

Environment, Energy & Climate

Meeting Agenda



Committee Chair: Erika Pierce

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Tuesday, July 19, 2022

2:30 PM

Committee Room

CALL TO ORDER

MINUTES APPROVAL

Tuesday, June 28, 2022 at 2:30 p.m.

I. ITEMS FOR DISCUSSION

Guest: Planning Department: Assistant Commissioner David Kvinge

1. [2022-397](#) PH - Westchester County Agricultural District 1 - Add Parcels

A RESOLUTION to set a Public Hearing on the proposed inclusion of additional parcels of land within Westchester County Agricultural District No. 1 and the recommendations of the Westchester County Agricultural and Farmland Protection Board. [Public Hearing set for _____, 2022 at _____ .m.].

2. [2022-398](#) ENV RES - Westchester County Agricultural District 1 - Add Parcels

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the inclusion of additional parcels of land within the Westchester County Agricultural District No. 1.

3. [2022-399](#) RES - Westchester County Agricultural District 1 - Add Parcels

A RESOLUTION approving the inclusion of additional parcels of land within the Westchester County Agricultural District No. 1 as recommended by the Agricultural and Farmland Protection Board.

II. OTHER BUSINESS

III. RECEIVE & FILE

1. [2022-180](#) CLERK OF THE BOARD - Agricultural District Application

Forwarding correspondence regarding an application for addition of land to an existing agricultural district for Clearvision Farm.

COMMITTEE REFERRAL: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE

2. [2022-189](#) CLERK OF THE BOARD - Westchester County Agricultural District
Application Request - Orchard Hill Rd., Katonah
Forwarding a request from Mr. David Rowe and Orchard Hill Organics LLC requesting adding additional land to an existing agricultural district.

COMMITTEE REFERRAL: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE

3. [2022-190](#) CLERK OF THE BOARD - Westchester County Agricultural District
Application Request - Smith Ridge Rd., Vista
Forwarded from the Clerk of the Board, an application for addition of land to an existing agricultural district located at 475 Smith Ridge Road, Vista, NY.

COMMITTEE REFERRAL: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE

ADJOURNMENT

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a report from the Westchester County Agriculture and Farmland Protection Board, dated May 10, 2022 and revised June 9, 2022, stating its recommendations concerning six requests for the inclusion of viable agricultural land within Westchester County Agricultural District No. 1.

Your Committee has carefully reviewed the above-referenced report and is aware that this Honorable Board is charged with the duty, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, of scheduling a Public Hearing concerning requests to add parcels to an existing Westchester County Agricultural District and the recommendations of the Westchester County Agriculture and Farmland Protection Board concerning those requests.

Your Committee recommends that this Honorable Board carry out the foregoing statutory duty by adopting a Resolution scheduling a Public Hearing upon the proposed additions to Westchester County Agricultural District No. 1 as soon as possible.

Your Committee would further advise, based upon its careful review of the report of the Westchester County Agriculture and Farmland Protection Board and barring the emergence of any adverse information during the course of the scheduled Public Hearing, that this Honorable Board, by Resolution, approve the inclusion in Westchester County Agricultural District No. 1 of so many of the pending requests as are consistent with the recommendation of the Westchester County Agriculture and Farmland Protection Board.

Additionally, and as you know, your Honorable Board must comply with the requirements of the State Environmental Quality Review Act (“SEQRA”). The Department of Planning has advised that this proposed Resolution is classified as an Unlisted Action under SEQRA regulations that requires the adoption of the attached Negative Declaration. Your Committee concurs in this conclusion.

As this project is an “Unlisted” action under SEQRA, your Committee is also in receipt of an Environmental Assessment Form prepared by the Department of Planning to assist this Honorable Board in making a determination as required by SEQRA, which is necessary if this Honorable Board is to approve the attached Resolution.

Your Committee has carefully considered the proposed legislation. It has reviewed the attached Environmental Assessment Form and the criteria contained in Section 617.7 of 6 NYCRR Part 617, the SEQRA regulations, to identify the relevant areas of environmental concern.

Your Committee has thoroughly analyzed the identified relevant areas of concern to determine if the proposed action may have a significant impact on the environment. For reasons set forth in the attached proposed Negative Declaration, your Committee believes that the proposed action will not have any significant impact on the environment and accordingly recommends passage of the annexed Resolution.

Your Committee has carefully considered the proposed legislation and recommends that your Honorable Board adopt a Resolution scheduling a public hearing concerning pending requests to add additional parcels to Westchester County Agricultural District No. 1 as well as a further Resolution, barring the emergence of any adverse information during the course of the scheduled Public Hearing, approving the inclusion in Westchester County Agricultural District

No. 1 of so many of the pending requests as are consistent with the recommendation of the Westchester County Agriculture and Farmland Protection Board.

Your Committee requests that the Clerk of the Board notify each community in which the additional parcels are located of the date and time of the Public Hearing.

Dated: 2022
White Plains, New York

COMMITTEE ON _____

FISCAL IMPACT STATEMENT

SUBJECT: Agricultural District Adds NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND AIRPORT FUND SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations
 Additional Appropriations Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount 0

Describe: No impact.

Potential Related Operating Budget Revenues: Annual Amount 0

Describe: No impact.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: Processing of applications is performed by Planning Department staff.

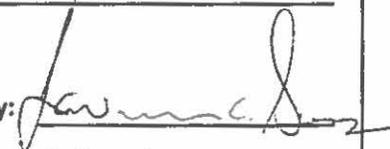
Next Four Years: Annual application period is required by New York State Agricultural Districts Law.

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Department of Planning

Date: June 16, 2022

Reviewed By: 
Budget Director

Date: 6/16/22

RESOLUTION NO. _____ - 2022

RESOLVED, THAT THIS Board hold a public hearing pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017 upon the proposed inclusion of additional parcels of land within Westchester County Agricultural District No. 1. The public hearing will be held at 7:30 p.m. on the ____ day of _____, 2022 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of this hearing, in the form annexed hereto, to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose and shall further provide written notice, in the form annexed hereto, to each municipality with territory that would be encompassed within the proposed district and to the New York State Commissioner of Agriculture and Markets.

NOTICE

NOTICE IS HEREBY GIVEN that, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, the Westchester County Board of Legislators has received requests for the inclusion of additional parcels of predominantly viable agricultural land within Westchester County Agricultural District No. 1.

Those additional parcels are described as follows:

Request No.	Street Address	Municipality	Acreage (approx.)
2022-01	371 Smith Ridge Rd	Lewisboro	16
2022-02	20 Boutonville Rd So.	Lewisboro	43.8
2022-03	131 Route 100	Somers	3.2
	129 Route 100	Somers	5.9
	198 Route 100	Somers	2
	194 Route 100	Somers	1.9
	190 Route 100	Somers	5
	190 Route 100	Somers	4.3
2022-04	9 Orchard Hill Rd	Somers	5.4
	12 Orchard Hill Rd	Somers	3.6
2022-05	387 Smith Ridge Rd	Lewisboro	0.5
	469 Smith Ridge Rd	Lewisboro	3
	475 Smith Ridge Rd	Lewisboro	1.3
	5 East St	Lewisboro	0.7
2022-06	1225 Whitehill Rd	Yorktown	7

The Westchester County Board of Legislators, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, shall hold a public hearing to consider the proposed inclusion of these additional parcels of land in Westchester County Agricultural District No. 1 and the recommendations of the Westchester County Agriculture and Farmland Protection Board. The public hearing will be held at 7:30 p.m.

on the _____ day of _____, 2022 in the Chambers of the Board of Legislators, 8th Floor,
Michaelian Office Building, White Plains, New York.

Report of the
Westchester County Agriculture and Farmland Protection Board
for the Addition of New Parcels to
Westchester County Agricultural District No. 1
Calendar Year 2022
Adopted May 10, 2022
Revised June 9, 2022

Background:

Westchester County encourages the preservation of agricultural land and the promotion of the agricultural industry within the county in recognition of the important role it plays in protecting open space and the environment; preserving community, cultural, and scenic character; providing locally grown agricultural products; offering unique agricultural services and educational opportunities; and supporting the economy. The County has implemented a number of programs and initiatives to protect its remaining farmland and encourage a strong agricultural industry, including the creation of the County Agriculture and Farmland Protection Board and the Westchester County Agricultural District. Agricultural districts provide benefits that help make and keep farming as a viable economic activity, thereby maintaining land in active agricultural use. Agricultural districts encourage development pressure to focus on other areas of a community and provide farm owners protection under the state's Right to Farm laws.

Agricultural Districts must be recertified periodically (the review period for Westchester's Agricultural District is every eight years). The Westchester County Agricultural District was certified by the New York State Commissioner of Agriculture in 2001. The County began the evaluation and recertification process in 2008, culminating with the submission in 2010 of proposed modifications to the District. The District was recertified by the Commissioner of Agriculture in September 2011, incorporating those proposed modifications, which include limiting the District to the Towns of Cortlandt, Yorktown, Somers, North Salem, Bedford and Lewisboro; the Village of Sleepy Hollow and the portion of Mount Pleasant west of the Taconic State Parkway. The following criteria were also developed to be used in the evaluation of proposals to include additional land within the district. The District was recertified in 2017 with the same geographic limitations and evaluation criteria.

1. **Farm operations must be of a minimum size or scale.** For each farm operation (not each individual parcel), the total area of the farm parcels must be a minimum of seven acres and the farm must have a minimum of \$10,000 annual gross sales value, as defined in Ag and Markets Law. A farm operation that does not meet the seven-acre minimum may be eligible for inclusion if it has a minimum of \$50,000 annual gross sales value, as defined in Ag and Markets Law.
2. **Individual parcels must function as a single farm.** If parcels of land are not contiguous, the applicant must adequately demonstrate that the individual parcels function as a single farm operation.
3. **The parcel(s) must be able to support the agricultural activity.** The applicant must demonstrate that the land is capable of supporting the agricultural activity.
4. **The agricultural operation must be the predominant commercial land use of the site.** The agricultural activity on each parcel of land must constitute a minimum of 51% of the land area of the parcel, excluding fallow land, wooded portions of the property or portions of the property used as a

residence. The agricultural activity on each parcel of land must also constitute a minimum of 51% of the annual gross sales value generated on the parcel.

5. **Sound agricultural practices must be employed to protect environmental resources.** Applicants must demonstrate that the agricultural operation is operating under a Whole Farm Plan, nutrient management plan, integrated pest management plan or similar plan to ensure that excess nutrients, pesticides, herbicides and pathogen transfer off-site is avoided to the maximum extent practical through the implementation of agricultural best management practices.
6. **Other information may be required.** The Agriculture and Farmland Protection Board reserves the right to request additional information it determines necessary to fully evaluate the operation or land.

In 2003 New York State Agriculture and Markets Law (AML) was amended to allow property owners to petition to include their lands within an existing agricultural district. Prior to the 2003 amendment, property owners would have to wait until the district was renewed at the end of the recertification period. Lands to be included in the district must be determined to be predominantly viable agricultural land per AML §301.7 and also serve the public interest by assisting in maintaining a viable agricultural industry within the district. Applications are made to the Westchester County Board of Legislators, which refers the requests to the Westchester County Agriculture and Farmland Protection Board (AFPB) for review and recommendation back to the Board of Legislators. Final recommendations are sent to the State Commissioner of Agriculture for review and certification. The application period ends March 31 of each year. This report represents the results of the review of the AFPB for applications received for 2022.

2022 Recommendations:

For calendar year 2022, the Westchester County Agriculture and Farmland Protection Board received five (5) applications for the inclusion of additional land within Westchester County Agricultural District Number 1. The AFPB recommends inclusion of the following:

Application	Farm Name	SBL	Acres	Street Address	Municipality
2022-01	Three Feathers Haberny's Farm	77.11-2-5	±16.0	371 Smith Ridge Rd	Lewisboro
2022-02	Birdstone Farm	53.1-3-20	±43.8	20 Boutonville Rd So.	Lewisboro
2022-03	Katonah Nursery	38.13-1-6	±3.2	131 Route 100	Somers
		38.13-1-7	±5.9	129 Route 100	Somers
		28.17-2-1	±2.0	198 Route 100	Somers
		38.05-2-1	±1.9	194 Route 100	Somers
		38.05-2-2	±5.0	190 Route 100	Somers
		38.05-2-3.1	±4.3	190 Route 100	Somers
2022-04	Orchard Hill Organics	37.14-1-10	±5.4	9 Orchard Hill Rd	Somers
		37.14-1-2	±3.6	12 Orchard Hill Rd	Somers
2022-05	Cipriano Farm	77.11-2-11	±0.5	387 Smith Ridge Rd	Lewisboro
		77.04-3-61	±3.0	469 Smith Ridge Rd	Lewisboro
		77.04-3-59	±1.3	475 Smith Ridge Rd	Lewisboro
		77.04-3-58	±0.7	5 East St	Lewisboro
2022-06	Anther Farm	36.15-1-19	±7.0	1225 Whitehill Rd	Yorktown

Date of Report:

The Westchester County Agriculture and Farmland Protection Board (AFPB) adopted this report by a unanimous vote at its May 10, 2022 meeting and revised it by email vote on June 9, 2022.

Detailed Information:

Following is a more detailed review of each of the applications, along with the recommendations of the AFPB.

DETAILED REVIEW

Application Number: 2022-01

Applicant: Joseph Haberny

Farm Name: Haberny's Three Feathers Farm

Farm Operation: Farm (produce and livestock products) and Farm Stand

Property Address: 371 Smith Ridge Road, Lewisboro

Tax Parcel Identification (Section-Block-Lot): 77.11-2-5 **Acres:** ±16.0

AFPB Site Visit Date: April 25, 2022

Description of Property and Operation:

The farm was previously included in the Agricultural District (2006), but the application wasn't renewed during the last recertification. The farm consists of one parcel approximately 16 acres in size, mostly flat but with some wetlands. The applicant proposes to continue to farm approximately 9 acres of the property for a variety of produce, as well as eggs and beef grown/raised at the farm, all sold at the farm stand. Additionally, Christmas trees and berries are also grown and sold at the farm. The applicant has plans to expand the operation to include additional livestock and Christmas trees.

