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March 24, 2022

Via Overnight Mail

Westchester County Board of Legislators
148 Martine Avenue, 8th Floor
White Plains, New York 10601

Re: Application for Addition of Land to an Existing Agricultural District for
Clearvision Farm

Properties: 8-18 Starr Ridge Road, North Salem, New York;
203-205 June Road, North Salem, New York; and
110 Hardscrabble Road, North Salem, New York.

Dear Members of the Board:

This firm represents Timothy C. Butler and Hardscrabble Road Holdings, LLC, the owners/operators of the above-described Properties. Timothy C. Butler¹ owns and operates Clearvision Farm on the Properties and submitted herewith is his Application for Addition of Land to an Existing Agricultural District, which seeks to include the Properties in Westchester County's Agricultural District No. 1 (the "Application").

As described in more detail in the Application, Clearvision Farm is a livestock operation for up to 15 miniature jersey cattle together with a herd of goats. The operation has been in existence for 2 years and is presently located on portions of 110 Hardscrabble Road and 203-205 June Road and will be expanded to 8-18 Starr Ridge Road, which is currently wooded. The June Road and Starr Ridge Road properties are contiguous, and Mr. Butler has scheduled the clearing of 8-18 Starr Ridge Road for later this Spring to provide additional pastureland for his herd.

The livestock operation is a low intensity use and is permitted as of right in the Town of North Salem and based upon the information submitted herewith, we believe that the inclusion of the Properties within the existing Agricultural District would further the County's purpose of conserving and protecting agricultural land, and maintaining the economic viability of agricultural land.

¹ Timothy C. Butler is the principal of Hardscrabble Road Holdings, LLC.

HOGAN & ROSSI

Attorneys at Law

We look forward to your Board's consideration of the enclosed Application. Of course, if you have any questions regarding any aspect of the foregoing, or desire any additional information, please do not hesitate to contact me.

Thank you very much.

Sincerely,

HOGAN & ROSSI

By: 

Michael T. Liguori

cc: Via Overnight Mail
Westchester County Agricultural & Farmland Protection Board
c/o Westchester County Department of Planning
148 Martine Avenue, Room 432
White Plains, New York 10601

Mission Statement and Farm Description
for
Clearvision Farm

Timothy C. Butler operates a livestock operation in North Salem, New York called Clearvision Farm which consist of raising and breeding goats and miniature jersey cattle.

The livestock operation is now in its third year and is primarily located on a 7+/- acre portion of 110 Hardscrabble Road and partly at 203-205 June Road, North Salem and 8-18 Starr Ridge Road, North Salem, New York. The June Road and Starr Ridge Road parcels are contiguous and consist of a combined 10.9 acres of agricultural land and, in total, the entirety of the agricultural operation is approximately 17.9 acres.

The 110 Hardscrabble Road parcel consists of the agricultural use and Mr. Butler's excavation business operation. A 36x30 barn is located thereon that serves the livestock operation. The June Road parcel is also improved by a 36x36 barn that serves the livestock operation together with Mr. Butler's horses which are not part of his agricultural livestock operation. The June Road barn is used for hay storage for the livestock. The Starr Ridge Road parcel is presently wooded and will be cleared this spring and converted to pasture.

The following details are relevant:

Size of Herd:	Currently 6 cattle, proposed to increase to up to 15
Irrigation/Water Availability:	Well water supplied to trough
Food Supply:	Hay and Grazing
Soil Management/Pasture Rotation:	Herd is rotated through parcels (Starr Ridge to be cleared and included for grazing this summer)
Waste Management:	All waste is picked and reused/incorporated into Butler's mulch operation at 110 Hardscrabble Rd.
WAC:	Mr. Butler intends to meet with WAC to further develop mitigation measures for stormwater management.

