

RESOLUTION
of The Cumberland County Agriculture Development Board
concerning the Right to Farm Conflict Resolution Public Hearing for
Sepers Nursery, Vineland, NJ

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 dust coming from soil mixing at Sepers Nursery identified as block _____ in Vineland, Cumberland County. That complaint, dated May 4, 2003 was submitted by adjacent property owner, Anthony Mazzeo of Vineland, NJ;

AND WHEREAS the Cumberland County Agriculture Development Board, at their regularly scheduled meeting held on May 20, 2003, determined that Sepers Nursery was a commercial farm operation subject to the protection of the Right to Farm Act;

AND WHEREAS the Board also determined that there were no adopted agricultural management practices for reviewing the soil mixing operation, and therefore 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 State Agriculture Development Committee also determined that Sepers Nursery is a commercial farm operation subject to the provisions and protections of the Right to Farm Act. The Committee held a public hearing on September 30, 2003, and adopted findings on December 18, 2003, which held that the soil mixing and truck activities conformed with generally accepted agricultural practices;

AND WHEREAS the Board held a public hearing at their regularly scheduled meeting on January 20, 2004, to review the findings of the Committee and receive testimony of the parties involved.

AND WHEREAS after review of the Committee's actions and the testimony presented at the public hearings, the Board findings and recommendation are in agreement with the Committee's.

THEREFORE BE IT RESOLVED that the Board finds that the soil mixing and truck operation on Sepers Nursery conform to generally accepted agricultural management practices.

Motion made by: Richard Stratton

Motion seconded by: David Sheppard

February 17, 2004

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 February 17, 2004.