

Combating Farmland Conversion: *A New Jersey Case Study*



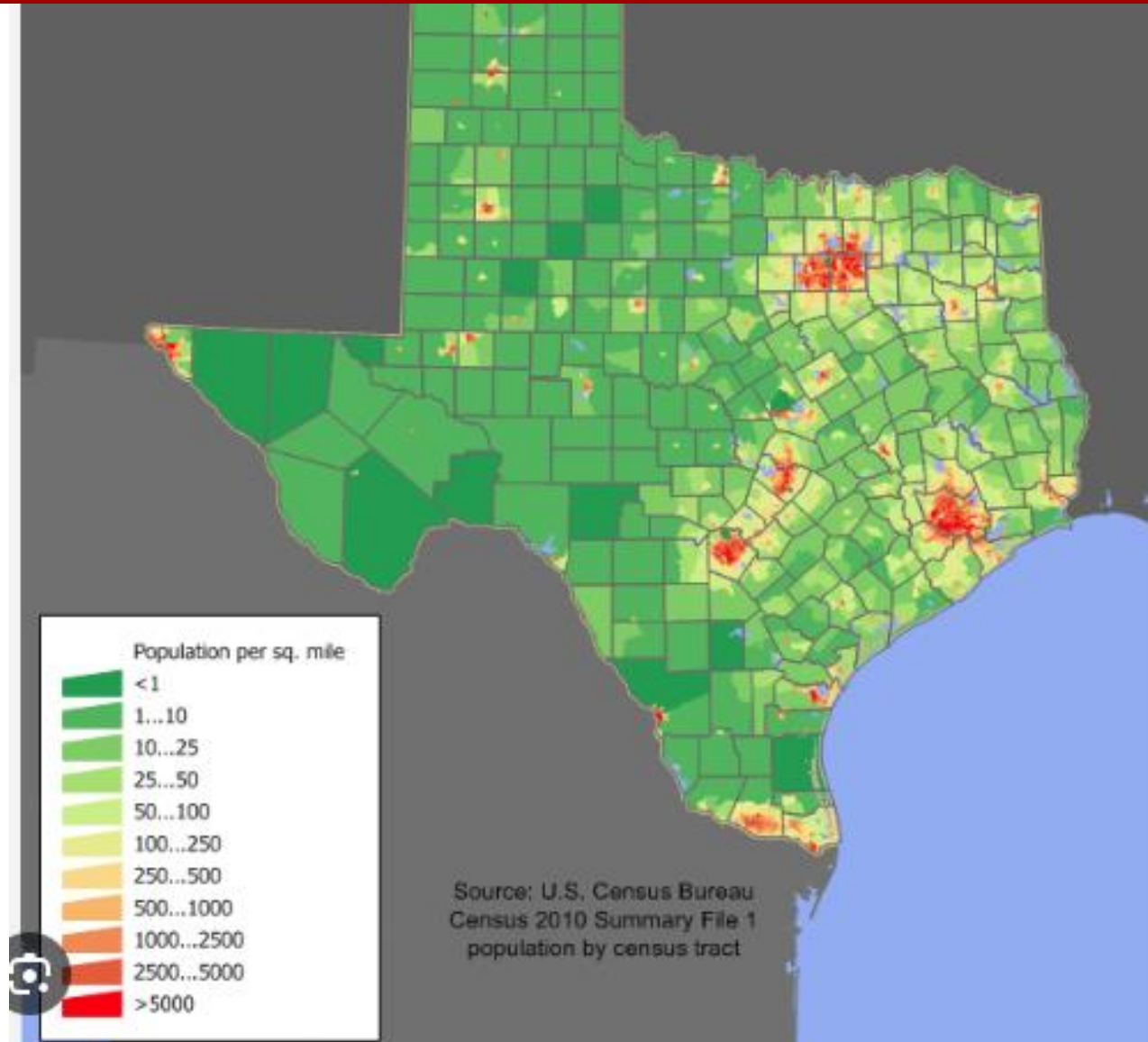
AGENDA

- NJ and Texas- *Surprisingly Similar*
- Development Pressure- *Paramount Shifts*
- NJ's Planning- *Strengths & Challenges*
- Case Study



