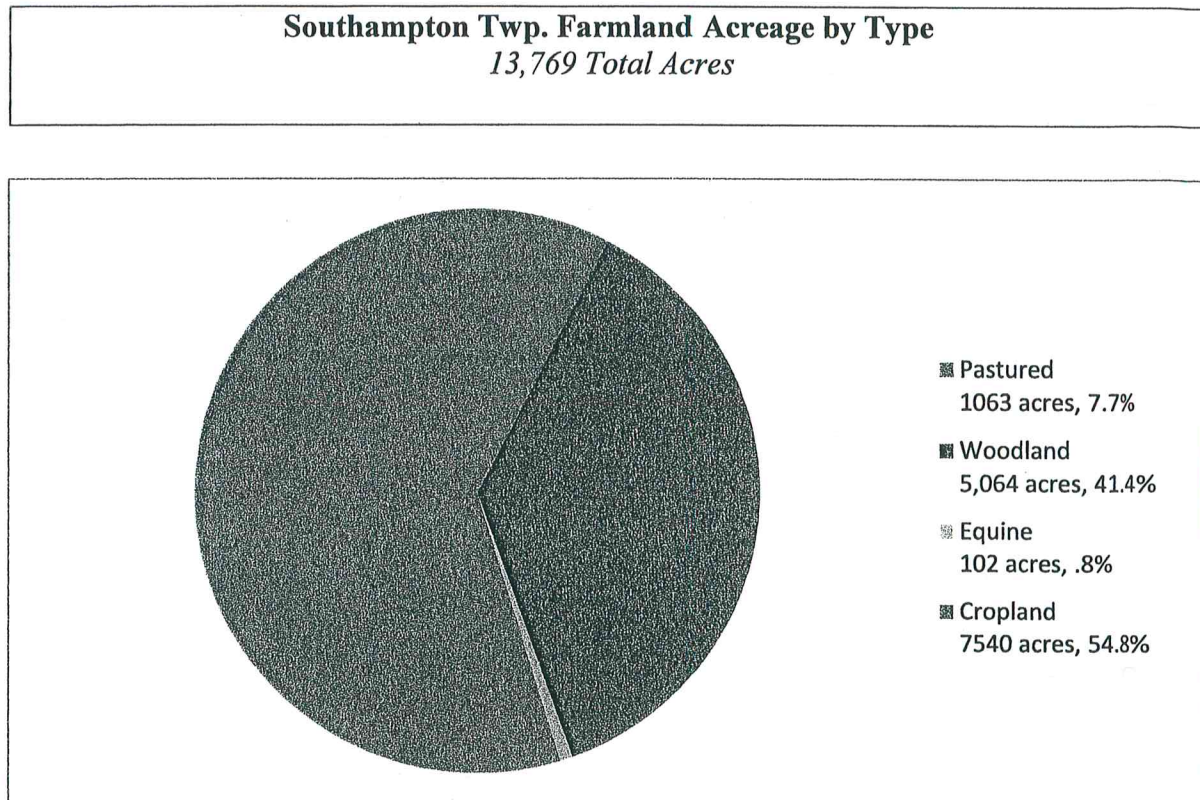
### D.3 Cropland Harvested, Pasture, Woodland, Equine, Total for Agricultural Use

According to the 2008 N.J. Farmland Assessment Data there is 13,769 acres of farmland in Southampton Township. Roughly half or 7,540 acres of the farmland is utilized as harvested cropland (54.8%) while 5,064 acres or 41.4% remains as woodland.

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<sup>5</sup> (Agriculture in Burlington County's Route 206 Farm Belt, a review of Farm Industry Economics, February 2004)

**Figure 3: Farmland Acreage by Type**



Source: NJ Farmland Assessment –County Summary, Tax Years 2008

**Table 6: Cropland, Pasture, Woodland, and Equine 2008**

Use	Southampton (Acres)	Burlington County (Acres)	%
Cropland – harvested	7,020	57,397	12%
Cropland – pastured	520	3,669	14%
Permanent Pasture	1,063	6,803	16%
Woodland – unattached	1,371	23,281	6%
Woodland – attached	3,693	30,728	12%
Equine	102	868	12%
<b>Total acres</b>	<b>13,769</b>	<b>122,746</b>	

Source: NJ Farmland Assessment –County Summary, Tax Years 2008





## CHAPTER II. AGRICULTURAL INDUSTRY – OVERVIEW

### A. Trends.

Nearly two-thirds of Burlington County farm cash receipts today are generated from fruit and nursery production. Historically important livestock activities such as cattle and swine production, poultry, and dairying have largely declined. Equine production has remained significant since the mid-1900s. Vegetables and grains are also important contributors to the county's agricultural economy (accounting for about 20 percent of total farm sales).<sup>6</sup>

According to the United States Department of Agriculture Census of Agriculture, Burlington County Profile for the year 2000, the average acre of farm in Burlington County grossed about \$750. Applying that figure to the 12000 acres in Southampton Township, approximately \$9.0 million in gross sales could be attributed to Township farms. Total taxes received from all farms in 2007 were \$1.8M, or 7.5% of the total tax revenue for the Township.

### B. Crop Production Trends Over the Last 20+ years.

Burlington County's, like New Jersey's, farm economy has shifted markedly away from livestock to crops in the last several decades. Once a dominant livestock county, today crop production accounts for 88 percent of overall farm product sales, with livestock and related products contributing only 12 percent of agricultural sales volume. Historical records, however, demonstrate the importance of livestock agriculture in the county through the middle of the 1900s.<sup>7</sup>

Southampton Township's farm economy has taken a similar turn to that of the County and State. The shift to increased crop production is demonstrated by the increase in acreage devoted to vegetable production in comparison to the reduction in the number of head of livestock and poultry.

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<sup>6</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

<sup>7</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)



**Table 7: Southampton Township Production Trends 1984-2008**

<b>Year</b>	<b>1984</b>	<b>1991</b>	<b>2001</b>	<b>2003</b>	<b>2006</b>	<b>2008</b>	<b>Acres Changed 1984- 2008</b>	<b>% of Change 1984- 2008</b>
<b>Total Acres</b>								
<b>Field Crops</b>	7,188	5,453	5,148	5,659	5,674	5,758	-1,430	-20%
<b>Fruit Production</b>	622	692	591	537	559	538	-84	-14%
<b>Vegetable Production</b>	145	224	355	162	304	347	202	58%
<b>Nursery &amp; Tree Production</b>	2,131	1,501	1,476	1,551	1,412	1,461	-670	-31%
<b>Timber &amp; Woodland</b>	37,471				2,277	5,162	-32,309	-86%
<b>Livestock &amp; Poultry (per head)</b>	7,992	6,277	6,411	6,590	6,791	6,824	-1,168	-15%

Southampton Township has witnessed a slight decline in field crop production over the past 20 years. However, despite a decline in most field crops, other agricultural products have been increasing. Hay products in particular have increased over the past 20 years. Table 8 identifies the 20 year trend of acres devoted to field crops such as barley, grains, grasses and soybeans as identified by the New Jersey Farmland Assessment Survey.

**Table 8: Acres of Field Crops (Tax Year 1984-2008)**

<b>Tax Year</b>	<b>1984</b>	<b>1991</b>	<b>2001</b>	<b>2003</b>	<b>2006</b>	<b>2008</b>	<b>Acres Changed 1984- 2008</b>	<b>% of Change 1984- 2008</b>
<b>Barley</b>	382	26	28	33	0	97	-285	-74%
<b>Corn for Grain</b>	1,448	1,176	821	506	577	415	-1,033	-71%



<b>Corn for Silage</b>	293	548	233	208	190	245	-48	-16%
<b>Grass for Silage</b>	1	0	0	0	0	0	-1	-100%
<b>Alfalfa Hay</b>	293	434	154	151	197	219	-74	-25%
<b>Other Hay</b>	543	762	649	760	679	776	233	30%
<b>Oats</b>	91	0	25	63	74	59	-32	-35%
<b>Rye for Grain</b>	439	175	252	822	183	452	13	3%
<b>Sorghum</b>	10	8	13	20	73	63	53	85%
<b>Soybeans</b>	2,243	1,960	2,525	2,464	2,971	2,630	387	15%
<b>Wheat</b>	544	108	67	180	41	113	-431	-79%
<b>Cover Crop</b>	440	140	248	265	105	382	-58	-13%
<b>Other Field Crops</b>	461	116	133	187	584	307	-154	-33%
<b>Total acres</b>	<b>7,188</b>	<b>5,453</b>	<b>5,148</b>	<b>5,659</b>	<b>5,674</b>	<b>5,758</b>		

Source: NJ Farmland Assessment –County Summary, Tax Years 2008

Table 9 identifies acres devoted to fruit production. Fruit production in Southampton Township has historically been supported by farms that produced either apples, blueberries, or cranberries. Over the past twenty years there has been a significant decline in the acreage devoted to apple production, however, in that same time period there has been a 48% increase in the amount of acreage devoted to the growing and harvesting of cranberries.

**Table 9: Fruit Production per acre (Tax Year 1984-2008)**

<b>Tax Year</b>	<b>1984</b>	<b>1991</b>	<b>2001</b>	<b>2003</b>	<b>2006</b>	<b>2008</b>	<b>Acres Changed 1984-2008</b>	<b>% of Change 1984-2008</b>
<b>Apples</b>	140	30	4	6	5	4	-136	-97%
<b>Blueberries</b>	319	197	192	175	174	216	-103	-32%
<b>Cranberries</b>	158	459	378	338	366	303	145	48%
<b>Grapes</b>	.60	5	7	7	5	5	4	88%
<b>Peaches</b>	.70	1	6	6	6	7	6	90%
<b>Strawberries</b>	2	0	3	3	2	2	0	0%
<b>Blackberries</b>	1	N/D	1	1	1	1	0	0%
<b>Raspberries</b>								
<b>Other fruit crop</b>	.60	0	0	1	0	0	-.60	-100%
<b>Total acres</b>	<b>622</b>	<b>692</b>	<b>591</b>	<b>537</b>	<b>559</b>	<b>538</b>		

Source: NJ Farmland Assessment –County Summary, Tax Years 1984-2008

N/D: No Data



Table 10 depicts the amount of farm acres devoted to vegetable production. A variety of vegetables are still in production. The most acreage continues to be devoted to tomatoes. There has also been a significant increase in the acreage devoted to the growing of sweet corn over the past 20 years although recently that number has started to decrease. These vegetables target a specific niche group usually sold at farmers market, farm stands and seasonal demand.

**Table 10: Vegetable Production per acre (Tax Year 1984-2008)**

Tax Year	1984	1991	2001	2003	2006	2008	Acres Changed 1984- 2008	% of Change 1984- 2008
Asparagus	32	26	6	7	7	12	-20	-63%
Lima Beans	.25	1	0	0	0	0	-0.25	-100%
Snap Beans	0	7	0	0	1	0	0	0
Cabbage	.5	0	0	0	0	1	0.5	50%
Carrots	0	0	0	0	2	0	0	0
Sweet Corn	19	28	100	101	95	89	70	79%
Cucumbers	2	0	0	0	0	1	-1	-50%
Eggplant	3	1	0	1	0	1	-2	-67%
Lettuce	0	0	4	0	2	3	3	100%
Onions	.25	0	0	0	1	0	-0.25	-100%
Peas	0	0	0	0	2	0	0	0
Peppers	5	2	1	2	2	2	-3	-60%
White Potatoes	8	8	5	4	5	4	-4	-50%
Sweet Potatoes	0	0	0	0	0	0	0	0
Pumpkins	17	34	17	24	15	23	6	26%
Spinach	0	0	0	0	0	0	0	0
Squash	.22	3	0	1	6	2	1.8	90%
Tomatoes	31	101	182	7	97	125	94	75%
Melons	9	3	1	3	5	13	4	31%
Mixed Vegetable Crops	4	0	0	0	0	13	9	69%
Other Crops	14	10	39	12	64	58	44	76%
<b>Total acres</b>	<b>145</b>	<b>224</b>	<b>355</b>	<b>162</b>	<b>304</b>	<b>347</b>		

Source: NJ Farmland Assessment –County Summary, Tax Years 1984-2008



Table 11 identifies nursery and tree stock acres produced in the Township. This category has seen an increase, primarily due to a raise in nursery sales to home owners as residential areas increase and landscaping demands rise.

**Table 11: Nursery and Tree Production (Tax Year 1984-2008)**

Tax Year	1984	1991	2001	2003	2006	2008	Acres Changed 1984- 2008	% of Change 1984- 2008
Bedding Plants	.5	1	5	3	9	15	10	67%
Cut Flowers	1	2	2	1	1	13	12	92%
Trees /Shrubs	40	81	83	87	129	107	67	63%
Cultivated Sod	603	1,384	1,294	1,389	1,205	1,261	658	52%
Xmas Trees	31	33	85	60	68	64	33	27%
Other Ornamental Crop	1,451	0	2	6	0	0	-1,451	100%
Clams/Oysters	0	0	5	5	0	0	0	0
Pond Fish	0	0	0	0	0	1	1	100%
Total acres	2,131	1,501	1,476	1,551	1,412	1,461		

Source: NJ Farmland Assessment –County Summary, Tax Years 1984-2008

Table 12 identifies timber and woodland production and areas in the Township. This category has seen a dramatic decrease due to preservation efforts on a municipal and county level.

**Table 12: Timber and Woodland (Tax Year 1984-2008)**

Tax Year	1984	1991	2001	2003	2006	2008	Acres Changed 1984- 2008	% of Change 1984- 2008
Fuel Wood	327	73	73	102	155	162	-165	-51%
Pulp Wood	0	0	0	0	0	0	0	0
Timber	36,200	N/D	0	0	2,000	5,000	-31,200	-86%
Woodland (State, Private, No Plan)	351	0	0	N/D	N/D	N/D	-	-
Govt. Program	593	330	113	177	122	0	-593	-100
Total acres		403	186	279	2,277	5,162		



Source: NJ Farmland Assessment –County Summary, Tax Years 1984-2008

The last trend analyzed is livestock and poultry product (Table 13). Beef cattle, swine and chickens have seen a dramatic decrease. Beef cattle saw the most significant decline over the past 20 years, where as there has been a steady increase in the number of turkeys. There are only two remaining dairy farms in Burlington County, all of them in Southampton Township and the horse population of Southampton is the largest in Burlington County.

**Table 13: Livestock and Poultry (Tax Year 1984-2008)**

Tax Year	1984	1991	2001	2003	2006	2008	Change 1984- 2008	% of Change 1984- 2008
<b>Beef Cattle (head)</b>	1,957	94	228	222	128	360	-1,597	-82%
<b>Bee Hives</b>	14	6	17	11	14	9	-5	-36%
<b>Mature Dairy (head)</b>	552	872	460	408	340	540	-12	-2%
<b>Young Dairy (head)</b>	453	330	311	277	268	341	-112	-25%
<b>Ducks (head)</b>	129	125	56	55	51	38	-91	-71%
<b>Fur Animals (head)</b>	0	415	0	8	24	22	22	100%
<b>Geese (head)</b>	31	-	-	-	-	-	-31	-100%
<b>Goats (head)</b>	77	91	108	114	92	135	58	43%
<b>Equine (head)</b>	275	432	472	489	406	482	207	43%
<b>Equine (acres)</b>			134	112	80	102		
<b>Meat Chicken (head)</b>	171	112	193	145	128	213	42	20%
<b>Laying Chicken (head)</b>	531	413	364	631	1,172	456	-75	-14%
<b>Rabbits (head)</b>	41	-	-	-	-	-	-41	-100%
<b>Sheep (head)</b>	33	96	61	55	56	34	1	3%
<b>Swine (head)</b>	3,733	3,030	4,012	4,016	4,021	4,020	287	7%
<b>Turkeys (head)</b>	0	35	43	28	20	126	126	100%
<b>Other Livestock (head)</b>	9	35	103	142	85	77	68	88%
<b>Total livestock/poultry head</b>	7,992	6,277	6,411	6,590	6,791	6,824		

Source: NJ Farmland Assessment –County Summary, Tax Years 1984-2008

### C. Support Services within Market Region

According to the APA Policy Guide on Community and Regional Food Planning May 11, 2007, communities that rely on distant food sources are rendered vulnerable to the vagaries of market decisions, transportation infrastructure, and energy prices over which they have little control.

