Town of Stuyvesant
Zoning Board of Appeals Meeting
April 23, 2025

Members in Attendance:
M. Pino, Chair
K. Handy
S. Taylor
C. Sweningsen
S. Montie

A. Bell, Renewable Properties, LLC
Caleb Scott, United Agrivoltaics
A. Legland, Hodgson Russ
Multiple residents of the community

Members not in Attendance
A. Abbati
B. Rohrer
T. Rappleyea, Town Attorney

Chairwoman M. Pino opens with the roll call, the Pledge of Allegiance and calls the meeting to order.

Call to Order: 7:05 pm

M. Pino observes that none of the Altomer family members are present.
A. Bell explains that they had a family event
M. Pino states she just wanted to thank them, as she and Mr. Montie conducted a site visit shortly after the previous meeting, which was very helpful to visualize the exact layout and wanted to express her gratitude for their hospitality.
A. Bell answers he will convey that message and to the rest of the board, if any other members would like to walk the site, that invitation is still extended.
M. Pino adds she has T.J. Altomer's number and contacted them first because they are quite busy with their farming activities and coordinated in advance to decide a convenient time for the visit.
M. Pino expresses that it appears the Board members have all the documents and information, which was quite voluminous, one document was 600 pages which she could not print at home, but she did look at them on her tablet instead. M. Pino asks the Board if they have any further questions about the documents received and reiterates it is everything, and that the secretary forwarded every document that RPNY made available to her and asks again if they have any questions about anything they read.
S. Montie asks a question regarding the name, and why is this being called the Mitchell Ave. Project when it is coming through the owners yard and not Mitchell Ave.. He notes that people

are hearing about this and those living on Mitchell Ave. are concerned because it's not in Stuyvesant; it's in Stockport, and he is curious as to why it's named this way.
A. Bell answers the naming convention for projects typically involves naming them after the closest publicly accessible street or lane, Pat's Lane and Route 9, were already taken in their project portfolio, thus, Mitchell Ave. was the next available choice. He explains the company chooses names unique to the projects rather than numbers because numbers can get confusing.
S. Taylor states he would like to get to the nub of the issue and for the record, he would appreciate hearing from both the code enforcement officer and the applicant regarding their perspectives, the one key issue seems to involve the definition and application of "agricultural purposes," aside from the setback concern which can be resolved and asks if there are additional issues beyond these.
M. Pino explains that the road is not part of this review.
S. Taylor continues the Board has two main issues: the setback and defining agricultural purposes; his understanding in observing the farm across the parking lot here, with cattle grazing, qualifies as an agricultural purpose. He asks if there is a definition or requirement for a minimum duration of presence or activity and is the duration of animal presence a determining factor, and what's holding him up as far as not being an agricultural project.
A. Bell expresses that while he is jumping to answer that question, in terms of the implementation and the actual agriculture onsite, Caleb Scott from United Agrivoltaics, who developed the management plan, is here as requested by the Board at the last meeting, and his company specializes in projects like this and can provide insights into the agricultural activities on-site. He adds that Caleb is the best person to answer implementation practices of how the agricultural piece will work, he is an expert, a sheep farmer working with others, and has a presentation as requested.
A. Bell thanks him for focusing on the question at hand, as the code flagged by Mr. Haberland states they need to preserve 75% of agricultural soils on site for agricultural purposes, and he feels he was putting an emphasis on a block of land needs to be set aside to providing access for effective farming, and if that is true, the company will need an area variance because they would not have enough soils that would remain untouched to allow the Atomer's to continue haying 75% with the remaining 20% be a viable project. A. Bell states they designed this project to integrate agriculture both outside and inside the fence, which Caleb will discuss.
S. Taylor asks a question stating he is not a farmer and is trying to understand if he had a field of hay, and they put solar panels there, the grass will stay around the solar panels and asks if he is missing something.
A. Bell answers, it is easiest to think about it as inside the project and outside the project fence, inside fence will be grasses suitable for the sheep, meeting their nutrient requirements and supporting pollinators, outside the fence will continue hay production, it is actually two agricultural activities: hay forage outside and sheep grazing inside.
S. Taylor asks on a percentage basis, how much is inside and outside the fence.
A. Bell answers the project is about 15 acres.
A. Legland jump in, states she appreciates getting down to brass tacks, that Andy explained it well but she would say part of the question asked about a temporal aspect relating to farming, they examined the requirement that 75% of the soils must be used for agricultural purposes,