Population Density - *Urban Fringe Similar*

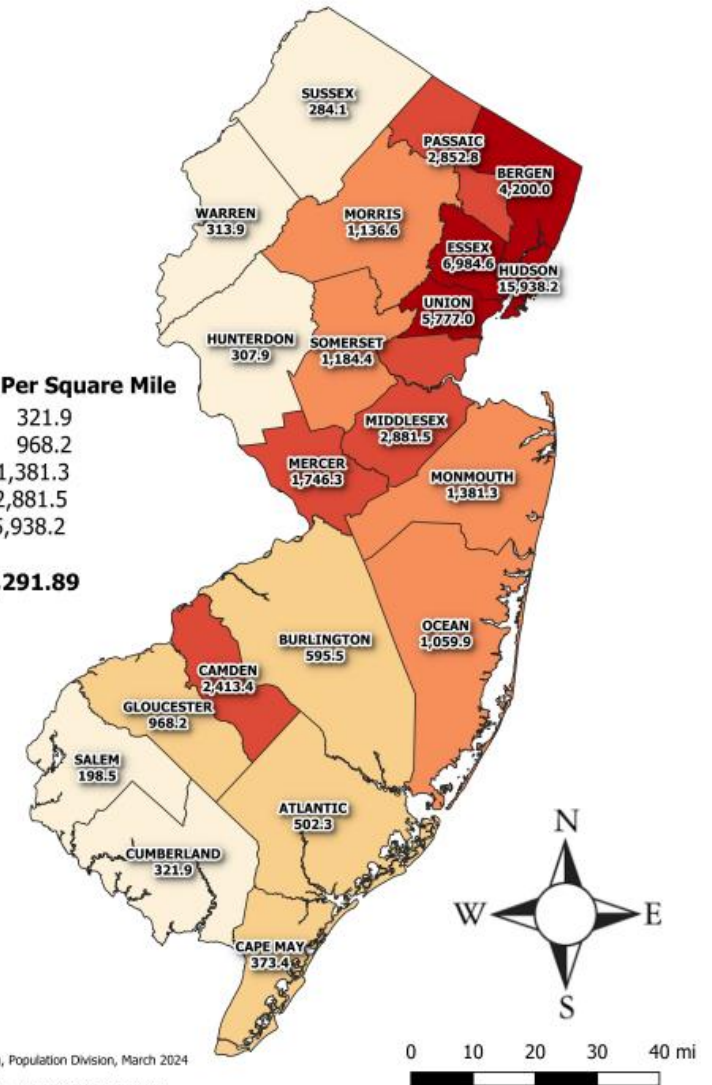
2024 Population Density New Jersey Counties



2024 Persons Per Square Mile

198.5 - 321.9
321.9 - 968.2
968.2 - 1,381.3
1,381.3 - 2,881.5
2,881.5 - 15,938.2

New Jersey: 1,291.89



Data Source: US Census Bureau, Population Division, March 2024
Prepared By:
New Jersey Department of Labor and Workforce Development
New Jersey State Data Center
March 2024

Urban Sprawl- *Historic Development Pressure*



An aerial photograph showing a vast industrial park. The park is filled with numerous large, rectangular warehouse buildings with grey, corrugated metal roofs. The buildings are arranged in a somewhat grid-like pattern, with some smaller structures and parking lots interspersed. The surrounding area includes some green grass and a few trees. The overall scene depicts a large-scale commercial or industrial development.

Retail Has Shifted- *Online Shopping and Delivery*

Warehouse Development Pressure

Climate Has Shifted- *Clean Energy*



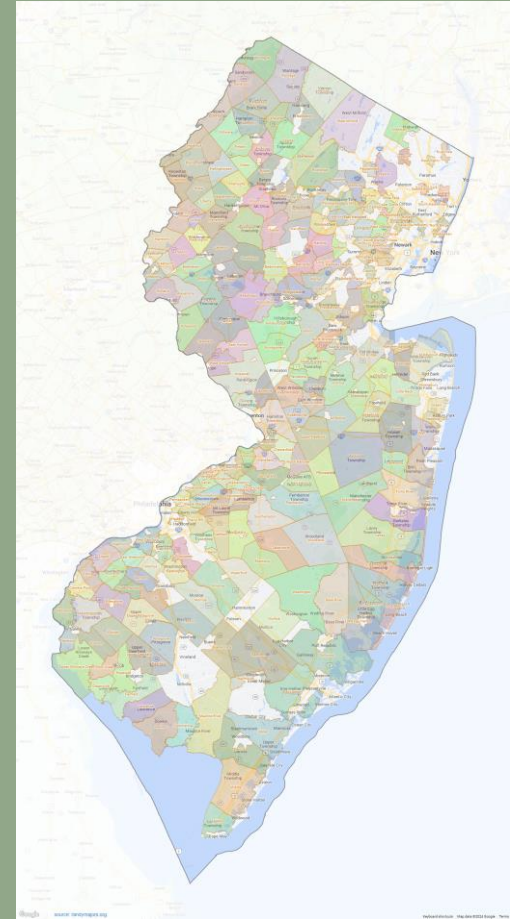
Grid Scale Solar- Development Pressure

New Jersey Planning Challenges

NJ has **564** Independent Municipalities
7,354 square miles of land

- Land Use decisions are decided
at the **local** level.
- County and Statewide Plans
Lack Enforcement Teeth

Extremely Complicated Land Use Law



NJ Planners Job



New Jersey Planning Strengths Statutes

The NJ Municipal Land Use Law: NJSA 40:55D-1 et. seq.
Enables Planning at Local Level c. 1975

Master Plan- 14 Elements

- Goals and Objectives- *Mandatory*
- Land Use Plan Element- *Mandatory*
- Farmland Preservation Plan- *Optional*

