

**NOTICE OF PUBLIC HEARING  
FOR  
THE ANNUAL MODIFICATIONS TO ORANGE COUNTY AGRICULTURAL DISTRICTS NOS.  
1 AND 2 IN ACCORDANCE WITH NEW YORK STATE AGRICULTURAL AND MARKETS LAW  
SECTION 303-A.**

The Public Hearing was called to order at 3:18 p.m. by Paul Ruszkiewicz, Chairman of the Education and Economic Development 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 at the Orange County Government Center located at 255 Main Street, Goshen, New York on Thursday, the 7<sup>th</sup> day of June 2018 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 on Agricultural Districts Nos. 1 and 2. Orange County Agricultural District No. 1 is located to the northeast of NYS Route 17 and encompasses all or parts of the Towns of Blooming Grove, Chester, Cornwall, Crawford, Goshen, Hamptonburgh, Monroe, Montgomery, Newburgh, New Windsor, Wallkill and Woodbury. Agricultural District No. 2 is located southwest of NYS Route 17 and encompasses all or part of the Towns of Chester, Deerpark, Greenville, Goshen, Minisink, Monroe, Mount Hope, Warwick and Wawayanda.

**FURTHER NOTICE IS HEREBY GIVEN**, that copies of landowner application and the written recommendations of the Orange County Agricultural and Farmland Protection Board, Environmental Assessments and other related documents are on file with and may be examined in the Office of the Clerk of the County Legislature at 255 Main Street, Goshen, New York, the Orange County Planning Department at 124 Main Street, Goshen, New York and on the Orange County website at [www.orangecountygov.com](http://www.orangecountygov.com).

This Notice has been published in the May 30, 2018 issues of the Wallkill Valley and Mid-Hudson Times and the Hudson Valley Press; the June 1, 2018 issues of the Sentinel, Warwick Advertiser, Monroe Photo News, The Chronicle, New of the Highlands, Cornwall Local and the Gazette.

David Church, Commissioner of Orange County Planning Department, summarized the Agricultural Districts inclusion of lands. He explained that the Agricultural Districts Program involves an annual opportunity for property owners to enroll in either Agricultural Districts 1 or 2. There is also an eight-year program when there is a comprehensive review when properties can be put in or taken out of the Agricultural District. This opportunity is only for applications to bring property into the Agricultural Districts. Applications are submitted in the month of March and during that process there were five applicants that put in applications in four different towns, all of which are proposed to be in Agricultural District 1 which is north of Route 17. These applications were referred to his staff for review to make sure the applications were complete. They prepared maps of the applications and they also completed an Environmental Assessment Form as required using the standard form provided by the New York State Department of Agriculture and Markets. At the May County Agricultural Farmland Protection Board meeting the applicants were invited to attend to present their applications. They were discussed and the board voted on each application. The minutes of that meeting along with the maps, environmental assessment forms and applications are all on file. The board recommended potential inclusion for each of the applications. This now requires a vote from the Legislature and is to be filed with the Commissioner of Agriculture and Markets for certification.

They are required to file the maps with Cornell University which are part of the collaboration with the Department of Agriculture.

Judith Lobig, Newburgh: I live directly across the street from the Serviss property. There was a public hearing in the Town of Newburgh discussing the timber harvest and there were many, many concerns brought up about the flooding, the taking down of the trees, the wildlife, etc. If you all can take the opportunity to review those minutes, they are very lengthy and she did not print them. The timber harvest at this point, as of noon, the Town of Newburgh has still not approved it, it was still in the application phase. The question she has is the ownership of the parcel. According to the enrollment form it shows that it is Harry Serviss at 1298 Union Avenue. According to the County records and the transfer of deed it shows that it is owned by Harry Serviss, Jr. in Cape Coral, Florida. The 1298 address is an LLC. The other issue that we have with that property is that Mr. Serviss already owns it and they did get agricultural inclusion and there has been complete clearance of a large portion of that land. They brought pigs or hogs onto the farm which were not properly contained. Some of the adjoining property owners did have damage to their property by these animals getting loose. Back to the clearance of the land, if this does go through as agricultural land where they can do crops or have live stock in there, the clearance will cause enormous problems for everybody because this is a residential neighborhood that surrounds this property. The water run-off, which is already a problem, will be exasperated. The mortgage that is being held on the property, SBL 34-1-25.2, according to Mr. Mark Taylor who is the attorney for the Town of Newburgh, is being held being held by his law firm and she did not know if anyone was aware of that and it is a concern. Also, a lot of the people who surround this property needless to say because of jobs, etc., were not able to be here.

