

CONDENSED TRANSCRIPT

PLANNING BOARD OF THE TOWN OF MADISON, NEW YORK

PUBLIC HEARING

ROLLING UPLAND WIND FARM

Public Hearing, held on April 18, 2012, at the Madison Central School Cafeteria, 7303 State Route 20, Madison, New York, commencing at 7:00 p.m., before David Robinson, Court Reporter and Notary Public in and for the State of New York.



Nationwide Depositions, Hearings and Trials • Conference Facilities
Videoconferencing • Legal Video Services • Exhibit Scanning
Transcript / Video Synchronization • 24-7 Online Repository

1.888.ACR.3335 • 1.800.862.4206 (FAX)
info@acrdepos.com • www.acrdepos.com • scheduling@acrdepos.com

Page 1

1
2
3
4 PLANNING BOARD OF THE TOWN OF MADISON, NEW YORK
5 PUBLIC HEARING
6 ROLLING UPLAND WIND FARM
7
8
9
10 Public Hearing, held on April 18, 2012, at
11 the Madison Central School Cafeteria, 7303 State Route
12 20, Madison, New York, commencing at 7:00 p.m., before
13 David Robinson, Court Reporter and Notary Public in and
14 for the State of New York.
15
16
17
18
19
20
21
22
23
24
25

Page 2

1
2 APPEARANCES:
3
4 TOWN OF MADISON PLANNING BOARD
5 7358 State Route 20
6 Madison, New York 13402
7 Present:
8 Roger Williams, Chairman
9 Paul Crovella, Member [Acting Chairman]
10 Bruce Tanner, Member
11 Mitch Hoffmeister, Member
12 John Mancino, Member
13 Ted Modrzejewski, Member
14 James Finch, Member
15 Wendy Bono, Clerk
16
17 Also Present:
18 WILLIAM H. GETMAN, ESQ.
19 Town Attorney
20 130 East Main Street
21 Waterville, New York 13480-3011
22
23
24
25

Page 3

1
2 APPEARANCES: (CONT'D.)
3
4 YOUNG SOMMER, LLC
5 For the Developer, Rolling Upland Wind Farm
6 [Horizon EDP] Executive Woods
7 Five Palisades Drive
8 Albany, New York 12205
9 By: Douglas. H. Ward, Esq.
10
11 CLOUGH HARBOUR & ASSOCIATES
12 441 South Salina Street
13 Syracuse, New York 13202-4712
14 By: Laura C. Cassalia, PE
15
16
17
18
19
20
21
22
23
24
25

Page 4

1
2 PUBLIC HEARING
3 APRIL 18, 2012
4 MR. CROVELLA: Good evening.
5 Welcome everyone. This is a special hearing
6 of the Town of Madison Planning Board and
7 the purpose of it is to allow the public to
8 comment on the Draft Generic Environmental
9 Impact Statement [DGEIS] that has been
10 created by the consultants for the Rolling
11 Upland Wind Farm. So, thank you all for
12 taking the time to review the documents
13 themselves. Thank you for taking the time
14 to come out to this meeting.
15 We as the Planning Board and members
16 of the Town Board are here to receive your
17 comments. The comments that are made tonight
18 will all be transcribed. Over here we have
19 a gentleman who is working to do that. In
20 that regard, we'll ask if you could keep the
21 background conversation down. It will be
22 helpful for him to be able to clearly and
23 record everything as it's presented. Along
24 with any verbal comments this evening, there
25 is a period -- we have another month -- for



Page 5

1
2 allowing written comments to be submitted.
3 Written comments can be submitted to the Town
4 Office here for anyone interested in taking
5 it down. We've got a lot of people tonight.
6 It looks like in excess of 50 people are
7 interested in commenting. To get us out of
8 here in three and a half or four hours, so
9 that by 11 o'clock we can wrap up, we'll be
10 limiting people's comments this evening to
11 four minutes each. However, that may not be
12 sufficient for the depth of detail you have
13 provided in going through things and so we'd
14 like to ask you if you have anything more
15 you'd like to share with the Board to please
16 submit that in written form. As the process
17 goes forward both the verbal and written
18 comments will be reviewed by the Board and
19 in preparing the final determination in
20 regard to this project, as part of the
21 process, all of those comments are required
22 to be responded to by the Board.
23 Just a few things that will help us
24 out this evening as we go through this. If
25 you could, I have a list of everyone who is

Page 6

1
2 signed up to make comments night. So, I'll
3 read the names off the list. If you would
4 come down to the microphone up front here,
5 just state your name and address clearly and
6 that will help us get that record. If you
7 could, make sure your comments are to the
8 Board. There may be folks here tonight who
9 express comments that you are not in
10 agreement with, but rather than respond to
11 those individuals directly, it's very helpful
12 if you can turn to us and say I don't agree
13 with the observation that was made in the
14 previous statement, that this project
15 dot.dot.dot.dot.dot, rather than to begin the
16 discussion among folks in the crowd who may
17 have varying opinions.
18 So, just so it's clear, all of the
19 comments will come this way to us. We are
20 only here this evening to listen. So, we
21 are not going to be responding to any
22 comments. We are not here to answer
23 questions, per se. We are here to receive
24 comments in regard to the documents that were
25 created.

Page 7

1
2 Okay, and then just quickly in
3 conclusion I think it might be helpful if we
4 just went through quickly and introduced
5 ourselves so you folks all know who we are
6 in regard to the process.
7 My name is Paul Crovella. I'm one
8 of the members of the Madison Planning Board.
9 BRUCE TANNER: Bruce Tanner from
10 Madison Planning Board.
11 TED MODRZEJEWSKI: Ted Modrzejewski,
12 from the Board.
13 JAMES FINCH: Jim Finch, Planning
14 Board.
15 JOHN MANCINO: John Mancino, Planning
16 Board.
17 MITCH HOFFMEISTER: Mitch Hoffmeister,
18 Planning Board.
19 ROGER WILLIAMS: Roger Williams,
20 Planning Board.
21 WENDY BONO: Wendy Bono, Planning
22 Board Clerk.
23 WALTER CALINO: Walt Calino, CHA,
24 consultants to the Town.
25 LAURA CASSALIA: Laura Cassalia, CHA.

