

**RESOLUTION OF THE  
MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD  
FOR  
SITE SPECIFIC AGRICULTURAL MANAGEMENT PRACTICE  
RECOMMENDATION  
UNDER THE NEW JERSEY RIGHT TO FARM ACT**

Don Holland offered the following resolution and moved its adoption:

WHEREAS, Carmine Casola, Jr., trading as Triple C Nurseries ("Applicant"), has applied to the Monmouth County Agriculture Development Board ("the Board") pursuant to N.J.A.C. 2:76-2.3, requesting a determination from the Board as to whether the proposed construction of a greenhouse and shade cloth house to be attached to an existing greenhouse and farm market operated by him, for public access to the proposed new structures and existing greenhouse, and for year round operation of said farm market at Block , Lot , in the Township of Colts Neck, New Jersey ("the Property"), constitutes a generally accepted agricultural operation or practice; and

WHEREAS, the Applicant uses and proposes to use the Property as a farm market; and

WHEREAS, a site visit to the Property was conducted on January 29, 2004 ("the Site Visit"), which was attended by Board staff Matt Shipkey, Board member Hal Rifkin, and applicant Carmine Casola; and

WHEREAS, an overview of the Site Visit was presented to the Board; and

WHEREAS, the Board conducted a hearing on the Applicants' application on February 4, 2004, at which Carmine Casola, Jr. was represented by legal counsel Jim Gorman, Esq.; and

WHEREAS, Carmine Casola, Jr. testified concerning the farm market operation at the Property; and

WHEREAS, the Board considered the evidence presented in support of the application, including the Applicant's testimony and certification, proposed site plan, manufacturer's greenhouse brochure; and

WHEREAS, the Board considered letters presented from Colts Neck Township dated January 2, 2004, and heard testimony from Tim Anfuso, Colts Neck Township planner who noted concerns based upon Colts Neck Development Regulations section 102-92 .

NOW, THEREFORE, based on the evidence presented, the Board makes the following findings of fact and conclusions of law:

1. The Property comprises approximately 5.5 acres;
2. The Property produces sales of farm product of at least \$250,000 per year;
3. The zoning of the Property as of December 31, 1997, was A-1, in which agriculture is a permitted use and the use is consistent with the Master Plan;
4. The Property is a commercial farm market within the meaning of the Right to Farm Act;
5. The proposed greenhouse is a double wide gutter connected greenhouse measuring 42 feet by 78 feet, which will be attached to the existing double wide gutter connected greenhouse;
6. The proposed shade cloth house will be 24 feet by 96 feet, will be located directly adjacent to the existing double wide gutter connected greenhouse, and will be open on all sides;
7. Public access to the new proposed greenhouse and shade cloth house, and the existing greenhouse will be permitted as it promotes the agricultural viability of this enterprise;
8. The allowance of public access to the existing greenhouse supercedes the disallowance of such access as provided for in the Board's resolution numbered 5-2003-12 on

this matter;

9. Year round operation of the farm market will also promote the agricultural viability of the enterprise;

10. The proposal to attach the greenhouse to the existing greenhouse will result in a front setback less than that required by Section 102-92 of the Colts Neck Development Regulations;

11. The allowance of public access to the existing and proposed greenhouse will result in a defacto farm market structure in excess of the maximum ground floor area of 600 square feet allowed by Section 102-92 of the Colts Neck Development Regulations;

12. Year round operation of the farm market will contravene the maximum operation interval of nine months per calendar year as allowed by Section 102-92 of the Colts Neck Development Regulations;

13. Applicant must be in compliance with section 4:1C-3 of the New Jersey Right to Farm Act, which states that “at least 51% of the annual gross sales of the retail farm market shall be generated from sales of agricultural output of the commercial farm, or at least 51% of the sales area shall be devoted to the sale of agricultural output of the commercial farm...”;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby recommends the proposed greenhouse and shade cloth addition at the Property, the allowance of public access to the proposed new structures and existing greenhouse and the year round operation of the farm market as an accepted agricultural management practice under the New Jersey Right to Farm Act.

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

	YES	NO	ABSTAIN	ABSENT
Mr. Bullock		X		
Mr. Buscaglia				X
Mr. Holland	X			
Mr. Hom	X			
Mr. Illmensee (Recused)				
Mr. McCarthy	X			
Mr. McCormack	X			
Mr. Potter (Recused)				
Mr. Puglisi				X
Mr. Rifkin	X			
Mr. Stuart (Recused)				

I certify that foregoing is a true copy of the Resolution of the Monmouth County Agriculture Development Board duly adopted at a regular meeting of the Board on February 4, 2004, and memorialized on March 3, 2004.

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Richard Obal, Secretary