and to clarify what "agricultural purposes" entails, we referred to legal definitions. She states, legally, there is no time limit on agricultural activities, so sheep raising and beekeeping are included to meet this definition.
A. Bell adds the overall project parcel area measures 38.8 acres, with the specific project area inside the fence being 16.6 acres.
S. Taylor notes that more than 50% of it is hay making.
A. Bell answers yes and no, the southern part of the property contains tree areas and frontage zones, which include barns on soils designated for preservation despite not currently being farmed, wet hydro soils in red zones are included in calculations, although the law specifically emphasizes green and blue soils.
S. Taylor and A. Bell discuss further about how It's necessary to consider both the entire parcel area and the project area, agricultural activity inside the fence is required, the fulfillment of the 75% mandate, current practices involve grazing sheep occasionally for soil conservation under grasses and raising the question of whether this qualifies as agriculture.
A. Bell introduces C. Scott.
C. Scott states his name, and he is from United Agrivoltaics, the have been faming since before agrivoltaics became established, they have been farming on solar sites. He continues, starting in 2008, they have implemented farming practices similar to those his family has used since the 1980s when the dairy industry struggled, and this venture allows them to recommence farming on tax-free land without purchase obligations. He adds he manages United Agrivoltaics, a farm partner group that collaborates with local shepherds, and their partner group operates differently from traditional co-ops, focusing on compliance and administrative support.
C. Scott states that in 2008, he helped establish the American Solar Raising Association to bridge understanding between developers and farmers regarding best practices, has served as Vice President of the organization until last year, possesses extensive experience in this industry, and one of the most rewarding aspects of his role is when developers contact him for advice on improving their processes to better assist farmers. He adds he has had the privilege of collaborating with renewable energy projects on several occasions in New York, are actively utilizing some of their established sites for grazing purposes which is not merely a theoretical concept; it is a tangible practice that the company strongly supports the integration of agriculture within the solar energy sector and presents an innovative approach. He affirms the objective is to demonstrate that this method constitutes actual agricultural practice, offering enhanced and more efficient farming techniques, and additionally, it proves to be financially beneficial for farmers, surpassing traditional crops like corn and soy.
S. Taylor asks if they are engaging in any livestock activities on the site, as will there be continuous care, feeding, and management services.
C. Scott affirms that indeed all such activities will be conducted on this project, and the operations will span from April to December.
S. Taylor states that differs from the earlier information he received, and it is reassuring to hear this update.
C. Scott elaborates on the various methods they employ and refers to his presentation, maintaining that currently, the sheep graze beneath the solar panels, as shown in the image, would like to discuss the sustainability of the ecosystem, farm revenue policy considerations, economic feasibility, and the challenges we encounter in making these sites agriculturally

integrated, and assumes the board has reviewed the agricultural impact plan submitted them. He asserts that it hits home more with tariffs but in New York, 80% of the lamb consumed is imported from New Zealand, and if we increase our local shepherd population, despite being a lucrative business, factors such as scalability and economic discrepancies hinder its growth, creating local opportunities can revitalize this industry, allowing farmers access to tax-free land enables new entrants into the farming sector, including marginalized groups, and although vegetable production is not planned for this site, we do engage in such activities elsewhere, along with poultry farming and honey production.
A. Bell asks if he could provide more details about utilizing sheep on existing solar sites.
C. Scott If we implement sheep grazing on all current existing solar sites in New York, it would significantly reduce the demand for external resources, like imports from New Zealand. He emphasizes that this is a billion-dollar industry, and an approach could be to introduce sheep on the proposed solar sites, this could allow for competition with New Zealand's sheep industry, which is a substantial market, and this industry covers thousands of acres with high-density grazing. He discloses this method represents actual farming with measurable economic benefits. I can provide further details on developing healthy ecosystems upon request. As a farmer, an important aspect is carbon sequestration, they are constantly spreading manure to build a carbon base, tilling, as well as rotating crops, which contributes to robust crop growth through proper soil management. He conveys that rotational grazing by sheep yields similar benefits, involving movement between sites or within a site and adds there are different grazing methods such as sustained grazing, rotational grazing, and mob grazing, each offering distinct financial advantages to farmers. He coveys that using the same land previously used for corn or soy results in reduced pesticide use, less tilling, decreased erosion, lower need for synthetic fertilizers, and an overall healthier ecosystem, with ground-nesting birds return as mechanical mowers become less frequent. He notes these improvements enhance farming profitability while delivering ecological benefits. For example, flowers flourishing at sheep-grazed sites create protein-rich environments if poultry were introduced to consume insects.
S. Taylor asks if solar sites are compatible with other animals.
C. Scott emphasizes that goats are tricky because they like chewing on things like wires and jumping on the panels, cows can work if the panels are tabled so they can graze underneath them and they have used cows and poultry on several sites, but it really comes down to the farm setting aspect of how they are going to properly design and implementation of farm settings which are crucial, vegetation management standards must be maintained to prevent shading of panels, and farmers' flexibility in choosing livestock options is essential, though financially, sheep have proven most beneficial.
S. Taylor asks if they have to specify what it is they are going to do.
C. Scott responds that less is more because it benefits the farmers by receiving compensation for feeding their animals, alongside benefits like wool production, energy needs are increasing, and aging coal plants require replacement, solar power plants offer a cost-effective alternative.
C. Scott discusses integrating solar into farming, highlighting opportunities for increased revenue and support for struggling farmers with limited land, solar contracts provide about $900 per acre, significantly higher than traditional crops like corn or cattle, and emphasizes the benefits of sheep farming under solar arrays, including protection from weather and better vegetation, leading to faster weight gain in animals. He addresses challenges such as access,

