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Frank J. Smith III

**Also Admitted in CT*

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March 29, 2022

BY HAND DELIVERY

Westchester County Board of Legislators

148 Martine Avenue, 8th Floor

White Plains, New York 10601

RE: Westchester County Agricultural District Application Request

Dear Chairwoman Borgia and Members of the Board,

My name is Frank J. Smith III, and this office represents Mr. David Rowe and Orchard Hill Organics LLC. Orchard Hill Organics is a boutique fruit and vegetable farm based at 9 and 12 Orchard Hill Road, Katonah, NY 10536 (Town of Somers). 9 Orchard Hill Road is known as Tax Map Number 37.14-10-1-10 and 12 Orchard Hill Road is known as Tax Map Number 37.14-1-2. Please let this letter serve as a formal request to join Westchester County's Agricultural District.

Please find enclosed with this letter a completed Application for Addition of Land to an Existing Agricultural District. Also included please find parcel maps, exhibits to the application, and Mr. Rowe's Affidavit of Property Ownership and Authorized Representative. These documents are being simultaneously submitted to the Westchester County Agriculture & Farmland Protection Board ("AFPB").

Mr. Rowe is enthusiastic about his agricultural endeavor, and would welcome a site visit should the AFPB desire. Additionally, if there are any questions, we would be more than willing to present before a meeting of the AFPB.

Upon review of this letter and enclosed contents, please do not hesitate to contact me if you have any questions. I may be reached by email at frank@shillinglegal.com or by phone at (845) 225-7500. I thank you in advance for your consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. J. Smith III', written in a cursive style.

Frank J. Smith III, Esq.

CC: Westchester County Agriculture & Farmland Protection Board
Orchard Hill Organics LLC

**9 ORCHARD HILL ROAD
PARCEL MAP**



TOWN OF SOMERS
 Planning Department
 37.14

Legend

Symbol	Description
Circle with '1'	Proposed Project
Circle with '2'	Other Project
Circle with '3'	Other Project
Circle with '4'	Other Project
Circle with '5'	Other Project
Circle with '6'	Other Project
Circle with '7'	Other Project
Circle with '8'	Other Project
Circle with '9'	Other Project
Circle with '10'	Other Project
Circle with '11'	Other Project
Circle with '12'	Other Project
Circle with '13'	Other Project
Circle with '14'	Other Project
Circle with '15'	Other Project
Circle with '16'	Other Project
Circle with '17'	Other Project
Circle with '18'	Other Project
Circle with '19'	Other Project
Circle with '20'	Other Project
Circle with '21'	Other Project
Circle with '22'	Other Project
Circle with '23'	Other Project
Circle with '24'	Other Project
Circle with '25'	Other Project
Circle with '26'	Other Project
Circle with '27'	Other Project
Circle with '28'	Other Project
Circle with '29'	Other Project
Circle with '30'	Other Project
Circle with '31'	Other Project
Circle with '32'	Other Project
Circle with '33'	Other Project
Circle with '34'	Other Project
Circle with '35'	Other Project
Circle with '36'	Other Project
Circle with '37'	Other Project
Circle with '38'	Other Project
Circle with '39'	Other Project
Circle with '40'	Other Project
Circle with '41'	Other Project
Circle with '42'	Other Project
Circle with '43'	Other Project
Circle with '44'	Other Project
Circle with '45'	Other Project
Circle with '46'	Other Project
Circle with '47'	Other Project
Circle with '48'	Other Project
Circle with '49'	Other Project
Circle with '50'	Other Project

North Arrow

Scale

Map Information

Map No.	37.14
Scale	1" = 100'
Date	10/1/2014
Author	John J. ...
Checker	John J. ...
Appr. By	John J. ...
Appr. Date	10/1/2014

CAI
 CONSULTANTS
 1100 ...
 100 ...

**12 ORCHARD HILL ROAD
PARCEL MAP**



TOWN OF SOMERS
 Planning Board
 Zoning Ordinance

Map No. 3718

Scale: 1" = 100'

North Arrow

Symbol	Description
(Solid line)	Property Lines
(Dashed line)	Unimproved Lots
(Dotted line)	Water
(Thick solid line)	Highway
(Thin solid line)	Other Road
(Circle with number)	Lot Number
(Square with letter)	Block Number
(Star)	Public Building
(Circle with cross)	Church
(Circle with dot)	Well
(Circle with cross and dot)	Septic Tank
(Circle with cross and dot and line)	Water Meter
(Circle with cross and dot and line and line)	Electric Meter
(Circle with cross and dot and line and line and line)	Gas Meter
(Circle with cross and dot and line and line and line and line)	Telephone Meter
(Circle with cross and dot and line and line and line and line and line)	Cable Meter
(Circle with cross and dot and line and line and line and line and line and line)	Other Meter

Legend

Color	Zone
Light Blue	R-1
Light Green	R-2
Light Yellow	R-3
Light Purple	R-4
Light Orange	R-5
Light Red	R-6
Light Brown	R-7
Light Grey	R-8
Light Blue-Grey	R-9
Light Green-Grey	R-10
Light Yellow-Grey	R-11
Light Purple-Grey	R-12
Light Orange-Grey	R-13
Light Red-Grey	R-14
Light Brown-Grey	R-15
Light Grey-Grey	R-16
Light Blue-Grey-Grey	R-17
Light Green-Grey-Grey	R-18
Light Yellow-Grey-Grey	R-19
Light Purple-Grey-Grey	R-20
Light Orange-Grey-Grey	R-21
Light Red-Grey-Grey	R-22
Light Brown-Grey-Grey	R-23
Light Grey-Grey-Grey	R-24
Light Blue-Grey-Grey-Grey	R-25
Light Green-Grey-Grey-Grey	R-26
Light Yellow-Grey-Grey-Grey	R-27
Light Purple-Grey-Grey-Grey	R-28
Light Orange-Grey-Grey-Grey	R-29
Light Red-Grey-Grey-Grey	R-30
Light Brown-Grey-Grey-Grey	R-31
Light Grey-Grey-Grey-Grey	R-32
Light Blue-Grey-Grey-Grey-Grey	R-33
Light Green-Grey-Grey-Grey-Grey	R-34
Light Yellow-Grey-Grey-Grey-Grey	R-35
Light Purple-Grey-Grey-Grey-Grey	R-36
Light Orange-Grey-Grey-Grey-Grey	R-37
Light Red-Grey-Grey-Grey-Grey	R-38
Light Brown-Grey-Grey-Grey-Grey	R-39
Light Grey-Grey-Grey-Grey-Grey	R-40
Light Blue-Grey-Grey-Grey-Grey-Grey	R-41
Light Green-Grey-Grey-Grey-Grey-Grey	R-42
Light Yellow-Grey-Grey-Grey-Grey-Grey	R-43
Light Purple-Grey-Grey-Grey-Grey-Grey	R-44
Light Orange-Grey-Grey-Grey-Grey-Grey	R-45
Light Red-Grey-Grey-Grey-Grey-Grey	R-46
Light Brown-Grey-Grey-Grey-Grey-Grey	R-47
Light Grey-Grey-Grey-Grey-Grey-Grey	R-48
Light Blue-Grey-Grey-Grey-Grey-Grey-Grey	R-49
Light Green-Grey-Grey-Grey-Grey-Grey-Grey	R-50
Light Yellow-Grey-Grey-Grey-Grey-Grey-Grey	R-51
Light Purple-Grey-Grey-Grey-Grey-Grey-Grey	R-52
Light Orange-Grey-Grey-Grey-Grey-Grey-Grey	R-53
Light Red-Grey-Grey-Grey-Grey-Grey-Grey	R-54
Light Brown-Grey-Grey-Grey-Grey-Grey-Grey	R-55
Light Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-56
Light Blue-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-57
Light Green-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-58
Light Yellow-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-59
Light Purple-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-60
Light Orange-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-61
Light Red-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-62
Light Brown-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-63
Light Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-64
Light Blue-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-65
Light Green-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-66
Light Yellow-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-67
Light Purple-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-68
Light Orange-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-69
Light Red-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-70
Light Brown-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-71
Light Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-72
Light Blue-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-73
Light Green-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-74
Light Yellow-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-75
Light Purple-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-76
Light Orange-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-77
Light Red-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-78
Light Brown-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-79
Light Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-80
Light Blue-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-81
Light Green-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-82
Light Yellow-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-83
Light Purple-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-84
Light Orange-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-85
Light Red-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-86
Light Brown-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-87
Light Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-88
Light Blue-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-89
Light Green-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-90
Light Yellow-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-91
Light Purple-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-92
Light Orange-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-93
Light Red-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-94
Light Brown-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-95
Light Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-96
Light Blue-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-97
Light Green-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-98
Light Yellow-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-99
Light Purple-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey-Grey	R-100