Agriculture and Farmland Protection Board Assessment and Recommendation:

The AFPB recommends against inclusion of the parcel at this time. A majority of the parcel is adjacent to or within existing wetlands (NYSDEC wetland D-45). The AFPB recommends that the applicant work with the Watershed Agricultural Council or other qualified consultant to develop and implement a nutrient management plan to minimize impacts to the wetlands, particularly from the livestock operation, and resubmit an application once a plan is in place.

DETAILED REVIEW

Application Number: 2022-02

Applicant: Lee Vogelstein

Farm Name: Birdstone Farm

Farm Operation: Equine

Property Address: 20 Boutonville Road South, Lewisboro

Tax Parcel Identification (Section-Block-Lot): 53.1-3-20 **Acres:** ±43.8

AFPB Site Visit Date: April 25, 2022

Description of Property and Assessment of Operation:

The farm was previously included in the original Agricultural District (2001), but the application wasn't renewed during the last recertification. The property is an existing equine operation, located near the County-owned Ward Pound Ridge Reservation. The applicant proposes to continue the equine operation, expanding the current small horse boarding operation to meet the definition of a commercial boarding operation or commercial equine operation. Properties located in the Town of Pound Ridge are not eligible for inclusion in the Westchester County Agricultural District and consequently the application is only concerning the parcel located in Lewisboro.

Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends against inclusion of the parcel at this time. The property and existing infrastructure are well suited for the agricultural operation. However, the operation is currently not commercial in nature. The AFPB recommends that the applicant resubmit with supporting information demonstrating that the operation meets the definition of a commercial operation pursuant to Ag and Markets Law (Section 301 of 25-AA), which requires the stabling or boarding of at least ten horses and receipt of ten thousand dollars or more in gross revenue.

DETAILED REVIEW

Application Number: 2022-03

Applicant: Joseph and Elisa Lopane

Farm Name: Katonah Nursery

Farm Operation: Nursery (ornamental horticulture)

Property Address: 131 and 194 Route 100, Somers

Tax Parcel Identification	(Section-Block-Lot):	Acres:
131 Route 100	38.13-1-6	±3.2
	38.13-1-7	±5.9
194 Route 100	28.17-2-1	±2.0
	38.05-2-1	±1.9
	38.05-2-2	±5.0
	38.05-2-3.1	±4.3

AFPB Site Visit Date: April 25, 2022

Description of Property and Assessment of Operation:

The farm was previously included in the original Agricultural District (2001), but the application wasn't renewed during the last recertification. The operation is a nursery and commercial horticulture operation, for plants grown on-site as well as plants grown on approximately 140 acres of other property in Dutchess County. The applicant proposes to continue the commercial nursery operation on the property. The operation is also a participant in the Watershed Agricultural Council's program.

Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends inclusion of all parcels.

DETAILED REVIEW

Application Number: 2022-04

Applicant: David J. Rowe

Farm Name: Orchard Hill Organics

Farm Operation: Produce

Property Address: 9 and 12 Orchard Hill Road, Somers

Tax Parcel Identification (Section-Block-Lot):	37.14-1-10	Acres:	±5.4
	37.14-1-2		±3.6

AFPB Site Visit Date: April 25, 2022

Description of Property and Assessment of Operation:

The applicant is currently operating a commercial farm producing a variety of fruits and vegetables, grown in greenhouses and outdoors, for sale at farm markets and directly to consumers through a Community Supported Agriculture operation and online. The parcel on the west side of Orchard Hill Road has relatively steep, wooded slopes but has been improved to provide level growing beds and greenhouses. A parcel on the east side of Orchard Hill Road has been purchased. It is currently wooded and includes an existing residence, ancillary buildings and lawn area. The additional parcel is proposed to be improved to include fruit trees and shrubs. The farm is being considered for inclusion in the Watershed Agricultural Council's programs for agricultural best management practices to better manage composting and other operations at the farm.

Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends inclusion of the parcel on the west side of Orchard Hill Road only and recommends that the applicant resubmit an application for the parcel on the east side of Orchard Hill Road once an operation has commenced or more detailed plans have been prepared. The AFPB notes that both parcels are located in a relatively dense residential neighborhood with minimal setback or buffers from adjacent residences and recommends that the applicant pursue the installation and maintenance of vegetated buffers where appropriate to minimize any impacts to neighboring residences.

DETAILED REVIEW

Application Number: 2022-05

Applicant: Avraam Apazidis c/o Cipriano Farm

Farm Name: Cipriano Farm

Farm Operation: Nursery (commercial horticulture)

Property Address: 387, 469, 475 Smith Ridge Road and 5 East Street, Lewisboro

Tax Parcel Identification	(Section-Block-Lot):	Acres:
387 Smith Ridge Road	77.11-2-11	±0.5
469 Smith Ridge Road	77.04-3-61	±3.0
475 Smith Ridge Road	77.04-3-59	±1.3
5 East Street	77.04-3-58	±0.7

AFPB Site Visit Date: The applicant was not available for a site visit. The Board will continue to attempt to arrange a site visit with the applicant and may update its recommendation based on the site visit and any additional supporting information provided.

Description of Property and Assessment of Operation:

The applicant was not able to schedule a site visit and on-site meeting with the Agriculture and Farmland Protection Board. An approximately 4.8-acre parcel owned by the applicant, located at 24 East Street, was included in the agricultural district in 2017 and is currently being used to grow ornamental horticultural products. However, the parcels proposed to be added at this time appear to be primarily for the storage and/or resale of ornamental horticulture products. While a portion of the products sold are grown at the 24 East Street property, the Agriculture and Farmland Protection Board criteria requires that a minimum of 51% of the gross sales must be from products grown on the farm operation (the AFPB notes that a farm operation can include parcels that are not contiguous or even located in the same municipality).

Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends against inclusion of the parcels at this time. The AFPB recommends that the applicant resubmit next year with adequate information demonstrating that the operation meets the definition of a commercial nursery and is not predominantly reselling products grown elsewhere, which would be considered a retail operation. The Board will continue to attempt to arrange a site visit with the applicant and may update its recommendation based on the site visit and any additional supporting information provided.

DETAILED REVIEW

Application Number: 2022-06

Applicant: Ken and Myra Marsocci

Farm Name: Anther Farm

Farm Operation: Nursery (cut flowers)

Property Address: 1225 Whitehill Road, Yorktown

Tax Parcel Identification (Section-Block-Lot): 36.15-1-19 **Acres:** ±7.0

AFPB Site Visit Date: June 8, 2022

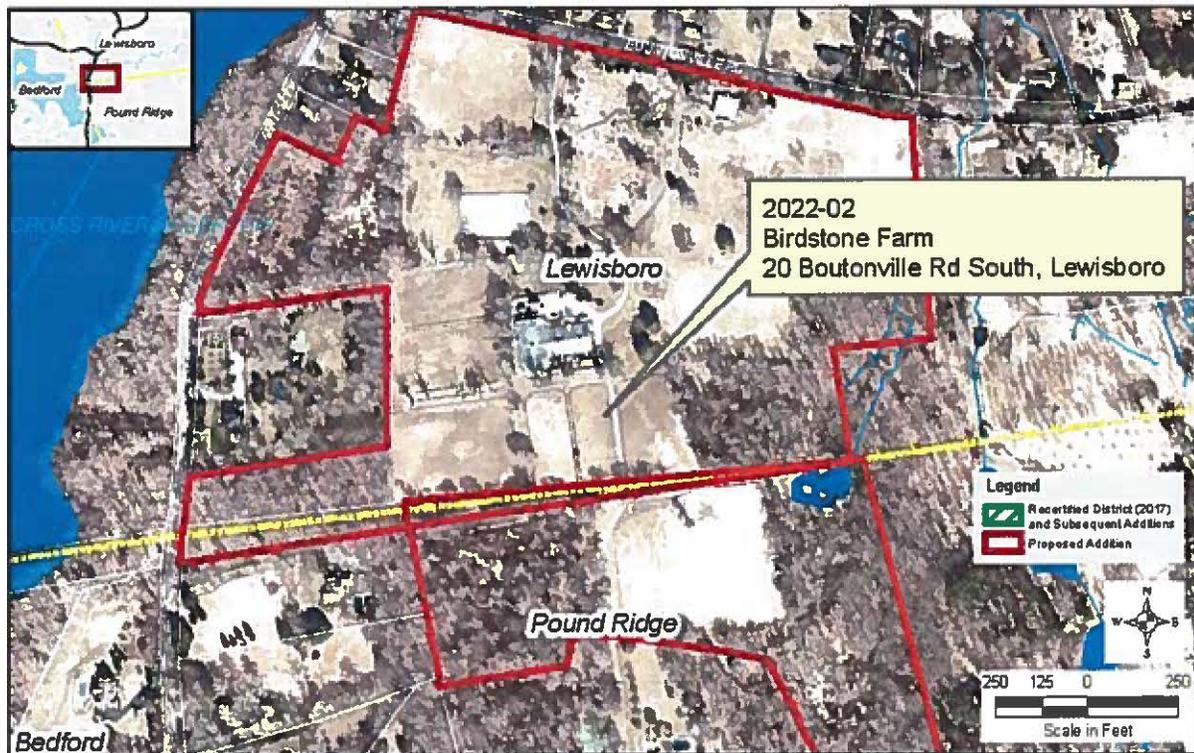
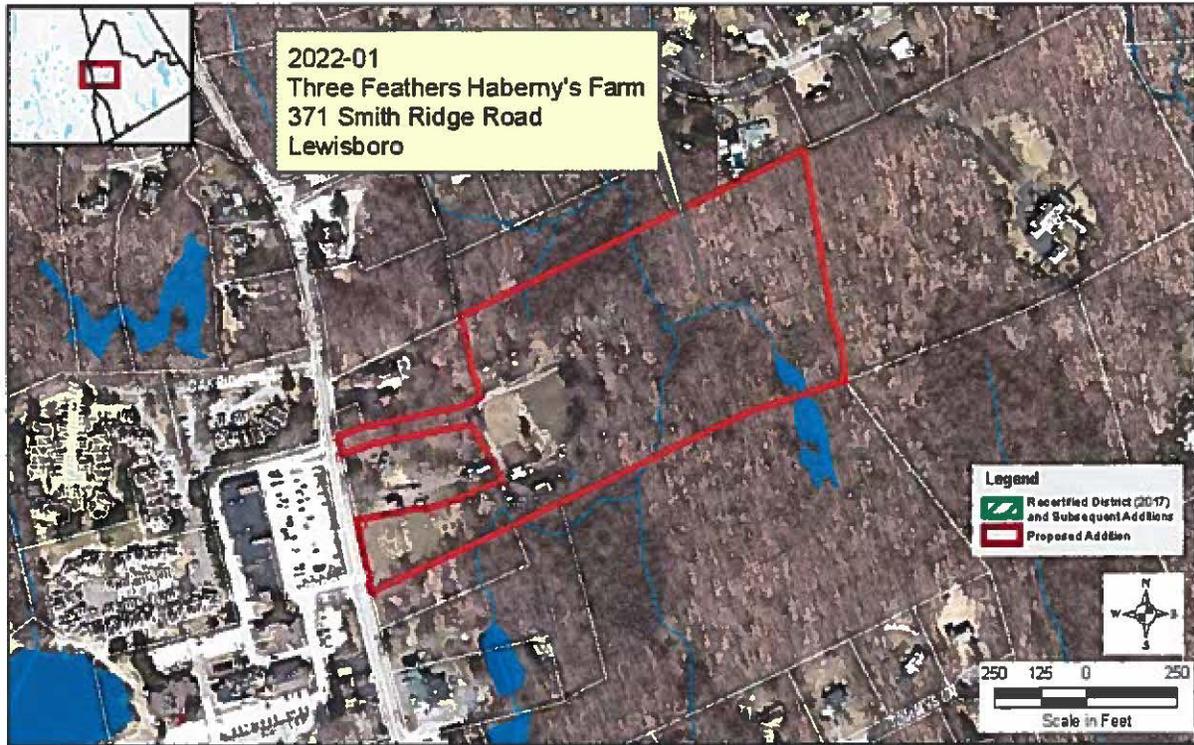
Description of Property and Assessment of Operation:

The site is approximately seven acres in size, relatively flat along Whitehill Road and sloping back to the south towards a NYSDEC wetland (A-33) in the rear of the property. Much of the parcel is appropriate for the proposed use, and the applicant has already developed approximately one acre of the front portion with greenhouses, in-ground growing areas, a farm stand and a small unpaved parking area. The operation is an organic cut flower and horticultural operation, including native plants. Part of the organic operation is the use of compost tea, and the applicants intend to be included as a pollinator friendly site in the pollinator pathway network. As the applicant continues to develop the operation and property, plans for walking trails through the woodland and wetlands will be implemented. They are consulting with the USDA Farm Services Agency to develop a plan for the use of the site that minimizes impacts to existing wetlands and buffer areas. The wetlands and an associated buffer area are regulated by the New York State Department of Environmental Conservation and will require their review.