Additional benefits to greater regional self-reliance in food include cutbacks in emissions of greenhouse gases from transporting food products; protection of local agriculture; and a greater likelihood that residents' greater connection to their region as a source of sustenance will lead them to care more about the region's resources, protect them, and balance appropriately the priorities for development versus conservation of regional agriculture.

Information on input suppliers, product distributors and lending agencies is contained in **Part 3.8.8** of the *Agriculture in Burlington County's Route 206 Farm Belt: Current Industry Status and Trends Report*. The availability of farm supplies and services is identified as a key issue affecting farming in Burlington County. (Burlington County Farmland Preservation Plan 2009-2018)

**1. Feed Dealers**

- (a) Fox Chase Farm (Feed, Hay, Straw)  
Newbold's Corner Road, Vincentown, NJ 08088  
609 859-1119
- (b) Tractor Supply Company (Feed, Grain)  
1869 Route 38, Southampton, NJ 08055  
609 702-9953

**2. Seed Dealers**

- (a) Kirby Brothers Inc, (Feed)  
67 North Main Street  
Medford, NJ 08055-2718  
609 654-4312  
kirbybros.com

**3. Equipment Suppliers / Service**

- (a) Rockhill Wayne Agricultural Equipment Service  
2 N Pricketts Mill Road, #B, Southampton, NJ 08055  
609 654-6336
- (b) Tractor Supply Company  
1869 Route 38, Southampton, NJ 08055  
609 702-9953



- (c) NJ Horse Tack  
439 Retreat Rd, Southampton, NJ 08088  
609 456-6868  
<http://www.njhorsetack.com>
- (d) Engle Repair Services  
12 Tower Drive, Columbus, NJ 08022  
609 267-6088
- (e) Eckert's Service Center  
1784 Route 70, Southampton, NJ 08088-2829  
609 859-2009

**4. Fertilizers and Chemicals**

- (a) Growmark Fs, LLC  
55 Silver Lake Rd.  
Bridgeton, NJ 08302  
856-455-7688 or 888-432-7939  
856-453-1130 fax  
[bridgeton@growmarkfs.com](mailto:bridgeton@growmarkfs.com)
- (b) Growmark Fs, LLC  
2545 Route 206  
Eastampton, NJ 08060-5421  
(609) 259-7204  
[www.growmarkfs.com](http://www.growmarkfs.com)

**5. Hoof Trimmers**

- (a) Bob Fine Jr.  
723 County Highway, Freehold, NJ 07728  
609 758-4008

**6. Processing Facilities**

- (a) Pig Farm Recycling Inc.  
6 Big Hill Road, Vincentown, NJ 08088  
609 859-9044

**7. Farmers Markets**

- (a) American Cranberry Company  
562 Onga Hat Road, Southampton, NJ 08055  
609 859-1647  
609 859-3002 (fax)
- (b) Best Berry Farm  
302 Isaac Budd Road, Southampton, NJ 08055  
609 859-3634
- (c) Conte Farm  
1776 Route 206, Southampton, NJ 08055  
609 859-1019
- (d) Red Top Farm Market  
1801 Route 70, Southampton, NJ 08055  
609 859-2125
- (e) Wells Blueberries (Pick Your Own)  
466 Retreat Road, Southampton, NJ 08055  
609 859-2662
- (f) Green Top Farm Market  
1811 Route 70, Southampton, NJ 08088  
609 859-3401
- (g) Point Farm Market.  
2195 Route 206 Southampton, NJ 08088
- (h) Russo's Fruit and Vegetable Farm and Greenhouses, Inc.  
Corner of Medford Lakes & Carranza Roads  
Tabernacle, NJ  
Phone: 609-268-0239  
Fax: 609-268-3475
- (i) Trenton Farmers' Market  
960 Spruce St.



Trenton, NJ  
Phone: 609-695-8601

- (j) Greenfield Farms  
136 Pemberton Road  
Southampton, NJ 08088  
609 859-3673

**8. Horse Trainers**

- (a) Oak Willow Farm  
209 Buddtown Rd, Southampton, NJ 08055  
609 859-2949

**9. Horse Breeders**

**10. Machinery Dealers**

- (a) Cherry Valley Tractor Sales  
35 W. Route 7 Marlton, NJ 08053  
856 983-0111  
856 988-6295 fax  
[ron.schwinn@cherryvalleytractor.com](mailto:ron.schwinn@cherryvalleytractor.com)

- (b) Pole Tavern Equipment Sales Corp.  
100 Route 206, Hammonton, NJ 08037  
(609) 704-9440

Pole Tavern Equipment Sales Corp.  
1880 North Delsea Drive, Vineland, NJ 08360  
(856) 696-9398

- (c) Hoobers, Inc.  
3452 Old Philadelphia Pike, Intercourse, PA 17534  
717 768-8231  
800 732-0017

Hoobers, Inc.  
1130 Middletown-Warwick Road, Middletown, DE 19709

800 341-4028  
302 378-9555  
302 378-0634 Fax

### **Other Agricultural Related Industries**

**1. Construction**

**2. Financial Services**

**3. Auction Houses**

- (a) Harkers Auction Company  
391 Medford Lakes Road, Tabernacle, NJ 08088  
609 268-0396

**4. Livestock Haulers**

- (a) Huebsch Horse Transport  
500 Louisiana Trail, Pemberton, NJ 08068  
609 893-6110

**5. Trucking Firms**

**6. Large Animal Veterinarians**

- (a) David C. Hobbs, BVSC  
Pinelands Veterinary Clinic  
1909 State Highway 38, Southampton, NJ 08088  
609 265-0100
- (b) William H. Pettit DVM  
221 Newbolds Corner Road  
Southampton, NJ 08088-3320  
609 859-8800
- (c) Peticote Veterinary Clinic  
221 Newbolds Corner Road, Southampton, NJ 08088  
609 859-8800



- (d) Creek's Edge Animal Hospital  
1325 Route 38  
Mount Holly, NJ 08060  
609 702-9939
- (e) Christopher P. Keefe DVM  
1325 Route 38  
Mount Holly, NJ 08060  
609 702-9939
- (f) South Jersey Animal Hospital / Animal Eye Clinic  
204 Medford Mt Holly Road  
Medford, NJ 08055  
609 654-0300

**7. Other**

- (a) The Jack Allen Memorial Early Country Living Museum  
Landing Road, Southampton, NJ 08088
- (b) Uptown Pleasure Carriages  
124 Pemberton Road, Southampton, NJ 08088  
609 859-0211
- (c) Eastern Organic Resources LLC  
2469 Saylors Pond Road, Wrightstown, NJ 08562  
609 723-6211
- (d) Vincentown Diner (Uses and sells local farm produce)  
2357 U.S. 206  
Southampton, NJ 08088-8833  
609 267-3033

## CHAPTER III. LAND USE PLANNING CONTEXT

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

The State Development and Redevelopment Plan (SDRP) offers guidance in the formulation of land management and natural resource conservation policy. The SDRP provides a balance between growth and conservation by designating planning areas that share common conditions with regard to development and environmental features:

- Areas for Growth: Metropolitan Planning areas (Planning Area 1), Suburban Planning Areas (Planning Area 2) and Designated Centers in any planning area.
- Areas for Limited Growth: Fringe Planning Areas (Planning Area 3), Rural Planning Areas (Planning Area 4), and Environmentally Sensitive Planning Areas (Planning Area 5). In these planning areas, planning should promote a balance of conservation and limited growth—environmental constraints affect development and preservation is encouraged in large contiguous tracts.
- Areas for Conservation: Fringe Planning Area (Planning Area 3), Rural Planning Areas (Planning Area 4), and Environmentally Sensitive Planning Areas (Planning Area 5).

Additionally the State Plan promotes the creation or maintenance of designated “Centers” with the intention to design and place future development and redevelopment into compact, mixed-use communities preserving the surrounding areas in order to protect natural landscapes.

Vincetown is on the boundary between Planning Area 4 and the Pinelands and is recognized in the State Plan as an existing village. Refer to Map # 6 & 7, Appendix A. Changing transportation and land use economics have caused a departure from the township’s historic farm/village settlement pattern. Given the availability and speed of modern transportation services and facilities, the remaining farms are no longer bound to Vincetown for services, and the agricultural service economy of the town is nearly gone. Agricultural preservation is a necessity with the Township, which must compact and direct economic growth to its existing center. By strengthening the economic vitality of Vincetown, the Township can minimize the negative impacts of future random growth on the viable agricultural industry. The Township recently received Green Acres approval to preserve 180 acres immediately adjacent to the Village. To date, approximately 6,015 acres



of farmland has been preserved with an additional 1,933 acres on the Acquisition Targeting List. The majority of this land is located in the immediate vicinity of the Village.

The cross acceptance process allowed the Township to identify their concerns with the state policy as it specifically affected providing low and moderate income housing opportunities. State policy recommends that all growth be directed toward designated existing or new Centers. Southampton Township has one designated Center, known as Vincentown, which does not have sufficient vacant land to accommodate the required affordable housing need. In addition, the ability to expand the existing Center is not likely because the area surrounding the Center includes Pinelands areas and lands that have been targeted or are currently designated for open space/farmland preservation.

The Planning Board approved the 2003 Housing Element and Fair Share Plan which included an inclusionary zoning district known as the RR-1 (Rural Residential- 1) Zoning District. The Housing Element and Fair Share Plan was submitted to the Council on Affordable Housing (COAH) for substantive certification. Although COAH approved the plan and provided certification in 2004, COAH did not provide credit for the RR-1 inclusionary zoning district because the land was not an identified center in accordance with State Planning Commission rules and was not identified as a sewer service area. A recognized affordable housing developer and contract purchaser of a parcel located in the RR-1 zoning district, known as Pulte Homes, filed for reconsideration of COAH's certification requesting that the RR-1 district receive credits for affordable housing.

## **B. Special Resource Areas**

### **Pinelands**

In 1978 Congress created the Pinelands National Reserve, the country's first. The Reserve was to be a place where governments at every level -- from Washington down to local planning boards -- could help shape the Pinelands' future in keeping with some basic guidelines. The State of New Jersey was to take the lead in evaluating the Pinelands' resources and planning how best to balance their protection with new development. As provided in the federal law, Governor Brendan T. Byrne established the NJPC by executive order on February 8, 1979 and gave it responsibility for these tasks. The NJPC consists of fifteen members. Seven are appointed by the Governor, and one is appointed by each of the seven counties within the Pinelands. One member is appointed by the U.S. Secretary of the Interior.

The New Jersey Legislature, at Governor Byrne's request, supplemented the federal law by passing the Pinelands Protection Act in June, 1979. The Act affirmed the temporary limitations on development which the Governor had put into effect while a plan to protect the Pinelands was being created. It also established a requirement that county and municipal master plans and land use ordinances be brought into conformance with the CMP which the Commission was developing.

Agriculture, including blueberries and cranberries, as well as row and field crops, is extremely important to the region's economy. New Jersey is among the top states in the nation in the production of blueberries and cranberries, and virtually all of these are grown in the Pinelands. Other major industries are recreation, resource related industries, construction (on the periphery), and shell fishing.<sup>8</sup>

General Provisions for Pinelands Development have been added to the existing ordinances of the township to include the regulations and restrictions of the Pinelands Comprehensive Management Plan in order to maintain the character of those portions of the township lying within the Pinelands protection and preservation areas. Generally minimum lot areas (40 acres) are based on compliance with the requirements of the CMP and recognition of the fact that there is neither in existence nor planned a centralized sewage collection system for this area. All agricultural activities and fish and wildlife management activities including the preparation of land and the planting, nurturing and harvesting of crops, must be carried out in accordance with recommended management practices, established for the particular agricultural activity, by the New Jersey Department of Agriculture, the Soil Conservation Service, and the New Jersey Agricultural Experimental Station at Rutgers University.

Within the Pinelands Area of Southampton Township there exists the Pinelands Development Credit (PDC) Program which is a TDR program that helps to redirect growth in the Pinelands from the Agricultural Production and Agricultural Production/Industrial zones to infrastructure-supported regional growth areas. Statewide the Pinelands Development Credit program is one of the oldest and most successful TDR programs in the world. It is administered by the Pinelands Development Credit Bank, which is an independent state agency, separate and apart from the Pinelands Commission. The program spreads over one million acres of land (20% of New Jersey) and allows transfers of Pinelands Development Credits between six (6) counties and 33 municipalities (10 with both sending and receiving areas).

<b>Table 14: Southampton Preserved Farmland Utilizing PDC Credits.</b>			
<b>Block</b>	<b>Lot</b>	<b>Name</b>	<b>Acres</b>
<b>701</b>	<b>2.3, 3.01, 10, 11, 12, 13</b>	<b>Katona Farms</b>	<b>801.37</b>

<sup>8</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)



1201	5.01		
2801	20.47	T.H. Budd and Sons	1184.89
1204	1, 1.02	William & Joanna Giberson	72
1903	40	Michael Finnegan	30.45
1203	5	Bruce Kirkbride	14.08
802	12	Kennard Warfield Partnership	79
1702	23	Marie Ange Fassolino	65.61
1702	11.23, 6	Joseph & Elizabeth Cavallaro	23
1502	10	Antonio & Laurie Perez	73.41
1502	10.03	Barbara Lippincott	41.19
1903	5	Antonio & Laurie Perez	42.6
1502	5.8	A. Theodore Eckenhoff	281.32
1903	4	A. Theodore Eckenhoff	
1501	9	Parker & Marsha Worthington	23.5
1502	4.01, 4.02, 4.03, 6.16, 6.24	Anthony & Nancy Albert-Puleo	166.24
1203	1	Ronald Biglin	112.92
1204	6, 6.01	Daniel Fisher	92.56
<b>Total</b>			<b>3,104.14</b>

Source: PDC Bank, Trenton, NJ

See Appendix C for a complete description of the Pinelands Development Credits (PDC) program requirements within Southampton Township.

### C. Municipal Master Plan and Development Regulations

In 2001, the Township adopted a comprehensive update of the land development ordinance. The updating process began in 1997 with many years of public workshop meetings with the Planning board that focused on soliciting public input from residents and special interest groups such as the local business group, the agricultural community, the Environmental Commission and the Historic Preservation Committee. Although the specific objectives for the land development ordinance update focused on provisions for clustering, buffering and submission requirements for environmental impact statements, the planning board recommended additional ordinance revisions and additions to the Land Development Ordinance.

The ordinance revisions/additions included the following:

- \* Clustering
- \* Energy Conservation
- \* Environmental Assessments
- \* Recreational Facilities & Open Space
- \* Wetlands
- \* Buffers & Scenic Corridors
- \* Drainage, Floodwater Protection & Stormwater Management
- \* Endangered Flora & Fauna
- \* Site Clearing, Grading & Soil Protection
- \* Right to Farm (2008)

A County review of the Township's Master Plan pointed out that although the Township does address concerns for retaining agricultural land and protecting the "predominantly agricultural nature" of the Township, the Master Plan does not go far enough to emphasize the need for supporting the agricultural industry.<sup>9</sup> This and related issues will be addressed by the Township for inclusion in the Master Plan re-examination.

