

**RESOLUTION OF THE
SOMERSET COUNTY AGRICULTURAL DEVELOPMENT BOARD
APPROVING SITE SPECIFIC AGRICULTURAL MANAGEMENT PRACTICES
FOR [redacted] BLOCK 7301 LOT 18
IN THE TOWNSHIP OF BERNARDS
COUNTY OF SOMERSET**

WHEREAS, the Somerset County Agricultural Development Board (“SCADB”) received a Request For Site Specific Agricultural Management Practices (“SSAMP”) from Crestview Farms (“Applicant”) relating to its farming operations at [redacted] Block 7301 Lot 18, in the Township of Bernards, County of Somerset (“the Property”);

WHEREAS, Crestview operates a commercial farm on the Property; and

WHEREAS, the Township of Bernards has issued a zoning violation notice to Crestview for operating a business on the Property, which is located in the R1 Zone; and

WHEREAS, Crestview has sought protection from the zoning violation under the Right to Farm Act, N.J.S.A. 4:1C-9 and;

WHEREAS, a site inspection was performed on November 3, 2022; and

WHEREAS, the SCADB has determined that it has jurisdiction pursuant to the Right to Farm Act, N.J.S.A. 4:1C-9 and regulation N.J.A.C. 2:76-2.3; and

WHEREAS, on November 28, 2022, the SCADB heard sworn testimony from the Applicant and from interested members of the community regarding the operations occurring on the Property; and

WHEREAS, the SCADB has determined that it has jurisdiction pursuant to the Right to Farm Act, N.J.S.A. 4:1C-9 and regulation N.J.A.C. 2:76-2.3; and

WHEREAS, the Applicant currently has a woodland management plan and haying operation; and

WHEREAS, the Applicant plans to grow vegetables and grow nursery plants in the future; and

WHEREAS, the Applicant intends to sell fire wood, hay, vegetables and other agricultural products on the Farm; and

WHEREAS, the Applicant also operates a tree service business; and

WHEREAS, the Applicant uses the same equipment on the Farm for its Woodland Management activities as it does for the tree service business; and

WHEREAS, the Applicant performs forest management services for other persons with Woodland Management Plans; and

WHEREAS, the Applicant has requested an SSAMP that recognizes its farming activities including the operation of chainsaws, log splitting equipment; mini skid steer, stump grinder, chipper, bucket truck, plant health care truck, grapple truck, knuckle boom, and chipper truck; and

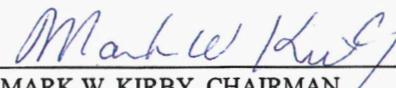
WHEREAS, the Applicant has provided proof that Notice of the hearing was published in the Bernardsville News and was served upon all property owners within 200 feet of the Property; and

WHEREAS, the SCADB has determined that an SSAMP is appropriate for Applicant's farming activities.

NOW, THEREFORE, BE IT RESOLVED by the Somerset County Agriculture Development Board as follows:

1. Applicant's request for an SSAMP recognizing its woodland management practices is approved.
 - a. Applicant may harvest and process timber on the Property in accordance with the Woodland Management Plan on file with the Township.
 - b. To the extent that Applicant harvests and processes timber from sites with approved Woodland Management Plans, such work is not protected by this SSAMP unless Applicant has an ownership or leasehold interest in the property from which the timber is harvested.
 - c. Applicant's use of a mini skid steer, a stump grinder, chipper, bucket truck, plant health care truck, grapple truck, knuckle boom, and chipper truck on the Property in connection with its woodland management practices, haying operation, growing nursery plants or growing vegetables is a reasonable farming practice protected by the Right to Farm Act.
 - d. Applicant's use of a mini skid steer, a stump grinder, chipper, bucket truck, plant health care truck, grapple truck, knuckle boom, and chipper truck at other sites with Woodland Management Plans, in which Applicant has an ownership or leasehold interest, is a reasonable farming practice protected by the Right to Farm Act.
2. Applicant's growth and harvesting of hay, nursery plants and vegetables on its property is a reasonable farming practice protected by the Right to Farm Act.
3. Applicant's request for a SSAMP allowing for the operation of a Farm Market to sell firewood, hay, nursery plants, vegetables, and other agricultural products is approved.
 - a. Applicant shall comply with the requirements of N.J.S.A. 2:76-2A.13 in the operation of its Farm Market.
 - b. Applicant may place a sign on its property at the end of its driveway to advertise its Farm Market to passing vehicles.
4. This determination shall be forwarded to the State Agricultural Development Committee within thirty (30) days, pursuant to N.J.A.C. 2:76-2.3(e).
5. Any person aggrieved by this decision may appeal to the State Agricultural Development Committee, Pursuant to N.J.A.C. 2:76-2.3(f).

I, Mark W. Kirby, Chairman of the Somerset County Agriculture Development Board, do hereby certify that the foregoing is a true copy of a Resolution adopted by said Board at its regularly convened meeting of January 23, 2023.


MARK W. KIRBY, CHAIRMAN