

April 17, 2008

Supervisor Toni Hokanson
New Paltz Town Board
New Paltz Town Hall
New Paltz, NY 12561

Dear Supervisor Hokanson and Town Board Members:

We write to you on behalf of the large numbers in the community who have petitioned and appeared before you and other Town boards in the past few months to oppose the relocation of Rivendell Winery to the proposed site at the southeast corner of Albany Post Rd. and Rte. 299. Specifically, we ask that the Town Board pass a resolution opposing the inclusion of the Rivendell Winery property (owned by Robert Ransom and Susan Wine) in an official Agricultural District, as the winery owners are currently requesting. The Ulster County Agriculture and Farmland Protection Board will meet to consider all such new applications in the county on May 13, 2008, so a timely transmission of your resolution to the Farmland Protection Board would be important.

Some of us have already spoken with you earlier individually or at Board meetings to explain our overall reasons for opposing the relocation of the winery. You are surely also aware of issues we have raised at Planning Board and ZBA meetings. We are greatly concerned about the project's likely creation of significant traffic dangers at that intersection, its contradiction of the existing residential community character in that area and its violation of the Town's adopted Open Space Plan which stresses the great value of maintaining the rich visual vistas along the westerly Rte. 299 approach to the Albany Post Rd./Butterville Rd. ridge.

However, we also believe that it is especially quite inappropriate for the privilege of "Ag District" protection to be given to this property at this time because of its owners' current litigation against the Town. Not only is the Town now forced to spend money defending its ZBA action, but the Rivendell owners seek to overthrow the explicit provisions of the Town Code as well as its clear intent to exclude retail and manufacturing activities from this area of the Town.

Importantly, as you may already be aware, inclusion of a property within an official "Ag District" means that any subsequent SEQRA and site plan reviews by the Town Planning Board are expected to be perfunctory and unable to result in potential denial. (Look at the NYS Agricultural and Markets website for its discussion of Ag Districts and municipal decisions.) In effect, if Ag District designation and protection are provided to Rivendell at its proposed location in New Paltz, the community's own Home Rule ability to determine the project's environmental and Open Space Plan compatibility with community values will be superceded. Basic decision-making will be removed from our hands.

Furthermore, Ag District designations are logically intended to protect existing farms, not to encourage new farming in the midst of residential areas. In the Rivendell case, there is no on-site agricultural production and the proposed activity would be essentially a retail and manufacturing operation using raw materials and finished goods produced elsewhere.

For these reasons, we believe that a Town Board resolution opposing Ag District inclusion for the proposed winery property is very appropriate and would likely encourage the Farmland Protection Board to deny the owners' current application.

We appreciate your careful consideration of these issues and our suggested action.

Yours sincerely,

Harry Ellis (156 Butternville Rd.)

Harry Ellis

Lindsay Dubois (3 Outlook Farm Drive)

David Porter (546 Albany Post Rd.)

David Porter

P.S. The contact person for the Farmland Protection Board to whom you should communicate is:

Lydia M. Reidy, Chair
Ulster County Agriculture and Farmland Protection Board
10 Westbrook Lane
Kingston, NY 12401