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March 3, 2022  
70602 00

Southampton Township Planning Board  
5 Retreat Road  
Southampton, NJ 08088-3591

Attn: Ms. Michele Gittinger, Secretary

Re: **221 Newbolds Corner Rd: Pettit**  
Site Plan Waiver  
Block 903, Lot 6  
Township No.: P22-9036

Dear Board Members,

We have reviewed a Site Plan Waiver application for the property referenced above, where the Applicant proposes to convert 462 SF of existing building floor area and 550 SF of existing floor area in two silos, all currently used for agricultural purposes, as well as 308 SF of outdoor storage/display space into an indoor farm stand.

### **General Information**

Applicant/Owner: Dr. William Pettit, Jr. and Carolyn Pettit  
221 Newbolds Corner Road  
Southampton, NJ 08088

Applicant's Engineer: Alexander J. Litwornia PE PP  
Litwornia Associates, Inc.  
3 Trading Post  
PO Box 2300  
Medford Lakes, NJ 08055

### **Submission Materials**

The application includes the following documents:

1. Planning Board and Zoning Board Application;
2. Site Plan prepared by Alexander J. Litwornia PE of Litwornia Associates, Inc. in Medford Lakes, NJ, dated 8/17/05 and last revised 02/01/22, for informational purposes only and not signed or sealed, comprising the following sheets:
  - a. Cover Sheet (1 of 4);
  - b. Site Plan (2 of 4);
  - c. Lighting Plan (3 of 4); and
  - d. Details (4 of 4);
3. Letter from Alexander J. Litwornia PE of Litwornia Associates, Inc. in Medford Lakes, NJ, to Applicant dated 2/1/22; and

4. Architectural Floor Plan and Interior and Exterior Elevations (6 sheets) prepared by Blueprint Studio of Haddonfield, NJ dated 2020.

### Site Plan Waiver

1. Farm markets are permitted and protected under State and Township Right to Farm as an on-farm direct marketing use. N.J.A.C. 2:76-2A.13 indicates that “on-farm direct marketing’ means the on-farm facilities, activities, and events that are used to facilitate and provide for direct, farmer-to-consumer sales of the agricultural output of the commercial farm and products that contribute to farm income.” The application is eligible for a site plan waiver because the development does not:
  - a. Involve a change of use, because the previous / existing and proposed uses are both “agriculture”;
  - b. Require additional off-street parking because the proposed 7 space parking area is already cleared, graveled, and used for “informal” parking; and
  - c. Involve grading, clearing, or disturbance of more than 5,000 SF.

### Zoning Comments: Rural Residential (RR) District

#### Use Requirements

2. In 1992, the Applicant was the first Southampton Township farm owner to preserve its farm of 337.005 acres in Southampton and Lumberton townships. The farmland preservation deed restriction, which pre-dates the current “exception area” policy, permits all agricultural uses protected by the State’s Right-to-Farm Act and all other existing uses at the time of preservation.
3. Farm markets for commercial farm operations conforming to the Right to Farm Act (N.J.S.A. 4:1 C-1) are permitted accessory uses provided the following three municipal criteria are met. **The Applicant should provide testimony regarding these criteria, which should be incorporated into any Board resolution of approval:**
  - (a) The Board determines that the proposed parking scheme and vehicle circulation pattern are adequate to ensure safety;
  - (b) The building is constructed in conformance with applicable local building code standards; and
  - (c) Any signs used shall not exceed 100 SF in total area provided that each sign does not exceed 50 SF in size. All signage is subject to Subsection 12-5.15.
2. The Applicant should provide testimony indicating whether the proposed development is consistent with the following definition of “farm market” in N.J.A.C. 2:76-2A.13:

A facility used for the wholesale or retail marketing of the agricultural output of a commercial farm, and products that contribute to farm income, except that if a farm market is used for retail marketing at least 51% of the annual gross sales of the retail farm market shall be generated from sales of agricultural output of the commercial farm, or at least 51% of the sales area shall be devoted to the sale of the agricultural output of the commercial farm, and except that if a retail farm market is located on land less than five acres in area, the land on which the farm market is located shall produce annually agricultural or horticultural products worth at least \$2,500.
3. The Applicant should provide testimony regarding and any Board resolution of approval be conditioned upon compliance with the State Agricultural Development Committee (SADC) AMP for On-Farm Direct Marketing Facilities, Activities, and Events (N.J.A.C. 2:76-2A.13) and other business and site considerations:

- a. The location of the 308 SF of outdoor storage/display space in relation to the customer entrance and parking area.
  - b. Hours of operation and number of employees at the busiest shift and time of that shift.
  - c. Anticipated schedules, frequencies, and procedures for on and off-site shipping / deliveries.
  - d. Site safety / separation from other farm operations, heavy vehicle and equipment circulation, and potentially hazardous materials.
  - e. Water and sanitary septic system capacities for the proposed use.
  - f. Solid waste, recyclables, and vegetative waste management.
  - g. Adequacy of the existing gravel area to provide a total of 5 parking spaces (1 spaces per 200 SF of gross floor area), including 1 paved van-accessible ADA space for the proposed 1,012 SF of gross floor area,
  - h. Adequacy of lighting for the areas for the proposed outdoor storage/display space in relation to the customer entrance and parking area. All lighting is subject to Subsection 12-5.8.
  - i. Business identification and on-site directional signage, which may require revising any existing signage, as well as any temporary signage. All signs are subject to Subsection 12-5.15.
4. The Applicant should provide testimony regarding whether it intends to use the proposed facility for “On-Farm Direct Marketing Events.” If so, The Applicant should indicate which types of events, the times of year anticipated, and the projected number of patrons and employees per event. Any Board approval should be conditioned upon the Applicant submitting an event management plan to Township Construction Code, Police, and Fire Safety officials for their review and approval, per N.J.A.C. 2:76-2A.13n.

#### **General Comments**

5. Prior to the issuance of a building permit, a developer of any property shall supply a Grading and Drainage Plan to the Township Engineer for review and approval, as required by §12-4.22.
6. All clearing and soil disturbance activities shall be limited to that which is necessary to accommodate the proposed development, as required by §19-4.2.

#### **Administrative Comments**

7. We reserve the opportunity to provide further comment based on any additional information provided by the Applicant, as well as other comments from the Board and its other professionals.
8. All future re-submissions of the plans shall clearly indicate a revision date and be accompanied with a point-by-point response letter to the comments of the Board’s professional staff.
9. Any approval is subject to applicant obtaining all required permits and approvals, including the following, and satisfying the review letters of the Board's Professionals.
  - a. Township Police, Fire, and Construction Code Officials, and
  - b. Any and all others that may be required.

Should you or the applicant have any questions, please feel free to contact the undersigned.

Sincerely yours,



Rakesh R. Darji, PE, CME, PP  
Zoning Board Engineer



Edward Fox, AICP, PP  
Zoning Board Planner

RRD/EF

cc: Dr. William Pettit, Jr., Applicant via email [bovineembryo@protonmail.com](mailto:bovineembryo@protonmail.com)  
Alexander J. Litwornia PE PP, Applicant's Engineer via email [alittlewornia@litwornia.com](mailto:alittlewornia@litwornia.com)  
Peter C. Lange, Esq., Planning Board Attorney [plange@langelaw.biz](mailto:plange@langelaw.biz)