Map Information

Field	Value
Map No.	3718
Scale	1" = 100'
North Arrow	Yes
Legend	Yes
Map Date	10/1/2023
Map Author	John Doe
Map Reviewer	Jane Smith
Map Status	Final
Map Version	1.0
Map Project	Zoning Ordinance
Map Location	Town of Somers
Map Sheet	3718
Map Date	10/1/2023
Map Author	John Doe
Map Reviewer	Jane Smith
Map Status	Final
Map Version	1.0
Map Project	Zoning Ordinance
Map Location	Town of Somers
Map Sheet	3718

CAJ
 Planning Board
 100 Main Street
 Somers, NY 10589
 Tel: 914.261.1234
 Fax: 914.261.1235
 Email: info@somersny.gov

**Orchard Hill Organics LLC
Agricultural District Application**

**Application for Addition of Land to an
Existing Agricultural District
Westchester County, New York**



This form is to be completed by agricultural landowners whose agricultural lands are proposed for inclusion within an agricultural district. The information obtained from this form will be utilized by the Westchester County Agriculture & Farmland Protection Board to make recommendations for approval in accordance with New York State Agriculture and Markets Law. Note that the board may require additional information such as site plans, business plans, tax forms or other documents to assist in the evaluation of the application.

Part 1: Contact Information

Landowner Name: David J. Rowe
 Mailing Address: 316 E. 59th St.
New York, NY 10022
 Phone: (646) 258-6473 E-Mail: orchardhillorganics@gmail.com

If landowner is applicant, check here and proceed to Part 2.

Applicant Name: Frank J. Smith III, Esq.
 Mailing Address: 122 Old Rt. 6
Carmel, NY 10512
 Phone: (845) 225-7500 E-Mail: frank@shillinglegal.com

Part 2: Parcel Identification

IMPORTANT: Review the tax assessment rolls for your municipality (available online via your municipality's website or via the NYS Office of Real Property Services website) and enter the Section, Block and Lot and acreage for each parcel below. The property must be located within one of the following communities: Cortlandt, Yorktown, Somers, North Salem, Lewisboro, Bedford, Sleepy Hollow, or the portion of Mount Pleasant west of the Taconic State Parkway.

A. List tax parcel identification (Section, Block, & Lot) numbers and acreage for all parcels owned by the farmer:

Parcel ID #	Acreage
34.14-10-1-10	5.45

Parcel ID #	Acreage
37.14-1-2	3.8

B. List tax parcel identification (Section, Block, & Lot) numbers and acreage for all parcels rented from another landowner: (Note: an affidavit from the landowner is required to include parcels not owned by the applicant)

Parcel ID #	Acreage
N/A	

Parcel ID #	Acreage
N/A	

C. List tax parcel identification (Section, Block, & Lot) numbers and acreage for all parcels rented to a farmer(s):

Parcel ID #	Acreage
N / A	

Parcel ID #	Acreage
N / A	

Part 3: Farm Description

Farm Name: Orchard Hill Organics LLC

Is farm location the same as mailing address? Yes No If yes, proceed to description of land.

Farm Street Address: 9 Orchard Hill Road

City/Town/Village of: Somers

For the following, attach additional sheets if necessary.

Description of land and boundaries (wooded, open, steep slopes, streams, wetlands, etc.): _____

See attached "Farm Description"

Description of current agricultural activities (also complete the table on the following page):

See attached "Farm Description"

Description of future plans: See attached "Farm Description"

Number of acres currently farmed: 2 Total acres proposed to be farmed: 4

Participating in Agricultural Assessment Program (Property Assessment): Yes No

The farm will operate under a Whole Farm Plan, Nutrient Management Plan, or similar, to ensure any potential environmental impacts are minimized: Yes No

Are there any lease agreements, easements or restrictive covenants associated with the property or agricultural operation? Yes No

Only parcels on which the agricultural operation is located are eligible to be included in the Agricultural District (note that agricultural land may include woodland and fallow land). Parcels that include primarily non-agricultural commercial uses are not eligible for inclusion. For parcels on which are located both agricultural and non-agricultural commercial uses, please answer the following. The Agriculture and Farmland Protection Board may request additional information or documentation supporting your answers.

Does the agricultural operation make up a minimum of 51% of the actively used area of the parcel (exclude residential and unused portions)? Yes No

Does the agricultural operation account for at least 51% of the gross sales from any wholesale or retail activity located on the parcel? Yes No

Identify Farm Enterprise	Principal (choose only one)	Secondary (select as many as appropriate)			Approx. Acres
			Existing	Start-Up	
Fallow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Hay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Equine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Crops (Grain)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Crops (Vegetable)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1.0
Orchard (Fruit)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	.25
Vineyard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Eggs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Poultry (meat)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Dairy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock (meat)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock (other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Aquaculture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sugarbush	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Horticultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Christmas Trees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Woodlot	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other (describe below):					
a. Support land/building	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	.75
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Supporting Information. Attach the following information with the application.

- Documentation demonstrating Gross Sales Value, such as a copy of a completed, filed IRS Form G or NYS Sales Receipts form (with Tax ID deleted or blacked out).
- Business Plan describing the operation and realized or anticipated gross sales value for major elements of the operation.
- Whole Farm Plan or similar document describing sensitive environmental resources on or near the property and how potential impacts will be minimized and mitigated.
- Sketch of the property showing buildings and elements of the operation.
- Lease or other legal agreements, deed restrictions or conservations easements. N/A (Property deeds inc.)

Note: Information included in this application is public information and subject to access under the Freedom of Information Law.

I hereby swear that I am either the owner of record or am duly authorized by the owner of record to file an application to include additional land within the Westchester County Agricultural District for the subject property as described above, and I hereby swear that all information submitted as part of this application is, to the best of my knowledge, correct and complete.

Signature:  Date: 03/29/22

Print Name: Frank J. Smith III, EJA. Are you the Landowner? Yes No

Note: If the applicant is not the landowner, the following affidavit from the landowner giving the applicant the authority to act on the landowner's behalf must be attached to the application.

RETURN TO: Westchester County Agriculture and Farmland Protection Board
Room 432, 148 Martine Avenue, White Plains, NY 10601
FAX: (914) 995-3780

AFFIDAVIT OF PROPERTY OWNERSHIP
AND AUTHORIZED REPRESENTATIVES

Complete this form only if the applicant is not the landowner. This affidavit grants the applicant, listed below as authorized representative, the authority to act on the landowner's behalf to submit an application to add the subject property, described below, to the Westchester Agricultural District. The Westchester County Agriculture and Farmland Protection Board may request additional information and perform a site visit as part of the application review process.

PROPERTY LOCATION

Farm Name: Orchard Hill Organics LLC
Parcel Acreage: ① 5.45 ac ② 3.8 ac
Tax Parcel Identification (Section-Block-Lot): ① 37.14-10-1-10 ② 37.14-1-2
Property Street Address: 9 Orchard Hill Road
Municipality: Somers

PROPERTY OWNERSHIP

Landowner Name: David J. Rowe
Mailing Address: 316 E. 59th St., New York, NY 10022
Phone Number(s): (646) 258-8437 NYPRD
Email: Orchard hill organics @ gmail. com

AUTHORIZED REPRESENTATIVE(S)

Name: Frank J. Smith III, Esq.
Organization: Law Office of Shilling & Smith, P.C.
Mailing Address: 122 Old Rt. 6, Carmel, NY 10512
Phone Number(s): (845) 225-7500

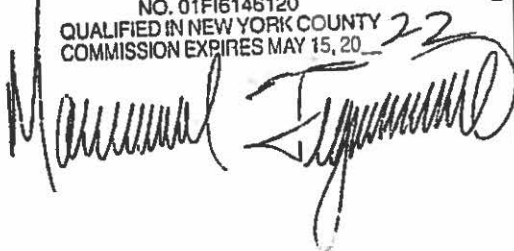
I hereby swear that I am the owner of record of the subject property described above, and that I hereby authorize the representative(s) named above to file an application on my behalf to include the subject parcels of land within the Westchester County Agricultural District.