equipment issues, standing waters, sites built on top of a hill, and insurance, noting that their company helps farmers navigate these obstacles and ensures safety compliance on site, and overall, combining solar and sheep farming is presented as a viable and profitable alternative for modern agriculture.
C. Scott continues, that the stocking density of sheep is greater under solar panels than it is in an open pasture, the solar gives the sheep fencing and shade which converts to a higher rate of gain by almost 10% because of better vegetation, like pasturing which reminds him of the earlier days when they would navigate through scrub brush and similar terrains because it involves a greater variety of plants contributing to a more diverse diet, consequently, instead of maintaining two sheep per acre, their animal units have increased on the solar farm, enhancing its efficiency and this approach results in smart farming, lucrative farming, and more efficient farming practices, therefore, these elements complement each other perfectly, additionally, they could incorporate pasture pigs and poultry netting for free-range chickens and turkeys underneath. He expounds that the infrastructure is there and provided for them to operate effectively, although they still need to uphold vegetation standards and this maintenance aligns with usual pasture management practices, such as using 16-foot brush hogs to clear thistles. He notes they manage this land with pride, partly due to the revenue generated from the vegetation management contract, which helps offset import discrepancies and puts them on par with foreign competitors concerning imported products.
M. Pino asks how they manage the water supply for the animals.
C. Scott explains that in most cases, approximately 95% of sites receive trucked-in water, they use float valves on small troughs, as sheep consume minimal water on open pastures, obtaining about 95% of their hydration from their food, they require significantly more water when consuming dry hay in barn settings., but in open pastures, water consumption is considerably lower and at this site, a 250-gallon tank filled monthly would suffice.
S. Taylor asks how many sheep get lost due to arching from lightning.
C. Scott answers that they have never lost a sheep to lightning since 2011, because these sites are grounded; they are designed to protect against lightning impacting inverters or other equipment, the fencing is also well-grounded, utilizing piles, thus, excess voltage safely dissipates into the ground, so it is more concerning on an open pasture compared to a solar site.
M .Pino asks if they plant the seed before the solar panels are installed.
C. Scott responds that they often receive this question, but the responsibility usually falls on the Engineering, Procurement, and Construction (EPC) contractors to handle planting and they recommend specific seed types, and upon arrival, the grass is typically ready for the shepherds.
M. Pino asks to clarify when installing the panels, is the grass already established then.
C. Scott notes it depends on several factors, including construction timing and cover crop needs, minimizing soil disturbance is prioritized, and EPC contractors handle seeding for site stabilization as required by civil and erosion stormwater permits, and rather than using generic construction grass, they employ mixtures that stabilize the site and serve as forage for sheep.
S. Motie asks, how long after planting the seed do you allow the sheep to graze?
C. Scott answers that sheep can graze once the vegetation is established but not overly tall, they start with a lower stocking density and increase it as the vegetation matures, but by year 2, they are fully stocked.

