

RIGHT TO FARM RESOLUTION NO. 1-03

RESOLUTION OF THE WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD FINDING THAT IT HAS JURISDICTION IN THE MATTER OF THE APPLICATION OF BRADLEY BURKE RIGHT-TO-FARM (LONGMEADOW FARM) AND APPROVING THE APPLICATION OF MR. BURKE FOR CONSTRUCTION OF A BARN IN FRONT OF THE PRINCIPAL RESIDENCE AND CONSTRUCTION OF A BARN EXCEEDING THE HEIGHT RESTRICTIONS OF THE TOWNSHIP OF HOPE

WHEREAS Bradley Burke applied to the Warren County Agriculture Development Board for approval to construct a barn for storage of farm related equipment and supplies in the front of his existing home and to exceed the Township's height requirement for accessory structures; and;

WHEREAS The Board determined that Bradley Burke operates a commercial farm in accordance with the requirements of N.J.S.A. 4:1C-9 and that he is engaged in a generally accepted agricultural operation or practice pursuant to N.J.A.C. 2:76-2B.2; and;

WHEREAS In accordance with the procedure set forth in N.J.A.C. 2:76-2.10, hearings were held on May 1, 2003 and June 5, 2003. Mr. Burke presented his case on May 1, 2003 and the Township of Hope Zoning Board of Adjustment through its counsel Roger W. Thomas, presented its arguments on June 5, 2003; and;

WHEREAS the Board having considered the evidence and testimony submitted by the parties and the reasons for the Township of Hope's prohibition against locating accessory buildings in front of a principal structure and height limitations on accessory structures; and;

WHEREAS the Board found that Mr. Burke has a legitimate farm based reason for constructing a barn in front of the principal structure and to exceed the Township of Hope's height limitation, (maximum height is sixteen (16) feet on accessory uses), to construct the barn twenty-four (24) feet high with dimensions of twenty-four (24) feet by thirty-two (32) feet; and;

NOW THEREFORE BE IT RESOLVED that based upon the evidence submitted the Board finds as follows;

- 1) That Bradley Burke operates a commercial farm in accordance with the requirements of N.J.S.A. 4:1C-9;
- 2) That Bradley Burke is engaged in a generally accepted agricultural operation or practice pursuant to N.J.A.C. 2:76-2B.2;

3) That Bradley Burke has a legitimate farm based reason for not complying with the Township of Hope ordinance's prohibiting construction of an accessory use in front of a principal structure and to exceed the height limitations for an accessory structure;

4) That the Township of Hope shall immediately issue all appropriate permits for the construction of a barn in front of the principal residence and to construct the barn with a height of twenty-four (24) feet with dimensions of twenty-four (24) feet by thirty-two (32) feet;

5) That the Board retains jurisdiction of this matter.

CERTIFICATION

I, Janette Hendershot, 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 Committee held on July 3, 2003.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this _____ day of _____, 2003.

SEAL:

Janette Hendershot