Landowner's Signature: David J. Rowe Date: 3-30-22
Print Name: David J. Rowe

Notarized by: MANUEL FIGUEROA

MANUEL FIGUEROA
NOTARY PUBLIC STATE OF NEW YORK
NO. 01F16146120
QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES MAY 15, 2022

Sworn before me on this
30th day of March, 2022.



**Orchard Hill Organics LLC
Farm Description**

Farm Description

Description of land and boundaries:

Orchard Hill Organics, LLC is operating on 9 Orchard Hill Rd, Katonah, NY 10536 and 12 Orchard Hill Rd, Katonah NY. The property on 9 Orchard Hill Rd, Katonah NY is composed of (6) 16' x 100' high tunnels, (1) microgreen 16' x 16' greenhouse, (1) 30' x 50' greenhouse, (1) 30' x 100' geothermal greenhouse and 3 distinct vegetable fields. The Southwestern half of the property is on sloping ground and the field is bordered on 3 sides by woodland. This area has a terraced field with used for vegetable and berry production and (4) of the 16' x 100' high tunnels. The Northeastern half of the property is divided into 2 areas: North of the driveway and South of the driveway. The Northern area is on flat ground with a small woodland area. The remainder is in vegetable and berry production and the (1) 30' x 50' greenhouse. The Southern area is composed of a terraced garden area with (2) high tunnels and the (1) 16' x 16' microgreen greenhouse, and fruit trees. There are 2 buildings; garage and cottage, a covered area for vegetable processing and cold storage, and the (1) 30' x 100' a geothermal greenhouse (in development) centrally located on the property.

Description of current agricultural activities:

Orchard Hill Organics produces a variety of vegetables and fruits for fresh markets and direct sales. Our current outlets are farmers markets, direct sales, and a CSA modeled subscription. We produce a variety of loose-leaf greens from microgreens and salad greens and roots from radish to carrots. We grow tomatoes, eggplants, peppers, cucumbers, as well as specialty crops like ginger and turmeric under protected culture and American Paw Paw and various berries.

Description of future plans:

Orchard Hill Organics future plans are focused on increasing the production of locally grown produce to meet the market demand in a sustainable way both environmentally and fiscally. We will achieve this by building an improving or expanding the following infrastructure; barn and storage, cold storage, greenhouse, and post-harvest handling and processing. Additionally, we will convert the land on 12 Orchard Hill Rd, currently overgrown with invasive species into productive fields for both fruit and vegetable production.

Orchard Hill Organics LLC
Supporting Information – Gross Sales

SCHEDULE F
(Form 1040)

Profit or Loss From Farming

OMB No. 1545-0074

2020
Attachment
Sequence No. 14

Department of the Treasury
Internal Revenue Service (99)

▶ Attach to Form 1040, Form 1040-SR, Form 1040-NR, Form 1041, or Form 1065.
▶ Go to www.irs.gov/ScheduleF for instructions and the latest information.

Name of proprietor DAVID ROWE		Social security number (SSN) [REDACTED]
A Principal crop or activity ORGANIC VEGETABLES	B Enter code from Part IV ▶ 1 1 1 2 1 0	C Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual
D Employer ID number (EIN) (see instr.)		
E Did you "materially participate" in the operation of this business during 2020? If "No," see instructions for limit on passive losses <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
F Did you make any payments in 2020 that would require you to file Form(s) 1099? See instructions <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
G If "Yes," did you or will you file required Form(s) 1099? <input type="checkbox"/> Yes <input type="checkbox"/> No		

Part I Farm Income—Cash Method. Complete Parts I and II. (Accrual method, Complete Parts II and III, and Part I, line 9.)

1a Sales of livestock and other resale items (see instructions)	1a	54,938.	
b Cost or other basis of livestock or other items reported on line 1a	1b	26,617.	
c Subtract line 1b from line 1a	1c		28,321.
2 Sales of livestock, produce, grains, and other products you raised	2		
3a Cooperative distributions (Form(s) 1099-PATR)	3a		3b Taxable amount
4a Agricultural program payments (see instructions)	4a		4b Taxable amount
5a Commodity Credit Corporation (CCC) loans reported under election	5a		5a
b CCC loans forfeited	5b		5c Taxable amount
6 Crop insurance proceeds and federal crop disaster payments (see instructions):			
a Amount received in 2020	6a		6b Taxable amount
c If election to defer to 2021 is attached, check here <input type="checkbox"/>	6c		6d Amount deferred from 2019
7 Custom hire (machine work) income	7		
8 Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)	8		
9 Gross income. Add amounts in the right column (lines 1c, 2, 3b, 4b, 5a, 5c, 6b, 6d, 7, and 8). If you use the accrual method, enter the amount from Part III, line 50. See instructions	9		28,321.

Part II Farm Expenses—Cash and Accrual Method. Do not include personal or living expenses. See instructions.

10 Car and truck expenses (see instructions). Also attach Form 4562	10	1,627.	23 Pension and profit-sharing plans	23	
11 Chemicals	11		24 Rent or lease (see instructions):		
12 Conservation expenses (see instructions)	12		a Vehicles, machinery, equipment	24a	
13 Custom hire (machine work)	13		b Other (land, animals, etc.)	24b	
14 Depreciation and section 179 expense (see instructions)	14	7,917.	25 Repairs and maintenance	25	12,993.
15 Employee benefit programs other than on line 23	15		26 Seeds and plants	26	
16 Feed	16		27 Storage and warehousing	27	
17 Fertilizers and lime	17		28 Supplies	28	3,341.
18 Freight and trucking	18		29 Taxes	29	11,688.
19 Gasoline, fuel, and oil	19		30 Utilities	30	8,789.
20 Insurance (other than health)	20	4,803.	31 Veterinary, breeding, and medicine	31	
21 Interest (see instructions):			32 Other expenses (specify):		
a Mortgage (paid to banks, etc.)	21a		a ADVERTISING	32a	1,273.
b Other	21b		b OFFICE EXPENSES	32b	2,397.
22 Labor hired (less employment credits)	22	146,102.	c CONTRACT LABOR	32c	16,135.
			d	32d	
			e	32e	
			f	32f	
33 Total expenses. Add lines 10 through 32f. If line 32f is negative, see instructions	33				217,065.
34 Net farm profit or (loss). Subtract line 33 from line 9	34				-188,744.

If a profit, stop here and see instructions for where to report. If a loss, complete lines 35 and 36.

35 Reserved for future use.

36 Check the box that describes your investment in this activity and see instructions for where to report your loss:

a All investment is at risk. b Some investment is not at risk.

MINGIONE & ASSOCIATES

Certified Public Accountant & Advisors

Michael Mingione, CPA, PC
e-mail: mmtaxcpa@aol.com

February 1, 2022

TO: Whom It May Concern

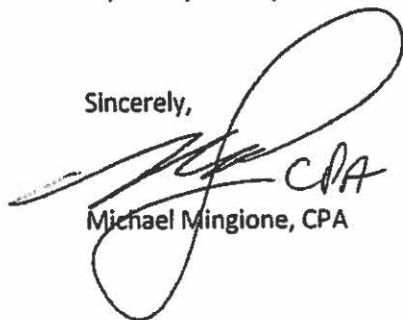
Re: David Rowe/Orchard Hill Organics

Dear Sir/Madam:

I the undersigned am the accountant for David Rowe. Based on the bank deposits information provided for 2021, the total income for Orchard Hill Organics in 2021 is \$175,340.

If you require any additional information, please do not hesitate to contact me at your convenience.