#### **D. Current Land Use and Trends**

The *Current Industry Status and Trends* Report shows that more than 12,400 acres of prime farmland soils in the Farm Belt are now under urban development. Countywide, nearly 34,000 acres of prime soils have been converted to urban uses. This means that more than one-fifth of the Farm Belt's prime farmland soils have already been lost to urbanization. Countywide, approaching one-third of prime agricultural soils have been converted to urban use. As of 1997, 44,333 acres of prime soils remained in non-urban areas in the Farm Belt. This translates into 61 percent of the prime soils remaining in the County. There has been no substantial change in these statistics when analyzing the 2002 Land Use / Land Cover data available from the NJDEP.<sup>10</sup>

Southampton Township is predominantly farmland and barren land (Pinelands). The dominant form of developed land use is agricultural in nature. The residential developments are scattered throughout the community with many located along or near the major roads (Appendix A, Map #1). This pattern has been developing over the past 20 years. Table 15 shows the breakdown of the land use change from 1995 to 2008.

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<sup>9</sup> (Agriculture in Burlington County's Route 206 Farm Belt, *Current Industry Status and Trends*, December 2004)

<sup>10</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)



**Table 15: Land Use/Land Cover Change 1995 to 2008**

	1995*		2002*		2008**	
	Acres	%	Acres	%	Acres	%
Agriculture	10,245	37%	9,933	35.3%	12,400	44.2%
Wetlands	8,778	31%	8,895	32%	6,973	25%
Forest	5,026	18%	4,883	17%	3,562	13%
Dense Population	3,463	12.2%	3,852	14%	3,737	13.2%
Barren Land (Not Buildable)	199	.7%	156	0.6%	937	3.2%
Water	309	1.1%	301	1.1%	411	1.4%
	<b>28,020</b>	<b>100%</b>	<b>28,020</b>	<b>100%</b>	<b>28,020</b>	<b>100%</b>

Source: \* CRSSA - 1995 and 2002 (Alternate Evaluation Scheme of NJDEP "TYPE" Class)

Source: \*\*Southampton Township Resource Inventory, Vol. 1, December 31, 2009 (Data generated from Resource Tables)

#### **E. Sewer Service Areas / Public Water Supply Service Areas**

The Township originally prepared and adopted a Wastewater Management Plan (WMP) in April 1995 and submitted it to New Jersey Department of Environmental Protection (NJDEP) for approval. The WMP, which has been revised three times (May 1998, January 2002 and October 2002) and is still in the review process with NJDEP. The area presently approved for sewer service includes the residential developments known as Leisuretowne and Hampton Lakes. Vincentown, Southampton Elementary School and the Municipal Complex are presently connected to public sewer, but are not identified as being in an approved sewer service area on the Tri-County Water Quality Management Plan. The most recently revised WMP identifies Vincentown, Southampton Elementary School, Southampton Municipal Complex and the TC-1 (Town Center Extension) zoning district as future sewer service areas. The NJDEP is accepting the amendment to the WMP as a "site-specific project amendment" with the condition that a full WMP will be prepared and submitted to NJDEP. The Rural Residential I (RRI) zoning district may be included as a future sewer service area in a full WMP if the Council on Affordable Housing (COAH) certifies the Housing Element and Fair Share Plan.

#### **F. Municipal Master Plan and Zoning – Overview**

Southampton Township employs a traditional zoning schedule that sets allowable lot sizes, floor area ratios, lot coverages, and acceptable uses. The Township has recently modified

its zoning densities to reflect the agricultural, centers-based landscape it wishes to resemble in the future. Zoning in and around Vincentown has been changed to accommodate denser development patterns and more potential uses while zoning outside these centers has been changed to reflect lower density development patterns, such as the 3 acre Agricultural Residential (AR) zones. These low density “agriculture” zones occupy the majority of Southampton Township as demonstrated in Table 16 below. See Appendix A, Map #8 for the Township’s most current Zoning Map.

**Table 16: Current Zoning Districts**

Zone	Zone Description	Density	Primary Use	Acres
AR	Agricultural Residential	3.2 acres	Residential	1468.47
ARHC				168.00
HC	Highway Commercial	2 acres	Commercial	468.37
HC1				50.31
HCRR1				54.70
HCTC				749.33
I	Industrial	2 acres (1 acre Industrial Park)	Industrial/commercial	749.33
MR	Mobile Home Residential	3.2 acres	Residential	88.83
RR	Rural Residential	2 acres	Residential	3837.98
RR1	Rural Residential/Affordable Housing	6,000-7,200 sf (single-family) 2,300 (townhouse)	Residential	97.65
RRHC				116.07
RRTC				88.28
TC	Town Center	12,000 sf min. (single-family) 4,000 sf min. (two-family)	Residential/Commercial	95.07
TC1	Town Center Extension / Affordable Housing	6,000 sf (single-family) 3,500 sf (Duplex/Triplex) 2,300 sf (townhouse)	Residential	23.25
VC	Village Commercial	15 acres	Commercial	95.90



## 1. General Lot Size Categories and Distribution

**Table 17: General Lot Size Categories**

Lot size	# of lots	Acres	% (from acres)
Lots less than 1 acre (serviced by sewer)	0	0	0
Lots greater than 1 acre (serviced by sewer)	0	0	0
Lots less than 1 acre (septic/well)	2	.52	.0037%
Lots between 1 and 5 acres (septic/well)	39	155.07	1.10%
Lots between 5 and 10 acres (septic/well)	72	528.43	3.72%
Lots greater than 10 acres (septic/well)	241	13,518.44	95.19%
<b>Total</b>	<b>352</b>	<b>14,201.94</b>	<b>100+% *</b>

Source: Southampton Township Assessed Farmland, Tax Assessor, 2010

\* Exceeds 100% due to rounding.

## 2. Description of Innovative Planning Techniques

### Preservation Planning Tools:

There are a number of planning techniques the Township could employ to further its farmland preservation goals. The Township has utilized or is considering some of these options:

#### a. Cluster zoning

Cluster zoning allows development to occur on a smaller percentage of a site while retaining the net development density permitted by local zoning. A common cluster zoning provision would allow (or require) 50% of a site to be preserved in its natural or agricultural state and would permit the other half of the site to be developed at twice the allowable zoning density. Some clustering ordinances require that certain sensitive natural areas or prime farmlands on a development site be preserved.

Recent experience in Southampton Township has revealed that the current pattern of using the cluster option in residential development has not succeeded in the preservation of farmland. New criteria are therefore proposed in the Land Use Plan, for inclusion in the appropriate zoning ordinances that govern cluster developments. New ordinances criteria must require cluster plans to create deed restricted preserved open spaces that are, indeed, useful for the community at large. In appropriate locations, this could include arranging and siting the open land so that it is an extension of neighboring farmland. The open space that was previously used for agricultural production should

remain as agricultural production. Any open space not used for agricultural production must have a developed sound wildlife management program.

b. Lot size averaging

Lot size averaging is another planning tool that maintains the net allowable zoning density on a site, but does not enforce uniform lot size requirements or setbacks. This allows for some development lots to be very small in order to accommodate affordable housing units, neighborhood commercial stores, or “village” development densities while other lots can be very large in order to encompass active farms or natural areas.

c. Discourage Large Lot Development

In the past it was assumed that large lot zoning (e.g., one or two acres) was a satisfactory method for preserving the rural feeling and farming operations. In contrast to the other methods described above, the experience throughout the state and the nation in recent decades is that large lot zoning has exactly the opposite effect. Farms are developed as housing at an increasing rate under this zoning; very large areas therefore become devoted to roads, driveways, and lawns. The conflicts between farming and residential life make farm operations more difficult, and, in the end, the ambiance of the area becomes more suburban rather than rural. Because the current Southampton Township zoning code permits this pattern of development, the other methods for farm preservation that are listed above become even more important.

d. Transfer of development rights (TDR)

Transfer of development rights (TDR) is a growth management tool that allocates development rights from one location (the preservation or “sending” area), to another (the development or “receiving” area). These development rights are purchased by builders, which means that the private market provides landowner compensation and the use of public funds is unnecessary.

Southampton Township is not a TDR funded municipality. Within the Pinelands Area of the Township is the Pinelands Development Credit (PDC) Program which is a TDR program that helps to redirect growth in the Pinelands from the preservation and agricultural districts to infrastructure-supported regional growth areas.

**Significant Policy Changes Since 1996 Master Plan Reexamination:**



In 1999 and 2001, the Planning Board prepared a detailed build-out analysis. The 1999 study was completed to comply with the State Planning Commission's direction in their evaluation of the Center Designation petition. The 2001 study was performed for the completion of the Conservation, Open Space and Recreation Plan Element, which focused on the future needs of open space and recreation facilities

One constraining factor that was not included in the build-out analysis is soil suitability. Because the majority of the Township relies on on-site septic systems for treatment of wastewater, soil suitability becomes a major limiting factor regarding the overall density of development.

The build-out densities for the Rural Residential (RR) and Agricultural Residential (AR) zoning districts were 495 and 113 dwelling units respectively. Subsequent to the review of the build-out analysis, the Planning Board was concerned with the amount of potential development within the RR and AR districts. The Planning Board recognized the importance of the lands in the RR and AR districts for agricultural activities and requested further study into achieving the overall farmland preservation goals and objectives.

According to the Natural Resource Inventory prepared by Lord Anderson Worrell & Barnett Inc., in 1995, the RR and AR districts provide significant land areas that are comprised of soils that contribute to farmlands of statewide importance and categorized as unique and/or prime farmland. The conclusion of the Planning Board was that the potential for development in the RR and AR districts could pose a significant negative impact to farmland and the ultimate land use goals for these districts.

The Planning Board requested a re-zoning of the RR and AR districts and recommended amendments to the zoning ordinance to ensure that farmland and open space conservation was realized by utilizing clustering provisions and open space requirements.

### **3. Description of Buffer Requirements**

The protection of the major and minor stream corridors is of high priority. The Conservation, Open Space and Recreation Plan Element of the Master Plan (2007) identifies the importance of creating appropriate stream corridor buffers as a mechanism to protect the overall quality of the Township's surface water. Sections of stream corridor greenways have been successfully preserved as conservation easements through development regulation.

The following recommendations are currently being discussed:

On sites where a body of water is present and surface water quality monitoring data is unavailable, the applicant should evaluate the predevelopment condition of the surface water and provide this background data to the Southampton Township Environmental

Commission. No construction of any type should be permitted within three hundred feet of any lake, pond, or other surface water body except for impervious bikeways, trails, footbridges, gazebos and/or canoe launches. As required by the Pinelands Commission in the Pinelands areas of Southampton, in the remainder of the Township it should be a goal to maintain a minimum of a three hundred (300) foot buffer to stream corridor where no development shall take place, Pinelands Commission relaxation of this requirement on selected cases notwithstanding. This will not apply in cases where existing agricultural land will be utilized for construction related to the agricultural business. In exceptional cases, where there is an overriding Township benefit, reduced buffers may be established. In addition, where other agencies (Such as the DEP as a result of recommendations by the local "Watershed 19" Program) have established other acceptable conditions, the buffer requirements may be modified. In any case the relaxation must be based on objective data for each of the local watersheds where the applicant has provided for one or more of the following:

- Objective, site-specific hydrologic data and funds for long term water quality monitoring
- Perpetual conservation easement of the stream corridor and buffer
- Passive recreation opportunities
- Where the lands proposed for development include a stream corridor, and prior land uses

#### **4. Development Pressures and Land Value Trends**

The Freeholder Board authorized the preparation of the regional strategic plan for Northern Burlington County (the Route 206 Corridor - Farm Belt) in 2002. As part of the Northern Burlington County Strategic Plan a technical report (the "Technical Report") was produced to understand that regional context of the planning area and to lay "important groundwork for assisting municipalities in planning for smart, sustainable growth and development balanced with farmland preservation."

The **key findings** of the report were:

1. The zoned development potential of the Northern Burlington County planning region will not allow it to maintain its predominantly rural character and will likely harm the viability of agriculture. There is a build-out potential of an additional 22,000 residents, 8,000 dwelling units, and 200,000 jobs.
2. The Northern Burlington County planning region reaches residential build-out by 2025.
3. Current zoned residential development densities in the rural communities do not seem supportive of the development of centers. Eighty-eight percent (88%) of all developable lands (94% of residential) in the Northern Burlington County



planning region are zoned for lots of 3 acres or more in area. Additionally, residential neighborhoods in rural communities are built at fairly low densities, usually at 1 – 2 dwelling units per acre. The existing residential zoning appears to promote sprawl.

4. Higher development densities and community-scale wastewater management systems are necessary if centers are to become a realistic growth organizing principle for the rural communities of Northern Burlington County.
5. The Northern Burlington County planning region appears to be over-zoned for nonresidential uses. The non-residential build-out potential is not likely to occur anytime within the next 50 years, nor is it likely to be desirable from a quality of life standpoint.
6. As the Northern Burlington County region reaches residential build-out, there will be an increasing demand to rezone nonresidential lands to residential uses.
7. Planning for agriculture needs to occur at the municipal, county and state levels. Municipal master plans and zoning ordinances need to recognize agriculture as an “industrial” use, just like they recognize other industrial uses.
8. Development corridors exist throughout the Northern Burlington County planning region and cannot be ignored. Properly planned, and in appropriate locations, development corridors can be an appropriate way to organize growth.
9. Development nodes exist throughout the Northern Burlington County planning region. Almost always, they are located at the intersections of major roads. Properly planned, and in appropriate locations, development nodes can be an appropriate way to organize growth.
10. Alternate planning and zoning approaches promoting “Smart Growth” are needed to avoid sprawl and the loss of rural character resulting from development standards that are embedded in current municipal zoning ordinances.

Based on these findings, the following **recommendations** were made:

1. Adopt a new development strategy with a system of centers and corridors as its basis instead of sprawl, or spread out, development.
2. Replace existing zoning with provisions and mechanisms that inevitably establish growth patterns that are consistent with regional and local plans, with quality of life goals and objectives, and with landowner equity.

3. Advance mechanisms such as cluster development, non-contiguous parcel density transfer and transfer of development rights to support more concentrated development jointly with increased preservation of farmland and protection of environmentally sensitive lands through private market activities.
4. Establish higher development densities and wastewater management systems where centers and nodes become the growth organizing principle for rural communities.
5. Prepare new, or update existing, municipal environmental resource inventories to determine what important environmental resources need to be protected from development and to guide development to areas where adverse environmental impacts are minimal.
6. Coordinate municipal land development and infrastructure activities with Burlington County's open space initiative in developing a regional greenway system through the regional strategic plan.
7. Recognize agriculture as an "industrial" use in municipal master plans and zoning ordinances based on the similarities between agricultural and industrial operations with regard to noise, odors, traffic and other impacts, and support county and state economic development initiatives aimed toward maintaining the economic (business) viability of agriculture.
8. Establish farmland preservation elements in the master plans of municipalities in the Northern Farm Belt and the Southern Farm Belt sub-regions that both target parcels of land for preservation and address the land use issues that impacts the economic viability of agriculture.
9. Diversify local economies in municipalities surrounding Fort Dix and McGuire Air Force Base to avoid depending on the military for their economic futures, despite the proposed \$300 million 'Megabase' investment.
10. Identify areas in need of redevelopment and prepare municipal redevelopment plans in accordance with the Local Redevelopment and Housing Law.
11. Provide technical and financial resources to support municipal efforts to update and refine municipal master plans, capital improvement plans and development ordinances that are consistent with their long-term vision.
12. Prepare and update municipal wastewater management plans that promote



development in centers at appropriate densities.

13. Prepare corridor development plans for existing and potential growth corridors that incorporate and manage growth corridors within the network of towns, villages, hamlets and nodes, and
14. Develop standards for creating development nodes to ensure they are mixed use, minimize land consumption and automobile use, and managed within the network of towns, villages, hamlets and growth corridors.

(Burlington County Farmland Preservation Plan 2009-2018)

### **Southampton**

The major concern regarding land development in the Township in 1996 was the encroaching sprawl pattern of development. Township representatives and officials were specifically concerned with the negative impacts of sprawl development including the loss of natural resources, prime agricultural land, forested areas, historic resources and valuable open space.

