

**PUBLIC HEARING, TOWN OF REDFIELD, June 4, 2018.** The Public Hearing of the Redfield Town Board was held on Monday, June 4, 2018 at the Redfield Municipal Building starting at 7:00pm. Roll call was taken and the following board members were present:

Tanya Yerdon	- Supervisor
Carla Bauer	- Councilwoman
Elaine Yerdon	- Councilwoman
Erwin Webb	- Councilman
Matthew Tompkins	- Councilman

In addition, Susan Hough -Town Clerk, Melody Westfall - Scalfone Law, John Yerdon, Mitch Yerdon, Kasey Yerdon, Corey Yerdon, Bill Falcheck, Ginny Churchill, Terry Harlander, Rob Brenner- Nixon Peabody LLP Attorney for Woodwise, Dan Murdie - Avangrid, Walt Meisner - Avangrid, Roger Murdie - Mad River Club, Wanda Murdie - Mad River Club, Wendell Rowell - Mad River Club, Madelaine Rowell - Mad River Club, Matt Smith - Woodwise, Richard Palmer - Mad River Club, Jim Muscato - Young/Sommer Attorney for Avangrid,, Shirley Mahaffy, Francis Adams, Michael Yerdon, Lenny Davis, Lou McNett - Mad River Club, Cheryl Cheney, John Cheney, Dory Dumas, Marcus Wolf - Watertown Daily Times

Pledge of the Allegiance was said.

Public Hearing was called to order at 7:00pm by Supervisor Tanya Yerdon. Supervisor Tanya Yerdon - this public hearing on the proposed Local Law #2 of 2018 Wind Energy Facilities. This is a public hearing it's not a question and answer session, we have this so you can provide us with your comments/ideas. If you have specific questions please provide them to Tanya in writing, they will be addressed at the next regular board meeting.

Supervisor Tanya Yerdon - Are there any comments on the proposed Wind Energy Facilities Law.

John Yerdon - If the Town enacts this law as it is written right now, is the Town going to be subject to be sued by the facilities that are involved in this? He has been reading this thoroughly, he is concerned about the wildlife and water, what he's read in the law we have addressed most of those issues he hasn't seen anything from the wind people one way or another on this law in writing, are they going to furnish the Town their opinion in writing, of this law, or are they just going to not say anything and end up taking the Town to court because they don't like the wind law, he would think as a party involved in this we should see their input in writing. What they plan on doing with the wetlands that they destroy, the creeks they cross, and the noise and all that stuff, he would think they would have a response in writing, he's been to every one of these meetings and he hasn't seen a response from them ever, he's heard a lot of questions and answers but he hasn't seen anything in writing, he would like to have them submit something in writing before this law is voted on.

Richard Palmer - looking over the noise 35dBA is that particularly in for windmills or is that town law itself regarding snowmobiles and that type of thing? Supervisor Tanya Yerdon - tonight is just strictly about the wind energy facilities law. Richard Palmer - you have five hundred (500) feet height, amount of wind towers they are considering putting up there, would it

make more sense to look into maybe a six hundred (600) foot with less towers? It's his understanding that less they can get as much with less towers if they are taller, maybe someone can research that.

Lenny Davis - He has heard John's concerns of them crossing the creeks and stuff like that, a bigger concern that he has than that when they put the wind mills in they are going to have to have a transmission lines from what he understands that transmission line is going to tap in to the grid somewhere in Camden/Florence, they are going to have to maintain that transmission line every year, they are going to hand cut it first, he only knows because he does it every day after that they will need to maintain it yearly or if they're real lucky bi-yearly which means they are going to have to spray it with herbicide, and they are not going to use roundup that you can buy at home depot, that is way higher than us so where is it going to go, he doesn't have to ask he knows there just isn't any way around it, that's his biggest concern.

Jim Muscato-he is permanent council for Atlantic Wind, previously we have submitted comments in writing back in February they submitted a lengthy document going through the provisions of the law and we have attended the workshop sessions and proceeded to follow the submit comments, they also prepared comments that they submitted tonight, the Town provided a draft of the revised draft of the law, they were able to take their comments previously submitted and put them right in the law so the Town could see what provisions that we were referencing and how they would propose modifications. There are a number of questions he has for the Town and he knows the board has heard them before at previous meeting so he will not repeat them all tonight there are a few he would like to draw the town boards attention to because despite the fact that we have had a number of sessions on provisions as they stand in the law, some of the standards remain unchanged from the original draft back when it was released in February, two (2) of them have been mentioned tonight already:

1) 35dBA sound standard in the law, which in effect we have provided some materials to the Town the DEC sound guidance would consider that low to quiet, fifty (50) percent of the Woodwise parcel would already exceed that 35dBA standard, it not many occasions in the Town or locations in the Town. We had previously submitted comments to the Zoning Board removed that standard from the zoning law that was passed by the Town late last year. We've asked the Town Board to consider our comments and some of the science that we've submitted and understand that the 45dBA standard that we have proposed is still very quiet, it's protective of human health pursuant to world health organization guidelines, it minimizes annoyance which is something you hear often about sound guidelines, it still would be one of the more stringent sound standards in the State. 35dBA is simply not workable for any wind project, you will not find an operating wind farm project in NYS with a sound standard in a Town of 35dBA, again because it's critical for the project to proceed to have a sound provision that is 45dBA we would encourage the Board to look at that provision again and understand the ramifications of the standard as it is currently written.

2) Another provision that was mentioned already tonight is the height standard - he thinks they have been very clear, this was discussed at the last workshop session, that the turbines are proposed for would exceed the five hundred (500) foot limit that is currently proposed in the law, we've identified this in our material that we have submitted to the Siting Board in the past, and we have submitted that as part of our comments to the Town as well. So they would again for the reasons that were stated tonight taller turbines provide for fewer turbine number, and the wind speeds in a particular location dictate the height of the turbines, and for this site five hundred (500) would not work. For those reasons they would again ask the Town to reconsider that provision as it is, it would be prohibited for the project.

3) There's another sound standard in the law as it's currently written, that they have commented on before, and it's a 6dBA change over background provision which they have commented on in their materials, given the levels of background and how that would play out for the project, the 6dBA the way it's measured, it's not a 6dBA change in and of itself that's the problematic, but the way it's measured in this specific law, they have explained in their comments how given the setback distances, the 6dBA change even within the allowable setbacks distances wouldn't be permitted, so you would never be about to build a project within the setbacks that we're allowed. We don't want to get into too much technical detail tonight but that comment is also explained in our comments, we've proposed a revision to the sound standard that would eliminate the 6dBA change and it would eliminate the 35dBA and we've done that in a way to reflect it's consistent with the projects development.

4) Another provision from the local law is the WEF Real Property Value Protection Plan guarantee- this is referenced in a couple of versions in the draft law. It's styled as an escrow and then it's also styled as a substantive standard - in both instances there's been no explanation as what the reason for that is, particular with such a remote site, where turbines are quite a bit of a distance from neighboring properties, even if there was a potential concern with respect to property values which the literature has shown and we have submitted references for the Boards review, the literature has shown that there is not a property impact with respect to wind farm projects but in this case given the remoteness of the location there would even be a lesser concern. This provision is more in towns that they have seen that are opposed to wind development not in Towns that are looking to impose compatible provisions of local law that are compatible with the project development. He highlighted that again because it is a potentially prohibitive provision of the local law. There's a few other provisions that they have noted in their comments that are still findings that don't reflect, particularly they reflect the opinions of the board that they haven't seen the board appraise at previous board meetings there's a lot of subjective material in the draft law that again doesn't seem to reflect the opinions of the Town Board, and in particular doesn't reflect the opinions that have been raised at the meetings, either the workshops or the public hearings, he thinks from the end the Company has always been willing and open to meet with the town to talk about the concerns to talk about ways in which the project development when that proceeds can minimize impacts it not eliminate impacts, they are still willing to engage in that dialogue and they appreciate the opportunities to comment on the local law, from that perspective the Town has worked hard on this and they understand that, has paid a lot of attention to comments that have been received and they appreciate that, but then again they would urge the Town to consider the comments they have made tonight along with their previous written submissions. He's always interested in questions the Town Board may have.

Supervisor Tanya Yerdon - would like to make one comment, she should have done it at the beginning, even though it doesn't seem like it, this wind law will also protect small wind turbines that people may put on their farms or whatever, so that is one thing we have to look at when we do this law, is the whole town overall not just this project.