Mr. Butler has shown success in his first two years of operation and operates responsibly within the confines of the land and the expansion onto the Starr Ridge parcel will assist in further development of the operation and the herd. Demand for livestock is strong. Miniature jersey cattle sell for \$5,000 to \$8,000 per head. The livestock operation has grossed between \$10,000 and \$20,000 per year for each year of its operation and Mr. Butler believes the third year will exceed the prior year's revenue.

Mr. Butler seeks to grow the operation and its revenue and contributing the livestock economy within Westchester County.

Mr. Butler's operations further the purpose and objectives of the Agricultural District by maintaining the economic viability of agricultural land and preserving the agricultural use of land within Westchester County and he, respectfully, seeks approval for entry into the Agricultural District.

**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: Timothy C. Butler & Hardscrabble Road Holdings, LLC

Mailing Address: 203-205 June Road, North Salem, NY 10560

Phone: 914-469-3336 E-Mail: tbutler1214@gmail.com

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

Applicant Name: Hogan & Rösssi

Mailing Address: 3 Starr Ridge Road, Suite 200, Brewster, NY 10509
Attn: Michael+T. Liguori, Esq.

Phone: 845 279-2986 E-Mail: mtliguori@hoganandrossi.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
3-1735-34.9	17.9
5-1746-2	6.0
5-1746-12	6.9

Parcel ID #	Acreage

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

Parcel ID #	Acreage

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

Parcel ID #	Acreage	Parcel ID #	Acreage

Part 3: Farm Description

Farm Name: Clearvision Farm

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

Farm Street Address: Farm located at 203-205 June Rd, 8-18 Starr Ridge
 City/Town/Village of: & 110 Hardscrabble, North Salem, NY 10560

For the following, attach additional sheets if necessary.

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

 SEE ATTACHED STATEMENT

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

 SEE ATTACHED STATEMENT

Description of future plans: SEE ATTACHED STATEMENT

Number of acres currently farmed: 10 Total acres proposed to be farmed: 17

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 Lease between Farm Entity and Owner

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 N/A

Identify Farm Enterprise	Principal (choose only one)	Secondary (select as many as appropriate)	Existing		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Orchard (Fruit)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10
Livestock (other)	<input checked="" 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"/>	6.9
Other (describe below):					6.9 (woodlot to be converted to pasture in 2022)
a. _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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

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: Timothy Butler Date: 3/25/22

Print Name: Timothy Butler 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: Clearvision Farm

Parcel Acreage: Total of 17 acres

Tax Parcel Identification (Section-Block-Lot): 3-1735-34; 5-1746-2 & 12

Property Street Address: 110 Hardscrabble Road, 203-205 June Rd, 8-18 Starr Ridg

Municipality: North Salem

PROPERTY OWNERSHIP

Landowner Name: Timothy C. Butler and Hardsrabble Road Holdings, LLC
by Timothy C. Butler, Member

Mailing Address: _____

Phone Number(s): 203-205 June Road, North Salem, NY

Email: tbutler1214@gmail.com

AUTHORIZED REPRESENTATIVE(S)

Name: Hogan & Rossi

Organization: _____

Mailing Address: 3 Starr Ridge Road, Brewster, NY 10509

Phone Number(s): 845 2792986

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.

