

Response to Alan Kraus

1. The application for inclusion of the 4 acres at 507 Albany Post Road -- at the corner of Albany Post and Route 299 in New Paltz -- into Ulster County Ag District 2 is being made by the property owner, a private individual holding private property that is currently being farmed. State sanctioned Agricultural Districts are designed to protect farmland from suburban encroachment. Since the only criteria is that the land be "viable agricultural land," the Ulster County Farmland Protection Board has consistently approved this application by a large majority and has sent it to the County Legislature for approval. By the time you read this the application may be moot, as the Legislature will vote on Wednesday, June 10. But the real issues do not live or die with this vote -- by any means.
2. The Federal lawsuit filed on May 11 against the Town of New Paltz and others, including the county where it seeks the injunctive relief of inclusion into the Ag District, is easily available for all to read at www.rivendellwine.com. The word "conspiracy" appears nowhere in the suit and we have no idea why the press has focused on it. The suit articulates the fact that the property holder has been treated differently than other property holders of similarly zoned property and similar uses, which is a clear violation of local, State and Federal civil rights.
3. Here are two simple tenets of zoning law:
 - a. Use runs with the property and not with the property owner.
 - b. Regulations within a zoning district must be uniform for each class and must be made in accordance with a local comprehensive plan.
4. Alan Kraus and a few others, with the help of some in the town and county government, have set themselves up as the arbiters of what YOU can do with YOUR private property, with absolutely no regard to the Town of New Paltz Comprehensive Plan or its zoning law. The guise is that they are defending the public health and welfare by safeguarding the view shed, but when the Constitutions of New York and the United States are violated with respect to equal rights and equal protection, there is a lot more at stake than a corner in New Paltz or even YOUR private property rights. EVERY right you hold dear is at stake.
5. The winery has been put out of business -- a rather severe outcome of this lopsided arguing. But this is still private property, not public parkland. I just want the protection every farmer in the state is entitled to so that when I want to protect my vines from deer or use stinky manure for fertilizer, I don't have to go to court. Rather than a silly game of tag in the press, if anyone is interested in a real conversation about the real issues, you can usually find me working in my vineyard on the "subject" property. I'm there almost every day. Since I'm not tall, blond and thin, Mr. Kraus probably thinks I'm a blight on the view shed too.

Susan Wine
New Paltz