

**PUBLIC HEARING
ON INCLUSION IN THE AGRICULTURAL DISTRICT
HELD BY THE
PUTNAM COUNTY LEGISLATURE
IN THE
HISTORIC COURTHOUSE
CARMEL, NEW YORK 10512**

Wednesday August 6, 2024 6:45 P.M.

The meeting was called to order at 6:45 P.M. by Chairman Jonke who led in the Pledge of Allegiance. Upon roll call, Legislators Montgomery, Gouldman, Addonizio, Nacerino, Ellner, Castellano, Crowley and Chairman Jonke were present. Legislator Sayegh was absent. Also present was Legislative Counsel Firriolo.

Chairman Jonke requested the Clerk read the Public Notice:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that pursuant to Article 25-AA of the Agriculture and Markets Law of the State of New York, Section 303-b, that one or more requests have been received by the Putnam County Legislature for inclusion of predominately viable agricultural land within Putnam County's certified Agricultural District.

FURTHER NOTICE is hereby given that the Putnam County Agriculture and Farmland Protection Board has considered the requests for inclusion and reported which parcels for inclusion would serve the public interest by assisting in maintaining a viable agricultural industry within the District.

FURTHER NOTICE is hereby given that the parcels requested for inclusion are:

Town of Carmel:

Kascade Enterprises (Eric Hasbrouck) – Tax Map #54.-1-36 (28.32 acres) Total Acreage: 28.32

Town of Kent:

Angry Goose Farm (Robert Lena/Tofo Realty LLC) – Tax Map #10.-2-6.-1 (115.26 acres)
Tax Map #10.-1-38.-1 (39.66 acres) Total Acreage: 154.92

Town of Patterson:

Ridge Ranch (Daniel Honovich) – Tax Map #15.-1-46 (68.04 acres) Tax Map #15.-1-49 (45.03 acres) Tax Map #15.1-48 (.45 acres) Total Acreage: 113.52

Lobster Hill Farm (Jessica & Andrew Jarrett) – Tax Map #35.-4-56 (22.49 acres) Total Acreage 22.49

Mother Farm (Peter Clarke & Martha Cotto) – Tax Map #34.-3-1.41 (15.5 acres) Total Acreage 15.5

Town of Philipstown:

Pine View Farm (George Whipple) – Tax Map #71.-1-34 (2.60 acres) Tax Map #71.-1-35 (2.21 acres) Tax Map #71.-1-27 (15.08 acres) Tax Map #71.-1-24 (17.40 acres) Total Acreage: 37.29

Town of Putnam Valley:

Francis W. Rush III – Tax Map #83.20-1-6 (33 acres) Total Acreage: 33

Big Red Barn Farm (Joey Mancuso) – Tax Map #72.16-1-1 (67.05 acres) Total Acreage: 67.05

Town of Southeast:

Lobster Hill Farm (Jessica & Andrew Jarrett) – Tax Map #35.-1-10 (56.13 acres) Total Acreage: 56.13

Hidden Hope (Shannon & Eric Nitti) – Tax Map #24.-1-62 (18.61 acres) Total Acreage: 18.61

Total acreage in petitions: 546.83

FURTHER NOTICE is hereby given that a Public Hearing will be held on Tuesday, August 6, 2024 at 6:45 P.M. in the Historic Courthouse, Carmel, New York, to consider these requests for inclusion and the recommendations of the Putnam County Agriculture and Farmland Protection Board and the Physical Services Committee.

BY ORDER OF THE PUTNAM COUNTY LEGISLATURE

Diane Schonfeld
Clerk

Chairman Jonke stated that the application for the Hidden Hope Farm parcel received by the Legislature stated the parcel was located in Brewster and the parcel number was placed under the Town of Southeast on the Public Notice. Subsequent to publication of the Public Notice, the Legislature determined that the parcel is actually located in the Town of Patterson, as described in the Agricultural & Farmland Protection Board's memorandum. The Legislature will have the opportunity to correct the description of the parcel's town when the Agricultural District inclusion resolution is considered at tonight's Full Legislative Mtg.

Chairman Jonke read the procedure for making comments at the Public Hearing. He requested that anyone wishing to speak should come up to the microphone, state their name and the town in which they reside.