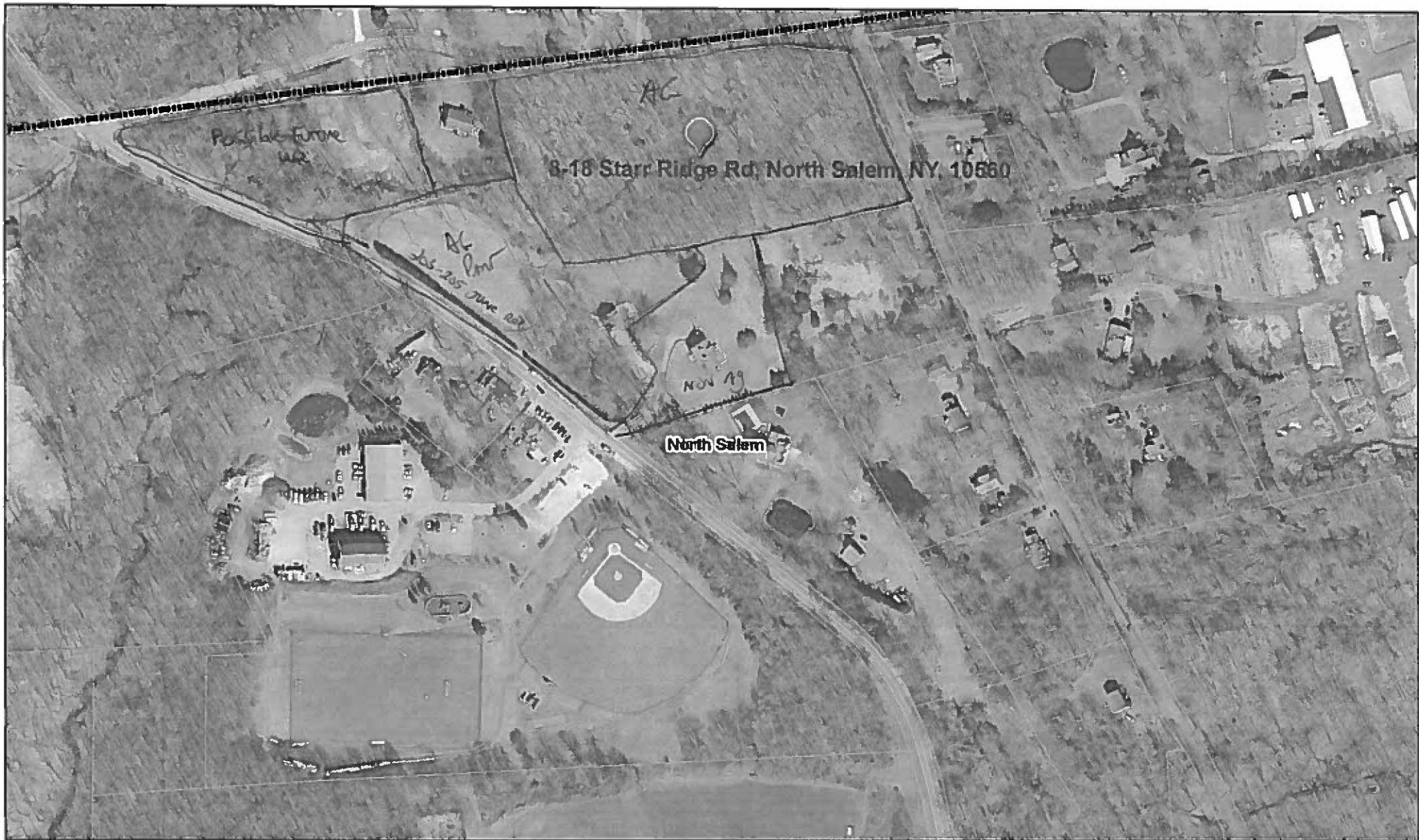
Landowner's Signature:  Date: 3/25/21

Print Name: Timothy C Butler

Notarized by: 

MICHAEL THOMAS LIGUORI
Notary Public, State of New York
No. 02LI60.845
Qualified in Putnam County
Commission Expires March 17, 2023

