



REPLACEMENT OF RESIDENCE ON PRESERVED FARMLAND

Purpose:

It is the intent of the Morris County Agriculture Development Board (CADB) to provide the necessary guidelines for reviewing requests for the replacement of a residence on preserved farmland. The replacement residence shall have as minimal an impact on the agricultural operation as possible.

The Morris CADB finds it necessary to establish a policy, which outlines the procedure for requesting the replacement of a residence on preserved farmland and establishes guidelines for reviewing such requests. This policy does not apply to residences constructed on exception (exclusion) areas. Any residence replacement must also be approved by the State Agriculture Development Committee (SADC).

Policy:

A landowner requesting the replacement of a residence on permanently deed-restricted farmland shall receive the written approval of the Morris CADB and the SADC prior to commencement of construction.

1. Application Process

The record owner(s) of the premises or legally authorized person(s) shall apply to the board.

a. Non-Binding Pre-application meeting

The owner(s) of the premises or legally authorized person(s) may request a non-binding pre-application review meeting with the board and/or staff.

b. Documents to be submitted:

- Letter requesting the replacement and providing the reason for the replacement
- Current municipal tax map with the premises outlined
- Survey of the premises with details per the attached Schedule A

2. Morris CADB Review

Upon receipt of the completed information contained in Section 1, the Morris CADB will undertake the following:

- a. Ensure completeness of the application.
- b. Conduct a site inspection.
- c. Provide the owner(s) the opportunity to present their application before the Morris CADB and submit testimony or proofs.
- d. Render a decision.

3. Morris CADB Decision

The Morris CADB will notify the applicant in writing of its decision. If the request is denied, an explanation for the denial will be provided.

- a. The Morris CADB reserves the right to request any other information it deems necessary to arrive at its decision.
- b. To grant approval, the Morris CADB must find that the replacement of the residence will not negatively impact the agricultural viability of the farm.

The Morris CADB will inform the SADC of its decision. However, the applicant must make a request to the SADC for approval.

4. Costs and Fees

All costs associated with the replacement of the residence, including, but not limited to a new survey, metes and bounds, recording of the deeds and an owner of last record search, shall be borne by the applicant.

Adopted:	Effective:	Revision #:	Last Revised:
12-12-02	12-12-02		

SCHEDULE A

SUBMISSION REQUIREMENTS:

A Site Plan with the following details must be submitted for review by the Morris CADB:

Driveways. The location of all existing and proposed driveways being specified, along with the driveway material and width shown. Note: Any proposed driveways shall not be for solely residential purposes. Per Paragraph 12 of the Deed of Easement, any new driveways may be constructed to service crops, bogs, agricultural buildings or reservoirs. Any new driveway shall have a metes and bounds description of its centerline.

Landscaping. All existing and proposed non-agriculturally related landscaping shall be shown. Note: The landscaping of driveways shall not interfere with the agricultural operation. Any driveway landscaping must not impede the passage of agricultural vehicles or livestock.

Structures. The square footage of all existing and proposed structures on the farm shall be provided. The replacement residence and its associated structures and improvements must be contained within a two-acre envelope.