Zoning Ordinance

New Jersey Planning Strengths Statutes

Agricultural Retention and Development Act

NJSA 4:1C-11 c.1983

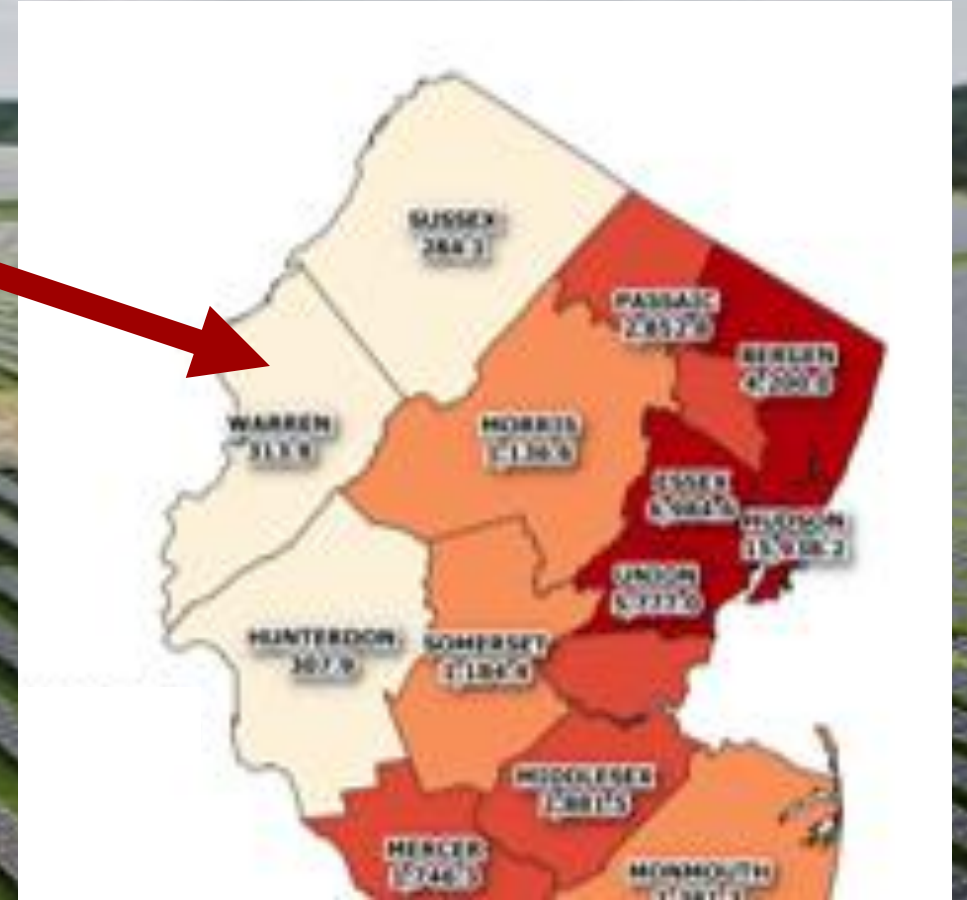
Created a Framework for:

- Farmland Preservation Program
- Ensuring long-term viability of the agricultural industry
- Established the County Agricultural Development Boards