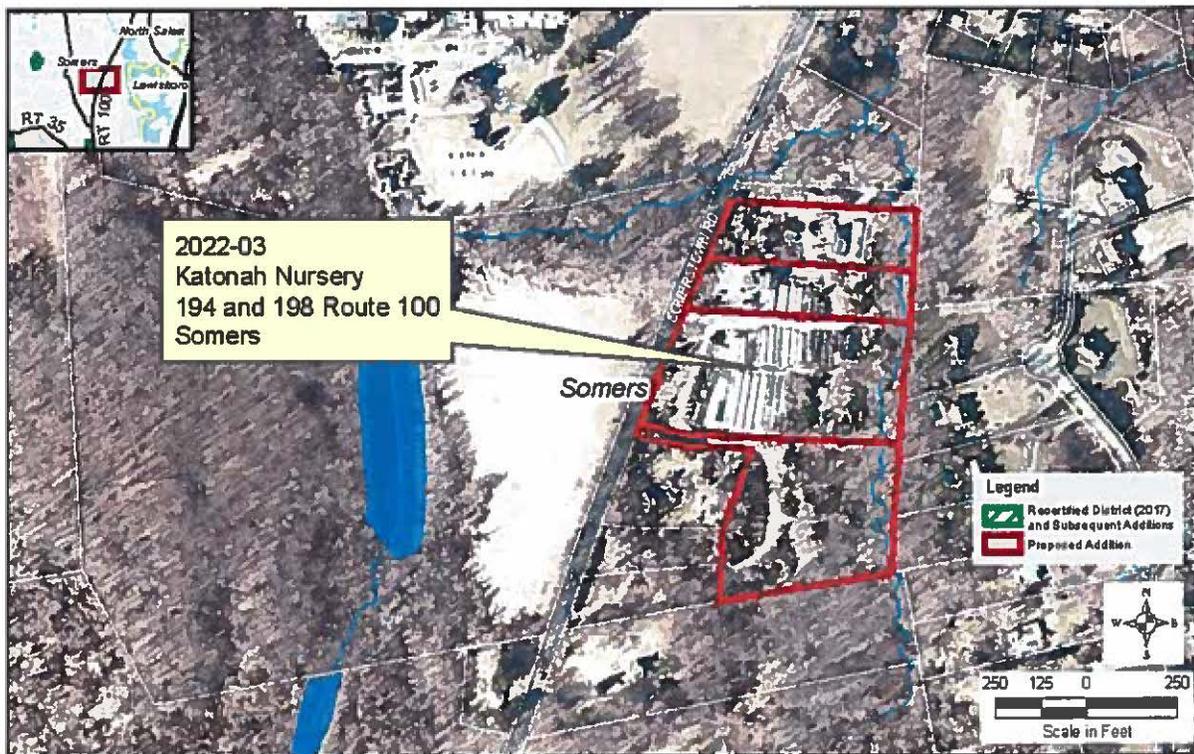
Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends inclusion of this parcel. The Board agreed that an organic operation specializing in cut flowers and native plants, incorporating best management practices such as compost tea, and promoting environmental initiatives such as the pollinator pathway would be a good addition to Westchester's agricultural community and the agricultural district.

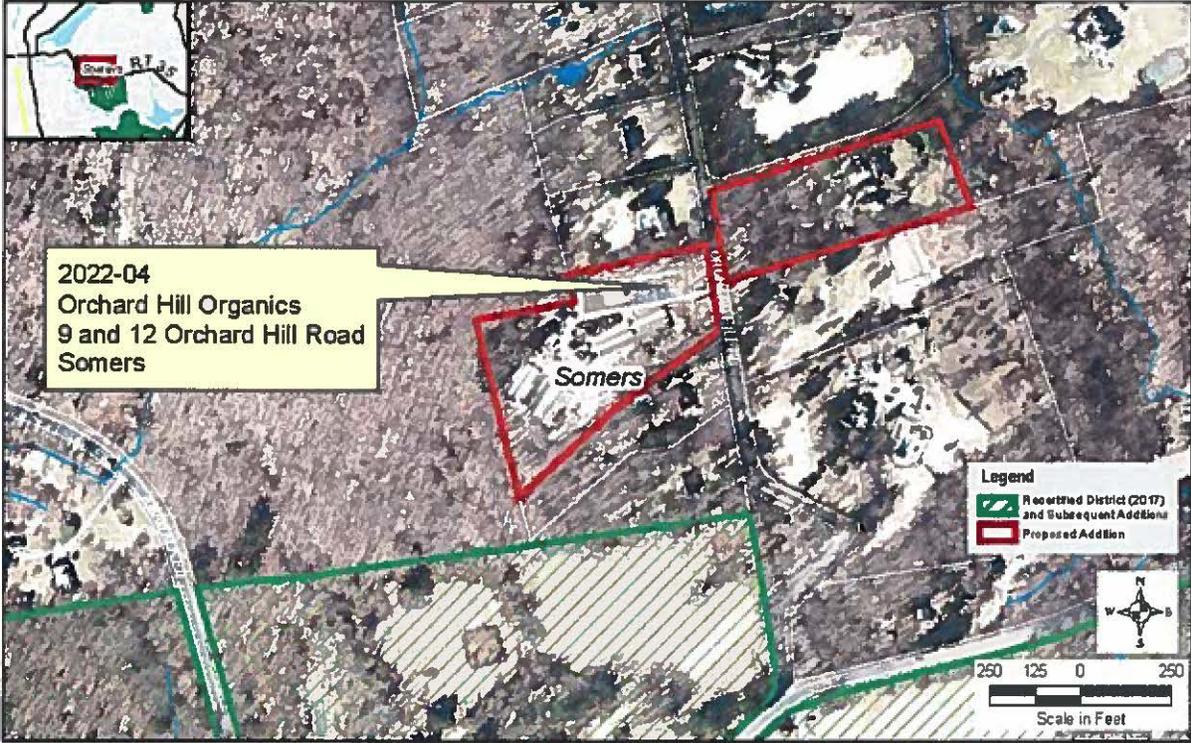
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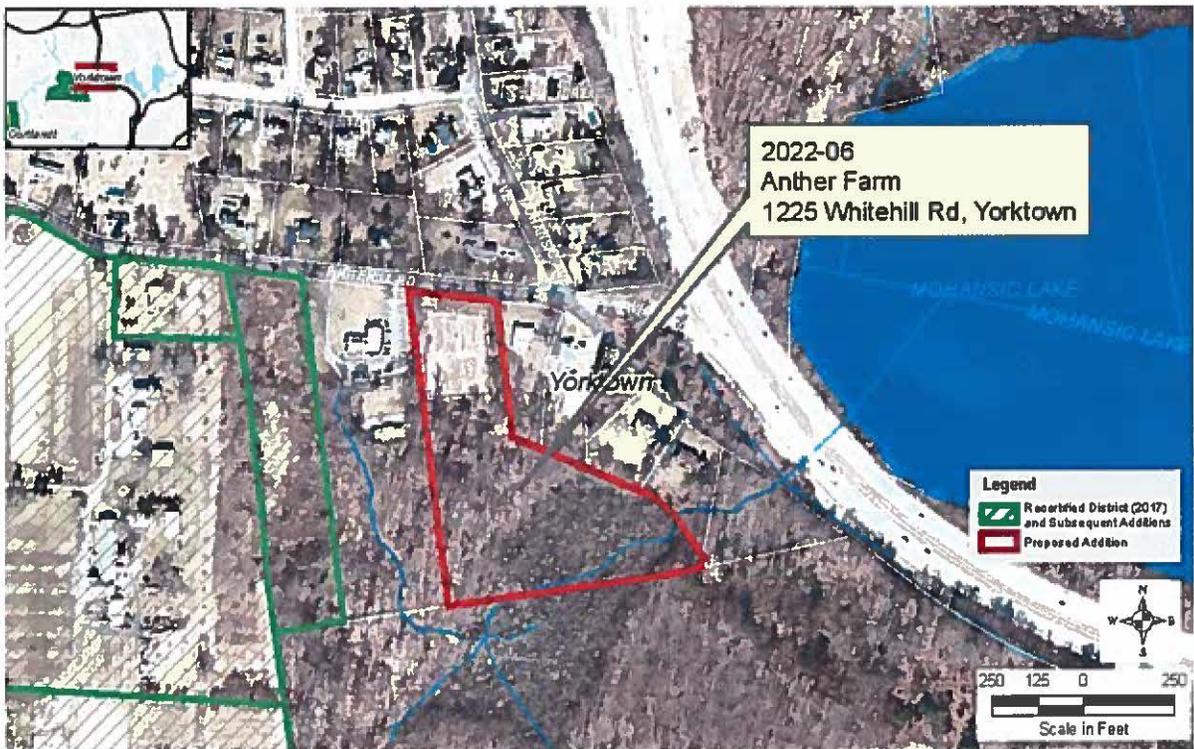
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RESOLUTION NO. – 2022

WHEREAS, there is pending before this Honorable Board a Resolution to approve the inclusion of additional parcels of land within the Westchester County Agricultural District; and

WHEREAS, as this project is an “Unlisted” action under the State Environmental Quality Review Act (“SEQRA”), an Environmental Assessment Form has been prepared by the Department of Planning to assist this Honorable Board in complying with its responsibilities under SEQRA; and

WHEREAS, this Honorable Board has carefully considered this proposed action and has reviewed the Environmental Assessment Form and the criteria set forth in Section 617.7 of 6 NYCRR Part 617 of the SEQRA regulations and has identified the relevant areas of environmental concern, as are fully set forth in the attached “Negative Declaration”, to determine if this proposed action will have a significant impact on the environment.

NOW, THEREFORE, BE IT

RESOLVED, by the County Board of Legislators of the County of Westchester, State of New York, that based on this Honorable Board’s review of the Environmental Assessment Form and for the reasons set forth in the annexed “Negative Declaration,” it is determined that there will be no adverse impact on the environment from the inclusion of additional parcels of land within the Westchester County Agricultural District; and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign and date the Determination of Significance in the attached Environmental Assessment Form as Responsible Officer in Lead Agency; thereby executing and issuing a Negative Declaration on behalf of this Board pursuant to Article 8 of the Environmental Conservation Law; and to immediately file, publish and make available the Environmental Assessment Form pursuant to the requirements of Part 617 of Title 6 of the Official Compilation of the Codes, Rule and Regulations of the State of New York; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Dated: 2022
White Plains, New York

Short Environmental Assessment Form

Part 1 - Project Information

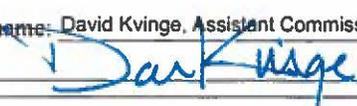
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Addition of land to Westchester County Agricultural District No. 1							
Project Location (describe, and attach a location map): Various parcels in the towns of Bedford, North Salem and Yorktown (see attached list and map).							
Brief Description of Proposed Action: The Westchester County Agricultural District was created in 2001, recertified in 2011 and recertified again in 2017. Owners of farmland may apply to have their land included within the district annually, pursuant to Agricultural Districts Law. The annual 30-day window to receive applications in Westchester County is the month of March. Six applications to include additional land were received for calendar year 2022.							
Name of Applicant or Sponsor: Westchester County Board of Legislators, c/o Sunday Vanderberg, Clerk and CAO		Telephone: 914-995-4604 E-Mail: mav5@westchestergov.com					
Address: 800 Michaelian Office Building, 148 Martine Avenue, 8th Floor							
City/PO: White Plains		State: NY	Zip Code: 10601				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres							
b. Total acreage to be physically disturbed? _____ acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>David Kvinge, Assistant Commissioner (preparer)</u> Date: <u>June 15, 2022</u></p> <p>Signature: <u></u></p>		

Project:	Westchester Ag District Additions
Date:	June 15, 2022

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Project: Westchester Ag District Additions

Date: June 15, 2022

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See attachment

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Westchester County Board of Legislators

Name of Lead Agency

Sunday Vanderberg

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk and Chief Administrative Officer

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

David Kvinge, Director of Environmental Planning

PRINT FORM

STATE ENVIRONMENTAL QUALITY REVIEW

ADDENDUM TO EAF

The Proposed Action is the recommendation by the Westchester County Board of Legislators to the New York State Commissioner of Agriculture concerning the inclusion of additional parcels of land within the Westchester County Agricultural District, as provided for under Section 303-b of Article 25-AA of New York State Agriculture and Markets Law. Inclusion of parcels of land within an agricultural district does not, in and of itself, supersede or modify existing land use ordinances or regulations. Consequently, additions of land to an existing agricultural district will not result in the physical alteration of the environment or otherwise have a negative impact on the environment. Rather, the addition of land to an existing agricultural district promotes the preservation of viable agricultural land and has other environmental benefits as described below. The New York State Department of Agriculture and Markets has determined that modifications to an agricultural district are an Unlisted action with respect to SEQR. The County Board of Legislators is conducting uncoordinated review as permitted for Unlisted actions.

The applications received for 2022 are described in more detail in the 2022 report of the Westchester County Agriculture and Farmland Protection Board. A list and map of the applications and individual parcels follows this narrative.

Agricultural land and the agricultural industry in Westchester County continue to be under considerable pressure to convert to other land uses, typically residential subdivision. Agricultural land contributes significantly to the quality of life in Westchester County by providing open space, links to cultural history, vegetative and wildlife habitat, and a local source of fresh food. The protection and enhancement of agricultural land is in furtherance of the County's goals, as described in the County Planning Board's long-range planning document, *Patterns for Westchester: the Land and the People*, and the County Agriculture and Farmland Protection Plan, to protect natural and cultural resources, preserve open space and community character, and reduce environmental impacts associated with development. The Westchester County Board of Legislators created the Agriculture and Farmland Protection Board and the Westchester County Agricultural District to protect agricultural land and enhance the agricultural industry in furtherance of these goals. New York State Agriculture and Markets Law requires that counties that have a certified agricultural district conduct an annual review of applications received for the inclusion of additional parcels of land within the agricultural district and submit recommendations, if warranted, to the New York State Commissioner of Agriculture.

