Sussex County Agriculture Development Board

Right to Farm Resolution

Certifying Commercial Farm Operation and Recommendations for
Poultry Operation for
Gerard Faulkner, Wantage Township, Block 113, Lot 7.08

Dated: January 27, 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, on November 20, 2013, a request was made by Gerard Faulkner requesting designation as a commercial farm under the Right to Farm definition for Block 113, Lot 7.08 in Wantage Township, Sussex County; and

WHEREAS, the Board reviewed all documentation submitted for their December 16th, 2013 meeting and found that this operation met the requirements of a commercial farm as per the Right to Farm Act; and

WHEREAS, on December 16, 2013, SCADB members conducted a site visit with the landowner to become more familiar with Mr. Faulkner's operation and the concerns brought to this Board's attention by the complaint via the Wantage Township Municipal Court that trailers were being used to house the poultry operation; and

WHEREAS, the Board reviewed these concerns with the applicant at the SCADB December 16, 2013 meeting and had certain recommendations that may, in part, alleviate some of the concerns raised in the complaint, those suggestions being the following:

a. Reposition the three trailers that extend outward from the barn so that contiguous neighbors cannot see them
b. Utilize paint for the trailers that will allow them to blend with the existing barn or duplicate a barn color
c. Utilize a vegetative buffer should the above suggestions be inadequate.

NOW, THEREFORE BE IT RESOLVED that based on information provided by Mr. Faulkner and the research done by the SCADB, the use of renovated recreational use trailers may be used for a poultry operation, however, this Board has no authority to supersede any federal or state regulations and those will still need to be adhered to for use of these structures for an agricultural use, especially for the purposes of electricity to these structures; and

BE IT FURTHER RESOLVED, it is recommended that the landowner comply with the New Jersey Department of Agriculture Animal Waste Management Rule N.J.A.C. 2:91 as it pertains to their poultry operation; and

BE IT FURTHER RESOLVED that the Board shall forward a copy of this resolution to the State Agriculture Development Committee; to the Hon. Craig U. Dana, JMC, Joint Municipal Courts of Wantage, Sussex and Stillwater; the Township of Wantage; and Mr. Gerard Faulkner within 7 days.

Certified as a true copy of the
Resolution adopted by the Sussex County
Agriculture Development Board
On the 27th day of January 2014.

Jane Brodhecker, Chairperson
Sussex County Agriculture Development Board