

RESOLUTION OF SITE-SPECIFIC AGRICULTURE MANAGEMENT PRACTICE  
BY THE  
SOMERSET COUNTY AGRICULTURE DEVELOPMENT BOARD  
IN THE MATTER OF  
LAKE VIEW RANCH

PRINCETON, NJ 08540  
BLOCK 9 – LOT 45  
TOWNSHIP OF FRANKLIN

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

WHEREAS, on January 12, 2012, an application for a Site-Specific Agriculture Management Practice (SSAMP) was submitted by Damiano DiFlorio, applicant for Lake View Ranch (Block 9 – Lot 45, Franklin Township)(see attached copy of application); and

WHEREAS, the applicant, Mr. DiFlorio, requested the SSAMP to state that the equine-related activities on his farm, including the boarding, keeping, training of horses, as well as open houses, educational camps and farm events are allowable under the Right-to-Farm Act and constitute generally acceptable agricultural practices ; and

WHEREAS, the Township of Franklin has stated that it is not opposed to the equine-related activities being proposed on the property, however would like to be included in the process to ensure public health and safety; and

WHEREAS, the Old Georgetown Coalition, a group of neighboring property owners, submitted a notice of their opposition to the requested SSAMP on Lake View Ranch on March 28, 2012, specifically citing increased traffic, parking ingress and egress on the property during the activities, health and safety concerns about the property and previous and current applicant's history of "total disregard for State and local ordinances, which is indicative of their inability or refusal to comply with rules and regulations"; and

WHEREAS, this matter was placed on the Somerset County Agriculture Development Board's (SCADB) agenda for February 14, 2012; and

WHEREAS, as per its usual practice, the SCADB reviewed the information submitted and forwarded the matter to the Right-to-Farm Committee, an already-established Committee of the SADC, for further, more-detailed review of the case; and

WHEREAS, upon an initial review of the application and attachments submitted by Mr. DiFlorio, and on the recommendation of the Right-to-Farm Committee, the SCADB determined that the application was incomplete, and would need to request more-detailed information from the applicant in order to be able to make any type of recommendation in the matter; and

WHEREAS, on March 14, 2012, a letter was sent from the SCADB to Mr. DiFlorio asking for more-detailed information to complete the application, specifically:

- SOUTH WORTH
1. Is there a Conservation Plan and Manure Management Plan filed for the property, as required in the State Agriculture Development Committee's (SADC) Equine Agriculture Management Practice (herein "Equine AMP") (NJAC 2:76-2A.10)?
  2. How does the proposed practice deal with air quality, water quality, noise control, pesticide management, fertilizer application, integrated pest management, and labor practices?
  3. A detailed narrative about the educational camps, clinics and open houses was requested including impacts on traffic flow along Georgetown Road, sanitary facilities for attendees, occurrence of each type of activity, lighting proposed, and signage proposed.
  4. How many horses are being bred, kept and/or trained on the property?

WHEREAS, responses to the March 15, 2012 request for more information were received from Mr. DiFlorio by the SCADB Staff on April 2, 2012; and

WHEREAS, the Right-to-Farm Committee met on April 5, 2012 to review all of the information submitted by Mr. DiFlorio, as well as consider previous testimony offered by Vincent Dominach, Zoning Officer for the Township of Franklin, and representatives from the Old Georgetown Coalition at the March 14, 2012 SCADB meeting; and

WHEREAS, because the SADC has established the Equine AMP (NJAC 2:76-2A.10) for guidance in matters such as this, the Right-to-Farm used the Equine AMP to recommend the parameters for the requested SSAMP on Lake View Ranch; and

WHEREAS, the SCADB determined at their regularly scheduled April 9, 2012 meeting, using the recommendation from the Right-to-Farm Committee, testimony previously heard from involved parties, the application and supplemental information submitted by Mr. DiFlorio, and the established SADC Equine AMP, that although the proposed activities are considered to be allowable under the Equine AMP (NJAC 2:76-2A.10), said Equine AMP also requires that a Conservation Plan and Manure Management Plan be filed for the property in question in order to be in compliance with the Equine AMP; and

WHEREAS, the SCADB advised the applicant, Mr. DiFlorio, to file a Conservation Plan and Manure Management Plan for the property, and upon providing the proper documentation, the SCADB would then finalize its determination on the request for the SSAMP; and

WHEREAS, on April 17, 2012 the SCADB Staff was notified by Rutgers Cooperative Extension, that the applicant, Mr. DiFlorio, had filed the Manure Management Plan and satisfied all requirements for filing; and

WHEREAS, on April 18, 2012, SCADB Staff was notified by Natural Resource Conservation Service Staff that an application for a Conservation Plan has been filed with their Office on April 10, 2012, however there is at least a 6-month backlog in the completion of these Plans from the NRCS Office; and

WHEREAS, the SCADB was made aware previously that such a backlog for Conservation Plans existed through the NRCS Office; and

WHEREAS, at the regularly scheduled SCADB meeting of May 14, 2012, the SCADB made the following determination:

- The proposed activities are allowable under the existing Equine AMP (NJAC 2:76-2A.10)
- The Lake View Ranch (Block 9 – Lot 45, Franklin Township) is in conformance with the requirements set forth in the Equine AMP, except for the completion of the Conservation Plan
- Because the SCADB is aware that of the existing backlog at the NRCS Offices for the completion of Conservation Plans, and because the applicant has done everything in his power to complete this requirement, the SCADB is willing to allow the SSAMP to be approved, with the condition that the applicant, Mr. DiFlorio, reports back to the SCADB six months from the date of this resolution to update the Board on the status of the Conservation Plan.
- The SCADB reserves the right to rescind this SSAMP if it is found that the applicant has in anyway deviated or purposely delayed the completion of his requirement to obtain a Conservation Plan on the property; and

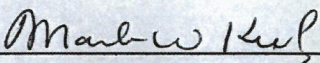
WHEREAS the applicant, Mr. DiFlorio, has agreed to work with the Township of Franklin in public health and safety matters so that these allowable agricultural practices will not have a negative impact on the same.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby approves the request for a Site-Specific Agriculture Management Practice on the Lake View Ranch Property (Block 9 – Lot 45, Franklin Township), specifically allowing for the breeding, keeping, and/or training of horses on the property, as well as equine-related activities such as educational camps, open houses and clinics, as requested by the applicant, Mr. DiFlorio, in his application of January 12, 2012.

BE IT FURTHER RESOLVED that the applicant, Mr. DiFlorio, will report back to the SCADB within six months from the date of this resolution as to the status of the Conservation Plan on the property.

BE IT FURTHER RESOLVED that the SCADB shall forward a copy of this resolution to Mr. Damiano DiFlorio (applicant for Lake View Ranch), the Township of Franklin, the Somerset County Board of Chosen Freeholders, the SADC, Gail Bartok at the Natural Resource Conservation Service, and any other individuals or organizations deemed appropriate by the Board within 30 days of this recommendation.

I hereby certify that the above is a true copy of the resolution adopted by Somerset County Agriculture Development Board at their meeting of May 14, 2012.

  
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Mark W. Kirby, Chairman  
Somerset County Agriculture Development Board