

**Agricultural and Farmland Protection Board Meeting**  
**April 21, 2021**  
**Meeting Minutes**

Ag Board members present via conference call / TEAMS meeting: J. Hoeffner, L. DeBuck, E. Ruscher, P. Ruskiewicz, M. Simpson, S. Soons, A. Sorensen, M. Ullrich, J. Wright.

Guests present via conference call / TEAMS meeting: B. Abraham – OC Legislative Office, K. Apostolides – OC Farm Market Coordinator, M. Decker – OCLT, V. Kasinki – Newburgh Urban Farm and Food (NUFFI), J. MacLeod – OC Planning.

Call to order – 7:09 pm.

**March Minutes**

J. Wright moved to accept the March minutes as presented, P. Ruskiewicz seconded, unanimously approved.

**Summary of Accounts**

A. Sorensen moved to accept the summary of accounts as presented, M. Simpson seconded, unanimously approved.

**Inquiries & Correspondence**

J. MacLeod stated that the Ag Board received letters from the New York State Department of Ag & Markets regarding the NOIs for the Baxter 1, LLC, (Town of New Windsor, 6.116 mW) solar projects. The Ag Board members indicated that they are not sure where these are located due to the lack of information. M. Decker stated that he believes that they are on Jackson Road and are contiguous. He stated that this project is adjacent to OCLT land and there will need to be an easement through an existing Christmas tree farm to connect the proposed solar projects to the grid. However, the easement will not impact the agricultural land on the farm. General discussion ensued. No action taken at this time.

J. MacLeod stated that the Ag Board also received a letter from New York State Department of Ag & Markets regarding the NOI for the Forefront Power, FFP NY (Town of Goshen, 5.0 mW) solar project. General discussion ensued. No action taken at this time.

J. MacLeod stated that Orange County Real Property wrote a letter to New York State Department of Ag & Markets regarding the need for more specific information about the locations of the proposed solar projects that the Ag Board has been receiving NOIs about. Real Property also asked to have the Ag Board receive the NOIs in a more timely manner. The Orange County Planning Department sent an e-mail to the New York State Department of Ag & Markets regarding the same issues. Ag & Markets responded to these inquiries with an e-mail that did not address the issues that were brought to its attention. E. Ruscher stated that it appears that the Ag Board will have to go directly to the municipalities for information about proposed solar installations. E. Ruscher will draft a letter to the town supervisors asking for site plans and SBLs for any large-scale solar installations that are being reviewed by the municipalities. L. DeBuck stated that commercial solar should be sited on brownfield and warehouse roofs, rather than on good agricultural soils. M. Ullrich stated that some farmers are being misled to believe that they can still farm, with animals grazing under the solar panels, and get the agricultural exemption. She stated that this is not true. J. Hoeffner stated that another issue is

that some farmers sign non-compete agreements and cannot talk about the details of the agreements.

A. Sorensen stated that the Orange County Planning Department reviews some of these solar installations through the GML239 review process. He stated that the Planning Department addresses potential impacts on the agricultural soils during their reviews. However, the Planning Department can also reach out to the municipalities to find out what stage of review the municipalities are in with solar projects. Ideally, the plans are being referred during the sketch plan, as that is the time that the Planning Department can have the greatest impact on the proposed location of the panels. E. Ruscher and A. Sorensen will write letters to the municipalities to get information to the Ag Board sooner in the review process. General discussion ensued. No further action taken at this time.

J. MacLeod stated that the Ag Board received an invitation from Virginia Kasinki inviting the Ag Board members to the garden opening scheduled on April 24. V. Kasinki stated that this is an NFA project where several high school students grow food in the garden. She stated that this experience helps kids consider a career and/or further education in agriculture. This is important because these students were not considering a career in this field prior to their experiences with the urban garden. General discussion ensued. No action taken.

J. MacLeod stated that the Ag Board received an e-mail from Alix Daguin requesting a support letter from the Ag Board for the project she is proposing in the Town of Goshen, identified as All for One One for All (AOOA). A. Daguin also attached four sample support letters that she had already received from James Oxley, DO (Chief Medical Officer for Garnet Health Medical Center), Trevor McGinley, MD (Medical Director and Chairman, Emergency Medicine Catskills Garnet Health Medical Center), Amanda Dana (Director of Orange County Tourism), and William Fioravanti (Director of Orange County Department of Economic Development). A. Daguin is involved with a food processing business. AOOA will be a field to table business, including a "silvopasture regenerative farm project" on a 14-acre property. M. Ullrich stated that maybe the Ag Board could write a very generic support letter since it keeps land in open space use; however, she would not recommend writing a support letter that addresses any specific kind of agriculture. S. Soons said she could draft a letter and have J. Hoeffner and M. Ullrich review it. S. Soons moved to have the Ag Board write a generic support letter for the AOOA project in the Town of Goshen, J. Wright seconded, unanimously supported.