Risks to the cultural landscapes of Southampton Township from modern development are severe and immediate. High participation in Farmland Preservation initiatives by landholders offers some protection, as do restrictions within the Pinelands areas, but the large farms remaining within critical, partially protected areas are an attractive target for large-scale suburban development. Such development will result in the destruction of the continuity of the landscape, loss of historic context for the landmarks, and has the potential for overwhelming the rural-traditions and values still present in the community.

There are significant natural resources in Southampton Township that have been preserved through Township acquisition, by deed to other government agencies or through acquisition by private (non-profit) organizations. There are, however, important natural resources that are not currently protected and some that face imminent loss to development.

### **G. Municipal and Regional TDR Opportunities**

Southampton Township is not a TDR funded municipality. Within the Pinelands Area of the Township is the Pinelands Development Credit (PDC) Program which is a TDR program that helps to redirect growth in the Pinelands from the preservation and agricultural districts to infrastructure-supported regional growth areas.

## CHAPTER IV. FARMLAND PRESERVATION PROGRAM

### A. County Agricultural Development Areas

### B. Farmland preserved to date by program

**The principle preservation/conservation goal of Farmland Preservation consists of protection of contiguous (or nearly contiguous) areas of productive agricultural/horticultural lands and allow for the continuation of farming in these areas while minimizing conflicts between residential and agricultural uses.**

Appendix A, Map # 10 illustrates the significant areas of agricultural land preserved to date and the proposed farmland preservation project areas.

Township representatives and officials have worked diligently in an effort to bring awareness to the concerns of agricultural preservation and safeguarding the environmental quality of the Township's natural resources so that the Township can meet the goals and objectives provided below.

- (1) Provide for the clustering of residential development in both Pinelands and non-Pinelands areas of the Township.
- (2) Require developers to submit Environmental Impact Statements as a condition of preliminary subdivision and site plan approval.
- (3) Encourage participation in agricultural preservation programs.
- (4) Consider protection of the headwaters of the Rancocas Creek – Delaware Estuary by properly buffering the stream corridors.

Nearly 1,783 additional acres have been targeted for preservation through various State and County Programs. Individual farms in the Pinelands that have been preserved or are in negotiation for preservation are nearly contiguous. Continuing efforts are necessary on the part of Township officials and farmers to encourage "holdout" farmers to enter their farms into the preservation program. Should future development take place on any farms that are interspersed with those preserved, serious conflicts are likely to arise between farmers and homeowners. There are also large areas of nearly contiguous farms preserved in the non-Pinelands areas of the Township. Development pressures in those areas will become severe. It is thus critical that efforts be expended to preserve enough farm areas to isolate farms from



developed sections. Judicious siting of new recreation facilities and open space could further help to isolate farms from residential developments.

The State of New Jersey, through the Agricultural Retention and Development Act (NJSA 4:1c-11 et seq, P.L. 1983 c.32), provides for these farmland preservation Programs. The following sections will identify the various types of farmland preservation programs and those utilized by the Township.

**a. County / Municipal Easement Purchase** (or “Rights”) are used to purchase the right to develop from the farm owner, leaving the right to farm intact. In this case, the farmer continues to own the land and can continue to farm or to sell the land (at farm value prices) to another farmer. No further development can take place.

Since part of the goal of preserving farmland is the maintenance of farming as a viable business in the community, and since the price of land as valued by developers is higher than what farmers can afford exclusively for farming purposes, Township acquisition of the development rights is considered an effective preservation tool. There are several advantages to development rights purchases. They include a more direct public preservation of farmland (this is the major advantage over any other method); lower cost agricultural land is available upon resale (after the development rights are retired by the public entity making the purchase); compensation is made to the land owner; no development bonuses (and therefore no increase in population) are required; and, no loss of farmland occurs. In addition, there is no loss of land management, since the farmer continues to perform farming activities.

Although this technique appears to have the disadvantage of being costly to the Township, in effect, the policy of public purchase of development rights is often shown to be a significant cost saving. If development takes place, which is permitted by the zoning code, the additional population increase will require more schools (by far the biggest long and short term cost), more police and fire protection, more roads and road maintenance, etc. It is far less expensive for the community to purchase development rights than to fund these services and amenities.

#### **b. County Planning Incentive Grants**

The County Planning Incentive Grant program encourages a comprehensive planning process for farmland preservation at the county level. The program enables counties to accept and process farmland preservation applications year-round, rather than once a year; reducing the timeframe from landowner application to closing; and rewarding counties that complete transactions in a timely manner with the potential for additional

funding. In order to qualify for PIGs, the County must create an agricultural advisory board and must also maintain a dedicated funding source to purchase farmland. County PIG's require that the County and Township applications correlate with county comprehensive farmland preservation plans.

Two Farmland Preservation Planning Incentive Grant Project Areas are now active in Southampton Township which encompasses approximately 123 acres.

**c. 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, an Agricultural Advisory Committee and a standing commitment for preserving farmland. Grants for a municipal PIG are provided by the SADC to purchase development easements. As identified in this Plan, several target farms have been identified by the Township for future preservation efforts. These targets will continue to be updated and farmer interest changes and farms are either preserved or removed for ineligibility. Burlington County requires matching funding (50:50) between the County and the municipality, as part of a municipal PIG.

Southampton Township is developing this Comprehensive Farmland Preservation Plan in order to conform to these regulations. To date the Township has not utilized this option.

**d. SADC Direct Easement Purchase**

Another option for farmland preservation is the SADC Direct Easement Program. The SADC purchases development rights or farmland outright for preservation purpose under its state acquisition program. Landowners can either sell the development rights to their land and continue to own and farm the land, or sell their land outright. In both cases, the land is permanently deed-restricted for agricultural use. When the SADC purchases farms outright, it resells them at public auction as permanently preserved farms. The SADC provides direct cost share funding to purchase farms and development easements from landowners. In most cases, the State will pay up to 100% of the certified appraised easement value in the direct easement purchase program. Applications will be accepted year-round. An applicant farm that is strategically located and meets or exceeds the minimum criteria for size and quality score will qualify for immediate consideration for preservation. The SADC and landowner will enter into a 120-day option agreement in which the landowner agrees not to market the property for that time period. This provides time for two independent appraisers to evaluate the land. Based on the findings of those appraisers and the recommendations of its own review appraiser, the SADC will certify a fair-market value and make an offer. If the offer is accepted, the landowner and SADC



will enter into a sale agreement. The SADC will order a survey and title search and work directly with the landowner through closing.

The Township has preserved 6 farms totaling 655 acres using the Direct Easement purchase.

**e. 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 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.

No farms in Southampton have been purchased using this program.

**f. Nonprofit**

The (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. 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.

Southampton Township has not contracted with any nonprofit organizations to assistance in the preservation of lands through Farmland Preservation or other programs.

**g. Transfer of Development Rights**

The transfer of development rights is a growth management tool that transfers development rights from one location, a preservation area, to another, an identified growth area. The development rights are used to allow for development at a higher density than what the previous zoning of the receiving area allowed.

The Township does not participate in the County TDR Program. However, according to County records, 3,104 acres of farmland in the Pinelands Area has been preserved

through the Pinelands Development Credit (PDC) Program which is a type of TDR program

<b>Table 18: Preserved Farmland by Acquisition Type</b>	
<b>Type of Acquisition</b>	<b>Acres</b>
Burl. Co. Easement Purchase	1,806
Burl. Co. Planning Incentive Grants	X
Mun. Planning Incentive Grants	X
SADC Direct Easement Purchase	655
SADC Fee Simple	X
8-year Program	X
Non-profit	X
TDR / Pinelands Development Credits	3,104
Other	530
<b>Total</b>	<b>6,095</b>

Source: SADC , State, County and Municipally Preserved Farmland, July 28, 2009

#### **h. Other programs and partnerships**

**1. Fee Simple Acquisition**, wherein the state and the county use this funding source to purchase farms outright. Once these purchases are made, the farm can then be resold for agricultural purposes at a price that reflects the value of farmland, with covenants that remove the development rights.

In some very specific situations, Townships have purchased farmland in fee (i.e., the purchase of land as well as the development rights) to prevent development. In those situations, the farm can then be resold at farm use prices (versus the price determined by potential development), or can be leased for farming use. In effect, this is another technique for acquiring the development rights, since the public entity can retire those rights prior to lease or resale. The Township is in the process of implementing an open dedicated tax to help in the purchase of properties.

**2. Easement Donation Program**, wherein the owner/farmer donates the development rights as easements to the State Agricultural Development Committee or the County Agricultural Development Board. This step preserves the use of the land for farming, eliminates the development opportunity, and gives the owner significant federal (income and estate) tax benefits.



**3. Soil and Water Conservation Cost-Sharing Program**, wherein an owner who is enrolled in the eight year program is eligible for a 50% cost-sharing grant for approved soil and water conservation projects on the farm property.

**4. Farm Link Program**, which assists farmers who have preserved their farm by one of the state programs to be in touch with other farmers, for the purpose of sales or purchase of additional (protected and therefore affordable) farm land. In essence, this is a registry of farms and owners in the state program for the uses of expanding or retiring their farming businesses.

**5. Right to Farm Act** (NJSA Act 4:1C-1 et seq), which is a state law that complements similar local ordinances.

The right-to-farm ordinance helps protect the farmer from nuisance lawsuits generated by nearby non-farm residents. Changes are recommended to the Township ordinance, which would permit certain uses on the farm that may or may not be directly related to the specific business of that farm, but which can help farming and its associated culture remain viable and profitable. The intent is to create these uses as conditional uses, and to ensure their compatibility with the rural environment. Some conditional uses in the zone could include: fruit and vegetable stands (which are already permitted for sale of products grown on the farm only), hay rides, farm-related gift shops (note that the products need not be grown or made on the farm, and can include antiques), bed & breakfasts, offices small enough to fit in the existing farm buildings and that preferably include companies that serve the farming operations, (e.g., rental of existing buildings for residential uses, veterinarian offices, farm equipment sales, and feed and grain sales). An important part of this recommendation is the establishment of design and site planning criteria that will ensure the maintenance of the rural character of the farm. The intention is to permit the farmer to take advantage of the available farm resources without permitting significant (non-farm) building development.

Burlington County plans to adopt policies to discontinue seeking and processing preservation applications from landowners in municipalities with deficient RTF ordinances. The County's FPP plans to utilize calendar year 2009, with the assistance of AFT to evaluate the condition of all municipalities with preserved and / or targeted farmland to ascertain a better understanding of the baseline conditions that exist.

In 2009 New Jersey amended its Right to Farm Act to allow for renewable energy facilities on preserved farmland. It allowed for farm owners to engage in the generation of power or heat from biomass, solar, or wind energy, provided that the energy generation is consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et al.), as applicable, and the rules and regulations adopted therefore and pursuant to section 3 of P.L.2009, c.213 (C.4:1C-9.2). As paraphrased on the website of Lowenstein Sandler PC, "The new law allows the owner of preserved farmland to construct and operate these

renewable energy systems on either the preserved or unpreserved portion of the farmland under certain conditions. The conditions include: (1) no interference with the agricultural use of the land; (2) ownership of the system by the landowner; (3) provide energy directly to the farm or reduce energy costs to the farm through net metering; and (4) energy production limited to energy demand for previous calendar year plus 10 percent. Other approvals and conditions are contained in the new law.”

**Adopted Amendment:** N.J.A.C. 2:76-23.6

Effective January 20, 2009

**Summary:** The SADC has adopted an amendment to the Personal Wireless Service Facilities rules that became effective June 2, 2008 to delete a provision requiring that an applicant seeking to erect a cellular tower on a preserved farm demonstrate there is no other apparent feasible alternative to place the personal wireless facility off the premises. After a review of public comments submitted in response to the recently adopted rules, the SADC determined this was tantamount to a prohibition on installing a personal wireless facility, which was not the Legislature’s intent. The SADC was unable to incorporate the change to the rules prior to their effective date.<sup>11</sup>

The Township has a right-to-farm ordinance, adopted in 2008, that encourages continued compliance with federal and state agricultural management practices. The ordinance has not been updated to include the renewable energy component.

### **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.

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<sup>11</sup> (Personal Wireless Service Facilities, 2009)



- 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.

Southampton Township, through the Southampton Township Environmental Commission (STEC), has maintained a strong relationship with the County Agriculture Development Board and SADC through continuous updates of the municipal PIG and efforts to preserve farmland. The Township's successful efforts with both the County and State have led to the successful preservation of farmland. The Township, through STEC and the AAC, will continue their efforts to preserve as much of the remaining farmland in the Township as possible. Continued support and outreach to the CADB and SADC is a mainstay of the Township's plan to preserve farmland.

There are currently 352 assessed farm properties within the Township. To date, 22 farms have preserved farmland, totaling 6,015 acres. The Burlington County Agricultural Board and Southampton Township have targeted 23 farms within the Township for future preservation efforts which will add an additional 1,933 acres of preserved agricultural land.

**Table 19: Preserved Farmland 2009**

Block	Lot(s)	Approximate Total Acres
601	1,2,3	83
602	7	86
603	1, 1.01, 2	84
701	2, 3, .3.01, 7, 10.01, 11-13	738
801	7, 9, 9.02	215
802	12	79
902	1,2	152
903	1, 3, 4, 5, 5.02, 6, 8	566
1201	4, 5.01, 6.01, 7, 8	596
1203	6, 9.02, 11	77
1204	1, 6, 6.01	166
1303	8, 20	85
1304	3	126
1401	1,4,4.03, 6.04, 6.06, 15	358
1502	8, 10, 10.03	148

1601	9	24
1602	2, 3, 4.01, 4.02, 4.03, 6	262
1702	11, 23, 23.06, 30, 31, 52, 55, 57	378
1903	4, 5, 40	318
2002	4	78
2801	20, 47	1185
3601	1, 3, 4, 5, 6,	225
Total Acres		6,015

Source: Southampton Township Resource Inventory, Vol. 1, December 31, 2009

Table 20 is a listing of farms targeted by Southampton Township for preservation through Green Acres, Pinelands Development Credits, Burlington County PDC's or State Agriculture Development Credits.

<b>Table 20: Farms Targeted for Preservation</b>			
<b>Name</b>	<b>Block</b>	<b>Lot</b>	<b>Acres</b>
Alloway Family Limited Partner	1601	10	66
Alloway Family Limited Partner	1601	10.03	6
Alloway Family Limited Partner	1602	9	134
Ronald Biglin Jr.	1203	1	25
Ronald Biglin Jr.	1203	4	6
James Clark	1401	16.01	98
Demastro, Inc.	1601	6.03	31
Michael Dolan	902	13.02	72
Eliza M. Doyle	701	5	58
Eliza M. Doyle	801	8	96
Joe Gerickont	701	1	142
Nang Lung Gheung	1601	6	44
Nang Lung Gheung	1601	6.01	11
Hector Gonzalez	1502	14	34
Hector Gonzalez	1502	15.02	10
Charles Hampshire	1303	9	161
Edward Hancock	1502	13	63
Elsie Holtz	1303	19	103
Tin Sang Ip	1203	13	63
Christian Jannen	1205	3.03	22
JBDS Assoc. Inc	1205	2	33



Marian Manuel	1303	15.01	33
Daniel McCollister	1203	5.01	13
Daniel McCollister	1203	8	40
Daniel McCollister	1203	9	63
Douglas Melegari	1602	4	25
Elizabeth Richards	701	4	204
Larry Roohr	701	6	62
Joseph Seward	1702	6.01	23
Charles Thompson	903	11	28
Parker Worthington	1601	9	24
Yates Enterprises	903	25	23
Pulte	602	14	117
Total			1,933

Source: 2009 Acquisition Targeting List, BC Farmland Preservation Program

#### **D. Eight Year Programs**

The 8-Year Farmland Preservation Program is a cost sharing program for soil and water conservation projects. 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-municipally approved programs, which require an agreement between only the landowner and county. Landowners apply to their county agriculture development board. Land must be located in an Agricultural Development Area, be eligible for Farmland Assessment and meet local and/or county program criteria. Landowners enrolled in both municipally and nonmunicipally 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 50 percent of the costs of approved soil and water conservation projects. Additionally, those in municipally approved programs enjoy greater protections from nuisance complaints, emergency fuel and water rationing, zoning changes and eminent domain actions. An eight-year agreement is recorded with the county clerk in the same manner as a deed.

