

**NOTICE OF PUBLIC HEARING  
FOR THE ANNUAL MODIFICATIONS TO THE ORANGE COUNTY AGRICULTURAL DISTRICT  
NO. 1 IN ACCORDANCE WITH NEW YORK STATE AGRICULTURAL  
AND MARKETS LAW SECTIONS 303-a AND 303-b.**

The Public Hearing was called to order at 3:18 p.m. by Paul Ruszkiewicz, Chairman of the Rules, Enactments and Intergovernmental Relations Committee.

The Clerk read the Notice of Public Hearing.

NOTICE IS HEREBY GIVEN, that the Orange County Legislature and members of the Department of Planning of the County of Orange, New York, will meet at the Legislative Chambers of the Orange County Government Center located at 255 Main Street, Goshen, New York on Thursday, the 1<sup>st</sup> day of June 2023 beginning at 3:15 p.m. (EDST) for the purpose of holding a public hearing and to solicit comments and concerns from the public with respect to the proposed modifications to Agricultural Districts No. 1. Agricultural District No. 1 encompasses the Towns of Blooming Grove, Chester, Cornwall, Crawford, Deerpark, Goshen, Greenville, Hamptonburgh, Minisink, Monroe, Montgomery, Mount Hope, Newburgh, New Windsor, Wallkill, Warwick, Wawayanda and Woodbury and the Villages of Chester, Florida, Goshen, Maybrook, Montgomery, South Blooming Grove, Warwick and Washingtonville, and is comprised of approximately 146,326.3 acres of land.

**FURTHER NOTICE IS HEREBY GIVEN**, that copies of said documents relating to the 2023 Annual Modifications to the Orange County Agricultural District No. 1 Review are available at the Office of the Clerk of said County Legislature, 255 Main Street, 2<sup>nd</sup> Floor, in the Orange County Government Center, Goshen, New York, where they may be inspected or procured by any interested person during usual business hours, and on the Orange County website: [www.orangecountygov.com](http://www.orangecountygov.com).

The following landowners are requesting inclusion of lands in the Orange County Agricultural District No. 1:

Christine Hopmayer  
Town of Crawford  
SBL 1-1-49.2

LJG/ELG Family Trust  
Lawrence Gordon  
Town of Goshen  
SBL 15-1-44.1

Old Sycamore Realty III, LLC  
Lawrence Gordon  
Town of Goshen  
SBL 13-1-50.32

Rosina's Vineyard, LLC  
Michele Callisto  
Town of Greenville  
SBL 1-1-62

Michael & Alva Antonelli  
Michael Antonelli  
Town of Montgomery  
SBL 14-1-101.2

Red Mills Road Properties, LLC  
William A. Thornton  
Town of Newburgh  
SBL 1-1-1

Angel M. Rivera &  
The Ann Marie Rivera Revocable  
Living Trust/Angel M. Rivera  
Town of Newburgh  
SBL 6-1-2.143, 6-1-96.2

Andrew Justin  
Emily Emeneker  
Town of Wallkill  
SBL 5-1-71

A. Nina Wabnig-Wishe  
Revocable Trust DTD/  
Antharina Stearns & Victoria K.  
Wabnig, Trustees  
Town of Wawayanda  
SBL 22-1-21.2

Seth H. Pulver  
Village of Woodbury  
SBL 202-1-12, 202-1-59.1,  
202-1-60.5, 202-1-70,  
202-1-72, 202-1-79

The Notice was published in the May 24<sup>th</sup> issues of the Hudson Valley Press, the Warwick Valley Dispatch, and the Goshen Independent; the May 25<sup>th</sup> issues of the Times Community Newspapers (Walkkill Valley and Mid-Hudson Times), and the May 26<sup>th</sup> issue of the News of the Highlands-Cornwall Local.

