



Application to Sell a Development Easement – Open Enrollment

Date: _____, 20_____.

A “development easement” means an interest in land, less than fee simple absolute title thereto, which enables the owner to develop the land for any non-agricultural purpose, as determined by and acquired under the provisions of the Morris County Preservation Trust Fund (hereinafter “Trust Fund”), and any relevant rules or regulations promulgated pursuant thereto.

I/We, _____, (name)

landowner(s) of property located in the County of Morris, known and designated as:

Block _____, Lot (s) _____ on the Tax Map of the _____
Block _____, Lot (s) _____ on the Tax Map of the _____
Block _____, Lot (s) _____ on the Tax Map of the _____
Block _____, Lot (s) _____ on the Tax Map of the _____
Block _____, Lot (s) _____ on the Tax Map of the _____

(Municipality), Morris County, New Jersey, (hereinafter “premises”), apply to the Morris County Agriculture Development Board, (hereinafter “board”), to sell a development easement pursuant to the Trust Fund.

1. OFFER TO SELL A DEVELOPMENT EASEMENT

Pursuant to the Trust Fund, it is required that the applicant(s) submit an offer to sell a development easement to the Board. This is not a binding offer. Please refer to **ATTACHMENT A** on page 14 while completing this section.

Note: Landowners hereby acknowledge that they have been fully informed of the provisions related to the sale of a development easement and that a recommendation was made to obtain legal counsel prior to submitting this application and offer.

As landowner(s) of the premises described above, I am/we are willing to make an offer to sell a development easement to the board in the amount of: \$ _____ **PER ACRE.**

The final total purchase price shall be based on the acreage of the premises determined by a survey authorized by the board and any deductions to the total purchase pursuant to State Agriculture Development Committee (SADC) Policy P-3-A (and Supplement). A copy of this policy can be furnished upon request.

2. LANDOWNER PERMISSION TO PROCEED

The landowner(s) hereby gives the board permission to proceed with the review and evaluation of this application to determine the suitability of the land for development easement purchase pursuant to the Trust Fund. The landowner(s) understands that upon the board granting preliminary approval, the landowner must submit a \$1,000 application fee. **DO NOT SUBMIT THE APPLICATION FEE WITH THIS APPLICATION.** The landowner(s) further state that to the best of their knowledge, all information provided in this application is accurate and complete.

SIGNATURES ARE REQUIRED FROM ALL INDIVIDUALS LISTED ON THE DEED

Landowner (s) Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

3. LANDOWNER INFORMATION

A. Name(s): _____

Primary Contact? _____ Yes _____ No

Address: _____

Phone (Day): _____

Fax#: _____ E-Mail Address: _____

Name(s): _____

Primary Contact? _____ Yes _____ No

Address: _____

Phone (Day): _____

Fax#: _____ E-Mail Address: _____

Name(s): _____

Primary Contact? _____ Yes _____ No

Address: _____

Phone (Day): _____

Fax#: _____ E-Mail Address: _____

Type of Application Participation: (check one)

- | | |
|---|--|
| <input type="checkbox"/> Sole Proprietor (Husband/Wife) | <input type="checkbox"/> Contract Purchaser (Fee Simple) |
| <input type="checkbox"/> Partner of a Partnership | <input type="checkbox"/> Contract Purchaser (Easement) |
| <input type="checkbox"/> Proprietor or Multi-Proprietor | <input type="checkbox"/> Municipality (current easement owner) |
| <input type="checkbox"/> Executor of an Estate | <input type="checkbox"/> Conservation Organization |
| <input type="checkbox"/> Corporate Officer in a Corporation | <input type="checkbox"/> Institution |
| <input type="checkbox"/> Trustee of a Trust | |

B. Farm, corporate or business name, if any. _____

C. Fill in the name of any person(s) residing on the property and their phone number.

D. If you have an attorney that will represent you in conjunction with the real estate closing for this application, please print his/her name, firm name, and the mailing address:

4. PROPERTY DESCRIPTION

A. List the street address of the premises. _____

B. Municipal zoning

Identify the current zoning and zoning as of January 1, 2004 for appraisal purposes. The subject property is to be appraised under both zonings in accordance with the Highlands Water Protection and Planning Act [(Section 54) Amends Section 38 of P.L.1999 c.152 (c.13:8C-38)].