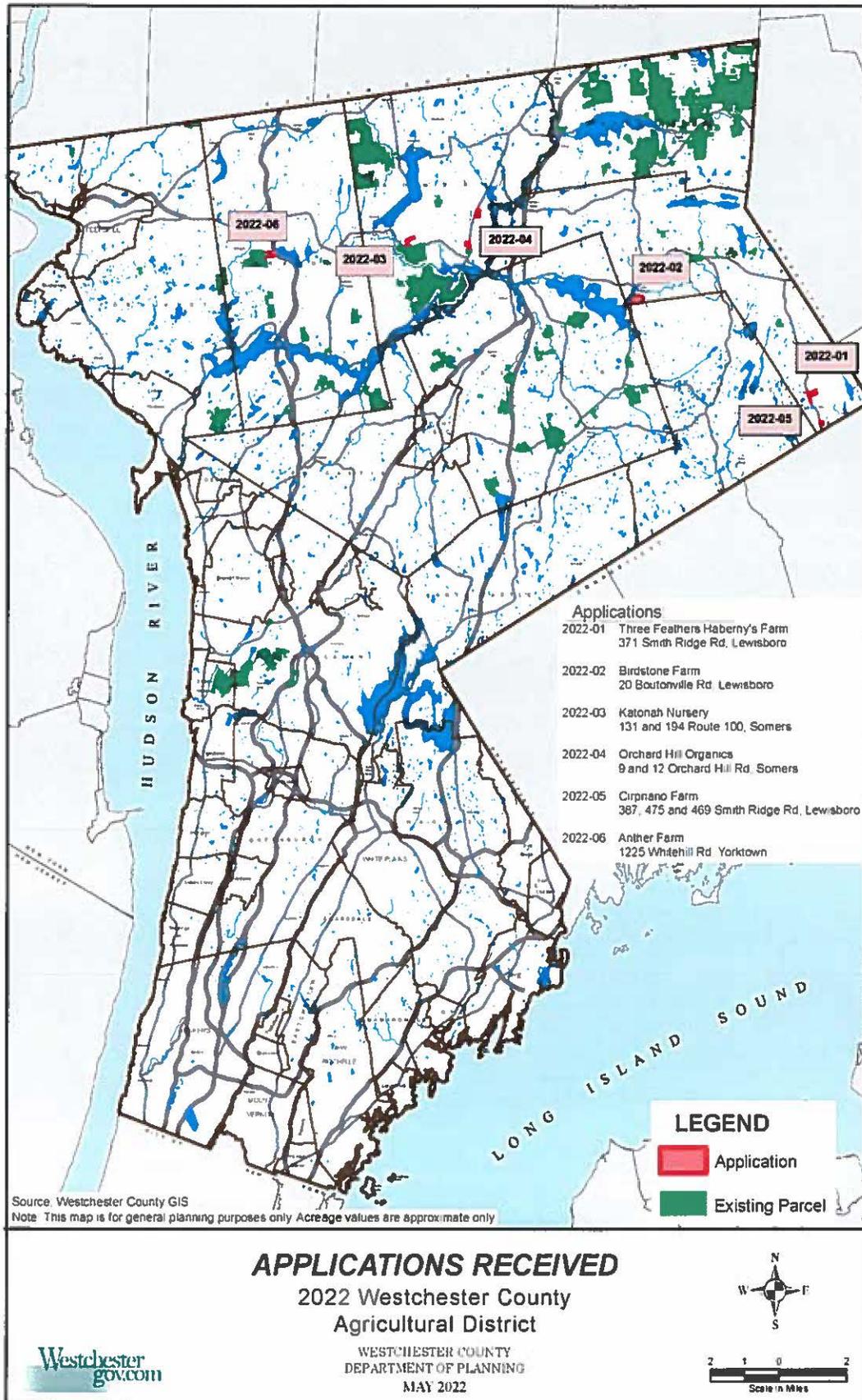
Inclusion of additional agricultural parcels within the Agricultural District does not have a physical impact on the environment. Inclusion of land within the agricultural district furthers the goals and objectives of the County to:

- Preserve and protect the county's natural resources, including the drinking water supply;
- Assure a diverse and interconnected system of open space, supporting a variety of flora and fauna and providing contrast in the texture of the landscape;
- Enhance a broad economic base and economic opportunity within the county; and
- Protect the county's educational, cultural, historic and aesthetic resources for future generations.

2022 APPLICATIONS TO INCLUDE ADDITIONAL PARCELS
 WITHIN THE WESTCHESTER COUNTY AGRICULTURAL DISTRICT

Application	Farm Name	SBL	Acres ¹	Street Address	Municipality
2022-01	Three Feathers Haberny's Farm	77.11-2-5	±16.0	371 Smith Ridge Rd	Lewisboro
2022-02	Birdstone Farm	53.1-3-20	±43.8	20 Boutonville Rd So.	Lewisboro
2022-03	Katonah Nursery	38.13-1-6	±3.2	131 Route 100	Somers
		38.13-1-7	±5.9	129 Route 100	Somers
		28.17-2-1	±2.0	198 Route 100	Somers
		38.05-2-1	±1.9	194 Route 100	Somers
		38.05-2-2	±5.0	190 Route 100	Somers
		38.05-2-3.1	±4.3	190 Route 100	Somers
2022-04	Orchard Hill Organics	37.14-1-10	±5.4	9 Orchard Hill Rd	Somers
		37.14-1-2	±3.6	12 Orchard Hill Rd	Somers
2022-05	Cipriano Farm	77.11-2-11	±0.5	387 Smith Ridge Rd	Lewisboro
		77.04-3-61	±3.0	469 Smith Ridge Rd	Lewisboro
		77.04-3-59	±1.3	475 Smith Ridge Rd	Lewisboro
		77.04-3-58	±0.7	5 East St	Lewisboro
2022-06	Anther Farm	36.15-1-19	±7.0	1225 Whitehill Rd	Yorktown

¹ Acres calculated from County GIS data.



RESOLUTION NO. – 2022

WHEREAS, the County, by Resolution No. 223-2000, submitted a proposal to the New York State Commissioner of Agriculture and Markets to establish Westchester County Agricultural District No. 1, which was certified by the New York State Commissioner of Agriculture and Markets and became effective on July 19, 2001 with an eight-year review period; and

WHEREAS, the County, by Resolution No. 161-2010, after conducting a review of the district in accordance with Agricultural Districts Law, submitted a proposal to the New York State Commissioner of Agriculture and Markets to continue the Westchester County Agricultural District No. 1 with modifications including limiting the district to certain municipalities within the county and creating criteria for parcels to be located within the district, which was certified by the New York State Commissioner of Agriculture and Markets and became effective on September 19, 2011; and

WHEREAS, the County, by Resolution No. 70-2017, after conducting a review of the district in accordance with Agricultural Districts Law, submitted a proposal to the New York State Commissioner of Agriculture and Markets to continue the Westchester County Agricultural District No. 1 with the previous modifications including limiting the district to certain municipalities within the county and creating criteria for parcels to be located within the district, which was certified by the New York State Commissioner of Agriculture and Markets and became effective on August 17, 2017; and

WHEREAS, the County, by Act No. 55-2004 in accordance with Section 303-b of New York State Agriculture and Markets Law, established an annual 30-day period in which to receive applications for the inclusion of additional parcels of land within Westchester County Agricultural District No. 1, which was repealed and replaced by Act. No. 95-2017 establishing the 30-day period as the month of March; and

WHEREAS, Westchester County Agricultural District No. 1 is the only certified agricultural district within Westchester County; and

WHEREAS, the Westchester County Board of Legislators has received six applications for inclusion of parcels of land into Westchester County Agricultural District No. 1; and

WHEREAS, the applications were forwarded to the Westchester County Agriculture and Farmland Protection Board (AFPB) for review and report, and the AFPB, after due deliberation and consideration of the conditions of each parcel and the agricultural operations on them or planned for them, determined: (1) whether the parcels consisted primarily of viable agricultural land as defined by New York State Agriculture and Markets Law; (2) whether the existing or proposed agricultural operation serves the public interest by assisting in maintaining a viable agricultural industry; and (3) whether the application met the eligibility requirements and satisfied the evaluation criteria associated with the district as modified during the recertification process; and recommended approval of both of the applications as described in the AFPB report; and

WHEREAS, agricultural land contributes significantly to the quality of life in Westchester County by providing open space, links to our cultural history, vegetative and wildlife habitat, and a local source of fresh food; and

WHEREAS, the protection and enhancement of agricultural land is in furtherance of the County's goals to protect natural and cultural resources, preserve open space and community character, and reduce the environmental impacts associated with development; and

WHEREAS, a duly noticed public hearing was held on _____, at which time local municipalities, the public, and other interested parties were given the opportunity to comment on the proposed addition of parcels to the Agricultural District.

NOW, THEREFORE, BE IT RESOLVED, that the Westchester County Board of Legislators approves the inclusion, subject to the limitations (if any) expressed in the report of the Westchester County Agriculture and Farmland Protection Board, of the following applications for additional parcels of land within the Westchester County Agricultural District No. 1: Application #2022-03, #2022-04 (the 9 Orchard Hill Road parcel only), and #2022-06, which applications are more fully described in the report of the Agriculture and Farmland Protection Board; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is directed to forward a copy of this Resolution, along with the report of the Agriculture and Farmland Protection Board and

other required information in support of the applications to the Commissioner of the New York State Department of Agriculture and Markets for review and certification.

Dated: 2022
White Plains, New York

HOGAN & ROSSI

Attorneys at Law

3 Starr Ridge Road - Suite 200
Brewster, New York 10509

Of Counsel

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* Also Admitted in CT

† Also Admitted in NJ

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 & Rössi

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

Ver. 5/1/14

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.

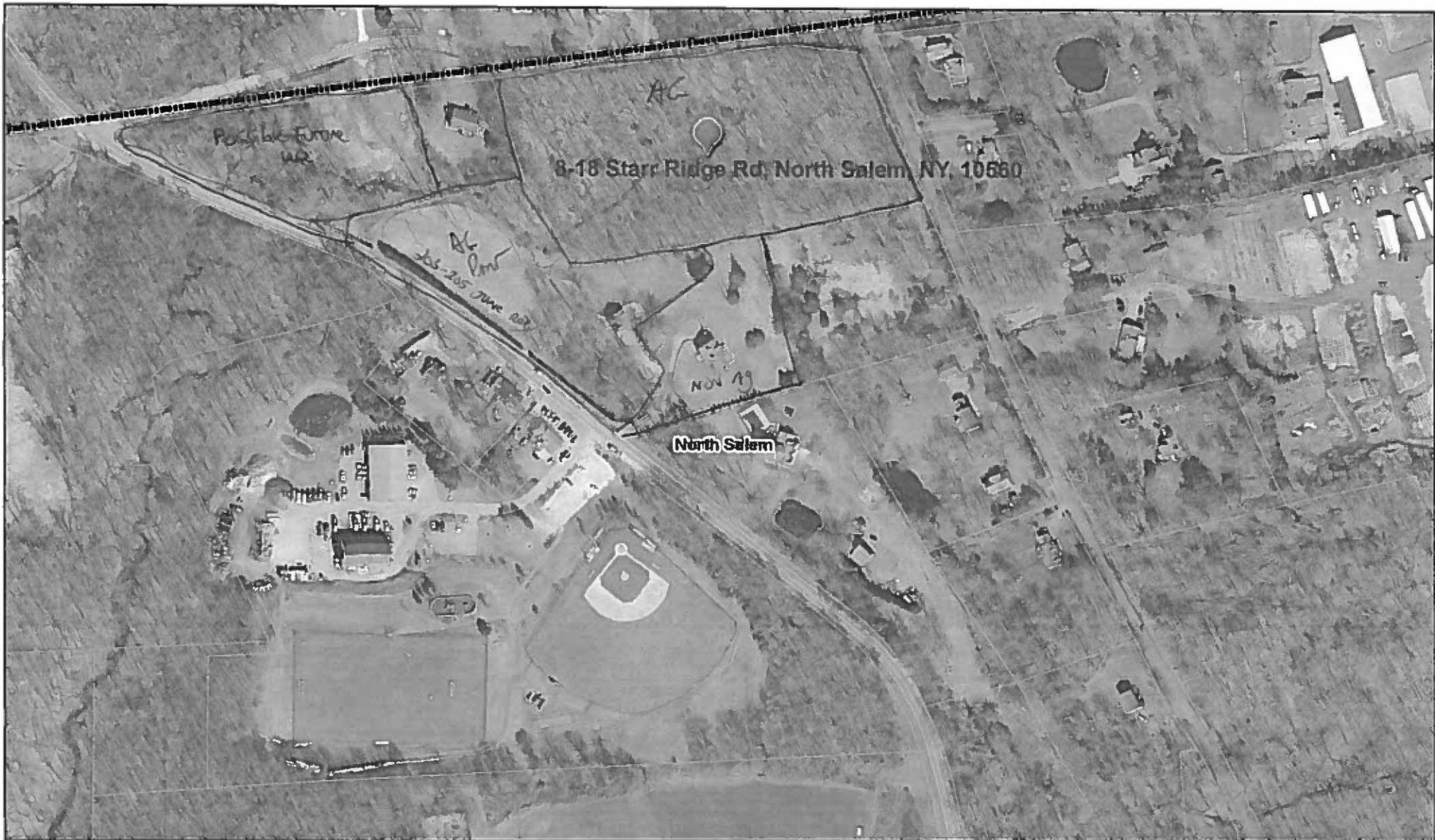
Landowner's Signature:  Date: 3/25/21

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

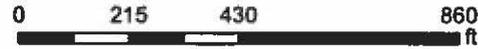
Mapping Westchester County



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

 Municipal Boundaries

1:4,514



2021 VERSION

203-205 June road
8-18 Starr Ridge Rd

Mapping Westchester County



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

 Municipal Boundaries

1:2,257

0 105 210 420
ft

2021 VERSION

110 HANDSCRAWLED AD



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

Shilling & Smith, P.C.

Attorneys at Law

122 Old Route 6

Carmel, New York 10512

Email: waslaw@shillinglegal.com

William A. Shilling, Jr.

