

WARREN COUNTY AGRICULTURAL DEVELOPMENT BOARD
THE DEPARTMENT OF LAND PRESERVATION
500 MT PISGAH AVE, P.O. BOX 179
OXFORD, NJ 07863

RESOLUTION NO. 14-13

On motion by Mr. Gourniak, and seconded by Mr. Menegus, the following resolution was adopted by the Warren County Agricultural Development Board at a meeting held July 17, 2014.

**RESOLUTION OF THE WARREN COUNTY AGRICULTURE
DEVELOPMENT BOARD APPROVING THE APPLICANT'S REQUEST FOR A
SITE SPECIFIC DETERMINATION IN THE MATTER OF CASTLE RIDGE FARM,
LLC, RIGHT-TO-FARM APPLICATION FOR CONSTRUCTION OF
180' LENGTH X 27' HEIGHT X 80' WIDTH WITH A 8' W X 40' L PORCH**

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 "Board") to determine if his or her operation constitutes a generally accepted agricultural management practice; and

WHEREAS, on April 22, 2014, Randy & Laura Hoff owners/operators of Castle Ridge Farm, LLC, (hereafter "Applicant"), Block 26 Lot 19 in Harmony Township, (hereafter "Property") made a request in writing to the Board for the development of a site-specific agriculture management practice (hereinafter, "SSAMP") for the allowance of construction of an indoor equine riding arena structure for year round horse riding and training; and

WHEREAS, on April 29, 2014, pursuant to N.J.A.C. 2:76-2.3(c), the Board advised in writing the State Agriculture Development Committee and Harmony Township of the Applicant's request; and

WHEREAS, on May 15, 2014, pursuant to N.J.A.C. 2:76-2.3(b), the Board requested that Applicant provide proof that their agricultural operation is a commercial farm as defined at N.J.S.A. 4:1-C-3 and N.J.A.C. 2:76-2.1; and

WHEREAS, on April 17, 2014, Applicant provided proof to the Board in the form of a commercial farm certification, including supporting documentation that the property is 5 acres or more and produces agricultural and/or horticultural products worth \$2,500 or more annually, and is eligible for differential property taxation pursuant to the Farmland Assessment Act of 1964, that the farm is located in the AR-300 Zone, an area in which as of December 31, 1998 or thereafter, agriculture has been a permitted use under the municipal zoning ordinance and is consistent with the municipal master plan, and that the Property is a "commercial farm" as defined by N.J.S.A. 4:1C-3 and N.J.A.C. 2:76-2.1, and the Board memorialized same by resolution on May 15, 2014; and

WHEREAS, a public hearing regarding Applicant's request was noticed to take place at the May 15, 2014 Board meeting and the Applicant was instructed to provide notice to all property owners within 200 feet as suggested by the Court in Curzi v. Raub, 415 N.J. Super 1 (N.J. Super. App. Div. 2010); and

WHEREAS, at its May 15, 2014 meeting the CADB postponed the Site Specific Hearing until June 19, 2014 with Special Counsel advising that the applicant need not re-notice by certified mail the neighbors within 200 feet, but that the Land Preservation Department shall publish notice of the June 19th meeting in the newspaper;

WHEREAS, in accordance with the procedure set forth in N.J.A.C. 2:76-2.10, a public hearing was held on June 19, 2014, when the Applicant presented his case, no representatives of the Township of Harmony appeared, and no neighboring residents of Applicant appeared to express their concerns; and

WHEREAS, Mr. Hoff testified that he needs the proposed indoor riding area for year round horse riding and training and that the dimensions of the proposed indoor riding arena are 180' L X 27' H X 80' W with a 8' W X 40' L porch totaling 14,800 square feet; and

WHEREAS, the Township of Harmony notified Mr. Hoff that a site plan approval would need to be obtained and Mr. Hoff therefore requests that the proposed arena be permitted without the need for site plan approval as the township's conceptual review of the project revealed no zoning ordinance violations; and

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

- 1) That the Board previously determined that Applicant operates a commercial farm in accordance with the requirements of N.J.S.A. 4:1C-9; and
- 2) That Applicant is engaged in a generally accepted agricultural operation or practice pursuant to N.J.A.C. 2:76-2B.2; and
- 3) That Applicant has a legitimate farm based reason for not complying with the site plan approval requirement in Township of Harmony's Zoning Ordinances; and
- 4) That the barn structure of 180' L 27' H X 80' W with a 8' W X 40' L Porch and 14,800 feet of square footage, will not implicate any health, safety or welfare issues; and
- 5) That the Township of Harmony shall immediately issue all appropriate permits for the construction of the barn structure as presented in the application submitted to the CADB; and
- 6) That the Board retains jurisdiction of this matter.

BE IT FURTHER RESOLVED, that the Board shall forward a copy of its written recommendation of the SSAMP Resolution to Randy & Laura Hoff (applicant for Castle Ridge Farm, LLC), the Township of Harmony, the State Agriculture Development Committee (SADC), and any other individuals or organizations deemed appropriate by the Board within 30 days of the recommendation.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – abstained; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

CERTIFICATION

I, Teresa Kaminski, Secretary to the Warren County Agriculture Development Board, do hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Warren County Agriculture Development Board at a meeting of said Board held on July 17, 2014 to memorialize the Board's action on June 19, 2014 in which a motion was made by Ms. Willever and was seconded by Mr. Gourniak and Roll Call at said meeting was as follows: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes; Absent – Mr. Baduini.


Teresa Kaminski