

October 20, 2006

Morgan Tracey

T 08816

Re: Conflict Resolution Matter
94 Union Valley Road, LLC
Monroe, Middlesex County

Dear Ms. Tracey:

As you know, the State Agriculture Development Committee (SADC) has received a complaint filed by Monroe Township regarding activities on your land. This complaint was forwarded by the Middlesex County Agriculture Development Board (CADB) pursuant to the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

In light of the Notices of Violation issued by the New Jersey Department of Environmental Protection (DEP) against your property, the SADC cannot grant a hearing at this time. The Act does not protect farms that are in violation of State laws and regulations. N.J.S.A. 4:1C-9. We will keep the file open, however, and reconsider the matter once these violations have been resolved.

If you have any questions, please contact David Kimmel, Agricultural Resource Specialist, at (609) 984-2504.

Sincerely,

Marci D. Green
Chief of Legal Affairs

c: Ryan Rapp and Mirah Becker, Middlesex CADB
David Stahl, Middlesex CADB
Len Zivin, Monroe Township
Susan Craft, SADC
Anthony Sposaro

November 9, 2006

Anthony J. Sposaro, Esq. (via fax and regular mail)
Laufer, Knapp, Torzewski,
Dalena & Sposaro, L.L.C.
425 East Main Street
Chester, New Jersey 07930

Re: Right to Farm Matter
Morgan Tracey, d/b/a 94 Union Valley Road, LLC
Monroe Township, Middlesex County

Dear Mr. Sposaro:

As you are aware, the State Agriculture Development Committee (SADC) notified your client, Morgan Tracey, that it cannot grant a hearing on the right-to-farm complaint filed by the Township of Monroe at this time due to the notices of violation issued by the New Jersey Department of Environmental Protection. We stated that once those violations have been resolved, we would reconsider the matter.

Ms. Tracey contacted our office today to inquire about appealing that determination. Please be advised that Ms. Tracey may appeal this determination by submitting a letter to the SADC within 15 days of the date of your receipt of this letter. The SADC will transmit the matter to the Office of Administrative Law for a determination as to whether your client's operation qualifies for the protections of the Right to Farm Act.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Marci D. Green
Chief of Legal Affairs

c: Ryan Rapp, Middlesex CADB
David Stahl, Esq., Middlesex CADB
Len Zivin, Monroe Township
Gary W. Wolf, II, Deputy Attorney General

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