

New Paltz Times, December 25, 2008

Response to Mr Tabak

I would like to take the opportunity to respond to Harry C. Tabak's letter regarding the Rivendell Winery, in which he takes the position that they are being "victimized" and "singled out unfairly." However, it has been obvious to anyone who has looked at Rivendell's proposal that they have been denied agricultural status because they are a retail wine bar. The s=State of New York Supreme Court Judge, in his wisdom, understood that the use would have involved "retailing agricultural products."

Mr Tabak bases his equity argument on the example of Wallkill View Farm, which is located one and a half miles away and sells some things they do not grow. Wallkill View Farm has been growing crops since 1960, has had the stand since 1976, and cultivates 200 acres of farmland, thus helping to preserve what is left of rural New Paltz. To be an accurate comparison, Wallkill View Farm would have to leave itself a few acres and only sell items grown by others.

In addition, the farm is in a flood plain, not in the midst of a residential neighborhood.

The owners of Rivendell are indeed victims, but in this case, victims of their own misjudgment. They should have gone to the Town Board prior to purchasing their property to see if it was a permitted use. They should have understood that a pristine viewshed is no place to run a wine store. Sadly this battle will continue as the Rivendell owner was quoted in the New Paltz times saying, "believe me, we're not giving up the fight."

In the interest of full disclosure, Mr. Tabak should have informed his readers that he was the broker selling Rivendell the property, and that he is also part of their business plan since in October, 2007, according to Supreme Court documents, he signed a "letter of agreement" leasing 10 acres to Rivendell for the purposes of growing grapes and producing wine. Without him there could not even be the appearance of being a home grown winery.

In conclusion, Mr. Tabak states: "I can't help but feel that as much as I understand and agree with the concerns of my neighbors, Rivendell has been singled out unfairly." Let us hope Mr. Tabak now can understand that their case is specific to them, and since he agrees with the neighbors concerns, perhaps he can convince Rivendell to look for a more appropriate environment to run their operation.

Alan Kraus

New Paltz