Current Zoning _____ Minimum lot size requirement: _____

January 1, 2004 Zoning _____ Minimum lot size requirement: _____

Has the subject property been owned continuously by the same individual or entity since August 10, 2004? _____ Yes _____ No

Is the current owner of the subject property an immediate family member of the person who owned the subject property on August 10, 2004? _____ Yes _____ No

Only answer the following question if the answer to both of the above questions is "NO."

Can the current owner or operator of the farming operation be considered a "farmer" as defined by the SADC? (i.e., during the last calendar year, did the owner or operator realize gross sales of at least

\$2,500.00 of agricultural or horticultural products produced on the farming operation, exclusive of any income received for rental of lands?) _____N/A _____Yes _____No

If "YES", please provide copies of documentation from the applicant, including sales receipts and/or federal tax forms.

Do you waive the use of the zoning as of January 1, 2004 for appraisal purposes? ____ Yes ____No

If "Yes," please provide proof of such waiver in writing.

Please complete this section if you know that your farm is targeted for preservation via the county's Planning Incentive Grant (PIG) Program:

Current Zoning _____ Minimum lot size requirement: _____

November 3, 1998 Zoning _____ Minimum lot size requirement: _____

In which PIG Area is your farm located?

Black River, Wash. Twp. _____ Chester Township _____

Long Valley, Wash. Twp. _____ Mendham Valley _____

Rockaway Valley _____

C. Identify the block, lot and deed reference of the premises. Please list each lot separately.

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Block _____, Lot _____ Deed Book _____, Page _____, Date _____ Acreage _____

Total Acreage _____

RESIDENCE B (CHECK ONE ONLY)

- | | |
|---|--|
| <input type="checkbox"/> Standard Single Family Residence | <input type="checkbox"/> Manufactured Home with Perm. Foundation |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Manufactured Home without Foundation |
| <input type="checkbox"/> Dormitory | <input type="checkbox"/> Single Family with apartment |
| <input type="checkbox"/> Apartment | <input type="checkbox"/> Other _____ |

Is the structure the Primary Residence? _____ Yes _____ No
Is the structure for agricultural labor housing? _____ Yes _____ No
Is the structure under a lease or rental agreement? _____ Yes _____ No

RESIDENCE C (CHECK ONE ONLY)

- | | |
|---|--|
| <input type="checkbox"/> Standard Single Family Residence | <input type="checkbox"/> Manufactured Home with Perm. Foundation |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Manufactured Home without Foundation |
| <input type="checkbox"/> Dormitory | <input type="checkbox"/> Single Family with apartment |
| <input type="checkbox"/> Apartment | <input type="checkbox"/> Other _____ |

Is the structure the Primary Residence? _____ Yes _____ No
Is the structure for agricultural labor housing? _____ Yes _____ No
Is the structure under a lease or rental agreement? _____ Yes _____ No

RESIDENCE D (CHECK ONE ONLY)

- | | |
|---|--|
| <input type="checkbox"/> Standard Single Family Residence | <input type="checkbox"/> Manufactured Home with Perm. Foundation |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Manufactured Home without Foundation |
| <input type="checkbox"/> Dormitory | <input type="checkbox"/> Single Family with apartment |
| <input type="checkbox"/> Apartment | <input type="checkbox"/> Other _____ |

Is the structure the Primary Residence? _____ Yes _____ No
Is the structure for agricultural labor housing? _____ Yes _____ No
Is the structure under a lease or rental agreement? _____ Yes _____ No

RESIDENCE E (CHECK ONE ONLY)