Sincerely,



Michael Mingione, CPA

Orchard Hill Organics

Profit and Loss

January - December 2021

	TOTAL
Income	
Customer income	175,340.27
Total Income	\$175,340.27
GROSS PROFIT	\$175,340.27
Expenses	
12 OHO Project	41,882.11
Advertising & Marketing	4,110.01
Auto Payment	651.78
Bank Charges & Fees	1,514.09
Biennial Statement	100.00
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Montauk Property Taxes	3,925.63
Montauk Utilities	2,215.75
Office Expenses	3,016.39
Office Supplies & Software	265.82
OHO Farm supplies	25,730.05
OHO Farm Worker	9,367.50
OHO Job Supplies	14,465.42
Paint supplies	29.48
Parking Expense	115.00
Payroll expenses	168,200.24

	TOTAL
Payroll Taxes	85,279.29
Plumbing Supplies	97.34
Plumbing Work	392.32
Postage	16.25
Produce for resale	9,642.33
Product for resale	414.88
Prop House Poly Carbonate	2,000.00
Propane	2,733.76
Reimbursable Expenses	3,055.12
Repair & Maintenance	850.00
Repair supplies	938.94
Repairs & Maintenance	9,438.20
Taxes & Licenses	132.00
Telephone	841.07
Tent Rental Space	7,726.60
Top Soil	12,180.00
Travel	35.00
Travel reimbursement	561.20
Tree Work	996.07
Tree Work OHO	1,000.00
Utilities	3,322.94
Ventilation for Greenhouse	3,297.00
Veterinary	215.32
Total Expenses	\$509,665.77
NET OPERATING INCOME	\$ -334,325.50
NET INCOME	\$ -334,325.50

Orchard Hill Organics LLC
Supporting Information – Business/Farm Plan



ORCHARD HILL
ORGANICS

Business Plan

9 Orchard Hill Rd
Katonah, NY 10536
914 629 3549

www.orchardhillorganics.com

Prepared By:

Wilson Chang - Farm Manager
& Cornell University Small Farms Programs
15B Plant Science - Cornell University - Ithaca, NY 14853
(607) 255-9911

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Executive Abstract

Orchard Hill Organics, LLC is a hyperlocal organic based farm whose focus is on 4 season full diet providing family favorites and exotic specialties. Developing from a family-based home garden we've developed a variety of farm projects to have something live, whole, and harvestable 365 days a year. The desire to share our produce with our community necessitated a commercial farm development. Dr. David Rowe, founder of OHO, has had a lifetime interest in organic gardening, high quality food, and nutrition. As a chiropractor specialist he has lectured extensively and coached his patients on the benefits of eating organic produce. The original plantings at the farm began in 1995 but the farm was not incorporate as a commercial operation until 2017. As OHO continues to develop our goal is to further entrench ourselves in the local community as an educational resource center for health and wellness and a provider of nutritious, delicious, organic, produce.

Our commitment to developing a substantial amount of covered space for cold season growing is a prime strategy for providing year-round produce for our customers. We have just completed a year-long project of developing a large state of the art geothermal greenhouse. We participate in farmers markets year-round as well as developing a year-round premium select delivery box which is delivered to local families.

We have developed 2 foundation education workshops entitled Go Organic and Eat Right. These presentations are used as an educational and inspirational community to further interest and actuate a family's pathway to eating better. With the addition of property at 12 Orchard Hill Rd we now have a lecture space to present these lectures on location.

One additional advantage to being a four-season farm is that we can provide year-round employment for our farm team which avoids the financial stress typically placed on the farm workers as well as creates a consistency in our farm team that assures continuous development of our business. Although OHO is not a large farm by any means our production per square foot is exceptionally high due to our intensive farming methods.

Our seasoned team's commitment to farm development is successfully expressed by a 300% increase in production from 2020 to the 2021 growing season. With the increased acreage our ultimate goal is within reach.

Mission & Goals

Farm Mission Statement:

Sharing the food we love.

Farm Goal Statements:

Short-term goals:

2022:

- Gross \$400K
- Increase our production capacity by establishing 250 additional beds for vegetable and fruit production at 12 Orchard Hill Rd.
 - Purchasing machinery to develop the property
- Continue developing our Premium Select Delivery Box
- Adding 2 additional farmers markets
 - Hire 4 part-time staff members to staff markets
- Hire 1 additional full-time farmer
- Invest in improvements in our post-harvest and processing
 - Expand our capabilities of processing salad greens
 - Increase our cold storage
- Upgrade farm tooling
 - Paper pot transplanter
- Build temporary equipment storage facilities
- Establish and improve farm roads to minimize erosion
- Develop a water management and Whole Farm Plan with the Westchester Agricultural Council (in progress)

2023

- Gross \$500K
- Develop farm tours and community garden projects
- Build 2 additional high tunnels
- Begin Organic Certification process

- Upgrade existing greenhouses to increase sustainability and expand 4 season production capabilities
- Development of bunkhouse at 12 Orchard Hill Rd to provide housing for interns and farmer training
- Building a barn to house processing and storage facilities
- Establish new and continue developing existing fruit tree operations

2024

- Develop programming and educational workshops, lectures, and tours in the community space under construction at 12 Orchard Hill Rd
- Develop outreach and educational programming
- Establish farmer internship and training program
- Building a second Geo-thermal Greenhouse
- Fund employee benefits and retirement programs
- Driveway repaving

Long-term goals:

- Create a farm succession and legacy plan
- Develop line of value-added products
- Expand farmer internship program to include farm incubator program

Supporting Information

We are a startup farm but have the resources, experience, and drive to become one of Westchester's premier model farms. We are relentless in our pursuit of refining our process to responsibly and sustainably grow as much food as possible to feed our community and demonstrate what is possible in our backyards. We have tripled our production in the previous year which has allowed us to serve four farmers markets in Westchester and Brooklyn. We hope to expand our operations to keep pace with the accelerating demand for local produce continues to grow. We were awarded the title of '2021 Best Locally Grown Produce,' by Westchester Magazine.

Orchard Hill Organics is run by a small, dedicated team of lifelong Westchester residents: Owner, David J Rowe; Farm Manager, Wilson Chang; Markets Manager, Jeffrey Rowe; Harris Kaye, Assistant Farm Manager.

2021 was a critical year for proof of concept. We grossed over \$175K on under 1 acre. According to Iowa State University the average gross income per acre 'Direct to consumer sales,' is \$16,000 to 18,000.

(<https://www.extension.iastate.edu/agdm/wholefarm/html/c3-65.html>)

We attended 4 farmers markets during the main season and continue to attend 2 winter markets. Our ability to grow high quality products and supply local markets while being regenerative is currently limited only by our ability to develop the property at 12 Orchard Hill Road. We have proven that our model of intensive, small scale, market gardening can address many of the needs of our local foodshed, watershed, and create meaningful careers that honor New York's rich agricultural history and address the problems environmental and climate issues.

The farm recently purchased additional property adjacent to current operations. This land will allow us to expand our operations and meet the demand for our products. Currently there is a degraded woodlot full of invasive species that we plan on renovating into productive soils to support the expansion of our vegetable and fruit production operations.

Business Organization

Farm Business Structure:

Orchard Hill Organics is organized as an LLC owned by David J. Rowe.

Management:

David Rowe, CEO of Rowe Chiropractic for 38 years brings his lifelong commitment to health and wellness to the farm. He hosts a series of weekly lectures promoting health and wellness. David has extensive experience in vision casting, construction project management, and team building experience.

Wilson Chang has over 20 years working as a farmer and educator in the Hudson Valley. He brings a unique focus on the ecological and sustainability aspects of farming from his educational background from SUNY Binghamton where he earned a BS of Biology with a concentration in ecology, evolution, and behavior. He has spent his professional career working growing food and supporting and educating the public in the benefits of sustainable agriculture and environmental stewardship. Notably, Wilson has taught courses in Vegetable Production Certificate Program at Westchester Community College. Worked as both a farmer and educator at Teatown Lake Reservation in Ossining and Hilltop Hanover Farm and Environmental Center in Yorktown Heights where he developed and established the Speyer Garden in conjunction with HealthBarn USA. The Speyer Garden served as an interactive garden for the Speyer Legacy School in NYC where students K – 8 came to supplement and enrich the curriculum. Wilson also taught adult gardening classes and lead educational farm tours for students from Westchester and the Bronx. He also founded Dancing Dog Farm, LLC which specialized in heirloom and specialty produce for farm to table restaurants and worked closely with executive Chef Jay Lippen at Crabtree's Kittlehouse and James Beard nominee, Bill Taibe and his group of restaurants.

