

RESOLUTION # 34

MICROENTERPRISES ON PRESERVED FARMS

1 **WHEREAS**, the preservation of farmland in New Jersey is one of the cornerstones of
2 maintaining a thriving agricultural land base large enough to sustain the agricultural sector of
3 the state’s economy into the future; and

4 **WHEREAS**, farmland preservation is most attractive to farmers if they have some
5 opportunities not traditionally or strictly related to farming remain open to them in the future
6 to help supplement their farm income; and

7 **WHEREAS**, Governor Christie in January 2016 signed into law the New Jersey Rural
8 Microenterprise Act, setting forth that “(a)ny person who owns qualifying land may apply for a
9 special permit...to allow a rural microenterprise to occur on the land”; and

10 **WHEREAS**, that law gives sole discretion for the review, granting or denying of those
11 applications to the State Agriculture Development Committee (SADC), and further provides
12 that the SADC shall, within 90 days of receiving such an application, either approve, approve
13 with conditions or deny the application; and

14 **WHEREAS**, the law established two categories of microenterprise activities for which
15 application can be made, including: (Class 1), which shall include customary rural activities,
16 which rely on the equipment and aptitude historically possessed by the agricultural
17 community, including, but not limited to, snow plowing, bed and breakfasts, bakeries,
18 woodworking, and craft-based businesses; and (Class 2), which shall include agriculture
19 support services, which have a direct and positive impact on agriculture by supplying
20 needed equipment, supplies, and services to the surrounding agricultural community,
21 including, but not limited to, veterinary practices, seed suppliers, and tractor or
22 equipment repair shops; and

23 **WHEREAS**, the creation of these microenterprises also promotes the saving and
24 upkeep of older barns by allowing the entirety of a “heritage farm building” – as opposed
25 to up to 2,500 square feet of other buildings – to be finished to support a rural

26 microenterprise in exchange for an easement protecting the exterior character of the
27 building; and

28 **WHEREAS**, the legislation carries with it conditions and restrictions that, in the
29 view of the Department of Agriculture, will constrain the microenterprises sufficiently to
30 prevent them from becoming a point of contention that diminishes public support for the
31 preservation of farmland through the use of public funds.

32 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 103rd State
33 Agricultural Convention, assembled in Atlantic City, New Jersey, on February 7-8, 2018, do
34 hereby support the New Jersey Rural Microenterprise Act.

35 **BE IT FURTHER RESOLVED**, that we urge the SADC to interpret the provisions of
36 this legislation as broadly as possible to support the farmer and/or landowner making
37 application under this measure, provided there is no clear evidence of degradation to the
38 agricultural operation also occupying the property as a result of the establishment of the
39 microenterprise.

40 **BE IT FURTHER RESOLVED**, that we call upon the agricultural community
41 members who may make application under this measure to be mindful of the far-reaching
42 implications to further support of the use of public funds for the preservation of farmland
43 when deciding upon the types and scope of microenterprises they propose.