

Rivendell files appeal of lawsuit

Last week, Rivendell Winery and its President, Susan Wine, filed an appeal of their Article 78 lawsuit against the Town of New Paltz Zoning Board of Appeals (ZBA) with the Appellate Division of the State Supreme Court in Albany. They are appealing the lower court's decision that when a building on a farm property is used for the processing or sales of the farm product, that use is not agricultural.

“The lower court ruling of November, 2008 was bogus and political.” said Wine. “The decisions of the ZBA and the Building Inspector that precipitated it were clearly motivated by a few prominent and vocal neighbors and not by the facts or the law. The appellate court granted us the right to file our appeal after it reviewed the facts of the case and we hope this is the beginning of the end of our nightmare.”

In 2007, after numerous conversations with the Building Inspector, the Planning Board, and other Town officials, Wine purchased the agriculturally zoned property at the corner of County Route 299 and Albany Post Road in order to move her well-established winery operation there. Because the Town prohibited Rivendell from operating at its new property and the lease at its Gardiner location expired at the end of 2008, it was forced to close after 21 years of operation.