

**MERCER COUNTY AGRICULTURAL DEVELOPMENT BOARD
RESOLUTION RECOMMENDING A SITE SPECIFIC AGRICULTURAL
MANAGEMENT PRACTICE APPROVING
BELLEMONT BREWERY
Resolution #2024-004**

**Bellemont Farm, LLC
Bellemont Farm/Bellemont Brewery
Block 57, Lot 4
Hopewell Township, Mercer County**

WHEREAS, pursuant to the Right to Farm Act, *N.J.S.A. 4:1C-1* et seq., and the State of New Jersey Agriculture Development Committee (“SADC”) regulations, *N.J.A.C. 2:76-2.3*, a commercial farm owner or operator may make a request to the applicable County Agricultural Development Board (“Board”) to determine if his or her operation constitutes a generally accepted agricultural management practice; and

WHEREAS, Bellemont Farm, LLC (“Applicant”) is the owner/operator of an approximately 110-acre farm known as Bellemont Farm, located at Block 56, Lot 3 and Block 57, Lots 3 & 4 in Hopewell Township, Mercer County, New Jersey (“Bellemont Farm”); and

WHEREAS, Bellemont Farm is currently engaged in, among other things, the growing and sale of vegetables and fuelwood; and

WHEREAS, on April 12, 2024, Michael Ehrenreich, as owner/operator and on behalf of Bellemont Farm, LLC, made a request in writing to the Board that the Board certify its commercial farm status and recommend a Site-Specific Agricultural Management Practice (“SSAMP”) to determine that its proposed facilities, activities and events for a proposed brewery on Block 57, Lot 4 of the Bellemont Farm constitute a generally accepted agricultural management practice pursuant to the Agricultural Management Practice for On-Farm Direct Marketing Facilities, Activities and Events, *N.J.A.C. 2:76-2A-13* (“OFDM-AMP”) and the Right to Farm Act; and

WHEREAS, on April 16, 2024, pursuant to *N.J.A.C. 2:76-2.3(c)*, the Board advised the State Agriculture Development Committee (“SADC”) and the Township of Hopewell in writing of the SSAMP request; and

WHEREAS, pursuant to provisions of *N.J.A.C. 2:76-2.3(c)*, the Board is required to verify commercial farm eligibility of the Applicant prior to considering the SSAMP request; and

WHEREAS, in connection with its SSAMP application, pursuant to *N.J.A.C. 2:76-2.3(b)*, the Applicant provided proof that the agricultural operation is a commercial farm as defined at *N.J.S.A. 4:1C-3* and *N.J.A.C. 2:76-2.1*; and

WHEREAS, at its regular meeting on May 6, 2024, the Board considered the documentation provided by the Applicant and determined that, with all required criteria having been satisfied, the Board found that the Applicant met the eligibility criteria under the Right to Farm Act and made a determination that the Bellemont Farm Property is a commercial farm; and

WHEREAS, on July 16, 2024, County Planning Staff, members of the Board (non-quorum), and a representative of the United States Department of Agriculture conducted a site inspection of the Farm; and

WHEREAS, the Applicant has testified that at least 51% of the ingredients for the beer (barley and hops), exclusive of water and yeast, will be grown on Bellemont Farm; and

WHEREAS, Applicant intends to apply for a Craft Brewery License ("ABC License") with the State of New Jersey Division of Alcohol Beverage Control ("ABC"), to permit Bellemont Brewery to brew and sell beer; and

WHEREAS, the Applicant has testified his intent to engage in agriculture-related activities as defined in *N.J.A.C. 2:76-2A.13(h)*; and

WHEREAS, pursuant to *N.J.A.C. 2:76-2.8*, the Applicant has provided documentation that the appropriate notices of a public hearing before the Board concerning the request for the SSAMP for the operation of the craft brewery and all of its related activities, were timely published in the Trenton Times newspaper and were sent to the Hopewell Township municipal clerk, Hopewell Township Planning Board secretary, West Amwell Township Land Use Board Secretary, West Amwell Township municipal clerk, all property owners (on certified lists) within 200 feet of the commercial farm property, and the SADC; and

WHEREAS, on August 5, 2024, at its regular meeting, the Board was presented with the findings of the site inspection; and