S. Montie asks, how many sheep are you looking to put on this site?
C. Scott responds that they use a low impact sustained grazing model which is a lower stocking density for a longer time, which helps the lambs grow faster, they eat the best grasses, keeping it below the lead edge of the panel and above 8 inches, where too many sheep risk overgrazing and parasite issues, so they rotate them between sections.
S. Montie voices that was his next question asking if they would section it off for grazing because he is not a farmer, but knows what sheep do. He voices concern about dry periods in July and August because the proposed spot is on a hill and he voices concern about dryness and the plans to feed the sheep then.
C. Scott states that is all part of pasture management which involves maintaining the site, in August, lambs are separated and depopulated, sent to market, or moved to another site.
S. Montie asks how far away the next site is.
C. Scott asserts that he has 60 sites around New York.
S. Montie clarifies, is it a 10-hour ride for these sheep or is it across the street?
C. Scott answers that he hopes it is across the street someday.
S. Montie and C. Scott discuss further, photos of other sites, the way other sites work versus mechanical mowing, how they are maintaining enough pressure on these sites to keep that nice "pasture" look.
S. Montie asks how many sheep they are considering for this site, 10, 20, 30, 100?
C. Scott answers on 15 acres the average is 45 sheep from April to December, for higher density, like 300 sheep and rotate them every few weeks. He explains they treat this like a crop, managing forage throughout the growing season.
S. Montie clarifies, then it is not set in stone as far as a time frame, it is more of an as needed or as necessary thing, bring them in and let them eat.
C. Scott interjects that it is for the whole growing season, and it is access to the whole site, April to December, so if it's dry, fewer sheep; if wet, more, contracts may adjust grazing needs further which would have a higher number of sheep, but the grazing days would be the same, so it would be more sheep in fewer days.
A. Bell points out he mentioned that he was going to discuss the difference between mob grazing and other methods
C. Scott agrees and explains there are several methods now that focus on soil health, vegetative health, sheep health, and financial viability, explaining for rotational grazing, they use single-strand hot wire low voltage and divide the area into sections for grazing periods. The same number of sheep in a sustained grazing model are placed in smaller areas, the sheep move regularly, which maximizes forage by the time they reach the fourth rotation the vegetation is less palatable. He continues, they repeat the cycle or move to another block. this method requires more work but can maximize forage, and they aim to maximize sheep production rather than forage, so less physical input is needed, making it cost-effective, where mob grazing is intensive and beneficial for parasite control since sheep are not on the same ground continuously. He explains he wouldn't tell a farmer how they have to do it, but rather give them the standards to maintain on the site and help them build the action plan that works best for them.

A. Bell conveys that some management decisions that include reacting to dry years and pulling lambs off at certain times, these decisions are similar across different farming practices and not the solar changing the farming.
C. Scott adds that during dry years they have extended their grazing seasons, also the season lasts longer under solar because they can help retain moisture and protect grasses from frost, making them greener later into the year so decision-making is easier when shade panels retain ground moisture compared to hot dry years on open pastures.
M. Pino asks if they have sheep on other solar sites in Columbia County.
C. Scott states he does not.
M. Pino observes that she has seen many solar farms and no animals, sheep, cows or chickens.
C. Scott responds unfortunately, the practice hasn't caught on in Columbia County yet, solar saving ordinances or developer promotions could increase its prevalence, plus those sites could have been permitted 5 years ago and are just now being built. He adds that their portfolio includes grazing partners from Hawaii to Maine and Minnesota to Texas, though it originated in New York, where currently, there are few people practicing this, but there is potential competition with New Zealand.
S. Montie observes he goes all over the Northeast and sees many sites everywhere that once they come in, they get leveled or brush gets grown up and pushed aside, then they just cover them with stone or modified gravel and then nothing would ever grow in them.
C. Scott agrees, stating he would prefer this land to be used for farming for the next 30 years rather than commercial development, however, if it becomes financially unsustainable for the farmer, development may be considered. He continues, if at a point, the farmer might find it financially unsustainable continuing with haying or other activities, that could lead to housing or development, where this project ensures the land remains dedicated to farming during its lifespan. He adds, following decommissioning, it might be the only farmable area available due to future changes over 30 years since change is inevitable, this project provides potential for future funding and supports current farming efforts. He notes regarding landscape aesthetics, he understands concerns but appreciates the efficiency of the panels, a well-maintained area with grazing sheep presents a more appealing view compared to industrial sites, a sea of blue panels with pleasantly grazing sheep underneath offers a preferable alternative to a parking lot or other industrial developments. He observes, in general farming is not as glamorous, people tend to overlook elements like hay wagons or bunker covers within the vista, overlooking the dirty side of farming, as a farmer he can recognize the discrepancies between practical farming and public perception. He adds that people become accustomed to telephone poles, and similarly, solar panels will eventually integrate into our surroundings while utilizing the land for sheep grazing or other agricultural techniques represents an inevitable progression. He enlightens that some sites incorporated crops like popcorn in setbacks, which provided visual screening so people couldn’t see the site when they drove by and benefited wildlife such as turkeys and deer. He adds with a later season variety, growing up offers numerous possibilities and can approach this in different ways that are feasible, there are various considerations that may be relevant and they can examine these aspects diversely, which is what they have done.
C. Scott explains that individuals reach out to him asking how they can optimize the project for a local shepherd, asked to show them the best course of action, and they presented their proposal to the Board and hopefully, they have addressed some of their concerns and if there is