Frank J. Smith III

**Also Admitted in CT*

Phone (845) 225-7500

Fax (845) 225-5692

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.

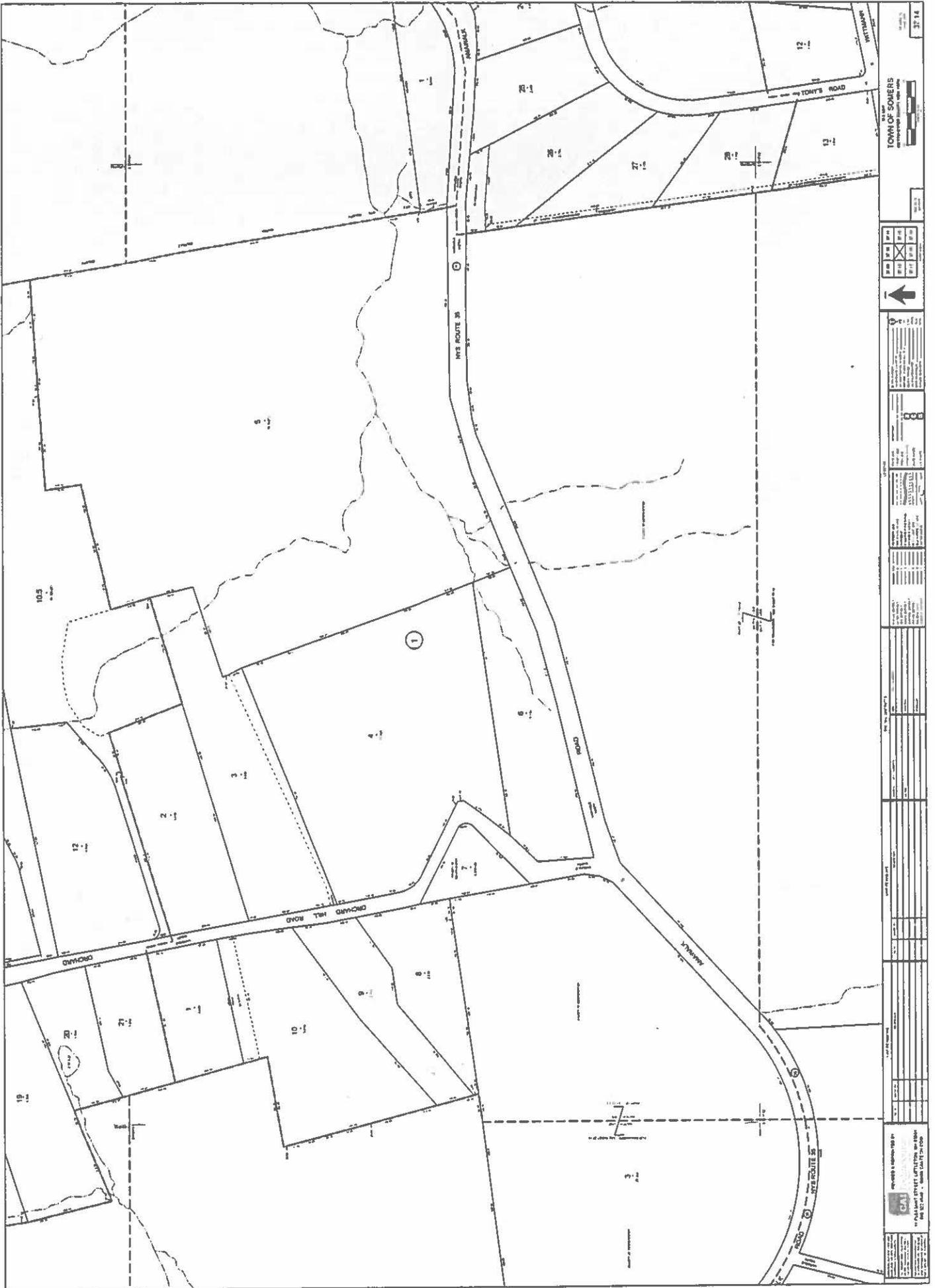
Respectfully submitted,

A handwritten signature in black ink, appearing to read "F. 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 Board
 37.14

Map No. 100

Scale: 1" = 100'

North Arrow

Symbol	Description
(Symbol)	Proposed Zoning District
(Symbol)	Proposed Subdivision
(Symbol)	Proposed Easement
(Symbol)	Proposed Right-of-Way
(Symbol)	Proposed Utility Line
(Symbol)	Proposed Water Line
(Symbol)	Proposed Sewer Line
(Symbol)	Proposed Gas Line
(Symbol)	Proposed Telephone Line
(Symbol)	Proposed Cable Line
(Symbol)	Proposed Electric Line
(Symbol)	Proposed Fire Line
(Symbol)	Proposed Police Line
(Symbol)	Proposed School Line
(Symbol)	Proposed Church Line
(Symbol)	Proposed Cemetery Line
(Symbol)	Proposed Park Line
(Symbol)	Proposed Golf Course Line
(Symbol)	Proposed Airport Line
(Symbol)	Proposed Railroad Line
(Symbol)	Proposed Interstate Line
(Symbol)	Proposed State Route Line
(Symbol)	Proposed County Route Line
(Symbol)	Proposed Local Road Line
(Symbol)	Proposed Waterway Line
(Symbol)	Proposed Canal Line
(Symbol)	Proposed Dam Line
(Symbol)	Proposed Bridge Line
(Symbol)	Proposed Tunnel Line
(Symbol)	Proposed Viaduct Line
(Symbol)	Proposed Overpass Line
(Symbol)	Proposed Underpass Line
(Symbol)	Proposed Culvert Line
(Symbol)	Proposed Drainage Line
(Symbol)	Proposed Floodplain Line
(Symbol)	Proposed Wetland Line
(Symbol)	Proposed Forest Line
(Symbol)	Proposed Parkland Line
(Symbol)	Proposed Open Space Line
(Symbol)	Proposed Agricultural Line
(Symbol)	Proposed Residential Line
(Symbol)	Proposed Commercial Line
(Symbol)	Proposed Industrial Line
(Symbol)	Proposed Utility Corridor Line
(Symbol)	Proposed Right-of-Way Line
(Symbol)	Proposed Easement Line
(Symbol)	Proposed Subdivision Line
(Symbol)	Proposed Zoning District Line

Map No. 100

Scale: 1" = 100'

North Arrow

Map No. 100

Scale: 1" = 100'

North Arrow

Map No. 100

Scale: 1" = 100'

North Arrow

**12 ORCHARD HILL ROAD
PARCEL MAP**

**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

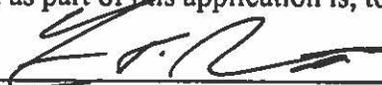
Identify Farm Enterprise	Principal (choose only one)	Secondary (select as many as appropriate)			Approx. Acres
			Existing	Start-Up	
Fallow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Hay	<input type="checkbox"/>	<input type="checkbox"/>	<input 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

Ver. 5/1/14

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

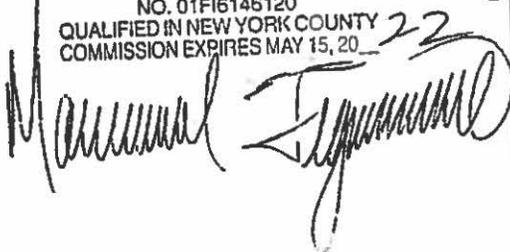
I hereby swear that I am the owner of record of the subject property described above, and that I hereby authorize the representative(s) named above to file an application on my behalf to include the subject parcels of land within the Westchester County Agricultural District.

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.

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.

For Paperwork Reduction Act Notice, see the separate instructions.

BAA

REV 08/02/21 PRO

Schedule F (Form 1040) 2020

MINGIONE & ASSOCIATES

Certified Public Accountant & Advisors

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

February 1, 2022

TO: Whom It May Concern

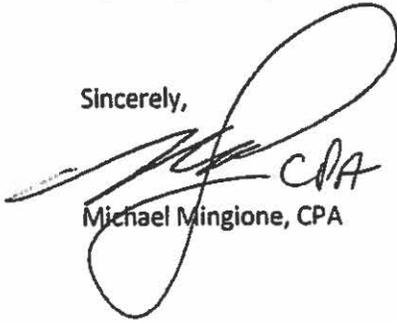
Re: David Rowe/Orchard Hill Organics

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
Building Supplies	23,232.65
Cable & Internet	1,853.51
Car & Truck	994.87
Cleaning Supplies	133.87
Electrical Work	2,018.91
Equipment Rental	1,411.07
Equipment Repair	185.59
Farm Equipment	13,536.92
Farm insurance	738.56
Farmers Market Supplies	1,122.10
Farmers Market Van Rental	7,605.52
Food Expenses	1,502.09
Fuel	2,186.95
Garbage Removal	113.00
Garden Fencing	769.90
Greenhouse repair	7,000.00
Hardware	463.60
Hardwood Floors EPR	4,277.00
Harvest & Tree Work	7,763.30
Insurance - W Comp	6,181.25
Insurance DB/PFL	555.93
Market scale/ stamps	40.00
Membership & Subscription	1,448.28
Montauk Homeowners Insurance	3,776.00
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



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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Wilson Chang	8
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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

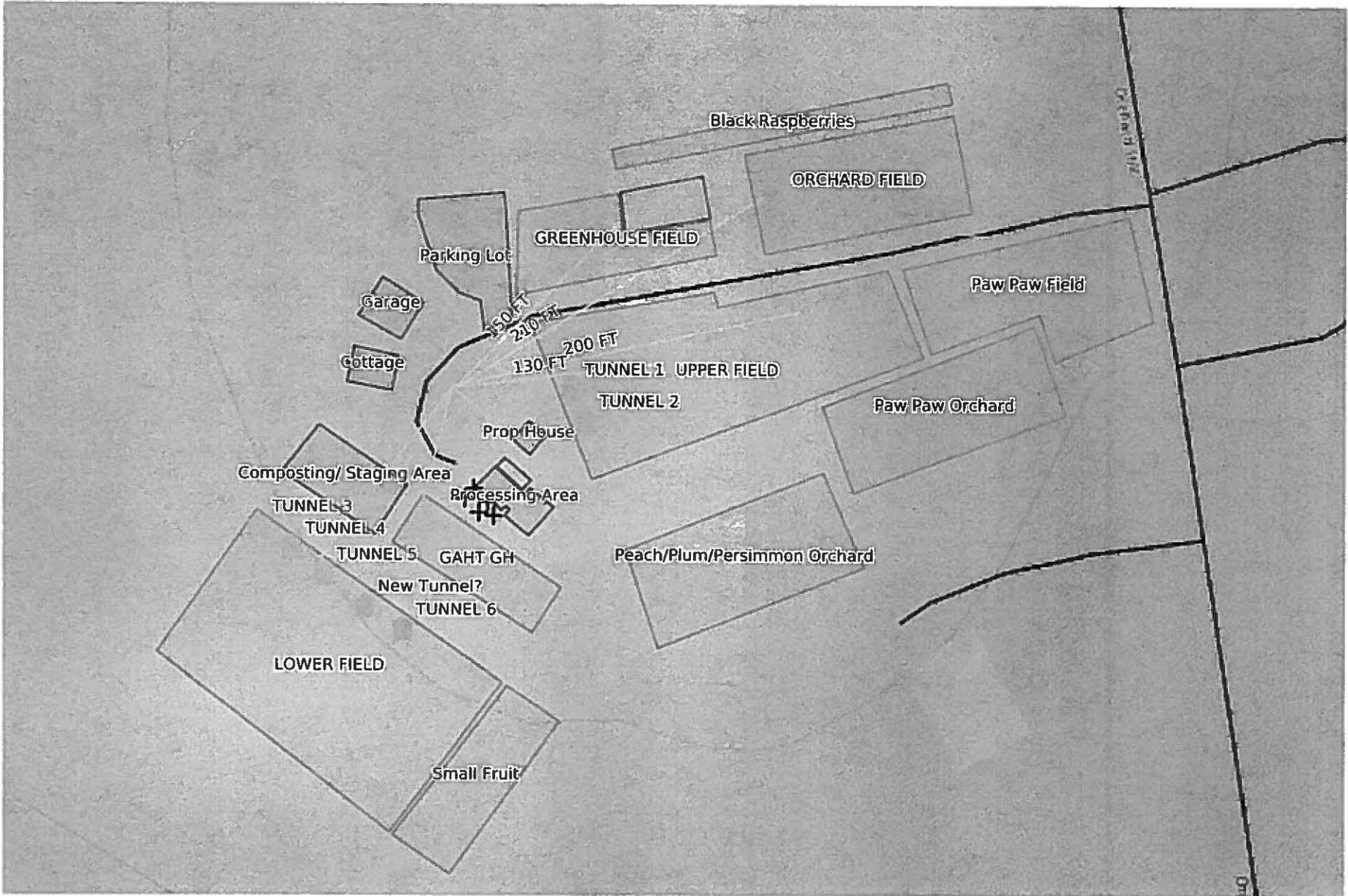
Profit and Loss

January - December 2021

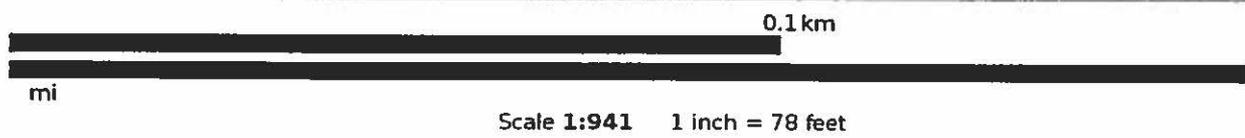
	TOTAL
Income	
Customer income	175,340.27
Total Income	\$175,340.27
GROSS PROFIT	\$175,340.27
Expenses	
12 OHO Project	41,882.11
Advertising & Marketing	4,110.01
Auto Payment	651.78
Bank Charges & Fees	1,514.09
Biennial Statement	100.00
Building Supplies	23,232.65
Cable & Internet	1,853.51
Car & Truck	994.87
Cleaning Supplies	133.87
Electrical Work	2,018.91
Equipment Rental	1,411.07
Equipment Repair	185.59
Farm Equipment	13,536.92
Farm insurance	738.56
Farmers Market Supplies	1,122.10
Farmers Market Van Rental	7,605.52
Food Expenses	1,502.09
Fuel	2,186.95
Garbage Removal	113.00
Garden Fencing	769.90
Greenhouse repair	7,000.00
Hardware	463.60
Hardwood Floors EPR	4,277.00
Harvest & Tree Work	7,763.30
Insurance - W Comp	6,181.25
Insurance DB/PFL	555.93
Market scale/ stamps	40.00
Membership & Subscription	1,448.28
Montauk Homeowners Insurance	3,776.00
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 – Sketch of Property



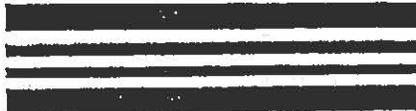
Mercator Projection
 WGS84
 UTM Zone 18T
 CALTOPO



**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 OF THE PETITION AND OF THE WHOLE OF EACH 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 the last will and testament of
LOU MARY KNOFF, late of
Somers, New York, deceased,
party of the first part, and
DAVID J. ROWE
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, N.Y.