Corey Yerdon - life resident here in Redfield, forever his employment has taken him out of this town, he choose to stay here since he was a kid, choose to raise his family here, and make the commute elsewhere forever, the main reason for that, and driving thousands and thousands of miles to remain here as a resident, is because he likes the looks of this town, the ruralness, the quietness, he likes the way things are now, he's certainly not from the stone ages or against any kind of change, but this is a big kind of change for this Town, massive. He appreciates the work

the Board has put in on this, on behalf of the Town to protect the residents here, he thinks it's fantastic the work you've put in to this, certainly there are going to be conversations depending on which side of the fence you sit on, whether you think these things are not stringent enough or too stringent. On his behalf the biggest concern he has is poking hundreds of holes in the aquifer, the damage and destruction of multiply acres of property full Core Forest, these are things that are a huge impact, probably the one that bothers him the most is the high line that's going to stretch right down and head from the top of that hill all the way south into Camden to get this power where it's going to be used by people other than residents here in the Town of Redfield, so for him on a very simple format, he doesn't see the pros are anywhere near the cons.

Michael Yerdon - he would like to thank the board for all the time and effort they are putting into this wind law.

Rob Brenner - Nixon Peabody - Counsel to Woodwise. He went up into the property, spent a couple hours today, he wanted to understand in the context of our discussion tonight what is really up there and what the status quo is, when they drove up what he found was probably thirty (30) miles well improved roadways they drive through with a two (2) wheel drive with no problem, he also saw a number of areas that had been previously cleared, areas where there were existing stream crossings where roads had washed out, all of that was somewhat curious to me because in the context of this project not that much would be changing, he's not suggesting there wouldn't be significant changes resulting from this project. But as the Supervisor alluded to a few minutes ago, what's important for this town board in the context of considering this local law is that this is a local law that applies throughout the town, so there may be different areas of the town where different regulations are appropriate. Being up on the Woodwise parcel where this project is proposed it's very remote and he knows many of you have been up there and to the extent that you haven't he knows Matt and Dan of Woodwise would be happy to take you up there. The big things that are concerning to them are the noise restriction, as he mentioned in the context of the zoning law, we don't at all contest reasonable land use regulation, what we take issue with is provisions that operate as an effective or outright band, 35dBA limitation, you've heard from the project sponsor that, that's just simply not feasible in the context of wind. If we took a decibel meter up with them today, though it may not have been one hundred (100) percent accurate, just standing there and not speaking to one another, just listening to the ambient noise, probably maybe ten (10) miles up in the property was 50dBA, so that gives you context of what

the status quo is, the other thing is, they observed some of the MET towers that are already up there, they came around a few corners and he didn't know that there was going to be a MET tower there, Dan said surprise there's a tower, so as we were approaching you couldn't see it. He knows Avangrid has prepared some photo simulation showing what the wind towers might look like from a distance further away than being just right underneath it, he thinks you should consider those in the context of the height limitation, but in speaking with Matt and Dan and hearing some of the concerns of the residents if there's a way to have this project constructed and minimize the number of towers and the areas of disturbance on the property, and having an incrementally taller height, while allowing the project to be feasible, that might be something that you weigh and consider. Property value protection plan provision - as they drove there they drove several different access points into the property, he had trouble finding any properties that would be affected by the project. Dan tried to point out some of the project sites, while they didn't know exactly where they would be yet, he had a rough idea just based on some of the

information that he has seen in some of the maps that have been shared with the town and at the open houses, it's just so far away from any residences that he could tell or he could surmise based on his own observation, that he finds it hard to believe that property values would be impacted based on noise or height or anything like that. With respect to the transmission lines, he thinks they are valid concerns, he thinks they could be addressed in a different way, with provisions that are specific to transmission lines and feasible construction of transmission lines, but to try to regulate the towers themselves as an end run around regulation on transmission lines he doesn't think that's appropriate and doesn't think that is rational land use decision making, so if there are concerns about transmission lines we should have those discussions, they should be the subject of a public hearing, reasonable regulations could be put into effect to address some of those concerns while still making sure a transmission line could be constructed in a way that's pliable to the town and it's residents. He would be happy to answer any questions based on his comments.

Supervisor Tanya Yerdon - just so everyone knows when it comes to the transmission lines that does fall under Article 7 not Article 10 this process, so it's a whole another process. You can look at it as one but in retrospect it's really probably going to be two. CW E. Yerdon asked if there was any progress on the transmission lines. Rob - is not familiar with that process, he knows Jim is here, maybe he could speak to that. Walt Meisner - Avangrid - they are still very preliminary in the transmission lines.

Rob Brenner - his comment was just that if there are concerns about the transmission lines, he wouldn't want transmission lines regulated in the form of a height limitation or a decibel limitation, there could be other ways to do that.