no net loss in productivity or potentially even a gain as he has demonstrated through farming, why would one oppose it since they are maximizing land use for specific animals ensures effective utilization of 100% of the land, despite the presence of large sites.
S. Montie voices concern the way solar farms are sold frequently, changing ownership every few years, what guarantee does the town have that sheep or other animals will still be present after twenty years.
A. Bell answers the agrivoltaics plan they prepared and submitted will be a project control document, alongside decommissioning, landscaping, and O&M plans included in the application package, final approval of special use permits will be conditioned subject to these submissions and plans, adding these documents are integral to the project structure. He states they are open to conditioning the special use permit on some sort of agrivoltaics being present onsite for the , as their current proposal includes maintaining sheep and apiaries onsite throughout the project's duration, that is a fair condition, addressing concerns about potential transitions to poultry or other livestock in the future can be incorporated into the control document, and any modifications to the agrivoltaics plan must be reviewed and approved by the relevant town board.
A. Bell notes that as C. Scott pointed out this is a win, win, win for everyone and there is no need for them to pull the rug out from under the town, the shepherds and their company. He adds this plan is preferable compared to mechanical alternatives, that there are incentives to keep this going, several measures can ensure sustained operations, and conditional approval can be stipulated.
A. Bell continues; they develop, construct, and operate their own projects where common practice involves swift project development as economically as possible, and then sell it to an operator once it's built, but that is not their approach as they manage the project themselves, have a portfolio of six projects that are constructed and operational under their management, and also have five additional projects in development, including this one, with the intention to construct and operate them as well. He emphasizes their plan includes operating this project and implementing it as the operator, in the event they need to sell it, all product approvals, control documents, and vendor contracts will be transferred accordingly, and contract documents will be made between the project entity, ensuring that if the project changes hands, all permits, documents, and contracts transfer.
S. Taylor asks if they would make the sale conditional on approval from the buyers, asking if he is correct in understanding that the control documents would remain in place upon sale, without further review and the board wouldn't get another chance to assess the buyer.
A. Bell answers that is correct, in the event of a sale, which is not anticipated, the purchaser must comply with all project control documents, similar to compliance with the site plan and special use permit.
S. Taylor contravenes that A. Bell is representing his company, building confidence in A. Bell and his company, then saying the town could end up with a new group without any say in it, even though they must adhere to those agreements.
A. Legland confirms the LLC that owns the project and obtains approvals adheres to the model where sale, though unlikely, binds the buyer to all established standards and approvals, though selling is not part of their business model; however, if sold, all conditions and approvals remain intact and the purchaser must comply with the same standards.