The Township has not used this program to preserve farmland.

#### **E. Coordination with Municipal and County Open Space Preservation Initiatives. Burlington County Master Plan**

Burlington County does not have a master plan, however, the Land Use department provides a Farmland and Open Space Preservation map to help guide municipalities within the County in their preservation efforts. Approximately 6,015 acres of farmland are currently preserved in Southampton through local, county and state funding. The Township and County have targeted an additional 1,933 acres of farmland that are recommended for preservation. The Township continues their farmland preservation efforts through diligent and open communication with Burlington County

The voters approved a farmland/open space tax in 2001 to ensure adequate funding for the acquisition, development and maintenance of open space and farmland. Although significant progress in achieving agricultural preservation and natural resource protection over the past six years, it is paramount that future land development decisions be guided by the plan of action recommendations provided in the Conservation, Open Space and Recreation Plan Element

Table 21 is a listing of parcels targeted by Southampton Township for preservation through the Green Acres and Burlington County Open Space Preservation Program.



**Table 21: Southampton Township Targeted Open Space**

Block	Lot	Owner	Acres
902	13	M & M Dolan	80 +/-
1702	23.02; 23.07	SJ Beagle Club	109
1702	27; 27.01	Rosen & Bathgate, etal	215
1702	33	Kliener	95.92
2301	11	L. Bater	21.4
2302	2	R. Miller	21.3
2801	39	G. Pikunis	11
3003	12	Gail Henly Pratt	87.6
3003	22; 29	Mark Simons Sr.	99.8
3003	30	Simons Berry Farm, LLC	19
3003	33.02	Jeanne Simons	44.96
3101	13	Stanley Bakely Jr	18
3102	14	Thomas Alessi	82.38
3201	38	Melvin Black	21.8
3301	19; 20; 24; 27	James Sr and Jr Messner	76
3501	13	D. & Lisa Fay Bain	86.9
3802; 3902	8, 9, 10; 2	Nicholas & Janet W. Agolio	30.6
3802; 3901; 3903; 3904; 3905	12; 1; 1; 1; 1, 2	Sunny Pine	33.7
<b>TOTAL</b>			<b>1154.36</b>

The parcels listed above represent the top candidates for open space preservation based on ranking criteria created to ensure realization of open space goals and objectives which include but are not limited to the following:

- Linkage of parcels to existing preserved parcels
- Protection of stream corridors and stream headwaters
- Protection of endangered habitat and species
- Protection of wetlands, cedar wetlands and floodplain

- Protection of historic, archeological and paleontological resources
- Protection of the scenic corridor
- Potential for active and passive recreation

Preservation of open space should be accomplished through a combination of measures such as:

- Direct acquisition by the Township
- Encouragement of compact rather than sprawling development patterns. Such a policy can be economical for both the developer and the Township. Compact development saves infrastructure costs for the developer and municipal services for the municipality.
- Encouragement of deed restrictions or dedication to the Township of land that is least desirable for development.
- Encouragement of developers of contiguous properties to preserve contiguous open space. The open space should be situated so that future developments can add to the contiguous open space.
- Individual lots acquired by the Township (e.g. through foreclosure action) should be considered for preservation as open space. (e.g. Township owned lots within the area of Bear Swamp administered by the Natural Lands Trust.) In other areas, individual lots should be preserved as open space where feasible to be used for recreation or as a buffer for adjoining properties.

#### Appendix A, Map # 11 Parks, Recreation and Open Space

#### F. Farmland Preservation Program Funding Expended to Date

Table 22 highlights the total cost of preserved farmland in the Township.

<b>Table 22: Total Cost of Preserved Farmland to Date</b>						
<b>Municipality</b>	<b>Easement/Fee Simple (County)</b>	<b>Pinelands Easement (County)</b>	<b>TDR</b>	<b>Pinelands PDC Sales</b>	<b>SADC Direct &amp; Fee Simple</b>	<b>Total Acreage Preserved</b>
<b>Southampton</b>	<b>1,571.02</b>	<b>122.97</b>	<b>0.00</b>	<b>2,898.66</b>	<b>653.79</b>	<b>5, 246.44</b>

Source: SADC , April 4, 2008



## G. Monitoring of Farmland Preservation

The County is obligated to monitor all preserved farms annually. The process for monitoring of state held easements by the SADC is found in the Burlington County Farm Preservation Plan and is reproduced below:

The process for monitoring involves a notice sent to the preserved farm landowners informing them of the County's need to visit the farm to verify compliance with the terms of the DOE. From time to time there have been instances in which County staff has identified issues on preserved farms that are not in compliance with the DOE. A vast majority of the issues on non-compliant farms are related to fallow fields. The County views fallow fields as lands available for agricultural production that no cropping or, at a minimum, mowing has occurred within the past year. These farms are therefore subject to successional growth in the form of woody vegetation that once established, is difficult to remove. Most of these situations are resolved by bringing the issue to the attention of the landowner. Those issues that are not resolved within a reasonable time frame are presented to the CADB for a recommendation on how to proceed. Other monitoring issues encountered include erosion issues, trash/debris issues and on a few occasions non-agricultural use issues.

Most preserved farms have a requirement that farms have a farm conservation plan prepared for their farms. This plan usually helps alleviate common issues on farms, especially erosion issues. The farming industry itself realizes the long-term economic benefits of retaining as much topsoil as possible on all farms. Therefore, erosion problems identified during the monitoring process usually do not reflect ongoing negligence on behalf of the farmer. County staff is able to inform the landowner, or tenant farmer, of assistance that can be provided free of charge by the local SCD and the USDA NRCS. These recommendations can be put together in the form of a farm conservation plan which can then be implemented by the farmer or landowner to address the erosions issues. In some instances, County staff has been able to educate landowners that have no involvement of the farming operation as to the benefits of a farm conservation plan. The landowner is then able to develop a farm conservation plan for their land and make those recommendations contained within a requirement for the lease of their land.

In situations where there is an unapproved, non-agricultural use identified on a preserved farm, FPP staff will typically discuss the matter with the landowner and try to solve the issue in a non-confrontational, informal manner. If this issue is not able to be resolved in this manner, FPP staff would present the issue to the CADB, which will provide a recommendation to the Freeholder Board. The County often seeks the guidance from the SADC as a significant portion of preserved farms in Burlington County are subject not only to the rights of the County, but also the SADC.<sup>12</sup>

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<sup>12</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

## **H. Coordination with Transfer of Development Rights Programs**

Transfer of Development Rights (TDR) may be used in conjunction with the traditional Purchase of Development Rights (PDR) program; these two programs are not mutually exclusive. Currently, the Township has not developed a Transfer of Development Rights program.





## **CHAPTER V. FUTURE FARMLAND PRESERVATION PROGRAM**

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

The Township has determined a 10 year goal for preservation of (1,933) acres. This goal is based on previous preservation efforts and current landowner interest. However, the larger goal of the Township is to preserve the remaining land area of active farmland in the Township.

The Township's strong agricultural presence has resulted in a substantial amount of farmland preservation over the years. As noted previously, over 6,015 acres have been preserved already and the Township would like to continue this trend and preserve as much of the remaining active farmland as possible.

### **B. Municipal and County Minimum Eligibility Criteria Coordination**

Burlington County and Southampton Township utilize the same minimum eligibility criteria for farmland preservation. 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 differentiates between farms that are less than or equal to 10 acres in size and farms that are greater than 10 acres in size. For lands less than or equal to 10 acres in size, the land must produce agricultural or horticultural products of at least \$ 2,500 annually; at least 75 percent of the land must be tillable or a minimum of five acres, whichever is less; at least 75 percent of the land, or a minimum of five acres, whichever is less, must consist of soils that are capable of supporting agricultural or horticultural production; and the land must exhibit development potential based on certain standards. For lands greater than 10 acres in size, at least 50 percent of the land or a minimum of 25 acres, whichever is less, must be tillable; at least 50 percent of the land, or a minimum of 25 acres, whichever is less, must consist of soils that are capable of supporting agricultural or horticultural production; and the land must exhibit development potential based on standards set forth in the rule. Lands that do not meet the minimum criteria are not eligible for a State cost share grant for farmland preservation purposes.



## C. Municipal and County Ranking Criteria Used to Prioritize Farm

### BURLINGTON CADB FARMLAND PRESERVATION PROGRAM

#### ACQUISITION TARGETING LIST SELECTION CRITERIA

In accordance with the Farmland Preservation Program Strategic Plan's focus on pursuing preservation of strategic farms in areas of highest program priority and within the County's designated Agriculture Development Areas (ADA), the Burlington County Agriculture Development Board has compiled an Acquisition Targeting List (ATL). The ATL identifies farms that the County is interested in preserving in the near future. Landowners of properties listed on the ATL are eligible to apply to the Easement Purchase Program at any time throughout the year.

##### I. Non-Pinelands Farms

The three primary criteria considered when evaluating farms for inclusion on the ATL are:

1. Septic Suitability. Properties that have 75 percent or more septic incompatible soils are considered to be under minimal development threat. Therefore, farms must have less than 75 percent septic incompatible soils.
2. The quality of the soil for agricultural use. Farms are considered to have good agricultural soils if either (a) they have at least 60 percent prime soils; or (b) they have at least 80 percent prime and state wide important soils combined.
3. The adaptability of the soils for development use. Farms are considered to be under a reasonable degree of development threat if (a) 30 percent or less of the property is septic incompatible; or (b) 40 percent or more of the property is septic compatible.

In general, farms that meet Criteria #1 and Criteria #2 or meet Criteria #1 and Criteria #3 are eligible for inclusion on the ATL, while those that (a) do not meet Criteria #1; and/or (b) do not meet either Criteria #2 or Criteria #3 are not eligible.

##### II. Pinelands Farms

###### A. Traditional Agriculture Farms

The criterion considered when evaluating farms for inclusion on the ATL is the quality of the soil for agricultural use. Farms are considered to have good agricultural soils if either (a) they have at least 60 percent prime soils; or (b) they have at least 80 percent prime and state wide important soils combined.

###### B. Berry Agriculture Farms

The criterion considered when evaluating berry farms for inclusion on the ATL is that farms must have 20 acres or more in active berry production.

Exceptions to this policy for both Pinelands and non-Pinelands farms may be made based on one or more of the following additional considerations:

- Planning Considerations – Does preservation of a particular property promote or conflict with County and/or municipal planning goals?
- Proximity to Existing Project Areas – Is the property next to or isolated from an existing preservation project area?
- Nearby Conflicting Land Uses – Do adjacent properties represent conflicting land use patterns? Is there a significant potential for right-to-farm conflicts?
- Barriers to Development – Are there other factors, besides septic suitability, that significantly reduce the likelihood of the property being developed?
- Size – Is the property of significant size (generally greater than 200 acres)?
- Unique Soils – If the farm has a large percentage of unique soils, have drainage improvements been made to those areas of the farm? Is productivity on the unique soils relative to that on the portions with prime or state wide important soils?

Dated December 9, 1999; Revised January 10, 2002; Revised September 5, 2002; Revised June 10, 2004; Revised July 8, 2004; Revised December 9, 2004; Revised \_\_\_\_\_

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## BURLINGTON CADB FARMLAND PRESERVATION PROGRAM

### PRIORITY FARMS SELECTION CRITERIA

The Burlington County Farmland Preservation Program Strategic Plan calls for an increased focus on acquisition targeting in order to pursue preservation of strategic farms in areas which are of highest program priority. The criteria for selecting Priority Farms include consideration of Prime soil classification (an indicator of the best agricultural land), septic compatibility of soils (an indicator of development potential), size, and location. Under the Priority Farm selection process, farms on the ATL must meet one of the following standards for Priority Farm designation:

#### A. High Quality Soils:

- I. Farms between 75 and 100 acres: at least 80% Prime Farmland Soils and < 20% septic incompatible soils.
- II. Farms from 100 to 150 acres: at least 70% Prime Farmland Soils and < 30% septic incompatible soils.
- III. Farms from 150 to 200 acres: at least 60% Prime Farmland Soils and < 40% septic incompatible soils.
- IV. Farms over 200 acres: at least 50% Prime Farmland Soils and < 50% septic incompatible soils.

Note: Prime soils and septic compatibility thresholds are more stringent on smaller farms to reflect the fact that, as property size decreases, higher thresholds are needed to ensure that significant amounts of prime and developable soils exist on the property.

#### B. High Risk of Being Developed:

- I. Farms under imminent threat of development (e.g. farms with municipal development approvals or significant developer interest).
- II. Farms at least 75 acres in size with 10% or less septic incompatible soils.

#### C. Significant Size or Key Location:

- I. Farms larger than 250 acres.
- II. Farms whose development would greatly compromise existing project areas.

#### D. Exceptional Value:

The Board may choose to include farms not meeting the above criteria on a discretionary basis if they are in some way deemed exceptional.

Dated January 13, 2000; Revised January 10, 2002; Revised \_\_\_\_\_

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## D. Municipal and County Policies Related to Farmland Preservation Applications

The Township and County abide by the SADC's policies §2:76-6.16 including those regarding approval of exceptions reprinted below.

BURLINGTON COUNTY AGRICULTURE DEVELOPMENT BOARD

EXCEPTIONS POLICY

**I. EXCEPTION REGULATIONS: N.J.A.C. 2:76 – 6.16(d)(3)**

“Negative consideration: Exceptions which adversely affect the applicant’s agricultural operation (weight 10).”

**II. GUIDELINES RE: GRANTING EXCEPTIONS, RDSOs, & SUBDIVISIONS**

Under the Burlington County Farmland Preservation Program, all applicant requests for exceptions, RDSOs, or subdivisions must be approved by the County Agriculture Development Board (CADB). These general guidelines are provided to maximize program consistency in the CADB’s application of its Exception Policy, and are intended to assist landowners in preparing successful exception/RDSO/subdivision requests.

**A. Housing Opportunities**

The CADB will consider housing opportunity requests that, if granted, would be consistent with an overall ratio of not more than 1 house per 100 acres. If a farm is smaller than 100 acres and does not have a house, an exception may be granted.

**B. Total Acreage to be Excepted or Subdivided**

The CADB will consider requests to except and/or subdivide acreage from an applicant property up to a maximum total acreage of 5 percent of the premises or 10 acres, whichever is less.

**III. CADB POLICY REGARDING APPROVAL OF EXCEPTIONS**

A. In general, the CADB limits exceptions to the area around the main farmhouse and associated structures. Exceptions that are determined to adversely affect the agricultural operation are prohibited.

B. Exceptions that do not adversely affect the agricultural operation and which are not around the main farmhouse and associated structures are reviewed on a case by case basis and must meet at least one of the following conditions:

1. Granting an exception for a housing opportunity is consistent with an overall ratio of not more than one house per 100 acres.
2. No housing opportunity exists and the property does not qualify for an RDSO.
3. To except out areas to be dedicated to farm market use.



4. To except out a pre-existing non-agricultural use.
5. To except out an area for possible future development of a non-agricultural use so long as the non-agricultural use does not conflict with the agricultural use of the property in perpetuity.
6. Special purpose (i.e., to provide for a park or to protect a historical resource.)
7. Not more than one single-family structure may be constructed on an excepted area. Any residential structure located on the area to be excepted may be reconstructed or improved but additional residential dwellings may not be constructed.

#### IV. RESTRICTIONS ON THE USE OF EXCEPTED AREAS

- A. The following covenants, terms, conditions and restrictions shall apply to all lands which the County has agreed to except/exclude from the standard provisions of the Deed of Easement (hereafter, the "Excepted Areas") and shall be included in the Deed of Easement.

