

## RESOLUTION #2021-09

**RE: Hunterdon County Agriculture Development Board  
Beneduce Vineyards  
Block 21, Lot 41.31, Township of Alexandria, County of Hunterdon**

### **WHEREAS:**

On June 27, 2019, Beneduce Vineyards, LLC, (“Beneduce”) filed a Request for Site Specific Agricultural Management Practice Application for Hearing with the Hunterdon County Agriculture Development Board (“CADB”), requesting a determination that wine tastings, wine sales, vineyard tours, and indoor and outdoor public and private events with an educational component, wine tasting and vineyard tours, which at times feature live background music and third-party food truck vendors and/or caterers, are on-farm direct marketing events, which are either permitted under the New Jersey Right to Farm Act as an Agricultural Management Practice pursuant to N.J.A.C. 2:76-2A.13 or are permitted under the New Jersey Right to Farm Act as a Site-Specific Agricultural Management Practice pursuant to N.J.A.C. 2:76-2.1.

The Application filed by Beneduce was opposed by the Township of Alexandria (“Township”) citing, among other things, violation of the Township’s ordinances by holding “commercial events”, violation of the Township’s general nuisance code for the loud music emanating from the Property, and complaints from neighboring residents. The Township maintained that relief sought by Beneduce was not a protected activity under the Right to Farm Act and that Beneduce should be applying with the Township for Zoning approval.

The parties engaged in efforts for the better part of almost two years to mediate their dispute. While many of the issues in dispute were resolved by the submission of Beneduce’s site and traffic management plans to the Township Planner and Engineer, there were disputed items which required resolution by the CADB.

Prior to the commencement of the hearing, Beneduce withdrew any request for protection under the Right to Farm Act to operate as a wedding venue to conduct weddings or offer other event planning services on-site. Their application was limited in scope to seeking approval to engage in farm marketing activities and events which they argued were 100% in compliance with the New Jersey State Agriculture Development Committee (“SADC”) Regulations.

On October 29, 2020, following Certification of Beneduce as a Commercial Farm, and determining that the CADB has primary jurisdiction to hear the Site Specific Agricultural Management Practice Application filed by Beneduce, the CADB commenced a public hearing at a Special Meeting scheduled and noticed by the CADB.

Formal notice of the public hearing was also adequately published in the Hunterdon County Democrat and served on all property owners within 200 feet of the property by Nicole L. Voigt, Esq. for Beneduce.

At the hearing which opened at an in-person Special Meeting on October 29, 2020, Nicole Voigt, Esq. of Shanahan and Voigt appeared on behalf of Beneduce and Sharon A. Dragan, Esq. of Mason, Griffin & Pierson appeared on behalf of the Township of Alexandria. The public hearing was adjourned and reconvened for testimony at both a Special Meeting held via Zoom on March 29, 2021 and the regular in-person monthly meeting of the CADB held on September 9, 2021. The Board determined that Beneduce maintained its commercial farm status throughout the course of the hearing.

The Applications for Commercial Farm Certification and Request for Site Specific Agricultural Management Practice Application for Hearing with the Hunterdon County Agriculture Development Board are a part of the record before the CADB. The balance of the Exhibits introduced and referenced over the course of this hearing were marked and entered into the record as follows:

**Beneduce Exhibits:**

Exhibit B1: Aerial Map, location of vines and greenhouses

Exhibit B2: Aerial Map, location of Vines, Winery and Property Boundary

Exhibit B3: Aerial Photo Bandstand and Circular Tables

Exhibit B4: 2019-2020 Plenary Winery License

Exhibit B5: Certificate of Occupancy; Office and Bathrooms

Exhibit B6: Annual Fire Safety Inspection Certificate

Exhibit B7: Certificate of Occupancy; Winery and Tasting Room

Exhibit B8: Life Hazard Use Certificate; Wine Tasting Room

Exhibit B9: Hunterdon County Health Department Risk-Based Inspection Report

Exhibit B10: Hunterdon County Health Department Sanitary Inspection Report

Exhibit B11: Alexandria Township Retail Food License

Exhibit B12: Alexandria Township Fire Safety Permit; Oasis

Exhibit B13: River-Friendly Farm Certificate

Exhibit B14: Hunterdon County Health Department Sanitary Inspection Report; Cone Appetit

