



*FINAL ENVIRONMENTAL IMPACT STATEMENT*  
**Florida Wind 1, LLC YMCA Road Wind Turbine Project**  
153 YMCA Road  
Town of Florida, New York 12010

May 21, 2024

Project Sponsor: Florida Wind 1, LLC  
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Project Location: 153 YMCA Road  
Florida, New York 12010

Tax Parcel Number: 102.-1-19

Lead Agency: Planning Board, Town of Florida  
214 Fort Hunter Road  
Amsterdam, New York 12010  
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Draft EIS Acceptance Date:	February 8, 2024
Draft EIS Public Hearing:	March 4, 2024 6:30 pm
Last Day for Draft EIS Public Comment:	March 15, 2024
Final EIS Issuance Date	May 22, 2024

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Visual Simulations	Saratoga Associates 21 Congress Street, Suite 201 Saratoga Springs, NY 12866
Community Plans and Character	LaBella Associates D.P.C. 300 State St #201 Rochester, NY 14614
Wetlands Evaluation and Permitting	GEI Consultants, Inc. PC 1301 Trumansburg Road, Suite N Ithaca, NY 14850
Microwave Study	Comsearch 19700 Janelia Farm Blvd. Ashburn, Va 20147
Sound Level Monitoring Report and Shadow Flicker Evaluation	Epsilon Associates, Inc. 3 Mill & Main Place, Suite 250 Maynard, MA 01754
RF Evaluation	Smith and Fisher, LLC 4791 Wintergreen Court Woodbridge, Va 22192
Transportation Evaluation	Creighton Manning Engineers 2 Winners Circle Albany, NY 12205

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# I. EXECUTIVE SUMMARY

## A. Introduction

This Final Environmental Impact Statement (FEIS) was prepared pursuant to 6NYCRR Part 617 for actions associated with the proposed Florida Wind 1, LLC Wind Turbine Project (the "Project") in the Town of Florida, New York (the "Town"), proposed by Florida Wind 1, LLC (the "Applicant"). The Draft Environmental Impact Statement (DEIS) was accepted as complete by the Town of Florida Planning Board on February 8, 2024. A public hearing was held on March 4, 2024, and comments were accepted until March 15, 2024.

The DEIS was prepared in accordance with the Final Scope adopted by the Town of Florida Planning Board (the "Lead Agency" and "the Planning Board") on April 6, 2023. This FEIS responds to substantive comments on the DEIS as more fully described on page 13.

The DEIS conformed to requirements for preparation and content of environmental impact statements as stipulated in 6 NYCRR 617.9, which include but are not limited to the following:

- A description of the proposed Project and its environmental setting;
- A statement of the environmental impacts of the proposed Project as identified in the Positive Declaration adopted by the Lead Agency on December 5, 2022, including its short- and long- term impacts, cumulative impacts, and other associated environmental impacts;
- An identification of any significant adverse environmental effects that cannot be avoided if the proposed Project is implemented;
- A description of mitigation measures proposed to minimize or avoid any significant adverse environmental impacts of the proposed Project;
- A discussion of alternatives to the proposed Project; and
- An identification of any irreversible and irretrievable commitments of resources that would be involved of the proposed Project should it be implemented.

The Applicant for the Project, Florida Wind 1, LLC is a wholly owned subsidiary of New Leaf Energy, LLC ("New Leaf") which was formerly the development business under Borrego Solar Systems, Inc. ("Borrego"). All Borrego rights and obligations have been transferred to Florida Wind 1, LLC and any future owner will be bound by any conditions placed on the Project, including SEQRA mitigation requirements.

Approval of the Project by the Town, as proposed, requires two distinct components, or actions, under the State Environmental Quality Review Act ("SEQRA"):

- 1) Special Use Permit Approval from the Town of Florida Planning Board – The subject property is located within the Town's Agriculture (A) District. According to the Town of Florida Zoning Ordinance (the "Zoning Ordinance", the proposed action is a wind energy conversion system ("WECS") that is classified as a 'WECS, Commercial,' which is defined as a "*WECS that generate(s) original power on a site to be transferred to a transmission system for distribution to customers*". According to Section 45.4 of the Town's Zoning Ordinance, Wind Turbine Facilities Law, subsection (b), non-roof mounted WECS shall require a special use permit issued by the Town Planning Board, pursuant to compliance with all special permit criteria and special permit application procedures listed in the Town Zoning Ordinance.

- 2) Site Plan Approval from the Town of Florida Planning Board – Article VII, Section 18, of the Town Zoning Ordinance, states that development projects "*other than Single Family Residential in all Districts*" as well as "*Agricultural in the Agricultural District require site plan review.*" Site plan review and special permit review are conducted jointly by the Town of Florida Planning Board.

The Town of Florida Planning Board will issue a special use permit approval and site plan approval for the Project. The Project received a height variance allowing construction of a 650-foot tower from the Town of Florida Zoning Board of Appeals on December 13, 2021. Additional approvals for various components of the Project are summarized in Section I.C below.

The Project is situated on a 135± acre property accessed from YMCA Road in the Town of Florida, New York. Full build-out of the Project is anticipated in 2024. When approved, the Project will include:

Temporary Features during Construction:

- Construction staging area;
- Stockpile;
- Blade lay down area; and
- Truck route around the turbine.

Permanent Features:

- 4.5 MW, 650-foot-tall wind turbine;
- Gravel access road off YMCA Road;
- Turbine foundation;
- Electrical collection system (ground mounted electrical equipment and utility poles, the wind turbine, and a gravel pad around foundation and crane pad);
- Overhead utility lines; and
- Utility poles.

The Project will accomplish the following objectives:

- Promote renewable energy in the region;
- Supply nearby residential and commercial areas with energy;
- Support the local economy;
- Create jobs; and
- Generate revenue.

The Project will address the following needs:

- Put the property into productive use;
- Create new jobs; and
- Energy from the project will be delivered into the local power grid and made available for purchase locally.

The need for the Project and the Applicant's objectives are clearly supported by Section 45.4 of the Town Zoning Ordinance as follows:

1. Meets increased demand for alternative energy sources;

2. Promotes the need for more inexpensive power that wind turbine facilities may provide; and
3. Protects and promotes the community's safety, health, and welfare by properly siting wind turbine towers in a manner consistent with sound land use planning while also allowing private and commercial providers to meet their power generating objectives.

The proposed Project achieves the Town's planning objectives, as energy from the Project will be delivered into the local power grid and made available for purchase locally.

### **B. Description of the proposed Project**

Florida Wind 1, LLC proposes development of a 4.5 MW, 650-foot-tall wind turbine on a +/- 135-acre vacant and undeveloped property accessed from YMCA Road in the Town of Florida, New York. Energy from the Project will be delivered into the local power grid and made available for purchase locally. The property consists of tax parcel 102.-1-19. The property is owned by Martin Milano and will be leased by Florida Wind 1, LLC. Once approvals are obtained the Project will be transferred to an operator who will construct and operate the wind turbine in accordance with the conditions of the special permit and all other approvals. The Project will include construction of an access road, an electrical collection system to include ground mounted electrical equipment and utility poles, the wind turbine, and a gravel crane pad.

Permanent features of the Project include a wind turbine, turbine foundation, gravel pad around the foundation, crane pad, gravel access road off YMCA Road, overhead utility lines and utility poles. Temporary features needed during construction include a construction staging area, stockpile, blade lay down area and truck route around the turbine. The staging area and truck route will be constructed of gravel, but following the turbine installation, the stone will be removed and the area de-compacted and restored with topsoil and seeding. The remaining areas will remain pervious but will require de-compaction and reseeding following turbine construction.

The wind turbine and associated infrastructure will result in the conversion of approximately 4.9 acres of vacant, undeveloped land to productive energy generation use. The proposed gravel access drive and, crane pad, and turbine and foundation, will result in an increase in impervious area on the Project site and the potential for soil erosion. Mitigation measures include soil and erosion control measures installed pursuant to a Stormwater Pollution Prevention Plan (SWPPP) which has been prepared pursuant to the New York State Department of Environmental Conservation ("NYSDEC") General State Pollution Discharge Elimination System (SPDES) requirements. The anticipated loss of land for non-agricultural use is not a significant impact as there are approximately 176,000 acres in Agricultural Districts in Montgomery County which will not be impacted by the Project. In addition, the site will be restored to its original condition after the wind turbine facility is decommissioned. Although the property has not been in agricultural use since the 1950's, agricultural operations could commence in the future after the wind turbine is decommissioned.

With respect to potential impacts to subsurface and surface water resources, the Project access road will cross a Federally regulated wetland. Thus, a wetland delineation report was completed for the Project and a Federal Wetland Permit has been obtained. The Applicant purchased wetland mitigation credits to offset any potential impacts to wetlands.

With respect to potential impacts to vegetation and wildlife, Environmental Design & Research, D.P.C. (EDR) conducted avian field surveys in 2020 and 2021. While Bald Eagle and northern harrier were documented in the Project area, no occupied habitat was observed on site. The NYSDEC issued a letter on July 6, 2022, indicating that in the event that the Project results in the taking of a bald eagle, the Applicant has committed to work with the NYSDEC to develop appropriate mitigation actions that will result in a net conservation benefit to the species. In regard to the Northern long-eared bats, and to minimize impacts to the maximum extent practicable, the NYSDEC indicated in their letter dated July 6, 2022, that the facility must curtail operations at wind speeds less than 5.5 m/s between July 1 to October 1 every night from half an hour before sunset to half an hour after sunrise when ambient temperatures are greater than or equal to 50 degrees Fahrenheit (10 degrees Celsius). Remote operational controls will be used to facilitate this and to document speed reductions. This letter is part of the project record before the Town of Florida Planning Board but was not included in the DEIS because these issues were not deemed significant by the Town of Florida Planning Board in its role as SEQRA Lead Agency.

With respect to traffic, transportation, pedestrians and transit, temporary, short-term impacts to ground transportation are anticipated during the construction of the wind turbine. The transportation of the wind turbine parts (i.e., blades) to the Project site will require minor improvements to the routes used to transport the large components of the turbine. Once operational, there will be no impacts to transportation routes. In addition, potential impacts to air transportation routes used by small airplanes, emergency medical transport helicopters, and drones may occur as a result of the proposed project. The Federal Aviation Administration (FAA) reviewed the potential impacts to flight patterns and routes as a result of the proposed wind turbine and has issued a Determination of No Hazard.

With respect to historic and cultural resources, Phase 1A and 1B Cultural Resource Surveys were conducted and no significant impacts to historic or cultural resources were identified. These studies are a part of the project record before the Town of Florida Planning Board but were not included in the DEIS because these issues were not deemed significant by the Town of Florida Planning Board in its role as SEQRA Lead Agency.

Lastly, in regard to construction impacts, there is potential for temporary noise, dust, odors and traffic. Hence, a construction plan will be prepared which addresses such impacts.

The Project is a Type 1 SEQRA Action because, pursuant to 6 NYCRR Part 617.4(b)(8), it involves the physical alteration of more than 2.5 acres in an agricultural district. The Florida Zoning Board of Appeals conducted an uncoordinated SEQRA review pursuant to 6 NYCRR 617.6(b)(4) and issued a Negative Declaration for the height variance on December 13, 2021.

The Planning Board declared itself Lead Agency for the Action under its jurisdiction, issuance of the special use permit, on February 7, 2022, and on December 5, 2022, it issued a Positive Declaration requiring the preparation of the draft environmental impact statement. Potentially significant impacts identified by the Planning Board in its Positive Declaration include:

- Aesthetic resources;
- Visual (including shadow flickering);
- Radio and over-the-air TV communications services in the immediate and surrounding area;
- Community plans; and

- Community character.

**C. List of Involved and Interested Agencies and identification of local, county, state, and other approvals required.**

Below is a list of all involved agencies and the required approvals and permits they are responsible for granting with respect to the Proposed Project.

<b>Table 1. INVOLVED AGENCIES, PERMITS AND APPROVALS</b>	
<b>Involved Agency</b>	<b>Type of Approval</b>
Town of Florida Planning Board	Special Use Permit Approval Site Plan Approval
Town of Florida Zoning Board of Appeals (ZBA)	Height Variance issued December 13, 2021
Montgomery County Highway Department	Possible improvements to county roadways
NYS Department of Environmental Conservation – Region 4	Stormwater Prevention Protection Plan (SWPPP) GP-0-10-001 General SPDES Permit
NYS Office of Parks, Recreation and Historic Preservation	Cultural Resources Consistency Determination
New York State Department of Agriculture and Markets (NYSAM)	Notice of Intent
New York State Department of Transportation	Possible improvements to state roadways
New York State Energy Research and Development Authority (NYSERDA)	NYSERDA Approval

The following agencies have been identified as interested agencies who may review and comment on the proposed Project:

**Montgomery County Sheriff's Office**

Jeffery T. Smith, Sheriff  
 Montgomery County Sheriff's Office and Jail  
 200 Clark Drive  
 P.O. Box 432  
 Fultonville, NY 12072  
 (518) 853-5500

**New York State Police**

Amsterdam City Hall, Floor 1  
 61 Church Street  
 Amsterdam, NY 12010  
 (518) 843-3210

**Florida Volunteer Fire Department**

6252 NY-30,  
 Amsterdam, NY 12010  
 (518) 843-6286

**City of Amsterdam Planning Commission**

Elaine Santiago, Chair  
Amsterdam City Hall  
61 Church Street  
Amsterdam, NY 12010  
(518) 841-4319

**Montgomery County Planning Board**

Casey Anderson, Planning Board Chair  
9 Park Street  
Fonda, NY 12068  
(518) 853-8155

**United States Army Corps of Engineers**

Civil Works Office  
U.S. Army Engineer District, New York  
26 Federal Plaza  
New York, NY 10278-0090  
Contact: Mary Ann Miller  
General Number: (917) 790 – 8414

**United States Department of Interior**

US Fish and Wildlife Service  
David Stillwell  
Field Supervisor  
3817 Luker Road  
Cortland, NY 13045  
(607) 753 – 9334

**D. Statement of project purpose and need.**

The Project will accomplish the following objectives:

- Promote renewable energy in the region;
- Supply nearby residential and commercial areas with energy;
- Support the local economy;
- Create jobs;
- Generate revenue; and
- Put the property into productive use.

**E. Summary of potential significant adverse environmental impacts and mitigation measures identified in each subject area**

The following table provides a summary of the significant adverse environmental impacts and mitigation measures as identified in each subject area of the DEIS.

Table 2. SUMMARY OF POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS AND PROPOSED MITIGATION MEASURES			
DEIS Chapter		Potential Impact(s)	Mitigation Measure(s)
A.	Visual/Aesthetic Impacts	The proposed wind turbine will change the visual character of the surrounding area due to its appearance and height.	The wind turbine has been sited to minimize visual impacts. The nearest property line is more than 850' away and the nearest house is more than 1900' away. The wind turbine will be painted white to minimize visibility. Tree clearing will be minimized so that intervening vegetation will screen views of the tower to the maximum extent practicable.
B.	Over the Air Radio and Television Communications	An evaluation and comparative analysis of non-ionizing electromagnetic energy emissions on and around the wind turbine site was conducted. The analysis identifies and measures the existing electromagnetic environment so that over the air radio and telecommunications impacts can be measured once the wind turbine is operational.	Once the wind turbine is operational the operator will be required to conduct follow-up measurements of the non-ionizing electromagnetic environment at the same locations as the existing conditions analysis. Florida Wind 1, LLC will address valid complaints through strengthening signals and filtering technologies as applicable.
C.	Community Character	The proposed wind turbine will change the character of the surrounding area. Although the Town's 1996 Comprehensive Plan (the "Comprehensive Plan") does not address renewable energy, the proposed wind turbine is consistent with the Town's goals of improving employment opportunities for residents and preserving the town's rural character and open spaces. Additionally, the proposed wind turbine is consistent with the intent and purpose of the Wind Turbine	The Project complies with the goals and requirements of the Town of Florida Wind Turbine Facilities Law, with the exception that the Applicant is seeking a waiver from the fencing requirement.

		<p>Facilities Law specified in the Town's Zoning Ordinance, as the proposed turbine will satisfy the increased demand for alternative energy sources, the need for more inexpensive and affordable power, and will be properly sited in a manner consistent with sound land use planning while allowing private and commercial providers to meet their power generating objectives.</p>	
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**F. Description of alternatives analyzed and a table comparing the impacts of the proposed Project with the impacts of the various alternatives.**

- 1.) The "No Action" Alternative – The no action alternative would leave the property in its current condition. While visual, site disturbance and temporary transportation impacts would be eliminated, the benefits of the Project such as increased renewable energy contributions to the local grid, would not occur. Under this alternative, the parcel would be left as a vacant and underutilized site.
- 2.) Alternative tower height (400 feet) – 400-foot turbines are no longer available due to advances in technology in wind turbines and the increased efficiency of longer blades. If a 400-foot tower were available, it may reduce, but would not significantly change, the visual impact of the proposed wind turbine, a conclusion with which the Town of Florida Zoning Board of Appeals agreed when issuing the height variance. All other impacts would also be nearly identical.
- 3.) Alternative location – There no other sites under the control of the Applicant that could be used as an alternative location to the project site. Therefore, this is not a viable alternative as there is no other site to evaluate for the purpose of situating the proposed wind turbine facility.

Table 3 Summarizes the impacts of each of the alternatives.

<b>Table 3. COMPARISON OF ALTERNATIVES</b>			
	The No-Action Alternative	400' Turbine Height Alternative	Alternative Site
Production of Renewable Energy	No renewable energy would be produced	Less renewable energy would be produced	Not a viable alternative
Site Disturbance/Stormwater Management	No impacts to the site and no additional stormwater runoff	Impacts would be identical to the proposed Project	Not a viable alternative
Visual Impacts	No impact	Slightly less visual impact	Not a viable alternative
Wetland Impacts	No impact	Impacts would be identical to the proposed Project	Not a viable alternative
Impacts to Microwave Transmission	No impact	Impacts would be identical to the proposed Project	Not a viable alternative
Noise Impacts	No impact	Impacts would be identical to the proposed Project	Not a viable alternative
Impacts to RF Transmission	No impact	Impacts would be identical to the proposed Project	Not a viable alternative
Transportation Impacts	No impact	Impacts would be identical to the proposed Project	Not a viable alternative

## II. DRAFT EIS COMMENTS AND RESPONSES

This section provides responses to written comment letters received on the Draft EIS and verbal comments offered at the March 4, 2024 public hearing. For each subject area, a general response is given first, followed by responses to each specific comment. In many cases the specific response refers to the general response.

Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.

Copies of the written comment letters are provided in Appendix 1 and a copy of the March 4, 2024 public hearing transcript is provided in Appendix 2. The written comment letters and the public hearing transcript provided in these appendices are marked and enumerated to identify the specific comments that are addressed in this Final EIS. These comments and the specific responses that follow are organized by the resource category or concern addressed in each comment.

### A. VISUAL & AESTHETICS IMPACT COMMENTS

#### Visual Impact General Response:

*The visual and aesthetic impacts of the Project have been extensively studied and evaluated throughout the Town's review process. In November and December 2021, the Town of Florida Zoning Board of Appeals (ZBA) reviewed the requested height variance for the 650-foot wind turbine. A public hearing was held at the December 13, 2021 ZBA meeting. Four members of the public spoke at the meeting. Based on the comments received at the public hearing and the ZBA's review of information provided by the Applicant, the ZBA granted the height variance on December 13, 2021.*

*The Project site is located on rural land that was last used for agricultural purposes in the 1990's. There are no residential structures on the Project site. The only structure is a collapsed barn. The surrounding areas consist of agricultural land and low density rural residential land. The closest residences to the Project are located approximately 1,900 feet to the east on YMCA Road, and 2,100 feet to the north on Bean Hill Road.*

*The proposed wind turbine is a single tower with three blades attached to the hub via a nacelle. The turbine will be constructed of steel and will be painted white to minimize its visibility. To comply with Federal Aviation Administration (FAA) aviation visibility standards for wind turbines, there will be one pulsing red (FAA L-864) obstruction light at the top of the nacelle. No other lighting is proposed.*

*The primary method employed to minimize visual impacts is the Project siting. The Project location is sited as far from the nearest residences as is feasible. Line-of-sight cross-section profiles are provided in the Draft EIS that extend from the top of the turbine to each of these nearest residences. Both of these profiles illustrate that the view of the top of the tower will be blocked by intervening vegetation. Tree clearing for the Project will be minimal so that intervening vegetation will screen views to the maximum extent practicable. This will reduce the visibility of the turbine, especially for nearby residents whose line of sight to the turbine will be screened by intervening vegetation and may provide some screening effect depending on viewpoint and topography.*

*The Visual Impact Study provided in the Draft EIS includes a visibility analysis and photo-simulations from 27 viewpoint locations surrounding the Project Site. The viewpoint locations were selected by the Planning Board to be representative of all potential views from the surrounding area. The visibility analysis shows where the Project will be visible within a five-mile radius Study Area and where the existing topography and vegetation will block or obscure views of the proposed wind turbine. The visibility analysis demonstrates that the Project will not be visible within the majority of the Study Area. The photo-simulations show leaf off conditions from public viewpoint locations within and surrounding the Study Area. Of the 27 viewpoint locations, the Project will be fully visible from 11 of the viewpoints, partially visible from 8 viewpoints, and not visible from 8 viewpoints.*

*The Project site does not coincide with any designated Scenic Resources of Statewide Significance, which is the SEQR threshold for a significant adverse visual impact. Areas of local significance within the Study Area are the Erie Canalway Trail and the Mohawk Valley Gateway Overlook. These resources are nearly five miles from the Project site and the turbine is expected to be minimally visible from them due to distance and topography.*

*With the proposed mitigation measures, the Project meets the standards for approval with respect to visual and aesthetic resources. Specifically, Section 45.4 of the Town Code requires that "No Wind Energy Conversion System (WECS) shall be installed in any location that would substantially detract from or block view of a portion of a recognized scenic view shed, as viewed from any public road right-of-way, public body of water or publicly owned land within the Town of Florida or beyond". As previously noted, the Project consists of a single wind turbine that is proposed in a remote location to minimize significantly adverse visual impacts. Additionally, the proposed white coloring would reduce the visibility of the Project. As demonstrated in the Draft EIS, the Project will not substantially detract from or block a view from a recognized scenic viewpoint.*

**A-1** Deanna DeLuke Comment #1: Please provide visual impact photos from the following coordinates. The community would like to see a more thorough representation of the visual impact of the proposed turbine - particularly the community members residing in the immediate radius of the turbine on Bean Hill Rd., Shellstone Rd, Millers Corners Rd., and Youngs Corners Rd. Since this

turbine is a "community wind project" and you have spoken of your interest in working with the community, I trust that this request from the community will be honored. (NOTE: See Attachment 1 for visual coordinates.)

*Response:* The commenter identified 102 locations for additional photo-simulations. Figures 1 and 2 illustrate these requested photo-simulation locations and the Photo-simulation viewpoints provided in the Draft EIS. As these figures demonstrate, the requested photo-simulation locations are clustered along the roadways that are in the closest proximity to the Project Site. As indicated in the viewshed map provided on Page 1 of the Draft EIS Visual Assessment, ground level views of the Project from the requested locations in some of the requested photo-simulations locations along these roadways would be obscured or partially obscured by existing topography and vegetation. The Draft EIS provides 27 photo-simulations from viewpoints identified by the Planning Board. These viewpoints depict views of the Project from representative public locations throughout the community. The Planning Board reviewed and accepted as complete the Draft EIS and the Visual Impact Study, which adequately analyzes the visual impacts from the Project. The additional photo-simulations requested in the comment are not required by the Planning Board to understand the visual effects associated with the Project.

A-2 **Mark and Lori Rulison Comment #5:** The project is actually detrimental to the town residents in many aspects such as - Significant visual impact. The nearest wind turbine this massive in height is near Binghamton, NY. Siting at 650 ft. turbine on Bean Hill, the tallest point in the town, will have a huge, unavoidable visual impact.

*Response:* See Visual Impact General Response.

A-3 **William Bonner & Mary Donohue Comment #2:** Visual impact - it is clear that a 650 foot tower would have a negative impact on the view shed of surrounding homes, businesses, our community as a whole, and surrounding communities. While some of the smaller wind turbines might fit into the landscape better and not provide such a negative impact, the 650 foot variance already provided was certainly premature. Documentation has shown that there is nothing in our area that even comes close to something that massive. It is our belief that this tower is not suitable for our community.