Jeffrey Rowe has a background in high-end celebrity catering, specifically in the backstage concert field. As dining room manager for 5 years, he was responsible for catering to the demanding needs of world-renowned musicians and their management teams. His responsibilities including fulfilling their

requests and demands in the dining room, backstage 'creature comfort' areas, the tour bus, and elsewhere. Being the liaison between several levels of management, the 'top of the food chain' demanding divas, his employer and assistants, and the real world of procuring top level food and drinks while in sometimes remote geographic locations has given Jeff an invaluable set of skills that he can dip into in his current role of managing Farmers Markets. Jeff has also worked in a corporate setting as administrative assistant, and in smaller business setting as ad-hoc office management. These sets of organization skills are now necessary in running effective and efficient markets

Harris Kaye started farming after completing his bachelors in Anthropology at the State University of New York at Purchase. There his studies focused on the ramifications of geography on the development of cuisine and culture and later shifted toward modern food system in the United States. After graduating he continued this exploration through firsthand experience working on a diverse range of vegetable and animal farms all over the Hudson Valley for nearly a decade. He ultimately chose to focus his attention on small scale, bio intensive organic farming practices after seeing the success of such practices at The Farmer and The Fish in North Salem NY. There he studied under Mike Fedison, a no-till farmer and soil science teacher who many locally view as an organic farming guru. The attached restaurant provided Harris with the opportunity to work directly with many prestigious farm-to-table chefs and gain insight into their needs and process when designing and constructing a hyper local regional menu. Throughout the following year Harris volunteered at Earth Root Farm, a farm run by Wilson Chang, current Orchard Hill Organics farm manager, which was entering its third year in operation. Seeing the challenges and the successes of such a young operation, without nearly the same amount of infrastructure or resources as the pervious farms Harris had worked on greatly expanded his ideas of what farming success in the Northeast could look like. Motivated to continue to explore the unique challenges of young farms Harris then worked at Grape Hollow Farm, a farm also in its third year of operation. Harris was the farms only full-time employee and assisted in managing the complex rotations of chickens and vegetables throughout its young fruit orchards. In between farming seasons, he worked as an assistant logistics coordinator for Main Course Catering in New Paltz, where he further refined his organizational skills through the unique logistics of weddings that utilize hyper local ingredients. After leaving the Hudson valley to work on numerous goat dairies and homesteads Harris returned to the Hudson Valley with a desire to once again grow food for the community he grew up in. He returned to Hilltop Hanover Farm, the first farm he worked on after graduating college, as the green house and livestock manager. For the next two years he was instrumental in managing and developing all greenhouse systems and

managing a small crew for all prop house activities. Additionally during this time, he developed a grazing and pasture improvement plan for the farms small herd of cows and goats with guidance from the Watershed Agricultural Council. Harris's unique skill set developed through his anthropology degree, and further refined through the diversity of his agricultural work experience, continues to motivate and guide his contribution to the development and success of Orchard Hill Organics.

Additional Resources:

We are working with the following individuals and organizations:

Westchester Agricultural Council – Susanne Sahler
Westchester Ag and Markets – Farmers Market Nutrition Program
Cornell Cooperative Extension
Bionutrient Food Association
Compostwerks
Down to Earth Markets
Morning Glory Markets
D.I.G Farm
New CT Farmers
Hudson Valley Young Farmers Coalition

Marketing Plan

Because of the uniqueness of the OHO products and approach to quality we have successfully test marketed an annual subscription of our Premium Select Delivery Box (*PSDB*). The best that OHO has to offer is then meticulously and attractively displayed in environmentally conscious packaging delivered directly to local residences. Our continuous efforts to be hyper local inform our approach to focus our customer base on our immediate neighboring communities. We've been well received, and we believe this approach will be a cornerstone of our future customer development.

There are obviously a lot of choices at farmers markets to buy produce from. OHO has carved its niche by consistently delivering premium quality, ultra-fresh, kid glove handled products. We have consistently noticed that upon entering a new Farmers Market customer initially sample a couple of our products. On subsequent weeks they increase their purchase while commenting on the superior quality of OHO products.

Our Products:

Include, but are not limited to:

Arugula, Basil, Beets, Carrots, Celery, Chard, Cherry Tomatoes, Choi, Cilantro, Chive, Cucumber, Dill, Eggplant, Garlic Chives, Ginger, Kale, Lavender, Lettuces, Microgreens, Parsley, Pea, Peppers, Potatoes, Radishes, Romaine, Summer Squash, Strawberries, Sage, Salanova, Scallions, Spinach, Sprouting Broccoli, Sunflower, Tatsoi, Thyme, Tomatoes, Turmeric, Hakurei Turnips, Winter Squash, Paw Paws, Persimmons, Akebia, Gooseberries, Blackberries, Black Raspberries, Currants

Specifically, how we transport our goods to Farmers Markets: by rented air-conditioned trucks or vans, or on limited occasions by the use of a personal vehicle of the farm owner. Depending on which vehicle is used, and the weather conditions of the day, the products are packed and transported pre-chilled in coolers, or in standard farm appropriate crates, or a combination. The same vehicle that transports the products also transports all equipment necessary to conduct business at the farmers' market. Consideration is always taken in choosing which markets to commit to, and to attend, so as to help minimize the delivery and distribution routes and costs whenever possible.

The PSDB Subscription: is currently being distributed in the personal vehicle of the Markets Manager. Standard reimbursement for their vehicle use is paid. The delivery route efficiency is maximized, and the costs minimized by accepting certain ala carte orders from customers and incorporating those deliveries into the PSDB route.

Promotion:

Promotion is through a combination of a dedicated farm website, social media, periodic emailing to customer with our "online store reminders", emails and newsletters of the organizations that manage the various farmers markets, highly visible signage at markets, word of mouth by customers, lectures and public speaking by Dr Rowe through his "Go Organic" campaign; a part of his wellness series. We have recently created a lecture space for hosting the series at 12 Orchard Hill Rd.

We are expanding our presence on social media and building engagement on social platforms by posting more updates from farm projects and customer engagements at market. We are committing to capture more moments of daily farm life. Our assistant farm manager, Harris Kaye, is leading the project by directing all team members to contribute photos and videos of their experience at OHO.

Pricing:

Pricing is competitive, but also reflects the premium nature of the product offered. Taken into consideration is the labor intense processes. Extra care is taken in harvesting, selecting, trimming, cleaning, and packing for the markets, and the prices must take that into consideration. Other factors in pricing include: online investigating of local, regional, and national pricing for comparable items. The ability to sell one or more items above market price, and others below market price can also attract certain customers, act as loss leaders, and/or establish farm branding.

Basic pricing is: cut greens of all types - \$8/half lb, bunches of cooking greens - \$5/bunch, Salanova and other small head lettuce - \$4/each, tomatoes - \$5/lb, cherry tomatoes - \$6/pint, berries - \$6-8\$/half pint, paw paws - \$8/lb, tree fruit - \$5/lb, root vegetables - \$5/lb,

Customers:

Although to some degree diverse, our customer base is noticeably made up of semi to affluent homeowners who are shopping for select items to add to their consumption of the next couple to few days. Many speak of eating that meal the same day, or they ask the vendor staff how long it will last. Staff also reports more younger married couples shopping. Many with concerns for their young children's health and establishing good eating habits early in life. In our more rural markets, during warmer months a portion of the shoppers are staying in summer residences away from the city. Park Slope market, for instance, is often frequented by a middle age to older customer base, often shopping with peers or adult children. McGolrick Park, also in Brooklyn has a much younger, single, "hip" base. We have more customers there than Park Slope but each one spends less. Average sale there may be \$15 and \$20 at Park Slope. City shoppers use much more internet purchasing instruments such as Venmo than credit cards, suburban shoppers are usually the opposite.

