

Hamlin Wind Tower Committee *Minutes*  
Tuesday, February 20, 2007  
7:00pm

The regular scheduled meeting of the Hamlin Wind Tower Committee was held in the Hamlin Town Hall located at 1658 Lake Road, Hamlin and was called to order by the Chairman Art McFarlane at 7:00pm with the location of the exits and defibulator explained for those present.

Present: Jerry Borkholder, Linda DeRue, Ed Evans, Dave Lucas, Art McFarlane, Glen Quetschenbach, Mark Reeves and Andy Simpson.

Absent: Ed Haight

Also present: Town Supervisor Denny Roach, Councilperson Dave Rose, Planning Board member Tom Jensen, Conservation Board member Tom Breslawski, Kim Spellan, Ed and Judy Doan, Charles and Ann Yockel, Renee Cliff, Troy Nesbitt, Robert McFarlane, Joyce Bender, Chris Shevlin, Tricia Nesbitt, Aaron LaFaro and several other interested residents.

Approval of minutes

The Chairman announced Mark Reeves as alternate Chairman

Chairman Art McFarlane explained a couple of unanswered questions from last months meeting. Committee member Ed Evans does not have a Wind Tower in his back yard in the Southern Tier. The tower is actually on his neighbor's property. The only committee member that has a direct connection to a landowner that has signed a contract is the Chairman Art McFarlane. He is Dean Brightly's father in law but that will in no way affect his decisions concerning the committee.

The rules for Open Forum were explained. One-Hour Open Forum.

Doug Crandall of 1617 Lake Road stated that the area on Cook Road is so beautiful and asked if there was an alternative site for the Wind Towers. Chairman Art McFarlane stated that it needs to be a large enough area to be isolated in all directions. To the east is another possible sight owned by another farmer. It was explained that several different landowners own the proposed area. The Chairman explained that the towers need to be 1,000' from any house and 500' from any property line that is not part of the wind farm. The Wind Tower Company has not expressed an interest in any other location at this time. This proposed area is a prime high wind area for wind generation. Other landowners were approached but did not sign a contract.

Linda DeRue stated that according to her research there are 38 Wind Tower Companies. It is her understanding that only one company has contracted with landowners in Hamlin.

Chairman Art McFarlane showed a map showing the areas available for wind farms. The map also showed the contracted landowners properties.

Some discussion took place on the number of people allowed in the room. The Chairman stated that the meeting was going to continue and everyone would get a chance to speak at future meetings. He also explained that the Town Board is having a Public Hearing next month on a Wind Tower moratorium so the committee needs to be prepared and move forward. Mark Reeves stated that once the moratorium is in place you need to show progress in order to get it extended.

Troy Nesbitt of 52 Cook Road asked how many members were employees of the Town. Mark Reeves stated that himself and Ed Haight are both members on support boards for the Town. Mr. Nesbitt stated that it is a conflict of interest according to State Code. Mr. Nesbitt stated that Mr. McFarlane stands to benefit from the decision to have Wind Towers. Glen Quetschenbach stated that Art is not financially benefiting. His son in law is the one who has signed a contract. Mr. McFarlane stated that he is not removing himself from the committee.

Tricia Nesbitt of 52 Cook Road asked why Mr. McFarlane refused to take a flyer that was offered to him in the hall. She asked if it was because his mind was already made up and he wasn't willing to look at any other information. Mr. McFarlane stated that he didn't know whether the flyer was for or against wind towers he simply said he was not interested. He explained that he was recommended as Chairman because of the research that he has already done with the developer. He stated that he has called realtors and gotten information regarding property values. Mrs. Nesbitt stated that she has done research on property values also and most of the homes near the Wethersfield wind farm are mobile homes and the people are not allowed to talk to anyone about the towers because they signed an easement agreement. Mark Reeves asked to see a copy of the easement stating that. Mrs. Nesbitt stated that most realtors state that it is too early to give information on property values at this time.

Dave Lucas stated that no setback for the towers had been determined yet. He has done some research and the setbacks have been from 800' to 1500'. It has not been determined for Hamlin yet. Mark Reeves explained that Art was trying to show the areas that would be most effected by wind towers on the map. A condition could always be that the setback requirement needs to be 1000' from any house. That is what the committee is here to determine. Mark also stated that a Conservation Board member submitted a study showing that the first ½ mile from the lake shore is not good for the migration for certain birds. This is backed up by studies and he will get copies of that. A discussion took place on how far from the shoreline the bird migration is effected. The ½ mile from the shoreline was shown on the map. Mark stated that he would bring in copies of the study to the next meeting.

Matt MacDonald of 43 Cook Road questioned if there was a setback requirement for State and Federal Wetlands. Mr. McFarlane stated that there can be wind towers in

wetlands as long as the wetlands are not disturbed. Mr. MacDonald showed the location of the Federal wetland on his property. Mr. McFarlane stated that it was outside of the proposed area. Mr. MacDonald stated that he has a map from the DEC that shows Federal and State wetlands that are in the proposed area. Mr. McFarlane stated that the proposed area is all currently farmland. Mr. MacDonald stated that the process of putting up the tower and driving back to the location would disturb the wetlands. Mr. McFarlane stated that they would look into it. Dave Lucas stated that they need to get a Federal and State wetlands overlay map. Jerry Borkholder stated that there are wetlands on his property also. Glen Quetschenbach stated that the Town has a wetland map. He explained that the developer has to first go to the Planning Board and a SEQR determination has to be made prior to any approvals.

