

**RESOLUTION OF THE
MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD
RECOMMENDING SITE SPECIFIC AGRICULTUREAL MANAGEMENT
PRACTICE**

Mr. Thomas Geran offered the following resolution and moved its adoption:

WHEREAS, Kathy Poppe Pullen ("Applicant"), the owner of Woodhollow Farm, applied to the Monmouth County Agriculture Development Board ("the Board") requesting a determination if the Applicant's operations at _____, Colts Neck, New Jersey, Block 16, Lot 36, (the "Property"), constitute generally accepted agricultural management operations or practices; and

WHEREAS, the specific activities under consideration by the Board consist of:

1. Sales and training of horses for shows and foxhunting;
2. A horse training program to train riders;
3. Developing farm animals for sale;
4. Supporting educational and recreational activities;
5. Marketing horses for sale in riding, showing, fox hunting and driving; and
6. Use by Colts Neck Recreation for lessons; and

WHEREAS, the Applicant has certified that the Property is less than five acres, produces agricultural and/or horticultural products worth \$50,000.00 or more annually, and is eligible for differential property taxation pursuant to the Farmland Assessment Act of 1964; and

WHEREAS, a hearing was conducted before the Board on May 2, 2007, during which the Applicant was represented by counsel, Thomas Clark, Esq.; and

WHEREAS, the Board presented a slideshow of the farm and described its observations of its site visit;

WHEREAS, the Board entered into evidence a packet that contained the following information (Ex. B – 1):

- a. Applicant's Request for Site Specific Agricultural Management Practice (AMP) Recommendation with attached tax map;
- b. Letter to Board dated January 15, 2007, from Carl A. Mielke with exhibits A-C;
- c. Letter to Board dated February 14, 2007, from Carl A. Mielke;
- d. Letter to Board dated February 16, 2007, from Patrick and Sharon Borbely;
- e. Letter to Board dated February 15, 2007 from Patrick and Sharon Borbely with attached Deed, Seller's Residency Certification Exemption (Appendix 1) and municipal ordinance (Appendix 2);
- f. Letter to Board dated February 16, 2007 from Michele Ciasulli;
- g. Memorandum from Harriet Honigfeld to Richard Obal, Nicole Ciccaglione, Rich Galinski, Bill Potter and Tom Geran dated February 27, 2007;
- h. Letter to Board dated April 4, 2007, from Rich Galinski, Code Enforcement Officer of the Township of Colts Neck, with survey and township ordinance;
- i. Letter to Board dated April 20, 2007 from Nicole K. Ciccaglione, District Conservationist, Natural Resources Conservation Service;
- j. Letter from Bill Sciarappa, Ph.D., of Rutgers Cooperative Extension, undated; and

WHEREAS, the Applicant presented testimony describing the operations of the farm and the specific activities under consideration by the Board; and

WHEREAS, the Applicant entered into evidence the following exhibits in support of the application:

- a. Letter from Applicant's accountant, Neil J. Minsky, dated February 12, 2007 (Ex. A-1);
- b. Set of twenty six (26) photographs of the Property (Ex. A-2);
- c. Tax map of the Property showing 15 locations within ¼ mile that house horses to depict the probable travel distance(s) of a common house fly within that area (Ex. A-3); and

WHEREAS, the Applicant presented the testimony of Vincent Cerulo who is familiar with and described the operations of the farm; and

WHEREAS, the Applicant presented the testimony of Matt Pullicano, a neighbor residing directly across the street from the Applicant at [REDACTED]; and

WHEREAS, Patrick Borbely, a neighbor of the Applicant, presented testimony in opposition to the Application; and

WHEREAS, after considering the evidence presented by and on behalf of the Applicant and the Board, and after hearing the arguments of the Applicant's counsel and from the objector, Patrick Borbely, and comments from the public, the Board makes the following findings of fact and conclusions of law:

1. The Property is known as Woodhollow Farm, and it is located at [REDACTED] and it is shown on the municipal tax map as Block 16, Lot 36;
2. The Applicant is the owner of the Property;
3. Woodhollow Farm is a commercial farm within the meaning of the New Jersey Right to Farm Act and is eligible for differential property taxation under the Farmland Preservation Assessment Act of 1964;
4. The Property is operated as a horse farm which actively sells and trains horses and riders of horses;
5. The Property comprises approximately 3.1 acres;

6. The Applicant plans to continue operating the farm consistent with the activities set forth in the application;

7. The horse farm is operated in accordance with accepted agricultural management practices pertaining to such operations.

NOW, THEREFORE, BE IT FURTHER RESOLVED that, based on the aforesaid findings of fact and conclusions of law, the Monmouth County Agriculture Development Board recommends that the activities set forth on the Applicants Request for Site Specific Agricultural Management Practice (AMP) Recommendation application are generally accepted agricultural management operations or practices under New Jersey's Right to Farm Act:

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

	YES	NO	ABSTAIN	ABSENT
Mr. Bullock	X			
Mr. Buscaglia				X
Mr. DeFelice	X			
Mr Geran	X			
Mr. Giambrone	X			
Mr. Halka	X			
Mr. McCarthy				X
Mr. Potter	X			
Mr. Puglisi	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 May 2, 2007, and memorialized on _____.

Dated:

Richard Obal, Secretary