Page 8

1
2 WILLIAM GETMAN: And Bill Getman,
3 Town Attorney.
4 MR. CROVELLA: Okay. So, as we go
5 through the comments Roger will be here, our
6 trusty timekeeper, and try to give you some
7 feedback as we approach four minutes so that
8 you can wrap up then. As I said, if you
9 have other information you want to share with
10 the Board it would be great to have that in
11 a written form. It allows us to go through
12 it more thoroughly.
13 So, in the order that they were
14 signed up, if we could have Allison Hutchings
15 come down to the mike to speak, please. And
16 you will have to forgive me in advance. I'm
17 not that great with names, as my students
18 will tell you quickly, but I'll try to do
19 the best.
20 ALLISON HUTCHINGS: Well, I'm Allison
21 and my grandpa couldn't be here --
22 MR. CROVELLA: Can you speak to the
23 people again?
24 UNKNOWN SPEAKER: I have one
25 question before this gets started. Is this



Page 9

1
2 an official meeting? Yes or no?
3 MR. CROVELLA: Yes, it is.
4 UNKNOWN SPEAKER: It is? How about
5 then we have the Pledge of Allegiance.
6 MR. CROVELLA: We could.
7 UNKNOWN SPEAKER: We could?
8 MR. CROVELLA: We could, yes, we
9 could.
10 UNKNOWN SPEAKER: There goes your
11 constitution.
12 MR. CROVELLA: We have a procedure
13 that we use with our meetings. We don't
14 start with a Pledge of Allegiance. I have
15 nothing against starting the meeting with the
16 Pledge of Allegiance.
17 ALLISON HUTCHINGS: My name is
18 Allison Hutchings. I live on Tinker Hollow
19 Road in Madison and I'm speaking for my
20 grandfather. He couldn't be here. So, I'm
21 reading what he wrote.
22 Hello. My name is Ken Stone, and I
23 live on Tinker Hollow Road. I'm sorry I
24 cannot be here night, but our honey bees
25 need me here in South Carolina this time of

Page 10

1
2 year.
3 I have lived in Tinker Hollow for
4 over 60 years and I believe it's one of the
5 most beautiful places on earth. We can see
6 five of the original seven turbines from our
7 house and have found them to be a very
8 welcome addition to the natural beauty.
9 Sometimes they are hidden in the clouds.
10 Other times they stand like snow white
11 guardians overlooking our little valley.
12 But, let's just look at facts, facts that
13 can be proven with a short drive for just a
14 few minutes. Let's not look at half truths.
15 From a far away place that can't be proven.
16 Tourism: Most any evening year
17 around you can see a car full of people at
18 the base of the wind farms. Some come to
19 admire modern technology. Others just to
20 enjoy the beauty and calmness of the farm.
21 The road they got there on was rebuilt by
22 the windmill company before it was worn out
23 and outdated with an inadequate base and a
24 very thin oil skin top. Now, 12 years
25 later, it is still a smooth strong road to

Page 11

1
2 be enjoyed by all. All this was done at no
3 expense to local taxpayers and as a thank
4 you to the Town of Madison, they rebuilt the
5 road nearly a mile beyond the entrance to
6 the wind farm. Have we forgotten all this?
7 Employment: 12 years ago there was
8 two young men struggling to get a
9 construction company going. They found
10 plenty of work helping to build the wind
11 farm. That was the one thing they needed to
12 become a reputable construction company and
13 employer. This is just one of many local
14 companies helped by the construction of the
15 first wind farm.
16 Taxes: The one thing that draws
17 down property values is high land and school
18 taxes. Not windmills. Do you remember when
19 the State of New York told the Town it had
20 to build a new salt barn because the old one
21 might pollute Madison Lake and the new taxes
22 from the wind farm paid for the new salt
23 barn in full, with no expense to the local
24 taxpayers. It's a known fact that nothing
25 remains status quo. Everything in this life

Page 12

1
2 and in this world is either growing or
3 dying. Do we want to do nothing and slowly
4 watch our roads become worth over economic
5 decline. Our children and grandchildren move
6 away or do you want to take advantage of a
7 decision to go forward with a company that
8 is still willing to invest millions in our
9 future. These are proven facts, not
10 propaganda based on far away places by
11 newcomers to our area.
12 I hope this Planning Board sees this
13 as a positive thing and encourages and
14 recommends the development of this new wind
15 farm. Respectfully, Kenneth Lee Stone.
16 MR. CROVELLA: Joy Stone.
17 JOY STONE: My name is Joy Stone
18 and I live on Tinker Hollow Road. My
19 husband, Ken, and I, own a farm on Tinker
20 Hollow Road. Our son and his family live
21 next door. He is the fourth generation on
22 this farm. My husband has lived on this
23 family farm his entire life, going on 63
24 years, and I have been here for 39 years.
25 Our family is first in our life, and this



Page 13

1
2 farm is second, most important. Our wildlife
3 and birds are very precious. We see their
4 presence now more than before the windmills
5 were here. We can see five of the seven
6 windmills from our house. They say beauty
7 is in the eye of the beholder, and we see
8 these as beautiful, stately, majestic and
9 mesmerizing. We are approximately 2,500 feet
10 from them. They have been here for 12 years
11 and if there was any health problems they
12 supposedly cause, I'm sure we would have felt
13 them by now. The sound they produce, if
14 any, is soothing. I know many nights they
15 lull me to sleep if the window is open.
16 My husband is a commercial beekeeper
17 and thus we are very concerned with our
18 environment and the changes going on around
19 us. People don't like change and are afraid
20 of it, and I'm one of them. But the change
21 these windmills have brought into our lives
22 is good and we love them.
23 MR. CROVELLA: David Hutchings.
24 DAVID HUTCHINGS: Hi, I'm David
25 Hutchings. I live on Tinker Hollow Road. I

Page 14

1
2 have been born and raised in that little
3 valley. I think the windmills are a real
4 good thing. They haven't affected the
5 wildlife in any way that I can see. I'm an
6 avid hunter and I'm out in the fields all
7 the time. They have definitely helped with
8 the roads. The construction of the roads
9 were actually horrible before they came.
10 What they have done has benefitted
11 tremendously on the road that they fixed and
12 I just think it would be foolish not to move
13 ahead and go with them.
14 MR. CROVELLA: Jane Welsh.
15 JANE WELSH: Well, my name is Jane
16 Welsh, and I live on McCormick Road in
17 Madison. My family's lived here for over 60
18 years too. Put quite simply, we should not
19 be here tonight. We have wittingly or
20 unwittingly been made parties to a process
21 that has no validity. We were given no
22 choice. If we don't stand up tonight and
23 speak we will have no meaningful opportunity
24 to voice our concerns about a decision that
25 will effect us for the rest of our lives.

