

**Agricultural and Farmland Protection Board Meeting**  
**March 20, 2019**  
**Meeting Minutes**

Ag Board members present: J. Hoeffner, L. DeBuck, D. Church, P. Ruskiewicz, M. Simpson, D. Smith, M. Ullrich, J. Wright.

Ag Board members excused via e-mail: J. McCarey, S. Soons.

Ag Board members excused via phone: J. Sanford.

Guests present: K. Apostolides – OC Farm Market Coordinator, J. Brown – Historic Brown Family Farm, LLC, K. Brown – Historic Brown Family Farm, LLC, D. Dewan – Office of Senator Jen Metzger, M.A. Johnson – HVADC, P. Johnson – Farmer, E. Knight Moss – Sustainable Warwick, V. Lucznikowska – Sustainable Warwick, J. MacLeod – OC Planning, K. Morris – OC Planning, R. Moss – Sustainable Warwick, R. Schreibeis – OC Executive’s Office.

Call to order – 5:10 pm.

**January Minutes**

J. Wright moved to accept the January minutes as presented, D. Smith seconded, unanimously approved.

**Summary of Accounts**

J. MacLeod stated that the Ag Board’s budget for this year is \$27,000 and the Board has only spent \$12.78 on postage. Thus, the Ag Board has almost \$27,000 available to it. J. Wright moved to accept the ledger as presented, J. Hoeffner seconded, unanimously approved.

**Inquiries & Correspondence**

J. MacLeod stated that the Ag Board received a letter from the Orange County Legislature regarding the appointment of S. Soons to the Orange County Agricultural & Farmland Protection Board. General discussion ensued. No action taken.

J. MacLeod stated that the Ag Board received a letter from the New York State Department of Agriculture and Markets regarding “the Town on New Windsor’s Zoning Ordinance and its Application to Cassidy Farms LLC.” There have been complaints regarding odors from this farm from some of its neighbors. General discussion ensued. No action taken.

J. MacLeod stated that the Ag Board also received a letter from the New York State Department of Agriculture and Markets regarding the “Lead Agency Request for Siting and Construction of a Solar Facility on Land Located Within a County Adopted, State Certified Agricultural District.” General discussion ensued. No action taken.

**New Business**

**Support Letter for Farm Near Proposed Auto Salvage Yard**

Discussion ensued about the request for a support letter for a farm near a proposed auto salvage yard in the Town of Montgomery. K. Brown stated that the Brown Family Farm is located near the

proposed auto salvage yard and it will be negatively impacted by the auto salvage yard if it is permitted to be built as it is currently proposed.

She noted that if the auto salvage yard is permitted in its proposed location, it will break the continuity of the County Agricultural District, as it is anticipated that this parcel would be removed from the district. Furthermore, this project would impact other nearby farms by creating noise that could spook farm animals. She noted that a new, adjacent farm is planning to put in some horseback riding trails near the farm's property line. However, the noise that would be created at the auto salvage yard would likely scare the horses, reducing the chances that these trails could be used. Furthermore, the proposed auto salvage yard would not be something that people would want to see while they are horseback riding.

K. Brown stated that the more important issues that the proposed auto salvage yard would create involve the potential for stormwater, surface water, and groundwater pollution from vehicular fluid leaks from the proposed project since it would be located very close to the Tin Brook. This pollution could cause crops to be unsafe to use and could make livestock sick. In fact, some fluids like anti-freeze could kill livestock if it is ingested. She also noted that there are wells for the Village of Walden located downstream from this site, right along the Tin Brook. M. Ullrich moved to write a letter to the Town of Montgomery Planning Board, copying the Town of Montgomery Town Board, the Town of Montgomery Zoning Board and the New York State Department of Environmental Conservation (NYS DEC), stating that the Orange County Agricultural & Farmland Protection Board is not in support of the proposed auto salvage yard due to its potential impacts on agriculture in this area, including the potential groundwater and surface water impacts and noise impacts, and requesting the applicant of the proposed project mitigate the potential impacts on nearby farm operations if it does get an approval, J. Wright seconded, unanimously approved.

#### CPV Monitoring

Discussion turned to the monitoring of the CPV natural-gas power plant in the Town of Wawayanda. R. Moss, from Sustainable Warwick, expressed concern about how the CPV power plant is being monitored because it was set up for self-monitoring. This is particularly concerning since fraudulent activities were identified that had occurred while the project was being reviewed, although the Town of Wawayanda was not aware of the activities until after it approved the project. Sustainable Warwick believes that the CPV facility should have independent monitoring for pollutants. He stated that CPV has to monitor for six basic pollutants. However, there is no requirement to monitor for other pollutants that could be released. He noted that the natural gas was coming from Ohio and Pennsylvania, where fracking is permitted. Thus, he is concerned that additional pollutants are being introduced to the natural gas due to the methods that fracking uses to obtain the natural gas. R. Moss stated that he was not sure how the pollutants that were being released into the air were impacting agriculture, area farms and the food grown in the area.