Exhibit B15: Alexandria Township Retail Food License; Cone Appetit

Exhibit B16: Survey and completed surveys sent back to Alexandria Township

Exhibit B17: Traffic Management Plan Aerial, prepared by Dolan and Dean

Exhibit B18: Traffic Safety Evaluation & Event Management Plan, prepared by Dolan and Dean

Exhibit B19: Parking Areas, Permanent Parking Lot (Photo)

Exhibit B20: Traffic Signage, No Left Turn and One-Way Signs at Driveway Exit (Photo)

Exhibit B21: Traffic Signage Speed Limit 10 MPH (Photo)

Exhibit B22: Traffic Signage Keep Right Driveway Sign (Photo)

Exhibit B23: Traffic Signage Pedestrian Crosswalk and Stop Sign (entering) (Photo)

Exhibit B24: Parking Areas Temporary Overflow Rear Lot 1 (Photo)

Exhibit B25: Kenyon Planning Request for a Site Specific Agriculture Management Practice Report

Exhibit B26: Beneduce Vineyards – Zoning map

Exhibit B27: Beneduce Vineyards – Zoning map overlaid with aerial

Exhibit B28: Improvement Plan Prepared by Parker Engineering

Exhibit B29: Financial Affidavit

Exhibit B30: Memo from Jack Zybura, Lewis Goodfriend & Associates Acoustic Engineers

Exhibit B31: [Skipped]

Exhibit B32: Tara Kenyon, AICP/PP, Planning Comment notes in rebuttal to Alexandria Township

Exhibit B33: Summary Standard for Protection Events and Entertainment as per the Agricultural Management Practice for On Farm Direct Marketing Activities, Events and Facilities

Exhibit B34: August 25, 2021 email from Hunterdon County Economic Development to Michael Beneduce regarding the promotional advertisement of the Hunterdon 579 Trail

Exhibit B35: Hunterdon County Economic Development, Hunterdon County 579 Trail, website showing a September 7, 2021 search of events based upon the search term “music”

Exhibit B36: Beneduce Vineyards’ Group Therapy + Sunday Picnics current, updated web page, printed September 3, 2021 in response to Alexandria Township’s planner submission of a partial excerpt from this single web page

Exhibit B37: Beneduce Vineyards response the August 3, 2021 review letter by Alexandria Township Engineer Thomas Decker

Exhibit B38: List of Unreasonably Burdensome Municipal Requirements from which Beneduce Vineyards Requests Relief

Exhibit B39: July 29, 2021 letter from New Jersey State Board of Agriculture to Michael Beneduce of the 2022 New Jersey Outstanding Young Farmer (OYF) Award

**Township Exhibits:**

Exhibit T1: Private Events advertised on the Beneduce website

Exhibit T2: Memo from Van Cleef dated March 10, 2020

Exhibit T3: Memo from David Banisch dated April 5, 2020

Appearances and testimony were made over the course of the hearing by the following witnesses on behalf of the parties and the public:

**For Beneduce:**

Nicole Voigt	Attorney for the Applicant
Michael Beneduce	Applicant
Gary Dean	Dolan and Dean Engineering
Tara Kenyon	Kenyon Planning
Jack Zybur	Lewis S. Goodfriend and Associates, Acoustical Engineer
Audrey Cross/Gambino	Wine Expert, Alba Vineyard Owner, Legal Chair of Garden State Wine Growers Association

**For Alexandria:**

Sharon Dragan	Alexandria Township Attorney
Thomas R. Decker	Van Cleef Engineering Associates, Alexandria Township Engineer
David Banisch, PP, AICP	Alexandria Township Planner