Preserve New Jersey Act NJSA C. 13:8C-43 c. 2016

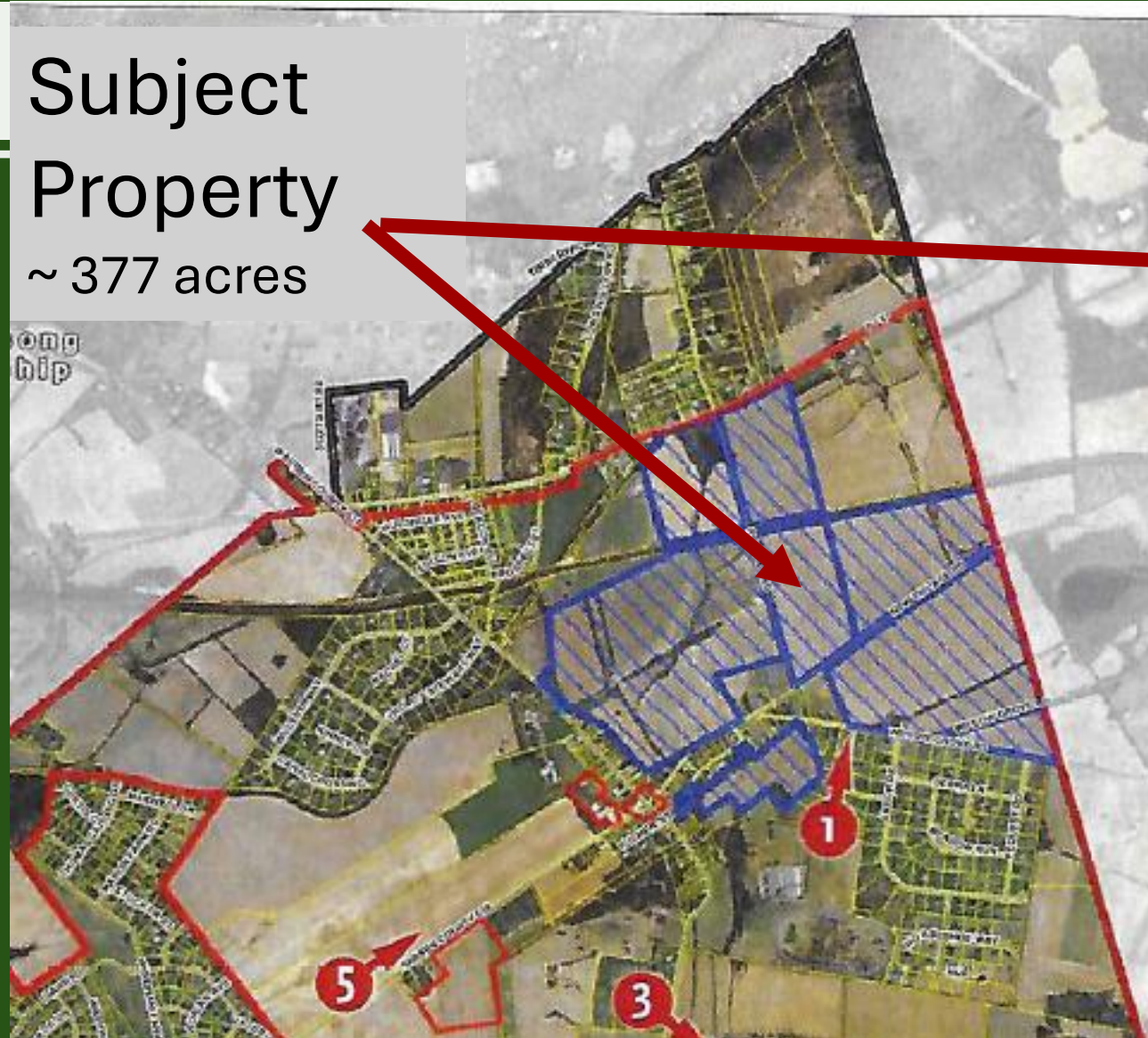
Constitutionally Dedicated Funding

Case Study: Greenwich Township, NJ



Grid Scale Solar- Development Pressure

~ 377 acres



Clarke Caton Hintz ● ● ■



O'DOWD ASSOCIATES, ET AL V. TOWNSHIP OF GREENWICH

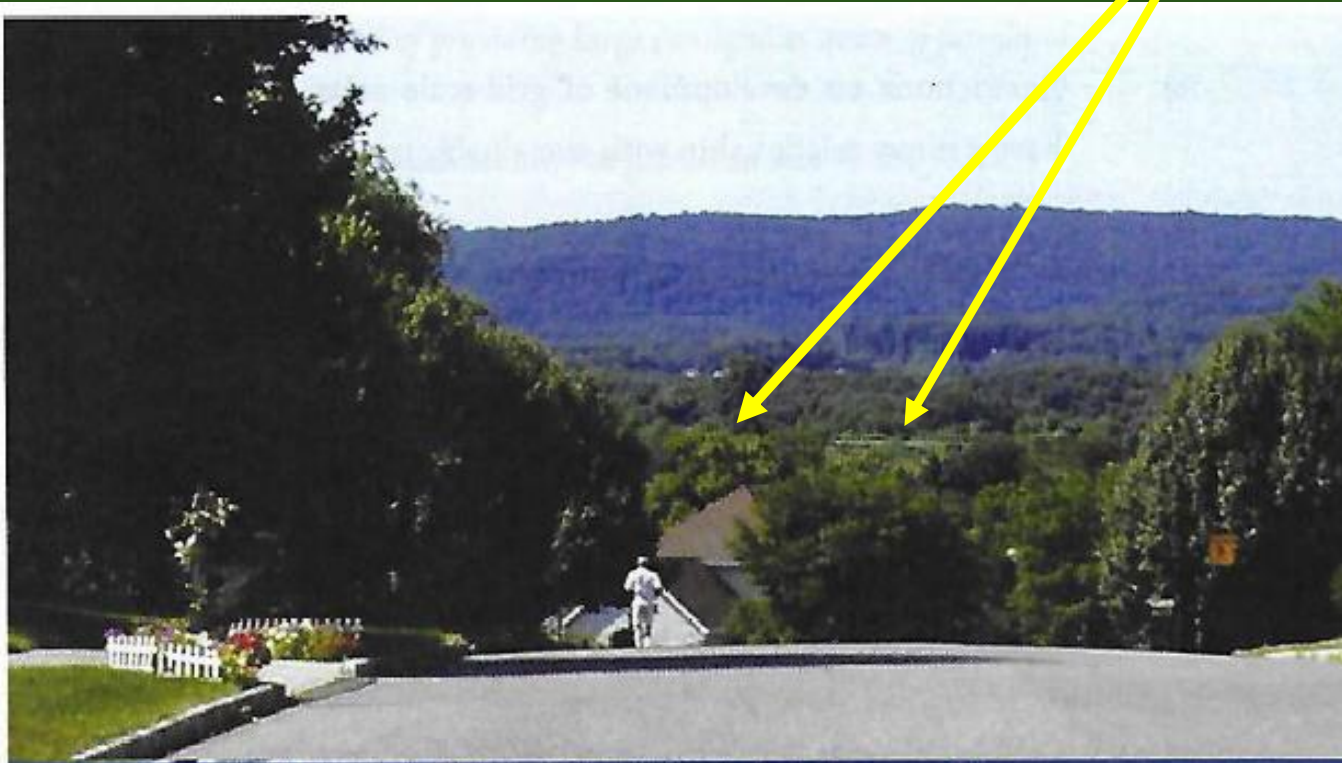
Greenwich Township: Aerial View

Greenwich Township, Warren County, NJ February 2012



Prime Farmland , Scenic Hilly Landscape

Proposed Grid Scale Solar Facility



1. View from Iron Wolf Road, Greenwich Township

Clarke Caton Hintz



O'DOWD ASSOCIATES, ET AL V. TOWNSHIP OF GREENWICH

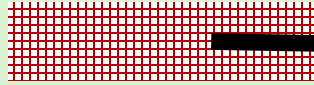
Greenwich Township: Aerial View

Greenwich Township, Warren County, NJ February 2012