HEIGHTS

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

Transfer Taxes

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

Dwelling Type: Exempt:
 Serial #:

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

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.

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.

**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: Avraam Apazidis
Mailing Address: 7 Rudolph La Norwalk, CT 06851

Phone: 203-434-3725 E-Mail: mike.apazidis@gmail.com

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

Applicant Name: Cipriano Farm / JC & PC Corp.
Mailing Address: 475 Smith Ridge Rd. Vista, NY 10590

Phone: 914-533-7242 E-Mail: pplants@me.com
516-924-2849

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
0053 09833 013	5.5
50A 09834-81	1.5
0053 09834-035/48/36	2

Parcel ID #	Acreage
0050-09834-18	17

Under contract
Not owned
already
in ag
district

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
0053-09834-032	3.2

Parcel ID #	Acreage

in Ag district
requesting
portion of
lot number
to be placed
in ag
district.

requesting
for 2.1 ac.
to be added
to Ag
District

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: Cipriano Farm / J.C. & P.C. CORP

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

Farm Street Address: 24 East St. (and soon 3715 Smith Ridge Rd)

City/Town/Village of: Vista, NY (Levishoro Township)

For the following, attach additional sheets if necessary.

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

See Attached

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

Orchard, Vegetable ; Cut-Flower, Honey, Wood, personal production, Annual & Fruiting Annual production, Tree & Shrub production

Description of future plans: Continuing all of the above w/ larger fields allow for better rotation. Hopefully have cider production with similar goal or having a bakery with a similar eatery to Kings Highway Cider at McEnroe Organic

Number of acres currently farmed: 5.5 Total acres proposed to be farmed: 20-25

Participating in Agricultural Assessment Program (Property Assessment): Yes No The property to be closed on as well as requesting additional props

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)	Existing	Start-Up	Approx. Acres
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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	10
Orchard (Fruit)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
Vineyard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Eggs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5
Christmas Trees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Woodlot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Other (describe below):					
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). *Can email for return*
- 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. *Topo maps provided*
- 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: *Jennifer Pietro* Date: 3/31/2022
 Print Name: Jennifer & Pietro Cipriano Are you the Landowner? Yes No
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

Ver. 5/1/14

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: CIPRIANO FARM / JC & PC CORP
Parcel Acreage: 2 1/2 (farm) 2 (forest)
Tax Parcel Identification (Section-Block-Lot): 0053 - 09834 - 032
Property Street Address: 469 Smith Ridge Rd.
Municipality: Vista Hamlet in Town of Lewisboro

PROPERTY OWNERSHIP

Landowner Name: ABRAHAM APAZIDIS
Mailing Address: 7 Randolph Ln
Phone Number(s): Mike Apazidis@gmail.com
Email: 203-434-3725

AUTHORIZED REPRESENTATIVE(S)

Name: Jennifer + Pietro Cipriano
Organization: JC & PC Corp / Cipriano Farm
Mailing Address: 475 Smith Ridge Rd, Vista, NY 10590
Phone Number(s): 914-533-7242 (w) 516-924-2849 (cell)

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.

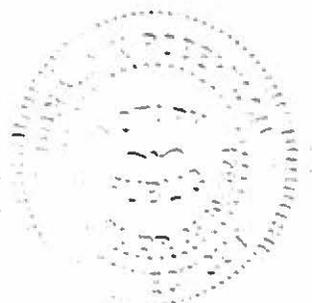
Landowner's Signature: Abraham Apazidis Date: 3-31-2022

Print Name: ABRAHAM APAZIDIS

Notarized by:

Donald K Robertson

Donald K Robertson
Notary Public, State of Connecticut
My Commission Expires 6/30/2024



Form 1120-S Return Summary

For calendar year 2021 or tax year beginning , ending
JC & PC CORP

Ordinary Business Income (Loss)

Total income	224,381	
Total deductions	<u>162,578</u>	
Ordinary business income (loss)		<u><u>61,803</u></u>
 Total S Corporation taxes		 <u><u>0</u></u>

Schedule K, Line 18

Ordinary business income (loss)	61,803	
Net rental real estate income (loss)		
Other net rental income (loss)		
Interest income		
Dividends		
Royalties		
Short-term capital gain (loss)		
Long-term capital gain (loss)		
Net Section 1231 gain (loss)		
Other income (loss)		
Section 179 deduction		
Contributions		
Investment interest expense		
Section 59(e)(2) expenditures		
Other deductions		
Foreign taxes paid or accrued		
Income (loss) reconciliation (Schedule K, Line 18)		<u><u>61,803</u></u>

	Schedule L	
	Prior Year	Current Year
Assets	145,377	229,880
Liabilities	<u>145,377</u>	<u>229,880</u>
Difference	<u><u>0</u></u>	<u><u>0</u></u>

Schedule M-1	
Schedule M-1	61,803
Schedule K, Line 18	<u>61,803</u>
Difference	<u><u>0</u></u>

	Retained Earnings	
	Schedule L	RE Reconciliation Worksheet
AAA	212,545	212,545
UTI		
E&P		
OAA		
Timing		
Total	<u><u>212,545</u></u>	<u><u>212,545</u></u>

Schedule M-3	
Schedule M-3	
Schedule K, Line 18	
Difference	<u><u>0</u></u>
Total number of shareholders	2
Total ownership percentage	100.000000

Form **8879-S**

IRS e-file Signature Authorization for Form 1120-S

OMB No. 1545-0123

ERO must obtain and retain completed Form 8879-S.

Go to www.irs.gov/Form8879S for the latest information.

2021

Department of the Treasury
Internal Revenue Service

For calendar year 2021, or tax year beginning _____ and ending _____

Name of corporation

Employer identification number

JC & PC CORP

Part I Tax Return Information (whole dollars only)

1	Gross receipts or sales less returns and allowances (Form 1120-S, line 1c)	1	148,281
2	Gross profit (Form 1120-S, line 3)	2	148,281
3	Ordinary business income (loss) (Form 1120-S, line 21)	3	61,803
4	Net rental real estate income (loss) (Form 1120-S, Schedule K, line 2)	4	
5	Income (loss) reconciliation (Form 1120-S, Schedule K, line 18)	5	61,803

Part II Declaration and Signature Authorization of Officer (Be sure to get a copy of the corporation's return)

Under penalties of perjury, I declare that I am an officer of the above corporation and that I have examined a copy of the corporation's 2021 electronic income tax return and accompanying schedules and statements and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that the amounts in Part I above are the amounts shown on the copy of the corporation's electronic income tax return. I consent to allow my electronic return originator (ERO), transmitter, or intermediate service provider to send the corporation's return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the corporation's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the corporation's electronic income tax return and, if applicable, the corporation's consent to electronic funds withdrawal.

Officer's PIN: check one box only

I authorize Padgett Business Services to enter my PIN _____ as my signature
ERO firm name Don't enter all zeros
 on the corporation's 2021 electronically filed income tax return.

As an officer of the corporation, I will enter my PIN as my signature on the corporation's 2021 electronically filed income tax return.

Officer's signature _____ Date 02/01/22 Title PRESIDENT
PIETRO CIPRIANO

Part III Certification and Authentication

ERO's EFIN/PIN. Enter your six-digit EFIN followed by your five-digit self-selected PIN.

Don't enter all zeros

I certify that the above numeric entry is my PIN, which is my signature on the 2021 electronically filed income tax return for the corporation indicated above. I confirm that I am submitting this return in accordance with the requirements of Pub. 3112, IRS e-file Application and Participation, and Pub. 4163, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns.

ERO's signature WESLEY M BEAL, PhD, EA Date 02/01/22

**ERO Must Retain This Form — See Instructions
 Don't Submit This Form to the IRS Unless Requested To Do So**

Form **1120-S**

Department of the Treasury
Internal Revenue Service

U.S. Income Tax Return for an S Corporation

Do not file this form unless the corporation has filed or is attaching Form 2553 to elect to be an S corporation.
Go to www.irs.gov/Form1120S for instructions and the latest information.

OMB No. 1545-0123

2021

For calendar year 2021 or tax year beginning _____ ending _____

A S election effective date 05/07/15	TYPE OR PRINT	Name JC & PC CORP	D Employer identification number [REDACTED]
B Business activity code number (see instructions) 453990		Number, street, and room or suite no. If a P.O. box, see instructions. 475 SMITH RIDGE ROAD	E Date incorporated 05/07/2015
C Check if Sch. M-3 attached <input type="checkbox"/>		City or town, state or province, country, and ZIP or foreign postal code SOUTH SALEM NY 10590	F Total assets (see instructions) \$ 229,880

G Is the corporation electing to be an S corporation beginning with this tax year? See instructions. Yes No

H Check if: (1) Final return (2) Name change (3) Address change (4) Amended return (5) S election termination

I Enter the number of shareholders who were shareholders during any part of the tax year **2**

J Check if corporation: (1) Aggregated activities for section 465 at-risk purposes (2) Grouped activities for section 469 passive activity purposes

Caution: Include only trade or business income and expenses on lines 1a through 21. See the instructions for more information.

Income	1a	Gross receipts or sales	148,281		
	1b	Returns and allowances			
	1c	Balance. Subtract line 1b from line 1a		148,281	
	2	Cost of goods sold (attach Form 1125-A)			
	3	Gross profit. Subtract line 2 from line 1c		148,281	
	4	Net gain (loss) from Form 4797, line 17 (attach Form 4797)		76,100	
Deductions (see instructions for limitations)	5	Other income (loss) (see instructions—attach statement)			
	6	Total income (loss). Add lines 3 through 5		224,381	
	7	Compensation of officers (see instructions—attach Form 1125-E)			
	8	Salaries and wages (less employment credits)		15,641	
	9	Repairs and maintenance		3,000	
	10	Bad debts			
	11	Rents			
	12	Taxes and licenses		1,747	
	13	Interest (see instructions)		1,403	
	14	Depreciation not claimed on Form 1125-A or elsewhere on return (attach Form 4562)		136,308	
	15	Depletion (Do not deduct oil and gas depletion.)			
	16	Advertising		1,150	
	17	Pension, profit-sharing, etc., plans			
	18	Employee benefit programs			
	19	Other deductions (attach statement) See Stmt 1		3,329	
20	Total deductions. Add lines 7 through 19		162,578		
21	Ordinary business income (loss). Subtract line 20 from line 6		61,803		
Tax and Payments	22a	Excess net passive income or LIFO recapture tax (see instructions)			
	22b	Tax from Schedule D (Form 1120-S)			
	22c	Add lines 22a and 22b (see instructions for additional taxes)			
	23a	2021 estimated tax payments and 2020 overpayment credited to 2021			
	23b	Tax deposited with Form 7004			
	23c	Credit for federal tax paid on fuels (attach Form 4136)			
	23d	Add lines 23a through 23c			
24	Estimated tax penalty (see instructions). Check if Form 2220 is attached <input type="checkbox"/>				
25	Amount owed. If line 23d is smaller than the total of lines 22c and 24, enter amount owed				
26	Overpayment. If line 23d is larger than the total of lines 22c and 24, enter amount overpaid				
27	Enter amount from line 26: Credited to 2022 estimated tax Refunded				

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Sign Here Signature of officer **PIETRO CIPRIANO** Date _____ Title **PRESIDENT**

May the IRS discuss this return with the preparer shown below? See instructions. Yes No

Paid Preparer Use Only	Print/Type preparer's name WESLEY M BEAL, PhD, EA	Preparer's signature WESLEY M BEAL, PhD, EA	Date 02/23/22	Check <input type="checkbox"/> if self-employed	PTIN P01615188
	Firm's name Padgett Business Services			Firm's EIN [REDACTED]	
	Firm's address 83 Old Ridgefield Rd Wilton, CT			Phone no. 914-441-0846	

For Paperwork Reduction Act Notice, see separate instructions. Form 1120-S (2021)

Schedule B Other Information (see instructions)

1 Check accounting method: a Cash b Accrual c Other (specify) _____ Yes No

2 See the instructions and enter the: a Business activity **FARM** b Product or service **SERVICE**

3 At any time during the tax year, was any shareholder of the corporation a disregarded entity, a trust, an estate, or a nominee or similar person? If "Yes," attach Schedule B-1, Information on Certain Shareholders of an S Corporation Yes No **X**

4 At the end of the tax year, did the corporation: a Own directly 20% or more, or own, directly or indirectly, 50% or more of the total stock issued and outstanding of any foreign or domestic corporation? For rules of constructive ownership, see instructions. If "Yes," complete (i) through (v) below Yes No **X**