**For the Public:**

Jeff Miller	Neighbor
Danielle Nicota	Neighbor
David DeFrange	Kingwood farmer
Jim Robinson	Hunterdon Chamber of Commerce
Sachin	Neighbor
Ralph Franzese	Neighbor
Dennis Stack	Neighbor
P.T. Springwell	Readington Township Resident
Chris Kroese	Neighbor

The following relevant testimony was provided during the hearing on October 20, 2020:

1. Beneduce is a winery located at 1 Jeremiah Lane in the Township of Alexandria (Block 21, Lot 41.31) in the Airport Business and Agricultural Residential Zone, consisting of approximately 51 acres. They grow grapes and manufacture, bottle and sell their wine on site. They are seeking use approval and site approval under the On-Farm Direct Marketing Agricultural Management Practice for the activities they conduct at their farm. Specifically, they are seeking protection for the following activities:
  - A. Indoor and outdoor public events;
  - B. Private wine tasting events;
  - C. Live and recorded amplified background music designed to draw customers to the farm within designated dates and times set forth in the SADC Regulations, and subject to State noise/decibel level requirements;
  - D. Food pairings offered at public events by food truck or by patrons bringing their own food; and
  - E. Third party catering at private wine tastings, or by patrons bringing their own food.
2. Beneduce is before the CADB based, in part, on correspondence received from the Township citing complaints of noise and operations on-site without municipal approvals for their activities. Wedding events have been discontinued at the property.
3. Michael Beneduce, owner of Beneduce Vineyards, testified that Beneduce has 22 acres of grapes and generates 83% of its gross revenue from the sale of wine. All other activities account for approximately 15% of gross revenue. He produces and bottles the wine on-site, and markets the sale of wine utilizing on-farm marketing activities, such as wine tastings, tours, and food and music nights. Fees for event attendance are nominal, and generally cover the cost of the event operations such as musicians, security, and sound technicians. The majority of revenue is generated from the sale of wine.
4. The marketing events and activities take place in the area of the property located in the Airport Business District, adjacent to a commercial airport.
5. Measures have been taken to direct traffic to and from the property utilizing County roads in an effort to avoid traffic flow through neighboring residential areas. At the end of music nights, a flagger directs exiting traffic away from the residential neighborhood.
6. Beneduce employs a sound technician on music nights to properly balance the volume of noise on site to meet State compliance levels.
7. Staff bartenders have extensive training and must be “TIPS” certified before they can serve alcohol.
8. Beneduce is willing to work with the Township Engineer to comply with reasonable recommendations as to the flow of traffic to, from and on the site.

9. Music nights are hosted year round, and generally occur outside between April 1<sup>st</sup> to October 31<sup>st</sup>, weather permitting. The outside events on Saturday evenings are normally attended by 300-350 people, but may meet or exceed 400 people, on occasion. The indoor music events occur in the “Oasis” building, which has a capacity of 250.
10. The Township circulated a survey to neighboring landowners in advance of the hearing. Copies of the Survey questions were introduced as Exhibit B16. Beneduce believes it was sent to elicit complaints. The Township indicated that it was sent to obtain a general community opinion about the vineyard operations.
11. Beneduce is capable of holding more than one event at a time in the “Oasis” building, and further confirmed that they would be amenable to limiting the number of food trucks at events.
12. Gary Dean of Dolan & Dean Engineering testified as an expert in the area of traffic engineering. He reviewed the Traffic Management Plan and Event Management Plan he prepared on behalf of Beneduce, and summarized the recommendations he made to Beneduce to improve the suitability and safety of the traffic flow and parking for the events conducted by Beneduce. Further, at the request of the Board, Mr. Dean summarized the areas of the plans where Beneduce was specifically willing to comply with requests for revisions to the plans made by the Township, and where their positions were at odds. His position is that the plans proposed on behalf of Beneduce meet the on-farm direct marketing AMP standards.
13. Thomas R. Decker, Alexandria Township Engineer, testified on behalf of the Township and further identified to the Board where the Township is in agreement with the traffic and parking plans prepared by Beneduce, and where they remained in disagreement. Beneduce then further confirmed where they were willing to cooperate with Township review.