R. Moss wants to see if farmers in the area are aware of the issues that CPV creates and what they think of CPV and the pollution it creates. M. Ullrich stated that the air pollution is not an issue for agriculture. However, the impacts on water quality are an issue for farming. She stated that the used water goes into the Middletown sewage treatment facility. Therefore, when there is heavy rain or significant snowmelt, the Middletown sewage treatment facility cannot adequately treat the water. As a result, the water that normally goes through the Middletown sewage treatment facility might go straight into the Wallkill River, which then empties into the Hudson River. She also noted that this sewage treatment facility might not be treating for everything that is in the wastewater from CPV, since the sewage treatment facility is not designed for this. Although the treatment of ammonia is not an issue since it can treat this, there may be other things in the water that it misses. Although the

soil receiving this water is not threatened in the short-term, it may become more impacted over time. This is an issue since there is agricultural land along the Walkkill River downstream from the Middletown sewage treatment facility. She also noted that the noise created the CPV is not an issue for agriculture since there are no farm animals near this site.

Sustainable Warwick wants to make the Ag Board aware of the issues that CPV has created. Sustainable Warwick also wants to see if the Ag Board might be willing to consider seeking or asking for independent monitoring of potential pollutants at some time. General discussion ensued. No action taken at this time.

### Annual Agricultural District Update

Discussion then ensued about the annual agricultural district update. J. MacLeod stated that the Ag Board has received two applications for inclusion in the County agricultural districts so far: one in the Town of Newburgh and one in the Town of Chester. The open enrollment period goes until the end of March. The site plans will be on April 10. Details will follow. General discussion ensued. No action taken at this time.

### Old Business

#### Ag Plan Implementation - General

Discussion then turned to the general Ag Plan implementation update. K. Apostolides started by discussing the farmers markets. She stated that there will be some transitions with the farmers markets this year because some of the farmers markets lost their managers. She will be working with these farmers markets to address their need for market managers. She also stated that she wants to see if there is a way to get the option to use credit cards at more farmers markets within the county because there were some markets that got a boost in sales by allowing the use of credit cards. In particular, the Warwick farmers market received approximately 8% of its sales with credit cards. She noted that the credit card option would use similar technology to what is already used for the SNAP program. M. Ullrich stated that this might be an issue because some farmers have complained that the transactions take too long. Thus, other people have to wait longer to pay for their items.

K. Apostolides stated that she has a field trip planned for the Ag Board to the Taste of NY storefront at the Woodbury Commons. This trip will be on April 17 at 3:30 pm. She stated that Taste of NY is currently recruiting for new products for its store.

K. Apostolides also stated that there is another politicians meeting planned for this August. She needs to know what topics should be addressed at the meeting. M. Ullrich mentioned that a topic related to the CBD growers may be needed. There should be some discussion about the potential impacts of adult use of marijuana. General discussion ensued. No action taken at this time.

#### Ag Plan Implementation – Priority Project 2

Discussion then turned to the Ag Plan implementation of Priority Project 2. M.A. Johnson stated that she does not know of a food hub that is located in Orange County. However, there is now one in Liberty, located in the building that was originally going to be a slaughterhouse. Local produce is going to this food hub.

She also stated that the Orange County Industrial Development Agency's Accelerator will be working on a program focused on fostering the production of hemp for its CBD. J. Hoeffner stated that the hemp fiber is 3/4 of the bulk of the material produced when hemp is grown. He stated that something

has to be done with this fiber. However, it is not a valuable as other parts of the hemp plants. General discussion ensued about hemp.

M.A. Johnson stated that the Hudson Valley Agri-business Development Corporation (HVADC) has also been working on a feasibility study to develop a dairy processing facility. The Orange County IDA has committed \$20,000 for this study and the Ag Board has committed \$8,000 toward the study. The Ag Board has sent a letter to the Orange County Legislature requesting the remaining \$20,000 for the study. J. Wright mentioned that this study might need to look at multiple options to help the dairy farmers.

Orange County Soil & Water has been working with dairy farmers to remove the waste tires and address the New York State Department of Environmental Conservation (NYS DEC) regulations related to these tires. M. Ullrich stated that DEC has extended its deadline to dispose of the tires for one year.

M.A. Johnson stated that there has been on and off discussions about the creation of a slaughterhouse. There has not been much progress, though. J. Hoeffner stated that there are some slaughterhouses that will slaughter chickens and small animals. However, there are no slaughterhouses in the area that can slaughter large animals. General discussion ensued. No action taken at this time.

### **Other Business**

#### **Solar Installations**

L. DeBuck stated that he recently saw a newspaper article that discussed “solar farms.” He indicated that he was concerned about the use of this term, as it is misleading. D. Church stated that the County Planning Department calls these projects “solar installations,” and is indicating that they should not be called “solar farms” in its GML 239 reviews. L. DeBuck also stated that some people say that customers can “buy” solar from another location. He stated that this is a shell game. General discussion ensued. No action taken.

Meeting adjourned: 7:38 pm.