- | | |
|---|--|
| <input type="checkbox"/> Standard Single Family Residence | <input type="checkbox"/> Manufactured Home with Perm. Foundation |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Manufactured Home without Foundation |
| <input type="checkbox"/> Dormitory | <input type="checkbox"/> Single Family with apartment |
| <input type="checkbox"/> Apartment | <input type="checkbox"/> Other _____ |

Is the structure the Primary Residence? _____ Yes _____ No
Is the structure for agricultural labor housing? _____ Yes _____ No

Is the structure under a lease or rental agreement? _____Yes _____No

I. Other Structures (non-residential)

Are there any non-residential structures located on the premises to be preserved? _____Yes _____No
(If “Yes”, please identify each structure separately below.)

Please note: Exception Areas are NOT considered part of the premises being preserved; therefore, do NOT identify any non-residential structures in exception areas. *If a structure is located on an exception area, please identify the area and the unit on Attachment B, NOT HERE.*

CLEARLY IDENTIFY THE LOCATION OF EACH STRUCTURE ON A CURRENT TAX MAP OR SURVEY PLAT.

STRUCTURE A (CHECK ONE ONLY)

- Barn
- Shed
- Garage
- Silo
- Stable
- Other _____

Is the structure for an agricultural use? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

STRUCTURE B (CHECK ONE ONLY)

- Barn
- Shed
- Garage
- Silo
- Stable
- Other _____

Is the structure for an agricultural use? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

STRUCTURE C (CHECK ONE ONLY)

- Barn
- Shed
- Garage
- Silo
- Stable
- Other _____

Is the structure for an agricultural use? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

STRUCTURE D (CHECK ONE ONLY)

- Barn
- Shed

- Garage Silo
 Stable Other _____

Is the structure for an agricultural use? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

STRUCTURE E (CHECK ONE ONLY)

- Barn Shed
 Garage Silo
 Stable Other _____

Is the structure for an agricultural use? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

STRUCTURE F (CHECK ONE ONLY)

- Barn Shed
 Garage Silo
 Stable Other _____

Is the structure for an agricultural use? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

STRUCTURE G (CHECK ONE ONLY)

- Barn Shed
 Garage Silo
 Stable Other _____

Is the structure for an agricultural use? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

J. Do you have a historic building or structure on your property? _____Yes _____No
(A historic building or structure is defined as a building or structure that is included in the New Jersey Register of Historic Places established pursuant to N.J.S.A 13:1B-15.128 et seq.)

If "Yes", please explain its historic significance.

5. AGRICULTURAL USE AND PRODUCTION

- A. Identify the types of agricultural enterprises on the premises by their Standard Industrial Classification Codes (S.I.C. Codes).

CROPS			LIVESTOCK		
Primary	Secondary	S.I.C Code	Primary	Secondary	S.I.C Code
___	___	0111 Wheat-Cash Grain Farms	___	___	0211 Beef Cattle Feedlots
___	___	0112 Rice-Cash Grain Farms	___	___	0212 Beef Cattle except Feedlots
___	___	0115 Corn-Cash Grain Farms	___	___	0213 Hogs
___	___	0116 Soybeans-Cash Grain Farms	___	___	0214 Sheep & Goats
___	___	0119 Cash Grain nec	___	___	0219 General Livestock nec
___	___	0134 Irish Potatoes-Field Crop Farms	___	___	0241 Dairy Farms
___	___	0139 Field Crops (Except Cash Grains)	___	___	0251 Fowls, Broilers & Fryers
___	___	0161 Vegetables & Melon Farms	___	___	0252 Chicken Eggs
___	___	0171 Berry Farms	___	___	0253 Turkeys & Turkey Eggs
___	___	0174 Citrus Fruit Farms	___	___	0259 Poultry & Eggs nec
___	___	0175 Deciduous Tree Fruit Farms	___	___	0272 Horse & Other Equine
___	___	0179 Fruit & Tree Nut Farm nec	___	___	0291 General Farm Livestock
___	___	0181 Ornament Nursery Products			
___	___	0182 Food Crops Grown Undercover			(nec) = not elsewhere classified
___	___	0189 Horticulture Specialties			
___	___	0191A General Farming nec			

- B. Provide the approximate average gross agricultural receipts generated from the property over the last three (3) years.