Page 15

1
2 The developer has applied for a special
3 permit from the Town Planning Board to
4 construct this project. This hearing should
5 not be taking place because the Planning
6 Board should never have accepted the DGEIS on
7 February 29th. Indeed, the Planning Board
8 should not have considered the developer's
9 Environmental Assessment Form and issued a
10 positive declaration on February 16th. Why?
11 Because the developer submitted an application
12 for special permit to the Town Board in late
13 January and that application by the
14 developer's own admission was incomplete. I
15 will quote from the application: "The permit
16 application has been based on the current
17 knowledge and status of the project and is
18 subject to change, based on a number of
19 factors that have not yet been finalized".
20 The developer states elsewhere in the
21 application that the project map, quote,
22 "does not provide all details required for
23 the permit. The applicant requests a waiver
24 of this requirement at this time", end quote.
25 One of the factors that have not been

Page 16

1
2 finalized is the developer's lack of legal
3 control over the land that it needs to build
4 the project. Pretty big problem there. Not
5 the least among the application requirements
6 is a plan that, quote, "must include any
7 structures within one mile of any tower", and
8 that's in the Town specification permit law.
9 To date the developer has not presented such
10 a plan. The Planning Board has held no
11 public hearing on the application. It made
12 no finding that the application was complete,
13 and it granted no waiver in order to declare
14 it complete, but for the satisfaction of
15 those requirements. So, the developer's
16 application remains incomplete. And I ask
17 how such a lack of process can possibly be
18 justified. The State Environmental Review
19 Act process began when the Planning Board
20 received the developer's application. As I
21 said before, the application was incomplete.
22 At this point one of two things should have
23 happened: The application should have been
24 returned to the applicant for revision and
25 submission of a complete application, or the



Page 17

1
2 Planning Board should have formally accepted
3 the application and specified which
4 requirements were being waived. The Planning
5 Board did not take either action. Thus, the
6 SEQRA process should have gone no further.
7 Yet it did and as further insult, the Draft
8 Environmental Impact Statement that the
9 developers submitted when it submitted its
10 complete application, incomplete application
11 morphed into a Draft Environmental Impact
12 Statement. Why and how and on who's advice
13 I really cannot tell you. But I can tell
14 you why, I think. The developer needed to
15 meet a very important deadline -- I'm almost
16 done -- by March 1st. So, the hearing was
17 held on February 29th. Why should the close
18 and careful scrutiny of an enormous project
19 such as this be sacrificed to accommodate the
20 developer's timetable. I call on the
21 Planning Board to halt this farce and require
22 the developer to submit complete site
23 specific documents, starting with its
24 application for a special permit. Let the
25 developer prove that it has control of the

Page 19

1
2 in and around the designated project area.
3 I will refer you to the one project area
4 map, which is my Exhibit-1, the developer
5 made available to the Town officials. As
6 per the map legend, residences are indicated
7 by yellow squares. First, please note that
8 the only residences acknowledged by the
9 developer's map are homes that lie within the
10 designated project area. Unfortunately, they
11 don't include them all. This map is not
12 accurate. Second, please note that the many,
13 many homes immediately outside the arbitrary
14 project line and within three thousand feet
15 of an industrial turbine are not indicated at
16 all. This is a gross misrepresentation of
17 the population density in and around the
18 project area, which will be adversely
19 impacted by this industrial facility.
20 As a companion to Exhibit-1, I
21 submit Exhibit-2, and you will have your
22 attention drawn to the small green dots that
23 indicate the emergency 911 address points as
24 provided by mapping services of the Madison
25 County Office of Real Property Tax Services.

Page 18

1
2 land necessary to build the project. The
3 consideration of this project is so
4 procedurally flawed that it would be prudent
5 for both the Planning Board and the developer
6 to start over again and this time do things
7 correctly. At least the Town citizens are
8 now aware of the proposed project and they
9 can participate in a meaningful way from the
10 very first step since we were denied that
11 opportunity the first time around.
12 MR. CROVELLA: Pamela Fuller.
13 PAMELA FULLER: Good evening. I am
14 Pamela Fuller. I live at 5540 Hill Road in
15 the Town of Madison. I am addressing the
16 insufficiencies and inaccuracies in the DGEIS
17 regarding the designated project area as
18 defined in project documents and represented
19 on various maps by Horizon EDP, the
20 developer. I have several exhibits to submit
21 with my comments that clearly demonstrate the
22 lack of information, the inaccurate
23 information and the grossly misleading
24 information provided by the developer
25 regarding population densities and land use

Page 20

1
2 This map provides an accurate representation
3 of the significant population density in this
4 rural, residential area that would be
5 adversely impacted, should this industrial
6 facility be imposed upon it. I refer you
7 also to the DGEIS document, page 4-1,
8 "Alternatives", and the no action alternative
9 described, which means no turbines, and I
10 quote: "The no action alternative assumes the
11 proposed project area would continue to be
12 used as vacant, undeveloped, rural, non-farm,
13 forest and agricultural land". This, again,
14 is a gross misrepresentation of the
15 population density and use of the land within
16 and around the project area. I suggest that
17 it should be amended to state the no action
18 alternative assumes that the sanctity of
19 homes, the beautiful views, the peace and
20 quiet, the serenity and enjoyment of life and
21 numerous relaxation and recreational activities
22 will not be destroyed. I tried in vain to
23 find a map in the DGEIS that represents or
24 acknowledges the residences, thus the
25 population density, in and immediately

5 (Pages 17 to 20)



Nationwide Depositions, Hearings and Trials • Conference Facilities
 Videoconferencing • Legal Video Services • Exhibit Scanning
 Transcript / Video Synchronization • 24-7 Online Repository
1.888.ACR.3335 • 1.800.862.4206 (FAX)
 info@acrdepos.com • www.acrdepos.com • scheduling@acrdepos.com

Page 21

1
2 surrounding the project area, and could not
3 find one. The one map with any residences
4 on it, Figure 13, registered drinking water
5 wells, Exhibit-3 of mine, indicates some of
6 the residences in and around the project
7 area, but once again leaves many, many of
8 them out. I suppose this could be because
9 acknowledging the existence of both registered
10 and unregistered wells would imply a larger
11 population and raise questions about the
12 potential impacts of the project on our
13 domestic water supply. The Town's own Final
14 Draft Comprehensive Plan contains an accurate
15 map that the developer might have thought to
16 use, but chose not to. I refer you to the
17 section on population growth in the
18 Comprehensive Plan. Where is it? Right
19 where the developer wants to erect a ton of
20 these machines. Exhibit-4 is a list of
21 landowners in the project area as submitted
22 in the application. As you can see, as you
23 will see, it is grossly inaccurate and
24 inadequate. This list contains only a list
25 of the people the developer needs to acquire

