

# Winery owners fight New Paltz ruling

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By WILLIAM J. KEMBLE

Correspondent

NEW PALTZ — The owners of the former Rivendell Winery are moving forward with their legal challenge to a town Zoning Board of Appeals decision against the use of a 4,000-square-foot building as a combination wine-processing plant, retail shop and residence.

Co-owner Susan Wine said on Thursday that a recent ruling by the Appellate Division of state Supreme Court allows her and her husband, Robert Ransom, to challenge a 2008 lower court decision that upheld the town's position.

"The decision 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," Wine said. "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."

Wine and Ransom had intended to relocate Rivendell from Gardiner to a 4-acre site on Albany Post Road in New Paltz. The couple had been using grapes from other farms but intended, at the new site, to grow their own for the first time since 1994.

"We found on land that had always been zoned agricultural a 4-acre, two-lot property and a 4,000-square-foot house that was a spec house that had been built and hadn't been bought, yet," Wine said.

But zoning issues arose after a site plan was submitted to the town Planning Board, and the Rivendell application ultimately was turned down because of plans to sell wine from the house. The plan stated the house's basement would be "used as a wine cellar, the main floor will be wine tasting and sales, and the second floor will be offices and a one-bedroom weekend apartment for the owners,"

The site plan said Rivendell expected about 150 cars per day, about 20 more than at the Gardiner site, with traffic also including "box-style and tractor-trailer" trucks.

Ransom said the New Paltz ruling against them, after 21 years in business, showed that town officials favor the owners of existing farms.

"It's an even bigger shame, and downright duplicitous, that New Paltz, which prides itself on being pro farming, environment and open space, would take such an approach to one of its own successful and popular farms," Ransom said. "It's contrary to the town's comprehensive plan and its open space plan, and it is outright discrimination because the town allows processing and sales to take place in many farm buildings within the town."

Town officials were not immediately available for comment on Thursday.

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