

Board of Chosen Freeholders
County of Burlington
New Jersey



Department of Resource Conservation

Mailing Address:

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BURLINGTON CADB RESOLUTION # 2012-12

**Right to Farm Complaint
Under The New Jersey Right to Farm Act**

Block 7400, Lot 1 Moorestown Township
March 8, 2012

WHEREAS, Mr. Curt Leonberg of Moorestown Township has filed a complaint to the Burlington County Agricultural Development Board ("Board") pursuant to the NJ Right to Farm Act N.J.A.C. 2:76-2.3 ("Act") pertaining to a specific activity occurring on the property referenced above; and

WHEREAS, the property in question is owned and operated by Mr. Fred Moriuchi and his son Mr. Seiji Moriuchi; and

WHEREAS, Mr. Leonberg's complaint specifically calls into question the processing of "wood and wood chip" products into mulch on the property; and

WHEREAS, the complaint further indicates that the raw wood and wood chip products are received from off-site locations that are not part of the Moriuchi Farm Management Unit; and

WHEREAS, On April 29, 2009, the Moorestown Township Planning and Zoning Board solicitor offered an opinion to the township indicating that the "processing" of the yard trimmings on the Moriuchi property is a permitted activity under the Right to Farm Act; and

WHEREAS, on February 22, 2012, Burlington County staff inspected the operations on the Moriuchi property and met with Mr. Seiji Moriuchi; and

WHEREAS, Mr. Moriuchi indicated that the raw wood products are not derived from his Farm Management Unit; and

WHEREAS, Mr. Moriuchi acknowledged that the processing of the wood products is not an agricultural activity and therefore did not wish to seek any protections through the Act; and

WHEREAS, as stated in the Right to Farm Act N.J.S.A. 4:1C-1 et.seq. it is the express intention of the Act to protect recognized methods of agricultural production on commercial farms.

NOW, THEREFORE, BE IT RESOLVED the Board finds the processing of raw wood obtained from outside of the Farm Management Unit into wood chips and mulch is not an agricultural activity and therefore not subject to the limited protections afforded by the Act; and

BE IT FURTHER RESOLVED the Board recommends that copies of this resolution shall be submitted to Mr. Leonberg, Moorestown Township, and the landowners.

3/8/12
Date

Martha Bark
Martha Bark
Vice Chairwoman, Burlington CADB

Yeas: 7
Nays: 0
Abstentions: 0

(names) _____