A. Bell explains that the standard outlined in the agrivoltaics plan is what they would be signing onto and would have to meet that same standard.
C. Sweningsen comments to S. Taylor he understands the concern about potential future buyers not being known to us, that that document they have submitted is actually impressive in the fact that the thoroughness he's hearing about is part of the contract document and goes with the project.
A. Bell interjects, asking to draw a parallel with another document, the decommissioning plan, if for any reason we were to sell the project, the successor would be bound by the decommissioning plan to decommission it per the standards set up in the plan. He adds, similarly, the landscaping plan proposes visual screens and an operation and maintenance plan, if trees die, they are responsible for replacing them as outlined, and successors would adopt these, the successors are responsible, and this applies to every element of the project.
A. Legland echoes moreover, if successors fail to adhere, code enforcement gets involved due to violation of the special use permit conditions, if the successor refused certain tasks, such as tank maintenance, it violates the permit, prompting code enforcement action.
C. Sweningsen observes if abandoned, the decommissioning plan and its bond ensure proper closure.
M. Pino recognizes this is not a public hearing, but S. Stockman would like to ask a question.
S. Stockman asks last month; the board requested the actual contract and did the board receive a signed contract.
C. Sweningsen replies he did not request the signed contract, but requested all of the details.
S. Stockman states that he FOILed all this information but did not see anything beyond that.
M. Pino voices she does not recall anyone asking for a signed contract, but that they did ask for the escrow, and that has been accomplished, handled between T. Rappleyea and A. Legland.
C. Sweningsen reiterates that he did not ask for a signature but requested the actual details, because what was offered is a boilerplate, and a very good one , but contains numerous blanks to be filled in for a specific project and he requested a copy with those blanks completed.
A. Bell answers that they can provide that because they work with agrivoltaics on multiple projects, have a master consultant agreement with them, this agreement applies to all projects they undertake with them, including their support at hearings like this one, offer more than farming and health preparation, they have a master consultant agreement with them so providing that whole contract would not be relevant to just this project, the master consulting agreement includes mechanisms for executing work orders and project-specific contracts, this methodology is applied to all ongoing projects.
A. Bell continues it will be managed under the master agreement, outlining terms specific to the project scope, the scope encompasses the implementation and execution of the submitted agrivoltaics management plan, along with renewal terms, and the details provided today cover much of this.
C. Sweningsen voices he is not clear on this matter, but proceeding without a detailed contract seems unfeasible.
C. Scott explains the contract received was drafted by the American Solar Grazing Association with Brown University, serving as a template, it's an example and they have variations of that template for specific projects, specific deliverables are outlined in separate service agreements alongside the main contract, detailed deliverables include education management standards

and insurance requirements, which may vary, insurance stipulations might affect operational standards, such as grass height, influencing stock density and pricing, adjustments depend on variables such as insurance and town specific requirements, and rotation grades, must also be considered
M. Pino asserts the planning board sets conditions and reviews contracts, while our board handles variances and zoning law interpretations, and their task is interpreting the zoning law section denied by Mr. Haberland.
C. Sweningsen maintains their duty involves determining if the use qualifies as agricultural, and recalls past experiences where people making promises but failing to deliver, hence the need for a detailed contract despite variability concerns.
A. Legland clarifies the procedure involves adhering to the chair's explanation: the contract binds them to the agrivoltaics plan presented, along with other stipulations for the town's concern, it is about ensuring the plan's adherence through the contract this board is aware of the proposal and its implications, where the ZBA decision is whether the proposal meets the requirement of 75% agricultural soils set aside for agricultural purposes and they will always condition certain things with the planning board before signing contracts.
C. Sweningsen maintains that he prefers seeing a contract backing up the plan rather than relying on good intentions due to past experiences.
A. Legland observes that the Planning Board will have that authority.
M. Pino and A. Legland discuss further the roles of the ZBA and the Planning Boards.
S. Stockman states the presentation was impressive, but it's only a sales pitch, that their voluminous reports mention minimal sheep presence, is really only grass maintenance and not agriculture, while preserving agriculture means preserving the entire block, adding there are many questions about managing the proposed sheep.
M. Pino expresses that the plan tonight is to set a public hearing date for next month, which will be advertised through the website.
S. Stockman states that everyone should review the master agreement between the two companies, as it will reveal much about their partnership.
J. Morgan feels it's unfair for the applicant's attorney to offer opinions without the town attorney present.
M. Pino assures that they are just listening tonight with no decisions being made, with the next step a public hearing to gather feedback from the public.
S. Stockman insists on reviewing the master services agreement at the public hearing.
A. Bell answers their consulting agreement is proprietary, and as C. Scott mentioned until the final approvals are going to be, the specific work order will have many blanks for this project once final approvals are clear.
S. Stockman states this is so disingenuous.
C. Sweningsen asks about the blanks in the document.
A. Ball recaps what they explained previously in the meeting.
M. Pino observes the planning board has the authority to set conditions, but she can contact the town attorney if needed.
C. Sweningsen states he is thrilled by the idea of land availability for farmers but that they need to bridge the gap in the agricultural plan which calls for preservation of farmland as this is crucial for a successful conclusion.

