

**Board of Chosen Freeholders
County of Burlington
New Jersey**



Department of: RESOURCE CONSERVATION

MARY PAT ROBBIE
Director of Resource Conservation

Phone: (856) 642-3850
Fax: (609) 726-7333

Physical Address:
624 Pemberton Browns Mills Rd
Pemberton, New Jersey 08068

Mailing Address:
P.O. Box 6000
Mount Holly, New Jersey 08060

BURLINGTON CADB RESOLUTION # 2014-24

**Recommendation of a Site-Specific
Agricultural Management Practice
Under The New Jersey Right to Farm Act**

Block 1501, Lot 22 and Block 2104, Lot 5 Springfield Township
September 11, 2014

WHEREAS, Peter and Eric Johnson (“Applicant”) of Johnson’s Farm LLC and Johnson’s Locust Hall Farm, LLC have applied to the Burlington County Agricultural Development Board (“CADB”) pursuant to the NJ Right to Farm Act N.J.A.C. 2:76-2.3 (“Act”) requesting a Site Specific Agricultural Management Practice (“SSAMP”) determination as to whether or not certain proposed activities on the above referenced property are consistent with the protected activities as detailed in the On Farm Direct Marketing Agricultural Management Practice (“AMP”) (N.J.A.C. 2:76-2A.13); and

WHEREAS, the applicant has submitted proof of written notice as required in N.J.A.C. 2:76-2.8; and

WHEREAS, the CADB conducted its regularly scheduled monthly meeting on September 11, 2014, due notice of said meeting was given in accordance with New Jersey Statutes and the Open Public Meetings Act and a quorum of the CADB being present at the meeting; the SSAMP request was heard; and

WHEREAS, Peter and Eric Johnson were represented by owner Mr. Eric Johnson, Mr. Patrick McAndrew, Esq., and Mr. Scott Taylor of Taylor Design Group, Mount Laurel NJ; and

WHEREAS, Mr. Peter Johnson is a current member of the CADB and was not present for the meeting in order to avoid any potential conflicts; and

WHEREAS, the CADB received into evidence the following Exhibits:

Submitted by Board staff:

Exhibit A – Right to Farm certification form

Exhibit B- List of proposed activities for which the SSAMP determination is being requested

Exhibit C- On Farm Direct Marketing AMP (N.J.A.C. 2:76-2A.13)

Exhibit D – Evidence of service of written notice

Submitted by Applicant:

Exhibit E – Aerial imagery depicting approximate locations of the proposed activities

Submitted by Public:

Exhibit F – Undated letter from Mr. Peter Sobotka, residing at . . . -
Springfield Township

Exhibit G – Undated letter from Mr. John Petrino, residing at
1, Springfield Township

WHEREAS a site inspection was conducted on June 20, 2014 by Brian Wilson, Scott Taylor of Taylor Design Group and Applicant; and

WHEREAS the Board has considered the application, the applicant's certification and the exhibits presented and testimony presented;

NOW, THEREFORE BE IT RESOLVED that the Board makes the following findings:

The Board's Consideration of the Eligibility of the Johnson's Application under the Right to Farm Act

1. There are credible exhibits to establish that the commercial farm is no less than five (5) acres.
2. Peter and Eric Johnson operate a commercial farm comprised of a farm management unit consisting of both the Johnson's Locust Hall Farm, LLC in Springfield Township and Johnson's Farm LLC in Medford Township; and
3. The commercial farm produces agricultural / horticultural products worth at least \$2,500 per year.
4. The list of such products is listed in the application.
5. The subject farm is eligible for differential property taxation pursuant to the Farmland Assessment Act of 1964.
6. The subject farm is located in an area in which, as of December 31, 1997 or thereafter, agriculture has been a permitted use under the municipal zoning ordinance.

7. A complete written application for recommending a Site-Specific Agricultural Management Practice was made to the Board.
8. With all of the criteria above having been satisfied, the Board finds that Applicant meets the eligibility criteria under the Right to Farm Act.

The CADB's consideration of the SSAMP request regarding the proposed activities

9. The CADB recognizes that all of the activities considered are proposed activities and as such the following determinations are based solely on representation of staff and the Applicant.
10. The CADB has considered the comments provided by neighboring property owners
11. Based on the exhibits entered and presentation by staff, the CADB finds that each proposed activity is addressed in the On Farm Direct Marketing AMP.
12. The Board finds that the implementation of each proposed activity appears consistent with the On Farm Direct Marketing AMP
13. The Board finds that in accordance with N.J.S.A. 4:1C-10 activities that conform to agricultural management practices do not "...constitute a public or private nuisance" nor shall "be deemed to otherwise invade or interfere with the use and enjoyment of any other land or property."

NOW, THEREFORE, BE IT FURTHER RESOLVED that this CADB determination does not offer any further Right to Farm protection for these activities other than the protection afforded in the On Farm Direct Marketing AMP; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that copies of this resolution shall be provided to the SADC, Springfield Township and the Applicant.

Member	Yes	No	Abstain	Absent
Chairman Phillip Prickett	X			
Vice Chairwoman Judy Shaw	X			
Louis DeLorenzo				X
Robert T. Eckert	X			
John M. Hlubik				X
Peter Johnson				X
Lawrence Kuser				X
John J. Logue	X			
Timothy Lutz	X			
Lisa Post	X			
Paul Shinn	X			
D. Todd Wilkinson				X


 9/11/14
 Chairman Phillip Prickett Date

Exhibit A

Burlington County Agriculture Development Board

Request for Site Specific Agricultural Management Practice (SSAMP) Recommendation

Commercial Farm Operator: Johnsons Locust Hill Farm LLC
 Mailing Address:

Telephone Numbers: Johnstown NJ 08041
~~_____~~
~~_____~~

Identification of Farm Management Unit:

Municipality	Block	Lot	Acres	Product/Operation	Start Date
Springfield Twp	2104	5	314	Fruit/Vegetable U-PICK	2014
Springfield Twp	1581	22	"	Field Crops	2014

Use additional sheet if necessary.