(i) Name of Corporation	(ii) Employer Identification Number (if any)	(iii) Country of Incorporation	(iv) Percentage of Stock Owned	(v) If Percentage in (iv) is 100%, Enter the Date (if applicable) a Qualified Subchapter S Subsidiary Election Was Made

b Own directly an interest of 20% or more, or own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital in any foreign or domestic partnership (including an entity treated as a partnership) or in the beneficial interest of a trust? For rules of constructive ownership, see instructions. If "Yes," complete (i) through (v) below Yes No **X**

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital

5a At the end of the tax year, did the corporation have any outstanding shares of restricted stock? If "Yes," complete lines (i) and (ii) below. Yes No **X**

(i) Total shares of restricted stock _____

(ii) Total shares of non-restricted stock _____

b At the end of the tax year, did the corporation have any outstanding stock options, warrants, or similar instruments? If "Yes," complete lines (i) and (ii) below. Yes No **X**

(i) Total shares of stock outstanding at the end of the tax year _____

(ii) Total shares of stock outstanding if all instruments were executed _____

6 Has this corporation filed, or is it required to file, Form 8918, Material Advisor Disclosure Statement, to provide information on any reportable transaction? Yes No **X**

7 Check this box if the corporation issued publicly offered debt instruments with original issue discount. If checked, the corporation may have to file Form 8281, Information Return for Publicly Offered Original Issue Discount Instruments. Yes No

8 If the corporation (a) was a C corporation before it elected to be an S corporation or the corporation acquired an asset with a basis determined by reference to the basis of the asset (or the basis of any other property) in the hands of a C corporation, and (b) has net unrealized built-in gain in excess of the net recognized built-in gain from prior years, enter the net unrealized built-in gain reduced by net recognized built-in gain from prior years. See instructions \$ _____

9 Did the corporation have an election under section 163(j) for any real property trade or business or any farming business in effect during the tax year? See instructions Yes No **X**

10 Does the corporation satisfy one or more of the following? See instructions Yes No **X**

a The corporation owns a pass-through entity with current, or prior year carryover, excess business interest expense.

b The corporation's aggregate average annual gross receipts (determined under section 448(c)) for the 3 tax years preceding the current tax year are more than \$26 million and the corporation has business interest expense.

c The corporation is a tax shelter and the corporation has business interest expense. If "Yes," complete and attach Form 8990.

11 Does the corporation satisfy both of the following conditions? Yes No **X**

a The corporation's total receipts (see instructions) for the tax year were less than \$250,000.

b The corporation's total assets at the end of the tax year were less than \$250,000. If "Yes," the corporation is not required to complete Schedules L and M-1.

Schedule B Other Information (see instructions) (continued)

	Yes	No
12 During the tax year, did the corporation have any non-shareholder debt that was canceled, was forgiven, or had the terms modified so as to reduce the principal amount of the debt?		X
If "Yes," enter the amount of principal reduction		\$
13 During the tax year, was a qualified subchapter S subsidiary election terminated or revoked? If "Yes," see instructions		X
14a Did the corporation make any payments in 2021 that would require it to file Form(s) 1099?		X
b If "Yes," did the corporation file or will it file required Forms 1099?		
15 Is the corporation attaching Form 8996 to certify as a Qualified Opportunity Fund?		X
If "Yes," enter the amount from Form 8996, line 15		\$

Schedule K Shareholders' Pro Rata Share Items

		Total amount		
Income (Loss)	1 Ordinary business income (loss) (page 1, line 21)	1	61,803	
	2 Net rental real estate income (loss) (attach Form 8825)	2		
	3a Other gross rental income (loss)	3a		
	b Expenses from other rental activities (attach statement)	3b		
	c Other net rental income (loss). Subtract line 3b from line 3a	3c		
	4 Interest income	4		
	5 Dividends: a Ordinary dividends	5a		
	b Qualified dividends	5b		
	6 Royalties	6		
	7 Net short-term capital gain (loss) (attach Schedule D (Form 1120-S))	7		
8a Net long-term capital gain (loss) (attach Schedule D (Form 1120-S))	8a			
	b Collectibles (28%) gain (loss)	8b		
	c Unrecaptured section 1250 gain (attach statement)	8c		
9 Net section 1231 gain (loss) (attach Form 4797)	9			
10 Other income (loss) (see instructions)	Type	10		
Deductions	11 Section 179 deduction (attach Form 4562)	11		
	12a Charitable contributions	12a		
	b Investment interest expense	12b		
	c Section 59(e)(2) expenditures	Type	12c	
d Other deductions (see instructions)	Type	12d		
Credits	13a Low-income housing credit (section 42(j)(5))	13a		
	b Low-income housing credit (other)	13b		
	c Qualified rehabilitation expenditures (rental real estate) (attach Form 3468, if applicable)	13c		
	d Other rental real estate credits (see instructions)	Type	13d	
	e Other rental credits (see instructions)	Type	13e	
	f Biofuel producer credit (attach Form 6478)	13f		
	g Other credits (see instructions)	Type	13g	
International Transactions	14 Attach Schedule K-2 (Form 1120-S), Shareholders' Pro Rata Share Items—International, and check this box to indicate you are reporting items of international tax relevance		<input type="checkbox"/>	
Alternative Minimum Tax (AMT) Items	15a Post-1986 depreciation adjustment	15a		
	b Adjusted gain or loss	15b		
	c Depletion (other than oil and gas)	15c		
	d Oil, gas, and geothermal properties – gross income	15d		
	e Oil, gas, and geothermal properties – deductions	15e		
	f Other AMT items (attach statement)	15f		
Items Affecting Shareholder Basis	16a Tax-exempt interest income	16a		
	b Other tax-exempt income	16b		
	c Nondeductible expenses	16c		
	d Distributions (attach statement if required) (see instructions)	16d	6,276	
	e Repayment of loans from shareholders	16e		
	f Foreign taxes paid or accrued	16f		

Schedule K Shareholders' Pro Rata Share Items (continued)		Total amount
Other Information	17a Investment income	17a
	b Investment expenses	17b
	c Dividend distributions paid from accumulated earnings and profits	17c
	d Other items and amounts (attach statement) See Statement 2	
Reconciliation	18 Income (loss) reconciliation. Combine the amounts on lines 1 through 10 in the far right column. From the result, subtract the sum of the amounts on lines 11 through 12d and 16f	18 61,803

Schedule L Balance Sheets per Books	Beginning of tax year		End of tax year	
	(a)	(b)	(c)	(d)
Assets				
1 Cash		15,795		11,229
2a Trade notes and accounts receivable				
b Less allowance for bad debts	((
3 Inventories				
4 U.S. government obligations				
5 Tax-exempt securities (see instructions)				
6 Other current assets (attach statement) Stmt 3		12,290		
7 Loans to shareholders				
8 Mortgage and real estate loans				
9 Other investments (attach statement)				
10a Buildings and other depreciable assets	162,708		271,466	
b Less accumulated depreciation	(45,416	117,292	(52,815	218,651
11a Depletable assets				
b Less accumulated depletion	((
12 Land (net of any amortization)				
13a Intangible assets (amortizable only)				
b Less accumulated amortization	((
14 Other assets (attach statement)				
15 Total assets		145,377		229,880
Liabilities and Shareholders' Equity				
16 Accounts payable				
17 Mortgages, notes, bonds payable in less than 1 year				
18 Other current liabilities (attach statement) Stmt 4		919		919
19 Loans from shareholders				
20 Mortgages, notes, bonds payable in 1 year or more		35,447		16,316
21 Other liabilities (attach statement)				
22 Capital stock		100		100
23 Additional paid-in capital				
24 Retained earnings		108,911		212,545
25 Adjustments to shareholders' equity (attach statement)				
26 Less cost of treasury stock	((
27 Total liabilities and shareholders' equity		145,377		229,880

Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return

Note: The corporation may be required to file Schedule M-3. See instructions.

1	Net income (loss) per books	109,910	5	Income recorded on books this year not included on Schedule K, lines 1 through 10 (itemize):	
2	Income included on Schedule K, lines 1, 2, 3c, 4, 5a, 6, 7, 8a, 9, and 10, not recorded on books this year (itemize) Stmt 5	48,962	a	Tax-exempt interest \$	
3	Expenses recorded on books this year not included on Schedule K, lines 1 through 12 and 16f (itemize):		6	Deductions included on Schedule K, lines 1 through 12 and 16f, not charged against book income this year (itemize):	
a	Depreciation \$		a	Depreciation \$	97,069
b	Travel and entertainment \$				97,069
4	Add lines 1 through 3	158,872	7	Add lines 5 and 6	97,069
			8	Income (loss) (Schedule K, line 18). Subtract line 7 from line 4	61,803

Schedule M-2 Analysis of Accumulated Adjustments Account, Shareholders' Undistributed Taxable Income Previously Taxed, Accumulated Earnings and Profits, and Other Adjustments Account (see instructions)

	(a) Accumulated adjustments account	(b) Shareholders' undistributed taxable income previously taxed	(c) Accumulated earnings and profits	(d) Other adjustments account
1	Balance at beginning of tax year	108,911		
2	Ordinary income from page 1, line 21	61,803		
3	Other additions Stmt 6	97,069		
4	Loss from page 1, line 21			
5	Other reductions Stmt 7	(48,962)		
6	Combine lines 1 through 5	218,821		
7	Distributions	6,276		
8	Balance at end of tax year. Subtract line 7 from line 6	212,545		

Form **4797**

Sales of Business Property
 (Also Involuntary Conversions and Recapture Amounts
 Under Sections 179 and 280F(b)(2))

OMB No. 1545-0184

2021

Attach to your tax return.

Attachment Sequence No. **27**

Department of the Treasury
 Internal Revenue Service

Go to www.irs.gov/Form4797 for instructions and the latest information.

Name(s) shown on return JC & PC CORP	Identifying number
--	------------------------

1a Enter the gross proceeds from sales or exchanges reported to you for 2021 on Form(s) 1099-B or 1099-S (or substitute statement) that you are including on line 2, 10, or 20. See instructions	1a	
b Enter the total amount of gain that you are including on lines 2, 10, and 24 due to the partial dispositions of MACRS assets	1b	
c Enter the total amount of loss that you are including on lines 2 and 10 due to the partial dispositions of MACRS assets	1c	

Part I Sales or Exchanges of Property Used in a Trade or Business and Involuntary Conversions From Other Than Casualty or Theft—Most Property Held More Than 1 Year (see instructions)

2	(a) Description of property	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Gross sales price	(e) Depreciation allowed or allowable since acquisition	(f) Cost or other basis, plus improvements and expense of sale	(g) Gain or (loss) Subtract (f) from the sum of (d) and (e)
3	Gain, if any, from Form 4684, line 39						3
4	Section 1231 gain from installment sales from Form 6252, line 26 or 37						4
5	Section 1231 gain or (loss) from like-kind exchanges from Form 8824						5
6	Gain, if any, from line 32, from other than casualty or theft						6
7	Combine lines 2 through 6. Enter the gain or (loss) here and on the appropriate line as follows Partnerships and S corporations. Report the gain or (loss) following the instructions for Form 1065, Schedule K, line 10, or Form 1120-S, Schedule K, line 9. Skip lines 8, 9, 11, and 12 below. Individuals, partners, S corporation shareholders, and all others. If line 7 is zero or a loss, enter the amount from line 7 on line 11 below and skip lines 8 and 9. If line 7 is a gain and you didn't have any prior year section 1231 losses, or they were recaptured in an earlier year, enter the gain from line 7 as a long-term capital gain on the Schedule D filed with your return and skip lines 8, 9, 11, and 12 below.						7
8	Nonrecaptured net section 1231 losses from prior years. See instructions						8
9	Subtract line 8 from line 7. If zero or less, enter -0-. If line 9 is zero, enter the gain from line 7 on line 12 below. If line 9 is more than zero, enter the amount from line 8 on line 12 below and enter the gain from line 9 as a long-term capital gain on the Schedule D filed with your return. See instructions						9

Part II Ordinary Gains and Losses (see instructions)

10 Ordinary gains and losses not included on lines 11 through 16 (Include property held 1 year or less):							
	TRACTOR						
	12/31/20	04/19/21	52,600	50,650	50,650	52,600	
11	Loss, if any, from line 7						11
12	Gain, if any, from line 7 or amount from line 8, if applicable						12
13	Gain, if any, from line 31					23,500	13
14	Net gain or (loss) from Form 4684, lines 31 and 38a						14
15	Ordinary gain from installment sales from Form 6252, line 25 or 36						15
16	Ordinary gain or (loss) from like-kind exchanges from Form 8824						16
17	Combine lines 10 through 16					76,100	17
18	For all except individual returns, enter the amount from line 17 on the appropriate line of your return and skip lines a and b below. For individual returns, complete lines a and b below.						
a	If the loss on line 11 includes a loss from Form 4684, line 35, column (b)(ii), enter that part of the loss here. Enter the loss from income-producing property on Schedule A (Form 1040), line 16. (Do not include any loss on property used as an employee.) Identify as from "Form 4797, line 18a." See instructions						18a
b	Redetermine the gain or (loss) on line 17 excluding the loss, if any, on line 18a. Enter here and on Schedule 1 (Form 1040), Part I, line 4						18b

For Paperwork Reduction Act Notice, see separate instructions.