*Response:* See Visual Impact General Response. As noted in the General Response, the Town Zoning Board of Appeals granted a height variance for the proposed wind turbine in 2021. The proposed height is consistent with current wind turbine design and market availability. The proposed wind turbine height provides greater efficiency and energy production than smaller wind turbines. Other similarly sized wind turbines have been developed within New York State,

*including the Bluestone Wind Farm, which consists of 26 turbines in the Town of Windsor, Broome County NY.*

- A-4 **Brian and Kristeen Jaracz Comment #2:** Visual Impact study did not truly represent the size in contrast to the visible landscape points. When pictures are taken against a wall/object, of course no visual impact is noted. However, a 650' wind turbine, stationed on one of the highest points in the TOF, will have a significant negative visual impact and cannot be obscured.

*Response: See General Response.*

- A-5 **Phil Johnson Comment #2:** Environmental Impacts, Short term - an ugly visage in our beautiful town, noisy and harm to wildlife.

*Response: See Visual Impact General Response, Noise General Response, and Ecological, Wildlife & Vegetation Impact General Response*

- A-6 **Alliance for Florida Farmland Comment #6:** The environmental impact greatly outweighs any revenue that may be generated by a turbine that is statistically about 30% efficient in producing electricity. Visual impact cannot be mitigated for our residents or the residents of nearby towns. This device would be visible from two of our serene town parks, as well as from a large portion of town. This would be the largest turbine in NY set at the highest point in our county.

*Response: See Visual Impact General Response.*

- A-7 **Ken & Becky Maritz Comment #5:** The picture below is an approximate scaled depiction of the total height that the wind turbine will have when placed above Bean Hill. The picture demonstrates that the total height of the turbine on top of Bean Hill will be higher than One World Trade Center in New York City. This will be seen for many miles around us. Another fact to consider is the wind turbine alone is greater than two times the height of the Statue of Liberty! This is a fact that is impossible to dispute.

A Wind turbine of this size, height (650') and magnitude is visual pollution. We came upon one of lesser height on the Mass Turnpike. When in the distance it appeared out of place. Then as we approached *it* the appearance was overwhelming. It will make an open landscape appear more developed and less rural. This in turn will alter the natural landscape's harmonious relationships between different characteristics and elements of aesthetic importance. The movement of the rotors can create a "disquieting" effect in the landscape and disturb the natural tranquility.

*Response: See Visual Impact General Response.*

A-8 Vanessa Kirby March 4, 2024 Public Hearing Comment #5: Also, the significant lights of impact to the Town is the siting of the 650-foot turbine at the highest point, not just in the Town of Florida but all of Montgomery County. Although the zoning ordinance of Montgomery County allowed the height variance, they cannot make a vote to complete SEQRA or DEIS which provided additional insight and scrutinize the visual impact related to the site of a turbine of this size at this site. The additional insight available to this Board shows not only an impact of one that cannot be mitigated and would impact not only our Town, but other Towns as well.

*Response: See Visual Impact General Response.*

A-9 Scott Neff March 4, 2024 Public Hearing Comment #5: I always marvel at how this part of the Town -- I live down on 5S down by the river -- just how beautiful it is. In the last couple of years -- hell, in the last six months, just watching the solar projects going on -- even tonight, driving up here, I can see the sunset fading out. I can see a couple of houses at the lower end of Bulls Head Road where you cross there and I thought to myself, that is one beautiful sunset. If I was in their house looking at it just over the knoll, I can see all the stupid solar panels ruining the beauty of this Town. They say that this is one tower going up. Well, that project over on Route 30 by the diner, that was just one solar project too. Now look at our Town. It always starts with one.

*Response: See Visual Impact General Response.*

A-10 Ken Maritz March 4, 2024 Public Hearing Comment #4: The next area is the visual turbine. There have a very nice picture of this little thing in the background. I did pretty much an approximate scale and you have it in the handout that you have in front of you, but I referred to it. The picture below is an appropriate scale depiction of the total height that the wind turbine will have when placed on that hill. The picture demonstrates that the total height of the turbine on the top of the hill would be higher than 1 World Trade Center in New York City. This will be seen for many miles around us. Another fact to consider is the wind turbine alone is two times the height of the Statute of Liberty. This is a fact that is impossible to dispute. A wind turbine of this size - 650 feet - and magnitude of this is visual pollution. We came upon one of the lesser heights on the Mass Turnpike on our way to Boston and when it appeared in the distance, it appeared out of place. Then, as we approached it, the appearance was overwhelming. It will make an open landscape appear more developed and less rural. This, in turn, will open a natural landscape and harmonious relationships between different characteristics and elements of aesthetic importance.

*Response: See Visual Impact General Response.*

A-11 Kristine Varacz March 4, 2024 Public Hearing Comment #1: Much of the available research that has been done are based upon wind turbines that are 200 and 400 feet. There are no studies out there on 650-foot turbines. New Leaf has confirmed themselves that they've never built one this large. So, that alone should be alarm for all of us here. The visual impact study did not truly represent the size and contrast to physical landscapes. Many of the pictures that they proposed in the DEIS were against a wall or against an object - right up against it. To think that a 650-foot wind turbine stationed on one of the highest points in the Town of Florida will not have a significant negative visual impact - you're just kidding yourselves. It cannot be obscured with anything that you put up. There are no 650-foot trees and there is no 650-foot fencing that you can put up.

*Response: See Visual Impact General Response, and the Comment A-3 response.*

A-12 Timothy Gregson March 4, 2024 Public Hearing Comment #1: Those arguments are so compelling that I have very little to add to them, but I just want us to get a visual. I really appreciate comparison of this windmill compared to the World Trade Center and Statue of Liberty. We see here a turbine, or a portion of a turbine, but it's from a distance and it looks so innocent and so unthreatening. But as you imagine, picturing the lighthouse in Buxton, North Carolina - it is the largest lighthouse on the east coast. When we follow Route 12 - look for the lighthouse. I can see it out there and its light is on and we can see the light being flickered around. We drive closer and closer and closer and then we walk to it until we're finally at the base and we're looking way up there 210 feet. This is 650 feet. That's not accurate at all from what we will actually have to endure. This will no longer be rural county with a monumental thing right there before us for all to see. Wings will have to be flying high when it's foggy. They may run into it like they did the Empire State Building. The whole concept is just inappropriate for the Town of Florida. Just visualize and you'll know how to vote.

*Response: See Visual Impact General Response.*

A-13 Deanna DeLuke March 4, 2024 Public Hearing Comment #1: So, I agree with what many of my neighbors have said about the photos. I think that they were taken very creatively from these angles to make it look like this cute little thing that blends into the clouds. So, I would really love it if we could see more photos from locations that are more relevant to us. I'm not really concerned with what it looks like from the Auriesville Shrine or the cemetery or the Schoharie Preserve, which is where a lot of those photos were taken. I would like to know what it will really look like from Youngs Corners Road, Millers Corners Road, Shell Stone Road. I would love to see that. I think that one photo is from Youngs Corners, but it was the only one. Most of the others are from locations that were farther removed and also as one of my neighbors said, if your screening a house,

use trees - things that of course if you're standing right in front of will block the view, but if you look to the left or the right a little, there is the turbine.

*Response: See Visual Impact General Response.*

- A-14 Deanna DeLuke March 4, 2024 Public Hearing Comment #2: I also want to add - just to establish what 650 feet looks like - I was looking into it and if the turbine, is built, would actually be the tallest structure in the state, north of New York City. It would be taller than all of the buildings in Albany including the Erastus Corning Tower, Rochester, Syracuse, Buffalo. So, if we were to look at a list of the tallest buildings in New York State, we would have buildings in New York City and then we would have the Town of Florida's wind turbine and then the Erastus Corning Tower and that all the other urban buildings in our state. So, when you say is inappropriate, I can agree with that.

*Response: See Visual Impact General Response.*

- A-15 Clinton Detrick March 4, 2024 Public Hearing Comment #1: I want to keep the property and the surrounding areas at its historic glory and keep this area as beautiful as it always has been. If I were to take a photo once this project goes through, if it goes through - I hope to God it doesn't, it's going to take away that serenity and that historic feel that this area still has. That's what I wanted to say.

*Response: See Visual Impact General Response.*

## B. COMMUNITY CHARACTER IMPACT COMMENTS

### General Response:

*As described in the Draft EIS, Montgomery County and the Town of Florida are characterized by their traditional agricultural history and land uses. Within the Town of Florida, land located south of the NY Thruway is primarily within the Town's Agricultural zoning district. In the vicinity of the Project, most of the land is current or former farmland. Other nearby land uses include vacant woodland and low-density single-family residences. Commercial business and local government facilities occur along the NYS Route 30 and County Route 145 corridors, approximately 1-2 miles to the north and east. More intensive land use development occurs along NYS Interstate I-90 and within the City of Amsterdam, approximately 4 miles to the north. To the southwest and southeast are state forests Lost Valley State Forest, Charleston State Forest, and Featherstonehaugh State Forest, within approximately 4 to 8 miles of the Project site.*

*The Project site property is vacant and is a mix of open and wooded land. It is not currently in agricultural use and has not been since the 1990's. There is a collapsed barn on the property. The nearest building to the Project Site in use is a farm building with multiple sheds, located approximately 650 feet to the west of the Project Site. The nearest residence is 1904 feet to the northeast. Rulison Honey Farms, is approximately one mile south of the Project site.*

*The Town of Florida's 1996 Comprehensive Plan and 2011 Comprehensive Plan Amendments recognize the importance of supporting agricultural character within the Town. These planning documents also address the challenge of balancing environmental concerns and economic development, although they do not provide guidance specific to renewable energy within the Town.*

*The regulations for wind energy facilities in the Town were established in Local Law 1 of 2008 and codified in Section 45.4 of the Town's Zoning Ordinance. This law stipulates the following Intent and Purpose:*

*"Increasing global, national, regional, and local energy demands have led to a corresponding increase in the demand for alternative energy sources. The Town Board of the Town of Florida recognizes the increased demand for such alternative energy sources and the need for more inexpensive power that wind turbine facilities may provide. The purpose of this local law is to protect and promote the community's safety, health, and welfare by properly siting wind turbine towers in a manner consistent with sound land use planning while also allowing private and commercial providers to meet their power generating objectives."*

*As defined in Section 45.4 of the Town Zoning Ordinance, the Project is a Wind Energy Conversion Systems (WECS), Commercial development that will generate original power on site to be transferred to a transmission system for distribution to customers.*

*As previously noted, the Project does not result in a loss of land in agricultural production. This property has not been utilized for agricultural since the 1990's. Upon decommissioning of the Project, the Project site would be restored to allow future agricultural use.*

*To address the visual change associated with wind energy, Section 45.4 requires that: "No WECS shall be installed in any location that would substantially detract from or block view of a portion of a recognized scenic view shed, as viewed from any public road right-of-way, public body of water or publicly owned land within the Town of Florida or beyond". As previously noted, the Project consists of a single wind turbine that is proposed in a remote location to minimize significantly adverse visual impacts. Additionally, the proposed white coloring would reduce the visibility of the Project. As demonstrated in the Draft EIS and previously noted in the Visual Resources section of the Final EIS, the Project will not substantially detract from or block a view from a recognized scenic viewpoint. As previously noted, the Project received a height variance from the ZBA in December 2021.*

*The proposed wind turbine is a fully self-contained and locked structure that would be inaccessible to unauthorized personnel. There are no rungs or apparatus for climbing on the exterior of the turbine. Due to its remote location and the significant distance (approximately 1,493 feet) to the nearest public roadway the Applicant requests the Planning Board waive the requirement in Section 45.4 of the Zoning Ordinance for a 6 foot-tall perimeter security fence. The Applicant proposes to install a gate on the driveway to restrict access. The exact location of the gate will be determined in consultation with the landowner and National Grid to ensure no interference with access to existing electrical utility poles.*

*The Project requires site plan review and a special use permit from the Town of Florida Planning Board. Except for the requested fencing waiver and the previously granted height variance, the Project complies with the goals and standards for approval specified Section 45.4 of the Town Zoning Ordinance which states that WECS are specially permitted within the Project site's zoning district. In adopting Local Law 1 of 2008, the Town of Florida made a legislative decision that wind turbines developed in compliance with the Town requirements are permissible and compatible with the character of the community within this particular zoning district, as well as the Town in general.*

*The utilization of this Project site property for a wind energy project would not result in a loss of agricultural activity or a significant change in the community character of the Town.*

**B-1** **Sara Cato Comment #1:** Allowing this type of project to take place will no doubt forever alter the town of Florida and the greater Mohawk Valley. A turbine project of this scale will be a slippery slope, opening the door to similar capital ventures, changing the community to an industrial landscape, with an irreversible footprint and unknown long term consequences. Although on the surface there might be short term financial gains for some, this project will directly and negatively impact the area's rich historical, agricultural, ecological

and unique landscape that so many affectionately call home. Aside from the commonly known cons of a wind energy project, including short and long term impacts to the greater community, such as changes to the landscape aesthetics, impacts to wildlife, such as but not limited to bird and bat deaths, disruptions to the land, water and the overall ecological framework.

*Response: See Community Character Impact General Response. The Applicant is seeking Planning Board approval for the single wind turbine and is not pursuing any other wind infrastructure project in the Town. Furthermore, the Applicant has no control over whether other developers pursue additional wind projects in the Town. In any case, each application must be evaluated independently, irrespective of other potential future projects.*

- B-2 **Maria Ernest Comment #1:** I object to the installation of the wind turbine on Bean Hill because I do not want it to be a test experiment as to its effect on the surrounding environment. Once done, it can't be undone. The whole process is so destructive to the centuries' old farming community.

*Response: See Community Character Impact General Response.*

- B-3 **Brian and Kristeen Jaracz Comment #1:** Much of the available research, if any, are based upon wind turbines 200 to 400' tall. There are NO available studies that address a 650' wind turbine and all of their effects/impacts on a rural community.

*Response: Wind turbines have become more efficient and cost effective to operate. A key improvement is the blades, which are more sophisticated and can reach higher wind speeds with less noise at the typical receptor. The blades have increased in length and this increases the overall height of the turbine. 650-foot turbines are in development across New York State as they reflect the latest technology. It is also noted the proposed height is consistent with current wind turbine design and market availability.*

- B-4 **Wayne A. Neznok Comment #1:** As a life-long resident of the Town of Florida and after reading the article, I have to ask, with at least more than 1000 acres of solar panels devastating our farmlands and the rural character of our Town, hasn't the Town of Florida contributed more than our fair share to renewable energy?

*Response: See Community Character Impact General Response.*

- B-5 **Alliance for Florida Farmland Comment #1:** No one in the Town of Florida has spoken favorably for this project. In fact numerous people have said they don't want it. 230 people have signed a petition against industrial wind turbines in our

town. The same project has been proposed and rejected/withdrawn in Glen, Middleburgh, and other NY towns.

*Response: See Community Character Impact General Response.*

B-6 Alliance for Florida Farmland Comment #7: Community character will be forever altered.

*Response: See Community Character Impact General Response.*

B-7 Karen Anne Bara March 4, 2024 Public Hearing Comment #4: Another thing that I question is the very name of the sponsor of this project. Florida Wind Number 1. The turbine proposed would utilize 4.9 acres of a 135-acre plot. If and should the plan be approved, does that now pave the way for Florida Wind Number 2, then Number 3, then Number 4 and so on? If my math is correct, on that 135-acre plot - at least another 20 turbines could go up and be improved. Hey, once one is approved, why not more, right? That turns that whole area up on Bee Hill into a wind farm. What assurances are the residents of this Town going to get from elected officials that turbines 2, 3 and 4 and however many more aren't going to be part of the future of our Town? On Page 11 of the revised DEIS, they actually use the plural of the word turbine to describe the topography of the site. They already know that the site could and would be a benefit for them to put more than just one turbine.

*Response: This Project involves only the one proposed wind turbine. No expansion of this Project is planned or contemplated by the Applicant. In fact, there is insufficient space to site more than one turbine on this parcel and maintain compliance with industry standards and Town Code requirements. The name of the project company is due in part to name availability from New York State Department of State, and the name of the Project LLC has no bearing on future projects.*

## C. TRANSPORTATION, TRAFFIC, and SAFETY IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Transportation Study included the Draft EIS was prepared to assess delivery route options for the wind turbine project components, including the blades. The analysis identifies load capacities and restrictions of roads, bridges and culvert crossings. Temporary improvements to intersections are identified and quantified. The selected route will be driven by certified professionals prior to the turbine delivery to confirm safe and effective access. The turbine and blades will be delivered by specialized drivers and vehicles.*

*The following three routes were identified. Route A is the one route that can accommodate vehicles heights greater than 15 feet.*

- *Route A: utilizes I-88 to Exit 24, then NY-7, NY-395 (Main Street), NY-20 (Western Turnpike), NY-30, CR-147 (Eaton Corners Road), CR-149 (Mill Point Road), CR-140 (Peck Road), McKinney Road, CR-142 (Millers Corners Road), Bean Hill Road and YMCA Road.*
- *Route B: utilizes I-90 to Exit 27, NY-161 (Mill Point Road), CR-143 (Youngs Corners Road), Bean Hill Road and YMCA Road.*
- *Route C: utilizes I-90 to Exit 28, NY-920P (Riverside Road), NY-5S, CR-164 (Noelfner Road), NY-161 (Mill Point Road), CR-143 (Youngs Corners Road), Bean Hill Road and YMCA Road.*

*The Transportation Study provides detailed information on the road conditions for the potential delivery routes. The study analyzes and recommends a feasible delivery route*

*for the turbine and components that prioritizes New York State roadways, avoids underpasses and overhead obstructions, and minimizes acute angle turns. Based on this evaluation, Bean Hill Road is the only Town road expected to be utilized. The remainder of the roadways to be used are county or state roads.*

*The Transportation Study included a field evaluation to confirm the feasibility of the routes, identify potential road obstructions and features that could interfere with transport, and document potential temporary roadway improvements and/or widening required to accommodate large delivery vehicles.*

*The Applicant will enter into a Host Community Agreement (HCA) with the Town of Florida Town Board to fund any expenses associated with the delivery of the Project components and construction related traffic. The Road Use Agreement will ensure that the Town will not incur any costs for road usage or repair related to the Project. The development of a mutually acceptable HCA will be necessary for the Project to be developed. It is anticipated that an accepted HCA will be required as a condition for the issuance of a Town Building Permit. A summary of the anticipated HCA is provided in Appendix C.*

**C-1 Lynne Bruning Comment #1:** New Leaf's construction traffic plan provides Route A which goes through the Town of Duanesburg, Schenectady County. Careful review of the Town of Duanesburg town council and planning board meeting minutes does not provide any information on New Leaf's proposed Route A from Interstate 88 exit 24, west on Route 7, north on Main Street through the Village of Delanson, West on Route 20 and North on Route 30. Has the applicant communicated with the Town of Duanesburg and the Duanesburg Highway Supervisor?

Concerns for the Town of Duanesburg and its taxpayers may include, but are not limited to:

- damage and maintenance to roadways
- safety of students and *staff* at the High School
- railroad crossing on Main Street in Delanson
- safe entry of construction vehicles from Main Street to west bound Route 20
- burden on volunteer emergency responders, and
- respectful, timely, and accurate communication from the developer to the Town of Duanesburg

As a taxpayer and a fifth-generation landowner in the Town of Duanesburg that learned of the proposed construction route on March 3, 2024, I Believe that New Leaf should route their construction traffic through the county that may profit from the permit, construction, and operation of the wind facility.

***Response:*** *The Town of Duanesburg does not own any roads proposed on the preferred route. These roads are owned and maintained by the New York State Department of Transportation. Coordination with the Town of Duanesburg will be conducted through the appropriate channels.*

C-2 Sara Cato Comment #2: In addition, there will be increased use and stress to local infrastructure, increase in traffic, related pollution and heavy machinery traffic on local roads increasing safety risks.

*Response: See Transportation, Traffic, and Safety Impact General Response.*

C-3 Mark and Lori Rulison Comment #6: The project is actually detrimental to the town residents in many aspects such as - Road damage and the traffic disruption from heavy, oversized trucks and equipment.

*Response: See Transportation, Traffic, and Safety Impact General Response.*

C-4 Brian and Kristeen Jaracz Comment #5: Roadways/Infrastructure will be eroded and destroyed with the weight of these 267' long trucks/trailers. The residents should not have to incur the costs that will be required to fix and maintain these roads. New Leaf should be required to issue the TOF a multimillion dollar bond to fix roads/infrastructure not only for the install, but for remaining existence of the wind turbine.

*Response: See Transportation, Traffic, and Safety Impact General Response.*

C-5 Ken & Becky Maritz Comment #4: And then there are the commonly associated "wind turbine disasters" - Blade failure, structural-failure, fire and ice throw. Leading edge erosion can occur from the first year after wind turbine installation. Lightning strikes are typically observed in high peak areas. If any one of these disasters occur during the life expectancy of the wind turbine can the town recover from the damage caused?

*Response: Section 45.4 of the Town Zoning Ordinance specifies safety requirements and setback distances for wind turbines. The Project complies with these design requirements.*

C-6 Kristine Varacz March 4, 2024 Public Hearing Comment #5: Roadways and infrastructures: They will be eroded and destroyed. They talked about these trucks that are 267 feet long with over weight limits. If you have gone up through that path, which I have, I have taken their maps and I've gone through there - there are roads that have to be cut away and there are power lines that have to be removed. There are people's lands that they are going to have eminent domain on. All of that is going to be a cost.

*Response: See Transportation, Traffic, and Safety Impact General Response. The Project will not require any eminent domain or taking of private property. Easements will be obtained as necessary.*

C-7 Deanna DeLuke March 4, 2024 Public Hearing Comment #3: I think another thing that has been rather made in the study is the impact of the transit – the truck loads coming in. Since there isn't really a lot of research on what it takes to build a 650-foot turbine, I looked into some of the existing turbines of that size and there's one in Canyon, Texas. To build that turbine took 100 loads of truck parts - so huge, huge semi-trucks - 100 loads back and forth, 80 loads of cement trucks full of concrete to just establish the foundation of the structure. So, I don't think that the draft EIS really addresses what is all of that transit, all of that noise, commotion in general.

*Response: See Transportation, Traffic, and Safety Impact General Response.*

C-8 Karen Anne Bara March 4, 2024 Public Hearing Comment #2: The DEIS talks about 4.9 acres of land that's going to be disturbed on the site, but it doesn't mention much about the acres of land is going to be disturbed along with those trucks. How is New Leaf going to handle those disturbances? Are they going to replant the trees and vegetation that they remove?