The following relevant testimony was provided during the hearing held via Zoom on March 29, 2021:

1. The parties agreed prior to this hearing date to focus the testimony on the planning aspects of the Beneduce application.
2. Tara Kenyon testified as an expert in the area of Professional Planning with an expertise in Right to Farm matters. She is familiar with the facility and events conducted on the site, and testified that the proposed marketing activities, events and facilities comply with the on-farm direct marketing AMP. Specifically, Ms. Kenyon reviewed why each of the elements identified on the plans submitted on behalf of Beneduce complied with the on-farm direct marketing standards and requirements for facilities, hours of operation, lighting, sanitary facilities, safety measures, signage, parking, screening and buffering, outdoor sales areas, and use of structures set forth in N.J.A.C. 2:76-2A.13.
3. Tara Kenyon testified that Beneduce has a sufficient Event Management Plan, and reviewed the plan with the Board, which incorporates the Traffic Management Plan which is designed with the safety of the guests to the site in mind.

4. Tara Kenyon further testified that the entertainment activities such as music nights are designed, as intended by the on-farm direct marketing AMP, to attract customers and enhance the experience of guests who are at the farm to purchase wine. She confirmed once again that Beneduce's income from the fees for these events is de minimis compared to the income generated from the sale of wine at these events.
5. Tara Kenyon testified that all activities conducted by Beneduce comply with hours of operation set forth in the on-farm direct marketing AMP. In fact, most events where background music is conducted end at 9:00PM, which is earlier than the hours prescribed by the AMP of 10:00PM or, on occasion, 11:00PM. Beneduce intends to continue to comply with the AMP, and any longer hours needed will be addressed in the Event Management Plan.
6. Tara Kenyon also testified that Beneduce voluntarily complies with the State standards for noise, and makes great efforts to self monitor the sound, particularly during music nights, to avoid exceeding those limits during their events, even though they are not required to do so.
7. In addition to her testimony concerning the compliance with the site activities with the on-farm direct marketing AMP, Ms. Kenyon reviewed relevant case law involving similar operations in other New Jersey counties in support of Beneduce's application.
8. Michael Beneduce testified that, while he would be able to market and sell his wine products without on farm events and activities, his sales increase significantly through the on-farm direct marketing events he hosts.
9. David Banisch, Alexandria Township Planner, testified on behalf of the Township that he is familiar with the on-farm marketing activities conducted on the Beneduce farm, and is of the opinion that certain activities that are being conducted do not appear to fit within most of the current legal decisions he has analyzed by the SADC. Specifically, special occasion events, whether public or private, and the public music nights conducted on site do not constitute ancillary events that are accessory to the sale of wine on the farm. Such non-agricultural activities are the reason for the attendance, and are therefore disproportionate when compared to the sale of the wine at the events. He argued that many of the events are not protected activities under the Right to Farm Act which the CADB has jurisdiction to approve. Rather, they are commercial activities that must be approved at the Township level.
10. David Banisch reviewed some of the activities advertised on the Beneduce website to demonstrate that they did not represent ancillary entertainment-based activities, that were incidental components to the direct-market sales, and did not fit the vision of the SADC's intent when the on-farm direct marketing AMP was enacted. Once again, he reiterated that the events need to be background events, and not the primary activity drawing the guests to the property. Many of the events conducted by Beneduce, particularly the live music nights, are intense musical experiences which constituted more than just an incidental component of the operation. The special occasion and live music events should be determined by Alexandria Township under the Special Events Ordinance or variance for the use, not by the CADB.