Form **4797** (2021)

Part III Gain From Disposition of Property Under Sections 1245, 1250, 1252, 1254, and 1255
(see instructions)

19 (a) Description of section 1245, 1250, 1252, 1254, or 1255 property:		(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)
A	GMC 2017	12/31/18	12/27/21
B			
C			
D			
These columns relate to the properties on lines 19A through 19D.		Property A	Property B
20	Gross sales price (Note: See line 1a before completing.)	23,500	
21	Cost or other basis plus expense of sale	30,152	
22	Depreciation (or depletion) allowed or allowable	30,152	
23	Adjusted basis. Subtract line 22 from line 21	0	
24	Total gain. Subtract line 23 from line 20	23,500	
25	If section 1245 property:		
a	Depreciation allowed or allowable from line 22	30,152	
b	Enter the smaller of line 24 or 25a	23,500	
26	If section 1260 property: If straight line depreciation was used, enter -0- on line 26g, except for a corporation subject to section 291.		
a	Additional depreciation after 1975. See instructions		
b	Applicable percentage multiplied by the smaller of line 24 or line 26a. See instructions		
c	Subtract line 26a from line 24. If residential rental property or line 24 isn't more than line 26a, skip lines 26d and 26e		
d	Additional depreciation after 1969 and before 1976		
e	Enter the smaller of line 26c or 26d		
f	Section 291 amount (corporations only)		
g	Add lines 26b, 26e, and 26f		
27	If section 1252 property: Skip this section if you didn't dispose of farmland or if this form is being completed for a partnership.		
a	Soil, water, and land clearing expenses		
b	Line 27a multiplied by applicable percentage. See instructions		
c	Enter the smaller of line 24 or 27b		
28	If section 1254 property:		
a	Intangible drilling and development costs, expenditures for development of mines and other natural deposits, mining exploration costs, and depletion. See instructions		
b	Enter the smaller of line 24 or 28a		
29	If section 1255 property:		
a	Applicable percentage of payments excluded from income under section 126. See instructions		
b	Enter the smaller of line 24 or 29a. See instructions		

Summary of Part III Gains. Complete property columns A through D through line 29b before going to line 30.

30	Total gains for all properties. Add property columns A through D, line 24	30	23,500
31	Add property columns A through D, lines 25b, 26g, 27c, 28b, and 29b. Enter here and on line 13	31	23,500
32	Subtract line 31 from line 30. Enter the portion from casualty or theft on Form 4684, line 33. Enter the portion from other than casualty or theft on Form 4797, line 6	32	0

Part IV Recapture Amounts Under Sections 179 and 280F(b)(2) When Business Use Drops to 50% or Less
(see instructions)

	(a) Section 179	(b) Section 280F(b)(2)
33	Section 179 expense deduction or depreciation allowable in prior years	33
34	Recomputed depreciation. See instructions	34
35	Recapture amount. Subtract line 34 from line 33. See the instructions for where to report	35

Schedule K-1
(Form 1120-S)

Department of the Treasury
Internal Revenue Service

2021

For calendar year 2021, or tax year

beginning ending

Shareholder's Share of Income, Deductions, Credits, etc.
See separate instructions.

Part III Shareholder's Share of Current Year Income, Deductions, Credits, and Other Items			
1	Ordinary business income (loss) 30,902	13	Credits
2	Net rental real estate income (loss)		
3	Other net rental income (loss)		
4	Interest income		
5a	Ordinary dividends		
5b	Qualified dividends	14	Schedule K-3 is attached if checked <input type="checkbox"/>
6	Royalties	15	Alternative minimum tax (AMT) items
7	Net short-term capital gain (loss)		
8a	Net long-term capital gain (loss)		
8b	Collectibles (28%) gain (loss)		
8c	Unrecaptured section 1250 gain		
9	Net section 1231 gain (loss)	16	Items affecting shareholder basis D 3,138
10	Other income (loss)		
		17	Other information V* STMT
11	Section 179 deduction	AC*	STMT
12	Other deductions		
18	More than one activity for at-risk purposes*		
19	More than one activity for passive activity purposes*		
* See attached statement for additional information.			

Part I Information About the Corporation

A Corporation's employer identification number
[REDACTED]

B Corporation's name, address, city, state, and ZIP code
JC & PC CORP
475 SMITH RIDGE ROAD
SOUTH SALEM NY 10590

C IRS Center where corporation filed return
e-file

D Corporation's total number of shares
Beginning of tax year **100**
End of tax year **100**

Part II Information About the Shareholder

E Shareholder's identifying number
073-68-3884

F Shareholder's name, address, city, state, and ZIP code
PIETRO CIPRIANO
24 EAST STREET
SOUTH SALEM NY 10590

G Current year allocation percentage **50.000000 %**

H Shareholder's number of shares
Beginning of tax year **50**
End of tax year **50**

I Loans from shareholder
Beginning of tax year \$ **0**
End of tax year \$ **0**

For IRS Use Only

Schedule K-1
(Form 1120-S)

Department of the Treasury
Internal Revenue Service

2021

For calendar year 2021, or tax year

Final K-1 Amended K-1

OMB No. 1545-0123

beginning ending

Shareholder's Share of Income, Deductions, Credits, etc.
See separate instructions.

Part I Information About the Corporation

A Corporation's employer identification number
[REDACTED]

B Corporation's name, address, city, state, and ZIP code
JC & PC CORP

475 SMITH RIDGE ROAD
SOUTH SALEM NY 10590

C IRS Center where corporation filed return
e-file

D Corporation's total number of shares
Beginning of tax year **100**
End of tax year **100**

Part II Information About the Shareholder

E Shareholder's identifying number
040-84-1238

F Shareholder's name, address, city, state, and ZIP code
JENNIFER CIPRIANO
24 EAST STREET

SOUTH SALEM NY 10590

G Current year allocation percentage **50.000000 %**

H Shareholder's number of shares
Beginning of tax year **50**
End of tax year **50**

I Loans from shareholder
Beginning of tax year \$ **0**
End of tax year \$ **0**

For IRS Use Only

Part III Shareholder's Share of Current Year Income, Deductions, Credits, and Other Items

1	Ordinary business income (loss) 30,901	13	Credits
2	Net rental real estate income (loss)		
3	Other net rental income (loss)		
4	Interest income		
5a	Ordinary dividends		
5b	Qualified dividends	14	Schedule K-3 is attached if checked <input type="checkbox"/>
6	Royalties	15	Alternative minimum tax (AMT) items
7	Net short-term capital gain (loss)		
8a	Net long-term capital gain (loss)		
8b	Collectibles (28%) gain (loss)		
8c	Unrecaptured section 1250 gain		
9	Net section 1231 gain (loss)	16	Items affecting shareholder basis D 3,138
10	Other income (loss)		
		17	Other information V* STMT
11	Section 179 deduction		AC* STMT
12	Other deductions		
18	More than one activity for at-risk purposes*		
19	More than one activity for passive activity purposes*		

* See attached statement for additional information.



371 Smith Ridge Rd.

wooded →

Cow Grazing
pasture

Wooded
+
open

veg. production

roads

Actual property
line ↓

Lewisboro

Organic/sustainable
veg production ↑

Smith Ridge Rd

Additional Hard Cider Varietals
to be added to production of
Vegetable crops ~~and~~ the growing
on or larger tree + shrub
starts, and cut branch production
Chickens to be relocated here as
well as cows when needed to
enrich fields sustainably.



Roberts Ward Ln

East St

Hand Caring
Apple Orchard

Vegetable
+
Cut Flower
production

Perennial
+
smaller
Tree +
shrub
production

24 East St, South Salem, NY

East St

Lewisboro

← This
does not
exist

East St

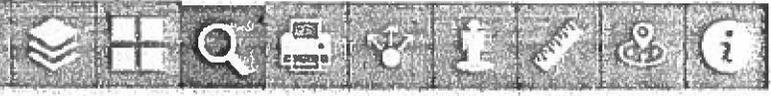
Woodland
perennial
+
mushroom
production

Cut
branch
production

75' Additional feet
of CT, wet
area on
wall of
CT Neighbor.



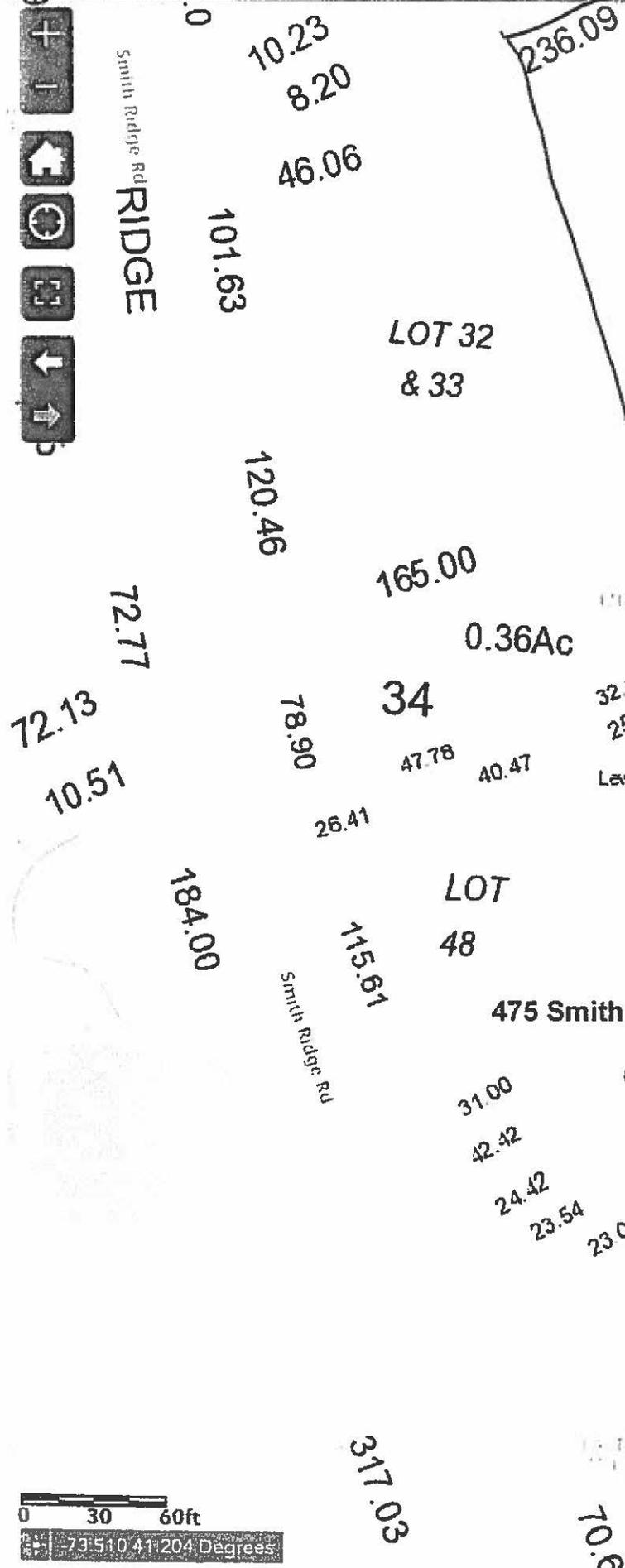
73.50841204 Degrees



Search



Smith Ridge Rd
RIDGE



Requesting that the former S East St property and the 469 Smith Ridge Rd property be added for the growing 175' on of larger trees that 28.71 63.37 start as well as 172.14 annuals and perennial started in the bay or 0.71Ac the greenbay 36

Requesting 134' x 240' Greenhouse for production 240+

475 Smith Ridge Rd. South Salem, NY, 10590



Oakridge Commons

387 Smith Ridge Rd
120.63

Smith Ridge Rd

435.92

1.60

8

177.14

Additional plant storage / growing area. 4

196.47

0.553Ac

128.69

387 Smith Ridge Rd, South

216.69

Oakridge Commons

433.38

LEWISBORO
Lewisboro

ROAD Smith Ridge Rd

246.89

0.665A

2.30Ac

71

23

247

9827

392.37

Smith

205.42

0.45E

100.00

3

187.52

200

1.573Ac

0 30 60ft

73.51741214 Degrees

JC & PC Corp
simplified Business Plan

The Supply chain over the last 10 Years continues to affect our main business Copia Home and Garden and as we see many of our vendors/growers consolidate and go direct to consumer we have decided that we must produce more of our own product and diversify our operations to include experiences such as a local eatery experience much like what Kings Highway Cider and Mcenroe Organic farm have done. Currently Copia needs area to buy in and grow on larger plants and JC & PC Corp, the agricultural arm can provide this on their fields as well as continue to sell Christmas greens, berry branches, cut flowers, perennials, annuals, decorative pumpkins and squashes, vegetable starts, shrubs, firewood etc to Copia. Additionally to Copia we provide herbs and veggies to The Farmers Grind and a few select local citizens.

The Haberny farm will continue growing and field production as is until we can afford the planning process with the Lewisboro township. The only change will be unloading larger plant material to be planted in ground and grown on and sold similar to Valley View, Gossett, Hardscrabble, Pound Ridge Nursery, etc.

The Cipriano Farm will remain the same except the chickens will be consolidated to the Haberny Farm.

Whatever portions of property whether commercial or residential as presented to the ag board would be greatly appreciated as we need help with township rules such as needs for permits when using equipment to break ground, this includes the planting of trees and shrubs in a residential zone that is surrounded by commercial and initially approved for a vegetable garden.

We Hope to grow to a \$250,000.00 company this year and to a \$1,000,000 company within 10 years.

Jennifer and Pietro Cipriano

Whole Farm Plan

The Haberny Farm 371 Smith Ridge Rd is to be maintained the same with the addition Tree, shrub and perennial growing on area in the former solely cow paddocks. Additional Hard cider orchard trees to be planted where the soil and aspect provide the best habitat for the trees (organically produced).

Cipriano Farm 24 East Street is to continue flower and vegetable rotations with limited growing on of shrubs trees and perennials.

469 Smith Ridge Rd will continue the growing on of trees, shrubs, perennials , strawberry starts, bulb planters etc. as has been for the last several years with it prior being vegetable gardens and corn production with some absence since the 1800's especially since the 1970's.

Copia at 475 Smith Ridge Rd in which one bay of the greenhouse would be for starting plants and the former 5 east Street to continue to be used for growing on and plant storage.

Further details can be provided if requested