Page 23

1
2 peaceful, a place to raise a family or
3 simply enjoy the views of the rolling hills
4 and the valleys. Living in the country
5 gives us the opportunity to hear soothing
6 sounds of nature. It also allows us a
7 chance to raise our children and be able to
8 hear our children, and their sounds of
9 children laughing and playing in our yards
10 reminds us of what life is all about. These
11 are noises of the country. According to the
12 DGEIS the Hessers Associates, Incorporated, a
13 firm out of Virginia, performed a sound
14 survey and noise impact assessment of an
15 industrial windmill site. Their report
16 states the modeling shows there is a fairly
17 large number of homes within 35 decibel of
18 the second contour, meaning the project will
19 be clearly perceptible at these residences
20 much of the time when operating under low to
21 moderate wind conditions. Consequently, there
22 is a potential for annoyance and sporadic
23 complaints in this region. So much for
24 listening to the sounds of nature with a
25 conservative projection like this being

Page 22

1
2 signatures from for leases, easements and
3 setback waivers. Once again, the developer
4 completely ignores the many, many people and
5 properties actually in the project area that
6 will be adversely impacted for decades, if
7 this industrial complex goes in.
8 I submit for your information two
9 more lists: They are from Madison County
10 Office of Real Property Tax Service and they
11 are an accurate representation of the people
12 in the area and within three thousand feet
13 of these turbines. Thank you. I made it.
14 Also, for the record, I have two other
15 comments with exhibits that I'm entering
16 tonight.
17 MR. CROVELLA: David Jordan.
18 DAVID JORDAN: Good evening. My
19 name is David Jordan. I've lived on Center
20 Road in Madison for more than 40 years. As
21 a third generation landowner in Madison, New
22 York I purchased my home from my grandfather
23 19 years ago. There are several reasons
24 that people choose to make their home in
25 Madison, New York. Madison is quiet,

Page 24

1
2 scientifically confirmed prior to construction.
3 I was also wondering where exactly is the
4 second contour. Also, if these windmills are
5 potentially going to generate 35 decibels
6 when wind turbines are operating under low to
7 moderate wind conditions, how many decibels
8 will they generate when the winds are higher
9 than their definition of moderate. As I
10 understand it when the sound decibel reaches
11 40 decibels, it creates a level of noise
12 known to be distracting making it difficult
13 to concentrate. I'm very concerned about
14 noise disturbance. Nowhere in the report did
15 I find any research on noise that was
16 conducted on Center Road. Currently when
17 conditions are right I can hear the original
18 windmills clearly from my home on Center
19 Road. And these windmills are much smaller
20 and farther away than the proposed windmills.
21 We all know that sound travels and I'm sure
22 that all of us at one time or another have
23 yelled out to create an echo. I will admit
24 I have. When conditions are right an echo
25 can be created in the valley where our home



1
 2 is located. Has anyone considered the
 3 possibility of an echo and the disturbing
 4 noise generated. What happens when these
 5 industrial turbines echo through our valley?
 6 What do we do then? If my neighbor has a
 7 dog that barks at night and is keeping me
 8 awake can I ask them to put the dog in at
 9 night? I would do the same for my neighbor.
 10 That's part of being a good neighbor. Can I
 11 ask my neighbor to put the windmill in and
 12 on their property at night or turn it off?
 13 Another long term unavoidable impact resulting
 14 from the wind turbines is listed in the
 15 DGEIS, includes light flicker. Light flicker
 16 is like a child turning a light switch on
 17 and off. I'm sure some of us who have
 18 children have done it and perhaps been asked
 19 to stop doing it. It's easier to ask a
 20 child to stop than ask the owner of a
 21 multi-million dollar wind turbine to turn it
 22 off and stop the flickering, especially when
 23 the owner of the turbine is thousands of
 24 miles from here. Complaint resolution in the
 25 DGEIS clearly states that in the event of a

1
 2 family run farms. The plan to consume
 3 agricultural lands will build wind turbines,
 4 access roads and create phones in Madison is
 5 in direct contest to what we're teaching our
 6 youth through this program, which is offered
 7 in our schools. This sounds like a plan
 8 developed in another area to destroyed
 9 agricultural in Madison County. We all hope
 10 for the success of our younger generations.
 11 Are these windmills with their noise and
 12 flicker going to drive away our youth? We
 13 need to think long-term. Thinking short term
 14 the saying good fences make good neighbors,
 15 we are going to need a really big fence.
 16 That concludes it.
 17 MR. CROVELLA: Carl Stone.
 18 CARL STONE: I'm Carl Stone, 3529
 19 Stone Road, Madison. Many of the things
 20 that have been brought up about the wind
 21 turbines I can address better than probably
 22 anyone here because I have lived with them.
 23 I have lived with, there is five on the
 24 Stone farm and two on the neighboring Mason's
 25 farm. I have lived with seven of them for

1
 2 major complaint the applicant will inform the
 3 Town Clerk and the Town Supervisor within 48
 4 hours of the nature of the complaint and
 5 planned action to resolve the complaint.
 6 What is considered a major complaint? And
 7 who determines the legitimacy of these
 8 complaints. Once the windmill turbines are
 9 in place we can submit our complaints, but
 10 will the issues be acknowledged and resolved.
 11 Probably not, as the owners of the windmills
 12 do not live in Madison, nor are they
 13 concerned about the impacts on our homes and
 14 farms. They are simply in the business to
 15 make money. As I mentioned earlier, I was
 16 in high school, I was a member of the FFA.
 17 The Madison Central School and Hamilton
 18 Central School still have active and
 19 successful FFA programs in place for their
 20 students. As these programs continue to grow
 21 and educate our youth on the importance of
 22 agriculture -- I'm just about done -- I
 23 maintain that the number one key to saving
 24 agriculture is by attracting our youths to
 25 agriculture through programs such as FFA and