Renee Cliff of 730 Redman Road asked the committee to do research on two things for the residents in the area. One is the effect the towers have on the ground water since all of the houses in the area are on wells. The second thing is how far down and what conditions go into putting in the foundations for the wind towers. She also stated that her property is on the earthquake fault line and she was concerned with how the holes are dug to put the foundations in. Mr. McFarlane stated that the foundations are the same as a house foundation. Ms. Cliff asked how deep they are. Mr. McFarlane stated about 10' deep. Ms. Cliff asked if the committee as a group could do the research on those items that are a concern for the residents in the area. She thought that it was their task to investigate the effects and benefits of the wind towers. Ed Evans stated that the Town of Bliss is currently pouring the cement for the foundations for the towers right now if anyone was interested in seeing how it was done. Some discussion took place on the differences in soil conditions for the other wind farms.

Matt MacDonald stated that in 1992 the Town adopted an LWRP policy and he wondered how the Wind Towers would affect that. He also asked if the Town Board prohibits Wind Towers then what happens to all of the signed contracts that the landowners have. Mr. McFarlane stated that the contract is null and void if the wind towers are not allowed. Mr. MacDonald asked if that was in the contract. Mr. McFarlane stated that he hasn't seen a contract but he knows that they are "if and when" contracts.

Tony Callari of 676 Cook Road stated that he has talked to Steel Winds Company. The first thing they asked was are you a landowner because it will benefit you greatly. They wouldn't answer any questions pertaining to safety or noise. He is opposed to the towers negatively affecting his way of life. 1,000' is nothing for a 200' tower. The distance matters to the people that have to live next to them. He has talked to several realtors and there is not enough data yet on how they affect property values but the towers do affect who wants to buy his house. He stated that he shouldn't suffer just to put money in someone else's pocket. He stated that it is wrong for someone to ask him to give up his view just to benefit another landowner. He didn't choose to live next to a wind farm.

Mark Reeves stated that the Golisano Group gave a presentation at a Town Board meeting and their idea was that the whole town should benefit from the towers. The town

would be a co-owner and beneficiary of the profits. Mark would like the opportunity to talk to some of the realtors and gather information on property values.

Alfred Campbell of 90 Lake Road East Fork asked what happens to the towers if they are not profitable. Mark Reeves stated that they don't have all of the information right now. Jerry Borkholder asked what group that the landowners are dealing with. Mr. McFarlane stated that CTV Inc. is the developer. Mark Reeves stated that the committee can recommend restrictions if the Town Board approves wind towers. Andy Simpson questioned whether the landowners can sign with another developer. Mark Reeves stated that the contract must have a time limit.

Ann Yockel of 856 Redman Road stated that they shouldn't discuss the Golisano Group if that is not the group that they are dealing with.

Tom Jensen of 1 Roadside Drive stated that the purpose of the committee is to recommend some ways to regulate the wind tower law. They have been asked to look at both the benefits and the deterrents of wind towers regardless of whom the developer is. He stated that he is not a landowner but he is a resident of the town and the law should be written for anybody not a specific developer. The committee should be looking into setbacks and other regulations for the Town Law.

Chairman Art McFarlane stated that the contract is a pilot. The payment is in lieu of taxes. The contract states that the town would get the same amount of money for 20 years. There would be a 25% reduction in the amount of taxes that we are currently paying.

Linda DeRue stated that the Town Board was asked how much money the Town would get and no one knew so how does Art know what the Town will receive.

Mr. McFarlane stated that he is not in politics and will get his information however he can and will share that information.

Alfred Campbell asked what guarantee there is for revenue if the wind towers are not profitable. Mr. McFarlane stated that bonds are in place for the removal of the towers and are renewed every year. A majority of the wind farms are still functioning and operating. The towers are getting more efficient. They are profitable when the wind is blowing.

Dave Lucas stated that even if the committee makes its recommendations there is no guarantee that the Town Board will take them.

Charlie Yockel of 856 Redman Road stated that he watched a television show today from Germany and they were saying that the wind towers were not profitable. Mr. McFarlane stated that there are three factories in Germany currently manufacturing wind turbines. Mr. Yockel stated that it was on the news today that the government is subsidizing them and they are not profitable. Mr. McFarlane stated that there are subsidies for all

resources. Dave Lukas stated that he has information on the depreciation and he will bring the information to next month's meeting.

Ed Doan of 1263 Redman Road stated that the developer should have to remove the concrete foundation also. This should be included in the contract. Mr. McFarlane stated that it is in the contract that they have to restore the land to its original use.