*Response: See Transportation, Traffic, and Safety Impact General Response. The Transportation Study identifies the following locations where a minimal amount of vegetation clearing is anticipated:*

- *Southwest Corner of NYS Route 30 and County Route 147 intersection*
- *McKinney Road, sharp right turn at 850 feet north of Lost Valley Road*
- *McKinney Road (both sides) at County Route 142 intersection.*
- *West side and Southeast corner of County Route 142 at Bean Hill Road intersection.*
- *Bean Hill Road, left bend, 2,375 feet east of Count Route 142*
- *Bean Hill Road, left bend, 2,650 feet east of Count Route 142*

*All Project-related work at these locations will be funded through the Host Community Agreement and the Road Use Agreement.*

## D. ECONOMIC IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Project is anticipated to have a net economic benefit for the residents of the Town of Florida and Montgomery County. This includes short-term benefits resulting from construction jobs and related local expenditures, as well as long-term gains from discounted electrical billing rates, increased municipal and county tax revenue from the Project, long-term employment operating the Project, and funding provided to the Town through the Host Community Benefit Agreement (HCA). The HCA will establish financial surety to the Town to address the following:*

- A Road-Use Agreement for construction-related roadway repairs or improvements.*
- Radio frequency or electromagnetic disruptions resulting from the Project operation.*
- Decommissioning expenses associated with the removal of the Project and restoration of the Project site.*

*The Road Use Agreement will address all Project-related construction and delivery activities affecting local roads and public Right-of-Ways. The Road Use Agreement will ensure that the Town will not incur any costs for road usage or repair related to the Project. The Road Use Agreement will provide an agreed upon funding amount for all anticipated expenses.*

*The Applicant proposes to provide the Town a \$100,000 bond to study and remedy any radio frequency or electromagnetic disruptions that result from the Project. Although the Project is not anticipated to cause these types of impacts, the availability of this bond will provide the Town with funding to take immediate steps to address any issues. Should additional funding be required to study and/or address this type of impact from the Project, the Applicant is committed to engage with the Town to identify a mutually*

*acceptable remedy in accordance with a Complaint Management Plan to be established with the Town Board as a component of the Host Community Agreement.*

*The Applicant provided the Town a draft Decommissioning Plan and Bond estimate. The Bond will establish a financial surety for the removal of the Project and restoration of the Project site. A Decommissioning Plan details the Bond amount and the process to ensure scheduled adjustments to cover any price escalations associated with decommissioning. The Decommissioning Plan and Bond will be finalized prior to the issuance of a Town building permit and in advance of any development activity at the Project Site. This timing is designed to ensure that the Decommissioning Plan and Bond reflects all final selections for Project components and equipment.*

*The development of a mutually acceptable HCA that incorporates a Road Use Agreement, a Bond for radio frequency and EM disruptions and Decommissioning Plan and Bond will be necessary for the Project to be developed.*

*The U.S. Department of Energy (DOE) released a study in December 2023 on the effects of wind energy developments on home property values<sup>1</sup>. Funded by DOE's Wind Energy Technologies Office, the research studied U.S. home sales around wind farms and examined more than 500,000 home sales. The study found that Wind energy projects can affect local economies through job creation, tax revenue, local landowner income, and changes to home sale prices. Regarding home sale prices, the study concluded:*

*"In more populous counties, home prices are reduced after the announcement of wind energy development but return to prior levels 3–5 years after wind farm operations begin. No impact was found in less populous counties.*

*The study did not compare home values in wind communities to communities without wind, nor did it examine the impact of other economic effects such as increased local tax revenue and worker income that might increase home prices across communities with wind development."*

*The DOE study conclusions are consistent with other independent studies of the net-positive economic impacts of wind energy developments.<sup>2</sup> Furthermore, New York law specifically does not permit municipalities to impose on one property owner the protection of another property's value. In fact, the Project will provide beneficial financial incentives to the Town, specifically in the form of an HCA Agreement.*

**D-1 Sara Cato Comment #3:** In addition to these commonly known issues as listed above, one area for serious discussion and consideration by all outside investors

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<sup>1</sup> <https://www.energy.gov/eere/wind/articles/new-study-identifies-wind-energy-developments-effects-home-property-values#:~:text=Funded%20by%20DOE's%20Wind%20Energy,sales%20of%20homes%20farther%20away.>

<sup>2</sup> [https://cleanpower.org/wp-content/uploads/gateway/2023/12/ACP\\_Property-Values-Land-Based-Wind-Turbines\\_Fact-Sheet-Dec-2023.pdf](https://cleanpower.org/wp-content/uploads/gateway/2023/12/ACP_Property-Values-Land-Based-Wind-Turbines_Fact-Sheet-Dec-2023.pdf)

and for directly affected community members to seriously consider is the downside of wind energy projects, impact to local home values.

*Response: See Economic Impact General Response.*

- D-2 **Mark and Lori Rulison Comment #1:** Despite what the developers say, this project will not benefit town residents in any way-no local jobs will be created.

*Response: See Economic Impact General Response. As described in the Draft EIS: "The community will benefit from increased tax revenue from the Project, the creation of construction employment and of jobs associated with long-term operation and the production of locally sourced clean energy."*

- D-3 **Mark and Lori Rulison Comment #3:** Our electric rates will NOT be reduced but rather increased as NYS forces their Climate Leadership and Community Protection Act (CLCPA agenda on us. Offering a 10 percent reduction on rising electric costs as incentive for the wind turbine is a deceptive tactic.

*Response: See Economic Impact General Response. As indicated in the Draft EIS, the Project will offer electrical rate reductions to local residents:*

*"This small-scale wind project will generate clean energy and local subscribers will receive clean energy at a discounted rate. Local residents and businesses will have access to affordable clean energy by opting into the Owner's Customer Retention Option at the time of interconnection, keeping the clean energy in their community. Once the turbine is interconnected to the grid, customers will be offered credits from the system according to the Public Service Commission's mandated value of distributed energy resources (VDER) program. For further details on how Community Distributed Energy is managed, see the following overview from NYSEDA"*

- D-4 **Phil Johnson Comment #1:** Subsidies - We all know without government "help" most wind and solar projects would not occur. Subsidies pervert market economics. If wind power is viable it should stand on its own economic feet.

*Response: The Commentor's opinion is noted but does not cite information relevant to the Planning Board's criteria for a SEQRA determination. See Economic Impact General Response.*

- D-5 **Phil Johnson Comment #4:** Inefficient - the power density of wind is low, a low power density form of energy requires more infrastructure and maintenance.

*Response: The Commentor's opinion is noted but does not cite information relevant to the Planning Board's criteria for a SEQRA determination. See*

*Economic Impact General Response. The Project as designed will generate clean and efficient electrical energy.*

- D-6 **Ken & Becky Maritz Comment #7:** New Leaf has proposed providing our town residents with a 10% discount on their electric bill. This nominal gesture can be attained by joining up with any of the local solar consortiums. We suggest that the town's electricity be provided by the wind turbine throughout its life expectancy. This way the benefit can directly impact the taxpayers of the Town of Florida. This has been done for the residents of Green Island NY.

*Response: The Town of Florida can participate in Community Distributed Generation programs if it chooses to do so.*

- D-7 **Ken & Becky Maritz Comment #8:** Additionally, the \$100,000 bond recommended by the applicant for possible frequency issues is greatly insignificant. In addition, who and how will the bond be managed. When you consider the total risk assessment with our local farms, businesses, and town, we suspect the potential losses to be significantly higher. This is why we strongly recommend evaluation of the potential losses and seek a catastrophic insurance policy to cover ongoing and future losses to the town. Why should we as taxpayers take on the risk of potential lawsuits that may increase our tax burdens significantly.

In conclusion we recommend that the application for this wind turbine be rejected. The impacts and risks are too many!

*Response: See Economic Impact General Response.*

- D-8 **Scott Neff March 4, 2024 Public Hearing Comment #2:** Additionally, you said that the Town would receive \$30,000 a year for the life of the project, as well as taking care of the damage to the roads - at no point did you mention what that term is - the life of the project.

*Response: See Economic Impact General Response. The life of the project is until the turbine is decommissioned.*

- D-9 **Scott Neff March 4, 2024 Public Hearing Comment #3:** I also have concerns about what happens if this company goes belly up and files for bankruptcy and starts up under a new name. Is all that stuff out the window, as well as the one you provided in terms of taking care of the roads?

*Response: See Economic Impact General Response. The Decommissioning plan provides the Town with financial surety for contingencies.*

D-10 Scott Neff March 4, 2024 Public Hearing Comment #4: My wife and I were on a flight within the last year and she asked a guy that was sitting next to us what he did for a living because he had a hard hat with him on the flight. He said he was a project manager for wind turbine project. I said oh, I've got a lot of questions for you, based on the things that I have been researching and about how valuable I think that it is. I basically said that I thought it was an industry full of corruption with government and big money and they have been taking over rural areas that don't have the money. Without the subsidies, propping it up, it is basically useless. He said, well, I make a good living at it, but I can't tell you that anything you just said is wrong. I have had area of concerns about that from that point forward. He initially said that truth be known, at the point that they power down the grid to tie in the wind project for however long they have to or whatever is involved with that, he said it's actually cheaper to just keep - money would be saved if you just kept going with the grid as it currently stands, not trying to bring in the wind energy into the scenario.

*Response: Comment noted. This is anecdotal information that cannot serve the Planning Board in making a SEQRA determination. See Economic Impact General Response.*

D-11 Ken Maritz March 4, 2024 Public Hearing Comment #5: I'll wrap it up with the benefits. They talk about the benefits to the Town - that the Town residents will get about a 10% discount on their electric bill. This nominal gesture can be gotten by any local solar company out there today. You don't need a wind turbine out there to get it. We suggest that the Town's electricity be provided by a wind turbine throughout the life expectancy. This way, the benefit can directly impact the taxpayer of the Town of Florida. This has been done for residents of Green Island. I don't know if people are familiar with the Green Island.

*Response: See Economic Impact General Response. The Town of Florida can decide to participate in Community Distributed Generation programs.*

D-12 Ken Maritz March 4, 2024 Public Hearing Comment #6: It's supposed to be \$100,000 bond put on this. I think that is very insignificant. We start getting lawsuits not only from frequency issues, but the five-generation bee farms - I don't think they would sustain this. I think we need to have catastrophic insurance. Catastrophic insurance should cover us throughout the life expectancy.

*Response: See Economic Impact General Response. The Project will be fully insured throughout the life of the Project to address all foreseeable contingencies.*

D-13 Mark Rulison March 4, 2024 Public Hearing Comment #1: We'd like to specifically voice our concern that our own family farm may be impacted. Rulison Honey Farm has been here for over 130 years; four generations. We have worked here, lived here, paid our taxes, raised our families, spent our money doing business here. We have children and grandchildren who will hopefully continue to live and carry on farming here.

*Response: See Economic Impact General Response.*

D-14 Kristine Varacz March 4, 2024 Public Hearing Comment #2: The radio frequency resolution of offering \$100,000 bond is not even close to being sufficient. That would maybe cover one resident. If you had hundreds of residents, where is that money coming from to hire a lawyer to try to find another source, if there even is another source. So, I think that a \$100,000 bond is way understated for that.

*Response: See Economic Impact General Response.*

D-15 Kristine Varacz March 4, 2024 Public Hearing Comment #4: Nobody knows the long-term effects on bees, wildlife habitat here or plantation. New Leaf's resolution of roll reseed was in their comments - is useless after negative effects have already occurred. An existing 130-year old bee farm already exists. Are they willing to put up a multimillion dollar bond that is named to the Town of Florida if they go bankrupt, or go out of business or the thing gets decommissioned or doesn't work, that the bee farm is going to get and the Town of Florida residents are covered on?

*Response: See Economic Impact General Response.*

D-16 Kristine Varacz March 4, 2024 Public Hearing Comment #6: They talked about a bond. The bond - it's not just one and done. These roads and infrastructures are going to have to remain for the existence of this wind turbine on top of it decommissioning. New blades, motors, decommissioning of this wind turbine and eventually the removal. This is, again, a multimillion dollar bond that should be in the Town of Florida in case anything happens.

*Response: See Economic Impact General Response.*

D-17 Karen Anne Bara March 4, 2024 Public Hearing Comment #3: Are they going to protect the Town of Florida from lawsuits when they arise because of damage down to the roads and properties that don't lie within the boundaries of our Town? Will the residents of the Towns themselves be compensated for any

losses due to property damage, or power outages that occur when the electrical lines need to be moved?

*Response:* Road Use Agreement will be in place to cover any necessary repairs to roadways and will include all appropriate municipalities. No property damage or power outages related to the project is anticipated.

D-18 Valerie Shaarland March 4, 2024 Public Hearing Comment #4: It's going to severely reduce our property values.

*Response:* See Economic Impact General Response.

## E. HONEYBEE IMPACT COMMENTS

### General Response:

*Habitat research was conducted in July, 2023 during peak foraging, and determined minimal habitat for honeybees. Population studies were done in October 2023 during sunny 75F degree weather, before the first frost of the season, as per the National Protocol Framework for the Inventory and Monitoring of Bees (Draft EIS, Appendix C of the population study) and found minimal use by honeybees. There were 12 flowering species still in bloom at the time of the survey, as documented in the Appendix A, Table 7 of the report in the Draft EIS, including several goldenrods and several species of aster. Observations were made to determine presence/absence and relative abundance at time of year with no factors, values, or assumptions about impacts on honeybees or local farms. Neither the Habitat Report nor the Population Study were meant to assess or determine impacts to honeybee farms from wind turbine operation. The honeybee studies were meant to assess habitat value and presence along with general abundance and diversity of species to determine habitat use by foraging bees. The honeybee studies determined that the site is poor habitat for honeybees and that honeybees from managed colonies are unlikely to be using the site in large numbers. A study of longer duration, before the installation of wind turbines, would simply improve the confidence values associated with the habitat value and the presence and abundance results and would not address the impacts of concern.*

*There is no established research on impacts of wind turbine operation on honeybees. The conclusion that honeybees are not using the site in high numbers is supported by the findings listed in the habitat report along with the abundance analysis from the population report. The research provided and discussed in the conclusion of the population report refers to and is meant to help alleviate some of the concerns mentioned in the preceding paragraph and is not contradictory. Since 1980, over 70,800 turbines at over 1,500 wind farms have been installed across 44 states. Only a few studies on impacts of insects and wind turbines have been documented, with even less studies on impacts to managed honeybee farms, specifically.*

*The first research link provided by the first commenter below (Mark and Lori Rulison, Comment #10) is an article referring to the results of a research paper accessed by the second link, and all supporting literature in the first article also reference the same research paper provided in the second link. The research paper is from a German Engineering and Thermodynamics Institution and the results are based on multiple assumptions and simple models that predict insect collision rates in a specific part of Germany for a specific windfarm located in the path of known insect migration routes. The predictions are highly subject to variations in the model and are not supported by empirical evidence. The models also refer to migrations of native insects and biomass loss to ecosystems, but not once are honeybees mentioned in the research, likely because they are domesticated agriculture and are more subject to management practices. While wind turbines may certainly be an important conservation concern, they are not likely to be an impact on managed honeybee populations.*

*The local farm reference is important anecdotal evidence and is not meant as research or proof. It does, however, support the reality that both windmill operations and honeybee farms can and do currently co-exist with no impacts observed.*

*As noted in the Draft EIS, the Project includes reseeding disturbed areas of the Project Site with native pollinator species that would benefit numerous wildlife and insect species, including honeybees.*

**E-1 Mark and Lori Rulison Comment #10:** We would specifically like to voice our concern that our own family farm may be affected.

Rulison Honey Farm has been here for 130 years and four generations. We have worked here, lived here, paid our taxes here, raised our family here, and spent our money doing business here. We have children and grandchildren who will hopefully continue to live and carry on farming here.

We appreciate that the planning board addressed our concerns to New Leaf during the Environmental Impact Survey, however, we still feel that the DEIS Honey Bee Study is inadequate and inconclusive in their findings.

Their follow-up study was conducted during the first week of October 2023. Protocol for habitat research is recommended between June – August at peak foraging, brood rearing, and honey production. While the weather was exceptionally warm last October, allowing the bees to be flying, we spoke to the research scientist, Mr. Jacob Johnston, and stressed that the foraging season had ended. The single floral source in bloom was purple aster. The bees had completed their honey production for the year, and we were preparing hives for the winter. This is a huge factor that would skew any observations they made.

LaBella Associates were more careful to record their statistics and procedures in their follow-up survey, but it was simply another 3 day period of observation. We feel this short survey at the wrong time of the year is inadequate to draw the conclusion that, *"If honeybees from nearby managed colonies are using the Project Site for habitat resources, it is not likely in high numbers."*

The LaBella report (page 32) goes to state, *"there may still be concerns with the effects of wind turbines on bee health and mortality in proximity to the infrastructure as well as possible modifications or impairments to their dance based communication methods."*

A few paragraphs later they conclude, *"Research on direct effects of renewable energy turbines on honey production and hive health, however, have shown no impact on mortality, navigation, reproduction, or hive functions."*

The next paragraph of the LaBella report then states, "There is no established research on the impacts of wind turbine operation on honey bees."

These statements in the report directly contradict each other and are clearly an indication that (pun intended) they are grasping at the wind!

Also, the report anonymously cites "another honeybee farm situation within half a mile of (unidentified) wind turbines that has not experienced any effects on hive health or honey production." We feel is not only poor research but unacceptable to make unverifiable statements as research which is used as "PROOF" that turbines have no impact on honeybees.

Some research links below show otherwise:

<https://www.windconcerns.com/big-winds-assault-on-insects/>

<https://docs.wind-watch.org/Interference-of-Flying-Insects-and-Wind-Parks.pdf>

It is very troubling that such a major concern which may affect our farm and livelihood can be so easily discounted by New Leaf. Re-seeding the turbine area with pollinator friendly flowers is not any kind of mitigation if we are no longer able to keep bees alive and produce honey at our Shellstone Road farm. We urge the Planning Board to reject this project.

*Response: See Honeybee Impact General Response.*

- E-2 **William Bonner & Mary Donohue Comment #1:** Rulison Honey Farms - The environmental study was in no way adequate in its determination of the impact to our local honey bee farmers. Approval of this wind turbine application is in essence providing approval to another corporation to experiment with an industrial sized wind turbine to determine the actual effects on honey-bees. The original DEIS volume II response states in part in the summary of findings: "...there may still be concerns with the effects of wind turbines on bee health and mortality in proximity to the infrastructure as well as possible modifications or impairments to their dance-based communication methods." It would be negligent to approve this application and allow the applicant to experiment with a cornerstone and well respected family farm in our town.

*Response: See Honeybee Impact General Response.*

- E-3 **Brian and Kristeen Jaracz Comment #4:** Bee study was done over a 3 day intermittent period, within 5 hours total time, at the incorrect time of year. No studies have been concluded on a 650' wind turbine and the long term effects on bees, habitat wildlife, and plantation. New Leaf's solution of "We'll Reseed" is

useless after negative effects have already occurred. An existing 130 year old TOF bee farm, requested a proper bee study be performed over years to be properly vetted. This existing bee farm supports 5+ families, New Leaf should be required to guarantee no negative impacts to these families with a multimillion dollar bond in case any negative impacts occur.

*Response: See Honeybee Impact General Response.*

- E-4 **Alliance for Florida Farmland Comment #11:** The Honeybee study and follow-up study was merely a habitat report, with no conclusive data or information regarding potential turbine impact on honeybees as requested.

*Response: See Honeybee Impact General Response.*

- E-5 **Ken & Becky Maritz Comment #1:** The applicants provided a Bee Study that has been rejected by our local Bee Farm owners. The Bee Farm owners have expressed concerns about the amount of time and periods when the study was conducted. To properly evaluate the impact and reduce the risk a more comprehensive study during the appropriate times should be conducted by an independent expert. As part of the study there should be a catastrophic assessment performed to evaluate the risk and financial losses that might occur. This is just one of our town's long-standing farms that supports 5 families with future generations.

*Response: See Honeybee Impact General Response.*

- E-6 **Vanessa Kirby March 4, 2024 Public Hearing Comment #2:** Secondly, the observation completed on the bee population along with the research provided is a poor excuse of scientific method. The research was conducted during a time when the area is less forested by these because of the available plant life at the site and completed only during one season through the year.

*Response: See Honeybee Impact General Response.*

- E-7 **Vanessa Kirby March 4, 2024 Public Hearing Comment #3:** The applicants also said they would address any concerns by foraging planting flowers. How is that a good idea if we don't have the data on how a 650-foot turbine would affect people in the first place? Being a bee expert is not needed to assure the quality of the study completed. The risks to multiple families' lives, if this project were to be detrimental to the bee population, it would be devastating to a century-old established Town business. The study used to justify your researcher's rationale is based on a study where 410-foot turbines were the focus of study and there is only one supporting study that is referenced.

*Response: See Honeybee Impact General Response.*

E-8 Ken Maritz March 4, 2024 Public Hearing Comment #1: From a local farm business perspective, there is a study that has been rejected by our local bee farm owners. One of them is sitting right next to me. The bee farm owners have expressed concerns about the amount of time and period which the study was conducted to properly evaluate the impact and reduce the risk, a more comprehensive study during the appropriate times should be conducted by an independent expert. As part of the study, there should be a catastrophic assessment performed to evaluate the risk and financial losses that might occur. This is just one of our Town's long-standing farms that support five families for future generations. There are many farms near the proposed site where animals and insects may be affected. Dairy cows, as an example, as sensitive to environmental structures, including noise.

*Response: See Honeybee Impact General Response.*

E-9 Mark Rulison March 4, 2024 Public Hearing Comment #2: We appreciate that the Planning Board addressed our concerns to New Leaf during the environmental impact survey. However, we still feel that the DEIS honey bee study is inadequate and inconclusive in their findings. Their follow-up study was conducted during the first week of October, 2023. Protocol for habitat research is recommended between June and August and peak foraging. While the weather was exceptionally warm last October, a lot of the bees were out flying, we spoke to the research scientist, Mr. Jacob Johnston, and stressed that the foraging season had ended. The only floral source in bloom was purple Astor. The bees had completed their honey production for the year and we were preparing hives for winter. This is a huge factor that would skew any observations they made. LaBella Associates were more careful to report their statistics and procedures in their follow-up study, but was simply another three-day period of observation. We feel that this short survey at the wrong time of year is inadequate to draw conclusions. As stated - this is a quote from them.

*"If honey bees from nearby managed colonies are using the project site for habitat resources, it's not likely in high numbers."*

The LaBella report -- it's actually page 32 - goes on to state, there may still be concerns with the 2 effects of wind turbines on health and mortality and proximity to the infrastructure, as well as possible modifications or impairments to their base communication methods.

A few paragraphs later they conclude: Research on direct effects of renewable energy turbines, on honey production and hive health have shown no impact on mortality, navigation, reproduction or hive functions.

The next paragraph of the LaBella report then states, quote, there is no established research on the impacts of wind turbine operation on honey bees. These statements in the report directly contradict each other and are clearly indicating that this is - pun intended - their grasping at the wind. The report

anonymously sites, quote, another bee honey farm situated within a half-mile of the wind turbines has not experienced any effects on hive health or honey production. We feel that it's not only poor research, but unacceptable. It's unverifiable statements has research which is then used as, quote, proof that turbines have no impact on honey bees. It is very troubling that a major concern that effects our own livelihood can be easily dismissed by New Leaf. Reseeding the turbine area with pollinator friendly flowers is not any kind of mitigation, if we were no longer to keep bees alive and produce honey at our honey farm. We urge the Planning Board to reject this project.

*Response: See Honeybee Impact General Response.*

- E-10 Kristine Varacz March 4, 2024 Public Hearing Comment #3: The bee study was done over a three-day intermittent period within five hours total time at the incorrect time of year, as an active bee farmer has stated. No studies have been concluded on a 650-foot wind turbine. When they actually came in and did the study, they did it off a 410-foot wind turbine. There was a significant difference in that short period of time.

*Response: See Honeybee Impact General Response.*

- E-11 Deanna DeLuke March 4, 2024 Public Hearing Comment #4: What is that going to do to our bee farm, or our cows, or our soil or our neighbors? If you could address that a little more thoroughly, I would greatly appreciate it.

*Response: See Honeybee Impact General Response.*

- E-12 Karen Anne Bara March 4, 2024 Public Hearing Comment #9: I also question how one bee study is enough. What assurances and protections are going to be afforded to the Rulisons if in a few years that there is a negative impact on their bees?

*Response: See Honeybee Impact General Response.*

## F. AGRICULTURAL IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Project site property has not been utilized for agricultural since the 1990's. The development of the Project will not result in a loss of land in agricultural production. Upon decommissioning, the Project site would be restored to allow for potential future agricultural use on the property. The Project is not anticipated to result in adverse impacts to surrounding agricultural resources or farming activities.*

**F-1 Mark and Lori Rulison Comment #9:** Projects such as the wind turbine are presented as environmentally progressive and good for the community by people that have no interest or connection to the residents who live here. Protecting our town agricultural resources and farming should not be overlooked.

*Response: The Commentor's opinion is noted but does not cite information relevant to the Planning Board's criteria for a SEQRA determination. See Agricultural Impact General Response.*

**F-2 Ken & Becky Maritz Comment #2:** There are many farms near the proposed site where animals and insects may be affected. Dairy cows as an example are sensitive to environmental stressors, including noise. A study published in the Journal of Dairy Science found that cows near wind turbines have a lower milk yield than cows in locations with less exposure to noise. Other reports have described problems with dairy cows near wind farms, including:

- Reduced milk yield and quality
- Behavioral problems
- Increased mortality
- Sudden death among cattle

- Inability to stand
- Inability to walk
- Premature birth

Some farmers in France believe that the electromagnetic fields from wind turbines, power lines, and telephone antennae could be causing low productivity and high rates of mortality.