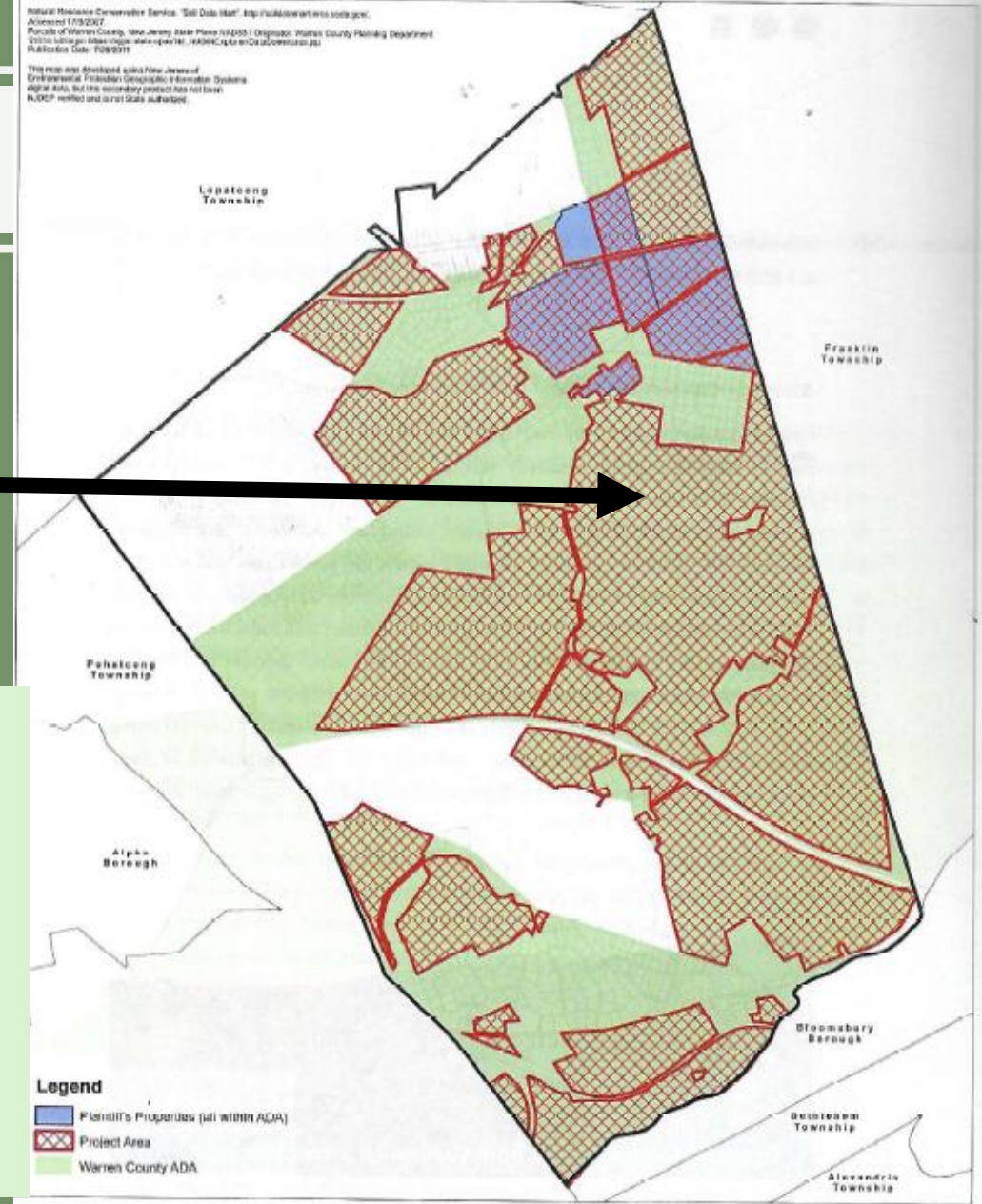


Farmland Preservation Plan

Greenwich Farmland Preservation Project Area



Project Area:
Targets Farmland Preservation
Areas
Including Subject Property



O'DOWD ASSOCIATES, ET AL V. TOWNSHIP OF GREENWICH

Proposed Project Area and ADA

Greenwich Township, Warren County, NJ February 2012

Clarke Caton Hintz



Resource Conservation Zone

- **Deliberate** Master Plan and **Intentional** Zoning Ordinance Language
- Primary Purpose to support Agriculture as an Industry
- Farmland Preservation as a Primary Goal & Objective



Resource Conservation Zone *No Grid Scale Solar*

Use Variance Required:

Proofs:

- Positive Criterion- *Satisfied*
Inherently Beneficial Use
- Negative Criterion
Siting Policy
Performance Standard for Solar