Sue Kingsbury of 666 Redman Road stated that she has some medical concerns. Her daughter suffers from seizures and she is concerned about the flicker and strobe effects. She lives across from the proposed location and would like to know if any studies are going to be done on the effects of the flicker and strobe caused by wind towers. Mr. McFarlane stated that numerous studies have been done by hospital groups on the health effects and no study has concluded that they cause any medical issues. Ms. Kingsbury stated that the strobe effect will have an effect on her daughter's health. Mr. McFarlane stated that the Town will take into consideration the location of every house when placing the towers. Jerry Borkholder stated that he found that hard to believe. Mr. McFarlane stated that the Town would do a study.

Jerry Borkholder asked Art for a hard copy stating that his taxes would be reduced by 25%. Mr. McFarlane stated that he was talking in general. Mr. Borkholder stated that they can only state the facts. They need specifics not hear say. Mr. McFarlane stated that he was asked questions and he has found the answers. Mr. Borkholder asked who gave him these answers. Mr. McFarlane stated that he has gotten information from the CPV Development representative and other resources.

Ed Evans stated that he is in favor of wind towers but he will follow the Charter and determine if they will benefit the Town of Hamlin or not. He will help develop regulations for the towers to recommend to the Town Board. He has completed his assignments that were assigned from the last meeting.

Matt MacDonald stated that the Chairman should represent the committee. There appears to be opposition among the group. The residents want the committee to work together. So far the committee hasn't done what has been asked of them and it is very disturbing to the residents.

Chairman Art McFarlane stated that the Town Board created a committee. The purpose of the committee is to gather information and make a decision that is best for the Town of Hamlin.

Glen Quetschenbach stated that the committee couldn't communicate because they have spent the last two meetings listening to the people. They haven't had a chance to discuss anything amongst themselves. They can't accomplish anything this way.

Chairman Art McFarlane put up a chart outlining the benefits and drawbacks of the wind towers.

Troy Nesbitt asked that the committee members not take the word of the developer.

The Chairman asked that everyone bring in documentation next month. They want to get as many people involved as possible and would like to go over all of the information that is out there.

Kathy Habgood of 142 Cook Road stated that they were approached by the people collecting names for the petition but refused to sign. Her and her husband Ted visited the wind farm in Fenner and most of the houses in the area were mobile homes. They could hear the noise from the towers. It was repetitive and very disturbing. She stated one of the neighbors had to move because of the noise. Mark Reeves asked for documentation on that. She stated that the noise increased when there was more than one tower.

Kim Spellan stated that at the last meeting it was said that there are a lot of myths about wind towers and she wanted the committee to elaborate on that statement. Mr. McFarlane stated that the committee needs to do research and get supporting documentation. Both sides should be researched.

Alfred Campbell stated that he had two articles to submit to the committee. Mr. Lukas stated that all information should be given to the Clerk to distribute to the committee. He stated that wind towers might not fit Hamlin.

Mr. McFarlane stated that the State has mandated that a percentage of energy should come from wind energy. They are giving big incentives to look into other resources of energy. Mr. Campbell stated that wind energy is the least efficient compared to other resources. Mr. McFarlane stated as we proceed oil will become more expensive. The government will say no to building new houses with oil heat. Natural gas will be phased out. Pollution is a factor. Jerry Borkholder stated that he doesn't disagree that they have an issue but the solutions right now may not be the solutions of the future. He will bring in information supporting this to the next meeting.

Gary Voleshen of 2 Fencewood Drive stated that you can't count on wind power to replace Russell Station. He also stated that he has yet to see his taxes be reduced for any reason.

Sandra Nichols of 682 Cook Road stated that at the last meeting each committee member was given a task to complete. Could those assignments be discussed. Mark Reeves suggested having a notebook at the Town Hall available for everyone to read the information collected.

Andy Simpson stated that 120 houses are effected based on the current proposal. Keep an open mind that other areas could become potential wind farm locations also.

Mr. Campbell stated that the tax revenue needs to be looked into because waterfront property is a premium.

Linda DeRue made a motion to meet twice a month with a one-hour open forum during one meeting only. Seconded by Andy Simpson. Members polled, all ayes. There is a lot of information to go over. It was suggested that the meetings be two weeks apart.

Chairman Art McFarlane wanted to get everyone's comments on the visit to the Wethersfield site.

Jerry Borkholder stated that the towers were very large and he understands that the towers proposed could be even larger. In his opinion they were noisy. They need to look at towers that are similar to the ones being proposed.

A decibal meter that was used at the site was passed around to measure the noise in the room.

Dave Lukas stated that decibel readings were taken at the site. The noise level ranged from about 54 to 66. Different things happen with sound. The noise did decrease as they got further away from the towers. He stated that the towers at Wethersfield were large and very noisy. He also stated that he can see the current MET tower from his mailbox. He is concerned with the impact that the towers will have.

Mark Reeves stated that it was after 9:00pm and that the meeting was suppose to end at 9:00pm. Ed Evans stated that the rest of the committee didn't get a chance to comment on the Wethersfield trip and that he never got to present the information that he got for his assignments from last month's meeting.

The meeting was adjourned at 9:07pm barring any further business.

Minutes respectively submitted by:

Heather Norman  
Clerk to the Support Boards