J. MacLeod stated that the Ag Board received copies of the letters from the Orange County Legislature to the municipal supervisors and mayors notifying them of the properties that are proposed to be included in the County Agricultural District. General discussion ensued. No action taken at this time.

## **New Business**

### **HVADC Revolving Loan**

M.A. Johnson stated that she is not ready to discuss the HVADC revolving loan at this time because there are some details about the program that still need to be worked out. No action taken at this time.

### **Support Letter for Greenway Grant Application for County Open Space Plan Update**

Discussion ensued about the request for a support letter for the Greenway Grant Application that the Orange County Planning Department is applying for. If the grant is awarded to the Planning Department, the money will be used to help pay for the update to the Orange County Open Space Plan and the plan's implementation. The current plan was written in 2004 and contains five

categories for open space. One of those categories focuses on agriculture. General discussion ensued. J. Wright moved to write a support letter for the County Planning Department's application for the Greenway Grant Application, which will be used to help pay for the update to the County Open Space Plan, M. Simpson seconded, roll call – J. Hoeffner – Aye, L. DeBuck – Aye, P. Johnson – Absent, E. Ruscher – Aye, P. Ruszkiewicz – Aye, M. Simpson – Aye, D. Smith – Absent, S. Soons – Aye, A. Sorensen – Abstain, M. Ullrich – Aye, and J. Wright – Aye. Motion passed.

### RFP for Farmland Protection

Discussion turned to the RFP for farmland protection. M. Decker stated that New York State has announced a new round for farmland protection. He stated that this is different than past rounds because this is a non-competitive round. Therefore, the funding is being allocated on a first come first serve basis. This round will consist of 52 million dollars statewide. Of that, there will be five million dollars allocated for Mid-Hudson farmland conservation. Projects can apply under the following specific categories: agroforestry, climate resiliency, equine, food security, horticultural specialties, source water protection, viable agricultural land – other, and vineyard. M. Decker stated that most projects in Orange County would easily fall under the “viable agricultural land – other” category. The requirements to qualify for funding include a minimum of 45 acres, a minimum of 43% active agricultural land, and a minimum of 21% of prime and/or statewide important soils on the site. He said that OCLT may apply with farms that had applied for conservation in the past but did not get selected for conservation. OCLT may need to ask for support letters at a later time, if it submits any applications for this round. He also asked the Ag Board members if they know of any other farmers that might be interested in protecting their farms in the future, as there will be more rounds in the future. The Ag Board members did not know of any farms that would be interested at this time. However, M. Ullrich stated that she will get this information out in Cornell Cooperative Extension's weekly or monthly newsletters to inform farmers about the potential for future farmland protection rounds. General discussion ensued. No further action taken at this time.

### Old Business

#### Annual Agricultural District Review

Discussion then ensued about the annual agricultural district review. J. MacLeod stated that the Ag Board received five applications, with two of them being on the same farm, with slightly different ownership.

The first property discussed was the Chester Agricultural Center, LLC property (SBLs 104-6-15.2 and 104-6-16), in the Village of Chester. These parcels, totaling 12.1 acres, are adjacent to properties that are already in Orange County Agricultural District 1. Furthermore, these parcels are in the Black Dirts. The applicant grows mixed vegetables on this property. J. Wright moved to recommend that the County Legislature add the Chester Agricultural Center, LLC property to Orange County Agricultural District 1, L. DeBuck seconded, unanimously approved.

The second property discussed was the Cotter property (SBL 29-1-13.1), in the Town of Cornwall. This property is currently a 13.5-acre home residence building site and there is no agricultural activity yet. However, the applicant indicated that this site will be used to grow sunflowers, garlic, watercress, and assorted vegetables and herbs. The applicant will also have bees for honey and will offer a “pick your own” sunflowers area. J. MacLeod stated that this applicant included a letter for support for including this property in the Ag District from Colin Schmitt. The current aerial shows that the parcel is wooded, without agricultural activity. The Ag Board members discussed this application and agreed that the applicant should reapply after they have started growing farm products. They agree that this is consistent with other past applications that were similar to this. M. Ullrich moved to

recommend that the County Legislature deny the proposed inclusion of the Cotter property this year, with the understanding that the applicant can reapply next year if more progress is made in the agricultural activity at the site, J. Hoeffner seconded, unanimously approved.