Greenwich Township Comprehensive Farmland Preservation Plan

***Policy
Guidance for
Siting Grid
Scale Solar***

**Viability of Agriculture Depends on
maintaining a Critical Mass of
Reasonably Contiguous Prime
Farmland**

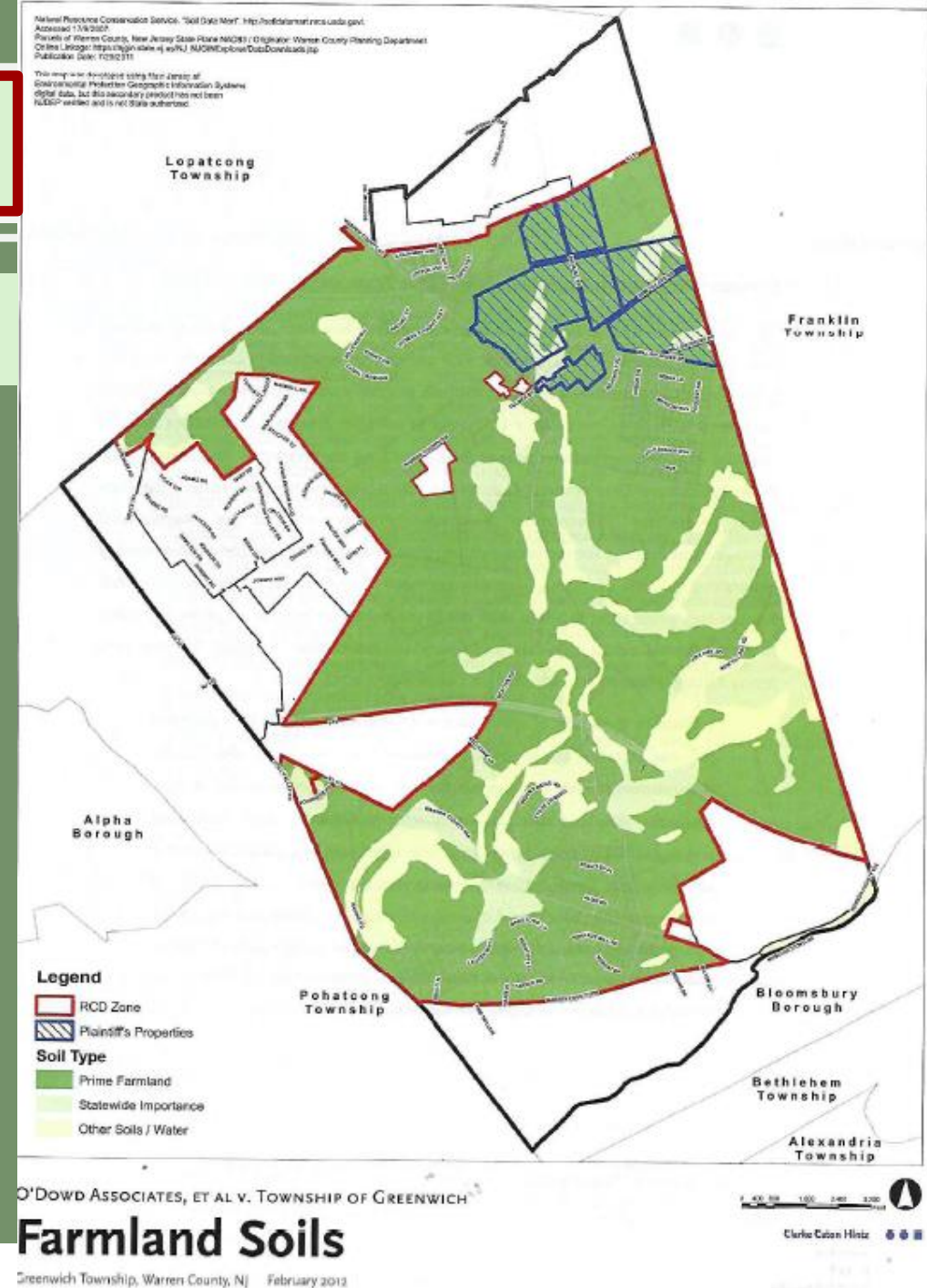


Balance Between Competing Public Purposes

Standards not intended to thwart all opportunities to develop solar power; but to balance the need to protect agriculture and farmland with the need for renewable energy.