11. David Banisch, on behalf of the Township, suggests that, if the CADB determines that Beneduce's activities are protected by the on-farm direct marketing AMP, they should be limited in frequency, consistent with SADC recommendations under the Pilot Program for preserved farms.
12. When questioned by Nicole Voigt, whether the Pilot Program for wineries on preserved farms was different from farms working under the on-farm direct marketing AMP, David Banisch acknowledged that it was. The Pilot Program was intended to allow weddings, which Beneduce is not seeking in its Application. Further, he acknowledged that the CADB is permitted, in its discretion, to issue site plan approval under the on-farm direct marketing AMP.
13. Several members of the public provided public comment in support of the activities conducted by Beneduce for which Right to Farm protection is being sought.

The following relevant testimony was provided during the hearing on September 9, 2021:

1. Beneduce summarized the events and activities they are seeking protection for from the CADB under the on-farm direct marketing AMP.
2. Tara Kenyon testified again on behalf of Beneduce, and summarized the way in which the events and activities conducted by Beneduce met the definitions and standards under the on-farm direct marketing AMP, N.J.A.C. 2:76-2A.13 (Exhibit B32). In her professional opinion, each of the specific events for which Beneduce is seeking Right to Farm protection, including the live and recorded background music events, met the standards promulgated by the SADC in its regulations, and satisfied the proportionality test as an accessory to the direct sale of the product which is being marketed on the farm.
3. Nicole Voigt introduced the August 3, 2021 Beneduce Vineyard Review Memorandum (B37) prepared by Thomas R. Decker, the Township Engineer which provided his review of the Plan titled "Traffic Management Plan, Beneduce Vineyards" as prepared by Dolan & Dean Consulting Engineers, LLC, dated December 2, 2020, and the letter he received from Nicole Voigt bearing the same date. This Memorandum updated his previous March 2020 Memorandum. Beneduce is willing to comply with the recommendations and requirements set forth in the August 3, 2021 Memorandum, with a few exceptions.
4. Beneduce is seeking specific relief from three municipal requirements which it maintains are still in dispute (B38):
  - (1) Relief from the Township Ordinance requirement to stabilize the access lanes to the overflow sod parking area for cars and a food truck;
  - (2) Relief from Alexandria Township's position that the 13 feet, more or less, width of a gravel laneway used for one-way traffic represents a public health and safety concern; and
  - (3) Approval of 3 ADA parking spaces as opposed to 8 ADA parking spaces amongst the 49 existing parking spaces.



5. Tara Kenyon testified that the relief sought for the three remaining municipal requirements in dispute should be granted by the CADB, indicating the following:
  - (1) The on-farm direct marketing AMP permits and anticipates parking on grass, which is beneficial for farms as it reduces impervious coverage, improves run-off, and allows for the area to be returned to tillable acreage, while increasing the agricultural aesthetics of the farm.
  - (2) As part of the Traffic Management Plan, Beneduce proposes a plan for the flow of traffic during their larger attended events via one-way traffic which is circulated at the end of the event over farm lanes. This does not need to be widened to accommodate 2-way traffic, as only one-way traffic is proposed.
  - (3) Beneduce has agreed to relocate 3 ADA parking spaces. 3 spaces has always been adequate for the facility. In the event it is determined at a later date that additional spaces are needed, this could be updated on the Event Management Plan which will be submitted to the Township annually.
6. Beneduce agrees to submit an Event Management Plan annually to the Township in accordance with N.J.A.C. 2:76-2A.13(n), which details traffic management, safety protocols, noise, garbage disposal, and staff training. In addition it will include the scope of events for the year and explain how traffic circulation is going to work for larger events.
7. Thomas Decker testified on behalf of the Township in support of the Township's position that the three issues in dispute should be complied with by Beneduce. In response to his testimony, Beneduce agreed to increase the ADA parking spaces to five, utilizing temporary signage, when the need arises during larger events. Further, Beneduce will move the food truck to the gravel area. The parties remain at odds over the stabilization of the access drive, the parking area, and the two way traffic.
8. Jack Zyburra, an acoustical engineer and project manager at Lewis S. Goodfriend & Associates, testified on behalf of Beneduce. He has taken decibel measurements of the property, both announced and unannounced, during music nights, and the readings were always below the state standards of 65 decibels. Beneduce has a sound engineer on site during live events to monitor the sound input. In addition, the speakers are generally directed downward at the request of the Township Planner.
9. Audrey Cross-Gambino testified on behalf of Beneduce as an expert in the wine industry in support of Beneduce's activities at the farm. She is the legal chair of the Garden State Wine Growers Association and owns and operates Alba Vineyards in Pohatcong Township, and testified that events such as the ones held on the Beneduce site are essential to attract customers and market their products.
10. Michael Beneduce provided rebuttal testimony in support of his operation, the activities he was seeking Right to Farm protection for, and the basis for the relief from the issues in dispute concerning the Traffic Management Plan. He reiterated that his events meet the proportionality standard for marketing events, and are intended to draw patrons there for the direct sale of the wine.