1
 2 12 years and many of the things that have
 3 been alleged about these are false and that's
 4 what I'm, that's what I'm concerned with. I
 5 don't mind people researching. I don't mind
 6 people looking into it. I don't like false
 7 information, misinformation, deliberately being
 8 given, when you think about the small handful
 9 of people that started this and their concern
 10 about their own personal benefits. Now, I'm
 11 going to the health drawbacks: I have seen
 12 none of them, other than my hair is grayer
 13 than it was 12 years ago. Bird kills: I
 14 have seen one dead bird in 12 years. The
 15 wildlife: Six weeks ago I counted 49 deer in
 16 the midst of the project. 49. That's in
 17 the center of that project, that's about one
 18 deer per acre. Two years ago I watched two
 19 turkey hatches grow right through there.
 20 There has been no change in the wildlife.
 21 Sound: Most days the wind and the trees
 22 around my house drown out the sound of any
 23 windmill. Noise is not a roar when I do
 24 hear it. It's a gentle woosh. Visual:
 25 Probably the only valid point that anyone can



Page 29

1
2 make, and that would be just as a matter of
3 personal preference. They have been
4 described as being put up 36 skyscrapers.
5 Now that to me is like comparing a flag pole
6 to a silo. It's just a ridiculous
7 comparison. This visual thing is I like
8 blue, you like red. And do these people
9 that have a problem with the view of these,
10 do they really think that they actually own
11 their view. They own their property. Check
12 your deed. It doesn't say you own the view.
13 I can see a lot from my property on my
14 hill. If I owned that view I don't want an
15 awful lot of property. I don't own the
16 view. Things change. You may like that
17 beautiful line of maple trees that your
18 neighbor owns across from your property. You
19 may enjoy that view. But if that neighbor
20 of yours decides to cut them down he's going
21 to cut 'em down. Things change, and I think
22 it's time we have some respect for the
23 landowners that have worked so hard over the
24 years to keep these farms and keep these
25 wood lots that all of us enjoy so much.

Page 30

1
2 They need help and I'm just sad to see the
3 handful of people have duped and scammed such
4 a large group. Thank you.
5 MR. CROVELLA: Earl Coleman.
6 EARL R. COLEMAN, JR.: My name is
7 Earl Coleman. My wife, Stacey, and I have
8 owned property on McCormick Road since 1992.
9 We built our house there in 2000. It's
10 funny, our kids used to complain that our
11 house was too far away from town. It was
12 too isolated and way too quiet. When they
13 were young they couldn't understand when I
14 told them that was why we chose that
15 location to build our home. I've worked
16 around noise my entire adult life. When I
17 go home at the end of the day I want and
18 appreciate peace and tranquility. The last
19 thing I want is to see 180 spinning windmill
20 blades in every direction that I can see,
21 and I certainly don't want to hear the
22 constant droaning noise from the nearest
23 seven turbines which will be anywhere from
24 sixteen hundred to three thousand feet from
25 our home. The proposed siting of this

Page 31

1
2 project in our neighborhood without
3 appropriate setback seems almost criminal.
4 Given the developer's dismal record of
5 providing specific plans or details for this
6 project, I will be very surprised if all
7 these questions are answered. I will be
8 even more surprised if any of my requests or
9 actions are granted. But if the Town of
10 Madison issues a special permit without
11 holding Horizon accountable to answer all the
12 questions, concerns and requests, that the
13 Town officials should expect to be held
14 accountable by all means also.
15 The following are my questions with
16 regard to the DGEIS. What are the exact
17 locations, heights, lighting and power sources
18 for the two proposed meteorological towers.
19 As far as electromagnetic interference, I
20 will have two towers between my house and
21 the Mason Road cell tower. I want a full
22 and specific study done to determine what, if
23 any, interference might occur and what will
24 be done to preserve my reception. I would
25 require that a background noise level survey

Page 32

1
2 be done at my home and anyone else who
3 requests it before the permit is granted.
4 When will I be able to review and view the,
5 review the view shed study done for my home
6 and when will my neighbors be able to see
7 the studies from their homes. How do you
8 plan to deal with situations where both
9 windmill foundations and nearby house
10 foundations will both be set in or on
11 bedrock, thus making low frequency vibrations
12 travel further and be more pronounced. The
13 DGEIS states that wind towers were sited to
14 avoid or minimize wetland, wildlife or visual
15 impacts. How can siting industrial turbines
16 next to large ponds all bess, bartholomews,
17 snyders and rat /EPBLGS, possibly be
18 construed as to an attempt to minimize such
19 impacts. The DGEIS maps shows transmission
20 lines buried down McCormick Road. Who
21 entitled EDP to run transmission lines down
22 McCormick Road. Do they have a lease from
23 the Town of Madison? I do not believe that
24 permission should be granted. I wish or I
25 want to see the alternative route with site



Page 33

1
2 control before the issuance of a permit. In
3 the case of decommissioning of the project, I
4 would want a provision that the entire
5 foundation for each tower would have to be
6 completely removed and that additional money
7 should be set aside for road repairs at that
8 time. After all, the same heavy equipment
9 will have to be used to dismantle this
10 project as was utilized to construct it.
11 The DGEIS states tree stumps will be left
12 along streams to support banks' stability.
13 This is a crock. The only -- they can only
14 become dislodged in clogged culverts
15 downstream or jam up and cause flooding.
16 Not a great idea. This is just a cheap
17 ploy to avoid having to dispose of them in a
18 landfill as the law requires. I want to see
19 test bore results for each site where
20 foundations, excavation will require bedrock
21 to be removed and I also want detailed site
22 specific plans for rock removal to desired
23 elevations and whether blasting might be
24 required. When will individual site and
25 foundation plans that are specific to each

Page 35

1
2 Hamilton, but it's the Town of Madison. I
3 have been a resident here for 30 years,
4 paying taxes and supporting the Town Board in
5 their decisions, both past and present. I
6 can no longer do so. The Board's not been
7 forthright with information relating to the
8 Rolling Uplands Wind Farm. That the Boards
9 could not see how the size and scope of this
10 project would effect the neighboring
11 residences is astounding. Your lack of
12 concern for the many and the willingness to
13 sacrifice their quality of life for the
14 financial gain of a few is wrong. Your
15 attempt at fast tracking it was shocking.
16 That you consider the uproar created by this
17 project, five people stirring up a hundred,
18 could not be farther from the truth. What
19 has happened is that five people educated
20 five more; they educated five more; they
21 educated five more and we now number in the
22 hundreds. We grow every day. It's through
23 education that we have grown. Madison
24 Matters is now in a position to be the best
25 asset the Town Boards have -- Town Boards