Annual Gross Receipts from Farm Management Unit Operation: \$ 200,000 est.

Describe in detail the specific activity you want the Burlington County Agriculture Development Board to consider for development of a Site Specific AMP and note the location of the activity within your Farm Management Unit.

We intend to operate a pick your own operation with associated agritourism offerings as allowed for in the Direct Marketing AMP. Customer operations will be based in the central farm yard within the exception area. Field parking will be outside the exception area next to the farm yard. Customer access will be from monmouth road and Johnstown/Georgetown Rds an existing improved farm lanes.

Please return this Request with the following documents (check as attached):

- Most recently filed farmland assessment form(s) - will research for you.
- Certification Form (blank attached) completed & signed

REQUEST TO BURLINGTON COUNTY AGRICULTURE DEVELOPMENT BOARD FOR SITE SPECIFIC AGRICULTURE MANAGEMENT PRACTICE RECOMMENDATION

CERTIFICATION OF Eric and Peter Johnson (NAME OF COMMERCIAL FARM OWNER/OPERATOR & PHONE NUMBER)

Johnson's Coast Hill Farm LLC (NAME OF COMMERCIAL FARM)

0 " " Johnson NJ. (ADDRESS OF COMMERCIAL FARM)

I, Peter Johnson, hereby certify the following:

- 1. I am (one of) the owner(s)/operator(s) of Johnson's Coast Hill Farm.
2. I am hereby requesting the Burlington County Agriculture Development Board (CADB) to determine if my operation constitutes a generally accepted agricultural operation or practice. The nature of my operation or practice is as follows: I am currently developing a Pick your own/Ag Tourism operation. Pumpkins, Pumpkins, Apples and Corn are planted for the 2014 season and beyond. Along with hayrides to the crops additional associated offerings will be made available to our customers. We intend to be open for Sept/Oct 2014 and gradually extend our season to 9 months over time. Our target customer base will be families, schools and groups coming to purchase our products and experience the farm.
3. I certify that Johnson's Coast Hill Farm LLC is five acres or more, produces agricultural and/or horticultural products worth \$2,500 or more annually, and is eligible for differential property taxation pursuant to the Farmland Assessment Act of 1964.

OR

I certify that [Signature] is less than five acres, produces agricultural and/or horticultural products worth \$50,000 or more annually and otherwise satisfies eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964.

4. I have attached proof that the farm:
- a) is located in 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,
 - OR
 - b) was in operation as of July 2, 1998.
5. To the best of my knowledge and belief, my agricultural operation is in compliance with all relevant federal and New Jersey statutes, rules and regulations.
6. I understand that within 30 days of the CADB's issuance of its written recommendation, it will forward the site specific agricultural management practice to me, the State Agriculture Development Committee (SADC) and any other individuals or organizations deemed appropriate by the CADB.
7. I understand that any person aggrieved by any decision of the CADB regarding the recommendation of this site specific agricultural management practice, including myself, may appeal the decision to the SADC in accordance with the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, within 45 days from receipt of the board's final determination.
- 1. The decision of the SADC shall be considered a final administrative agency decision.
 - 2. If the board's decision is not appealed within 45 days, the board's decision is binding.

Dated: 6/22/14



(Signature of Requestor)

Exhibit B

Michelle M. Taylor, AICP, PP, CNU A
Scott D. Taylor, AICP, PP, LLA, LEED AP

Cheryl Bergailo, AICP, PP, LEED Green Assoc.
Amy Cieslewicz, LLA
Steven Lennon, LLA

TAYLOR
DESIGN
GROUP

July 9, 2014

Johnson's Farm @ Locust Hall, Springfield Twp NJ

Proposed On Farm Direct Marketing Facilities:

Planning

Landscape Architecture

Municipal Consulting

Streetscape Design

Economic Development

Parks and Recreation

1. Temporary Field Parking (cars and school trip buses)
 - a. Fields will be used for crops when not in use for parking. *page 8 (h)*
2. Hayrides to Seasonal Crops for Pick Your Own and associated activities. *page 14 #4*
 - a. Entry and Ticket Area
 - b. Pick your Own weigh and pay area *page 4 "PYO Market Area"*
3. Corn Maze *page 14 #3*
4. Barnyard and covered barn covered picnic areas where visitor can enjoy picked or purchased produce or snacks. *page 6 (e)*
5. Farm animal display area for customers *page 15 #5*
6. Pony Rides *page 15 #5*
7. Farm Themed Play area *page 2 "Ancillary Entertainment..."*
 - a. Tractor, play equipment, hay bale maze, etc.
8. Sales Area
 - a. Seasonal Produce- Honey, Squash, Corn, Pumpkins, Apples, etc. *page 1 "Ag Output"*
 - b. Ag related items- Crafts, Corn stalks, Hay bales, Flowers, etc. *page 4 "Products Contribute..."*
9. Food Concession Area
 - a. Warming Area for Cider Donuts
 - b. Selling of baked goods (prepared off site at Medford Farm location)
 - c. Water/Soda
 - d. Hot Dogs, snacks, etc. *page 4 "Products that contribute..."*



Taylor Design Group, Inc.
100 Technology Way
Suite 125
Mount Laurel, NJ 08054

T. 856.914.1666
F. 856.914.0606

tdgplanning.com