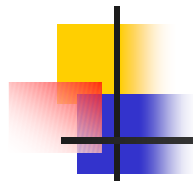
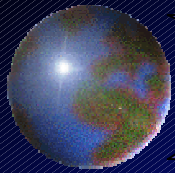




# *Right To Farm*

*March 2006*

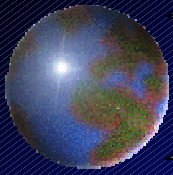


## Protections

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- Nuisance complaints from neighbors
- Onerous municipal/county regulations

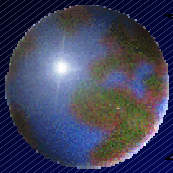




## Criteria to receive protections

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- is it a “commercial farm?”
- is area zoned for agriculture or was farm in operation as of July 2, 1998?
- is operation consistent with “generally accepted agricultural management practices” or AMPs adopted by SADC?
- is operation in violation of any federal or State laws or regulations?
- does operation pose a direct threat to public health & safety?



## Procedures

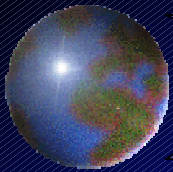
### ➤ Conflict Resolution

- complaint is filed against farmer with CADB

### ➤ Site Specific AMP Request

- application made by farmer to CADB





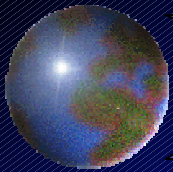
## Municipal Regulations

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Agricultural activities can preempt municipal regulations

During CADB/SADC review:

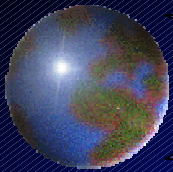
- appropriate consideration and deference given to municipal standards
- balance agricultural needs against municipal public health and safety concerns
- farmer has to show “legitimate agriculturally-based reason” for not complying with municipal regulations



## Protected activities

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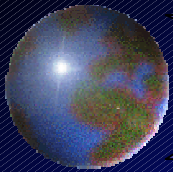
- Produce agricultural and horticultural crops, trees and forest products, livestock, and poultry
- Process and package agricultural output of farm
- Farm markets – buildings and parking areas to be in conformance with municipal standards
- Control pests, predators and diseases of plants and animals
- On-site disposal of organic agricultural wastes
- Agriculture-related educational and farm-based recreational activities – related to marketing of agricultural output of farm



## Activities Not Protected

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- Agricultural labor housing  
(on appeal in New Jersey Superior Court)
- Landscaping business
- Processing agricultural products not grown on the farm

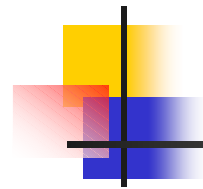
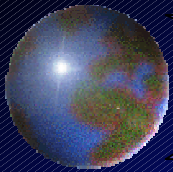


# Current Issues

- Equine Rule (not yet proposed)
  - Goal is to provide RTF protection to equine service activities (boarding, training, lessons)
  - AMP to be simultaneously proposed
  
- Agritourism AMP (not yet proposed)
  
- Agricultural Labor Housing
  - Not currently protected by Act
  - Issue pending in Appellate Division







# Current Issues

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- Greenhouses AMP (being developed)
- Farm Markets AMP (being developed)