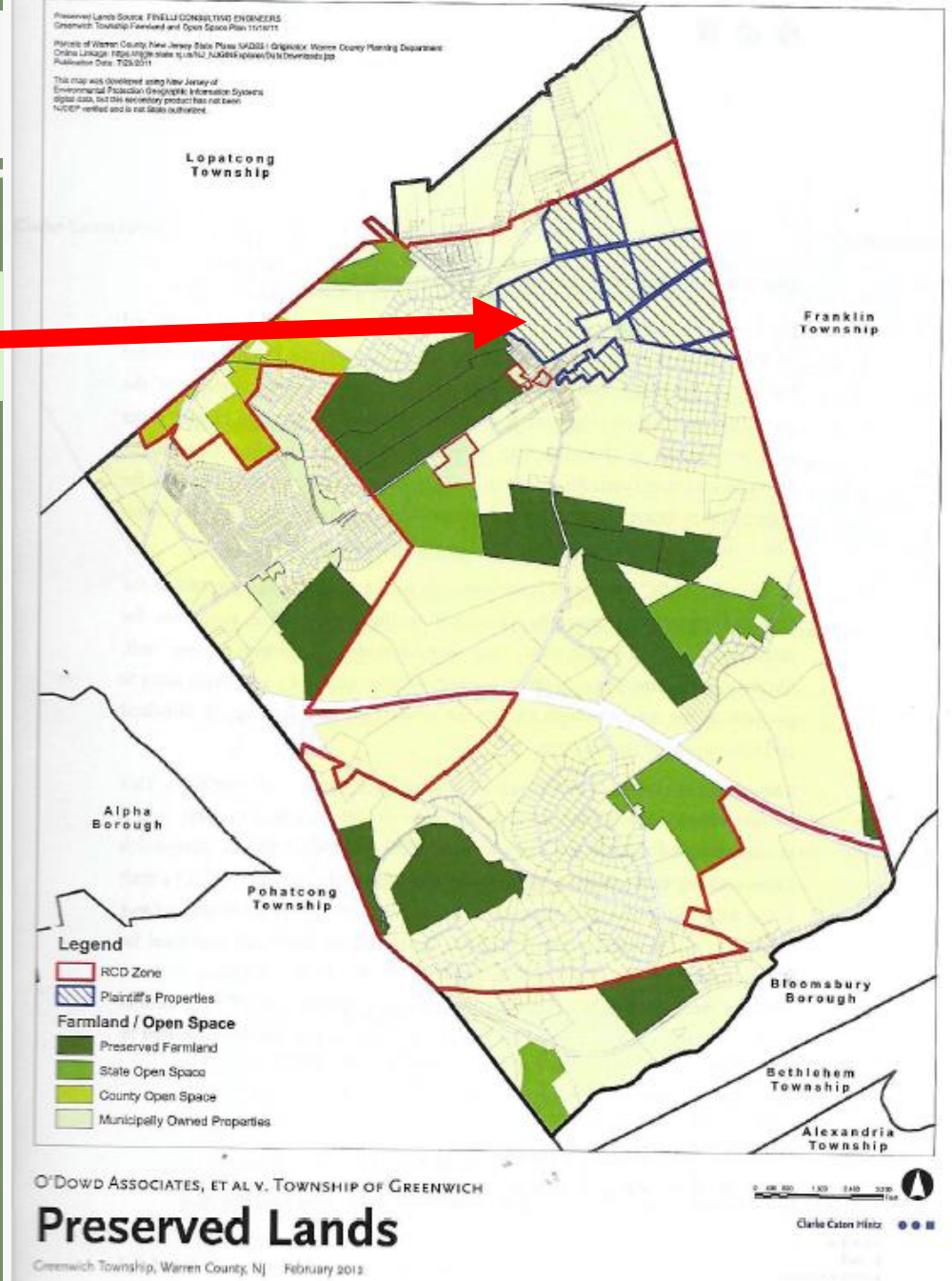
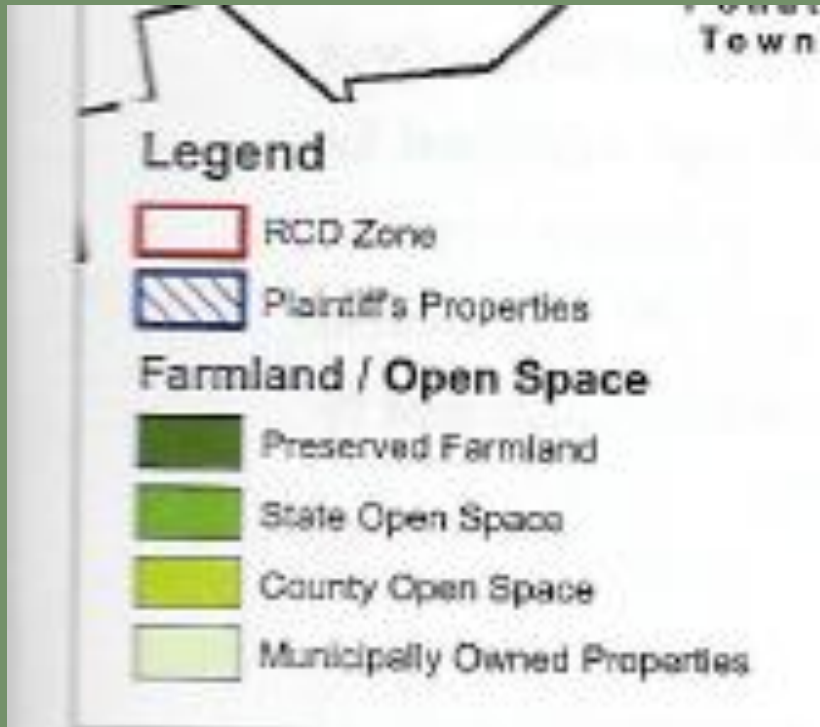
Important Agricultural Soils