The Grantor, for Grantor and for all persons who succeed to Grantor's interest in the Excepted Areas, agrees that use of the Excepted Areas shall be subject to the following restrictions:

1. Use of an Excepted Area shall not impair, hinder or negatively impact on the agricultural use of the Premises. Use of an Excepted Area should be compatible with agricultural use of the Premises.
2. An Excepted Area may not be subdivided from the Premises and title to Excepted Areas may not be conveyed independent of a conveyance of title to the Premises (or portion thereof if subdivision of the Premises is approved pursuant to this Deed of Easement). Transfer of title to the Premises shall include title to the Excepted Areas.
3. No activity on or use of an Excepted Area requiring municipal or State approval including, but not limited to, demolition or construction of a structure or site plan or variance, shall commence unless Grantee has received a copy of the proposed application or request for approval 45-days prior to its filing. Grantee shall have the right to comment on any such application.
4. No person having an interest in an Excepted Area, whether owner, operator, lessor, lessee, resident or other, shall have any claim against the owner of the Premises for use of the Premises in accordance with this Deed of Easement.
5. Nothing herein is intended nor shall it be construed as exempting Grantor from securing such municipal and building approvals that may be necessary for the construction or demolition of any structures.
6. The Grantee and the Committee shall have the right to enforce these terms and conditions.

- B. If the preserved farm will have an excepted area that is not immediately adjacent to a public road the following additional terms shall be included in the Deed of Easement as applicable to the excepted are:
1. No lane leading to the Excepted Area shall be constructed or, if existing, relocated, widened or improved for the purpose of accommodating non-agricultural use without the prior written approval of the Grantee and Committee.
  2. The lane may be used in connection with the agricultural use of the Premises and for the purpose of accessing the structures in the Excepted Area.
  3. Neither any existing lane to the excepted area nor any new lane that might be constructed in accordance with this section shall be modified or improved so as to prevent its use for agricultural operation of the Premises.
- C. In the event that any lane that crosses over the Premises to connect the Excepted Area with a public road is to be limited to nonagricultural use, said lane shall be included in the Excepted Area
- D. Additional restrictions may be imposed as deemed necessary and appropriate to ensure that use of the an excepted area does not negatively impact the restricted farm.

Adopted March 9, 1995; Amended May 13, 1999; January 13, 2000; February 14, 2002; October 1, 2002  
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Page 3 of 3

## **1. Approval of Housing Opportunities**

Sectors of the agricultural industry are expanding in Burlington County (e.g., equine, nursery, fruit / vegetable production) in which an adequate and/or specialized labor supply is integral to the operation. The CADB has acted on several labor housing requests for these sectors and has been guided during its review by the Deed of Easement and SADC policies for agricultural labor housing. The CADB considers, among other things, the size, number and type of laborers to be housed, and impact on the agricultural operation. After the CADB and



Freeholder Board approve the request, the request is forwarded to the SADC whose staff then reviews and provides a staff recommendation for SADC consideration.<sup>13</sup>

### **1.1. House replacement**

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

### **1.2. Residual dwelling site opportunity allocation**

Residual Dwelling Site Opportunities (RDSOs) are potential housing sites located within a deed-restricted farm. A designated RDSO allows the landowner to identify a potential site for a future residential unit or other structure as referred to in N.J.A.C. 2:76-6.17. Residential units can be allocated to parcels that are up to 100 acres in size. The site 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.”

## **2. Division of the Premises**

The goal of the SADC 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.

## **3. 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.

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<sup>13</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

There are two types of exceptions that can occur; severable and non-severable.

**3.1 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.”

**3.2 Non-severable:** Non-severable exceptions are defined by the SADC as “area which is 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.”

## **E. Funding Plan**

### **1. Description of Municipal and County Funding Sources**

Southampton Township has passed an Open Space and Farmland Preservation tax as a funding source. An Agricultural Advisory Committee has been formed to advise the Township.

In addition to the local funding sources, the Township has taken advantage of the available funding opportunities from Burlington County and the State. The following sources have been utilized in the past to preserve farmland:

- County Easement Purchase
- SADC Easement Purchase
- Pinelands Development Credits (PDC)

## **F. Farmland Preservation Program and AAC Resources**

### **1. Municipal Staff and Consultant Resources**

The Southampton Township Governing Body appointed the Agricultural Advisory Committee. The Agricultural Advisory Committee meets as the need arises and is organized through Michael



McFadden, the Southampton Township Administrator. The Agricultural Advisory Committee also receives consulting services, through the Township's Planner, Thomas J. Scangarello & Assoc. P.A.

## 2. Legal support

Legal support for the Township's farmland preservation program is provided by the Township's Attorney, George Morris, Esq. of the firm Parker McCay.

## 3. Database Development and Geographic Information System Resources

The Township's Planning Consultant, Thomas J. Scangarello & Assoc. P.A. currently provides database management, mapping and GIS resources for the Township. The Township also has GIS capability through the County Planning department if needed.

# G. Factors Limiting Farmland Preservation Implementation

## 1. Projected Costs

The affordability and availability of farmland is a crucial factor that will significantly impact the future viability of the farming industry in the state. The turnover of farmland from older generations of farmers is inevitable – the question, however, is to whom will the land go? According to the most recent Census of Agriculture data, statewide young farmers (those under the age of 35 years) account for only 3 percent of current farm operators. Farmers at or over the traditional retirement age of 65 years account for 24 percent of all New Jersey farm operators and operate more than 187,000 acres of farmland (23 percent of the farmland base).<sup>14</sup>

## 3. Land Supply

Aggressive efforts to preserve farmland and open space and direct growth away from environmentally sensitive areas is limiting the area available for the future development that will accompany population and economic growth. This creates substantial pressure on the remaining (non-preserved) farmland, land often the most well-suited and inexpensive for development. Anecdotal accounts also suggest growing competition for preserved farmland properties between farmers and non-farmers interested in purchasing such properties for their amenity or lifestyle benefits. This has the effect of raising farmland prices to levels out of the reach of many commercial farmers. Oftentimes, non-farmers will farm the ground with minimal intensity (or rent land to farmers to farm) to retain farmland assessment.

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<sup>14</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

Even with farmland preservation, farm businesses in Burlington County, like those elsewhere, are finding it increasingly difficult to remain economically viable. Farm profits are subject to the unpredictability of commodity price markets, weather, pests and other factors beyond the control of farmers. While the farm community is innovative, with a long history of adapting to such challenges, increasing pressures from encroaching residential and commercial development is creating new challenges.

New non-agricultural development in agricultural areas creates both opportunities and conflicts for agriculture. Such development consumes productive farmland and increases pressures on remaining farmers to “sell out.” It often fragments the resource base and reduces the efficiencies with which farm properties can be operated. The industrial nature of agricultural operations, which includes early morning noise, odors, chemical application, and slow moving farm equipment on roads, leads to tensions, if not outright conflict, between farmers and non-farmers. From the farmers’ perspective, an influx of new suburban neighbors may not only create pressure to alter normal farm practices, but it also may result in theft, vandalism, and trespass issues.<sup>15</sup>

Table 23 shows the extent of undeveloped land (in acres) based only on zoning with no other restrictions. One constraining factor within Southampton Township that would limit the availability of land for development is soil suitability. Because the majority of the land area within the Township requires the use of on-site septic systems for treatment of wastewater, soil suitability becomes a major limiting factor on the density of development.<sup>16</sup>

**Table 23 : Status of Development**

Developed		Undeveloped (Zoning Only)		No development potential	
Category	Acres	Category	Acres	Category	Acres
Residential	2688	Residential	11231	Preserved**	8245
Commercial	418	Commercial	581	Not buildable***	937
Industrial	403	Industrial	338	Roads/Miscellaneous	1558
Institutional*	108	-	-	-	-
Utilities	22	-	-	-	-
Mobile homes	98	-	-	-	-
<b>Total</b>	<b>3,737</b>		<b>12,150</b>		<b>10,740</b>

\* Churches, Emergency, Municipal, etc.

\*\* Government, Private, Non-profit

\*\*\* Capped toxic landfill, Easements, Buffer zones, etc.

Source: Southampton Township Resource Inventory, Vol. 1, December 31, 2009

<sup>15</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

<sup>16</sup> (Southampton Township Resource Inventory, Volume 1: Resources, December 31, 2009)



#### 4. Landowner Interest

Based on a study conducted by the Burlington County Freeholder Board and funded by a National Research Initiative Grant from the Cooperative State Research, Education, & Extension Service of the USDA, both a survey and interviews showed the labor supply, adequacy of water supplies for irrigation, and the supply of future farmers to be a serious concern. The study yielded some interesting negative and positive results. The study indicated that only 17 percent of the respondents had developed succession plans for the transfer of ownership and management of their farmland to a relative or other person. In addition, over a quarter of the sample reported some change for the worse in farming of their land “because non-farmers lived by.”

On a positive note, the survey results indicated that farm operators have not been crippled by the “impermanence syndrome”, citing that 39 percent believed that agriculture in Burlington County had a “bright” or at least “modest future.” Not surprisingly, regression analysis showed that operators were more likely to be optimistic about the future of farming if they found that the markets for their farm products were competitive. They were less likely to be optimistic if they were having difficulties with non-farm neighbors.<sup>17</sup>

#### 5. Administrative Resources

The Southampton Township Environmental Commission (STEC) has lead the Township in farmland preservation efforts to date. With the recent appointment of the Agricultural Advisory Committee the farmland owners within the municipality should have adequate resources for help with the promotion and execution of the farmland preservation program.

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<sup>17</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

## CHAPTER VI. ECONOMIC DEVELOPMENT

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

The NJ Department of Agriculture Economic Development Strategies for 2008 highlights fifteen strategies for economic development which the Township currently supports and intends to incorporate into the Township's efforts to retain and promote agricultural production. The primary agricultural activities in the Township center around field crop production and sod. The following section has been provided by the Economic Development Strategies for 2008 as it relates to the efforts of Southampton Township.

#### Field and Forage Crops

- Ensure plant health:

- Strategy 1: Implementation of the Mexican Bean Beetle parasite program.  
Soybean rust monitoring surveys.  
Release of beneficial insects to control tarnished plant bug and mile-a-minute weed.
- Strategy 2: Aid in the development of a state wide working group to define benchmarks and goals to improve NJ production and yield per acre (for corn, soybeans, small grains, grass hay, alfalfa hay, pasture and other alternative forage and feed crops).  
Improve management practices.  
Improve increased economic and environmental sustainability of forage-livestock systems.  
Improve production and quality of conserved feeds (including alfalfa and other hays and silages).

- Support Organic Field Crop Production:

- Strategy 1: Encourage the production of certified organic soybeans, corn and wheat to increase the value of these crops.
- Strategy 2: Continue to assist in linking growers with organic food processors, retailers, animal feed suppliers and all other handlers to help identify new market opportunities.  
Take advantage of growing demand for processed food products made from organic ingredients.

- Support plans for a Green Energy Initiative



Strategy 1: Continue to facilitate and support efforts to construct bio-fuel plants in New Jersey.

## **Livestock and Poultry Industry**

- **Ensure Animal Health**

Strategy 1: Continue implementation of best management practices for bio-security.

- **Enhance Marketing Efforts**

Strategy 1: Work to strengthen the branding of livestock products under the *Jersey Bred* program.

- **Encourage Production of Goat Products**

Strategy 1: Continue to work to match the farm management practices of new and beginning farmers to include the feed out of goats on a seasonal basis to maximize inputs and reduce costs associated with feeding these ruminant animals.

Strategy 2: Assist in the expansion of New Jersey's goat production through support for a goat purchasing program established through the New Jersey Junior Breeder's program.

- **Encourage Production of Grass-Fed Animals**

Strategy 1: The marketing and distribution of fresh and frozen grass-fed and organic grass-fed livestock products throughout the state will be supported.

Strategy 2: Expand the number of farmers markets that currently offer fresh meat.

- **Work with Markets**

Strategy 1: Continue the progress being made with the state's livestock markets to upgrade their facilities and adapt their operations to better meet the particular needs of both traditional and ethnic markets.  
Initiate a dialogue with the auction markets to conduct graded sales.

Strategy 2: Support the sale and marketing of locally produced poultry meat and eggs. Monitor the health code and market regulations that affect this industry to

ensure that they address current industry models of production and distribution.

- Promote an Annual Market for Sheep, Goats

Strategy 1: Continue to develop and promote livestock sales at several locations throughout the State and enhance support for the sale of market lambs and 4-H animals.

- Support Youth Programs

Strategy 1: Continue to support the New Jersey Junior Breeders' Fund loan program.

### **Ornamental Horticulture Industry**

- Ensure Plant Health

Strategy 1: Work to have a comprehensive approach to ensuring plant health. The following methods to be employed include:

- Increase Consumer Awareness

Strategy 1:

- Improve State and Public Contract Requirements

Strategy 1:

- Develop Sales Tax Guide

Strategy 1:

### **B. Agricultural Industry Retention, Expansion and Recruitment Strategies**

The NJ Department of Agriculture's Smart Growth Plan for Agriculture appropriately offers more specific guidance for implementing many of the policies articulated in the State Plan. The Township intends to use the NJDA's Plan as a basis for agricultural development initiatives with the two key initiatives being:

- 1) Stabilize the farmland base to make farmland and other necessary resources available and accessible to future farmers, and



- 2) Promote agricultural economic development and other policies that keep farmers on the land.

The plan advances the following twelve-point strategy for keeping agriculture economically viable:

- Preserve the farmland base.
- Retain and recruit farmers.
- Plan for agriculture.
- Reform farm taxation.
- Address regulatory compliance.
- Encourage environmental stewardship.
- Advance public education and awareness about agriculture.
- Provide technical and business assistance.
- Provide financial assistance.
- Promote agritourism.
- Develop value added and new markets.
- Establish a County Agricultural Industry Development Program.

## 1. Institutional

The following sections, Farmer's Support through Community Supported Agriculture, have been taken from the Burlington County Comprehensive Farm Preservation Plan (2009-2018).

### Farmer Support

As a program of the New Jersey State Agriculture Development Committee, the Farm Link Program is 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. It also works to connect farmland owners with farmers seeking access to land and farming opportunities.

(<http://www.state.nj.us/agriculture/sadc/farmlink.htm>)

The New Jersey Department of Agriculture, Division of Marketing and Development, is host of the **Jersey Fresh campaign** and is also responsible for other initiatives that promote and support New Jersey agriculture. The division offers free advertising materials to farmers to use for direct marketing. The division is a resource that can be used to identify opportunities that are helpful to agricultural businesses. For instance, the division has identified an opportunity for New Jersey farmers to sell over-produced or under-valued product to the New Jersey Department of Corrections. This opportunity would be beneficial to farmers when market conditions are very poor and

regaining only production costs is an appealing alternative to suffering a financial loss.

### **Marketing / Advertising / Public Relation Support**

In 2005, NJDA introduced the *Jersey Grown* brand to allow consumers to identify horticulture products grown locally. *Jersey Seafood* as well as the proposed *Jersey Organic* labels further expand this idea to allow better marketing and exposure for New Jersey Agriculture. Milk and wine produced in New Jersey also enjoy the same benefits as they are labeled *Jersey Fresh Milk* and *Jersey Fresh Wine*. A large drive by the NJDA to promote the brand and entice local restaurants to use New Jersey products has allowed for the proliferation of the *Jersey* brand. Burlington County farmers reap the benefits of this as local products are marketed more directly and therefore earn more interest from buyers looking for *Jersey Fresh* products.

[www.state.nj.us/agriculture/jerseyfresh](http://www.state.nj.us/agriculture/jerseyfresh)

### **Community Farmers**

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### **Community Farmers Markets**

There is only one community farmers market in Burlington County. This is located at the BCCAC in Moorestown. This community farmers market is held weekly and is sponsored by the Burlington County Board of Chosen Freeholders. This outlet for fresh, locally grown farm products is held mid-June through early November on Saturdays from 8:30 am to 1:00 pm. Several of Burlington County's large scale producers participate in this tailgate-style producer driven market and are complimented by smaller scale niche agriculture and artisan food / craft vendors from the region.