11. The Township opposes music nights and events which it does not believe are really intended for wine tasting. They have concerns with the traffic, parking and safety of the site during events, along with the frequency of those events and the noise generated therefrom. The Township does not believe that musical entertainment at the Beneduce site is part and parcel to selling wine at all times of the year, or qualify as an ancillary or incidental activity. At the very least, the Township is asking the CADB to make sure protective measures are in place for the activities approved.

NOW THEREFORE, BE IT RESOLVED that the Hunterdon County Agriculture Development Board makes the following findings of fact:

- (1) The property in question is known as Block 21, Lot 41.31, in the Township of Alexandria.
- (2) The farm and agriculture uses are permitted in the zone in which it is located.
- (3) Beneduce runs a commercial farm operation on the property. The farm was certified by the Hunterdon County Agriculture Development Board as a commercial farm.
- (4) On Farm Direct Marketing activities are protected under the Right to Farm Act.
- (5) The CADB has jurisdiction to hold a public hearing and issue findings and recommendations in this matter.
- (6) While there was an effort made to mediate the dispute between Beneduce and the Township of Alexandria, there remains clear disagreements among the parties which necessitated the hearing of this application and the resolution by this Board.
- (8) Based on the testimony of Beneduce, there is a sufficient proportionality between the sale of on-farm products and the events conducted at the Beneduce property to justify Right to Farm protection.
- (9) The events conducted at Beneduce Vineyards fall under the purview of the AMP for On-Farm Direct Marketing Facilities, Activities and Events, N.J.A.C. 2:76-2A.13.
- (10) While the Township has raised legitimate concerns with the indoor and outdoor events and activities conducted by Beneduce, the CADB believes adequate protections are in place to minimize the impact on neighboring landowners, and the operation, subject to any additional conditions imposed by this Resolution, is in compliance with the AMP for on-farm direct marketing activities.

NOW, THEREFORE, BE IT RESOLVED that the Hunterdon County Agriculture Development Board, after reviewing and considering the testimony and evidence submitted by the parties, and balancing the interests of Beneduce Vineyards, the Township of Alexandria, and the public, makes the following findings:

(1) Provided Beneduce complies with the standards required by N.J.A.C. 2:76-2A.13 to receive protections of the Right to Farm Act, the following activities proposed and conducted by Beneduce qualify as protected activities under the Right to Farm Act as an accepted Agriculture Management Practice for on-farm direct marketing facilities, activities, and events, in accordance with N.J.A.C. 2:76-2A.13:

- A. Indoor and outdoor public events;
- B. Private wine tasting events;
- C. Live and recorded amplified background music designed to draw customers to the farm within designated dates and times set forth in the SADC Regulations, and subject to State noise/decibel level requirements;
- D. Food pairings offered at public events by food truck or by patrons bringing their own food; and
- E. Third party catering at private wine tastings, or by patrons bringing their own food.

(2) In connection with its approved on-farm direct marketing activities, Beneduce shall comply with the December 2, 2020 Traffic Management Plan, and shall update the Plan and incorporate the conditions set forth in the Review Memorandum prepared by the Alexandria Township Planner, Thomas R. Decker, PE, PP, CME dated August 3, 2021 (Exhibit B37), to include the following clarifications, exceptions, revisions and additions:

A. Traffic Report Review

- (1) Comment 5 – The missing dimensions will be added to the Plan.
- (2) Comment 9 – A pavement detail shall be added to the Plan.
- (3) Comment 11 – The Plan will be updated to relocate the food truck to the gravel area at the Southeast corner of Parking Lot #1 for stability.
- (4) Comment 14 – The Plan will be updated to reflect 10 parking spaces for employees.

B. Traffic Management Plan Review

- (1) Comment 1(a)(ii) – The ADA parking spaces shall be shifted to align with the walkway to the patio on the Plan.
- (2) Comment 1(a)(iii) – The number of buses that can be accommodated shall be identified on the Plan.

- (3) Comment 1(a)(iv) – The Plan will be updated to identify if the tank is above or below ground and whether bollards exist or are proposed.
- (4) Comment 1(b)(ii) – The Plan will be updated to relocate the food truck to the gravel area at the Southeast corner of Parking Lot #1 for stability.
- (5) Comment 1(c)(ii) & (iii) – The parking areas shall be adjusted on the Plan to comply with Township Ordinance which requires a minimum 10 foot buffer between off-street parking and the property line.
- (6) Comment 1(c)(iv) – Directional arrows will be corrected on the Plan.
- (7) Comment 1(d)(ii) – The snow fencing barrier near the septic shall be updated on the Plan.
- (8) Comment 1(e)(ii) – The drives and parking aisles in the employee parking area shall be designed on the Plan so that each motor vehicle may proceed to and from a parking stall without requiring the moving of any other motor vehicle.
- (9) Comment 1(f)(iv) – The bus parking area and access drives shall be stabilized with a gravel surface on the Plan.
- (10) Comment 3(d) – The Plan shall be updated to provide for an additional five (5) ADA parking spaces during larger events, which may be temporarily placed with the existing parking using temporary, portable ADA signage.
- (11) Comment 3(e) – Updated building/venue labels will be added to the Plan.
- (12) Comment 3(f) – Maximum permitted occupancy will be added to the Plan.
- (13) Comment 3(g) – Paving details will be added to the Plan for the ADA parking spaces and the minimum 25 foot driveway entrance from Jeremiah Lane.
- (14) Comment 3(h) – Plan review and comment shall be submitted to the Township Fire Marshall with the annual Event Management Plan submission.

C. Beneduce is granted relief from the Township Ordinance requirement to stabilize the access lanes to the overflow, sod parking area, which is not utilized in wet, inclement conditions.

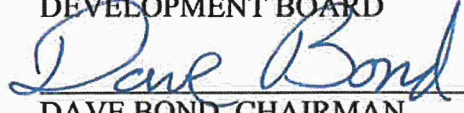
D. Beneduce is granted relief from the Township Ordinance requirement that the one-way lane which is otherwise utilized as a farm lane be widened.

(3) Beneduce shall annually submit an Event Management Plan to the Township in compliance with N.J.A.C. 2:76-2A.13(n), to include amended Traffic Management Plan as set forth above.

(4) This determination shall be forwarded to the State Agriculture Development Board within 30 days pursuant to N.J.S.A. 2:76-2.3(l).

(5) Any person who does not agree with this Resolution may appeal to the State Agriculture Development Committee pursuant to N.J.S.A. 2:76-2.3(m).

HUNTERDON COUNTY AGRICULTURE  
DEVELOPMENT BOARD

  
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DAVE BOND, CHAIRMAN

Dated: November 10, 2021