___ \$ 500- \$10,000
 ___ \$11,000- \$25,000
 ___ \$26,000- \$50,000
 ___ Over \$50,000

- C. Is the landowner a full-time farmer of the property? ___ Yes ___ No

- D. Identify the percentage of land use of the acreage to be considered for easement purchase:

Cropland harvested _____% “Cropland harvested” means land from which a crop was harvested in the current year. Cropland harvested shall include the land under structures utilized for agricultural or horticultural production.

Cropland pastured _____% “Cropland pastured” means land, which can be and often is used to produce crops, but its maximum income may not be realized in a particular year. This includes land that is fallow or in cover crops as part of a rotational program.

Permanent pasture _____% “Permanent pasture” means land that is not cultivated because its maximum economic potential is realized from grazing or as part of erosion control programs. Animals may or may not be part of the farm operation.

Woodland _____%

Wetlands _____%

Other _____%

TOTAL = 100%

E. Is the farm currently enrolled in an Eight-Year Farmland Preservation Program?

_____ Yes _____ No

How many years has the farm been enrolled in the Eight Year Farmland Preservation Program? _____

F. Does the farm have a current Soil Conservation Plan?

___ Yes Date plan was prepared: _____
___ No*

*To have a plan prepared contact the USDA, Natural Resources Conservation Service (NRCS), located in Hackettstown @ 908-852-2576. Information is available at: www.nj.nrcs.usda.gov/.

What types of soil and water conservation practices are employed on the farm?

G. List on-site agricultural investments, which you have made, such as the construction of or improvement to permanent structures, manure systems, nursery stock and irrigation systems, etc.

6. NON-AGRICULTURAL USES

In order to inventory any existing non-agricultural uses currently found on the premises, you must complete **ATTACHMENT C** on page 19 (a separate attachment for each non-agricultural use).

CLEARLY IDENTIFY THE LOCATION OF EACH NON-AGRICULTURAL USE ON A CURRENT TAX MAP OR SURVEY PLAT.

Please list the type and extent of any existing nonagricultural uses currently found on the premises. This information is very important to be included with the application. If the development rights for the premises were to be purchased, the deed of easement filed purchasing the development rights includes a list and description of all existing non-agricultural uses. Any non-agricultural uses not included in the deed of easement, are deemed to be non-existent at the time of purchase and would be a violation of the deed restrictions.

7. EQUINE USES

Farms being preserved that are involved in equine activities need to have specific language incorporated into Schedule B of the Deed of Easement. If the Morris CADB and the SADC establish that all “non-production” equine activities on the farm, such as boarding and riding lessons, are ancillary to “production” equine activities, such as breeding, pasturing and hay production, then the uses are deemed “agricultural” and are not subject to the restrictions placed on non-agricultural uses. If, once the farm has been preserved, all equine-related production activities cease, the non-production uses will be deemed non-agricultural uses and will be subject to restrictions. That means that if the production activities were to cease, the non-production activities could continue but not expand.

If your farm is involved in equine-related activities, please complete **ATTACHMENT D** on page 20.

8. SUBDIVISION OF THE PREMISES

Has the landowner or a contract purchaser been granted or pursued any subdivision approvals? _____ Yes _____ No

If “Yes”, please complete **ATTACHMENT E** on page 21.

9. SPECIAL CONSIDERATIONS

Identify anything particularly special about the premises (e.g. historical significance, uniqueness of the agricultural operation etc., the generations in family ownership).

10. BOUNDARIES AND BUFFERS

Please describe the property surrounding the farm.

Indicate the percentage of the following Buffers and Boundaries to the subject property.