### **Community Supported Agriculture**

Currently there are three (3) Community Supported Agriculture (CSA) farms operating within Burlington County. This includes two with production in Burlington County (Fernbrook, Chesterfield and Growing Home, Moorestown at the BCCAC) and another



offering box shares in Burlington County (Honey Brook CSA, Pennington - Mercer County, NJ). Fernbrook (+/- 175 shares sold in 2008) and Growing Home CSAs (+/- 85 111 shares sold in 2008) are located on preserved farms. They are all diversified farms offering unique varieties of vegetables, herbs, and flowers.

A CSA as a business model is generally a method for small scale farmers and gardeners to market their goods. This type of business commonly attracts ecological or organic farmers. This type of farming and marketing operates with consumers as shareholders taking an active role in the success of the market in general. A core consumer group is developed that provides the funds for the production of goods to be shared by the shareholders. This ensures a quality product for all those that contribute. Each shareholder receives a portion of what products are generated as the season progresses. This approach eliminates the marketing risk to the producers as well as provides seasonally ripe produce for the stakeholders.

These three CSA represent a growing trend in Burlington County and what is believed to be a viable model for some farmers in Burlington County to consider. Each of these CSAs have experienced growth in production and number of shares and continue to be supported by an active and growing base of local residents who support their operations.

The County has partnered with American Farmland Trust (AFT) and the Dodge Foundation to explore options to make the County's Farmers Market more accessible to families of varying economic levels. With funding from the Dodge Foundation and AFT, the County will be working in 2008 - 2009 to research the barriers that customers of lower incomes may have to purchasing from local farmers. Based on that research, the County is interested in seeing how it can both expand the direct-marketing base for local farmers and provide better access to County residents for fresh, healthy and local farm products.

### **Agricultural Education and Market Research Coordination**

The Rutgers Food Innovation Center was established in 2001 as a component of the NJ Agricultural Experiment Station's network of outlying research stations. The new 23,000 sq. ft. facility in Bridgeton, NJ will assist farmers in, among other things, developing and implementing value-added strategies. The center's business and marketing assistance programs include:

- Business plan development
- Marketing plan development
- Product and process development
- Quality assurance and food safety
- Regulatory compliance

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### **Marketing / Advertising / Public Relation Support**

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- Business plan development
- Marketing plan development
- Product and process development
- Quality assurance and food safety
- Regulatory compliance

- Workforce development and training
- Nutraceutical R&D and commercialization

More information on the Rutgers Food Innovation Center is in **Part 3.10.3** of the *Agriculture in Burlington County's Route 206 Farm Belt: Current Industry Status and Trends Report*. Burlington County farmers will benefit from these programs if they are considering implementing value-added strategies. The County's FPP should work towards linking Burlington County farmers with this new center and making them aware of all of the opportunities that are available.

Farmers of today need to be sophisticated businessmen and women to succeed in an increasingly competitive and profit sharing industry. They receive regular education through Rutgers Cooperative Extension at commodity group meetings and have access to statewide risk analysis and management programs that help to evaluate farm business plans.  
(Agriculture in Burlington County's Route 206 Farm Belt, Strategies for Farm Viability)

## **2. Businesses**

As previously noted in Section II.C, information on input suppliers, product distributors and lending agencies is contained in **Part 3.8.8** of the *Agriculture in Burlington County's Route 206 Farm Belt: Current Industry Status and Trends Report*.

### **Input Suppliers and Services Product Distributors and Processors**

According to the Burlington County Farmland Preservation Plan (2009-2018), the availability of farm supplies and services is identified as a key issue affecting farming in Burlington County. Section II of this plan also provides a list of local input suppliers/support industries and product distributors/processors utilized by Southampton farmers.

## **3. Anticipated Agricultural Trends**

The composition of agriculture all across New Jersey has changed significantly over time. As recently as 1969, agricultural sales in New Jersey were split evenly between crops and livestock. Today, crops account for 88 percent of the state's total farm cash receipts, with livestock and related farm products accounting for the remaining 12 percent of agricultural product sales.

The pattern in Burlington County is largely the same. Burlington County's, like New Jersey's, farm economy has shifted markedly away from livestock to crops in the last several decades. Once a dominant livestock county, today crop production accounts for



88 percent of overall farm product sales, with livestock and related products contributing only 12 percent of agricultural sales volume. Historical records, however, demonstrate the importance of livestock agriculture in the county through the middle of the 1900s.

#### **4. Agricultural Support Needs**

Historically, leaps in farm productivity have been rooted in scientific and technical production advancements and new technologies, often flowing from the land grant universities. Increasingly, however, technology –based solutions for bolstering farm viability are being partially replaced by the need for business solutions that empower farmers to respond to changing global market places, shifting consumer preferences and demands, and an ever-evolving (often consolidating) post-harvest food processing and distribution system.<sup>18</sup>

##### **Agricultural Facilities and Infrastructure**

With the support of STEC and Burlington County, initiatives have encouraged and promoted agricultural activities in the Township. However, there are areas that may be strengthened within the Township that may better support the agricultural community. Providing for streamline permitting and applications, which would help farmers take advantage of changing market conditions, could be useful. Additionally, providing increased ACC involvement to help farmers navigate and understand county and state regulations would also be valuable in supporting the agricultural community. The AAC may look into outlining some of these issues for future support services. The Township should identify all the areas that may it be able to provide additional support services to the agricultural community.<sup>19</sup>

##### **Flexible Land Use Regulations**

The State of New Jersey adopted the Right-to-Farm Act in 1983 and amended it in 1998. The Act declares that the “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 sometimes conflicting interests of all lawful activities in New Jersey.” This state law protects farmers from nearby residents who complain about normal farming operations such as noise, odors, and dust. It also protects farmers from unnecessary ordinances or regulations that may restrict farming operations. The Act stipulates the types of activities a farm may engage in as well as the steps for various agencies to follow in reviewing disputes regarding any farm activity. The SADC works to maximize protections for commercial farmers under the Right to Farm Act by developing Agricultural Management Practices (AMPs), tracking right to

<sup>18</sup> (Agriculture in Burlington County's Route 206 Farm Belt, Strategies for Farm Viability, December 2004)

<sup>19</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)

farm cases, offering a conflict resolution process, and reviewing rules proposed by other state agencies for the impact they may have on agriculture.<sup>20</sup>

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.

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<sup>20</sup> (Burlington County Farmland Preservation Plan 2009-2018, December 30, 2008)





## **CHAPTER VII. NATURAL RESOURCE CONSERVATION**

### **A. Stewardship of Natural Resources on Farmland**

(Reproduced from the Burlington County Farmland Preservation Plan 2009-2018)

#### **Agricultural and Natural Resources Agencies Available to Landowners**

Key to the success of stewardship of farmland relies on the commitment of the landowner to ensure the conservation and enhancement of the natural resources of the farm. This commitment is best achieved when the landowners are well educated and informed of the natural resources of the farm and how to best manage them. It is important to note that many landowners have achieved this knowledge through their own experiences and research and are very often more aware of the issues affecting their parcel of land than any outside agency "expert." However, there are still others that through voluntary cooperative efforts with these outside agencies can achieve an even better understanding of the resources of their farm and the options of how to best manage them.

Burlington County farmland owners have been best served by three primary governmental agencies for the wise use and management of the natural resources of their farm.

#### **Burlington County Soil Conservation District (SCD)**

SCDs were created as a result of the Dust Bowl in the 1930's when President Franklin D. Roosevelt, signed the Soil Conservation Act of 1935. From that time on, Soil Conservation Districts have been led by locally elected Boards of officials and farmers who have been charged with assisting farmers and the public, in the wise use of the natural resources of their lands. Originally, SCDs focused on soil erosion prevention assistance to farmers, but have since added water conservation and other natural resource issues to their overall mission.

Farmers and other landowners may make a request to the Burlington County SCD through a Request for Assistance form in which the landowner is requesting that the SCD with the cooperation of the USDA NRCS, provide education and technical assistance for the continued management of the natural resources on the landowners property. Once this request is approved the farmer is then considered to be a "cooperator" with the SCD and the SCD will then pass the request onto the NRCS for further action.

The Burlington CADB maintains an ex-officio position for one of the SCD Board of



Directors members in order to facilitate increased communication with the agricultural agencies of the County.

The Burlington County SCD is located at:

**1971 Jacksonville-Jobstown Road  
Columbus, NJ 08022  
Tel. 609-267-7410 • Fax 609-267-3347  
District Director - Donald Yarus**

## **USDA – NRCS**

The NRCS is a federal government agency that provides technical assistance to landowners via requests made through the local SCDs. NRCS representatives will meet with landowners in an effort to identify natural resource concerns on the property and then work with the landowner to establish a plan directed to address the concern or even enhance the natural resource in question. Most often this is achieved through the creation of a farm conservation plan.

As stated in the USDA NRCS Conservation Planning Brochure (April, 2006) a “Conservation Plan is the starting point for managing the natural resources of your farm or ranch while maintaining productive capacity and meeting individual objectives/goals.” Conservation plans may focus on five natural resource areas:

- Soil
- Water
- Air
- Plants
- Animals

The brochure further states that “A conservation plan combines your farming or ranching skills with the science-based knowledge and tools of the conservation planner. With NRCS advice, landowners select the best combination of conservation practices to meet natural resource needs and individual management goals.” This cooperative approach as highlighted in the above two statements is the key to conservation planning and resource stewardship goals.

The Burlington County NRCS office can be reached at the Burlington County SCD office building:

**1971 Jacksonville-Jobstown Road  
Columbus, NJ 08022  
Tel. 609-267-0811 • Fax 609-261-3007  
District Conservationist – Nicole Ciccaglione**

## **Rutgers Cooperative Extension of Burlington County**

As stated on the Rutgers Cooperative Extension Website the Mission of the Rutgers Cooperative Extension is:

“Helping the diverse population of New Jersey adapt to a rapidly changing society and improve their lives through an educational process that uses science-based knowledge, Rutgers Cooperative Extension focuses on issues and needs relating to agriculture and the environment; management of natural resources; food safety, quality, and health; family stability; economic security; and youth development.”

Rutgers Extension Agents of Burlington County are often the first line of communication for farmers that are looking for assistance in a wide range of areas or if the general public has concern relating to an agricultural issue. The broad based knowledge of the Rutgers Extension Agents allows them to deal with the issue directly or to put those making the request in contact with the appropriate agency.

The Burlington CADB maintains an ex-officio positions for one local Rutgers Extension Agent in order to facilitate increased communication with the agricultural agencies of the County.

The Burlington County Rutgers Cooperative Extension Office can be reached at the following:

**#2 Academy Drive  
Westampton, NJ 08060  
Tel. 609-265-5050 • Fax 609-265-5163  
County Agent / CADB representative – Ray Samulis**

## **Natural Resource Conservation and Protection Programs**

No equation for agricultural industry viability is complete without proper attention to natural resource conservation. Environmental sustainability is a two-way street. Farmers will require continued access to adequate natural resources (i.e., land, quality soils and water) in order to engage in successful farming. Continued population growth and ensuing development demand will continue to create significant competition for limited resources. However, farmers also need to remain good stewards, protecting and using environmental and natural resources responsibly through adoption of sound soil and water conservation practices, as well as energy conservation, pollution abatement, and mitigation strategies.

Perhaps one of the biggest challenges facing the County's FPP is the role the easement holder plays in assuring the conservation of the natural resources on the preserved farmland and to what extent the easement holder can assure this conservation. As



Burlington County prepares to shift focus in the next ten years from acquisitions to a monitoring and agricultural support and development role, there is a need to ensure that these lands remain active and productive. The program has faced criticism in the past regarding the way some people perceive the way that certain preserved farms have been “taken care of.” As discussed earlier Burlington County and any easement holder for that matter, has no role in enforcing the physical appearance, i.e. barns, homes, scenic venues, in their aesthetic characteristics. However, provision #7 of the DOE clearly states that...

*“No activity shall be permitted on the Premises that would be detrimental to drainage, flood control, water conservation, erosion control, or soil conservation, nor shall any other activity be permitted which would be detrimental to the continued agricultural use of the Premises...”*

It is this provision specifically that gives the easement holder the discretion to consider and evaluate the current status of these natural resources (water & soil) during the annual monitoring events. As discussed previously, FPP staff has several issues relating to erosion during the monitoring process. In most cases where erosion concerns have been identified, the landowner or tenant farmer has been put in contact with the local SCD so that this issue may be addressed through a farm conservation plan.

### **SADC Soil and Water Conservation Cost-Share Program**

A significant post-closing benefit of enrolling a farm into a FPP (traditional compensated easement, TDR preservation, or 8-year programs) is qualifying for NJ Soil and Water Conservation Cost-Share funding. This funding allows farmland owners / operators to apply for cost-share funding for projects on their lands that would lead to the ultimate conservation of water and or soil resources on their farm. Eligible projects can include surface and subsurface drainage improvements, installation of high efficiency irrigation systems, construction of irrigation ponds, and installation of a variety of erosion control practices, among others. Funding for this program is based on the amount of acreage that the landowner has preserved whether permanently or for the 8-year period. Ultimately, if approved by the local SCD, State Soil Conservation Committee and the SADC, landowners will be reimbursed up to 50 percent of the estimated cost of the project. This reimbursement includes material and labor costs and allows farmers who choose to perform the work themselves contribute their time as part of their 50 percent cost-share requirement.

Burlington County farmers have been very successful in qualifying for this funding. This is just one of many indicators that the County plans to use for tracking progress in these matters as these projects make for more efficient and productive farms while properly managing the natural resources on-site.

## **Federal and Non-Profit Conservation Programs**

Farmers and farmland owners alike have opportunities to enroll their lands or portions of their land into various Natural Resource Protection Programs. These programs typically target specific natural resources on lands, farms in the case, in order to obtain specific Natural Resource goals. For example, a non profit organization such as Ducks Unlimited, offers a number of programs and or assistance to landowners with water resources on their farm. The goal of these programs or assistance focuses on the ultimate goal of rehabilitating or protecting habitat for waterfowl. The USDA, through the Farm Bill, offers a host of Programs such as the Wildlife Habitat Incentive Program (WHIP), the Environmental Quality Incentive Program (EQIP), the Conservation Reserve Enhancement Program (CREP), Agricultural Management Assistance (AMA) and the Wetlands Reserve Program (WRP). The USDA also offers free technical assistance for general conservation goals such as field drainage and grading. In most cases these programs operate independently of the FPP and function without the oversight of the easement holder. In most cases the agricultural programs do not interfere with the terms of the DOE or in fact, help enhance those items addressed in provision #7 of the DOE.

As outlined in the USDA Brochure entitled "Farm Bill 2002 What's In It for You" the following programs are administered and funded by the USDA and are incorporated into Farm Conservation Plans ultimately approved by the local SCD.

**Wetland Reserve Program (WRP)** – Program created for the restoration and maintenance of wetlands formerly in agricultural production requiring a 10 or 30 year contract.

**Wildlife Habitat Enhancement Program (WHIP)** – privately owned land enrolled in an NRCS developed habitat development plan requiring a 5-15 year contract.

**Environmental Quality Improvement Program (EQIP)** – all privately owned cropland, pastureland, grassland and privately owned non-industrial forestland is eligible for the development and execution of a plan developed by the NRCS that details certain conservation and environmental purposes to be achieved.

**Conservation Reserve Program (CRP)** – all environmentally sensitive privately owned land that meets the required cropping history is eligible to be removed from agricultural production requiring a 10-15 year contract.

**Agriculture Management Assistance Program (AMA)** - provides cost share assistance to agricultural producers to voluntarily address issues such as water



management, water quality, and erosion control by incorporating conservation into their farming operations.

