

WARREN COUNTY AGRICULTURAL DEVELOPMENT BOARD
THE DEPARTMENT OF LAND PRESERVATION
500 MT PISGAH AVE, P.O. BOX 179
OX FORD, NJ 07863

RESOLUTION #24-06

On motion by Mr. Bodine, and seconded by Mr. Hood, the following resolution was adopted by the Warren County Agricultural Development Board at a meeting held November 21, 2024.

**RESOLUTION OF THE WARREN COUNTY AGRICULTURE
DEVELOPMENT BOARD DETERMINING THAT [REDACTED],
BLOCK 46, LOT 34, WHITE TOWNSHIP, WARREN COUNTY, NEW JERSEY
IS ENGAGED IN GENERALLY ACCEPTED AGRICULTURE PRACTICES**

WHEREAS, on August 22, 2024, [REDACTED] (the "Complainant"), owner property located at [REDACTED] in White Township, submitted a Request for Formal Conflict Resolution (the "Complaint") to the Warren County Agriculture Development Board (the "Board") against [REDACTED], owners of [REDACTED] (collectively "[REDACTED]"), a preserved farm, located at [REDACTED], approximately 18.46 acres in White Township;

WHEREAS, Complainant alleged that water, animal waste, and soil from [REDACTED] runs-off onto the Complainant's property; and;

WHEREAS, N.J.S.A. 4:1C-1 et seq. is known as the Right to Farm Act; and

WHEREAS, N.J.A.C. 2:76-2.1 et seq. details the State Agriculture Development Committee's ("SADC") procedures regarding agricultural management practices; and

WHEREAS, pursuant to N.J.A.C. 2:76-2.3(b) the Board advised the SADC, the Township, and [REDACTED] of the Complaint; and

WHEREAS, pursuant to N.J.S.A. 4:1C-10.1 any person aggrieved by the operation of a commercial farm shall file a complaint with the applicable county agriculture development board or the SADC in counties where no county board exists prior to filing an action in court; and

WHEREAS, in the event the dispute concerns activities that are addressed by an agricultural management practice recommended by the committee and adopted pursuant to the provisions of the "Administrative Procedure Act," N.J.S.A. 52:14B-1 et seq., the county board shall hold a public hearing and issue findings and recommendations within 60 days of the receipt of the Complaint; and

WHEREAS, the Board conducted a site visit to view the subject property and the proposed operation prior to scheduling a public hearing on the matter. One site visit was held on September 17, 2024 and attended by Board Members Joel Schnetzer and Tim Bodine, and Board Administrator, Corey Tierney, and [REDACTED], owner of the property. Another site visit was conducted on October 15, 2024 by Board Member Mathew Hood, Board Staff, Teresa Kaminski, and [REDACTED], owner of the property; and

WHEREAS, the Board resolved, pursuant to Resolution No. 24-05, that [REDACTED] is a commercial farm as defined by the Right to Farm Act, set forth in N.J.A.C. 2:76-2.1 and N.J.S.A. 4:1C-3; and

WHEREAS, pursuant to N.J.S.A. 4:1C-1 et seq., the Board can hold public hearings and issue findings and recommendations on disputes between commercial farm operators and persons who are aggrieved by farm operations; and

WHEREAS, the Board held a formal complaint hearing on October 17, 2024; and

WHEREAS, the Complainant, [REDACTED], was not present at the hearing; and

WHEREAS, the Board reviewed the Complainant's submitted 2019 video and still photos; and

WHEREAS, the Board heard testimony from [REDACTED] and [REDACTED] and reviewed photos from the Board's September 17, 2024 site visit; and

WHEREAS, there were no public comments on this matter; and

WHEREAS, the Board considered the Complainant's Conflict Resolution Form and media submission, and [REDACTED] testimony.

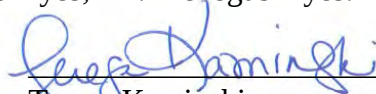
NOW, THEREFORE BE IT RESOLVED, that the Warren County Agriculture Development Board that, based on the aforesaid findings of fact and conclusions of law, the Board makes the following determinations:

1. That the Board previously determined that [REDACTED] operates a commercial farm in accordance with the requirements of N.J.S.A. 4:1C-9; and
2. All testimony and submissions from [REDACTED] were considered; and
3. That [REDACTED] is engaged in a generally accepted agricultural operation or practice pursuant to N.J.S.A. 4:1C-9; and
4. Any person aggrieved by this resolution may appeal the decision to the SADC in accordance with the provisions of N.J.S.A. 4:1C-10.1 within 10 days from receipt of this resolution. The SADC shall schedule a hearing and make a determination within 90 days of receipt of the petition for review.

Roll call: Mr. Bodine – aye; Mr. Burke – aye; Mr. Hood – aye; Mrs. Watters – aye;
Mr. Mathez – recused. Mr. Menegus and Mr. Schnetzer – absent.

CERTIFICATION

I, Teresa Kaminski, Secretary to the Warren County Agriculture Development Board, do hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Warren County Agriculture Development Board at a meeting of said Board held on November 21, 2024 to memorialize the Board's action on October 17, 2024 in which a motion was made by Mr. Bodine and seconded by Mr. Hood and approval at said meeting was as follows: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Burke – yes; Mr. Hood – yes; Mrs. Watters – yes; Mr. Menegus – yes. Mr. Mathez – recused.



Teresa Kaminski
Secretary to the Board