Sandra Kissam, Newburgh: Good afternoon ladies and gentlemen. Thank you for the opportunity to speak regarding this proposal and regarding this application. At the meeting that was held by the Agricultural and Farmland Protection Board, the information that was given was that there would be 20 acres used for agricultural purposes but in the Town of Newburgh the parcel has been listed at 98 acres which is the total parcel and that that 15 trees would be removed per acre. This seems to contradict the information that was presented to the Agricultural and Farmland Protection Board which is that there would be hay growing on the parcel and that only 15 trees are removed we wonder what the intermediate actions would have to be taken. In fact, at the public hearing, the presenter who is a logger says that none of the shrubbery or undergrowth would be removed. So, this is a contradictory situation. Meanwhile, for the record, the Town of Newburgh Planning Board voted to "Neg Dec" the project and has not yet provided a negative declaration document. The Town of Newburgh had a workshop meeting on May 29<sup>th</sup> and at that meeting they voted not to make any recommendations but to remain neutral pending further information. This has been the issue all along, that there is not sufficient detail being provided to really indicate what this land might actually be used for. The town planning board had a public meeting and at that meeting, it was stated, not at the meeting but outside the meeting, there were rumors to the affect that hops would be planted and the town has a clearing and grading law and I raised at the board meeting that any of the documents that are required by this law had not yet been submitted as of the meeting and that meeting was held May 3<sup>rd</sup>. Also, no large map was presented for the public to view at that meeting and in fact only the details were given but none of the microphones were working. The town board workshop meeting was held on May 29<sup>th</sup> with the town board again voting not to take a position, pending further information. The Agricultural and Farmland Protection Board was held the day after the storm and notification of that meeting was very restricted and as a result none of the people in our community were even aware there was a meeting and no one attended to speak for the position that our neighbors have taken. They are concerned that if the Legislature moves this forward, their doing so without sufficient documentation and sufficient information about the project so we ask that you delay any decision making.

Arthur L. Siegfried, Newburgh: I also want to speak about this issue which affects the neighborhood I directly live in. They are in a lower plain than the property proposed to have this work done on. This is already wetlands and they are already having their water table raised by actions from the Town of Newburgh from 40 years ago when they put in town water and did not put in town sewer. So, when the homes were all built and this neighborhood was built and the community was built, a very large one, you took water out of the ground with your well and put it back in with your septic through your leech field. So there was a balance, this is basic 10<sup>th</sup> grade Earth Science. The Town of Newburgh did not notice this and it raised everybody's water table. Thirty truckloads of dirt later, I still have artesian wells here. This is ridiculous. Now you are going to take away these trees and what will happen. I have had people out here from the DEC, Army Corps. of Engineers and I even worked with the FBI to find out why these things keep getting pushed through. Everyone is blown away. They should have someone come out and look at this, there are wetlands up here. It is the lowest part of the neighborhood and it keeps getting pushed through. It seems that the people tried to do this before but it has been stopped because they want to put a development back there. Nobody knows what to do with this area. There are not many places left in the Town of Newburgh, it's not like Goshen here where you have big open spaces, nice houses and everything. You guys know what happened to Newburgh. Newburgh got screwed over by Orange County since urban renewal and the state, the city and the town. There is not much left for them to take care of because the same thing happened in Florida when they built all the canals, now streets flood out because nobody thought about it, foresight, ground water, rainwater and what is going to happen. Everybody just approves something and the reason why this is getting pushed through like this, through backdoors, it is eventually because they want to turn this land, once it gets rezoned, if you couldn't build a home back there, you would build one house, two acres, probably one house every one acre. People need to look at this area, it is really affecting the Town of Newburgh, bad! One of the solutions he came up with is, Orange County, what if you guys step up and look like a champ for not only the Town of Newburgh but for the County and even the state. This area is the direct run off of Chadwick Lake and there is nothing there, it is woods. It was a reservoir for Chadwick Lake at one time. To turn this into a second reservoir, the Town of Newburgh could probably rely on its own water and we would not have to buy water from the aqueduct and in 2020 when they cut us off from the aqueduct we would not have to have tainted water from New Windsor and risk the chance of being poisoned. There needs to be a plan for the Town of Newburgh and he does not see one. It is like anyone can come in to the town and sneakily get things through. They get to the board meeting and it was 20 acres but now the application is 98 and they knew it but instead of voting no and sending the paperwork back, a clerical error like that, NO, you send it back. All the paperwork should be proper when it comes to any board and there should be a plan and an in depth plan because if it is not then it looks like no one cares. If people know back ways to get around the process, they do it. A lot of people wanted to be here today. The Town of Newburgh was surprised how many people were at both meetings because they were at 7:00 p.m. You are dealing with people that work, it's very hard for them to come to Goshen at 3:00 p.m. and they all have families. In the future when it is something this important that comes up, like the Town of Newburgh and there isn't much left there, maybe we can look at it in a more open format as a future plan.

Chairman Ruszkiewicz announced that written comments are also accepted for those who could not attend the public hearing.

Animal Hughes, Newburgh: Thank you for recognizing me Mr. Chairman. The rumor mill is at full board. I have a packet here that I would like to leave with the Legislature so that you can see it is self-explanatory as to what is going on here. The gentleman before described that this was a feeder to Chadwick Lake, that is not so. The stream is at least 800 feet to the closest edge to any one of the properties. They already have 40 acres there. They did have an incident with some hogs getting loose, what farmer doesn't. We are not going to mess up the land, we are not going to grow

houses, we are going to grow fields. There are four things going on here, there is a timber harvest permit, there is no clearing and grading required. We are not doing a clear cut, we are going to cut down some brush and make some farm fields. Three to four acres at a clip, five and ten acres at a clip, they have 100 acres here. There was no misrepresentation during any of this. He reached out to Ms. Lobig and Ms. Kissam and they had a meeting and he explained all of this to them but he did not give them the answer they were looking for. The gentleman who spoke before him told another municipal meeting room that he knows they were going to be building houses back there. I don't want you guys to pay attention to the rumor mill and I really take exception because I reached out to clear the air with these people and they continue to come here and persist. I beseech you to look at the maps and draw your own conclusion. Thank you for listening to what I had to say.

With no members of the public wishing to speak, Chairman Ruszkiewicz declared the public hearing closed at 3:38 p.m.