There has been significant discussion among CADB and SADC staff regarding the goals and practices contained within some of these previously mentioned programs. For example the WRP program aims at restoring or enhancing wetlands on farms. This in itself is a worthy goal, however, the WRP program does convert productive agricultural lands back to natural wetlands. Similar instances can be found in the CREP and WHIP programs. These apparent contradictions in USDA programs and the FPP deedrestrictions need to be identified and outreach needs to be made to landowners to explain this conflict. It is believed by many that any program endorsed by the USDA must be acceptable to the farmland preservation program, but this may not be the case. Undoubtedly, the CADBs and the SADC need to evaluate these programs further and form some consistent policies in dealing with other governmental programs.

### **NJDEP Landowner Incentive Program (LIP)**

The NJDEP offers yet another option for landowners in the management of the natural resources of their farm. The Landowner Incentive Program (LIP) as administered by the NJDEP uses federal funds for rental payments of land that will help support federally listed threatened and endangered species. These lands are allowed to revert or may be converted back with specific plantings to a natural grassland habitat. Lands are available for mowing and removal of hay crops after July 15 of every year. The LIP has been more successful in NJ in relation to the USDA WHIP program because the rental payments are higher. The two programs function in much the same way with the same goals and objectives.

Currently Burlington County has one LIP contract for approximately 20 acres of land.

### **Waste Management Planning**

Farm-generated waste poses a concern for farming in Burlington County especially as one notes the increase in nursery operations on County farms. Nursery operations, especially those with a significant portion dedicated to greenhouse production generate significant amounts of solid waste in the form of temporary polypropylene hoop-house covers. These hoop-houses are typically covered in the fall and the plastic is typically removed the following April.

Currently there is a private market demand for this plastic solid waste and farmers are able to generate some income through the sale of this old plastic. This plastic is eventually recycled and thus prevents its immediate disposal in a landfill.

Other typical local farm operations such as grain, hay, or equine tend to generate only minimal amounts of solid waste in relation to the size of the operation. During

preserved farm monitoring inspections it has been observed that many farm operations use either typical residential curb-side pick up or small on-site dumpsters for solid waste removal.

Many farms throughout the State contain old farm dumps which generally consist of old farm equipment and tires piled along some wood-line of the property. Burlington County farms are no different. Due to the recent significant rise in scrap metal prices, County staff have observed a significant number of landowners who have now chosen to remove the old metal debris and sell this waste at local scrap yards. It has been represented to County staff by a number of landowners that this increase in revenue has now made the process of cleaning up these old junk piles worth the effort.

Tires have been historically identified as a problem due to their inability to degrade over time and their ability to retain pools of water which harbor mosquitoes. For these reasons Burlington County has offered an annual Tire Amnesty Program for Burlington County farmers. This Amnesty Program allows anyone that can verify their status as a Burlington County farmer the ability to dispose of old tires at the County Resource Recovery Complex in Mansfield Township. The County has chosen to offer this amnesty period during the months of March and April, prior to the busy spring season for most of our farmers. This program has been a true success for the County the farmers and the environment and results in thousands of tires each year being disposed of in a proper manner.

At the Burlington County Resource Recovery Facility in Mansfield Twp, Non-refillable, high-density polyethylene #2 (HDPE #2) containers used by agricultural, professional and commercial applicators, as well as HDPE #2 nursery pots, are accepted. Containers must be no larger than 55 gallons and properly rinsed. Nursery pots also must be properly rinsed. The program is open to anyone who holds a N.J. Department of Environmental Protection pesticide license and to state, county and municipal government agencies.

The pesticide container and nursery pot recycling program is a collaborative effort among the N.J. Departments of Agriculture and Environmental Protection, Burlington County Solid Waste, Cumberland County Improvement Authority, Pollution Control Financing Authority of Warren County, Ag Container Recycling Council and USAg Recycling, Inc.

For more information on recycling programs accepting products related to agriculture, please refer to:

<http://www.state.nj.us/agriculture/news/recyclingpr.htm> and

<http://www.state.nj.us/agriculture/recyclingpestcons.htm>



## **Animal Waste Management**

The Federal Clean Water Act of 1972 (CWA) identifies concentrated animal feeding operations (CAFOs) as a “point source” of pollution, which are prohibited from being discharged in the nation’s waterways without a permit. The United States Environmental Protection Agency (USEPA) has vested implementation of the CWA with the State of NJ, both within the DEP (related to CAFOs) and the NJDA in relation to animal feeding operations (AFOs) as a strategy to prevent “non-point” pollution. In 2003, the DEP adopted rule to issue CAFO permits through the New Jersey Pollution Elimination System regulation program. The rule governing AFOs was developed in March of 2009 with the New Jersey Department of Agriculture and State Board, New Jersey Farm Bureau, Rutgers University, and the farmers stake holders. As of March 2012, the rule will be implemented and managed by the NJDA, with assistance from the State Soil Conservation Committee and the individual district offices.

For additional information contact the New Jersey Department of Agriculture, Division of Natural Resources.

## **Energy Conservation**

Energy conservation has wide ranging implications, not only on the local environment but on a global scale. Climate change has been on the forefront of the world stage and strategies to combat the resulting issues have been promoted and encouraged. One such strategy is to conserve energy and find alternative energy production that does not further degrade the environment.

The following article was published in the BC Farmland Preservation Newsletter, Farmland Preservation Connection, Winter 2009.

The CADB continues to support a farmer’s ability to generate energy from renewable sources to meet the needs of their own commercial farming unit along with the on-farm residential uses whether a farm is preserved or not. The CADB feels that existing rules and regulations governing the FPP currently permit farmers to generate solar and wind energy on preserved farms to support their commercial farming operations. The CADB recognizes that there are outstanding questions related to this matter that have not been properly answered. The CADB had directed its staff to begin working with owners of preserved farms, the SADC, and other relevant parties to draft a formal policy for consideration and adoption as soon as possible.

Owners of deed-restricted farmland are strongly encouraged to contact Farmland Preservation staff to ensure that renewable energy projects planned on restricted areas of farms are consistent with all existing restrictions, laws and policies. More information on this issue will be provided to owners of deed-restricted farmland as it becomes available.

## **Solar Energy**

Solar energy can be harnessed via the installation of solar panels. This harnessed or stored energy can then be used to create electricity and provide heat. If excess electricity is generated, it can be sold back to the electric grid for a profit. The overall use of solar panels has greatly increased in New Jersey. EQIP does provide some funding for solar panels, and farmers interested in using this alternate energy source can contact the local NRCS office for more information.

## **Wind Energy**

The power of a strong wind can be captured by turbines or windmills, turning such power into electricity. Expanding and evolving technology is making this option more attractive to farmers as a way to cut energy costs. There has been a movement toward wind energy in the County in areas along the coast, where coastal winds make wind power feasible in that area. One possible roadblock to use of wind turbines, is that few, if any, municipal ordinances allow the use of wind turbines.

## **Ethanol**

Ethanol is a renewable fuel “made by distilling the starch and sugar in a variety of plants.” It can then be blended into gasoline as an “oxygenate”, reducing air pollution. Its use may also reduce dependence on foreign oil, and the harmful environmental effects of oil drilling. Also, unlike the gasoline additive MTBE, Ethanol will not contaminate groundwater. Corn, hay and soybeans, could provide additional revenue sources for local farmers. New studies nationally and locally would need to be done on whether this would be profitable for County farmers, and how it would affect other local agriculture industries (for instance, how it would affect the dairy industry’s supply of, and price for, feed corn).

## **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. Additional information is at [www.njcep.com/](http://www.njcep.com/).

## **Renewable Energy Systems and Energy Efficiency Improvements Program:**

As part of the 2002 Federal Farm Bill, this program “funds grants and loan guarantees to agricultural producers for assistance with purchasing renewable



energy systems and making energy efficiency improvements". Final rules for loans and grants were adopted by the U.S. Department of Agriculture in July 2005. The proposed 2007 Farm Bill would reportedly continue this funding. Additional information can be found at the following website:  
[www.rurdev.usda.gov/rbs/farmbill/index.html](http://www.rurdev.usda.gov/rbs/farmbill/index.html).

**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:  
<http://www.state.nj.us/agriculture/news/hottopics/topics060222.html>.

## CHAPTER VIII. AGRICULTURAL INDUSTRY SUSTAINABILITY, RETENTION AND PROMOTION

### A. Existing Agricultural Industry Support

1. **Right to Farm Act** (NJSA Act 4:1C-1 et seq), which is a state law that complements similar local ordinances.

The right-to-farm ordinance helps protect the farmer from nuisance lawsuits generated by nearby non-farm residents. Changes are recommended to the Township ordinance, which would permit certain uses on the farm that may or may not be directly related to the specific business of that farm, but which can help farming and its associated culture remain viable and profitable. The intent is to create these uses as conditional uses, and to ensure their compatibility with the rural environment. Some conditional uses in the zone could include: fruit and vegetable stands (which are already permitted for sale of products grown on the farm only), hay rides, farm-related gift shops (note that the products need not be grown or made on the farm, and can include antiques), bed & breakfasts, offices small enough to fit in the existing farm buildings and that preferably include companies that serve the farming operations, (e.g., rental of existing buildings for residential uses, veterinarian offices, farm equipment sales, and feed and grain sales). An important part of this recommendation is the establishment of design and site planning criteria that will ensure the maintenance of the rural character of the farm. The intention is to permit the farmer to take advantage of the available farm resources without permitting significant (non-farm) building development.

Burlington County plans to adopt policies to discontinue seeking and processing preservation applications from landowners in municipalities with deficient RTF ordinances. The County's FPP plans to utilize calendar year 2010, with the assistance of AFT to evaluate the condition of all municipalities with preserved and / or targeted farmland to ascertain a better understanding of the baseline conditions that exist.

The Township has a right-to-farm ordinance, adopted in 2008, that encourages continued compliance with federal and state agricultural management practices.

### 2. Farmland Assessment

The Farmland Assessment Act of 1964 purpose is identified as, "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."



The Government and residents of Southampton Township have shown long-term commitment to maintaining the rural character and traditions of the Township through financial support for acquisitions of contiguous land for farm preservation. In addition to working as a tool to preserve open space and the rural traditions within the Township, farmland preservation provides a significant tax advantage for residents. For each tax dollar levied on farms, a municipality expends \$0.21 to \$0.77 in services. Conversely, development of single-family dwellings on farmland results in an expenditure of \$1.04 to \$1.67 for each tax dollar collected. By pursuing contiguous tracts of farmland, the potential impact to residential properties as a result of farming activities is minimized and the potential to preserve the scenic features and landscapes of Southampton Township is enhanced. It is the intent of the Township to provide opportunities for all citizens to appreciate the farmland resources on an equal and accessible basis to the extent permitted by law.

The County further identifies the eligibility requirements as:

**Basic Requirements:**

1. Applicant must own the land.
2. Owner must annually apply for Farmland Assessment on Form FA-1 with the municipal tax assessor on or before August 1 of the year immediately preceding the tax year.
3. Land must be devoted to agricultural and/or horticultural uses for at least two years prior to the tax year (also see Qualifying Woodland, page 8).
4. Land must consist of at least 5 contiguous (adjoining) acres being farmed and/or under a woodlot management plan. Land under and adjoining the farmhouse is not counted in the 5-acre minimum area needed to qualify.
5. Gross sales of products from the land must average at least \$500 per year for the first 5 acres, plus an average of \$5 per acre for each acre over 5, except in the case of woodland or wetland where the income requirement is \$.50 per acre for any acreage over 5; or there is clear evidence of anticipated yearly gross sales, payments, or fees within a reasonable period of time dependent on the agricultural or horticultural products being produced.
6. Owner must represent that the land will continue in agricultural or horticultural use to the end of the tax year.

Note: There are additional requirements for the boarding, training, or rehabilitation of livestock and for forestlands under a woodlot management program.

The applicant, on request of the assessor, at any time, must furnish proof of all the prerequisites necessary to show the land is eligible for Farmland Assessment, such as: ownership, description, area, uses, gross sales, and income or fees from the agricultural or horticultural use of the land. To be qualified for farmland assessment, land in a Farmland Preservation Program must meet the criteria and filing requirements of the Farmland Assessment Act.

## **B. Additional Strategies**

### **1. Permit Streamlining**

Southampton has a special, lower fee schedule and a maximum fee limit for farmers. (\$.003 per cubic foot)

### **2. Agriculture vehicle movement**

The Township protects the operation and transportation of large, slow-moving equipment over roads in Southampton under the Right to Farm ordinance (§12-4.23 (b.6)). However, other vehicles are required to pass slow-moving farm equipment at their own risk due to the lack of shoulders on the majority of Township roads.

### **3. Farm Labor Housing/Training**

Specific figures for employment on Southampton Township farms is not available. In the year 2000, Burlington County had a total resident farm population of 416 people over the age of 16. Applying that figure to the Burlington County farm acreage for 2000 results in 0.00374 people per acre. For Southampton Township that would equate to 52 permanent resident employees. That figure would need to increase to include non-resident employees and probably could be at least doubled for seasonal employees.<sup>21</sup>

The Township's Zoning ordinance allows for agricultural employee housing as an element of, and an accessory to, an active agricultural operation in the Pinelands section of the Township (§19-2.5.b(5)) and also within all zoning districts in the Township under the Right to Farm ordinance (§12-4.23 (b.2)).

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<sup>21</sup> (Southampton Township Resource Inventory, Volume 1: Resources, December 31, 2009)



#### 4. Agriculture Education and Training

The Township does not offer agricultural education. However, the Township supports the efforts to conduct programs of agricultural-related educational and farm based recreational activities under the Right to Farm ordinance (§12-4.23 (b.8)). The regulations do require that the activities be related to marketing of the agricultural or horticultural output of the commercial farm.

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## LIST OF TABLES

Table 1: Property Class / Southampton Township	8
Table 2: Land Use / Land Cover – Southampton Township –Tax Year 2008	8
Table 3: Soil Characteristics	11
Table 4: Irrigated Land / Agricultural Land Use	18
Table 5: Size distribution of Southampton Township Assessed Farmland (2010)*	19
Table 6: Cropland, Pasture, Woodland, and Equine 2008	21
Table 7: Southampton Township Production Trends 1984-2008	23
Table 8: Acres of Field Crops (Tax Year 1984-2008)	24
Table 9: Fruit Production per acre (Tax Year 1984-2008)	24
Table 10: Vegetable Production per acre (Tax Year 1984-2008)	25
Table 11: Nursery and Tree Production (Tax Year 1984-2008)	26
Table 12: Timber and Woodland (Tax Year 1984-2008)	26
Table 13: Livestock and Poultry (Tax Year 1984-2008)	27
Table14: Southampton Preserved Farmland Utilizing PDC Credits.	35
Table 15: Land Use/Land Cover Change 1995 to 2008	38
Table 16: Current Zoning Districts	39
Table 17: General Lot Size Categories	40
Table 18: Preserved Farmland by Acquisition Type	51
Table 19: Preserved Farmland 2009	54
Table 20: Farms Targeted for Preservation	55
Table 21: Southampton Township Targeted Open Space	57
Table 22: Total Cost of Preserved Farmland to Date	59
Table 23: Status of Development	72



## **LIST OF CHARTS**

<b>Figure 1: Southampton Township Soil Classification</b>	<b>15</b>
<b>Figure 2: Well Locations</b>	<b>17</b>
<b>Figure 3: Southampton Township Farmland Acreage by Type</b>	<b>21</b>

## Appendix A

Map 1:	Land Use
Map 2:	Wetlands
Map 3:	Surface Geology
Map 4:	Soils
Map 5:	Farmland
Map 6:	Regional State Planning Areas
Map 7:	State Planning Areas
Map 8:	Zoning
Map 9:	Streams and Stream Corridors
Map 10:	Targeted Farmland
Map 11:	Parks, Recreation, and Open Space