- 1. Deed Restricted Farmland (permanent) _____%
 - 2. Deed Restricted Wildlife Areas _____%
 - 3. Stream (perennial) and Wetlands _____%
 - 4. Cemeteries _____%
 - 5. Parks (limited public access) _____%
 - 6. Military Installations _____%
 - 7. Golf Course (public) _____%
 - 8. 8 Year Programs and EP Applications _____%
 - 9. Highways (limited access) and Railroads _____%
 - 10. Farmland (unrestricted) _____%
 - 11. Woodlands _____%
 - 12. Parks (high use) _____%
 - 13. Residential Development (with infrastructure) _____%
 - 14. Residential (less than 5 acres w/o infrastructure) _____%
 - 15. Commercial _____%
 - 16. Industrial _____%
 - 17. Schools _____%
 - 18. Other _____%
- 100 %

11. LIENS, EASEMENTS, RIGHTS-OF-WAY

Are there Easements/Rights-of-Way identified with the premises to be preserved? _____Yes _____No

EASEMENT A: (CHECK ONE ONLY)

- Power Lines
- Water Lines
- Telephone Lines
- Gas Lines
- Road Rights of Way
- Stream Corridor
- Sewer
- Other _____

Effect of Easement: _____

Description of Easement: _____

Are the premises part of a bankruptcy judgment? _____Yes _____No

12. EXCEPTIONS, RESERVATIONS, LICENSES

Please list any and all existing exceptions, reservations and licenses on the premises:

Note: The applicant will need to receive preliminary approval from current lien, easement and right-of-way holders before the applicant can proceed with the negotiations involving the sale of a development easement. Letters of approval may be requested after preliminary approval of the application.

This preliminary commitment is not a final subordination of all rights. In accordance with the Trust Fund, where the landowner has accepted an offer to sell a development easement, the landowner shall provide evidence that the current lien, easement and right-of-way holders, as required by the Board, subordinate their rights and privileges granted by the sale of the development easement to the board and shall supply recordable evidence of their subordination at the time of transfer of the easement. Regarding public utility easements the applicant shall note if any exist. The board will determine if the easement holder should be notified or if a waiver should be granted.

13. ADDITIONAL INFORMATION

The board reserves the right to request additional information. Please feel free to attach any additional information that you feel is important that is not addressed in this application.

Attachment A

OFFER PRICE

A “development easement” means an interest in land, less than fee absolute title thereto, which enables the owner to develop the land for any nonagricultural purpose, as determined by and acquired under the provisions of the Morris County Open Space and Farmland Preservation Trust Fund, and any relevant rules or regulations promulgated pursuant thereto.

The value of the development easement is determined by the appraisal process. This value does **not** include the value of any improvements on the land. Since the landowner retains ownership of the land, the value of any improvements remains with the landowner.

This attachment is included to further explain the Offer Price indicated on the first page of this application. Please answer the following questions to help the board understand the landowner’s willingness to have their property preserved.

- A.** In your opinion, is the Offer Price indicated on page 1 the market value for the **development easement** for your property?

_____ Yes _____ No

If “No”, is it your opinion that the Offer Price is above or below the market value for the development easement?

___ Above Market Value ___ Below Market Value

In your opinion, what is the **average** per acre fair market value for the development easement?
\$_____ per Acre

- B.** Additional comments regarding your Offer Price.

Attachment B

EXCEPTIONS

A separate exception attachment must be completed for EACH exception being requested by the applicant.

CLEARLY IDENTIFY THE LOCATION OF EACH EXCEPTION AREA ON A CURRENT TAX MAP OR SURVEY PLAT.

Important information about exceptions:

Severable Exception Areas – For exception areas that may be severed and subdivided from the preserved property, access to the area must be included within the exception area. The access, however, shall not interfere with the agricultural operation. Furthermore, approvals for exception areas shall be conditioned upon the landowner acknowledging a right of individuals to cross the access for agricultural purposes. This condition will be included in the Deed of Easement provision relating to the exception area.

