

ASSEMBLY, No. 3737

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Clarifies that deed of easement for preserved farmland allows soil disturbance for construction of any new agriculture building or roadway.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning soil disturbance on preserved farmland and
2 supplementing P.L.1983, c.32 (C.4:1C-11 et seq.).
3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*
6

7 1. a. Notwithstanding any provision of P.L.1983, c.32
8 (C.4:1C-11 et seq.) or any other law concerning preserved farmland,
9 or any rule or regulation adopted pursuant thereto, to the contrary,
10 the construction of any new building for agricultural purposes or the
11 construction of any roadway necessary to service crops, bogs,
12 agricultural buildings or reservoirs explicitly allowed for in the
13 deed of easement for preserved farmland shall not be construed to
14 constitute an unauthorized or unlawful soil disturbance on the
15 preserved farmland.

16 b. For the purpose of this section, “preserved farmland” means
17 land on which a development easement was conveyed to, or
18 retained by, the State Agriculture Development Committee, a
19 county agriculture development board, a county, a municipality, or
20 a qualifying tax exempt nonprofit organization pursuant to the
21 provisions of section 24 of P.L.1983, c.32 (C.4:1C-31), section 5 of
22 P.L.1988, c.4 (C.4:1C-31.1), section 1 of P.L.1989, c.28 (C.4:1C-
23 38), section 1 of P.L.1999, c.180 (C.4:1C-43.1), sections 37 through
24 40 of P.L.1999, c.152 (C.13:8C-37 through C.13:8C-40), P.L.2016,
25 c.12 (C.13:8C-43 et seq.), or any other State law enacted for
26 farmland preservation purposes.
27

28 2. This act shall take effect immediately.
29
30

31 STATEMENT 32

33 This bill provides that the construction of new buildings for
34 agricultural purposes or the construction of any roadway necessary
35 to service crops, bogs, agricultural buildings or reservoirs explicitly
36 allowed for in a deed of easement for preserved farmland cannot be
37 construed to constitute an unauthorized or unlawful soil disturbance
38 on the preserved farmland. The provisions of this bill reflect the
39 recommendations made in a resolution adopted by the delegates to
40 the 102nd State Agricultural Convention, assembled in Atlantic City,
41 New Jersey on February 8 and 9, 2017.