The third property discussed was the Atlantic Fibre Optic, LLC property (SBL 18-2-10), in the Town of Goshen. This parcel is located on Quarry Road, near the Dutchess Quarry and the County run nursing home, Valley View. It is also adjacent to a property that is currently in Orange County Agricultural District 1. This two-acre parcel contains a storage building on it. The applicant indicates that this site is used for the storage and sale of first cut hay and horse shavings and has a temporary medical paddock for injured horses in rehab. The Town of Goshen had sent the County Legislature a letter indicating that this property should not be added to the Ag District because it is in the Highway Commercial District, it contains a 3600 square foot warehouse with a 2130 square foot upper floor apartment, and it has exterior storage containers for off-site construction and demolition wastes. The letter claims that the sale and storage of hay and shavings is not an agricultural use. Discussion ensued about this application and the Ag Board members agreed that there needs to be a site visit to this property. J. MacLeod will contact the applicant to set up a meeting with the interested Ag Board members. The vote for this property is being tabled until next month.

The fourth and fifth properties are the Gregory and Angela Yurchuk property (SBL 21-1-88.1) and the Gregory and Joseph Yurchuk property (SBL 21-1-88.2), in the Town of Goshen. These two parcels have slightly different ownership, but are part of one family farm. The first of the Yurchuk properties (SBL 21-1-88.1) is 4.6 acres and it contains a storage building for produce and equipment for the family farm. The second Yurchuk property (SBL 21-1-88.2) is 17.8 acres and contains a building and Black Dirt fields for growing crops on the family farm. These parcels are surrounded by other parcels currently in the County Agricultural District. M. Ullrich moved to recommend that the County Legislature add both of the Yurchuk properties to Orange County Agricultural District 1, L. DeBuck seconded, unanimously approved.

### Farmers Market Update

Discussion then turned to the farmers markets. K. Apostolides stated that the annual farmers market managers' meeting was held recently. She stated that the farmers market managers were all supportive of one another. The Middletown farmers market is moving and expanding at its new location. She also said that the COVID regulations for the farmers markets should be coming in soon. She stated that these regulations will probably be similar to the regulations from last year.

K. Apostolides mentioned that the Ag Board had paid for the printing and distribution of the farm market rack cards / flyers in past years. Although the Ag Board did not do this last year due to budget constraints, she asked if the Board would be willing to consider supporting this kind of advertising again this year. She stated that she had just finished updating the information for these markets and may be able to get Orange County Tourism create a rack card using the updated information. The Ag Board members expressed interest in supporting some form of advertising for the farmers markets this year, but would like to see samples of the proposed advertising. K. Apostolides stated that she could have something to present for the next meeting. She could include advertising on Facebook, as well. L. DeBuck asked if the Ag Board could run ads in local newspapers, like Strauss News, rather than distributing the rack cards. The Ag Board also expressed interest in having more farmers market bags made. The Board members agreed that they would like to keep the cost under \$750, if possible. The Board members agreed to move on this action next month. No further action taken at this time.

## **Other Business**

### **Nourish New York**

M. Ullrich stated that the Nourish NY program will be spending \$50 million after July to distribute fresh food to food pantries and soup kitchens. She stated that the majority of the food that is being distributed are New York products. General discussion ensued. No action taken.

### **Farm-to-School Program**

M. Ullrich stated that the Farm-to-School program will be sending more New York State food products to the schools in New York State. This program is available to any public school at this time. General discussion ensued. No action taken.

### **Hemp Industry**

M. Ullrich stated that Cornell Cooperative Extension (CCE) is limited in what it can do involving the hemp industry. She stated that there will be a meeting tomorrow and one next week about this topic. However, CCE cannot help with a lot of the questions involving marijuana and hemp due to CCE's funding sources. General discussion ensued. No action taken at this time.

### **COVID-19 Vaccines**

M. Ullrich stated that there has been an effort to get more farm workers vaccinated against COVID-19. She mentioned that there was a vaccination event held at Angry Orchard, offering 500 doses of the vaccine to interested farm workers. She stated that there has been an effort to provide Spanish language videos to share with agricultural workers to try to increase the amount of farm workers getting vaccinated. General discussion ensued. No further action taken at this time.

Meeting adjourned: 9:30 pm.