Non-Severable Exception Areas – For exception areas that may not be severed or subdivided from the preserved property, access to the exception area must be included within the exception area if the access is used for exclusively non-agricultural uses (i.e., if the access is used only to provide ingress and egress to and from non-agricultural uses on the exception area). Residential buildings on non-severable exception areas are deemed to be associated with the agricultural operation on the preserved farm and hence are not considered non-agricultural uses.

For exception areas that may not be severed or subdivided from the preserved property, access to the exception area does not need to be included within the exception area if the lane or driveway provides access to any portion of the farm used for agricultural production or to an agricultural use on the exception area, including, but not limited to, farm markets.

A. Location of exception: _____

Identify the area of the requested exception on a tax map or survey plat.

Block _____ Lot _____

B. Size of exception: _____ acres

C. Percent of total premises: _____%

D. Landowner's reasons (purpose) for exception:

CLEARLY IDENTIFY THE LOCATION OF EACH RESIDENCE ON A CURRENT TAX MAP OR SURVEY PLAT.

RESIDENCE A (CHECK ONE ONLY)

- | | |
|---|--|
| <input type="checkbox"/> Standard Single Family Residence | <input type="checkbox"/> Manufactured Home with Perm. Foundation |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Manufactured Home without Foundation |
| <input type="checkbox"/> Dormitory | <input type="checkbox"/> Single Family with apartment |
| <input type="checkbox"/> Apartment | <input type="checkbox"/> Other _____ |

Is the structure the Primary Residence? _____Yes _____No

Is the structure for agricultural labor housing? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

RESIDENCE B (CHECK ONE ONLY)

- | | |
|---|--|
| <input type="checkbox"/> Standard Single Family Residence | <input type="checkbox"/> Manufactured Home with Perm. Foundation |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Manufactured Home without Foundation |
| <input type="checkbox"/> Dormitory | <input type="checkbox"/> Single Family with apartment |
| <input type="checkbox"/> Apartment | <input type="checkbox"/> Other _____ |

Is the structure the Primary Residence? _____Yes _____No

Is the structure for agricultural labor housing? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

RESIDENCE C (CHECK ONE ONLY)

- | | |
|---|--|
| <input type="checkbox"/> Standard Single Family Residence | <input type="checkbox"/> Manufactured Home with Perm. Foundation |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Manufactured Home without Foundation |
| <input type="checkbox"/> Dormitory | <input type="checkbox"/> Single Family with apartment |
| <input type="checkbox"/> Apartment | <input type="checkbox"/> Other _____ |

Is the structure the Primary Residence? _____Yes _____No

Is the structure for agricultural labor housing? _____Yes _____No

Is the structure under a lease or rental agreement? _____Yes _____No

J. Other Structures (non-residential)

Are there any non-residential structures located on the exception area? _____Yes _____No
(If "Yes", please identify each structure separately below.)

CLEARLY IDENTIFY THE LOCATION OF EACH STRUCTURE ON A CURRENT TAX MAP OR SURVEY PLAT.

Attachment C

EXISTING NON-AGRICULTURAL USES

Duplicate this sheet as necessary to INDICATE EACH NON-AGRICULTURAL USE SEPARATELY

CLEARLY IDENTIFY THE LOCATION OF EACH NON-AGRICULTURAL USE ON A CURRENT TAX MAP OR SURVEY PLAT.

PLEASE COMPLETE EACH SECTION.

- Will non-agricultural use(s) occur within the exception area(s) on the premises to be preserved? _____ Yes _____ No
If "Yes", please refer to Attachment B.

- Are there any non-agricultural uses on the premises to be preserved? _____ Yes _____ No

List the **type** and **frequency** of the existing non-agricultural use ON THE PREMISES TO BE PRESERVED at the time the applicant submitted to the Board: _____

Note the **approximate dimensions and location** of all structures and/or areas utilized for the non-agricultural use: _____

In the event the non-agricultural use involves a lease with another party, identify the individual or entity leasing the structure and type of business or operation:

If non-agricultural events are held on the premises, identify for what purpose and the frequency of the activity:

Describe how the non-agricultural use is accessed on the premises.

