

Home Range Winery (Farm Winery)  
146 Flints Crossing Road  
Canaan, NY 1229  
Peter Bartlett and Susan Powell

Located at 146 Flints Crossing Road, in a light-commercial zoned area of Canaan, NY, is our historical barn that has been reimagined as Home Range Winery. The barn is historic to the residential property and has been occasionally updated throughout its long history by many of the various residents, but has always been utilized for some form of agricultural production, mostly hay and now conversion of fruit product to bottled wine.

Visitors to the Winery will be enticed into our small town of Canaan with the idea of a point of interest and both we and the state can anticipate the influx of valuable tourist dollars, new excise tax from sales, not to mention local support and excitement. We are conveniently located 1/5 mile from the B3 thru-way exit and are working with Columbia County tourism as well as numerous other options to maintain public visibility. Regular hours of operation have been established as Thursday thru Sunday from 3-7pm, but may obviously vary slightly more or less, but within state/town guidelines. We also will occasionally be open privately for personal events in our venue. We may eventually advertise for music and have discussed with our adjacent neighbors that they may at any time object to noise and or light disturbances. Most notable to our venture is that we intend to operate the tasting room SEASONALLY, while the weather allows as we cannot heat it year-round.

Our Farm Winery is meant to span the gap between our horticultural backgrounds, our interest in growing fruit and vegetable products and sharing them with the public at our scenic property. Peter is a landscaper, farmer and gardener, and Susan is trained in Forest Resource Management and a farmer. Both taken several winemaking courses, State approved Food Handlers, and state approved Alcohol Awareness Training.

As a Farm Winery our production is regulated to lower levels of a standard Winery and we adhere to the rules set forth by the state and TTB for operating with 100% New York state products. According to Section 76-A of the ABC Licensing (full document attached):

A Farm Winery by definition is a licensed premises authorized to produce and sell wine for on-site and off-site consumption, manufactured by the licensee pursuant to state laws. While the full definition is attached, it is important to know that our intention is to produce wine, operate a tasting room, offer bottle sales to customers and possibly grape sales to other NY winery operations if our supply is greater than our needs. The official definition of a Farm Winery discusses bulk and regular sales of NY products, tasting rules, liability, permitting for indoor/outdoor events, sale of gift items, sale of food, operating hour restrictions, amongst several other items you may wish to review.

Legally, a Farm Winery means that we can only produce up to 250,000 gallons per year, though our anticipated maximum production at our comfortably small scale is under 2,000 gallons per year (equates to 10,000 bottles, minus a small percentage for personal use, breakage, 'bad batches', etc.

Upon receipt of the NY SLA temporary permit some time ago, which permits full operating capabilities as a Farm Winery and producer, the barn has been outfitted with the appropriate fittings to meet the needs of a small commercial tasting room and production facility.

The original structure is a timber-frame construction from the early 1920s. The lower level of the barn, which is recessed into the ground on 3 sides, is the location of the temperature regulated processing room with workspace as well as cellared product. It is regulated to primarily employees and volunteers but may tours may be permitted at the will of the owners. The main floor is the tasting room which includes seating inside and outside and a historic bathroom updated for ADA compliance (along with an exemption to the NY 2-bathroom rule). The main tasting counter and workspace has been outfitted with stainless steel work surfaces, stainless 3 bay sink, separate hand washing station and refrigeration for both our beverage and food service products. The area is properly signed for NY FORWARD information and guidelines, exits, no smoking, handicapped parking, guest parking, surveillance cameras, fire extinguishers, government warnings supplied by NYSLA, has fire extinguishers, numerous exits, and the exit signs are lit, hardwired and have emergency battery backup.

The main level tasting room is 900 square feet and currently outfitted with 12 stools at the tasting counter, 3 high-tops with 2 stools each and more comfortable seating (by way of armchairs and couches) adding 8 seats, for a total of 26 indoor seats. The seating is now under the regulation of the governor allowing for up to 10 guests per group, and all groups 6 feet apart. The lower level processing room is also 900 square feet and typically only receives 2 employees or up to 4 persons during a 'tour'.

The exterior space is comprised of a deck and the grounds of 5 acres open for customers to explore for points of interest including farm animals, vegetable, fruit and flower crops, as well as 22 acres across the street which is home to our vineyard. The deck is 360 square feet with handicapped access from the parking area, with 5 tables and 2 chairs each. An additional 10 chairs are accessible by descending stairs or walking 'around' to the lawn area with randomly and advantageously spaced seating.