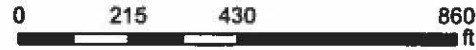
Mapping Westchester County




3/7/2022, 8:40:08 AM

 Municipal Boundaries

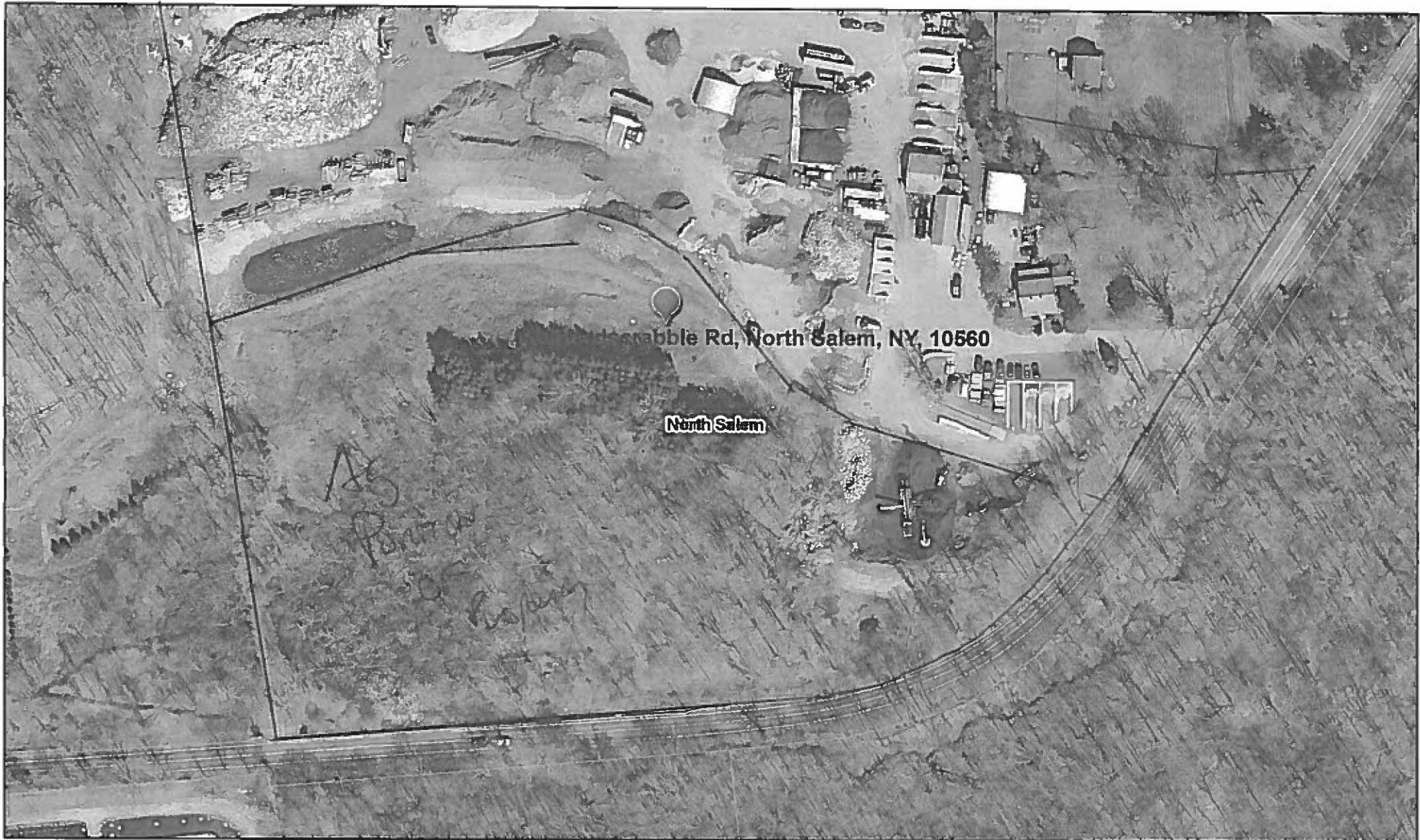
1:4,514



2021 VERSION
203-205 June road
8-18 Starr Ridge Rd

 **GIS**
<http://giswww.westchestergov.com>
Michaelian Office Building
148 Martine Avenue Rm 214
White Plains, New York 10601

Mapping Westchester County



3/7/2022, 8:38:43 AM

Municipal Boundaries

2021 VERSION

110 HANDSCRAWLED RD

1:2,257

0 105 210 420 ft

GIS
<http://giswww.westchestergov.com>
Michaelan Office Building
148 Martine Avenue Rm 214
White Plains, New York 10601