Page 34

1
2 windmill site and test boring results be
3 posted for review by the public? Madison
4 County just spent millions of our taxpayer
5 dollars to build an emergency communications
6 project to go online very soon. What
7 precautions or steps have been taken to make
8 sure these windmills and the electromagnetic
9 field associated with them won't interfere
10 with the ability of these towers' signals to
11 save lives. You know, I don't expect a
12 multinational corporation based in a foreign
13 country like Spain to care about my peace,
14 tranquility and quality of life, but I darn
15 sure do expect my local elected Town
16 officials to care about my, me and my
17 neighbors' peace, tranquility and quality of
18 life.
19 Here's hoping that those are the
20 major factors considered when future decisions
21 are made regarding this proposed industrial
22 project.
23 MR. CROVELLA: Joe Cohen.
24 JOSEPH COHEN: Good evening, my name
25 is Joe Cohen. I live on East Lake Road,

Page 36

1
2 could hope for. We are willing to do the
3 research and the drafting of a wind power
4 law that will protect our community and be
5 the model of the other towns that are
6 currently unprotected. Yes, our neighbors
7 are now being stalked. Big energy is now
8 the enemy of the region. It grows and
9 morphs and grows and morphs until no one
10 knows who runs the companies that are out to
11 rape our landscape. They will destroy our
12 communities. They target with no regard for
13 the people whose lives they change forever.
14 The DGEIS is a flawed document and the
15 Planning Board's acceptance of it should be
16 withdrawn. Your decision was based on
17 recommendations by an engineering firm that
18 has direct ties to the developers. All
19 information provided by the DGEIS is suspect.
20 An example would be the proposed project map,
21 with more than half of the homes not shown.
22 To have one's life so impacted without a due
23 diligence being done is wrong. At this
24 point in time the only respectable thing I
25 think the Board should do is to enact a



Page 37

1
2 moratorium. You have the power to protect
3 your constituents and I implore you to do
4 so.
5 MR. CROVELLA: Bonnie Stone.
6 BONNIE STONE: Yes. My name is
7 Bonnie Stone and I live on Stone Road and
8 this whole hoopla is my fault. I graduated
9 from high school in 1970 and we were having
10 an energy crisis and I always wondered why
11 we didn't harvest the wind, and in 1994 when
12 a gentleman came to us and said "have you
13 ever thought about selling your wind", I
14 new it was destined to be and I did not, I
15 have to tell you I never even considered my
16 neighbors. It was my land and it was my
17 land rights to have 'em but yet I was proud
18 after they did go up how the whole Town
19 embraced them. I, I welled up with tears
20 when I entered this school and all up and
21 down the hall was every student artist's
22 rendition of their, what they thought a
23 turbine should look like and did look like.
24 The school came for tours. They asked my
25 husband and I to come down and speak. I

Page 38

1
2 took literally thousands of people up on the
3 hill and the response was always positive.
4 People thought they were beautiful. They
5 don't make a lot of noise. They're
6 gorgeous. I never ever heard one negative
7 comment from all the thousands of people that
8 I took there. The Planning Board, the Town
9 Board, it was up to you now to make the
10 legislature and have everything in place for
11 future projects, and you did that, and we
12 have embraced two projects. And now we have
13 all these concerned citizens that Madison
14 Matters. Didn't Madison matter to them
15 before? Did they not care about this end of
16 the town where we were putting up turbines?
17 If they really were devaluating our property
18 and they were really making us sick, they
19 didn't care? We were too ignorant so they
20 didn't care. Why do they matter now? Why
21 are all of a sudden they're so concerned
22 about the turbines and the health effects?
23 I have to tell you, I live very close.
24 There is seven of them there. Rarely do I
25 hear them. I can hear my neighbor's milker

Page 39

1
2 pump start up. I can tell you when he's
3 startin' to milk. I can tell when the
4 neighbor's dog is barking. I can hear the
5 motorcycles leave from the center of town.
6 Rarely do I hear the turbines. If I do
7 it's a gentle swish, swish, swish! I'm not
8 a noise person. You come into my house, you
9 do not hear a radio or a TV almost ever
10 unless my husband's home. And I've got to
11 tell you, I don't hear them. When somebody
12 mentioned about if the wind is stronger. If
13 the wind is stronger, yes, you will not hear
14 them as much because you can't hear them
15 over the wind. And I only have a minute to
16 go and I respect that and I want to tell
17 the Planning Board how much I appreciate all
18 the work that you have done to insure that
19 we are in a safe environment, and you know,
20 when our project went up, PG&E put up a very
21 huge ground-breaking ceremony and they did
22 that because they were proud of what they
23 were doing for the environment. And I
24 think that's what it boils down to. Look at
25 the money that the Town and the school takes

Page 40

1
2 in. Does Madison Matters not care about
3 that? We have our own school today. A lot
4 of towns don't. And I think the turbines
5 help that, help us maintain our individuality
6 and not join into some big conglomerate.
7 Thank you for your time.
8 MR. CROVELLA: Bob Deming.
9 ROBERT DEMING: I live on Lake
10 Moraine, East Lake Road, and I want to
11 preface my statement by saying that it's not
12 easy to focus on one piece of the cake in
13 this situation. I look at all the other
14 things that are on the table. The school
15 consolidation, the community consolidation and
16 hydrofracking among them. But I also want
17 to say I have respect and appreciation for
18 the time and the effort a lot of people have
19 contributed on the wind turbine subject
20 through documentation and firsthand experiences
21 of some who have been through this ordeal.
22 My base has been significantly enhanced.
23 I have been a property owner in the
24 Town of Madison for 36 years and I'm
25 obviously aware of the existing seven, 328

10 (Pages 37 to 40)



Nationwide Depositions, Hearings and Trials • Conference Facilities
Videoconferencing • Legal Video Services • Exhibit Scanning
Transcript / Video Synchronization • 24-7 Online Repository
1.888.ACR.3335 • 1.800.862.4206 (FAX)
info@acrdepos.com • www.acrdepos.com • scheduling@acrdepos.com

1
2 feet tall Stone Road windmills. The 36
3 industrial wind turbines to be used in the
4 proposed Rolling Upland Wind Farm are 492
5 feet tall. The difference is huge. This is
6 apples and oranges. Making me wonder if
7 this project might be just too large for our
8 community. I believe the decisions that we
9 make now will have a significant impact on
10 the future of this community. We have no
11 zoning ordinances now. So, what does this
12 decision that effects all of the Town of
13 Madison residents open the door for. It was
14 important for me and my family that I became
15 better educated about this project and after
16 seeing the windfall film and visiting the
17 Hardscrabble industrial wind farm I had a
18 very uncomfortable feeling. I can support a
19 wind energy solution. I cannot support a
20 wind energy solution that's 30% efficient
21 when the greater good is not being served.
22 A few families would gain, but a lot more
23 would lose.
24 My wife, Jean, and I spent several
25 hours with the related maps driving the