*Response: The noise study provided in the Draft EIS indicates that operational sound levels generated by the Project would be less than 50 dBA at the Project site property line. This complies with the Town regulations for wind energy projects. These sound levels will further attenuate with distance from the Project. The projected sound levels from the Project are below a magnitude that could reasonably be expected to cause stress in farm animals.*

*An investigation of the situation at the farms in France was conducted by the French Agency for Food, Environmental, and Occupational Health & Safety (ANSES), a public administrative body reporting to the Ministries of Health, the Environment, Agriculture, Labor, and Consumer Affairs. A summary of the ANSES conclusion as reported on their website follows<sup>3</sup>:*

*"The experts concluded that the causality of the wind turbines could be largely ruled out. Regarding comparative data, neither the information collected from around twenty of ANSES's counterparts across Europe – including countries where wind power is more developed – nor the literature review revealed any problems of this type."*

**F-3 Ken Maritz March 4, 2024 Public Hearing Comment #2:** The study published in the Journal of Dairy Science found that cows near wind turbines have a lower milk yield than cows in locations with less exposure to noise. Other reports have described problems with dairy cows near wind farms including reduced milk yield and quality, behavioral problems, increased mortality, sudden death among cattle, inability to stand, inability to walk and premature birth. Some farmers in France believe that the electromagnetic fields from wind turbines, power lines and telephone antenna can be causing low productivity and high rates of mortality. Wind turbines can also generate low frequency infrasound and audible noise. The U.S. Fish and Wildlife Service recommends taking precautionary measures to ensure that noise impacts at wind facilities are thoroughly investigated before development.

*Response: See Response to Comment F-2 above.*

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<sup>3</sup> <https://www.anses.fr/en/content/disorders-two-cattle-farms-highly-unlikely-be-due-wind-turbines#:~:text=Farmers%20from%20two%20cattle%20farms,particular%20situations%20require%20support%20measures.>

## G. ECOLOGICAL, WILDLIFE, and VEGETATION IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The wind turbine and associated infrastructure will occupy approximately 4.9 acres (3.6 percent) of the 135-acre Project site parcel. The remainder of the parcel will remain in its current condition and continue to provide habitat for wildlife and vegetation. The Applicant is seeking relief from a perimeter fencing requirement. This relief would benefit terrestrial wildlife species that utilize or traverse the Project Site property.*

*An avian survey conducted in 2020 and 2021 did not observe occurrences of the Bald Eagle or the Northern harrier at the Project Site property. The NYSDEC was consulted, and if necessary, the Applicant is committed to adhering to the permitting process to ensure a net conservation benefit to the Bald Eagle. The Applicant is also committed to following the NYSDEC requirements to protect the Northern long-eared bat. Specifically, the wind turbine must curtail operations at wind speeds less than 5.5 m/s between July 1 to October 1 every night from half an hour before sunset to half an hour after sunrise when ambient temperatures are greater than or equal to 50 degrees Fahrenheit (10 degrees Celsius). Remote operational controls will be used to facilitate this and to document speed reductions.*

**G-1** Mark and Lori Rulison Comment #8: The project is actually detrimental to the town residents in many aspects such as - Wildlife death and loss of rural habitat.

***Response:** The Commentor's opinion is noted but does not cite information relevant to the Planning Board's criteria for a SEQRA determination. See Ecological, Wildlife, and Vegetation Impact General Response.*

G-2 Scott Neff March 4, 2024 Public Hearing Comment #1: I did not hear mentioned in the report, given just before the comments opened, anything about a study on the effect of raptors, Bald Eagle and Red Hawk population in this area.

*Response: See Ecological, Wildlife, and Vegetation Impact General Response.*

G-3 Karen Anne Bara March 4, 2024 Public Hearing Comment #7: I have questions concerning the landscaping that is outlined in the DEIS. Again, my husband and I live just outside of the 4,000-foot radius that is going to be covered and protected by this application.

*Response: As noted above, only 3.6 percent of the 135-acre parcel would be disturbed by the Project. The remainder of the Project site would remain in its current state. No additional landscaping or screening is proposed.*

G-4 Valerie Shaarland March 4, 2024 Public Hearing Comment #1: Our 110-acre property borders the proposed site. I spent a lot of time walking, skiing, four-wheeling up on our property over into that site. There is a lot of wildlife there. Lots of hawks. Last year our neighbor who bought our old home was walking his dogs up on our property and right at the edge of that they disturbed a bear who came out at this dog. We have that on video. There is beautiful wildlife. Lots of deer. I know that some of you shot deer up on our land. We don't want them disturbed. We want that beautiful area preserved. It's a gift from God.

*Response: See Ecological, Wildlife, and Vegetation Impact General Response and Draft EIS Page 4. This comment does not raise any new issues relevant to the Planning Board's SEQR determination criteria.*

## H. PROJECT NEED COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Project will generate renewable energy that will benefit the local community, contribute to the realization of the New York State's clean energy goals and help to combat global climate change. The Project is consistent with the New York State goals to achieve 70 percent renewably sourced electricity by 2030 and a zero-emission electrical grid by 2040. Wind energy is a proven technology that currently provides 3.7 percent of the state's electricity and 10.3 percent of the total utility-scale electricity generation in the United States. The expansion of wind energy generation is a key component to meeting society's energy demands in a way that does not worsen the detrimental effects of climate change.*

**H-1** Mark and Lori Rulison Comment #2: Ninety percent of electricity delivered to upstate NY is from hydropower which is already a "clean, green" renewable resource so why should we be interested in a costly, unreliable wind energy project?

*Response: See Project Need Comments General Response.*

**H-2** Alliance for Florida Farmland Comment #2: New Leaf states that their #1 objective is promoting renewable energy in the region. Montgomery County and all of upstate NY get over 90% of our energy from renewable resources (hydropower and nuclear power). WE also have 2 large scale solar farms in our town. So the Town of Florida already meets the NY State objective without adding a turbine. Why should we be targeted for a renewable energy project that is unneeded?

*Response: See Project Need Comments General Response.*

H-3 Alliance for Florida Farmland Comment #3: Also, New Leaf has not provided the requested Met Mast data and interpretations of that data to show the estimated benefit this project would provide in meeting the state's current energy goal (DIES Page 273 - a minimal chart of generalized information was all that was included).

*Response: The Met Mast data is the Applicant's proprietary information.*

H-4 Brian Varacz March 4, 2024 Public Hearing Comment #1: Everything that has been said is what I was going to say, other than saying that we should turn it down. Other Towns are turning this down and I think that we should, too. There is really no benefits to it that I can see, or that 95% of the people in this room can see. Thank you.

*Response: Commentor's opinion noted. See Project Need Comments General Response.*

H-5 Becky Moritz March 4, 2024 Public Hearing Comment #1: I think that listening to all that the residents had to say, it comes down to one very simple question. Why? Why are we even contemplating this? Why did it even get to this point? What does it do for us? Does it give us anything except aggravation? That's it.

*Response: Commentor's opinion noted. See Project Need Comments General Response.*

## I. NOISE IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The noise study provided in the Draft EIS indicates that operational sound levels generated by the Project would be less than 50 dBA at the Project site property boundaries and the highest noise level at a nearby residence is 41 dBA. These sound levels comply with the Town regulations for wind energy projects. For context, it should be noted that a 50 dBA sound level is comparable to a quiet rain, and a 60 dBA sound level is comparable to a normal conversation<sup>4</sup>. Because sound energy attenuates with distance, even lower Project-related sound levels would be expected at residences in the vicinity of the Project Site.*

I-1 **Mark and Lori Rulison Comment #4:** The project is actually detrimental to the town residents in many aspects such as – Noise.

*Response: See Noise Impact General Response.*

I-2 **William Bonner & Mary Donohue Comment #4:** Noise Levels - It has been clearly stated by the applicant that the wind turbine would at times have a sound level of a washing machine and/or lawn mower. With the proximity to homes, this is a clear and simply unacceptable externality of any perceived economic benefit.

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<sup>4</sup> Source: Occupational Safety and Health Administration.  
[https://www.google.com/search?sca\\_esv=354005c37d90d315&sca\\_upv=1&rlz=1C1GCEU\\_enUS1102US1102&sxsrf=ACQVn08KnjyP7LUgK3b9rejzofx9n6iexQ:1712864864775&q=osha+noise+level+categories&tbm=isch&source=lnms&prmd=ivnsmbtz&sa=X&ved=2ahUKEwimnMDu9rqFAX0MVkFHVc7DFkQ0pQJegQIDBAB&biw=777&bih=402&dpr=2#imgrc=HSvmN5R1t0bZLM](https://www.google.com/search?sca_esv=354005c37d90d315&sca_upv=1&rlz=1C1GCEU_enUS1102US1102&sxsrf=ACQVn08KnjyP7LUgK3b9rejzofx9n6iexQ:1712864864775&q=osha+noise+level+categories&tbm=isch&source=lnms&prmd=ivnsmbtz&sa=X&ved=2ahUKEwimnMDu9rqFAX0MVkFHVc7DFkQ0pQJegQIDBAB&biw=777&bih=402&dpr=2#imgrc=HSvmN5R1t0bZLM) Accessed: April 11, 2024.

*Response: See Noise Impact General Response.*

- I-3 Ken & Becky Maritz Comment #3: Wind turbines can also generate low-frequency infrasound and audible noise. The US Fish & Wildlife Service recommends taking precautionary measures to ensure that noise impacts at wind facilities are thoroughly investigated before development.

*Response: See Noise Impact General Response.*

- I-4 Joe Welk March 4, 2024 Public Hearing Comment #1: I live on upper Shell Stone and I'm one of the closest ones that lives to that tower. Most nights I can hear half of my neighbors on their porches talking. It's not clear, but I can hear them. It's a nice quiet road. Now you're telling me that I'm going to have constant decibel drone for the rest of my life. That's just not acceptable. How are you going to mitigate that other than pack up and leave when you're tired of the noise? I didn't move out there to have New York City noises just constantly 50 decibels of thump. How would you mitigate that?

*Response: See Noise Impact General Response.*

- I-5 Karen Anne Bara March 4, 2024 Public Hearing Comment #1: I also did research on what the decibels are. They say it sounds like a lawnmower or a vacuum cleaner. That's what this 50 decibels sounds like. I also live on Shell Stone and that's what we would be listening to constantly. I, for one, do not want to be able to hear that.

*Response: See Noise Impact General Response.*

- I-6 Valerie Shaarland March 4, 2024 Public Hearing Comment #3: Also, we will be greatly affected by ... noise.

*Response: See Noise Impact General Response.*

- I-7 Valerie Shaarland March 4, 2024 Public Hearing Comment #5: Also something I was thinking about when we're talking about the decibels - as a registered nurse to special needs kids, I know the effect that noise has on young people, on babies. Our autistic population is out of bounds right now. Do we know what this does to autistic children? They are totally dependent on sensory. Alzheimer patients - what is this going to do to our population? It's a danger.

*Response: See Noise Impact General Response.*

## J. RADIO FREQUENCY AND EMF IMPACT COMMENTS

### General Response:

*Once the Project is operational, the Applicant will be required to conduct follow-up measurements of the non-ionizing electromagnetic environment at the same locations as the existing conditions analysis. The Applicant will address any valid complaints through strengthening signals and filtering technologies as applicable. The Applicant proposes to provide a \$100,000 bond to the Town to ensure that funding is in place to study and implement remedies should any EMF-related concerns occur that are the result of the Project. The Applicant's Radio Frequency consultants confirm that there are no known scientifically valid instances of radio frequency disruptions resulting from the current 72,000+ wind turbines in the United States.*

- J-1 Mark and Lori Rulison Comment #7: The project is actually detrimental to the town residents in many aspects such as - Radio frequency disruption.

*Response: Comment noted. See Radio Frequency and EMF Impact General Response.*

- J-2 William Bonner & Mary Donohue Comment #3: EMF interference - nothing in the EIS has assuaged concerns regarding potential negative impact on electromagnetic transmissions. No amount of money would be adequate if the proposed tower interrupts vital emergency, civil, personal, and/or any other related wireless-type communications. Again, the Town of Florida does not need to be an experimental site for a 650 foot industrial wind turbine. .

*Response: Comment noted. See Radio Frequency and EMF Impact General Response.*

- J-3 Brian and Kristeen Jaracz Comment #3: Radio Frequency resolution of a \$100,000 bond is not sufficient if negative impacts occurred. New Leaf has concurred they have never conducted a R/F study, therefore does not truly know all of the negative ramifications that could occur. A \$100,000 bond would not potentially cover 1 resident, none the less 100s', if negatively impacted. .

*Response: Comment noted. See Radio Frequency and EMF Impact General Response.*

## K. HUMAN HEALTH IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*Wind energy is the largest provider of clean renewable energy in the United States with over 72,000 turbines currently in operation, and many more in development or planned. Renewable energy greatly benefits the public health by displacing air pollutants and greenhouse gases that would otherwise be emitted by fossil-fuel burning power facilities.<sup>5</sup> The Project is a permitted use in the Town, and development of wind energy is endorsed by the state and federal governments. The Applicant is not aware of significant adverse human health effects due to wind energy.*

*The Applicant has taken every measure to site and design the project to prudent industry standards and to comply with all Town ordinance requirements to ensure that the Project is safe from a public health perspective. More than 20 years of research and scientific studies conducted by governments, universities and independent researchers does not indicate any adverse effects from properly sited and constructed wind turbines to public health. Weblinks to representative and credible information sources follow:*

- *Over 80 peer-reviewed studies that demonstrate living near wind turbines does not pose a risk to human health, as summarized in New York State Energy Research and Development Authority's Wind Energy Guidebook:  
<https://www.nyserda.ny.gov/All-Programs/Clean-Energy-Siting/WindGuidebook>*

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<sup>5</sup> World Economic Forum. <https://www.weforum.org/agenda/2022/12/wind-energy-healthier-human-us/#:~:text=The%20renewable%20energy%20source%20benefits,%2Dfuel%2Dbased%20power%20plants>. Accessed April 11, 2024.

- Ohio Department of Health, *Wind Turbines and Wind Farms: Summary and Assessments (2022)*:  
<https://odh.ohio.gov/know-our-programs/health-assessment-section/media/summary-windfarms>
- Health Canada, *Wind Turbine Noise and Health Study (2014)*:  
<https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/everyday-things-emit-radiation/wind-turbine-noise/wind-turbine-noise-health-study-summary-results.html>

K-1 **Sara Cato Comment #4**: ...and most importantly the negative health impacts that wind turbine projects will have on overall human health. Many of the negative human health impacts due to wind turbine projects are just now beginning to be realized by other communities with similar wind turbine projects.

*Response: The commentor's opinion is noted. See Human Health Impact General Response.*

## L. DECOMMISSIONING-RELATED COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Applicant will provide the Town a formalized Operation and Maintenance (O&M) Plan that provides information relating to the anticipated servicing schedule and procedures with respect the Project equipment and components at the time of the Town Building Permit.*

*As described in the Draft EIS, the wind turbine generator typically requires preventive maintenance semi-annually. One of these maintenance outages is typically designated as "minor scheduled maintenance" and is completed in one working day per unit. The other is "major scheduled maintenance" and usually takes one to two working days to complete. For a typical wind energy facility, each semi-annual maintenance cycle is scheduled to be performed outside of high-wind season (usually spring or fall) and a crew or crews will work on individual units until the entire project maintenance cycle is completed. Turbine operators O&M responsibilities and contracting typically include:*

- a) Ensure Turbine O&M service providers are fulfilling contractual obligations including but not limited to: availability guarantees, maintenance schedule, manpower requirements, turbine repairs, safety, etc. Typical contract services provided by the Turbine Supplier consists of an all-inclusive service (schedule and unscheduled repairs, all parts, labor, and ancillary equipment or tooling necessary to perform the work).*
- b) Contract typically includes a warranty period for serial defects*
- c) Turbine Contractor typically performs two Schedule Services each year at 6-month intervals. This consists of replacement of consumables, torque checks, equipment testing, and housekeeping.*
- d) Monitoring security and safety lighting to ensure appropriate function*

Additionally, the Applicant provided the Town a draft Decommissioning Plan and Bond estimate information. The Decommissioning Plan and Bond will establish a financial surety for the projected costs associated with the removal of the Project and restoration of the Project site. The Decommissioning Plan details the process to be followed to remove the Project, and the anticipated quantities of equipment materials to be disposed, recycled, or resold.

The O&M Plan and the Decommissioning Plan and Bond will be finalized prior to the issuance of a Town building permit and in advance of any development activity at the Project Site. This timing is designed to ensure that the O&M Plan and the Decommissioning Plan and Bond reflects all final selections for Project components and equipment.

L-1 Brian and Kristeen Jaracz Comment #6: As maintenance, new blades/motors, and then decommissioning for removal of the wind turbine will be required.

*Response: See Decommissioning-Related General Response.*

L-2 Phil Johnson Comment #3: Environmental Impacts, Long term – what do you do with the thing when it reaches its lifespan?

*Response: See Decommissioning-Related General Response.*

L-3 Alliance for Florida Farmland Comment #8: Infrastructure and decommissioning costs have not been addressed.

*Response: See Decommissioning-Related General Response.*

L-4 Vanessa Kirby March 4, 2024 Public Hearing Comment #4: ...the Board has scrutinized the communications impacts. The funds for individual impacts are not enough to address this. The Board should mandate that three or more justified complaints would be lead to decommissioning of the turbine.

*Response: Comment noted. The Applicant has committed to providing the Town a \$100,000 bond to investigate any EMF impacts resulting from the Project. If such impacts occur, the Applicant is committed to engage with the Town to identify appropriate remedies.*

## M. PROJECT APPLICANT & DRAFT EIS-RELATED COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*In accordance with the New York State SEQR requirements, the Town of Florida Planning Board acting as the Lead Agency approved the scope of the Draft EIS on April 6, 2023, following a review of comments received during a public scoping meeting on March 6, 2023 and input from Involved Agencies, Interested Parties and residents.*

*On February 8, 2024, the Planning Board accepted the Draft EIS as complete and adequate for public review. As required under SEQR, a Draft EIS public hearing was held on March 4, 2024 and a written comment period was established until March 15, 2024. The Draft EIS review process conforms with the SEQR requirements, and is consistent with the Planning Board's procedures during a Site Plan and Special Use permit review, as stipulated in the Town Code.*

*The Final EIS document is where the Lead Agency addresses the verbal and written comments on the Draft EIS. At the conclusion of the SEQR process, the Lead Agency is required to evaluate in context any identified significant adverse impacts and make a decision that balances environmental, social, and economic factors. The Planning Board has and will continue to diligently follow the SEQR review process for this proposed Project.*

**M-1** Brian and Kristeen Jaracz Comment #7: New Leaf's responses have been very standardized responses that they do not represent the magnitude or negative

impacts of a 650' wind turbine. Nor how could they, they have readily admitted, they have never done one this large.

*Response: The Applicant has retained environmental and engineering consultants with specialized experience to evaluate the Project. The Town has retained its own qualified consultants to review all project-related information.*

M-2 Alliance for Florida Farmland Comment #4: This project was initially promoted by **Borrego Energy**, then transferred to **New Leaf Energy**, and now, the DEIS refers to the project developer as **Florida Wind 1, LLC**. This is an example of just how inconsistent and ever changing the project is. New Leaf/Florida Wind 1 has no experience in wind turbine construction.

*Response: The project has always been Florida Wind 1, LLC and creating a company specific to the project is standard in development. Borrego Energy sold the development arm of its company and it became a stand-alone company, New Leaf Energy. The experience and expertise remain, and New Leaf Energy is a highly reputable renewable energy developer.*

M-3 Alliance for Florida Farmland Comment #5: Florida Wind 1 AND Florida Wind 2 are already registered with NY Department of State Division of Corporations. Assurances made by New Leaf that they will only build ONE turbine on YMCA property does not preclude future turbines on nearby properties. The fact that Florida Wind 2, LLC is registered strongly suggests that this is their intent.

*Response: This Project involves only the one proposed wind turbine. No expansion of this Project is planned or contemplated by the Applicant.*

M-4 Alliance for Florida Farmland Comment #9: Noise, shadow flicker, reduction of property values, loss of trees, birds, bats, bees, and wildlife habitat, along with safety concerns such as blade failure, fires, contaminants, impact to nearby neighbors, and impacts to residents' well water cannot be mitigated.

*Response: See Project Applicant and Draft EIS-Related General Response. Information regarding these topics is provided as follows:*

- Noise: Draft EIS, Appendix 15
- Shadow flicker: Draft EIS, Appendix 10
- Reduction of property values: Final EIS Economic Impacts General Response
- Loss of trees: Draft EIS, Page 14, #6
- Birds: Final EIS, Ecology, Vegetation, and Wildlife General Response
- Bats: Draft EIS, Page 4
- Bees: Draft EIS, Page 34, C., Appendices 16 & 17
- Wildlife habitat: Final EIS, Ecology, Vegetation, and Wildlife General Response

- Blade failure: Draft EIS, Page 31 b, (1)
- Fires: Draft EIS, Appendix 8
- Contaminants: Draft EIS, Appendix 8
- Impact to nearby neighbors: Draft EIS, Page 25, 3, a, ii
- Impacts to residents' well water: Draft EIS, Page 25, 3, a, ii

M-5 **Alliance for Florida Farmland Comment #10**: The DEIS studies were inadequate and sub-standard. Many of the documents were generic materials and/or previously submitted information:

- Transportation Study was previously provided for Borrego Energy, April 2022
- SWPPP was from July 22, 2021 and continuously refers to Borrego as the project owner. The storm water discharge permit included was issued Jan 29, 2020
- SWPPP Notice of Intent (pages 185-196) no answers provided - incomplete
- County Soil Report-(Pages 201-241) is a report for OTSEGO COUNTY
- Microwave Study prepared July 16, 2021
- Noise Study prepared May 24, 2022
- The Shadow Flicker Report is a previous report from Borrego, May 2022.

*Response: The Commentor's opinion is noted. The various studies cited in the comment were requested by the Planning Board prior to its issuance of a Positive Declaration. These studies were reviewed by the Planning Board and its consultants. Following the conclusion of the Draft EIS public scoping process, the Planning Board determined that the topics covered in these studies were adequately addressed and did not rise to the level of a potential significant adverse impact.*

*See Project Applicant and Draft EIS-Related General Response.*

M-6 **Alliance for Florida Farmland Comment #12**: The Vestas 150-4.3 model wind turbine, frequently referred to in the DEIS as the model to be built, has numerous reports of structural and mechanical failures. When the Zoning Board requested turbine failure data at their meeting on December 13, 2021, Mr. David Strong said there was no data available. Several reports can be read here:

- <https://www.rechargenews.com/wind/wind-turbine-maker-vestas-halts-batch-of-v150s-after-sweden-collapse-probe/2-1-945232>
- <https://www.windpowermonthly.com/article/1694007/vestas-edpr-investigate-why-v150-blade-broke-off-ohio-site>
- <https://energywatch.com/EnergyNews/Renewables/article12690965.ece>
- <https://stopthesethings.com/2020/12/09/turbines-tumble-another-230-metre-300-tonne-whirling-wonder-bites-the-dust/>

*Response: The Commentor's opinion is noted. The referenced reports are news articles that describe instances where V150 turbines experienced blade breakoff, both abroad and in the United States. The Applicant is not*

aware of any formal investigations of these incidents. Furthermore, these referenced instances occurred three or more years ago, and blade technology continues to advance. The Project complies with all Town Code WECS safety requirements. These requirements were enacted to provide public safety protection in the unlikely event of a blade defect incident. These include the following relevant Special Permit requirements stipulated in Section 45.4 of the Town Code:

*c. The minimum required, setback distance between each WECS and all surrounding property lines, centerlines of public roads, overhead utility lines, other WECS end above ground generation facilities shall be no less than 1.5 times the proposed structure height plus the rotor radius. These setback requirements may be waived where the applicant submits a signed waiver from the owner(s) of the neighboring property or properties, overhead utility lines or other structure is relation to which the applicant does not meet the setback requirements set forth above. Where an applicant proposes to locate one or more WECS on a site consisting of multiple contiguous parcels owned or leased by the applicant, the term "property lines" shall mean the exterior boundaries of the contiguous parcels which adjoin parcels not owned or leased by the applicant.*

*d. The minimum required setback distances between each WECS and any dwelling or other buildings for occupancy shall be no less than 1,000 feet without written permission of the owner and the granting of a waiver, by the Town Planning Board. Once the WECS is constructed, a dwelling or other building for occupancy may be constructed within the 1,000 feet if an application is made to the Town Planning Board by the WECS owner and the landowner and a waiver is granted by the Town Planning Board. Waivers may be granted based on information provided by the applicant that public safety will not be jeopardized.*

*j. No WECS shall be permitted that lacks at automate braking, governing or feathering system to prevent uncontrolled rotation, over speeding, and excessive pressure on the tower structure, rotor blades, and turbine components.*

*k. The minimum distance between the ground and any part of the rotor blade system shall be 30 feet.*

*l. All power transmission lines from the WECS to on-site substations shall be underground. A substation is defined as a structure at which electricity from various WECS locations is collected and sent to existing transmission line.*

*m. Procedures acceptable to the Planning Board for emergency shutdown of power generation units shall be established and posted prominently and*

*permanently on at least one location on the road frontage of each individual unit site.*

*It should also be noted that the Applicant would be financially responsible to implement appropriate corrective measures if such an incident occurs.*

- M-7 **Kristine Varacz March 4, 2024 Public Hearing Comment #7:** New Leaf's response has been very standardized for the wind turbine. The turbines at 650 feet are not established in the U.S. yet and especially in New York State. We hope that the Planning Board recognizes the numerous concerns brought forward by the letter and our concerns and all the residents of the Town of Florida.