Food is always available, but specifically now per the governor's latest rules and is served at first tasting, along with heavier food options available via prepackaged meat/cheese/cracker platters that patrons open for themselves. As with the future option of music, we would like to keep open the option to have food trucks on site during business hours, providing that they carry their own licensing and liability insurance. Customers are always welcome to bring their own outside food and drinks (as long as they are non-alcoholic). We always maintain additional options of bottled water, soda, juice and coffee, along with the latest addition of 3 choices of Chatham Brewing beer in cans, as they are also a NY Farm. craft beverage company. In the same regard we retain the right to carry NY Farm cidery, brewery and distillery product as outlined by NYSLA.

#### Clients:

Clients are greeted online on our website and again at the door with the current COVID-19 regulations, required to sign in for Contact Tracing, required to wear masks while standing, required to purchase food at the time of their first tasting, asked to maintain social distancing (for which both we and they can easily move furniture to ensure distancing), and provided with hand sanitizer.

#### Campers:

We are Host members of Harvest Hosts. Harvest Hosts is a membership group that maintains their own liability per the membership agreement, the campers assume 100% liability and they are required to be 100% self-contained travel units. We have been visited by the Department of Health the explained we were allowed to have up to 5 RVs stay on site overnight, though we choose to maintain a general limit of 2 with a max of 3 in a busy season/situation. They are required to answer the pertinent COVID-19 related questions at the time of their registration, update us if they are experiencing symptoms between reservation and stay, follow all governor mandated travel restrictions, as well as our posted restrictions for masks, distancing, etc, and to sign in on a separate list from our clients for Contact Tracing.

#### COVID-19:

We maintain the latest state recommendation document including the Interim Guidance for Quarantine Restrictions on Travelers Arriving in NY, have completed our NY FORWARD plan and along with the Business Affirmation, Wineries Open For Business, RV Operating With Restrictions, several copies of the Welcome To New York State Traveler Health Form in case they are needed, and they are all located at our tasting room counter.

#### For ZBA:

Lee Heim, Code Enforcement Officer, denied our Change of Use permit, stating that a Special Use permit was required. As there are not currently specific rules pertaining to a Farm Winery or even a Winery in Canaan, Lee suggested for asking for a permit that falls within the Restaurant and Retail categories. While speaking to Cornell and the Department of Agriculture and Markets, they stated that we may best fall under Production and Retail, with some way to also state that we do onsite tastings. We would like to move ahead with our business and then perhaps, in the future, the town may consider adoption of new verbiage to cover the up and coming Craft Beverage Industry.

In regards to Special Use Permit, Article 9, we are well within the setback outlined by the rules;

- Front 132'
- Side (east) 180'
- Side (west) 120' (though the adjacent is also our property)
- Rear 430' to the railroad tracks
- The barn is not a dwelling unit
- Winery is on 5 acres which meets the minimum of 2 acres
- The driveway/parking areas are all graveled providing durable and delicately graded surfaces
- The facility is SEASONALLY operated so snow/ice clearance if not an issue for the public.
- All adjacent neighbors within 500 feet have had notification of our intentions and were notified of the 8/25/2020 meeting via certified mail, and will receive certified notification of the 9/29/2020 meeting. As and aside, we have 3 letters of support so far and 4 pages of ALL POSITIVE feedback from online sources.
- Wireless service is decently adequate and backed up by our COMTREND service internet with 2 wi-fi extenders so either way, there is remote access.
- We are a deemed a food (beverage) product provider so we are a necessary facility, especially during COVID regs per the governor, dating back to at least Phase 1 of reopening.

In regards to Article 5;

- Off-Street Parking- Our off-street parking coincides with the volume we can handle for seating capacity, and the option to expand our off-street when and if needed. I am including a copy of our plot map showing the parking for handicapped, general, Harvest Hosts and a Food Truck.
- Offstreet Loading-Our commercial deliveries occur outside of normal business hours, so there is no impediment of customer parking.
- Signage-We have signage to adequately alert customers of our establishment without being excessive in quantity and/or size. We are building additional capital to be able to advertise on the NY Thruway as a "Point of Attraction" for both east and west bound travelers at the B3 exit as part of the I LOVE NY program.
- WASTE- The primary waste of our entire business is empty wine bottles, for which we utilize the New Lebanon Recycling Center on Wednesdays and Saturdays. Our second waste product would be our spent grape pressing (pomace) which is added to our farm compost. This is the standard and Industry Approved method for disposal and in turn is eventually reintegrated into our cultivated crops.
- Numerous other items do not seem to apply to our business or production but can be addressed if required.