

Sussex County Agriculture Development Board

Right to Farm Resolution

Certifying Commercial Farm Operation and
Recommending Site Specific Agriculture Management Practice
For Robert & Lisa McNerney Farm, Hampton Township

Dated: December 15, 2014

Whereas, pursuant to the Right to Farm Act, N.J.S.A. 4:1C-1 et seq. and the State Agriculture Development Committee 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 "CADB" or "Board") to determine if his or her operation constitutes a generally accepted management practice; and

Whereas, Robert & Lisa McNerney applied to the Township of Hampton for a permit to construct a barn approximately 48' X 36' to house four (4) horses as part of their equine breeding operation and were denied because the Township considers barns as an accessory structure and are not permitted unless there is a primary structure on the lot; and

Whereas, on October 14, 2014, a request was made by Robert & Lisa McNerney requesting designation as a commercial farm under Right to Farm definition and a site specific agriculture management practice (hereinafter "SSAMP") to erect a four stall barn on Lot 35.01 in Block 3301 as shown on the Hampton Township tax maps and also known as Hampton Township, Sussex County, NJ; and

Whereas, the Board on October 20, 2014 determined that Robert and Lisa McNerney operate a commercial farm in accordance with the requirements of N.J.S.A. 4:1C-9 and that they are engaged in a generally accepted agricultural operation or practice pursuant to N.J.A.C. 2:76-B.2; and

Whereas, Robert and Lisa McNerney complied with the notice provisions of N.J.A.C. 2:76-2.8 and submitted proof of same to the Board; and

Whereas, the Board conducted a hearing in accordance with N.J.A.C. 2:76-2.8 and Robert McNerney provided sworn testimony regarding the commercial farming operation and answered all of the Board's questions and the Board having reviewed the Memorandum prepared by Autumn Sylvester, the Program Manager for the SCADB and the submissions referred to therein a copy of which is attached hereto and made a part hereof, and

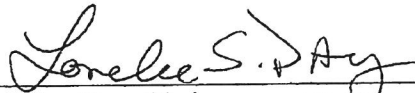
Whereas, the meeting was opened to the public and no comments were received at the meeting or submitted prior to the meeting.

NOW, THEREFORE BE IT RESOLVED that based upon the testimony, and the evidence submitted, the Board finds as follows:

1. That Robert and Lisa McNerney, operate a commercial farm in accordance with the requirements of N.J.S.A. 4:1C-9 as determined by the Board at their October 20, 2014 meeting.
2. That Robert and Lisa McNerney satisfies the Right to Farm income criteria based on the submitted documentation.
3. The Board further finds that the proposed barn is a principal structure and that the Municipality shall forthwith issue a permit for the construction of the four stall barn as proposed by the McNerney' s without the necessity to construct a principal residence.

BE IT FURTHER RESOLVED that the Board shall forward a copy of this resolution as its written recommendation of this site specific agriculture management practice to the State Agriculture Development Committee, the Township of Hampton, and Robert and Lisa McNerney.

Certified as a true copy of the
Resolution adopted by the Sussex
County Agriculture Development
Board on the 15th day of December 2014.



Lorelee Day, Chairperson pro tem
Sussex County Agriculture Development Board

Approved: November 19, 2014
Memorialized: December 15, 2014