*Response: See Project Applicant and Draft EIS-Related General Response.*

- M-8 **Karen Anne Bara March 4, 2024 Public Hearing Comment #11:** I feel that there are still so many unanswered questions, that the DEIS haven't answered and I propose that the Planning Board make a recommendation to the Board for an indefinite moratorium on the application and all future applications until all of these questions as well as any public questions that the residents of this Town have can be addressed.

*Response: See Project Applicant and Draft EIS-Related General Response.*

## N. PROJECT DESIGN COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

**N-1 Vanessa Kirby March 4, 2024 Public Hearing Comment #1:** My first concern is that we still have not been provided with the information on the expected kilowatts produced by it. The applicants have not provided any in depth projections.

*Response: The Project will have a design capacity to generate up to 4.5 Megawatts of electricity. This equates to 4,500 Kilowatts.*

**N-2 Vanessa Kirby March 4, 2024 Public Hearing Comment #6:** Another item that goes against our regulations is not surrounding the site with a fence, and I have not seen any items from the Zoning Board of Appeals that waives this.

*Response: The fencing waiver request was made to the Planning Board as part of the Site Plan review and Special Use Permit application. The fencing waiver is proposed because the wind turbine will not require that additional level of security. The interior of the structure will be secured from unauthorized access, and the turbine cannot be climbed from the exterior. A security fencing would not provide any visual screening benefit, but it would be an impediment to wildlife that use or traverses the Project site parcel.*

**N-3 Ken Maritz March 4, 2024 Public Hearing Comment #3:** They are commonly associated with wind turbine disasters like blade failure, structural failures, fire, ice. Leaving corrosion and lightning strikes are the two most often observed damage mechanism leading into the first year after wind turbines installation. Lightning strikes are typically observed in higher peak areas. If any one of these

disasters occurs during the life expectancy of a wind turbine, can the Town recover from the damage?

*Response: The Project will have insurance coverage to address these types of events and there would be no financial burden placed on the Town. The Project is designed to comply with the safety requirements stipulated in Section 45.4 of the Town Code which ensures that any safety situation involving a structural or component failure would be confined to the Project site.*

N-4 Karen Anne Bara March 4, 2024 Public Hearing Comment #5: Another question I have concerns the special outfitting that a turbine up on Bee Hill would need. My husband and I live on the top of Shell Stone. Our land is close in height and proximity to the proposed site. In 2021 Texas suffered a rare winter storm with freezing temperatures. The wind turbines froze. This is a rarity in Texas, but not in the Town of Florida. In Florida, in order for a turbine to operate in freezing temperatures, it needs to be outfitted with a special cold weather equipment. Equipment that requires special maintenance, special lubricants and special heaters. There is absolutely nothing in the DEIS that discusses any of this.

*Response: The selected wind turbine for the Project will be designed to be suitable for the climate in New York State as is the case for all turbines constructed in cold weather climates.*

N-5 Karen Anne Bara March 4, 2024 Public Hearing Comment #6: I have questions regarding the fact that the applicant is requesting a waiver in the DEIS for the fencing requirement. Why? It's obviously not to keep something from getting in. What is it that they don't want anybody to see that could possibly be contained within a fence?

*Response: The fencing waiver is proposed because the wind turbine will not require that additional level of security. The interior of the structure will be secured from unauthorized access, and the turbine cannot be climbed from the exterior. A security fencing would not provide any visual screening benefit, but it would be an impediment to wildlife that use or traverses the Project site parcel.*

N-6 Clinton Detrick March 4, 2024 Public Hearing Comment #2: I would like to pose one additional question. How, if the top of this thing where the motor and lubricants catches fire - how is that fought? Everything that I've ever heard about it is if they catch fire at the top, which is where the only place where I've ever seen video of them on file - they have to fight it with a helicopter. Where is that coming out of? What's the response time? Are they even trained to fight a fire at a 650-foot device like that?

*Response: The turbine will be equipped with a fire detection system and aerosol suppression equipment. In the unlikely event of an incident, electrical power would be cut to the impaired component, the turbine operations would halt, the internal fire suppression system would be activated, and the system operator would notify the local fire department. External firefighting measures do not typically occur on wind turbines. The standard protocol is to let the turbine burn out and prevent any spread beyond the site.*

## O. WELL WATER IMPACTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

- O-1 **Karen Anne Bara March 4, 2024 Public Hearing Comment #8:** What about my well water? What if my well water is affected by the blasting? What if any of the other residents that live outside of this 4,000 square foot radius is affected by the blasting? Are they going to be protected?

***Response:** Should blasting be required, the Applicant will follow the Blasting Plan protocol described in the Draft EIS that includes pre and post well water testing for properties within 4,000 feet of the blast site. The 4,000 feet range provides a conservative distance that complies with industry and regulatory standards.*

## P. ENFORCEMENT CONCERNS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

**P-1** **Karen Anne Bara March 4, 2024 Public Hearing Comment #10:** And lastly, my question - who is going to be watching to be sure that all the Town Codes are being followed? The Town does not currently have a code enforcement officer. My husband and I know this first hand - the ramifications of this problem. Who is going to be watching to make sure that the applicant complies with the codes?

***Response:** The Applicant will fund an engineer that represents the Town to oversee the Project to ensure the Project is in compliance with all relevant Codes and regulations, as per the Host Community Agreement.*

## Q. STORMWATER IMPACTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

**Q-1 Valerie Shaarland March 4, 2024 Public Hearing Comment #2:** Also, we will be greatly affected by stormwater disruption...

***Response:*** *A Stormwater Pollution Protection Plan was prepared. The Project will require coverage under the NYSDEC General Stormwater Permit for Construction activities. The Project would affect 4.9 acres on the 135-acre parcel of which 1.7 acres will be new impermeable surfaces. As designed, the Project complies with applicable NYSDEC stormwater regulations and is not anticipated to result in any off-site adverse stormwater impacts because all stormwater will be collected and treated on site.*

ATTACHMENT 1  
Visual and Aesthetics Impact Comments,  
A-1, Deanna DeLuke Comment #1:

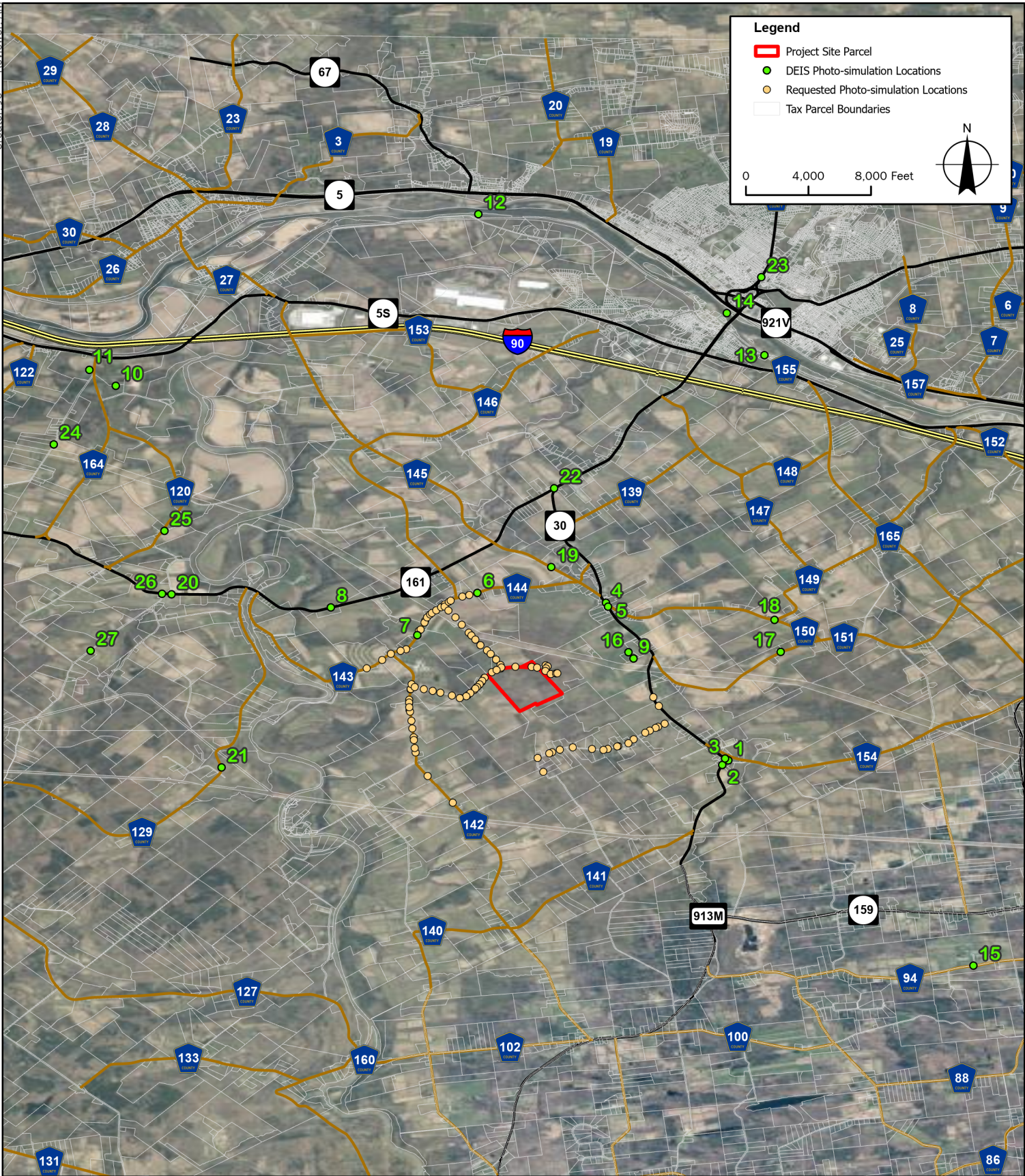
1. 42.86298° N, 74.24964° W
2. 42.86432° N, 74.24979° W
3. 42.86739° N, 74.25018° W
4. 42.86800° N, 74.25018° W
5. 42.85877° N, 74.24906° W
6. 42.86143° N, 74.24940° W
7. 42.85465° N, 74.24695° W
8. 42.84987° N, 74.24255° W
9. 42.86751° N, 74.25020° W
10. 42.86982° N, 74.24995° W
11. 42.86618° N, 74.25013° W
12. 42.86988° N, 74.24992° W
13. 42.87071° N, 74.24976° W
14. 42.87022° N, 74.24921° W
15. 42.86985° N, 74.24762° W
16. 42.86955° N, 74.24607° W
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18. 42.86873° N, 74.24270° W
19. 42.86831° N, 74.24129° W
20. 42.86879° N, 74.23994° W
21. 42.86971° N, 74.23878° W
22. 42.87015° N, 74.23841° W
23. 42.87055° N, 74.23798° W
24. 42.87115° N, 74.23746° W
25. 42.87183° N, 74.23704° W
26. 42.87282° N, 74.23571° W
27. 42.87346° N, 74.23416° W
28. 42.88005° N, 74.24848° W
29. 42.88187° N, 74.24736° W
30. 42.87683° N, 74.25072° W
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33. 42.87496° N, 74.25492° W
34. 42.87350° N, 74.25763° W
35. 42.88027° N, 74.24818° W
36. 42.88151° N, 74.24750° W
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38. 42.88293° N, 74.24651° W
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58. 42.87362° N, 74.22778° W  
59. 42.87403° N, 74.22627° W  
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88. 42.86260° N, 74.20803° W
89. 42.86222° N, 74.20884° W
90. 42.86108° N, 74.21086° W
91. 42.86039° N, 74.21178° W
92. 42.85988° N, 74.21356° W
93. 42.85983° N, 74.21375° W
94. 42.85940° N, 74.21538° W
95. 42.85923° N, 74.21616° W
96. 42.85939° N, 74.21816° W
97. 42.85967° N, 74.22153° W
98. 42.85926° N, 74.22379° W
99. 42.85881° N, 74.22515° W
100. 42.85862° N, 74.22565° W
101. 42.85781° N, 74.22768° W
102. 42.85538° N, 74.22669° W

# FIGURES

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Sources:  
 1. Project Area: LaBella 2023  
 2. Tax Parcels: Regrid 2023  
 3. Streets: NYS GIS Program Office 2022  
 4. Basemap: World Imagery

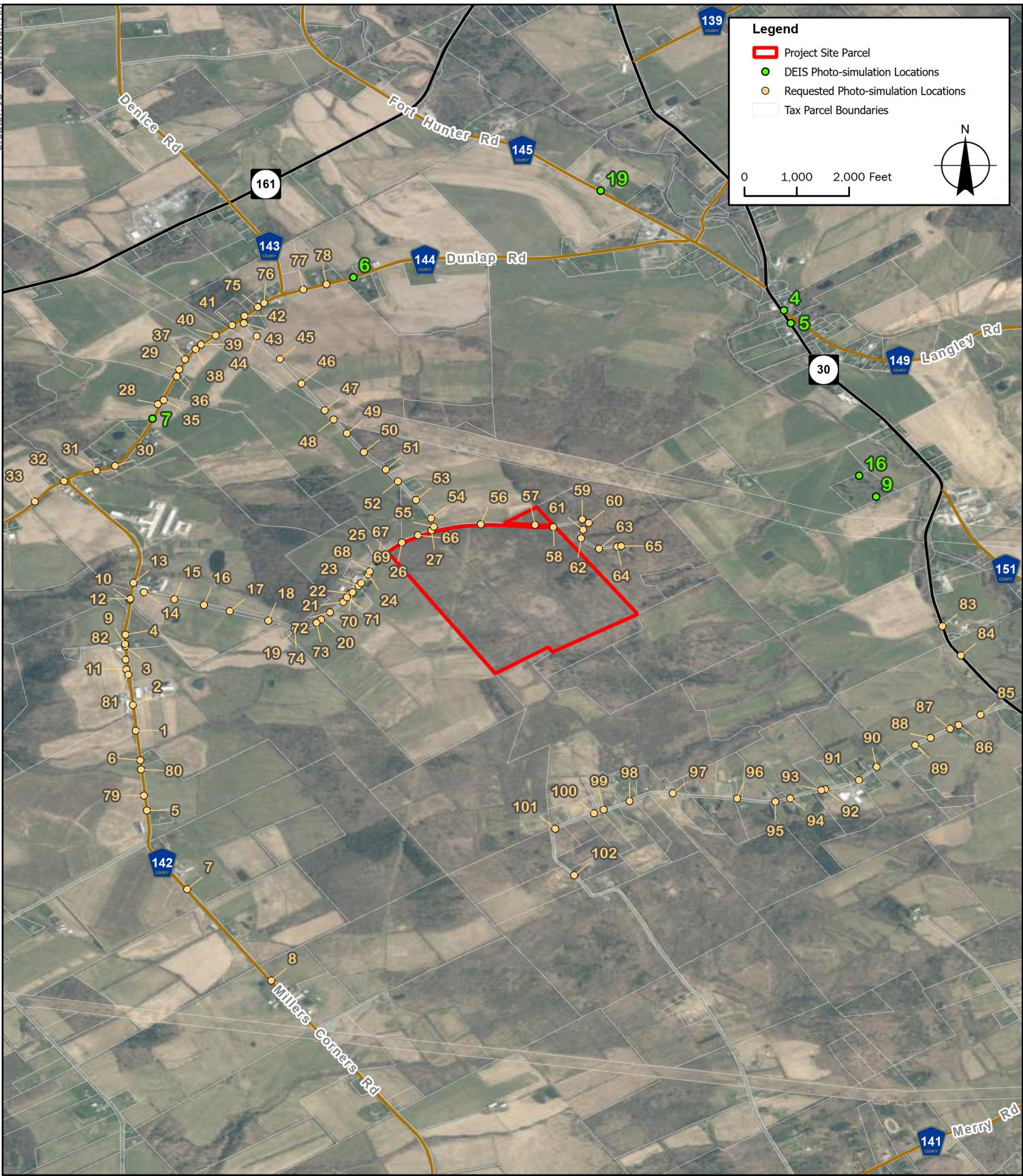
**LaBella**  
 Powered by partnership.

153 YMCA Road,  
 Town of Florida,  
 Montgomery Co., NY 12010

New Leaf Energy  
 FEIS

LaBella Project No: 2233966.020  
 Date: 4/16/2024

**Figure 1**  
 Existing and Requested  
 Photo-simulation Locations,  
 Wide View



Sources:  
 1. Project Area: LaBella 2023  
 2. Tax Parcels: Regrid 2023  
 3. Streets: NYS GIS Program Office 2022  
 4. Basemap: Bing Maps



153 YMCA Road,  
 Town of Florida,  
 Montgomery Co., NY 12010

### New Leaf Energy FEIS

LaBella Project No: 2233966.020  
 Date: 4/16/2024

## Figure 2

Existing and Requested  
 Photo-Simulation Locations,  
 Close View

# APPENDIX 1: DRAFT EIS WRITTEN COMMENTS

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Comment for March 4, 2024 Public Hearing New Leaf's Wind Facility Project on YMCA Road

lynne bruning <[REDACTED]>

Mon 3/4/2024 10:57 AM

To:emilystaley.tofclerk@outlook.com <emilystaley.tofclerk@outlook.com>

**Lynne Bruning  
Written Comments**

Dear Town of Florida Supervisor and Planning Board Chair,

Please confirm receipt of this email to [REDACTED].

Please include my public comment on the record at the March 4, 2024 Public Hearing New Leaf's Wind Facility Project on YMCA Road.

**Bruning Comment #1**

New Leaf's construction traffic plan provides Route A which goes through the Town of Duanesburg, Schenectady County.

Careful review of the Town of Duanesburg town council and planning board meeting minutes does not provide any information on New Leaf's proposed Route A from Interstate 88 exit 24, west on Route 7, north on Main Street through the Village of Delanson, West on Route 20 and North on Route 30.

Has the applicant communicated with the Town of Duanesburg and the Duanesburg Highway Supervisor?

Concerns for the Town of Duanesburg and its taxpayers may include, but are not limited to:

- damage and maintenance to roadways;
- safety of students and staff at the High School;
- railroad crossing on Main Street in Delanson;
- safe entry of construction vehicles from Main Street to west bound Route 20;
- burden on volunteer emergency responders; and
- respectful, timely, and accurate communication from the developer to the Town of Duanesburg.

As a taxpayer and a fifth generation landowner in the Town of Duanesburg that learned of the proposed construction route on March 3, 2024, I believe that New Leaf should route their construction traffic through the county that may profit from the permit, construction, and operation of the wind facility.

Thank you for your time and consideration.

Respectfully,  
Lynne Bruning

[REDACTED]

**Sara Cato**  
**Written Comments**

**From:** [Emily Staley](#)  
**To:** [Stephen Viele](#); [Nicholas Armour](#); [Cindy Schultz](#); [Peter Rea](#); [John Hutchison](#); [Mike Crowe](#); [Charles Saul](#); [Dan Roth](#); [jayne.king@regeneron.com](mailto:jayne.king@regeneron.com); [Scott \(Paul\) Marshall](#); [Stephen B. Le Fevre](#)  
**Cc:** [Mesinger, Stuart](#); [Lydia Lake](#); [dstrong@newleafenergy.com](mailto:dstrong@newleafenergy.com)  
**Subject:** [Ext] Fw: Opposition to the proposed Bean Hill Turbine Project  
**Date:** Tuesday, March 5, 2024 8:54:06 AM  
**Attachments:** [NIH-Environmental Health Impact](#)

---

Please see below.

Thank you,  
Emily

**Emily Staley**  
Town of Florida  
Town Clerk/Tax Collector  
Office (518) 843-6372 ext1  
Fax (518) 843-3324

*Hours: Mon. Tues. Thurs. 8am - 3pm*  
*Wednesday - 2pm - 8pm*  
*Saturday - 9am - 12pm*  
*Closed Fridays.*

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**From:** Sara Pelikan Cato [REDACTED]  
**Sent:** Monday, March 4, 2024 10:50 PM  
**To:** emilystaley.tofclerk@outlook.com <emilystaley.tofclerk@outlook.com>  
**Subject:** Opposition to the proposed Bean Hill Turbine Project

To Whom It May Concern:

Please accept these remarks in response to the proposed Bean Hill Turbine Project and the public forum that was held earlier this evening. Reaching out to urge local officials and community members to please seriously reconsider zoning for wind turbines in the town of Florida and surrounding areas until more research and information can be provided to make data informed decisions that will be best for the entire community's future.

**Cato Comment #1**

Allowing this type of project to take place will no doubt forever alter the town of Florida and the greater Mohawk Valley. A turbine project of this scale will be a slippery slope, opening the door to similar capital ventures, changing the community to an industrial landscape, with an irreversible footprint and unknown long term consequences. Although on the surface there might be short term financial gains for some, this project will directly and negatively impact

the area's rich historical, agricultural, ecological and unique landscape that so many affectionately call home. Aside from the commonly known cons of a wind energy project, including short and long term impacts to the greater community, such as changes to the landscape aesthetics, impacts to wildlife, such as but not limited to bird and bat deaths, disruptions to the land, water and the overall ecological framework. In addition, there will be increased use and stress to local infrastructure, increase in traffic, related pollution and heavy machinery traffic on local roads increasing safety risks.

Cato Comment #2

In addition to these commonly known issues as listed above, one area for serious discussion and consideration by all outside investors and for directly affected community members to seriously consider is the

Cato Comment #3

[the down side of wind energy projects](#), impact to local home values and most

importantly the negative health impacts that wind turbine projects will have on overall human health. Many of the negative human health impacts due to wind turbine projects are just now beginning to be realized by other communities with similar wind turbine projects. I wonder if these communities now regret opening the doors to

Cato Comment #4

these types of projects in their communities. In my opinion and for the benefit of the town of Florida and its citizens, it is worth pausing a bit and exploring some of these pros and cons in a more thorough manner.

I hope these points are taken into serious consideration as decisions are made that will directly impact current and future community members. Thank you for your time, thoughtful consideration and opportunity for individuals to offer input.

Best,

Sara Pelikan-Cato

**Deanna DeLuke  
Written Comments**

**From:** [Emily Staley](#)  
**To:** [Mesinger, Stuart](#); [Lydia Lake](#); [dstrong@newleafenergy.com](mailto:dstrong@newleafenergy.com)  
**Subject:** [Ext] Fw: Planning Board Public Comment Submission  
**Date:** Saturday, March 16, 2024 8:50:22 AM

---

This arrived Friday.

