

RESOLUTION 5 - 2000
of The Cumberland County Agriculture Development Board
concerning the Right to Farm Conflict Resolution Public Hearing for
Maple Run Farms

WHEREAS pursuant to the Right to Farm Act, N.J.S.A. 4:1C-10.1 et seq. and the State Agriculture Development Committee Right to Farm rules, N.J.A.C. 2:76-2.10, a complaint was received by the Cumberland County Agriculture Development Board about a drainage and flooding problem involving Maple Run Farms located at _____, Cedarville, in Lawrence Township;

AND WHEREAS the complaint, dated October 21, 1999, was submitted by neighboring property owners, Albert and Kerry Wynn of _____, Cedarville, NJ;

AND WHEREAS the Cumberland County Agriculture Development Board, at their regularly scheduled meeting held on November 16, 1999, determined that there were no adopted agricultural management practices for reviewing the operation and management of the farm in relation to the drainage problem;

AND WHEREAS the Board forwarded this complaint to the State Agriculture Development Committee in accordance with N.J.A.C. 2:76-2.10(c);

AND WHEREAS the Committee determined that Maple Run Farms is a commercial farm operation subject to the provisions and protections of the Right to Farm Act, and then held a public hearing on April 6, 2000, and which resulted in findings that the farm operations conformed with generally accepted agricultural practices and did not exacerbate the naturally occurring drainage situation;

AND WHEREAS the Board reviewed those findings and held a public hearing at their regularly scheduled meeting on June 16, 2000;

AND WHEREAS the Wynns attended the meeting with their attorney Basil Beck and provided testimony that the configuration of planting rows perpendicular to the road and a failure to maintain a drainage ditch contributed to the problem;

HOWEVER a cover crop and grassed waterways are maintained on the site and have been observed during site inspections yet flooding continues to occur during heavy rains;

THEREFORE the findings and recommendations of the Board agree with those of the Committee: that the drainage problem has been a long standing problem and is not the result of improper agricultural practices or farm management by the farm operator.

THEREFORE BE IT RESOLVED that the Board finds that the operation and management of Maple Run Farms are conducted in an acceptable manner for surface water and irrigation water runoff.

IT IS THE RECOMMENDATION of the Board that Maple Run Farms and the Wynns work together with the Natural Resource Conservation Service to put into place a stormwater management system to alleviate the flooding problem.

Motion made by: David Sheppard

Motion seconded by: Fred VanMeter

7/18/00

 DATE

 Albert Johnson, Chairman

This resolution was duly heard and approved at a publicly advertised meeting of the Cumberland County Agriculture Development Board held on July 18, 2000 at 8:00 PM.

Carolyn E. Pritchett
 CAROLYN E. PRITCHETT
 NOTARY PUBLIC OF NEW JERSEY