ATLANTIC COUNTY AGRICULTURE DEVELOPMENT BOARD
6260 Old Harding Highway
Mays Landing, New Jersey, 08330
(609) 625 - 3144

RESOLUTION OF THE ATLANTIC COUNTY AGRICULTURE DEVELOPMENT BOARD REAFFIRMING ITS APPROVAL OF APPLICANT'S REQUEST FOR A SITE-SPECIFIC DETERMINATION IN THE MATTER OF JOHN MOLLINELLI'S APPLICATION FOR CONSTRUCTION OF AN ADDITION TO AN EXISTING WAREHOUSE STRUCTURE

WHEREAS, a commercial farm owner or operator may make a request to the Atlantic County Agriculture Development Board (hereinafter CADB) to determine if his or her operation constitutes a generally accepted agricultural management practice; and

WHEREAS, John Molinelli is the owner of 5080 Landis Avenue (County Route 540) in Buena Vista Township, known as Block 5901, Lot 29 on the official tax map of the Township of Buena Vista, Atlantic County;

WHEREAS, John Molinelli applied to the Atlantic County Agriculture Development Board for determination of a Site-Specific Agriculture Management Practice for construction of a 70' x 100' addition to an existing warehouse located on Block 5901, Lot 29;

WHEREAS, the proposed structure will be utilized by the applicant for packing, cold storage, and distribution of the agricultural output of the commercial farm;

WHEREAS, the property is located in a Pinelands designated Agriculture Production Area;

WHEREAS, the completion of an application to the Pinelands Commission is not required for the improvement, expansion, construction, or reconstruction of any structure used exclusively for agricultural or horticultural purposes;

WHEREAS, the property and its existing improvements do not meet current zoning standards for lot area, lot width, lot cover and side yard setback;

WHEREAS, the applicant has provided sufficient proof that he operates a commercial farm in accordance with N.J.S.A. 4:1C-3 and that he is engaged in a generally accepted agricultural operation or practice pursuant to N.J.A.C. 4:1C-9;

WHEREAS, the CADB sought the input and assistance of Rutgers Cooperative Extension agent and the Cape Atlantic Soils Conservation District in consideration of the request;

WHEREAS, on February 8, 2011, members of the Atlantic County Agriculture Development Board, local Soils Conservation District, and CADB staff met with the applicant on-site to discuss the proposal;

WHEREAS, at its February 8, 2011 meeting, the Atlantic County Agriculture Development Board approved the applicant's request for a Site-Specific Agriculture Management Practice;

WHEREAS, the County Agriculture Development Board held a second public meeting to discuss the project on June 28, 2011, to allow an additional opportunity for interested parties to provide input.

NOW, THEREFORE BE IT RESOLVED, that the Atlantic County Agriculture Development Board reaffirms its previous approval and finds as follows:

1. The applicant, John Molinelli operates a commercial farm as defined at N.J.S.A. 4:1C-3 and is engaged in a generally accepted agricultural operation or practice pursuant to N.J.A.C. 4:1C-9;

2. The proposed improvements will not implicate any health, safety or welfare issues;

3. The applicant has a legitimate agriculture-based reason for nonconformance with current zoning requirements;

4. The CADB hereby determines that the proposed construction activities constitute a generally accepted agriculture management practice, provided that the activities must conform to all relevant federal and state statutes, rules, and regulations.

5. The Township of Buena Vista should issue all appropriate permits for the construction of the proposed addition as presented in the application submitted to the CADB;

6. The Board retains jurisdiction of this matter.

BE IT FURTHER RESOLVED, that the Board shall forward a copy of its written recommendation of the site-specific AMP to John Molinelli, the SADC, the Township of Buena Vista and any other individuals or organizations deemed appropriate by the Board within 30 days of the recommendation.

Adopted June 28, 2011 by the Atlantic County Agricultural Development Board:

Jerry DeFiccio
Chairman

ATTEST:

Dominick Cassetta
CADB Administrator