Emily

**Emily Staley**

Town of Florida

Town Clerk/Tax Collector

Office (518) 843-6372 ext1

Fax (518) 843-3324

*Hours: Mon. Tues. Thurs. 8am - 3pm*

*Wednesday - 2pm - 8pm*

*Saturday - 9am - 12pm*

*Closed Fridays.*

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**From:** Deanna DeLuke <[REDACTED]>  
**Sent:** Friday, March 15, 2024 4:59 PM  
**To:** [emilystaley.tofclerk@outlook.com](mailto:emilystaley.tofclerk@outlook.com) <[emilystaley.tofclerk@outlook.com](mailto:emilystaley.tofclerk@outlook.com)>  
**Subject:** Planning Board Public Comment Submission

Hi Emily! I hope all is well with you

Following up on the comments I made during the Planning Board's public hearing on 3/4 regarding the visual impact of the proposed wind turbine, I would like to submit the request below to New Leaf.

**DeLuke Comment #1**

Please provide visual impact photos from the following coordinates. The community would like to see a more thorough representation of the visual impact of the proposed turbine - particularly the community members residing in the immediate radius of the turbine on Bean Hill Rd., Shellstone Rd, Millers Corners Rd., and Youngs Corners Rd. Since this turbine is a "community wind project" and you have spoken of your interest in working with the community, I trust that this request from the community will be honored.

March 14, 2024

To: Planning Board, Town of Florida

Subject: Public Comments on New Leaf Wind Turbine

Please accept this letter in response to the request for public comments related to the application for the construction of a 650 foot industrial wind turbine on Bean Hill.

This Board has had a number of letters from other concerned members of the community; additionally they have heard those concerns voiced directly at the most recent Planning Board meeting. Please know that we share these concerns and agree that such a project would be a detriment to our community.

While the items listed below are reiterations of concerns already offered, we would like to note them here again so that there is no confusion as to the issues that trouble us most:

**Bonner Comment #1**

**Rulison Honey Farms** – The environmental study was in no way adequate in its determination of the impact to our local honey bee farmers. Approval of this wind turbine application is in essence providing approval to another corporation to experiment with an industrial sized wind turbine to determine the actual effects on honey-bees. The original DEIS volume II response states in part in the summary of findings: "...there may still be concerns with the effects of wind turbines on bee health and mortality in proximity to the infrastructure as well as possible modifications or impairments to their dance-based communication methods." It would be negligent to approve this application and allow the applicant to experiment with a cornerstone and well respected family farm in our town.

**Visual impact** – it is clear that a 650 foot tower would have a negative impact on the view shed of surrounding homes, businesses, our community as a whole, and surrounding communities. While some of the smaller wind turbines might fit into the landscape better and not provide such a negative impact, the 650 foot variance already provided was certainly premature. Documentation has shown that there is nothing in our area that even comes close to something that massive. It is our belief that this tower is not suitable for our community.

**Bonner Comment #2**

**EMF interference** – nothing in the EIS has assuaged concerns regarding potential negative impact on electromagnetic transmissions. No amount of money would be adequate if the proposed tower interrupts vital emergency, civil, personal, and/or any other related wireless-type communications. Again, the Town of Florida does not need to be an experimental site for a 650 foot industrial wind turbine.

**Bonner Comment #3**

**Noise Levels** - It has been clearly stated by the applicant that the wind turbine would at times have a sound level of a washing machine and/or lawn mower. With the proximity to homes, this is a clear and simply unacceptable externality of any perceived economic benefit.

**Bonner Comment #4**

Please consider these points as you weigh any potential public good with the real impact such a project will have on our community.

Thank you for your consideration.

William Bonner & Mary Donohue



**Re: Turbine on Bean Hill**

Maria Ernest <[REDACTED]>

Sat 3/2/2024 2:21 PM

To:Emily Staley <clerk@townofflorida.com>

**Maria Ernest  
Written Comments**

**Ernest Comment #1**

I object to the installation of the wind turbine on Bean Hill because I do not want it to be a test experiment as to its effect on the surrounding environment. Once done, it can't be undone. The whole process is so destructive to the centuries'-old farming community. Move on.

Maria Ernest

**Brian & Kristeen Jaracz  
Written Comments**

March 2, 2024

TOF Planning Board- Opposition New Leaf Proposed Wind Turbine

After listening and reviewing New Leaf's response to the EIS many concerns are apparent.

- Much of the available research, if any, are based upon wind turbines 200 to 400' tall. There are NO available studies that address a 650' wind turbine and all of the effects/impacts on a rural community. **Jaracz Comment #1**
- Visual Impact study did not truly represent the size in contrast to visible landscape points. When pictures are taken against a wall/object, of course no visual impact is noted. However a 650' wind turbine, stationed on one of the highest points in the TOF, will have a significant negative visual impact and cannot be obscured. **Jaracz Comment #2**
- Radio Frequency resolution of a \$100,000 bond is not sufficient if negative impacts occurred. New Leaf has concurred they have never conducted a R/F study, therefore does not truly know all of the negative ramifications that could occur. A \$100,000 bond would not potentially cover 1 resident, none the less 100s', if negatively impacted. **Jaracz Comment #3**
- Bee study was done over a 3 day intermittent period, within 5 hours total time, at the incorrect time of year. No studies have been concluded on a 650' wind turbine and the long term effects on bees, habitat wildlife, and plantation. New Leaf's solution of "We'll Reseed" is useless after negative effects have already occurred. An existing 130 year old TOF bee farm, requested a proper bee study be performed over years to be properly vetted. This existing bee farm supports 5+ families, New Leaf should be required to guarantee no negative impacts to these families with a multimillion dollar bond in case any negative impacts occur. **Jaracz Comment #4**
- Roadways/Infrastructure will be eroded and destroyed with the weight of these 267' long trucks/trailers. The residents should not have to incur the costs that will be required to fix and maintain these roads. New Leaf should be required to issue the TOF a multimillion dollar bond to fix roads/infrastructure not only for the install, but for remaining existence of the wind turbine. As maintenance, new blades/motors, and then decommissioning for removal of the wind turbine will be required. **Jaracz Comment #5**

New Leaf's responses have been very standardized responses that do not represent the magnitude or negative impacts of a 650' wind turbine. Nor how could they, they have readily admitted, they have never done one this large. **Jaracz Comment #6**

We hope that the planning board recognizes the numerous concerns brought forward in this letter and more importantly brought forward by the residents of the TOF in numerous prior meetings. This is not a project that is worth all of the negative impacts and risks.

Sincerely,

Brian & Kristeen Jaracz

3/7/24

Dear Stephen Vicle,

My name is Phil Johnson, I have been a resident of the Town of Florida since 1987. I oppose the wind turbine project for the following reasons.

1. Subsidies - we all know without government "help" most wind and solar projects would not occur. Subsidies prevent market economics. If wind power is viable it should stand on its own economic feet.

Johnson  
Comment #1

2. Environmental Impact

a. short term - an ugly visage in our beautiful town, noisy and a harm to wild life

b. long term - what do you do with the thing when it reaches its lifespan?

Johnson  
Comment #2

3. Inefficient - the power density of wind is low, a low power density form of energy requires more infrastructure and maintenance

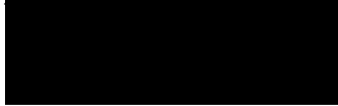
Johnson  
Comment #3

Thank You for your time,

Phil Johnson

p.s. also politically unwise in this town ☹️.

**Wayne Nezek  
Written Comments**



March 6, 2024

Town of Florida Planning Department  
c/o Emily Staley, Town Clerk  
214 Fort Hunter Road  
Amsterdam, NY 12010

Re: Wind Project Proposal  
153 YMCA Road

I read the Amsterdam Recorder's March 6, 2024, article on the Wind Project proposed at 153 YMCA Road.

**Nezek Comment #1**

As a life-long resident of the Town of Florida and after reading the article, I have to ask, with at least more than 1000 acres of solar panels devastating our farmlands and the rural character of our Town, hasn't the Town of Florida contributed more than our fair share to renewable energy?

I encourage you to support the Alliance for Florida Farmland and shut down the New Leaf Energy wind project proposal for 153 YMCA Road.

Respectfully Submitted,

A handwritten signature in black ink that reads "Wayne A. Nezek". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Wayne A. Nezek

# Alliance for Florida Farmlands Written Comments

Dear Town of Florida Planning Board Members,

The recent public hearing regarding the Bean Hill Wind Turbine Project reiterated serious concerns that we hope you will consider before you make your determination on this project.

1) No one in the Town of Florida has spoken favorably for this project. In fact numerous people have said they don't want it. 230 people have signed a petition against industrial wind turbines in our town. The same project has been proposed and **rejected/withdrawn** in Glen, Middleburgh, and other NY towns.

AFF  
Comment  
#1

2) New Leaf states that their #1 objective is promoting renewable energy in the region. Montgomery County and all of upstate NY gets over 90% of our energy from renewable resources (hydropower and nuclear power). We also have 2 large scale solar farms in our town. So the Town of Florida already meets the NY State objective without adding a turbine. Why should we be targeted for a renewable energy project that is unneeded?

AFF  
Comment  
#2

Also, New Leaf has not provided the requested Met Mast data and interpretations of that data to show the estimated benefit this project would provide in meeting the state's current energy goal (DEIS Page 273 - a minimal chart of generalized information was all that was included).

AFF  
Comment  
#3

3) This project was initially promoted by **Borrego Energy**, then transferred to **New Leaf Energy**, and now, the DEIS refers to the project developer as **Florida Wind 1, LLC**. This is an example of just how inconsistent and ever changing the project is. New Leaf/Florida Wind 1 has no experience in wind turbine construction.

AFF  
Comment  
#4

**Florida Wind 1 AND Florida Wind 2 are already registered with NY Department of State Division of Corporations.**

Assurances made by New Leaf that they will only build ONE turbine on YMCA property does not preclude future turbines on nearby properties. The fact that Florida Wind 2, LLC is registered strongly suggests that this is their intent.

AFF  
Comment  
#5

apps.dos.ny.gov/publicinquiry/EntityListDisplay

NEW YORK STATE Services News Government

### Department of State Division of Corporations

#### Entity Search Results

A total of 2 entities were found. If the entity name you are searching is not displayed please refine the search.

Search

Name	DOS ID #	Alternate Name ID #	Status	Entity Type	Date of First Filing	County
FLORIDA WIND 1, LLC	5784948		Active	FOREIGN LIMITED LIABILITY COMPANY	07/10/2020	Albany
FLORIDA WIND 2, LLC	6211165		Inactive	FOREIGN LIMITED LIABILITY COMPANY	07/02/2021	Albany

Rows per page: 5 1 of 2

4) The environmental impact greatly outweighs any revenue that may be generated by a turbine that is statistically about 30% efficient in producing electricity. Visual impact cannot be mitigated for our residents or the residents of nearby towns. This device would be visible from two of our serene town parks, as well as from a large portion of town. This would be the largest turbine in NY set at the highest point in our county.

AFF  
Comment  
#6

AFF  
Comment  
#7

Community character will be forever altered. Infrastructure and decommissioning costs have not been addressed. Noise, shadow flicker, reduction of property values, loss of trees, birds, bats, bees, and wildlife habitat, along with safety concerns such as blade failure, fires, contaminants, impact to nearby neighbors, and impacts to residents' well water cannot be mitigated.

AFF  
Comment  
#8

AFF  
Comment  
#9

5) The DEIS studies were inadequate and sub-standard. Many of the documents were generic materials and/or previously submitted information:

Transportation Study was previously provided for Borrego Energy, April 2022

SWPPP was from July 22, 2021 and continuously refers to Borrego as the project owner. The storm water discharge permit included was issued Jan 29, 2020

SWPPP Notice of Intent (pages 185-196) no answers provided - **incomplete**

County Soil Report – (Pages 201-241) **is a report for OTSEGO COUNTY**

Microwave Study prepared July 16, 2021

Noise Study prepared May 24, 2022

The Shadow Flicker Report is a previous report from Borrego, May 2022.

AFF  
Comment  
#10

The Honeybee study and follow-up study was merely a habitat report, with no conclusive data or information regarding potential turbine impact on honeybees as requested.

AFF  
Comment  
#11

6) The Vestas 150-4.3 model wind turbine, frequently referred to in the DEIS as the model to be built, has numerous reports of structural and mechanical failures. When the Zoning Board requested turbine failure data at their meeting on December 13, 2021, Mr David Strong said there was no data available. Several reports can be read here:

<https://www.rechargenews.com/wind/wind-turbine-maker-vestas-halts-batch-of-v150s-after-sweden-collapse-probe/2-1-945232>

<https://www.windpowermonthly.com/article/1694007/vestas-edpr-investigate-why-v150-blade-broke-off-ohio-site>

<https://energywatch.com/EnergyNews/Renewables/article12690965.ece>

<https://stopthesethings.com/2020/12/09/turbines-tumble-another-230-metre-300-tonne-whirling-wonder-bites-the-dust/>

AFF  
Comment  
#12

Thank you for your consideration of these concerns.

Alliance for Florida Farmland

To: Town of Florida Planning Board  
Subject: Public Comments regarding the New Leaf Wind Turbine Application

February 26<sup>th</sup>, 2024

Town of Florida Supervisor and Board Members,

We have attended the meetings and reviewed the applicants and Planning Board's documentation. The following is our key concerns with this application:

- Local Farms, Businesses, and Township Catastrophic Impact Risks
- Visual Impact of the Wind Turbine Proposal.
- Town of Florida Taxpayer Benefits

**Local Farms, Businesses, and Township Catastrophic Impact Risks:**

**Maritz Comment #1**

The applicants provided a Bee Study that has been rejected by our local Bee Farm owners. The Bee Farm owners have expressed concerns about the amount of time and periods when the study was conducted. To properly evaluate the impact and reduce the risk a more comprehensive study during the appropriate times should be conducted by an independent expert. As part of the study there should be a catastrophic assessment performed to evaluate the risk and financial losses that might occur. This is just one of our town's long-standing farms that supports 5 families with future generations.

**Maritz Comment #2**

There are many farms near the proposed site where animals and insects may be affected. Dairy cows as an example are sensitive to environmental stressors, including noise. A study published in the Journal of Dairy Science found that cows near wind turbines have a lower milk yield than cows in locations with less exposure to noise. Other reports have described problems with dairy cows near wind farms, including:

- Reduced milk yield and quality
- Behavioral problems
- Increased mortality
- Sudden death among cattle
- Inability to stand.
- Inability to walk.
- Premature birth

**Maritz Comment #3**

Some farmers in France believe that the electromagnetic fields from wind turbines, power lines, and telephone antennae could be causing low productivity and high rates of mortality.

**Maritz Comment #4**

Wind turbines can also generate low-frequency infrasound and audible noise. The US Fish & Wildlife Service recommends taking precautionary measures to ensure that noise impacts at wind facilities are thoroughly investigated before development.

**Maritz Comment #5**

And then there are the commonly associated "wind turbine disasters" - Blade failure, structural failure, fire, and ice throw. Leading edge erosion and lightning strikes are the two most often observed damage mechanisms. Leading edge erosion can occur from the first year after wind turbine installation. Lightning strikes are typically observed in high peak areas. If any one of these disasters occur during the life expectancy of the wind turbine can the town recover from the damage caused?

To: Town of Florida Planning Board  
Subject: Public Comments regarding the New Leaf Wind Turbine Application

**Ken & Becky Maritz  
Written Comments**

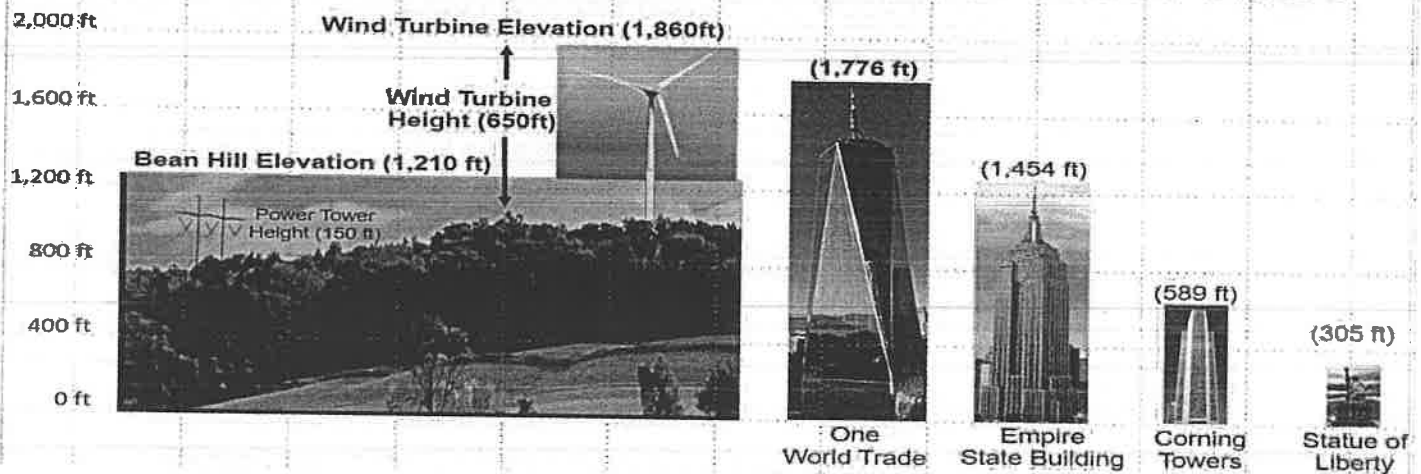
**Visual Impact of the Wind Turbine Proposal:**

**Maritz Comment #6**

The picture below is an approximate scaled depiction of the total height that the wind turbine will have when placed above Bean Hill. The picture demonstrates that the total height of the turbine on top of Bean Hill will be higher than One World Trade Center in New York City. This will be seen for many miles around us. Another fact to consider is the wind turbine alone is greater than two times the height of the Statue of Liberty! This is a fact that is impossible to dispute.

A wind turbine of this size, height (650') and magnitude is visual pollution. We came upon one of lesser height on the Mass Turnpike. When in the distance it appeared out of place. Then as we approached it the appearance was overwhelming. It will make an open landscape appear more developed and less rural. This in turn will alter the natural landscape's harmonious relationships between different characteristics and elements of aesthetic importance. The movement of the rotors can create a "disquieting" effect in the landscape and disturb the natural tranquility.

# Wind Turbine VISUAL IMPACT



**Town of Florida Taxpayer Benefits:**

**Maritz Comment #7**

New Leaf has proposed providing our town residents with a 10% discount on their electric bill. This nominal gesture can be attained by joining up with any of the local solar consortiums. We suggest that the town's electricity be provided by the wind turbine throughout its life expectancy. This way the benefit can directly impact the taxpayers of the Town of Florida. This has been done for the residents of Green Island NY.

**Maritz Comment #8**

Additionally, the \$100,000 bond recommended by the applicant for possible frequency issues is greatly insignificant. In addition, who and how will the bond be managed. When you consider the total risk associated with our local farms, businesses, and town, we suspect the potential losses to be significantly higher. This is why we strongly recommend the evaluation of the potential losses and seek a catastrophic insurance policy to cover ongoing and future losses to the town. Why should we as taxpayers take on the risk of potential lawsuits that may increase our tax burdens significantly!

In conclusion we recommend that the application for this wind turbine be rejected. The impacts and risks are too many!

Sincerely,  
*Ken & Becky Maritz*



**Mark & Lori Rullison  
Written Comments**

Dear Mr. Viele and Town of Florida Planning Board Members,

We are writing to let you know that we are opposed to the Florida Wind 1 industrial wind turbine project proposed for Bean Hill.

Rulison Comment #1

Despite what the developers say, this project will not benefit town residents in any way-

No local jobs will be created

Rulison Comment #2

90% of electricity delivered to upstate NY is from hydropower which is already a "clean, green" renewable resource so why should we be interested in a costly, unreliable wind energy project?

Our electric rates will NOT be reduced but rather increased as NYS forces their Climate Leadership and Community Protection Act (CLCPA) agenda on us. Offering a 10% reduction on rising electric costs as incentive for the wind turbine is a deceptive tactic.

Rulison  
Comment  
#3

This project is actually detrimental to the town residents in many aspects such as-

Rulison Comment #4

Noise

Rulison Comment #5

Significant visual impact. The nearest wind turbine this massive in height is near Binghamton, NY. Siting a 650 ft. turbine on Bean Hill, the tallest point in the town, will have a huge, unavoidable visual impact.

Road damage and traffic disruption from heavy, oversized trucks and equipment

Rulison  
Comment #6

Radio frequency disruption

Rulison Comment #7

Wildlife death and loss of rural habitat

Rulison Comment #8

Rulison Comment #9

Projects such as the wind turbine are presented as environmentally progressive and good for the community by people that have no interest or connection to the residents who live here. Protecting our town agricultural resources and farming should not be overlooked.

We would specifically like to voice our concern that our own family farm may be affected.

Rulison Honey Farm has been here for 130 years and four generations. We have worked here, lived here, paid our taxes here, raised our family here, and spent our money doing business here. We have children and grandchildren who will hopefully continue to live and carry on farming here.

We appreciate that the planning board addressed our concerns to New Leaf during the Environmental Impact Survey however we still feel that the DEIS Honey Bee Study is inadequate and inconclusive in their findings.

Their follow-up study was conducted during the first week of October 2023. Protocol for habit research is recommended between June – August at peak foraging, brood rearing, and honey production. While the weather was exceptionally warm last

October, allowing the bees to be out flying, we spoke to the research scientist, Mr. Jacob Johnston, and stressed that the foraging season had ended. The single floral source in bloom was purple aster. The bees had completed their honey production for the year, and we were preparing hives for the winter. This is a huge factor that would skew any observations they made.

LaBella Associates were more careful to record their statistics and procedures in their follow-up survey, but it was simply another 3 day period of observation. We feel this short survey at the wrong time of the year is inadequate to draw the conclusion that, ***"If honeybees from nearby managed colonies are using the Project Site for habitat resources, it is not likely in high numbers."***

The LaBella report (page 32) goes on to state, ***"there may still be concerns with the effects of wind turbines on bee health and mortality in proximity to the infrastructure as well as possible modifications or impairments to their dance based communication methods."***

A few paragraphs later they conclude, ***"Research on direct effects of renewable energy turbines on honey production and hive health, however, have shown no impact on mortality, navigation, reproduction, or hive functions."***

The next paragraph of the LaBella report then states, ***"There is no established research on the impacts of wind turbine operation on honey bees."***

These statements in the report directly contradict each other and are clearly an indication that (pun intended) they are grasping at the wind!

Also, the report anonymously cites ***"another honeybee farm situated within a half mile of (unidentified) wind turbines that has not experienced any effects on hive health or honey production."*** We feel it is not only poor research but unacceptable to make unverifiable statements as research which is then used as "PROOF" that turbines have no impact on honeybees.

Some research links below show otherwise:

<https://www.windconcerns.com/big-winds-assault-on-insects/>

<https://docs.wind-watch.org/Interference-of-Flying-Insects-and-Wind-Parks.pdf>

It is very troubling that such a major concern which may affect our farm and livelihood can be so easily discounted by New Leaf. Re-seeding the turbine area with pollinator friendly flowers is not any kind of mitigation if we are no longer able to keep bees alive and produce honey at our Shellstone Road farm. We urge the Planning Board to reject this project.

Respectfully,

Mark and Lori Rulison

APPENDIX 2: MARCH 4, 2024  
PUBLIC HEARING TRANSCRIPT

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***In The Matter Of:***

***New Leaf Energy YMCA Road Wind Turbine Project***

***March 4, 2024***

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STATE OF NEW YORK                    MONTGOMERY COUNTY  
TOWN OF FLORIDA  
PLANNING BOARD

\*\*\*\*\*  
A PUBLIC HEARING AS IT RELATES TO THE NEW  
LEAF WIND TURBINE DEIS SCOPING DOCUMENT  
\*\*\*\*\*

THE STENOGRAPHIC MINUTES of the  
above-entitled matter by Nancy L. Strang,  
a Shorthand Reporter commencing on March  
4, 2024 6:36 p.m. at the Town of Florida  
Town Hall, 167 Fort Hunter Road, Florida,  
New York

BOARD MEMBERS PRESENT:

STEPHEN VIELE, CHAIRMAN

PETER REA

SCOTT MARSHALL

CHARLES SAUL

JOHN HUTCHINSON

NICHOLAS ARMOUR

JAYME KING

CINDY SCHULTZ

DEAN ROTH

1 ALSO PRESENT:

2 MICHAEL CROWE, ESQ., COUNSEL TO THE BOARD

3 EMILY STALEY, TOWN CLERK

4 DAVID STRONG, NEW LEAF ENERGY

5 LYDIA LAKE, NEW LEAF ENERGY

6 VANESSA KIRBY

7 SCOTT NEFF

8 BRIAN VARACZ

9 KEN MERITZ

10 MARK RULISON

11 KRISTINE VARACZ

12 TIMOTHY GREGSON

13 DEANNA DELUKE

14 JOE WELK

15 KAREN ANNE BERRA

16 VALARIE SHAARLAND

17 CHRIS PERRAS

18 BECKY MORITZ

19

20

21

22

23

24

25

1                   CHAIRMAN VIELE: There was some  
2 email comments on the New Leaf Turbine  
3 before tonight's meeting about questions  
4 and concerns and making sure that a  
5 stenographer was here and stuff like  
6 that. It was all official correspondence.