C. Scott voices that they should use animal units rather than prescribe the number of sheep per acre, as the minimum should be one sheep per acre, but it varies based on specific conditions.
C. Sweningsen and C. Scott discuss further.
C. Sweningsen voices his concern of positive intention, their role is to determine how to achieve success for everyone involved, and it is their duty to address these legal aspects responsibly.
A. Bell states that clearly there are concerns arisen from a past project and is unsure if it was solar or another matter involving people.
C. Sweningsen states it's based on life.
A. Bell continues his question is, concerning those projects that made promises, whether they were solar-related or otherwise.
C. Sweningsen affirms he is trying to ascertain what should be included in this current scenario in reviewing the documents provided. He adds he is astonished and very heartened by the level of professionalism, thoroughness, and respect for the municipality, that they have undertaken extraordinary measures to present what the board needs to see, and he is searching for any details that might be misinterpreted within their documents, something that he doesn't understand to be prepared for the public presentation, addressing any concerns that may hinder progress.
S. Taylor follows up with for next time at the public hearing, the board should examine the technical and material aspects comprehensively, essentially, looking at tactical elements that require verification for public understanding and consider what constitutes a materially viable agricultural plan, as flexibility is essential given potential variances in implementation and it might not work for every specific instance, but ensuring material usage for the stated purpose is crucial.
C. Scott voices similar to informing a farmer about dairy cow limits, differentiating between 30 cows versus 5000 cows signifies an impactful difference, yet it remains agricultural in nature.
A. Legland echoes that is an excellent point, distinguishing the board's discussions from public hearings focused specifically on agriculture and public hearing considerations at the planning board will involve special use permits and related criteria.
Multiple talk over one another about the issue of the project being agriculture.
C. Scott explains ultimately, similar to dealing with variable forage quality in August, site population may fluctuate based on conditions, yet defining harm remains subjective, and will adapt accordingly.
S. Taylor voices precisely the point is that they have discussed for half an hour about grazing, yet simultaneously, there are sheep being born, sheared, and involved in various other processes, thus, the inquiry remains whether these activities will be conducted on this property, it is plausible they might choose not to engage in grazing the lands on that property or may prefer not to conduct birthing processes there, that these tasks might occur elsewhere and subsequently bring them back.
C. Scott explains further as previously mentioned in his presentation that the experience on a farm instills an intrinsic feeling of responsibility concerning livestock management.
C. Scott and S. Taylor discuss shearing onsite at length.
C. Scott adds coordination is feasible; with approximately 38,000 sheep managed, each shepherd's livelihood depends on actual farming rather than superficial landscaping.

C. Sweningsen asks what infrastructure is provided for shepherds managing sheep onsite, barn access and related logistics will enhance understanding, also interested parties recognizing farming viability, underscoring land access as critical for aspiring farmers and asks what shepherds do for the rest of the year.
C. Scott answers efforts are made to identify shepherds with wintering facilities suitable for current climatic conditions, provisions include dairy barns and other opportunities within the organization, accommodating more shepherds than available grazing sites. He adds he had 16 shepherds reach out to him asking to help find a solar site.
C. Sweningsen and C. Scott discuss at length.
A. Bell speaks to conclude the conversation that has covered many areas and has been productive, but part of it seems to be a thought about the nature of farming, Is it one sheep, Is it two sheep out there for two months and they are trying to define farming, but the code already has a definition they believe we meet, the question being does the board agree with them or will they need a variance.
M. Pino answers that won't be decided tonight.
A. Bell affirms they were not expecting it but feel they don't need to detail their contracts, grazer specifics, or sheep species.
M. Pino responds this may be a matter of curiosity as residents of a designated farming and agricultural community.
A. Bell agrees that's not unreasonable, and that curiosity is important for education and understanding new trends and opportunities that benefit everyone but feels like the decision may have been predicated on some of these things and not just curiosity.
M. Pino responds that based on the voluminous documents received, as well as those requested through FOIA, they found it necessary to make this information available on the website as the town will not print out a 600-page document. She continues that she reviewed some of the larger documents on her tablet, which took approximately 30 minutes to download and they have been inundated with a substantial amount of information, prompting a desire for better understanding and as residents, they care deeply about what happens in town.
M. Pino states she has one last question and asks if their company is the one involved in the project on the other side of Route 9.
A. Bell responds yes, they submitted the project back in 2022, and it has been under review since late 2020.
M. Pino declares she knows nothing about the project but that she was informed that someone believed it was the same company, and she hadn't previously asked that question.
J. Morgan asks a question for clarification: did they indicate they were opposed to releasing what Christian proposed on record.
M. Pino responds that her understanding is that there is no document with adequate specificity at this time.
C. Sweningsen adds he felt satisfied by the information provided, that the special use permit is still pending in this process and is crucial in this process, these details are essential, and he now has a clearer understanding that his is a farming opportunity to make money on. He adds he has always had an interest in agriculture due to its importance in food production, farming's challenges and decreasing farmland concern him greatly, increasing the health of farming and land accessibility is urgently needed and this has been a personal concern for him for a long