John Cheney - lifelong resident here, he was a school teacher for thirty-seven (37) years, one of the courses he taught was energy systems. They discussed a lot of information on alternate form of energy. One of his biggest concerns is basically we are cooking the planet, called global warming, one of the ways to combat that is alternate forms of energy, many different forms, solar, wind, his problem, what he is seeing here, he was on the zoning commission, it that it seems like we here in small Redfield are being manipulated, by the oil industry, let's think about it, if you have more other forms of energy it's going to cut into the amount of oil they are going to be able to sell, if you think they give a care about what's going on in Redfield or anywhere else in the world you are wrong, it's all about profit. His feelings are by stopping this project it's just another win for the oil industry. We have to do something, he's very concerned about his kids, his grandchildren, what kind of world they are going to have to grow up in. Some people will say look at this winter, well in fact global warming will probably give up more snow in the short term, but if you look at the whole big picture around the world, things are just getting warmer and warmer, severe storms, hurricanes it just goes on and on. You can say the wind mills are tall, he agrees that is something to be concerned about but what would you rather have a clean form of energy or fracking or oil and things of this nature, it's going to continue to warm and destroy the planet. Right from the beginning when John Droz - who is a basically an oil man, came here and told the Town Board this is how you stop a wind farm, is to put the 35dBA in and that was just one of the things, and that's still in there. We had it briefly in the zoning commission and he brought to the attention that basically a deer farting would be louder than 35dBA, your refrigerator is 40dBA, it's clearly been put in there to stop this wind farm, that's the bottom line. He would say again it's something the Town Board outa really think about, here's a

chance to actually do something that would benefit your kids, it's not going to matter much to him, but your kids down the road. You also are not thinking he doesn't think clearly of the economic benefit, that the Town, the Fire Department, the School System could get from this project. Another thing he has heard comments about they put that up there, there will be all kinds of development, well if 35dBA is so bad, people are not going to be buying land up there and building stuff, it seems to him like one of the better ways to help any further development might be a wind farm, if you really believe this 35dBA thing. We are being played by the oil industry, if you don't believe it, every time you stop one of these wind farms, it's another win for the oil industry. It's something you should be thinking about, what do you want for your kids, what kind world, what kind of environment do you want for them, that's where he's coming from on it. It would be nice if you could leave everything all clean and pristine and not touch it, but in the real world this isn't really the case, you're going to have to take some sacrifices, not everything is one hundred (100) percent perfect, but to him it seems to be one of the better options than many of the other things that are out there destroying our water and things of that nature. Also, he pointed out one other thing too, if you're so concerned about what's happening on the Tug Hill, again every day you can see loads of chips going up through, where, to Fort Drum, they have a huge appetite up there, their bio producing electricity plant and heating and stuff, they're just going, why do you think they have that, old deer farm up on 177, that's just loads and loads of logs all being shipped right up to Fort Drum, that to him has a bigger concern than some wind mills. The wood chipping and clear cutting, once the wood is gone, you're talking about erosion, polluting the streams all kinds of stuff like that. These are things he thinks you really need to get the big picture of what's really going on here, again why would John Droz, what is the benefit that he has, going around to oppose wind farms, to him it's very suspicious, what this guys is up to, to be clear if you just google John Droz and you can see what he's up to, who he's involved with, who he's connected too, it's all there follow the money. With that being said thank you.

Dory Dumas - a couple rebuttal items, she is actually quite familiar with what going on at the Biomass facility, that is suppose to be chips that are secondary to other processes, unfortunately they can't control if people are going to go out and chip an acre and take it up, she knows they have cut back a lot, they have limited some of what they are bringing in, you can only do it on certain days, and certain times, and certain amounts of loads. As far as being concerned with that we can only do what we can do in Town with our own residents and our own properties. As far as being concerned about the world that our children are going to inherit, she wants her daughter to come back to Redfield, and she doesn't want her to come back and live in a house with power lines over it, and she won't raise her daughter in a house with power lines over it, from what she has heard on some of the side effects of living near these turbines, she doesn't want to raise her near them and she will not raise her near them. So we are concerned about our kids and the next generation, and that's why we are here doing this.

Jim Muscato - what are the next steps for the Board? Supervisor Tanya Yerdon - we have our regular town board meeting on Tuesday, this will be part of our discussion on that night, so of these comments and some of the research and everything, along with other matters, the whole night is not going to be the wind mill law. Jim Muscato - do you anticipate the board taking action? Supervisor Tanya Yerdon - I don't anticipate anything.

