

**RESOLUTION OF THE
MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD
APPROVING APPLICATION OF ANTONIO AND KIM CASOLA
UNDER THE NEW JERSEY RIGHT TO FARM ACT**

Mr. McCarthy offered the following motion and moved its adoption:

WHEREAS, Antonio and Kim Casola ["the Casolas"] have applied to the Monmouth County Agriculture Development Board ["the Board"] pursuant to N.J.A.C. 2:76-2.3, requesting a determination as to whether the operation being conducted by them at Block 15, Lot 7 in the Township of Holmdel, commonly known as _____ ["the Property"], constitutes a generally accepted agricultural operation or practice; and

WHEREAS, the Board conducted a hearing on the Casolas' application on April 5, 2000, at which the Casolas were represented by Anthony J. Sposaro, Esq., Holmdel Township was represented by James M. Turteltaub, Esq. and objectors were represented by James H. Gorman, Esq.

NOW, THEREFORE, based on the information and testimony presented in support of and in opposition to the application, including the applicant's certification required by N.J.A.C. 2:76-2.3(b), the Board makes the following findings of fact:

1. The Property is located at Block 15, Lot 7 in the Township of Holmdel and is commonly known as _____
2. Antonio and Kim Casola are the owners of the Property;
3. The Property consists of approximately 25 acres and is operated as part of a larger farm management unit as defined by N.J.S.A. 4:1C-3;

4. The Property produces the following agricultural products: nursery stock (consisting of deciduous trees, evergreens and conifers), container stock, pumpkins, strawberries, two acres of greenhouses producing bedding plants (annuals and perennials), hanging baskets and mums;
5. The Property produces agricultural/horticultural products worth more per year than \$2,500.00;
6. The Property meets the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (N.J.S.A. 54:23.1, *et seq.*)
7. The Property is located in an R-4 Residence and Agriculture District, which is an area in which, as of December 31, 1997, or thereafter, agriculture has been a permitted use under the municipal zoning ordinance and is consistent with the municipal master plan;
8. The Property was in operation and conducting operations substantially the same as current operations as of July 2, 1998;
9. The Casolas conduct seasonal hayrides on the Property on Fridays, Saturdays and Sundays until 10:00 P.M. during the month of October;
10. The purpose of the hayrides is to attract customers to purchase pumpkins grown on the Property and on other sites, as well as other seasonal produce;
11. Farmers in New Jersey have found it necessary to modify their operations from the once widespread grain farming because farms in the northeast, and especially in New Jersey, are becoming smaller and less

able to compete with large Midwestern farms in traditional grain production;

12. In order to survive, many New Jersey farmers engage in what is known as "entertainment farming" which includes conducting activities such as hayrides and agri-tourism operations such as bed and breakfasts and dude ranching, which attract the public to the farm to purchase farm produce;
13. Without engaging in entertainment farming as an adjunct to traditional farming operations, many farmers might be forced out of business;
14. Entertainment farming and hayrides, in particular, are common activities on farms throughout Monmouth County and are considered to be generally accepted agricultural management practices;
15. The operations conducted at the Property meet the definitions of a commercial farm and farm market in N.J.S.A. 4:1C-3; and
16. The Casolas' operation does not pose a threat to public health or safety;
17. The farm-based recreational activities conducted at the Property are activities which are related to the marketing of the agricultural or horticultural output of the Casolas' commercial farm.

NOW, THEREFORE, BE IT FURTHER RESOLVED that, based on the aforesaid findings of fact, the Monmouth County Agriculture Development Board finds that the operation of the Property by the Casolas, including the conducting of seasonal hayrides, constitutes a generally accepted agricultural operation or practice.

Seconded by Mr. Rifkin and adopted on a roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Hom	X			
Mr. Illmensee				X
Mr. McCarthy	X			
Mr. McCormack	X			
Mr. Palmer				X
Mr. Potter			X	
Mr. Puglisi	X			
Mr. Pyle				X
Mr. Rifkin	X			
Mr. Stattel				X
Mr. Stuart	X			

I do hereby certify that the foregoing is a true copy of a resolution adopted by the Monmouth County Agriculture Development Board at a meeting on 5th day of April, 2000.

Richard Obal
Secretary