1
2 roadway loops around the proposed turbine
3 clusters to try and understand where the
4 concentration of rural family residences and
5 fall farms -- small farms are grouped. Our
6 tour of the hillsides revealed that some of
7 the properties would be faced with turbines
8 on three sides. All visible from inside the
9 home. Many of the property owners chose
10 their home site because they wanted to live
11 in the country, have a few acres of land,
12 build a home, plant trees or gardens, have a
13 small barn with a few horses. Others built
14 ponds stocked with fish. Some had acreage
15 with nature trails that they share with local
16 residents and some just built a place in the
17 woods so they would enjoy nature while having
18 a little peace and quiet. Nobody told them
19 that the biggest investment of their lives
20 was being made in a future industrial zone.
21 Big surprise.
22 Let's all work together to find the
23 best solution to the proposed turbine
24 project. Within our Town of Madison
25 community we have resources and expertise

1
2 that we can combine with the knowledge and
3 experience that neighboring communities have
4 gained to make a well-informed decision.
5 Let's agree to take whatever action is
6 necessary to give us the time to make the
7 right decision so that we can all continue
8 to live the life we intended when we became
9 residents of the Town of Madison. We are in
10 this together.
11 MR. CROVELLA: Stacey Coleman.
12 STACEY COLEMAN: I am Stacey
13 Coleman. I live on McCormick Road and I
14 just have one statement. We've been told by
15 the developer that local businesses would be
16 used for this construction project. I'd like
17 you to provide me with a list of contractors
18 you might consider for the needs of this
19 project.
20 MR. CROVELLA: Laurisa Cooper.
21 LAURISA COOPER: My husband and I
22 moved to the area 16 years ago. We moved
23 from living in a 40 story high-rise in
24 Chicago to a quiet, peaceful open space
25 setting on top of a pretty little hill

1
2 outside of Hamilton. There were several
3 reasons why we moved to this region. Among
4 these reasons were ties to the Colgate
5 community -- Colgate University community.
6 Another was to get three puppies, all at the
7 same time, raise them, nurture them and watch
8 them grow while living on top of our little
9 spot on the hill. This little spot is
10 affectionately called 12 Paws. We love the
11 rural setting, natural beauty, scenic
12 farmland, breathtaking views and a slower
13 paced life-style. It was a leap of faith
14 that this would work out and we truly
15 thought we were living on top of the world.
16 We can assure you if we had known that the
17 Town of Madison was to become the wind
18 turbine capital of the County, or for that
19 matter, Central New York, we would not have
20 considered the move. No leap of faith
21 required. We would have just looked for
22 another quiet, scenic place.
23 The DGEIS does not address the
24 negative impact on the socioeconomics it will
25 have regarding tax revenue. There is a



Page 45

1
2 potential loss in this revenue when there is
3 a mass exodus out of the area. Hard to
4 collect tax revenue if everyone effected in
5 the area wants to move out and no one will
6 want to buy. Are PILOT payments going to
7 compensate this loss in revenue? Has there
8 been any consideration or action taken by the
9 turbine developers to compensate affected
10 homeowners for losses in property value?
11 This area, community, affected is not miles
12 of farmland. This is an area with neighbors
13 that have built nice homes or renovated
14 existing homes with love and hard work,
15 nestled within a few miles radius of a
16 college community. This is a populated,
17 thriving community. We cite Syracuse.com and
18 CityData.com. Central New York Halts Decline
19 In Population According To The Latest
20 Statistics. I quote, "fueling the growth
21 were Madison County -- whose 5.8 percent
22 population gain ranked as the sixth highest
23 increase among New York State counties. The
24 estimated median household income also had
25 risen due to this growth". Page 12 of

Page 47

1
2 users. We live on a hill between the
3 airport and the windmill project. We
4 regularly see gliders, parachute sports, small
5 and large planes at low levels over our
6 home. They pass by at levels where a
7 catastrophic collision with wind turbines
8 could easily occur. At the very least there
9 should be a certain miles radius from the
10 landing strip banning wind turbines. It
11 should be mandatory. Executive Summary page
12 9 of the DGEIS needs more safety catastrophic
13 relief concerns. This study is inadequate,
14 insufficient and lacks detail of major safety
15 concerns.
16 Finally, the DGEIS does not address
17 the impact this will have on the character
18 of our community -- of this community. As
19 stated above, populated -- population growth
20 in Madison County has been one of the
21 healthiest in the state. There are several
22 reasons for this growth. Wind turbines
23 blended throughout this county will not
24 entice others like us to take this leap of
25 faith. We cite Chapter 4.1 of the DGEIS.

Page 46

1
2 Appendix S in the DGEIS goes to great length
3 in explaining edonic's pricing model. It
4 states that some limitations to the analysis
5 approach and to the available data are
6 acknowledged and it does not address the
7 potential impact on growth in the region,
8 only existing sales. And on page 19 it
9 states the analysis technique in this report
10 needs further research. This study can be
11 misleading to new home growth, prospects to
12 the community. There are always unintended
13 consequences. Also, the DGEIS does not
14 address location and the applicant does not
15 have site control. Should permits be used
16 without this control? The Appendix D of the
17 DGEIS, this study of the DGEIS lacks adequate
18 and detailed information. The DGEIS does not
19 address safety concerns for this model GE 1.6
20 wind turbine. The 492 foot turbine has yet
21 to be used on U.S. soil. Why test them in
22 a populated area? What are the blasting
23 techniques to be used in this populated area?
24 Appendix C and G. The DGEIS does not
25 adequately consider the local airport and its

Page 48

1
2 It talks of maximum build-out alternatives of
3 using 75 turbines. There is proof of other
4 signed leases in close proximity.
5 I have got one more sentence. Are
6 there five, fifty, or one hundred or more
7 turbines to come to this area? Where does
8 this stop? Does the DGEIS report -- the
9 DGEIS report is misleading, deceptive, and
10 unclear to possible future turbines in
11 Madison County's horizon. Is the DGEIS
12 prepared to study the effects of a small,
13 rural, thriving community being overtaken by
14 a large wind turbine company.
15 MR. CROVELLA: Charlene Jordan.
16 CHARLENE JORDAN: Hi. My name is
17 Charlene Jordan and I live on Center Road in
18 Madison. I have lived in this beautiful
19 community for more than fifty years. I
20 enjoy the peace and the tranquility of the
21 country life. From my home on Center Road,
22 less than fifteen hundred feet from the
23 proposed wind farm, we currently have pretty,
24 peaceful views of the forest, fields and
25 ponds. Should these giant industrial



