

RESOLUTION CADB 8-99

**RESOLUTION CERTIFYING COMMERCIAL FARM OPERATION
AND
RECOMMENDING SITE SPECIFIC AGRICULTURE MANAGEMENT PRACTICE**

WHEREAS, the State of New Jersey has enacted N.J.S.A. 4:1C-11 known as the "Agriculture Retention And Development Act"; and

WHEREAS, the County of Cape May has created the "Cape May County Agriculture Development Board" pursuant to the aforesaid Statute; and,

WHEREAS, the Agriculture Retention and Development Act known as the Right to Farm Act as amended on July 2, 1998 and in accordance with N.J.A.C. 2:76-2.3(a) requires that the County Agriculture Development Board recommend site specific agricultural management practices; and,

WHEREAS, Karl and Jany Baymore have petitioned the Cape May County Agriculture Development Board to designate the Old Cape May Flower Farm, Block , Lot , 3.77 Acres, commonly known as "The Old Cape May Flower Farm", Cape May, New Jersey, a commercial farm operation; and,

WHEREAS, Karl and Jany Baymore operate a herbery and a flower shop specializing in dried flower bunches, bouquets, arrangements, and fresh cut flowers and plants in season; and,

WHEREAS, Karl and Jany Baymore produce horticultural products worth \$50,000 or more annually, and, except for the fact that the Old Cape May Flower Farm is less than five acres in size, otherwise satisfy the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, N.J.S.A. 54:4-23.1, et seq.; and

WHEREAS, the Old Cape May Flower Farm is a farm management unit for the reason that it is a parcel of land which, together with horticultural buildings, structures and facilities, produces horticultural products and is operated as a single enterprise, within the meaning of N.J.S.A. 4:1C-3; and

WHEREAS, the Old Cape May Flower Farm is a commercial farm within the meaning of N.J.S.A. 4:1C-3, for the reason that it is a farm management unit less than 5 acres in size, which produces horticultural products worth \$50,000 or more annually and otherwise satisfies the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, N.J.S.A. 54:4:23;1, et.seq; and

WHEREAS, the Old Cape May Flower Farm markets horticultural products which are produced on and off- site in a retail sales area of approximately 500 square feet, of which approximately 450 square feet or 90% of which is devoted to the sale of horticultural products which are produced on-site; and

WHEREAS, the Old Cape May Flower Farm is a farm market within the meaning of N.J.S.A. 4:1C-3, for the reason it is a facility used for wholesale and retail marketing of the agricultural output of a commercial farm, where not less than 51% of the sales area is devoted to the sale of agricultural output of the commercial farm, and the land on which the farm market is located produces horticultural products worth at least \$2,500 annually; and

WHEREAS, the Old Cape May Flower Farm's specific operation constitutes a generally accepted agricultural operation or practice and does not pose a direct threat to public health and safety; and

NOW, THEREFORE, BE IT RESOLVED by the Cape May County Agriculture Development Board that the request to designate the Old Cape May Flower Farm as a commercial farm is approved and the operation of the farm market is approved as a site specific agricultural management practice.

David L. Bohm, Chairman

Offered By:
Seconded By:
Yes:
Absent:
Adopted: