

**MERCER COUNTY AGRICULTURAL  
DEVELOPMENT BOARD RECOMMENDATION  
FOR A SITE SPECIFIC AGRICULTURAL  
MANAGEMENT PRACTICE: NOTES NURSERY**

WHEREAS, pursuant to the Right To Farm Act, N.J.S.A. 4:1C-1et seq. and State Agricultural Development Committee (hereinafter "SADC") regulations, N.J.A.C. 2:76-2.3, a commercial farm owner or operator may make a request to the County Agricultural Development Board (hereinafter "Board") to determine if his or her operation constitutes a generally accepted agricultural management practice; and,

WHEREAS, on May 30, 2003, Mr. Kevin Chiang, owner of a preserved farm (located at Block , Lot on the Township of Hamilton tax maps) and operator of Notes Nursery, made a request in writing to the Board for the development of a site-specific agriculture management practice (hereinafter, "AMP") for:

- a proposed greenhouse (approximately one acre in size but expandable to a minimum of 5-acres);
- a proposed ~3000 square foot headhouse (also expandable); and,
- proposed agricultural labor housing (approved by the SADC on 2/27/03); and,

WHEREAS, pursuant to N.J.A.C. 2:76-2.3(c), the Board advised, in writing, the SADC and Township of Hamilton of Mr. Chiang's request; and,

WHEREAS, on May 30, 2003, Mr. Chiang provided to the Board his commercial farm certification including supporting documentation, attached hereto; and,

WHEREAS, the Board is aware that Mr. Chiang purchased this preserved farm from the SADC in February, 2003 in order to construct a greenhouse and grow orchids; and,

WHEREAS, the Board is aware that Mr. Chiang has applied for administrative site plan waiver to construct said greenhouse and associated buildings from the Township of Hamilton without success; and,

WHEREAS, on June 13, 2003, the Board sought the advice of and conducted a site inspection with the Mercer County Cooperative Extension Service, Rutgers Cooperative Extension/New Jersey Agricultural Experiment Station, Rutgers University, and the National Resources Conservation Service to determine the appropriateness of the proposed greenhouse and associated buildings; and,

WHEREAS, at its regular meeting of July 7, 2003, the Board unanimously agreed to develop an AMP for Notes Nursery after making the following findings of fact:

1. Kevin Chiang is the owner of a 48-acre farm located in Hamilton Township;
2. The property is a commercial farm, as defined by N.J.S.A. 4:1C-3 and N.J.S.A. 2:76-2.1, which produces a field crop worth \$2,500.00 or more annually and satisfies the eligibility criteria for differential property tax assessment pursuant to the Farmland Assessment Act of 1964; and,
3. The land has been in farm operation since at least 1997, is municipally zoned for farms and horticultural use (Sec. 160-73 and 160-136 Township of Hamilton Land Development Code), and is consistent with the municipal master plan; and,

WHEREAS, at its regular meeting of July 7, 2003, the Board reached the following conclusions based on information provided by the farm operator and by the participants of the site inspection:

1. Mr. Chiang is following accepted best practices for the proposed Notes Nursery greenhouse and associated buildings;
2. The proposed greenhouse and associated buildings will not create odors, disease or other threats to public health and safety;
3. Issues of stormwater drainage can be integrated into the required Conservation Plan (see attached supporting documentation) and will be subject to review and approval by the County Planning Board;
4. The Board supports the preferred proposal (the "Proposal"), attached, dated March 10, 2003 and revised July 7, 2003;
5. The Proposal is consistent with municipal zoning, and, along Merrick Road the 90' set back exceeds the municipal setback requirement of 75';
6. The North-South gutter/peak orientation is preferable for greenhouse production, as noted by Dr. Both (see attached supporting documentation);
7. The Proposal allows for the most efficient farming of the balance of the property;
8. The Proposal maximizes the viability of the overall agricultural enterprise;
9. A 5-acre modular greenhouse is common practice and furthermore, the length (210') is a common industry standard and the overall width (1100') is most efficient;
10. Landscaping to screen the structures is unacceptable because of possible shading of the greenhouse, and, because landscaping could encroach on remaining tillable lands thus taking it out of production; and,
11. The Proposal depicts a one-way driveway arrangement that is preferred by the Board because it would not require a tractor-trailer turn-around on the property-again minimizing land that would be lost to production.

NOW THEREFORE BE IT RESOLVED, that the Board hereby determines that the proposed greenhouse and associated structures, situated on the land so as to maximize the overall agricultural use of the land and minimize overall negative agricultural impacts, constitutes a generally accepted agriculture management practice. The proposed greenhouse and associated structures must conform to all relevant Federal and State statutes, rules, and regulations.

BE IT FURTHER RESOLVED that the Board shall forward a copy of this Resolution and supporting documents to Mr. Chiang, the SADC, the Township of Hamilton and any other individuals or organizations deemed appropriate by the Board within 30 days of the recommendation.

I certify that the above Resolution was unanimously adopted at a meeting of the Mercer County Agricultural Development Board on July 7, 2003.

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Leslie Floyd, Acting Secretary