Jocelyn Apicello, Town of Philipstown, stated that she has been volunteering on the Agriculture & Farmland Protection Board since 2018 and has been Chair since 2022. She explained that the Agriculture & Farmland Protection Board voted to recommend four (4) out of nine (9) applications received for inclusion. She explained that the application posted on the County's website was utilized by the applicants. The Agriculture & Farmland Protection Board used this application along with NYS Agricultural Law to guide them in making their decision whether the applicants have viable agricultural enterprises and are practicing on viable agricultural land. She stated that the Physical Services Committee did not accept the recommendations. She believed that it appears that most of the denials were because of soil types and prime farmland. She explained

that in the six (6) years she has been on the Agricultural Board they have never considered that what was quoted on Resolution #139 of 2007; “each parcel must contain at least 50% of Prime Farmland and/or Statewide important soils which are in the NYS Agriculture & Markets agricultural land soil groups 1-6” would be reason enough not to recommend inclusion of the parcel. She stated that there are eight (8) bullet points on the resolution that “shall” be considered. She stated that the application does not say anything about soil types, which came up during the Physical Services Committee meeting. She stated that this is a very important learning experience for the Agricultural Board. She stated that she would like to consider ways to improve the soil in our County. She looked forward to working with the Legislature to make sure the application we provide to the public lists the requirements that the Legislature would like to see. She hoped that the Legislature looks at the nine (9) applications, especially the four (4) that were recommended, because these agricultural operations serve the public interest by assisting and maintaining a viable agricultural industry within the district.

Frank J. Smith III, from the Law Office of Shilling & Smith, stated that they are the attorneys for the applicants of Ridge Ranch. He stated that prior to this hearing he provided a written submission and has now provided physical copies for each member of the Legislature, as well as Legislative Counsel. He attended the Physical Services Committee on July 23, 2024. He stated that after much discussion the Committee voted not to include this application. He proceeded to note a few points from his written submission such as; the required criteria from Resolution #139 of 2007, NYS Agriculture & Markets Law Section 303(b) which governs inclusion of parcels, Section 301(7) which defines viable Agricultural Land as, “land highly suitable for a farm operation as defined in this section”, Section 301(11) defining “Farm Operation”. He stated that the statute which was referred to during the Committee pertained to Resolution #139 of 2007. He requested that the Legislature adhere to the NYS statute and contends that the resolution does not supersede State Law. He also referenced Section 302(1)(c) which establishes the role the County’s Agriculture & Farmland Protection Board plays related to the Agricultural District. He believed that it was unfair that a positive referral be presented by a dissenting voter without the input from the nine (9) members who voted to the contrary. He requested that the Legislature consider the materials presented and submitted in the letter, along with the expert advice prepared by the Agriculture & Farmland Protection Board to ultimately vote on including Ridge Ranch into the County’s Agricultural District. He asked that the Legislature adjourn tonight’s vote to the next meeting of the Full Legislature in order to review the submissions.

Jessica Jarrett, owner and operator of Lobster Hill Farm in Brewster, NY, where she specializes in pasture raised poultry for meat and eggs, forest raise pork, and breeds goats for both dairy and meat. She explained that there was a desire for ethically raised locally sourced protein. The demand was so high that they decided to purchase a larger piece of property and expand the farm. She explained that they looked for a property over the required seven (7) acre that had rocks and hillsides for the goat herd, as well as a potential pasture for pigs. She stated that the property may not be prime agricultural land, but they are rotationally grazing livestock which not only keeps the animals healthy, but also improves the soil quality, in turn improving the drinking water quality. She stated since moving to the new property last March, production has increased 1,000%. She explained that she has a contract with Cornell Cooperative Extension to supply protein for one (1) of their programs. She stated that Second Chance Foods in Brewster, NY also used grant funding to purchase chicken from her farm. They also sell directly to the consumer. She stated that their desire to be in the Agricultural District is

to continue to expand and meet the community's needs. She stated that they would be protected under NYS Agricultural Law and not subject to their town zoning rules. She stated that the Town of Southeast has a rule that you need at least five (5) acres to have a rooster. If you have over five (5) acres you can have two (2) roosters. If you have multiple five (5) acres you do not get more than two (2) roosters. She explained the importance of roosters such as, protecting the hens, show them where the food is, keep them safe from predator attacks by sometimes sacrificing themselves. She stated that they also fertilize the flock. She stated that she has 75 acres and has two (2) roosters and 200 hens. She stated that two (2) roosters cannot protect 200 hens. She stated that this is one (1) example of why farms need different regulations. She requested the Legislature to vote in favor of Lobster Hill Farm being included in the Agricultural District.

Joe Montuori, Town of Carmel Resident, stated that he is a customer of Lobster Hill Farm. He believed that we should encourage farmers to do business in our County and encourage a local source of food. She stated that they are also providing food for local charities. He hoped that this was taken into consideration when reviewing their application.