Competition:

Our closest competitors are regional, although usually not local, are organic and naturally grown small to mid-sized farms. Because of our farm size we don't always have the selection of goods offered by our on-sight competition; but depending on the season, or month, at any given market we very often have one or more specialty item found only at our tables. Examples of this would be paw paws, black raspberries, akebia fruit, persimmon, and others. That would be a factor to give them an edge over us.

We also stand out as having very attractive, shopper friendly booths. Our booths have exceptionally visible signage and well thought out displays. Our produce is presented in kitchen-style trays as opposed to farming crates often used by other vendors. We insist on the highest possible level of customer attention and customer service from our vendor workers. The above factors often give us an edge on the competition.

Advantages:

The advantages we have in the marketplace are us being hyperlocal to affluent, health conscious, and well-educated consumers of naturally grown and organic food. This marketplace, being in a suburb of NYC is also of a higher population density than is often found close to farming communities. We are located in the county Westchester, NY which has approximately one million people. Westchester is ranked 2nd wealthiest county in NY and consistently within the top 50 of the US.

We are also situated not far from the more semi-rural counties of Putnam and Dutchess, which have the infrastructure of support for the farming community.

Also of note is our devoted team and crew. Experience and education of the management give our team a strong base, and because we are a year-round farm, we are able to pay year-round salaries and wages, keeping our crew in place without the need to constantly re-hire for each season

Trends and Growth Potential:

The evidence of increased production and consumption of natural and organic food in the US has gone from being anecdotal to academic to now being common knowledge. Even if not yet universally practiced it is certainly widely accepted. The trend also got a boost, even if only as a silver lining as the covid pandemic and related social change sent more people seeing health-conscious practices and goals. Another positive effect of the past few years' shut down is the increase of farmers markets local and the trend of farmers markets going from warm weather events to being year-round. These generalizations of societal shifts put OHO in a great position to expand our customer bases which in turn can support needed farm infrastructure improvements, which then can increase the chances of continued growth. Specifically, OHO has recently completed finishing touched on our 3,000 square foot geo-thermal earth battery greenhouse. We have also added additional rows of tunnels this year and more square footage of outdoor gardens. We are now adding a 2nd cool bot 20 ft produce storage cooler.

Market-wise, this year we increased from 4 farmers markets per year to 6. We intend on increasing by two the following year, for a total of eight. Our goal for PSDB subscriptions is 50 this year and 100 in 2023.

Current Status:

Orchard Hill Organics is currently operating out of 2 properties located at 9 and 12 Orchard Hill Rd, Katonah, NY 10536. 9 OHO is the heart of our operation and 12 OHO is currently under development.

Located at 9 are our fields and orchards, covered structures, equipment storage, farm office, post-harvest processing and cold storage. Much of our production is done in the covered structures; (6) 100' x 14' high tunnels, (1) 16' x 16' microgreen greenhouse, (1) 50' x 20' greenhouse, (1) 100' x 30' geothermal GHAT greenhouse.

Water:

We have 2 wells on the property that feed one central pump house which supplies irrigation to our existing irrigation systems via manual and automated drip and sprinkler systems.

Microgreens:

We are producing microgreens year-round in a heated 250 sq ft greenhouse with supplemental light. This product produces one of our highest margins and most profitable operations.

High Tunnel and Greenhouses:

We grow high value crops under intensive management using various techniques such as grafting, fertigation, vertical farming during the main growing season. All covered structures are converted into winter greens to supply our winter markets.

Labor:

We currently employ 3 full time salaried employees: Farm Manager, Markets Manager, and Assistant Farm Manager. We are actively seeking another full-time farmer for the 2022 season and employee part time help for field

and harvest work and staffing farmers markets. We have independent contractors for electrical and carpentry work.

Production:

We grow high value, high demand, and specialty products and fruit for direct marketing to consumers primarily through Farmers Markets and our Premium Select Delivery Box. We carefully balance soil management through compost, cover cropping, and nutrient balance along with careful crop selections (flavor, variety, performance, but never GMO) to produce high yields while increasing the ecological and biodiversity of our site. We take great pride in our practices and philosophy of providing consumers with the fresh and nutritionally balanced vegetables and fruits. We achieve this by investing in the efficiency of our operations, equipment, and infrastructure to shorten the time from harvest to market and by managing soil to support healthy plant growth.

Business Growth:

Although we are in the start-up phase of the farm, we have managed to triple our gross from 2020 to 2021. We have not achieved profitability because of heavy investment in infrastructure, tools, and fertility focusing on increasing yields and our capacity to process and deliver those items to market. Our goal is to achieve a balance so the farm can be fiscally self-supporting and able to cover the costs of ongoing improvements and maintenance as well as provide security and employee benefits such as health insurance and retirement plans.

In the shorter term we are currently focused on expanding our growing space and the infrastructure needed to support increased production and the systems needed to achieve these goals. Developing the property at 12 Orchard Hill Rd is critical achieving our goals. The wood lot is currently degraded and being overrun by invasive species. We plan to remediate this land in replace it with vegetable gardens and orchards to support the farms growth and ability to supply our local communities with produce.

Business Financial Plan

Since the inception of OHO in 2017 and prior since the acquiring of the property in 1994 all funding has been provided by the founder, David Rowe. Initially as a labor of love and eventually with a commitment with a commitment to commercial enterprise the funding of all day-to-day operations and infrastructure development have been personal investment. When we began creating income in 2017 this has dramatically helped by creating a weekly cash flow that has assisted with the day-to-day operations. As OHO continues to develop and the management team acquires a better sense of necessary infrastructure development and marketing requirements and operational needs, we believe that our profitability begins with a level of approximately 400K. In 2021 we collected 175K on 0.75 acres of land this incredible high per acre collection is due to ongoing soil development and intensive crop successions. In 2022 we will have increased our square footage by 60% putting our usable acres to 1.5 acres and 2 acres by 2023. We anticipate being fiscally sustainable within the next 2 years. To keep up with increasing production we have increased 50% in farmers markets and putting a major market expansion towards the PSDB.

Our understanding and commitment of the long-term efforts in the development of a small organic farm is demonstrated by our continued engagement, work, and financial investment. Since 2017, farm incorporation, we have dedicated significant financial resources. Early March of 2020 we had 4 high tunnels of product and a commitment from 2 restaurants for their sale. At the beginning of the pandemic the restaurants closed, and we were left with a perishable product with no market. This unstable financial market could have caused us to cease operations at such a young enterprise. Instead, we took the opportunity to further develop the farm and pivot to a more stable market. We are uniquely poised with the resources to keep an eye on our end goal and future and to develop the infrastructure to get there. The purchase of 12 Orchard Hill Rd was one critical component. Increasing our overall property from 5.5 to 9 acres.

