

**RESOLUTION
WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD**

**FINDING AND RECOMMENDATION OF THE
WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD
PURSUANT TO N.J.A.C. 2:76-2.3 REGARDING
GRO-RITE GREENHOUSES AND GARDEN CENTER
BLOCK , LOT WHITE TOWNSHIP, WARREN COUNTY**

WHEREAS:

On April 25, 2001, Gro-Rite Greenhouse and Garden Center requested a determination of the Warren County Agriculture Development Board ("Board"), that its commercial farming operation constitutes a generally accepted agricultural operation or practice, pursuant to N.J.A.C. 2:76-2.3.

On July 5, 2001, a hearing was conducted by Warren County Agriculture Development Board at which testimony was presented by the applicant and the Board considered argument.

At that hearing the following exhibits were marked:

1. April 25, 2001 Application.
2. Set of drawings and the documents as submitted to the White Township Planning Board.
3. Resolution of approval of the White Township Planning Board dated March 13, 2001.

No one appeared in opposition to the Application.

NOW, THEREFORE, on August 2, 2001, Warren County Agriculture Development Board determines as follows:

(a) That the applicant, Gro-Rite Greenhouses and Garden Center satisfied all the eligibility criteria to meet the requirements of a commercial farm pursuant to New Jersey statute N.J.S.A. 4:16-3, and N.J.A.C. 2:76-2.1, based upon the following:

(1) The facility is proposed to be located on a site which exceeds five acres.

(2) The facility produces agricultural products worth at least \$2,500.00 per year.

(3) The property is assessed under the Farmland Assessment Act of 1964.

(b) Based upon the testimony and documentary materials submitted to the Board, the Board specifically finds that the proposed operation of the applicant when implemented as represented will constitute a generally accepted agricultural operation or practice based upon the following stipulations and conditions:

(i) The construction, maintenance, operation and conduct of the applicant's operation will be in strict compliance with the resolution of approval of the White Township Planning Board dated March 13, 2001, which is attached to this determination as **Schedule A**. The applicant represents that it agrees to and consents to all the terms and conditions proposed by the local municipality, and that those restrictions will not interfere with its agricultural operation. The applicant also represents that all testimony provided by the applicant or its representatives at the White Township Planning Board meetings is true, accurate and was not misleading or failed to disclose any material information, and that its operations will be conducted in strict conformance with those representations.

(ii) That the applicant's commercial sales operation at the property will be in support of its agriculture/landscaping use of the agricultural production areas on the farm and that 75% to 85% of the product sold will be grown and produced by the applicant. In addition, the

applicant will be selling items such as mulch, stepping stones, shovels, rakes, tools, grass seed, fertilizer, chemicals and other items incidental to promoting farming, including the gardening and flower business. The approval of the Warren County Agriculture Development Board is specifically conditioned on any such additional products offered for sale being necessary for the productive and effective use of the farm and agricultural products which are sold on the property and/or reasonably incident to their use.

(iii) All activities of the operation will be in compliance with local zoning ordinances, subject to the right of this Board to review, upon the applicant's request in the future, any alleged adverse impact on the applicant's operation pursuant to the authority presently vested in this Board under the case of Township of Franklin vs. David Den Hollender, Garden State Growers and Quaker Valley Farms, App. Div. Docket No. A87699-T-3.

Therefore, the Warren County Agriculture Development Board finds, based upon the record, that Gro-Rite Greenhouses and Garden Center is a commercial farm owner or operator and that its White Township Facility constitutes a commercial farm pursuant to the eligibility criteria contained in N.J.S.A. 4:1C-3. The Board further recommends that Gro-Rite Greenhouses and Garden Center's operation as represented in the application and incorporated herein will, when implemented in accordance with the representations and the further stipulations of this Resolution, constitute a generally accepted agriculture operation practice consistent with and furthering the permissible activities as set forth under the law.

Any person aggrieved by this decision, may appeal to the State Agriculture Development Committee, pursuant to N.J.A.C. 2:76-2.3(f).