Lisa Frese, Katonah Resident, stated that she was supporting Ridge Ranch being recognized and zoned as an agricultural farm within our community. She stated as the daughter of one (1) of the former Chairs of the Environmental Conservation Board of Carmel, NY, and the owner of Emerald's Farm in Katonah, NY a small farm of rescued animals, she had the pleasure of collaborating with Ridge Ranch on numerous occasions. Beyond providing them with animals, Ridge Ranch has been a collaborative partner in promoting animal welfare and educational programming in our community. She stated that Ridge Ranch consistently demonstrates a deep commitment to sustainable farming practices and community education. She strongly urged the Legislature to support this ranch in its endeavors.

Andrew Jarrett, Lobster Hill Farm, provided the Legislature with a document on the soil grade for Putnam County and a map of a horse farm down the road from them on Foggintown road in Brewster, NY. He stated that the horse farm on Foggintown road falls into the 1.45% of prime farmland. He stated that it does not meet the 50% requirement in Resolution #139 of 2007. He stated that he did not know when they got into the Agricultural District. He stated that the County itself has just over 23% prime farmland based on the same documentation that Neal Tomann used. He stated that of 150,000 acres, 120,000 acres that are not viable farmland. He stated that groups 1-6 are viable farmland for NYS, however groups 7-8 are suitable farmland. He stated that in speaking with someone from NYS, his recommendation is that the Legislature reconsider Resolution #139 of 2007 to include groups seven (7) and eight (8) which would put Lobster Hill Farm over the 50% that they would need. He stated that none of the information in the resolution takes into consideration what kind of farming is done on the land. He stated that they are not tilling at Lobster Hill Farm; they are rotational grazing raising proteins.

Joey Mancuso, Big Red Barn Farm in Putnam Valley, stated that she previously sent the Legislature a letter that reinforced her goals and desires. She stated that it was a disheartening meeting regarding the soil quality and things of that nature being that she is an equine facility with the appropriate acreage. She stated that part of running this facility is also being able to rescue and/or adopt retired racehorses. She stated that,

unfortunately, those racehorses that are not either rescued or adopted are sold to slaughterhouses. She stated that the Town Zoning Board has actually encouraged her to pursue this and help her become a farm.

Samantha Castillo, who resides on the Big Red Barn Farm property, stated that she has been a tenant at this property for seven (7) years. She stated that her two (2) children have benefited from the opportunity to learn how to care for the animals. She stated that they would love to see the farm be able to grow and for Joey to achieve her goal in rescuing horses.

Andrew Jarrett explained that out of the nine (9) properties in the Agricultural District that he looked at using the mapping system, only three (3) of the properties qualify over the 50% prime farmland. He stated that a couple of them are long time farms, one (1) in the opposite direction down the road from him, Boni-Bell Farm is at 32.1% prime farmland. He stated that an equine down the road is at 5.81%. He stated that Rider Farm and Glenwood is over the 50%. He explained that some of these farms have been in the Agricultural District for awhile and there have been two (2) reviews. He stated that they have not been held to the same standard that we are currently being held to. He finds it very disheartening that we are now being held to a standard that nobody else has been held to.

Maddie Sansone of Mohegan Lake stated that she is a boarder at the Big Red Barn Farm. She is a horseback riding instructor who has worked at many different farms. She stated that Joey has provided a blessing during difficult times. She stated that the industry is not easy, and it is held to certain standards that other farms are not held to because of the type of animals we work with. She stated that without the protection of Agricultural zoning, you are looking at an extreme financial burden, and many bridges that are hard to cross on our own. She had nothing but nice things to say about Joey Mancuso who provides a nice place for people to enjoy these animals.

Dr. Megan Moore of Hopewell Junction stated that she is a veterinarian and the Program Director for the Westchester Community College Veterinary Technology Program. She is speaking on behalf of Ridge Ranch Farm. She stated that they have established a relationship with them this year to serve as an animal resource for our student program. She stated that having Ridge Ranch accessible to our students is huge for the industry of the Veterinary Technology Program as well as the Westchester Community College.

Susan Moga of Sherman Connecticut stated that she was speaking on behalf of Ridge Ranch Farm as well. She explained that she ran Muscoot Farm in Somers, NY for many years. She stated that education of our youth is key to our future as far as agriculture. She stated that Ridge Ranch Farm is trying to educate the next generation, giving them the opportunity for hands on learning.

There being no further comments; at 7:26 P.M., Chairman Jonke made a motion to adjourn; seconded by Legislator Crowley. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.