Grid Scale Solar < 75% Prime Soils



Maintain Farmland Contiguity

Not Adjacent to Preserved Land

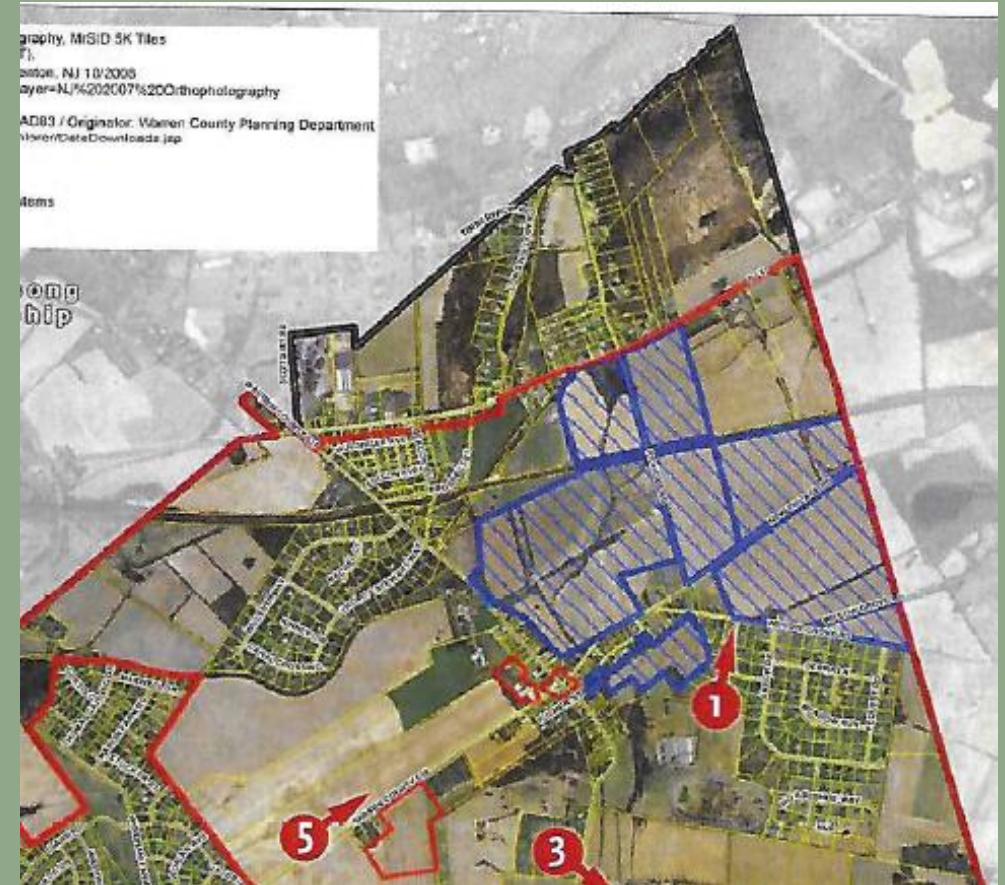


Two Lawsuits

Use Variance - Denied

FPP Invalid

**Siting Standards –
Arbitrary & Unreasonable**

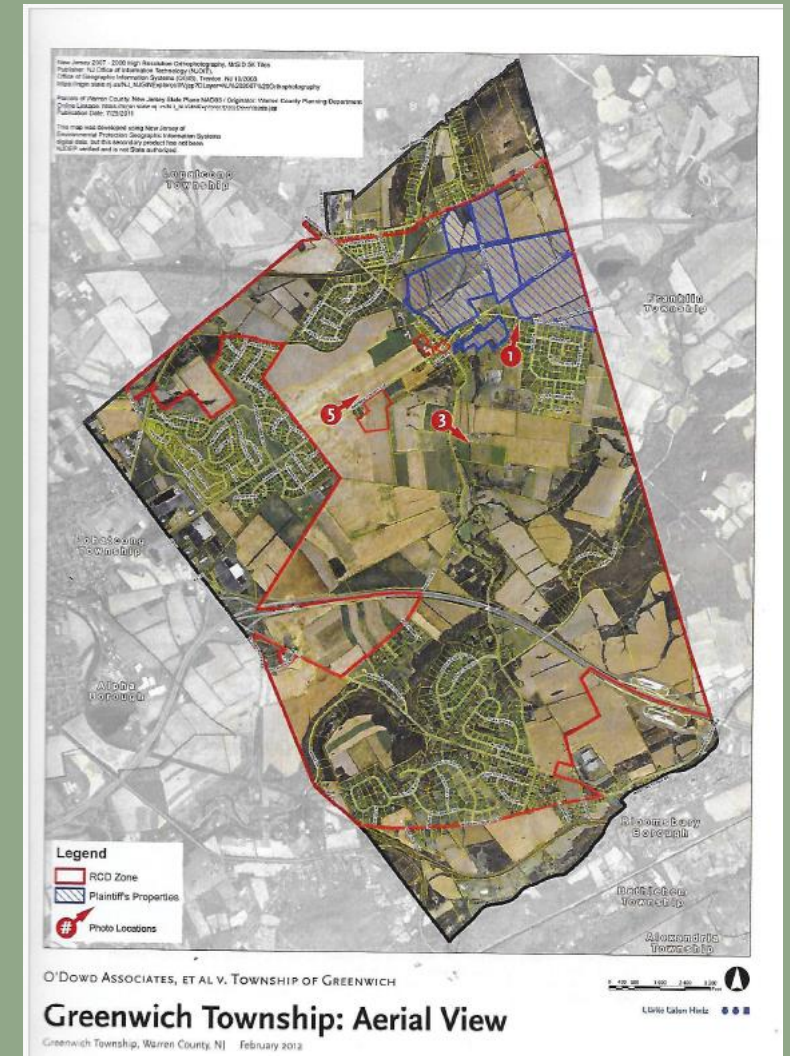


The Court Supported Greenwich's Planning

**Comprehensive
Strategic Planning**

**Consistent Language across
ALL Planning Documents**

**Support Preservation of
Farmland and Agriculture**



Thank You

Lisa Specca

Lspecca@comcast.net