7                   First up tonight for business  
8 is the public hearing for the wind  
9 turbine. We are going to open the public  
10 hearing. It is 6:37. It will stay open  
11 until Friday, March 15th at 5:00 p.m.

12                   Before we go into the public  
13 comment section, there will be a brief  
14 presentation given by New Leaf. Just a  
15 reminder that there will be no back and  
16 forth. This is a presentation in case  
17 somebody is here that doesn't know about  
18 what the project entails. After New Leaf  
19 is done presenting, then we will go into  
20 the public comment section and go off of  
21 the list.

22                   It's all yours.

23                   MR. STRONG: Thank you. Hello,  
24 everybody. For those who haven't seen me  
25 or heard anything about the project, my

1 name is Dave Strong and I'm from New Leaf  
2 Energy - Senior Project Developer.

3 I will keep this brief because  
4 this is all about listening to the  
5 public's comments. My colleague, Lydia  
6 Lake will follow-up after me and discuss  
7 in detail what is actually in the  
8 environmental impact statement.

9 Just very briefly, the project  
10 itself consists of a single wind turbine.  
11 It's call a community wind project. It's  
12 very different from your typical large  
13 wind farm. This is only a single turbine.  
14 There are no other related to this  
15 project.

16 Community wind is a different  
17 way to produce and consume renewable  
18 electricity. It stays local to the grid  
19 so the electricity is actually pumped  
20 onto the local distribution lines and  
21 should the project move forward and get  
22 built, the electricity can be consumed by  
23 its residents and businesses in this  
24 region at a discount.

25 One of the other benefits about

1 this kind of project is we are able to  
2 offer what is called a host community  
3 agreement. We are doing so to the Town of  
4 Florida, in this case.

5 A host community agreement is  
6 very straight forward. It protects the  
7 Town for many extra costs incurred by the  
8 project. So, those would be things like  
9 road impacts or concerns that need  
10 engineering review during the  
11 construction or the operation. So, it  
12 lays out to terms that we are covering  
13 those costs.

14 Another thing that it does is  
15 pay the Town of Florida directly, \$30,000  
16 a year for the life of the project,  
17 escalating at 2%.

18 A couple of other things - and  
19 I will give it over to Lydia - this  
20 project does pay taxes to school district  
21 and to the county as well.

22 Again, I just want to say thank  
23 you very much. I know many of you have  
24 showed up a lot to hear about the budget.  
25 We appreciate it very much, and

1 commitment of the Board. I know a lot of  
2 folks have worked on this and it is a  
3 lot.

4 We did start the object  
5 mid/late 2021. We submitted the  
6 application to the Planning Board. We  
7 went to the Zoning Board and got a height  
8 variance.

9 This project went to the  
10 Montgomery County Planning Board for  
11 review. It came back with a review to  
12 approve and since then we have been doing  
13 our best to work and provide all of the  
14 information that we can to the Planning  
15 Board. We are happy to be here tonight  
16 and listen very carefully to the concerns  
17 of the public about the environmental  
18 impacts. Thank you.

19 Lydia?

20 MS. LAKE: Hi everyone, I'm  
21 Lydia Lake and I'm a project engineer, as  
22 Dave mentioned.

23 I will give a brief overview of  
24 the site first.

25 This is our site layout plan.

1 It is 135 acres. It's a fairly simple  
2 construction site. You have an access  
3 road through here (Indicating), and then  
4 the tower is on top of the hill, here.  
5 There is a turnaround - a temporary  
6 turnaround, temporary lay-down area and  
7 once the turbine is up, that is taken up  
8 and you are allowed to use the access  
9 road which will remain in with the tower  
10 right there.

11 The site layout is all in  
12 accordance with the existing Town of  
13 Florida wind facility bylaw. So, we have  
14 done everything that was required of the  
15 Town bylaw.

16 Before we even got to the EIS  
17 process, we did a number of studies. We  
18 did a wetland delineation. It does show  
19 that we will be crossing wetlands through  
20 here. The road will reduce in size to  
21 reduce our impact there. We are  
22 installing culverts to keep that  
23 hydraulic continuity across the wetland  
24 to minimize our impact there.

25 We've also done a visual impact

1 analysis. We've done a noise study and it  
2 shows that we are under 50 decibels,  
3 which is what is stated in the bylaws.  
4 We've done a shadow and flicker study and  
5 we're under, I believe, 19 hours a year  
6 which comes out to maybe 80 houses that  
7 would experience shadow flicker, it comes  
8 out to less than an hour for a couple of  
9 weeks in February and a couple weeks in  
10 November.

11 We've submitted a  
12 decommissioning plan, so that protects  
13 the Town that if anything were to happen  
14 to the project owner, it will bond for  
15 the project so that full decommission  
16 costs will be covered. No costs will end  
17 up with the Town.

18 We've done a transport study.  
19 We've analyzed routes to the site through  
20 any county or Town roads that we will  
21 impact. We will issue road bonds on all  
22 of the improvements and all of the  
23 repairs will be covered by the project.  
24 Again, this is at no cost to the  
25 surrounding communities.

1                   We've done a geo-tech  
2                   investigation for the area and so right  
3                   now our preliminary foundation shows that  
4                   it would be about 60 to 70 feet wide and  
5                   10 to 12 feet deep.

6                   So, we got into the EIS process  
7                   and the potential adverse impacts that  
8                   were identified by the Town were visual,  
9                   radio and television communications,  
10                  geo-tech investigations, community  
11                  character. So, that's what our EIS  
12                  primarily focused on.

13                  We did additional  
14                  investigations in accordance with what  
15                  the Town wanted to see. We did additional  
16                  visual simulations. We did extensive  
17                  radio and television communications. We  
18                  are agreeing to do pre and post  
19                  monitoring of those items.

20                  We did a honey bee study and we  
21                  went out a couple of times to assess the  
22                  habitat and to talk to the bee farms  
23                  concerns. So, that was all included in  
24                  the EIS, as requested.

25                  Just our current status with

1 all of our state and federal agencies -  
2 we have jurisdictional letter from DEC  
3 stating that we will curtail operations  
4 for Northern Long-Eared Bats and we are  
5 cleared for any other endangered species.  
6 SHPO gave us a note - an adverse impact  
7 determination for historical and  
8 archeological resources.

9 The Army Corp of Engineers - we  
10 did purchase wetland credits to off-set  
11 the minor impacts of wetlands that we did  
12 have. So, that is a net benefit to  
13 wetlands.

14 For the Federal Aviation  
15 Administration, we did get a  
16 determination of no hazard.

17 So, that's kind of a brief  
18 overview of where we are and where we  
19 stand now.

20 CHAIRMAN VIELE: Thank you.

21 All right, we are going to go  
22 on to the public hearing portion.

23 I will call your name. You'll  
24 have three minutes. Please be courteous  
25 to everybody's comments, whether you

1 agree or disagree. Everybody has the  
2 right to speak and have their voices  
3 heard. At three minutes, I'll give you a  
4 little bit of a warning. If you're close  
5 to wrapping it up, I will let you  
6 continue.

7 Remember, the scope of this  
8 hearing tonight is strictly on the DEIS.  
9 It's not about if you want the turbine in  
10 or if you don't want the turbine in. It's  
11 strictly on the DEIS scoping document.

12 Anybody come in late that did  
13 not get to sign up, that wishes to speak?

14 (There was no response.)

15 So, first we will start with  
16 Vanessa Kirby.

17 MS. KIRBY: My first concern is  
18 that we still have not been provided with  
19 the information on the expected kilowatts  
20 produced by it. The applicants have not  
21 provided any in depth projections.

**Kirby  
#1**

22 Secondly, the observation  
23 completed on the bee population along  
24 with the research provided is a poor  
25 excuse of scientific method. The research

**Kirby  
#2**

1 was conducted during a time when the area  
2 is less forested by these because of the  
3 available plant life at the site and  
4 completed only during one season through  
5 the year.

6 The applicants also said they  
7 would address any concerns by foraging  
8 planting flowers. How is that a good idea  
9 if we don't have the data on how a  
10 650-foot turbine would affect people in  
11 the first place?

**Kirby  
#3**

12 Being a bee expert is not  
13 needed to assure the quality of the study  
14 completed. The risks to multiple  
15 families' lives, if this project were to  
16 be detrimental to the bee population, it  
17 would be devastating to a century-old  
18 established Town business. The study used  
19 to justify your researcher's rationale is  
20 based on a study where 410-foot turbines  
21 were the focus of study and there is only  
22 one supporting study that is referenced.

23 The Town should do their due  
24 diligence by requesting the more in-depth  
25 bee study and observation impact on bees

1 as this will impact three generations of  
2 long time Town residents.

3 In addition to impact on the  
4 bee farms that provided pollinating  
5 insects to the rest of the Town's

6 farmers, the Board has scrutinized the  
7 communications impacts. The funds for  
8 individual impacts are not enough to  
9 address this. The Board should mandate  
10 that three or more justified complaints  
11 would be lead to decommissioning of the  
12 turbine.

**Kirby  
#4**

13 Also, the significant lights of  
14 impact to the Town is the siting of the  
15 650-foot turbine at the highest point,  
16 not just in the Town of Florida but all  
17 of Montgomery County. Although the zoning  
18 ordinance of Montgomery County allowed  
19 the height variance, they cannot make a  
20 vote to complete SEQRA or DEIS which  
21 provided additional insight and  
22 scrutinize the visual impact related to  
23 the site of a turbine of this size at  
24 this site.

**Kirby  
#5**

25 The additional insight

1 available to this Board shows not only an  
2 impact of one that cannot be mitigated  
3 and would impact not only our Town, but  
4 other Towns as well.

5 Another item that goes against  
6 our regulations is not surrounding the  
7 site with a fence, and I have not seen  
8 any items from the Zoning Board of  
9 Appeals that waives this.

**Kirby  
#6**

10 CHAIRMAN VIELE: Thank you.

11 Scott Neff.

12 MR. NEFF: I did not hear  
13 mentioned in the report, given just  
14 before the comments opened, anything  
15 about a study on the effect of Rafters,  
16 Bald Eagle and Red Hawk population in  
17 this area.

**Neff  
#1**

18 Additionally, you said that the  
19 Town would receive \$30,000 a year for the  
20 life of the project, as well as taking  
21 care of the damage to the roads - at no  
22 point did you mention what that term is -  
23 the life of the project.

**Neff  
#2**

24 I also have concerns about what  
25 happens if this company goes belly up and

**Neff  
#3**

1 files for bankruptcy and starts up under  
2 a new name. Is all that stuff out the  
3 window, as well as the one you provided  
4 in terms of taking care of the roads?

5 This is the first one of these  
6 meetings that I've been to, but I have  
7 been keep up with stuff on Facebook.

8 My wife and I were on a flight  
9 within the last year and she asked a guy  
10 that was sitting next to us what he did  
11 for a living because he had a hard hat  
12 with him on the flight. He said he was a  
13 project manager for wind turbine project.  
14 I said oh, I've got a lot of questions  
15 for you, based on the things that I have  
16 been researching and about how valuable I  
17 think that it is. I basically said that I  
18 thought it was an industry full of  
19 corruption with government and big money  
20 and they have been taking over rural  
21 areas that don't have the money. Without  
22 the subsidies, propping it up, it is  
23 basically useless. He said, well, I make  
24 a good living at it, but I can't tell you  
25 that anything you just said is wrong. I

**Neff  
#4**

1 have had area of concerns about that from  
2 that point forward. He initially said  
3 that truth be known, at the point that  
4 they power down the grid to tie in the  
5 wind project for however long they have  
6 to or whatever is involved with that, he  
7 said it's actually cheaper to just keep -  
8 money would be saved if you just kept  
9 going with the grid at it currently  
10 stands, not trying to bring in the wind  
11 energy into the scenario.

12 With all that being said, I'm a  
13 fourth generation in this Town. I've been  
14 in this Town of 46 of my 56 years. I have  
15 bicycled and motorcycled all over this

16 Town. I always marvel at how this part of  
17 the Town -- I live down on 5S down by the  
18 river -- just how beautiful it is. In the  
19 last couple of years -- hell, in the last  
20 six months, just watching the solar  
21 projects going on -- even tonight,  
22 driving up here, I can see the sunset  
23 fading out. I can see a couple of houses  
24 at the lower end of Bulls Head Road where  
25 you cross there and I thought to myself,

**Neff  
#5**

1 that is one beautiful sunset. If I was in  
2 their house looking at it just over the  
3 knoll, I can see all the stupid solar  
4 panels ruining the beauty of this Town.

5 They say that this is one tower  
6 going up. Well, that project over on  
7 Route 30 by the diner, that was just one  
8 solar project too. Now look at our Town.  
9 It always starts with one.

10 CHAIRMAN VIELE: Thank you.

11 Brian Varacz.

12 MR. VARACZ: Everything that  
13 has been said is what I was going to say,  
14 other than saying that we should turn it  
15 down. Other Towns are turning this down  
16 and I think that we should, too. There is  
17 really no benefits to it that I can see,  
18 or that 95% of the people in this room  
19 can see. Thank you.

**Varacz  
#1**

20 CHAIRMAN VIELE: Thank you.

21 Ken Meritz

22 MR. MERITZ: I think that you  
23 all have a copy of this. Someone said  
24 that they shared it with you, so I'm just  
25 going to read my comments that my wife

1 and I put together.

2 There are three basic areas  
3 that we focused on. One was for local  
4 farms and businesses, the other was the  
5 visual impact and the third was benefits  
6 for the Town of Florida.

7 From a local farm business  
8 perspective, there is a study that has  
9 been rejected by our local bee farm  
10 owners. One of them is sitting right  
11 next to me. The bee farm owners have  
12 expressed concerns about the amount of  
13 time and period which the study was  
14 conducted to properly evaluate the impact  
15 and reduce the risk, a more comprehensive  
16 study during the appropriate times should  
17 be conducted by an independent expert. As  
18 part of the study, there should be a  
19 catastrophic assessment performed to  
20 evaluate the risk and financial losses  
21 that might occur. This is just one of our  
22 Town's long-standing farms that support  
23 five families for future generations.  
24 There are many farms near the proposed  
25 site where animals and insects may be

1 affected. Dairy cows, as an example, as  
2 sensitive to environmental structures,  
3 including noise.

4 The study published in the  
5 Journal of Dairy Science found that cows  
6 near wind turbines have a lower milk  
7 yield than cows in locations with less  
8 exposure to noise. Other reports have  
9 described problems with dairy cows near  
10 wind farms including reduced milk yield  
11 and quality, behavioral problems,  
12 increased mortality, sudden death among  
13 cattle, inability to stand, inability to  
14 walk and premature birth.

15 Some farmers in France believe  
16 that the electromagnetic fields from wind  
17 turbines, power lines and telephone  
18 antenna can be causing low productivity  
19 and high rates of mortality. Wind turbines  
20 can also generate low frequency  
21 infrasound and audible noise.

22 The U.S. Fish and Wildlife  
23 Service recommends taking precautionary  
24 measures to ensure that noise impacts at  
25 wind facilities are thoroughly

1 investigated before development. They  
2 are commonly associated with wind turbine  
3 disasters like blade failure, structural  
4 failures, fire, ice. Leaving corrosion  
5 and lightning strikes are the two most  
6 often observed damage mechanism leading  
7 into the first year after wind turbines  
8 installation. Lightning strikes are  
9 typically observed in higher peak areas.  
10 If any one of these disasters occurs  
11 during the life expectancy of a wind  
12 turbine, can the Town recover from the  
13 damage?

14 The next area is the visual  
15 turbine. There have a very nice picture  
16 of this little thing in the background. I  
17 did pretty much an approximate scale and  
18 you have it in the handout that you have  
19 in front of you, but I referred to it.  
20 The picture below is an appropriate scale  
21 depiction of the total height that the  
22 wind turbine will have when placed on  
23 that hill. The picture demonstrates that  
24 the total height of the turbine on the  
25 top of the hill would be higher than 1

1 World Trade Center in New York City. This  
2 will be seen for many miles around us.  
3 Another fact to consider is the wind  
4 turbine alone is two times the height of  
5 the Statute of Liberty. This is a fact  
6 that is impossible to dispute. A wind  
7 turbine of this size - 650 feet - and  
8 magnitude of this is visual pollution.

9 We came upon one of the lesser  
10 heights on the Mass Turnpike on our way  
11 to Boston and when it appeared in the  
12 distance, it appeared out of place. Then,  
13 as we approached it, the appearance was  
14 overwhelming. It will make an open  
15 landscape appear more developed and less  
16 rural. This, in turn, will open a natural  
17 landscape and harmonious relationships  
18 between different characteristics and  
19 elements of aesthetic importance.

20 I'll wrap it up with the  
21 benefits. They talk about the benefits to  
22 the Town - that the Town residents will  
23 get about a 10% discount on their  
24 electric bill. This nominal gesture can  
25 be gotten by any local solar company out

1           there today. You don't need a wind  
2           turbine out there to get it.

3                       We suggest that the Town's  
4           electricity be provided by a wind turbine  
5           throughout the life expectancy. This way,  
6           the benefit can directly impact the  
7           taxpayer of the Town of Florida. This has  
8           been done for residents of Green Island.  
9           I don't know if people are familiar with  
10          the Green Island -

11                      CHAIRMAN VIELE: Mr. Meritz,  
12          are you close?

13                      MR. MERITZ: I'm very close.

14                      The last idea is important.  
15          It's supposed to be \$100,000 bond put on  
16          this. I think that is very insignificant.  
17          We start getting lawsuits not only from  
18          frequency issues, but the five-generation  
19          bee farms - I don't think they would  
20          sustain this. I think we need to have  
21          catastrophic insurance. Catastrophic  
22          insurance should cover us throughout the  
23          life expectancy.

24                      CHAIRMAN VIELE: Thank you.

25                      Mark Rulison.

1 MR. RULISON: We'd like to  
2 specifically voice our concern that our  
3 own family farm may be impacted. Rulison  
4 Honey Farm has been here for over 130  
5 years; four generations. We have worked  
6 here, lived here, paid our taxes, raised  
7 our families, spent our money doing  
8 business here. We have children and  
9 grandchildren who will hopefully continue  
10 to live and carry on farming here.

11 We appreciate that the Planning  
12 Board addressed our concerns to New Leaf  
13 during the environmental impact survey.  
14 However, we still feel that the DEIS  
15 honey bee study is inadequate and  
16 inconclusive in their findings. Their  
17 follow-up study was conducted during the  
18 first week of October, 2023. Protocol for  
19 habitat research is recommended between  
20 June and August and peak foraging. While  
21 the weather was exceptionally warm last  
22 October, a lot of the bees were out  
23 flying, we spoke to the research  
24 scientist, Mr. Jacob Johnston, and  
25 stressed that the foraging season had

1 ended. The only floral source in bloom  
2 was purple Astor. The bees had completed  
3 their honey production for the year and  
4 we were preparing hives for winter. This  
5 is a huge factor that would skew any  
6 observations they made. LaBella  
7 Associates were more careful to report  
8 their statistics and procedures in their  
9 follow-up study, but was simply another  
10 three-day period of observation. We feel  
11 that this short survey at the wrong time  
12 of year is inadequate to draw  
13 conclusions. As stated - this is a quote  
14 from them.

15           If honey bees from nearby  
16 managed colonies are using the project  
17 site for habitat resources, it's not  
18 likely in high numbers.

19           The LaBella report -- it's  
20 actually page 32 - goes on to state,  
21 there may still be concerns with the  
22 effects of wind turbines on health and  
23 mortality and proximity to the  
24 infrastructure, as well as possible  
25 modifications or impairments to their

1 base communication methods.

2 A few paragraphs later they  
3 conclude: Research on direct effects of  
4 renewable energy turbines, on honey  
5 production and hive health have shown no  
6 impact on mortality, navigation,  
7 reproduction or hive functions.

8 The next paragraph of the  
9 LaBella report then states, quote, there  
10 is no established research on the impacts  
11 of wind turbine operation on honey bees.

12 These statements in the report  
13 directly contradict each other and are  
14 clearly indicating that this is - pun  
15 intended - their grasping at the wind.  
16 The report anonymously sites, quote,  
17 another bee honey farm situated within a  
18 half-mile of the wind turbines has not  
19 experienced any effects on hive health or  
20 honey production. We feel that it's not  
21 only poor research, but unacceptable.  
22 It's unverifiable statements has research  
23 which is then used as, quote, proof that  
24 turbines have no impact on honey bees.

25 It is very troubling that a

1 major concern that effects our own  
2 livelihood can be easily dismissed by New  
3 Leaf.

4 Reseeding the turbine area with  
5 pollinator friendly flowers is not any  
6 kind of mitigation, if we were no longer  
7 to keep bees alive and produce honey at  
8 our honey farm. We urge the Planning  
9 Board to reject this project.

10 CHAIRMAN VIELE: Kristine  
11 Varacz.

12 MS. VARACZ: Much of the  
13 available research that has been done are  
14 based upon wind turbines that are 200 and  
15 400 feet. There are no studies out there  
16 on 650-foot turbines. New Leaf has  
17 confirmed themselves that they've never  
18 built one this large. So, that alone  
19 should be alarm for all of us here. The  
20 visual impact study did not truly  
21 represent the size and contrast to  
22 physical landscapes. Many of the pictures  
23 that they proposed in the DEIS were  
24 against a wall or against an object -  
25 right up against it. To think that a

1 650-foot wind turbine stationed on one of  
2 the highest points in the Town of Florida  
3 will not have a significant negative  
4 visual impact - you're just kidding  
5 yourselves. It cannot be obscured with  
6 anything that you put up. There are no  
7 650-foot trees and there is no 650-foot  
8 fencing that you can put up.

9 The radio frequency resolution  
10 of offering \$100,000 bond is not even  
11 close to being sufficient. That would  
12 maybe cover one resident. If you had  
13 hundreds of residents, where is that  
14 money coming from to hire a lawyer to try  
15 to find another source, if there even is  
16 another source. So, I think that a  
17 \$100,000 bond is way understated for  
18 that.

19 The bee study was done over a  
20 three-day intermittent period within five  
21 hours total time at the incorrect time of  
22 year, as an active bee farmer has stated.  
23 No studies have been concluded on a  
24 650-foot wind turbine. When they actually  
25 came in and did the study, they did it

1 off a 410-foot wind turbine. There was a  
2 significant difference in that short  
3 period of time.

4 Nobody knows the long-term  
5 effects on bees, wildlife habitat here or  
6 plantation. New Leaf's resolution of roll  
7 reseed was in their comments - is useless  
8 after negative effects have already  
9 occurred. An existing 130-year old bee  
10 farm already exists. Are they willing to  
11 put up a multimillion dollar bond that is  
12 named to the Town of Florida if they go  
13 bankrupt, or go out of business or the  
14 thing gets decommissioned or doesn't  
15 work, that the bee farm is going to get  
16 and the Town of Florida residents are  
17 covered on?

18 Roadways and infrastructures:  
19 They will be eroded and destroyed. They  
20 talked about these trucks that are 267  
21 feet long with over weight limits. If you  
22 have gone up through that path, which I  
23 have, I have taken their maps and I've  
24 gone through there - there are roads that  
25 have to be cut away and there are power

1 lines that have to be removed. There are  
2 people's lands that they are going to  
3 have emanant domain on. All of that is  
4 going to be a cost.

