

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R8(1)

PILOT PROGRAM FOR SPECIAL OCCASION EVENTS ON PRESERVED FARMLAND  
AMENDMENT THERETO AND DELEGATION OF REVIEW AUTHORITY FOR EVENTS  
CONDUCTED ON CERTAIN DAYS TO CADBS

WHEREAS, P.L. 2014, c. 16 (N.J.S.A. 4:1C-32.7 et seq.) (“the Act”), effective July 2, 2014, directs the State Agriculture Development Committee (SADC) to establish a 44-month pilot program permitting special occasion events to be conducted on preserved farmland at wineries under certain conditions (the “Pilot Program”); and

WHEREAS, on October 3, 2014, the SADC approved the creation of the Pilot Program, including a description of the various responsibilities of the SADC, county agriculture development boards (CADBs), municipalities and winery owners under the Act; and

WHEREAS, on March 26, 2015, the SADC adopted RESOLUTION FY2015R3(6), which reaffirmed the SADC’s establishment of the Pilot Program covering the period from the effective date of the Act, July 2, 2014, to March 1, 2018; and

WHEREAS, the SADC seeks to further ensure the proper functioning of the Pilot Program, including the role of the CADBs, the delegation of certain SADC review authority, and the compliance of affected wineries with the provisions of the Act;

NOW THEREFORE BE IT RESOLVED, the SADC establishes the following procedures for wineries subject to the Pilot Program:

1. A winery that is subject to the Pilot Program shall, at least annually, submit a *Registration for Conducting Special Occasion Events on Preserved Farmland* to the State Agriculture Development Committee (SADC) and file a copy with the CADB, in a form substantially the same as the one attached hereto as Exhibit A, containing the following:
  - a. A description of the winery, including the types, frequency and dates (if dates are known) of special occasion events held at the winery;
  - b. A property survey or site plan depicting the preserved areas and the areas to be used for special occasion events;
  - c. A certification by the winery’s chief executive officer, or other properly designated officer with the power to bind the winery,
    - i. certifying the winery owner/operator understands and will comply with the Pilot Program’s requirements set forth in the Act, specifically, N.J.S.A. 4:1C-32.8a.(1) through (11);
    - ii. acknowledging it is subject to an audit consistent with N.J.S.A. 4:1C-32.9a.(1) and (2), and
    - iii. is subject to civil penalties pursuant to N.J.S.A. 4:1C-32.10 for failure to comply with any requirement of the Act.

2. CADBs have the authority to define a “special occasion event” pursuant to N.J.S.A. 4:1C-32.7. In accordance with N.J.S.A. 4:1C-37.8a.(3), the SADC is authorized to, and hereby delegates to the respective CADBs, its authority to approve special occasion events conducted on days other than Friday, Saturday, Sunday, or federal or State holidays by wineries located within the CADBs’ respective jurisdictions, subject to the conditions set forth in paragraphs 3 through 5 of this Resolution. The SADC reserves the right to revoke this delegation.
3. A winery subject to the Pilot Program that wishes to conduct a special occasion event, including recurring events, pursuant to the Pilot Program on days other than Friday, Saturday, Sunday, or federal or State holidays shall submit an application to the CADB, in a form substantially the same as the one attached hereto as Exhibit B, containing, at a minimum:
  - a. A detailed description of the special occasion event it proposes to conduct, including but not limited to, the following:
    - i. the nature of the event to be held;
    - ii. the anticipated number of attendees;
    - iii. the anticipated number of cars or other vehicles that will be present and how parking will be accommodated;
    - iv. a description of any outdoor amplified music or other outdoor amplified sound expected to be utilized during the event including, but not limited to, music, performances, contests, announcements, or other communications whether live or recorded; and
    - v. a copy of the tax map and description of the types of land use surrounding the winery property including adjacent residential buildings, commercial establishments and places of worship and the distance from the proposed special occasion event to those surrounding land uses;
  - b. The specific day or days on which the winery proposes to conduct the event, and the time period during which the event will be held; and
  - c. Proof that the winery has filed with the SADC and CADB the Registration for Conducting Special Occasion Events on Preserved Farmland, including the required certification, in accordance with paragraph 1 of this Resolution.
4. The CADB shall review and approve the application submitted pursuant to paragraph 3 of this Resolution if it meets the following requirements:
  - a. The application contains the information required by paragraph 3 of this Resolution;
  - b. The event proposed to be conducted complies with the CADB’s definition of “special occasion event,” adopted pursuant to N.J.S.A. 4:1C-32.7;
  - c. The CADB finds that the event will not likely disturb the quiet enjoyment of adjoining properties during evening and night time hours; and

