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RIVENDELL'S PROPOSED USE IS AGRICULTURAL BY THE NYS LAW

The New Paltz Code Enforcement Officer has a unique position regarding the status of Rivendell Winery. The official appears to be unaware that the State of New York considers wineries to be farms. Reference to a small section of Department of Agriculture and Markets commentary out of context to fortify his position is a red herring. The lands in the case in question are in an "agricultural zone." New York State law is clear; a "Farm Winery" is a farm, a "farm operation" includes "all on farm buildings" and farms are permitted as a function of their agricultural status, to sell directly to the consumer, whether the product is fresh corn or Hudson Valley wine.

But there's a larger issue. Not a single day goes by we are not confronted with the fickle issue of open space preservation. We waver in contradiction when we tell a farmer not to sell his land to a developer, then get in the car and drive to the Stop & Shop to buy corn and apples. We read weekly how one group or another is fighting to keep agricultural lands from turning into subdivisions.

Wineries are farm operations; the license title says it all: "Farm Winery." Farms are a use by right in agricultural zones. All that has been proposed by the winery owners is no more than they have always done, and are permitted to do by New York State law. I am unaware any complaints have been filed against Rivendell for causing a nuisance or creating a hazard in their neighborhood. Their wines are award-winning and their events are popular and well produced.

Wineries are difficult, labor intensive operations making use of New York grown fruit to produce unique local wines. They need to be able to sell their products at the winery in order to survive, like any other farm. I've heard more than one vintner say if he had to stop selling to visitors he'd have to close up the winery. Wineries need to be able to augment the high cost of operations, federal compliance and taxes with non-wine related revenue from events and classes and agri-tourism dollars; like any other farm.

If we want to live in an agricultural or rural area, we may have to live with the sound of tractors in the morning and chain saws in the afternoon. If we enjoy being able to bring our local wine to a friend's for dinner, there must be the winery to produce it. And if we want to preserve local color and character, and preserve open space, we must encourage agricultural operations. As I read it, the law is very clear and the Town of New Paltz must support the ongoing success of this local winery by clearing the way for the relocation of the winery.

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