See attached for 2021 Profit and Loss statement

Orchard Hill Organics

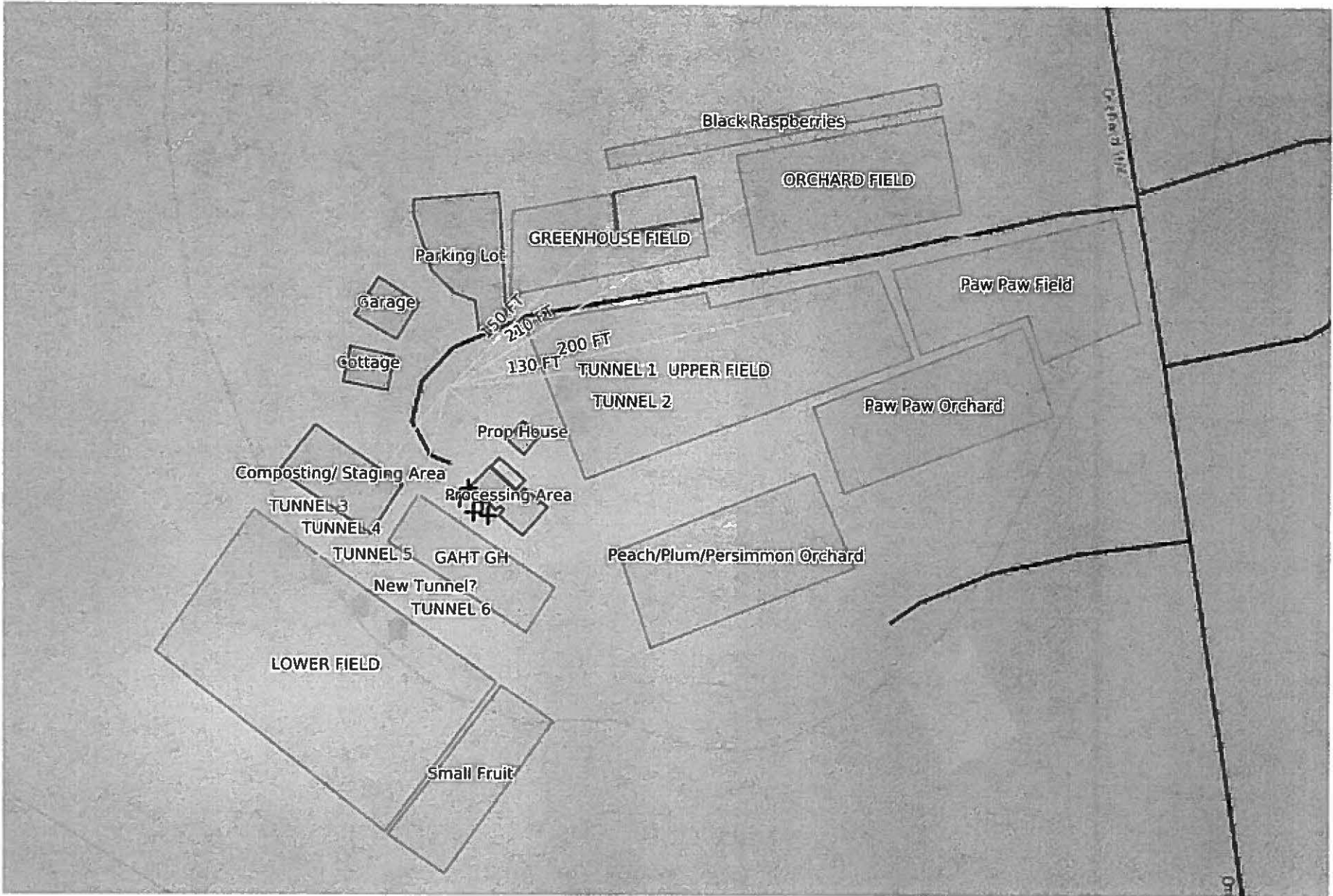
Profit and Loss

January - December 2021

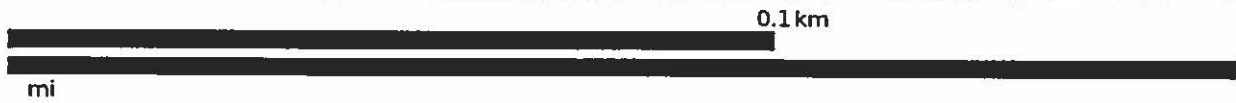
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Office Supplies & Software	265.82
OHO Farm supplies	25,730.05
OHO Farm Worker	9,367.50
OHO Job Supplies	14,465.42
Paint supplies	29.48
Parking Expense	115.00
Payroll expenses	168,200.24

	TOTAL
Payroll Taxes	85,279.29
Plumbing Supplies	97.34
Plumbing Work	392.32
Postage	16.25
Produce for resale	9,642.33
Product for resale	414.88
Prop House Poly Carbonate	2,000.00
Propane	2,733.76
Reimbursable Expenses	3,055.12
Repair & Maintenance	850.00
Repair supplies	938.94
Repairs & Maintenance	9,438.20
Taxes & Licenses	132.00
Telephone	841.07
Tent Rental Space	7,726.60
Top Soil	12,180.00
Travel	35.00
Travel reimbursement	561.20
Tree Work	996.07
Tree Work OHO	1,000.00
Utilities	3,322.94
Ventilation for Greenhouse	3,297.00
Veterinary	215.32
Total Expenses	\$509,665.77
NET OPERATING INCOME	\$ -334,325.50
NET INCOME	\$ -334,325.50

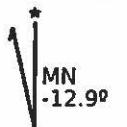
Orchard Hill Organics LLC
Supporting Information – Sketch of Property



Mercator Projection
 WGS84
 UTM Zone 18T
 CALTOPO



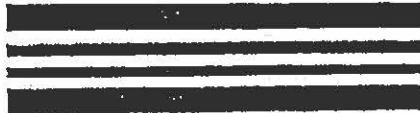
Scale 1:941 1 inch = 78 feet



Orchard Hill Organics LLC
Supporting Information – Deeds



R05094217



DED2

39



*** DO NOT REMOVE ***

WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE
(THIS PAGE FORMS PART OF THE INSTRUMENT)

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT DED-DEED FEE PAGE 3 TOTAL PAGES 4
(SEE CODES FOR DEFINITIONS)

STATY CHARGE 5.25
REC'ING CHARGE 9.00
RECMGT FUND 4.75
EA 5217 25.00
TP-584 6.00
CROSS-REF. 0.00
MISC. _____

MORTGE. DATE _____
MORTGE. AMT _____
EXEMPT YES _____ NO _____

LIBER: 10926
PAGE: 183

REC'D TAX ON ABOVE MTGE:
BASIC \$ _____
ADDITIONAL \$ _____

THE PROPERTY IS SITUATED
IN WESTCHESTER COUNTY,
NEW YORK IN THE:
TOWN OF SOMERS

TOTAL PAID
50.00

SUBTOTAL \$ _____
SPECIAL \$ _____
TOTAL PAID \$ _____

\$ 198000.00
CONSIDERATION

SERIAL NO. _____
DWELLING 1-6 OVER

RECEIVED:
TAX AMOUNT \$ 792.00
TRANSFER TAX# 0000394

DUAL TOWN
 DUAL COUNTY/STATE
 HELD
 NOT HELD

TITLE COMPANY NUMBER: _____

EXAMINED BY MAC2

TERMINAL CTRL# 94217R050

DATE RETURNED _____

3000505000 08/05/94EPA/DE 50.00
14:39

I HEREBY CERTIFY THAT THE ABOVE
INFORMATION FEES AND TAXES ARE
CORRECT
WITNESS MY HAND AND OFFICIAL SEAL

Leonard N. Spano
LEONARD N. SPANO
WESTCHESTER COUNTY CLERK

STATE OF NEW YORK, COUNTY OF WESTCHESTER SS.
I, TIMOTHY C. EGOR, COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS,
WESTCHESTER COUNTY DO HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH THE ORIGINAL
THEREOF RECORDED IN MY OFFICE ON 1-27-2022 AND THAT THE SAME IS A CORRECT
TRANSCRIPT THEREOF AND OF THE WHOLE OF SAID ORIGINAL.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.
CERTIFIED ON 1-27-2022 TOTAL FEE 50.00
COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS, WESTCHESTER COUNTY.
FEE PAID

ROSD

THIS INDENTURE, made the 28th day of July, nineteen hundred and ninety-four

BETWEEN JOHN E. MARCINAK
Box 234, Route 9
Garrison, New York 10524

F-3
F-39

as executor of LOU MARY KNOFF
Somers, New York the last will and testament of
party of the first part, and , late of
DAVID J. ROWE , deceased,
360 E. 65th Street
New York, New York

party of the second part,
WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of

dollars,
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Somers, County of Westchester and State of New York, and being known and designated as Lot No. 3 on a certain map entitled, "Subdivision Map known as Orchard Hill Farm, made by Richard H. Gorr dated 6/4/79 last revised 5/21/80 and filed in the Westchester County Clerk's Office, Division of Lands Records on June 10, 1980, as filed Map No. 20266.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

John E. Marcinak
John E. Marcinak
Executor of the Estate
of Lou Mary Knopf

STATE OF NEW YORK, COUNTY OF PUTNAM

ss: STATE OF NEW YORK, COUNTY OF

ss:

On the 28th day of July, 1994, before me personally came John E. Marcinak

On the day of , 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

Edward T. McCormack
Notary Public

EDWARD T. McORMACK
Notary Public, State of New York
4786418
Qualified in Putnam County
Commission Expires March 30, 1996

STATE OF NEW YORK, COUNTY OF

ss: STATE OF NEW YORK, COUNTY OF

ss:

On the day of , 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

On the day of , 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

that he knows

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

SECTION

37.14

BLOCK

1

LOT

10

COUNTY OR TOWN of Somers

RECORDED AT THE REQUEST OF

Lawyers Title Insurance Corporation

RETURN BY MAIL TO

TITLE No.