Alan Sorensen, Commissioner of Planning, explained that each year there is an open enrollment period where property owners can request to be included in the Agricultural District. During the open enrollment period, they received a total of ten applications for inclusion in the Agricultural District. Members of the Agricultural Farmland and Protection Board visited each of the properties, eight of the ten were recommended for inclusion and two were not recommended for inclusion. He provided a brief description of the Hopmayer land in the Town of Crawford stating that the planned activity is to breed and sell poultry and water fowl. This was recommended to be included in the Agricultural District. The next property was Lawrence Gordon in the Town of Goshen and has actively managed log grown woodland mushrooms. Mr. Gordon has an additional application for property in Goshen which also has actively managed log grown woodland mushrooms. Those two parcels for Mr. Gordon were approved. Another property that was visited by the Agricultural Farmland and Protection Board was Rosina's Vineyard, LLC in Greenville. They produce grapes and is currently a vineyard winery and it was recommended for inclusion. The next parcel visited was Michael and Alva Antonelli in the Town of Montgomery who produce hops, pumpkins and hay production which was also recommended for inclusion. The next property is Red Mills Road Properties, LLC which will be used for fruit crop, wood products and silviculture which was approved by the board. The next parcel visited was Andrew Justin and Emily Emeneker in the Town of Walkkill where they have production of hay and horse grazing. The eighth property that was visited was Anthanina Stearns and Victoria K. Wabnig in the Town of Wawayanda who have hay production and boarding for horse retirement. He described the two parcels that were not recommended for inclusion. He stated that after the site visit to the Angel Rivera property in the Town of Walkkill, there appeared to be no indication of agriculture on the site. The applicant wants to construct a 6,000 square foot contractor storage building. The last property visited was Dr. Pulver's property in Woodbury. There are soils that are suitable for agricultural purposes. They are currently operating a bed and breakfast with a half acreage garden and they are planning an event venue and plans to expand to a farm winery. The applicant has not started the vineyard and he believed that was one of the concerns that the Agricultural Farmland and Protection Board had with the property.

Dr. Seth Pulver, Highland Mills: He has had the honor and privilege to own and live at Rushmore Estate for the past twenty-one years. The property and house were built in 1908 by Charles Rushmore, who now Rushmore Estate is named after. Over the years, he has managed to increase his property size from 39 acres to almost 55 acres by acquiring adjacent lots whenever possible. He firmly believes in preserving open land and large lots. He has been a very good steward of this very special estate. He has kept it from being developed and he has added acreage over time. This was all possible with his wonderful career as a dentist, also in the Town of Woodbury where Rushmore Estate is located. He wants nothing more than to stay where he is, where he raised his four children and where he practiced dentistry for over 25 years. To say he is the best in the community is an understatement, he is proud to be part of this community, but he needs help. He no longer practices dentistry due to a disability and he got divorced about three years ago, so his financial position is very different than what it was. Seeing this, he knew he had to find a way to stay here and afford this very expensive estate. He went to the Planning and Building Department in the Town of Woodbury to see what his zoning allowed. He was ecstatic to see that a farm winery was a permitted use. He loved the idea. After doing research about this business, visiting Warwick Valley Winery, Pennings Orchard and a slew of others along with the local farm wineries and breweries. He knew this was a way for him to be able to stay. He began his pursuit of a farm winery, following all the Town's requirements, he did surveys, topographies, draining plans and traffic studies. When he tried to fulfill the requirement of

obtaining a farm winery license from New York State, his project ran to a halt. It seems you cannot obtain a New York State farm winery license unless you are in an agricultural district. This is why he is asking for inclusion into the Agricultural District of Orange County. He heard the reason why he was not recommended for inclusion was because there was no active farming taking place, however, the regulations say that you only need the potential for farming to be included. During his pursuit of a winery, Cornell Cooperative sent him a survey of his soil and said it was excellent for Pinot Noir grapes, which happens to be his favorite. He has new architectural renderings of almost five acres of vines ready to be planted in what is now a wooded area that he is in the process of clearing. He hopes with the inclusion of the Agricultural District he will be able to stay in Orange County for the rest of his life and start something that could last for generations, remember my four kids.

Heather Shields, Town of Wawayanda Assessor: She is the Assessor for the Town of Wawayanda and she was there to address parcel 22-1-21.2. This applicant has asked to be included in the Agricultural District. She was there to submit pictures that she took of the property (On file in Clerk, Legislative Office). She spoke to the Town Board and the Town Supervisor, and they do not understand why the applicant wants to be included into the Agricultural District. It is a densely wooded parcel with water running through it and it is not being used for anything Agricultural.

With no other members of the public wishing to speak, Chairman Ruskiewicz declared the public hearing closed at 3:30 p.m.