WHEREAS, by way of narrative, exhibits and testimony at the August 5, 2024 hearing, the Applicant confirmed that the nature of the proposed on-farm facilities will be as follows:

- The Applicant testified that he understands that his hours of operation must conform to the current OFDM-AMP.
- Brewery processing, marketing and sales will be located in an approximately 5,700 square foot building to be constructed on Block 57, Lot 4 of the Bellemont Farm Property, and the total area of this facility will have a negligible impact on the use of the Farm for agricultural production purposes.
- A 4,000 square foot equipment and storage barn is proposed.
- Access to the Brewery will be through an existing driveway along Valley Road.
- Parking will be located on the property identified as Block 57, Lot 4, and will conform to municipal standards and in compliance with the OFDM-AMP and all applicable requirements.
- The Brewery is to be serviced by one new on-site well which will be installed on the Bellemont Farm Property in accordance with plans and approvals to be issued by the Township of Hopewell and all other governing agencies.
- The Applicant intends to use John Kluthe, of Kluthe Environmental to develop a Nutrient Management Plan.
- Brewery wastewater will be used, in part, for irrigation purposes on the Bellemont Farm.

WHEREAS, by way of narrative and testimony at the August 5, 2024 hearing, the Applicant has proposed that additional on-farm direct marketing activities may be provided in the

future and the Applicant understands that these activities must be in conformance with the OFDM-AMP.

WHEREAS, the Applicant has acknowledged that the primary purpose of the Brewery is the consumption or sale of the agricultural output of the Farm itself and any activity related thereto, and other future activities, must be ancillary and accessory to, and serve to increase, the direct-market sales of the brewed product, by enhancing the experience of purchasing the craft beer produced from the crops grown on the Farm, and for the purpose of attracting customers to the Farm, but these related activities cannot be the primary activities on or purpose of the Farm; and

WHEREAS, on August 5, 2024, the Board unanimously agreed to develop a Site-Specific Agricultural Management Practice for Bellemont Brewery after making the following findings of fact, based on information and documentation provided to the Board by the Applicant and information gathered during the site inspection:

1. The 110-acre farm management unit is located in Hopewell Township, at Block 57, Lot 4 and Block 56, Lots 3 & 4, commonly known as [redacted], Hopewell Township, New Jersey; and
2. Bellemont Farm is a commercial farm which currently produces field crops and fuel wood worth \$2,500.00 or more annually and satisfies the eligibility criteria for differential property tax assessment pursuant to the Farmland Assessment Act of 1964; and
3. Bellemont is located in an area in which, as of December 31, 1997, agriculture has been a permitted use under the municipal zoning ordinance and is consistent with the municipal master plan; and

NOW THEREFORE, BE IT RESOLVED that the Mercer County Agricultural Development Board, at its August 5, 2024 meeting, hereby determines that the operation of a craft brewery known as Bellemont Brewery on the Bellemont Farm Property and its related activities as discussed in this Resolution are farm practices and agricultural activities which constitute a generally accepted agriculture management practice and are contemplated, encouraged and protected by the Right to Farm Act, and thus eligible for Right to Farm protection subject to satisfaction of the requirements of the On Farm Direct Marketing AMP. The Applicant shall, at all times, comply with any other applicable federal, state and local laws, rules and regulations. Failure of the Applicant to comply with any of the aforesaid conditions shall constitute a violation of this Approval and may, in the Board's judgement, subject this Approval to revocation; and

BE IT FURTHER RESOLVED that the Applicant shall, at all times, ensure that public health and safety issues and concerns remain adequately addressed in connection with its operation of the Brewery. The Board encourages the representatives of Bellemont Farm and the Township of Hopewell to work cooperatively to address any public health and safety issues associated with the Property or Brewery that may arise in the future.

BE IT FURTHER RESOLVED, that the Board shall forward a copy of this written recommendation of the Site-Specific Agriculture Management Practice to Michael Ehrenreich, owner of Bellemont Farm LLC, the SADC, Township of Hopewell, and any other individuals or organizations deemed appropriate by the Board with thirty (30) days of the recommendation.

I, Diane Kottas, Secretary of the Mercer County Agricultural Development Board, hereby certify that the foregoing is a true copy of a resolution adopted by the Board on September 17, 2024 through an electronic voting process unanimously consented to by the Board.


Diane Kottas, Secretary, Mercer CADB

9-17-24
Date