time. He notes ss a practical individual, he listened keenly to discussions and as a project developer, he appreciates the practical benefits farmers will obtain from this opportunity. He voices farmers' intelligence continuously impresses him; they surpass many managers and engineers he knows, and this initiative offers farmers genuine opportunities for healthy income, their practical acumen deserves recognition, and they will maximize these concrete opportunities effectively.
S. Taylor requests for the public hearing to provide a concise summary in one or two pages, an executive summary with bullet points that inform of the key details, providing a brief document for distribution at the public hearing would be beneficial.
A. Bell apologizes for the extensive application documents, they ensured that everything required by the code was included and the code has numerous requirements, and they used this meeting to address the essential issues
A. Legland and S. Taylor discuss what the document should look like, directly addressing specific concerns or items in detail and ensure the information is concise and relevant.
M. Pino reiterates that public hearings provide an opportunity for community members to share their views, but these meetings are intended for the board, while public hearings are designed for town residents to voice their concerns and not designed for presentations like this.
A. Bell appreciates the clarification and asks if he should we prepare a brief presentation for the public's benefit.
M. Pino states no, considering the FOIL requests for document access.
S. Stockman states he did not get that 600-page document. (For the record, it is noted this document was previously uploaded to the website.)
A. Bell answers that is everything combined into one document.
The Board and A. Bell discuss the documents, the SWPP plan as part of the SPEDES permit as required, the difficulty with downloading large files, , .
S. Stockman asks for a digital copy of the site plan because it wasn't included in his FOIL request. (For the record it is noted that the site plan was not a separate document and part of the "ZBA variance application" section that was on the website.)
C. Sweningsen agrees that a couple pages of bullet points would be helpful for the public, providing clear summaries can help alleviate misunderstandings and enhance knowledge.
A. Bell answers they appreciate the feedback and will prepare the summary document.
M. Pino states the regular meeting for the public hearing scheduled for May 28th faces scheduling conflicts, and how many board members can attend on Tuesday, May 27th instead.

Motion: to hold the public hearing on Tuesday, May 27th, made by C. Sweningsen; seconded by K. Handy. All in favor

A. Bell asks about the setbacks.
M. Pino explains that the agricultural piece needs to be addressed first by determining the code enforcement officers decision, if not met, additional variances are required and this will be discussed post-public hearing, the road concerns were minor and addressed based on consultations, clarification on which zoning board oversees Stockport property was sought due to intersecting jurisdictions.

A. Legland asks if M. Pino is talking about the agricultural piece, if the board says they agree with the code enforcement officer, they don't need it but then they would have to get a variance from the board, so they can we continue with the ZBA?
M. Pino replies that is her understanding.
A. Legland and M. Pino discuss the area variance for the setback.
A. Bell states they reconfigured the road based on discussions.
S. Montie states he had asked M. Pino which zoning board would oversee because the entrance is in the Town of Stockport, a row of panels is in the Town of Stockport, and the land that the panels are on I Stuyvesant are actually in the Stuyvesant Falls fire district, so he was trying to figure out who's the lead responsible and can have the town attorney reach out for confirmation.
A. Legland confirms she discussed this briefly with the planning board and once they get site plans for special use permits, the planning boards in both towns will coordinate, possibly holding joint meetings.
A. Bell voices concern that their application isn't complete until Mr. Haberland checks it and he has made it clear he wants to see how the board proceeds.
M. Pino, A. Bell and S. Stockman discuss the documents on the website and the public hearing.

Motion: to adjourn made by S. Montie; seconded by K. Handy. All in favor.

Adjournment: 8:56 pm

Respectfully submitted.

Patricia DeLong

Patricia DeLong
Zoning Board of Appeals Secretary