John Yerdon - very concerned about the town roads going into the project, Little John - with the amount of heavy equipment going up that road, that road will not withstand it, culverts across

Beaver creek and the other creeks, will not stand that weight and travel. Who is going to be responsible to bring that road up to the standards to handle that #1, and who is going to be responsible to maintain it when the whole project is done? Is that going to be on the backs of the taxpayers of this town? His own opinion, he works with the town on emergency plowing snow, the road is none too big for the snowplow alone, when you start putting tractor-trailers full of aggregate cement, everything else the road will not hold up and it will crush, it's basically oil and stone, that's what the road is made of, it's not blacktop per say, it's layer and layer of oil and stone, that will not hold up to heavy weight. He thinks they ought to know before we vote on this who is going to be responsible to maintenance of that road.

Matt Smith - Woodwise - land company - a quick question, Rob basically touched on it, he appreciates all the time the town board has spent on this law, and also the zoning law, we have all spent a lot of time here, some of the other town - things that aren't in this law or effected by this law, obviously the town knows to focus on the law, to simplify it 35dBA is a wind band, regardless of who, what attorney came up with it, what activist, it's just isn't workable, he thinks everybody knows that, as long as it's in there, no matter how many pages it is, it's a wind band. That's pretty much all he has to add on the law itself, he would be happy to talk about the property, he was up there today and he spends a lot of time up there. It's in good hands, but again this law is a wind law for the Town of Redfield, it's not a regulation on the project Avangrid is proposing on our property, although it's clearly they do intersect to some degree. CW E. Yerdon - how many MET towers are in our town now? Matt Smith - in the Town of Redfield he believes there are six (6).

Richard Palmer - we invited any member of the board to come up on the property last year, and they still have the open invitation to the town board wants to go up and view the property, he knows Woodwise has welcomed you up there, and the Mad River Club also welcomes you up there anytime if you want to take a tour to see what's up there. He would like to relay a second invitation whether it's himself or someone on their board to take the board on a tour. Supervisor Tanya Yerdon - does the invitation comes from you also Matt Smith. Matt Smith - absolutely. Supervisor Tanya Yerdon - just want to make sure the land owner agrees with you. Dory Dumas - how many board members have taken them up on that offer? CW C. Bauer - actually she thinks the other gentleman offered and never got back to them. Supervisor Tanya Yerdon - did meet with Matt and Dan and Rob, she went up with Senator Patty Ritchie and Assemblyman Will Barclay's office, she thought it was a good introduction, they didn't go too deep into but she thought it was a good introduction, she thanked Matt for that. CW C. Bauer would like to go up there. Matt Smith - he can get in touch with her and make that happen, it's a big property, block off as much time as you can. CW C. Bauer - yes sure, Fridays are good for her, Friday - Saturday.

Supervisor Tanya Yerdon - anymore comments or questions that you would like this board to take into consideration as we advance ourselves on this.

Francis Adams - he worked up on the hill with JC Lumber Company when there wasn't a beaver pond, there wasn't nowhere, John seen that too back in the early days, when you talk about the quality of water, the hill is destroyed - and that was destroyed by the State of New York - because they changed the trapping world, you have to get permits, they've been doing it forever,

it's not just the hill it's the whole damn northern part of New York State, so when it comes to water quality he doesn't want to hear it, the hill is destroyed anyhow so what's the difference.

Supervisor Tanya Yerdon - ok this might be the fastest public hearing this town has ever seen, comments or questions? She's going to ask one more time - any comments or questions that pertains to the Wind Energy Facilities Local Law #2 of 2018? She thanked everyone for coming. Rob Brenner - to echo Jim's point of the next steps, he mentioned at the last meeting you weren't at, is Avangrid still planning on doing a presentation regarding this project. Supervisor Tanya Yerdon - No, she was going to bring that up, but thanks, they have re-scheduled for the following month in July due to scheduling, so it will be in July. Walt Meisner - yes if that works, we would love to just present kind of an update on the project.

Supervisor Tanya Yerdon - thanked everyone for coming, you can still submit your comments, your questions in writing, we ask that you do this because the more public participation we get, it gives up more information, we know how the town wants us to react, we want to work with these people, everyone needs to work together, so the more feedback we get from all of you it makes a big difference, thank you.

Motion was made by Carla Bauer and seconded by Erwin Webb to close the Public Hearing on the Proposed Wind Energy Facilities Local Law #2 of 2018 at 7:45pm.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, E. Webb, C. Bauer, M. Tompkins  
Nays 0

The next Town of Redfield Town Board meeting will be held Tuesday, June 12, 2018 at 7:30pm.  
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Susan Hough, Town Clerk