Fy 94-5146W

Estate of Knopf
TO
David J. Rowe

STANDARD FORM OF
NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by
Lawyers Title Insurance Corporation
National Headquarters - Richmond, Virginia

Albert A. Capellini, Esq.
1500 Front Street
Yorktown Heights, N.Y.
Zip No. 10598

Reserve This Space For Use of Recording Office

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



613053254DED002T

Westchester County Recording & Endorsement Page

Submitter Information

Name: CB Title Group, LLC Phone: (973) 921-0990
 Address 1: 140 Mountain Avenue Suite 101 Fax: (555) 555-5555
 Address 2: Email: cbernstein@cbtitlegroup.com
 City/State/Zip: Springfield NJ 07081 Reference for Submitter: 6198533-CB Title Group, LLC

Document Details

Control Number: 613053254 Document Type: Deed (DED)
 Package ID: 2021111500258001000 Document Page Count: 3 Total Page Count: 4

Parties

1st PARTY Additional Parties on Continuation page
 1: LEVINE PAMELA - Individual 1: ROWE DAVID J - Individual
 2: 2: - Individual

Property

Street Address: 12 ORCHARD HILL ROAD Tax Designation: 37.14-1-2
 City/Town: SOMERS Village:

Cross-References

1: 2: 3: 4: Additional Cross-Refs on Continuation page

Supporting Documents

1: RP-5217 2: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
 Page Fee: \$20.00
 Cross-Reference Fee: \$0.00
 Mortgage Affidavit Filing Fee: \$0.00
 RP-5217 Filing Fee: \$125.00
 TP-584 Filing Fee: \$5.00
 RPL 291 Notice Fee: \$10.00
 Total Recording Fees Paid: \$200.00

Mortgage Taxes

Document Date:
 Mortgage Amount:
 Basic: \$0.00
 Westchester: \$0.00
 Additional: \$0.00
 MTA: \$0.00
 Special: \$0.00
 Yonkers: \$0.00
 Total Mortgage Tax: \$0.00
 Dwelling Type: Exempt:
 Serial #:

Transfer Taxes

Consideration: \$825,000.00
 Transfer Tax: \$2,500.00
 Mansion Tax: \$0.00
 Transfer Tax Number: 5782

Record and Return To

Pick-up at County Clerk's office

Edelstein Law Group, P.C.
 1350 6th Avenue
 New York, NY 10019
 Attn: Walter Edelstein, Esq.

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 11/16/2021 at 11:20 AM
 Control Number: 613053254
 Witness my hand and official seal

Timothy C. Idoni

Timothy C. Idoni
 Westchester County Clerk

37.14 - 1 - 2
Westchester County

Bargain and Sale Deed with Covenant against Grantor's Acts Individual or Corporation (Single Sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 5th day of Nov. , 2021
BETWEEN

Pamela Levine,,
residing at 12 Orchard Hill Rd., Katonah, NY 10536

6/22

party of the first part, and
David Rowe,
residing at 1350 Avenue of Americas, 2nd Floor, New York, NY 10019

party of the second part,
WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL, that certain plot, piece or parcel of land, with the building and improvements thereon erected, situate, lying and being in the

See Schedule "A" attached hereto

and being intended to be the same premises acquired by deed dated September 1, 1977 and recorded in the Westchester County Clerk's Office on September 6, 1977 at Liber 7258 page 248

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any street and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written

IN PRESENCE OF:


Pamela Levine



STEWART TITLE INSURANCE COMPANY

SCHEDULE A Description

Title Number: CBNY-7021

ALL that certain lot, piece or parcel of land, situate, lying and being in the Town of Somers, County of Westchester, and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Orchard Hill Road also known as Ridge Road where the same is intersected by the northerly line of land now or formerly of Leonard A. and Evelyn Weinroth;

THENCE RUNNING along the said easterly side of Orchard Hill Road, north 3 degrees 34 minutes 40 seconds east, 249 feet to the southerly line of land now or formerly of Lew Sarnoff;

THENCE RUNNING along said last mentioned land, north 86 degrees 38 minutes 10 seconds east 512.39 feet to other land now or formerly of Lew Sarnoff;

THENCE RUNNING along said last mentioned land, south 3 degrees 09 minutes 20 seconds east, 4.64 feet; north 86 degrees 50 minutes 33 seconds east, 135.34 feet; and south 8 degrees 14 minutes 40 seconds east, 247.08 feet to the northerly line of land now or formerly of Leonard A. and Evelyn Weinroth;

THENCE RUNNING along said last mentioned land, south 86 degrees 58 minutes 30 seconds west 698.86 feet to the point of BEGINNING.

TOGETHER with an Easement of Right of Way for ingress and egress between the premises above described and Orchard Hill Road over a road about 25 feet wide adjoining said premises above described on the north for a distance of 512.39 feet east of Orchard Hill Road as reserved in a certain deed by Marion Fitzsimmons and Lillian Aitken to Lew Sarnoff, dated and recorded October 6, 1943 in Liber 4100 cp 161, and bounded and described as follows:

BEGINNING at a point on the easterly side of Orchard Hill Road at the northwest corner of the premises above described;

THENCE RUNNING north 3 degrees 34 minutes 40 seconds east, 25.19 feet;

THENCE RUNNING north 86 degrees 38 minutes 10 seconds east, 509.36 feet;

THENCE RUNNING south 3 degrees 21 minutes 50 seconds east, 25 feet to the northerly line of premises above described;

THENCE RUNNING along same, south 86 degrees 38 minutes 10 seconds west, 512.39 feet to the point of BEGINNING.

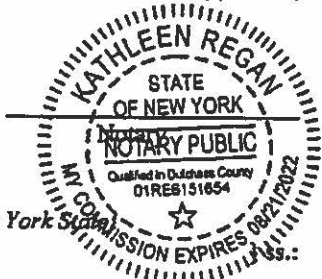
FOR CONVEYANCING ONLY, IF INTENDED TO BE CONVEYED: TOGETHER WITH ALL RIGHT, TITLE AND INTEREST OF, IN AND TO ANY STREETS, ROADS, OR AVENUES ABUTTING THE ABOVE DESCRIBED PREMISES, TO THE CENTER LINE THEREOF.

{Acknowledgment taken in New York State
State of New York, County of PUTNAM } ss.:

On the 5th day of November, 2021, 2021
before me, the undersigned, personally came

Pamela Levine

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged that he executed the same in his/her/their capacity(ies), and by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument



{Acknowledgment taken in New York State
State of New York, County of _____ } ss.:

On the _____ day of _____, 202____
before me, the undersigned, personally came

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged that he executed the same in his/her/their capacity(ies), and by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument

Notary

{Acknowledgment by Individual taken outside New York State
*State of _____ County of _____ } ss.:
* (or insert District of Columbia, Territory, Possession or Foreign Country)

On the _____ day of _____, 201____, before me,
the undersigned, personally came

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged that he executed the same in his/her/their capacity(ies), and by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument and that such individual made such appearance before the undersigned in the

(add the city or political subdivision and the state or country or other place the acknowledgment was taken)

Notary
{Acknowledgment by Corporation taken outside New York State
*State of _____ County of _____ } ss.:
* (or insert District of Columbia, Territory, Possession or Foreign Country)

On the _____ day of _____, 201____, before me personally came to me known, who being by me duly sworn, did depose and say that he resides at _____ that he is the _____ of _____ the corporation described in and which executed the foregoing instrument; that by order of the Board of Directors of said corporation he signed h _____ name.

Notary

PREMISES

Section **37.14**
Block **1**
Lot **2**
County/Town **Katonah/Westchester**
Address: **12 Orchard Hill Rd., Katonah, NY 10536**

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS
TITLE NO. CBNY-7021

Pamela Levine

James TO
David Rowe

102

RETURN BY MAIL TO:

Walter Edelstein, Esq.