



Rivendell Winery
714 Albany Post Road • New Paltz, New York 12561

October 18, 2007

Linda Donovan, Chair
Town of New Paltz Zoning Board of Appeals
1 Veterans Drive
New Paltz, NY 12561

Dear Madam Chairwoman:

I'm writing to you today concerning two related issues stemming from Tuesday night's ZBA meeting.

First, I apologize if there was any confusion concerning my intent when I questioned your decision to ask me to ask the Assessor for his opinion concerning our ability to qualify for or obtain an agricultural exemption for our property. Without the presence of legal counsel on my side, I felt the need to retain, on the record, some legal right to question this issue in the future. I certainly did not mean any disrespect. On the contrary, I have total respect for your dedication and focus to all the issues that come before you and fully appreciate the responsibility and potential liability that comes with your position.

Second, I did go to see Michael Dunham, the assessor, yesterday. I was happily surprised at what I learned from him but also flabbergasted when he told me that he had told this to the Building Inspector months ago.

He used this example with me: it is possible to be a farmer renting seven 1 acre parcels in all parts of New York State and qualify for/obtain an agricultural tax exemption. That being said, his conversation made clear to me that the combination of our owned and rented parcels would easily qualify for the exemption necessary and we would thereby pass the highest test set by the New Paltz Code, as we discussed Tuesday night. Mr. Dunham told me he was very much up to speed on our case, having followed it, and reiterated that we only need to qualify, not to obtain, the exemption. I promised to supply him with a copy of the intent letter from Mr. Tabak, the results of the soil samples from Cornell Extension, and a copy of the County Planning Board Opinion Letter. He promised to pursue the specific question of our exemption qualification upon the receipt of those.

Mr. Dunham told me that he had told Mr. Wiacek all this months ago. If that's the case, then Mr. Wiacek has withheld from us, the Planning Board, and you, information which is material to this process. I have to question his motive. And I have to question the motive of his attorney, Mr. Lithco, who I assume is still being paid with Town of New Paltz taxpayer dollars. Mr. Lithco and Mr. Wiacek, having learned that we would qualify for the exemption months ago, persisted Tuesday night in presenting a case based on the fact that we did not qualify, and worse,

questioned the underlying research and assumptions of the County Planning Board on this very subject.

I will have the requested materials to Mr. Dunham immediately. Please let me or Mr. Dunham know the form and specifics you will need from him. I understand that he is leaving his job in New Paltz so it might be a good idea to move on this quickly. And I mention this in case you want to speak to him directly.

Very truly yours,

Susan Wine

Cc: Paul Brown, Chairman
Members of the New Paltz Planning Board