5 They talked about a bond. The  
6 bond - it's not just one and done. These  
7 roads and infrastructures are going to  
8 have to remain for the existence of this  
9 wind turbine on top of it  
10 descommissioning. New blades, motors,  
11 descommissioning of this wind turbine and  
12 eventually the removal. This is, again, a  
13 multimillion dollar bond that should be  
14 in the Town of Florida in case anything  
15 happens.

16 New Leaf's response has been  
17 very standardized for the wind turbine.  
18 The turbines at 650 feet are not  
19 established in the U.S. yet and  
20 especially in New York State. We hope  
21 that the Planning Board recognizes the  
22 numerous concerns brought forward by the  
23 letter and our concerns and all the  
24 residents of the Town of Florida. Thank  
25 you.

1                   CHAIRMAN VIELE: Thank you.

2                   Timothy Gregson.

3                   MR. GREGSON: Those arguments  
4                   are so compelling that I have very little  
5                   to add to them, but I just want us to get  
6                   a visual. I really appreciate comparison  
7                   of this windmill compared to the World  
8                   Trade Center and Statute of Liberty. We  
9                   see here a turbine, or a portion of a  
10                  turbine, but it's from a distance and it  
11                  looks so innocent and so unthreatening.

12                  But as you imagine, picturing  
13                  the lighthouse in Buxton, North Carolina  
14                  - it is the largest lighthouse on the  
15                  east coast. When we follow Route 12 -  
16                  look for the lighthouse. I can see it out  
17                  there and its light is on and we can see  
18                  the light being flickered around. We  
19                  drive closer and closer and closer and  
20                  then we walk to it until we're finally at  
21                  the base and we're looking way up there  
22                  210 feet.

23                  This is 650 feet. That's not  
24                  accurate at all from what we will  
25                  actually have to endure. This will no

1 longer be rural county with a monumental  
2 thing right there before us for all to  
3 see. Wings will have to be flying high  
4 when it's foggy. They may run into it  
5 like they did the Empire State Building.  
6 The whole concept is just inappropriate  
7 for the Town of Florida. Just visualize  
8 and you'll know how to vote.

9 CHAIRMAN VIELE: Thank you.

10 Deanna DeLuke.

11 MS. DELUKE: So, I agree with  
12 what many of my neighbors have said about  
13 the photos. I think that they were taken  
14 very creatively from these angles to make  
15 it look like this cute little thing that  
16 blends into the clouds. So, I would  
17 really love it if we could see more  
18 photos from locations that are more  
19 relevant to us. I'm not really concerned  
20 with what it looks like from the  
21 Auriesville Shrine or the cemetery or the  
22 Schoharie Preserve, which is where a lot  
23 of those photos were taken. I would like  
24 to know what it will really look like  
25 from Youngs Corners Road, Millers Corners

1 Road, Shell Stone Road. I would love to  
2 see that. I think that one photo is from  
3 Youngs Corners, but it was the only one.  
4 Most of the others are from locations  
5 that were farther removed and also as one  
6 of my neighbors said, if your screening a  
7 house, use trees - things that of course  
8 if you're standing right in front of will  
9 block the view, but if you look to the  
10 left or the right a little, there is the  
11 turbine.

12 I also want to add - just to  
13 establish what 650 feet looks like - I  
14 was looking into it and if the turbine,  
15 is built, would actually be the tallest  
16 structure in the state, north of New York  
17 City. It would be taller than all of the  
18 buildings in Albany including the Erastus  
19 Corning Tower, Rochester, Syracuse,  
20 Buffalo. So, if we were to look at a list  
21 of the tallest buildings in New York  
22 State, we would have buildings in New  
23 York City and then we would have the Town  
24 of Florida's wind turbine and then the  
25 Erastus Corning Tower and that all the

1 other urban buildings in our state. So,  
2 when you say is inappropriate, I can  
3 agree with that.

4 I think another thing that has  
5 been rather made in the study is the  
6 impact of the transit - the truck loads  
7 coming in. Since there isn't really a lot  
8 of research on what it takes to build a  
9 650-foot turbine, I looked into some of  
10 the existing turbines of that size and  
11 there's one in Canyon, Texas. To build  
12 that turbine took 100 loads of truck  
13 parts - so huge, huge semi-trucks - 100  
14 loads back and forth, 80 loads of cement  
15 trucks full of concrete to just establish  
16 the foundation of the structure. So, I  
17 don't think that the draft EIS really  
18 addresses what is all of that transit,  
19 all of that noise, commotion in general.

20 What is that going to do to our  
21 bee farm, or our cows, or our soil or our  
22 neighbors? If you could address that a  
23 little more thoroughly, I would greatly  
24 appreciate it.

25 CHAIRMAN VIELE: Thank you.

1 Joe Welk.

2 MR. WELK: I live on upper  
3 Shell Stone and I'm one of the closest  
4 ones that lives to that tower. Most  
5 nights I can hear half of my neighbors on  
6 their porches talking. It's not clear,  
7 but I can hear them. It's a nice quiet  
8 road. Now you're telling me that I'm  
9 going to have constant decibel drone for  
10 the rest of my life. That's just not  
11 acceptable. How are you going to mitigate  
12 that other than pack up and leave when  
13 you're tired of the noise? I didn't move  
14 out there to have New York City noises  
15 just constantly 50 decibels of thump. How  
16 would you mitigate that?

17 CHAIRMAN VIELE: Thank you.

18 Karen Anne Barra.

19 MS. BARRA: I live on Shell  
20 Stone. I agree with many of the things  
21 that have been said and discussed so far.

22 I also did research on what the  
23 decibels are. They say it sounds like a  
24 lawnmower or a vacuum cleaner. That's  
25 what this 50 decibels sounds like. I also

1 live on Shell Stone and that's what we  
2 would be listening to constantly. I, for  
3 one, do not want to be able to hear that.

4 The DEIS talks about 4.9 acres  
5 of land that's going to be disturbed on  
6 the site, but it doesn't mention much  
7 about the acres of land is going to be  
8 disturbed along with those trucks. How is  
9 New Leaf going to handle those  
10 disturbances? Are they going to replant  
11 the trees and vegetation that they  
12 remove? Are they going to protect the  
13 Town of Florida from law suits when they  
14 arise because of damage down to the roads  
15 and properties that don't lie within the  
16 boundaries of our Town? Will the  
17 residents of the Towns themselves be  
18 compensated for any losses due to  
19 property damage, or power outages that  
20 occur when the electrical lines need to  
21 be moved?

22 Another thing that I question  
23 is the very name of the sponsor of this  
24 project. Florida Wind Number 1. The  
25 turbine proposed would utilize 4.9 acres

1 of a 135-acre plot. If and should the  
2 plan be approved, does that now pave the  
3 way for Florida Wind Number 2, then  
4 Number 3, then Number 4 and so on? If my  
5 math is correct, on that 135-acre plot -  
6 at least another 20 turbines could go up  
7 and be improved. Hey, once one is  
8 approved, why not more, right? That turns  
9 that whole area up on Bee Hill into a  
10 wind farm. What assurances are the  
11 residents of this Town going to get from  
12 elected officials that turbines 2, 3 and  
13 4 and however many more aren't going to  
14 be part of the future of our Town?

15 On Page 11 of the revised DEIS,  
16 they actually use the plural of the word  
17 turbine to describe the topography of the  
18 site. They already know that the site  
19 could and would be a benefit for them to  
20 put more than just one turbine.

21 Another question I have  
22 concerns the special outfitting that a  
23 turbine up on Bee Hill would need. My  
24 husband and I live on the top of Shell  
25 Stone. Our land is close in height and

1 proximity to the proposed site.

2 In 2021 Texas suffered a rare  
3 winter storm with freezing temperatures.  
4 The wind turbines froze. This is a rarity  
5 in Texas, but not in the Town of Florida.  
6 In Florida, in order for a turbine to  
7 operate in freezing temperatures, it  
8 needs to be outfitted with a special cold  
9 weather equipment. Equipment that  
10 requires special maintenance, special  
11 lubricants and special heaters. There is  
12 absolutely nothing in the DEIS that  
13 discusses any of this.

14 I have questions regarding the  
15 fact that the applicant is requesting a  
16 waiver in the DEIS for the fencing  
17 requirement. Why? It's obviously not to  
18 keep something from getting in. What is  
19 it that they don't want anybody to see  
20 that could possibly be contained within a  
21 fence?

22 I have questions concerning the  
23 landscaping that is outlined in the DEIS.  
24 Again, my husband and I live just outside  
25 of the 4,000-foot radius that is going to

1 be covered and protected by this  
2 application. What about my well water?  
3 What if my well water is effected by the  
4 blasting? What if any of the other  
5 residents that live outside of this 4,000  
6 square foot radius is affected by the  
7 blasting? Are they going to be protected?

8 I also question how one bee  
9 study is enough. What assurances -

10 CHAIRMAN VIELE: Are you close,  
11 Ms. Barra?

12 MS. BARRA: Yes, I'm very  
13 close.

14 CHAIRMAN VIELE: All right.

15 MS. BARRA: What assurances and  
16 protections are going to be afforded to  
17 the Rulisons if in a few years that there  
18 is a negative impact on their bees?

19 And lastly, my question - who  
20 is going to be watching to be sure that  
21 all the Town Codes are being followed?  
22 The Town does not currently have a code  
23 enforcement officer. My husband and I  
24 know this first hand - the ramifications  
25 of this problem. Who is going to be

1 watching to make sure that the applicant  
2 complies with the codes?

3 I feel that there are still so  
4 many unanswered questions, that the DEIS  
5 haven't answered and I propose that the  
6 Planning Board make a recommendation to  
7 the Board for an indefinite moratorium on  
8 the application and all future  
9 applications until all of these questions  
10 as well as any public questions that the  
11 residents of this Town have can be  
12 addressed.

13 CHAIRMAN VIELE: Thank you.

14 Valerie Shaarland.

15 MS. SHAARLAND: Our 110-acre  
16 property borders the proposed site. I  
17 spent a lot of time walking, skiing,  
18 four-wheeling up on our property over  
19 into that site. There is a lot of  
20 wildlife there. Lots of hawks. Last year  
21 our neighbor who bought our old home was  
22 walking his dogs up on our property and  
23 right at the edge of that they disturbed  
24 a bear who came out at this dog. We have  
25 that on video. There is beautiful

1 wildlife. Lots of deer. I know that some  
2 of you shot deer up on our land. We don't  
3 want them disturbed. We want that  
4 beautiful area preserved. It's a gift  
5 from God.

6 Also, we will be greatly  
7 affected by stormwater disruption, noise.  
8 I still live on Shell Stone and I cross  
9 the road and we own that. I think it's  
10 more like 120 acres that borders right  
11 there. It's going to severely reduce our  
12 property values.

13 Also something I was thinking  
14 about when we're talking about the  
15 decibels - as a registered nurse to  
16 special needs kids, I know the effect  
17 that noise has on young people, on  
18 babies. Our autistic population is out of  
19 bounds right now. Do we know what this  
20 does to autistic children? They are  
21 totally dependent on sensory. Alzheimer  
22 patients - what is this going to do to  
23 our population? It's a danger.

24 CHAIRMAN VIELE: Thank you.

25 Chris or Cathy Perras?

1                   MR. PERRA: I'll forego any  
2                   comments. They are pretty much all  
3                   answered.

4                   CHAIRMAN VIELE: Anybody wish  
5                   to speak that did not get a chance to  
6                   sign in on the public hearing?

7                   MR. DETRICK: I would like to  
8                   say something.

9                   CHAIRMAN VIELE: Can you stand  
10                  and state your name and address?

11                  MR. DETRICK: Clinton Detrick,  
12                  461 Millers Corners Road.

13                  About the VanHorn property - it  
14                  originally started in 1771, about 253  
15                  years ago. The house was built in 1841,  
16                  about 185 years old. We bought the farm  
17                  to bring it back to its historic glory.

18                  With that being said, I could  
19                  go throughout the whole property and take  
20                  a photo and you don't know if it's from  
21                  the 1800's, the 1900's or the 2000's  
22                  because it hasn't been messed with too  
23                  much. We have a lot of natural species of  
24                  flowers and grasses and we have 100's of  
25                  species of different birds. We have three

1 families of turkey vultures that live in  
2 the barn. We let them stay because  
3 they're peaceful to us. I want to keep  
4 the property and the surrounding areas at  
5 its historic glory and keep this area as  
6 beautiful as it always has been. If I  
7 were to take a photo once this project  
8 goes through, if it goes through - I hope  
9 to God it doesn't, it's going to take  
10 away that serenity and that historic feel  
11 that this area still has. That's what I  
12 wanted to say.

13 CHAIRMAN VIELE: Thank you.

14 I thought I saw another hand.

15 MS. MORITZ: Becky Moritz. I  
16 think that listening to all that the  
17 residents had to say, it comes down to  
18 one very simple question. Why? Why are we  
19 even contemplating this? Why did it even  
20 get to this point? What does it do for  
21 us? Does it give us anything except  
22 aggravation? That's it.

23 CHAIRMAN VIELE: Thank you.

24 So, as I said, this hearing  
25 will stay open and set until March 15th

1 at 5 p.m. when it will close. So, written  
2 correspondence is still acceptable. Email  
3 correspondence is accepted up until March  
4 15th by 5 p.m.

5 If you're speaking and you read  
6 off notes and you want to submit notes,  
7 that's fine, too. You can send them to  
8 the Town Clerk's email address.

9 Steve, do you have any  
10 thoughts?

11 MR. CROWE: Unless you just  
12 want to mention what the next steps are -  
13 you have that listed in your agenda.

14 CHAIRMAN VIELE: In accordance  
15 with the SEQRA regulations, once the  
16 public comment period is ended, the next  
17 step is to prepare the final EIS and it  
18 says that the final EIS should be  
19 prepared with 45 calendar days after the  
20 close of any hearings. The final EIS must  
21 consist of the draft EIS, including any  
22 necessary revisions and supplements, copy  
23 or a summary of the substantive comment  
24 received and their sources and the lead  
25 agency's response to the comments.

1                   As was done for the EIS, the  
2                   Planning Board, as lead agency can  
3                   request that New Leaf Energy prepare  
4                   responses to the comments as well as to  
5                   make what they feel are appropriate  
6                   revisions to the DEIS, which becomes the  
7                   final EIS. Then, the Planning Board would  
8                   have to - has the right to review that  
9                   document because it is your document. I  
10                  just want to make sure that the Planning  
11                  Board Members understand that the next  
12                  step.

13                  CHAIRMAN VIELE: The question I  
14                  have on that - say for instance the  
15                  Planning Board goes through and looks at  
16                  all the comments and maybe we do want a  
17                  change, do we go back through this whole  
18                  process now that it's a changed document?

19                  MR. CROWE: No.

20                  CHAIRMAN VIELE: Anyone else  
21                  have any other questions on the next  
22                  step?

23                  (There was no response.)

24                  MR. DETRICK: I would like to  
25                  pose one additional question. How, if the

1 top of this thing where the motor and  
2 lubricants catches fire - how is that  
3 fought? Everything that I've ever heard  
4 about it is if they catch fire at the  
5 top, which is where the only place where  
6 I've ever seen video of them on file -  
7 they have to fight it with a helicopter.  
8 Where is that coming out of? What's the  
9 response time? Are they even trained to  
10 fight a fire at a 650-foot device like  
11 that?

12 CHAIRMAN VIELE: Anybody else  
13 have anything past this point? We are  
14 going to move onto what is next on the  
15 agenda. Please shoot a letter of  
16 correspondence to the Town Clerk and that  
17 will get to the Board Members at our next  
18 meeting and will be listed under  
19 correspondence.

20  
21 (Whereas the above-entitled  
22 proceeding was concluded at 7:35 p.m.)  
23  
24  
25

CERTIFICATION

I, NANCY L. STRANG, Shorthand  
Reporter and Notary Public in and for the  
State of New York, hereby CERTIFIES that  
the record taken by me at the time and  
place noted in the heading hereof is a  
true and accurate transcript of same, to  
the best of my ability and belief.

Date: \_\_\_\_\_



Nancy L. Strang

Stenographer

2420 Troy Schenectady Road

Niskayuna, NY 12309

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# APPENDIX 3: HOST COMMUNITY AGREEMENT SUMMARY

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May 20, 2024

## **Florida Wind 1, LLC Host Community Agreement Summary**

New Leaf Energy takes pride in responsibly developing renewable energy projects. Therefore, as part of the proposed wind energy project, New Leaf Energy intends to enter into a Host Community Agreement (HCA) with the Town of Florida. The purpose of a Host Community Agreement is to 1) compensate the community hosting the wind turbine for use of the natural wind energy resource existing within the town, and 2) address and mitigate any concerns or impacts to the community.

As proposed, the HCA provides for a \$30,000 payment for each year, escalating at 2% annually until the turbine is decommissioned. This equates to a minimum of \$728,921 over the life of the project. The HCA also contemplates a one-time construction payment to the Town in the amount of \$600 times the total megawatts of nameplate capacity of the turbines installed consistent with the Conditional/Special Use Permit.

In addition to the terms and conditions related to the payments to the Town, the HCA also has a number of necessary provisions addressing development of the Project, including, but not limited to: road use access, maintenance, and repair; complaint management; on-site monitoring and reporting; decommissioning; fire protection, control, and safety; and reimbursement for certain town expenses. The HCA therefore provides a holistic approach to addressing the Project start to finish.

**Conditions of Approval** - In order to aid the Board in incorporating the protections within the Host Community Agreement into a Conditional/Special Use Permit, New Leaf proposes the following conditions be placed on any approval the Board may grant. These conditions align the Conditional/Special Use Permit granted by the Planning Board with the Host Community Agreement under consideration by the Town Board:

### **Prior to Issuance of a Building Permit**

1. **The Company shall prepare a road Pre-Construction Inspection Report** to document the condition of roads to be used by the project, and to evaluate whether they are in a condition sufficient to support the construction activities. The results of the Pre-Construction Inspection Report shall be provided to the Town.
2. **The Company shall provide an exhibit identifying roads to be used for heavy construction vehicles.** All oversized vehicles, dump trucks, concrete trucks, and construction vehicles with a gross vehicle weight over 10,000 lbs. that are related to the Project shall be restricted to traveling on the roads specified, unless approved by the Town Highway Superintendent.

3. **The Company shall implement a construction complaint resolution procedure.** At least one (1) week before the Construction Commencement Date, the Company will establish a local wind farm hotline telephone number which will be in operation and accessible 24 hours a day, 7 days a week. The Company will investigate complaints in a timely manner and determine the appropriate response, if any, to address and mitigate the conditions giving rise to the complaint. The Company will implement reasonable corrective measures if such conditions are the result of non-compliance with the Local Law. In any month during which a complaint is received by the Company by way of the Wind Farm Hotline, the Company will provide a copy of the complaint log to the Town Supervisor, including the results of investigative activities and the ultimate resolution of the complaint. The construction Wind Farm Hotline shall be maintained by the Company following the Commercial Operation Date. If a resident is still not satisfied 90 days after correctives have been implemented, the Company, at its sole expense will engage a mediator to facilitate a resolution satisfactory to both parties.
4. **The Company shall provide and maintain a surety in the form of a bond, deposit of money, or other form of security sufficient in the opinion of the board to cover the cost of removal of the facility in the event the town must remove the facility and remediate the site.** Decommissioning shall also involve site restoration activities to include removal of all footings, concrete pads, anchors, guy wires, fences, towers, access roads and other fixtures (with such removal to a depth of at least four (4) feet underground), covering or filling of all holes, trenches and other excavations made by the Company, replacement of any topsoil that was removed during construction of wind monitoring equipment and Turbines, and re-seeding of impacted areas with native grasses, unless the underlying landowner requests in writing that the access roads or other land surface areas not be restored. In all cases, disturbed areas shall be stabilized. The decommissioning surety amount shall be recalculated every five (5) years during the first twenty (20) years and every two (2) years following such period.
5. **The Company will hold a pre-construction meeting with the fire chief and appropriate EMS staff** to review access, fire suppression, water supply placement, training needs, and other related issues. Also discussed shall be a plan to review these topics on an annual basis, or as mutually agreed otherwise, throughout the life of the project.
6. **After the initial meeting with the fire chief, the Company will submit to the fire chief and to the Town a fire protection plan** which identifies and addresses any reasonable and necessary concerns raised by the fire chief. If necessary, such a plan shall be updated after each subsequent meeting. The Company must take commercially reasonable steps to mitigate any reasonable and necessary concerns raised by the fire chief.
7. **The Company seeks to work with the Town regarding:**
  - a. Construction Hours: 7am to 8pm or as required by Town Ordinances,



- b. School bus traffic conflict avoidance,
- c. Staffing jobs with local labor to the extent possible.

### **During Construction**

8. **The Company agrees to reimburse the Town for all costs and expenses of the services of a qualified independent engineer or engineering firm** who shall be responsible for: (a) review of the Company's applications, (b) recommending issuance of building permits to the Company, (c) assisting the Town with oversight of the Company's compliance with any permits (d) recommending issuance of Certificates of Completion and Temporary Certificates of Completion, (e) assisting with road repair activities review and (f) such other activities as the Town may reasonably request in order to insure compliance with terms of the permits, licenses and other authorizations.
9. **The Company, at its sole expense, shall perform all temporary repairs to roads to address damage caused by construction vehicles performing work on the Project that creates a safety concern.** The Pre-Construction Inspection Report shall be referenced as appropriate to identify damage resulting from construction of the project.
10. **When the Company has completed installation of a foundation associated with a Turbine, it shall submit a Foundation Certification to the Town** that it has completed the foundation in accordance with all applicable Town codes and request that a Certificate of Completion be issued. The Town may issue a Certificate of Completion, Temporary Certificate of Completion, or a written list of deficiencies.
11. **When the Company has completed installation of a Turbine, it shall submit a Mechanical Completion Certification from the manufacturer to the Town** that such erection, installation, and assembly were performed to the specifications of the Turbine manufacturer.

### **Post-Construction**

12. **The Company may not operate and sell power for commercial purposes until the Company has provided the Town copies of or access to the following documents:** (a) United States Federal Aviation Administration Determination of No Hazard, (b) Foundation Certification, and (c) Mechanical Completion Certificate, and (d) a statement documenting that the Company has completed the turbine manufacturer's commissioning procedure for the Turbine.
13. **To determine what repairs are necessary, the Company shall conduct a post-construction inspection of the roads,** taking into account the pre-existing conditions, to identify any damage done to them. The results of the Post-Construction Inspection Report shall be provided to the Town.



14. **The Town shall have the option** to select one of the following: (i) have the Company perform the road repair activities at the Company's cost, or (ii) have the Company pay the Town a single lump sum payment equal to the road repair estimate. If the Town elects to have the Company perform the repair activities, then the Company shall provide the Town with the Company's Civil Engineer's certification of completed repair.
15. **If the Town elects to perform road repair activities**, the Company shall deposit an amount equal to \$80,000 times the number of miles to be repaired in an escrow account to be established for the benefit of the Town. The purpose of the Road Repair Escrow shall be to ensure funds are available for the Town to perform the road repair activities in the event that the Company does not perform them. Following performance of the repair activities, the Company shall provide the Town with a Civil Engineer's certification of such repair, and the Road Repair Escrow shall be closed and returned to the Company.
16. **A complaint resolution plan will be established.** In the event the Town or the Project Company receives a complaint from a Town resident regarding alleged non-compliance of the Project with regards to the Town ordinance, the complaint shall be investigated. The Company agrees to fund an escrow account in the amount of \$100,000 to address any valid complaints regarding radio frequency interference.
17. **The Company will meet, on an annual basis, or as mutually agreed otherwise, with the fire chief and appropriate EMS staff**, to review current access, fire suppression, water supply placement, training needs, and other related issues.
18. **The Company will cure a breach of conditions within 90 days of notification by the Town** unless an extension is needed or agreed to.
19. **The Company agrees to reimburse the Town for reasonable legal fees.** When construction commences, the Company will establish an escrow account for the Town's legal fees.
20. Finally, the parties agree that:
  - a. The Company may transfer or assign its rights/obligations to a successor/purchaser that agrees to abide by the obligations of the Permit.
  - b. In the event of Force Majeure, the affected party will notify the other and will be excused from performance for the duration of the uncontrollable event.

New Leaf feels that the above conditions will mitigate any community concerns that may arise from the project, and recommend these be included in the Special/Conditional Use Permit we are requesting be issued. We appreciate the Board's time and consideration of this project.