****NOTE:** Appraisers must be aware of non-agricultural uses and determine their impact (if any) on the development easement value in their reports pursuant to the SADC Appraiser's Handbook. If you have any questions regarding potential non-agricultural uses, please address them with the board prior to submission of the application.

An identified non-agricultural use CANNOT be expanded or intensified after the premises are preserved.

Attachment D

EQUINE USES

Farms being preserved that are involved in equine activities need to have specific language incorporated into Schedule B of the Deed of Easement. If the Morris CADB and the SADC establish that all “non-production” equine activities on the farm, such as boarding and riding lessons, are ancillary to “production” equine activities, such as breeding, pasturing and hay production, then the uses are deemed “agricultural” and are not subject to the restrictions placed on non-agricultural uses. If, once the farm has been preserved, all equine-related production activities cease, the non-production uses will be deemed non-agricultural uses and will be subject to restrictions. That means that if the production activities were to cease, the non-production activities could continue but not expand.

In order to inventory existing equine activities currently found on the premises, you must complete this attachment. Please list the type and extent of all **existing** equine activities currently found on the premises. Examples: breeding, boarding, training, riding and/or driving lessons, rehabilitation, clinics, open houses, demonstrations, educational camps, farm events, competitions and rodeos. (Be as specific as possible).

Please list the number of horses currently on your farm and list the number of horses involved in each above listed activity.

Please list all structures associated with equine activities, including number of stalls, run-in sheds, indoor and outdoor riding arenas, etc. Provide dimensions of each structure.

CLEARLY IDENTIFY THE LOCATION OF EACH EQUINE STRUCTURE ON A CURRENT TAX MAP OR SURVEY PLAT.

Attachment E

SUBDIVISION OF THE PREMISES

Subdivision for non-agricultural development of the premises must be identified. If a subdivision exists by final resolution at the date of the appraisal, the appraiser shall not consider its impact in the restricted condition. Otherwise, an application with a severable exception shall be considered as to its intended purpose in the “after value” appraisal analysis.

****NOTE: Copies of the municipal and county approvals/resolutions are required for consideration.**

Type of development being considered for subdivision: (Check One)

Residential
 Industrial

Commercial
 Public Use

Farm Subdivision

Preliminary Approval Date. _____

Final Approval Date. _____

Scale of Subdivision

MAJOR MINOR

Please indicate subdivision on attached Tax Map.

Enter any other pertinent information to help fully describe the request.

BEFORE SUBMITTING, CHECK TO BE SURE THAT ALL OF THE FOLLOWING INFORMATION IS ENCLOSED:

- ___ **“Application to Sell a Development Easement – Open Enrollment”** completed in full
 - ___ **Tax Map** and/or **Survey Plat** with your property outlined
 - ___ All **Exception Areas** are clearly identified on Tax Map and/or Survey Plat
 - ___ **Equine Uses** are fully detailed
 - ___ **Copy of the Deed** for each lot included in this application
 - ___ **Signatures** of ALL property owners listed on the deed(s)
 - ___ **FA-1 Farmland Assessment Report(s) copy** for each tax lot that is a part of this application.
-

Upon Completion, Mail this Application to:

**Attn: Ms. Katherine Coyle
Morris County Agriculture Development Board
PO Box 900
Morristown, NJ 07963-0900
(973) 829-8120
FAX (973) 326-9025
kcoyle@co.morris.nj.us
<http://www.morrispreservation.org>**

If you are hand delivering the application, our office is located at in the “Schuyler Annex” at 30 Schuyler Place in Morristown, on the corner of Ann Street and Schuyler Place. One block off the Green. A map and directions are available on our website at <http://www.morrispreservation.org>.