Page 49

1
2 turbines be erected near my residence, I fear
3 that we will lose more than just the natural
4 beauty of our community. These turbines will
5 ultimately take their toll on our health and
6 our bank accounts. As an individual with
7 eye problems, I have grave concerns about the
8 potential shadow flicker that the DGEIS
9 confirms is unavoidable. Table 2 on the
10 Shonner environmental report indicates that
11 wind turbine 5, which is closest to my
12 house, may cause up to a hundred hours and
13 thirty-eight minutes of shadow flicker a
14 year. I can only imagine the impact of a
15 strobe light effect on me and other
16 individuals in the area with eye disease, or
17 any disease, for that matter, as I am sure
18 the shadow flicker will aggravate our already
19 exacerbated symptoms. Has anyone bothered to
20 perform a health survey in an effort to
21 determine if shadow flicker will aggravate
22 health issues, such as eye disease and
23 seizure disorders? These turbines will cause
24 distress and health problems for many adults
25 and children. As I see it, myself and

Page 50

1
2 others like me, will be required to either
3 board up our windows and become prisoners in
4 our own home, blocking out the fresh air and
5 the natural light that every human has the
6 God-given right to enjoy, or to take even
7 drastic measures and sell our homes at
8 significantly devalued prices. Another
9 significant devaluating effect of these wind
10 turbines is substantial interruption in the
11 microwaves that service our phones, cell
12 phones, Internet cable and television. In
13 the DGEIS it indicates that at least one of
14 our microwaves is going to be obstructed.
15 The response of the wind company is not to
16 move the wind turbine location, but maybe
17 contact the telecommunication operators and
18 inform them of the wind turbine installation.
19 Regardless of their decision, the impact of
20 the interruption in communication services
21 will not only inconvenience us in our
22 residence, requiring us to switch carriers
23 and submit to knowledge companies, but may
24 also contribute to the devaluation of our
25 properties, since very few people this day

Page 51

1
2 and age are willing to live in a location
3 lacking any of these services. I have done
4 a great deal of research on wind turbines
5 and have read the comments written by people
6 that have experienced the shadow flicker,
7 unbearable noise and property devaluation
8 firsthand. The comments are very negative.
9 I do not believe for one second that these
10 individuals are making these negative effects
11 up. As a matter of fact, many of them have
12 videos proving that they are not lying when
13 it comes to the noise and shadow flicker. I
14 feel as though the proof of property
15 devaluation is all over. Regardless of the
16 formal use, it is required that specific
17 homes in several areas of the world were
18 devaluated as a result of these turbines, and
19 with good reason. With that being said I
20 will continue to oppose putting these
21 windmills in the community that I love.
22 MR. CROVELLA: Bill Todd.
23 WILLIAM TODD: I'm Bill Todd. I
24 live on Pane Street in Hamilton and because
25 it seems to be important to some people, I

Page 52

1
2 was born in the Village before the second
3 world war. My wife and I, plus another 50
4 or so people, visited the Hardscrabble Road
5 wind farm north of Ilion last Sunday. It
6 was a bus trip, and we stood for
7 approximately two hours within view of nine
8 turbines, all of which are 450 feet high.
9 The wind was light and the sky was overcast.
10 There was significant noise from the rotating
11 blades, even in a low wind weather condition.
12 The owner spoke at length about the shadow
13 flicker as well. The owner of a property
14 effected by close proximity to a windmill
15 hosted us and gave a full account of what it
16 was like living for fourteen months amongst
17 the turbines on his ridge. Needless to say,
18 his property value has dropped precipitously
19 and he was nearing a decision to move away
20 after the class action suit he is
21 participating in is settled. I believe that
22 at this time, as long as the prospect of a
23 large wind farm in the Town of Madison
24 exists, the values of properties within the
25 area of the project are currently under a



Page 53

1
2 cloud, which is now having an effect on
3 property values, and the effect will become
4 more prominent the closer the project comes
5 to fruition. The effect is not just within
6 Madison, but also effects Town of Hamilton
7 property owners as well. This effect is but
8 one of the many adverse impacts this wind
9 farm project will have on the community. It
10 is yet another example of how the greed and
11 adverse of a few landowners who stand to
12 profit can make the community as a whole
13 suffer. This is an extreme example of how a
14 small minority can unjustly impose its will
15 on a much larger majority. Please turn down
16 this project immediately. This is a
17 no-brainer.
18 MR. CROVELLA: Tim Overton.
19 TIMOTHY OVERTON: Thank you. My
20 name is Tim Overton. I live on Bonnie Hill
21 Road. My wife and I have been residents for
22 over twenty years here. I don't think that
23 I would like to address some of the things
24 that I had initially wanted to, especially
25 like view or things like that, because I

Page 54

1
2 don't own the view. I do find there is
3 many compelling reasons on both sides of the
4 fence for this. I think that one of the
5 most compelling things that we can do is we
6 can listen to people who make comments about
7 what has happened to their area prior to
8 what we are experiencing now, like
9 Hardscrabble, like Lowville, like what the
10 windmill movie has said. These wind turbines
11 are brand new. They have never been used
12 before in the United States. They're a
13 third larger and they're of a different make
14 than the ones that are up on Stone Road.
15 I've gone up on Stone Road. I think it's
16 lovely. It's a pretty thing. I can see
17 why somebody wouldn't mind them there. But
18 this is a bigger thing. This is a whole
19 bigger approach. I don't understand the
20 cloak -- and well, there is no dagger yet --
21 but I don't understand all the secrecy. I
22 don't understand why if somebody signs a
23 lease to allow their stuff to be on the
24 property they can't talk to a neighbor about
25 how it goes. There is something going on.

Page 55

1
2 I don't care for it. Maybe I'm a little
3 suspicious or a little paranoid. But I
4 don't understand why this can't be more on
5 the out and open. I don't understand why
6 there is the division that there is here.
7 I'm sure that the people that want these
8 windmills are happy that we're all able to
9 express our opinions about it. But I don't
10 understand how the comparison of the
11 windmills that are smaller, of a more proven
12 track record turbine, are being compared to
13 something that's not been used here; that has
14 to have a much deeper concrete base in the
15 ground and a multitude of them popping up
16 all at once as opposed to seven in an area,
17 which really don't have a lot of houses
18 surrounding them. And that's really what I
19 have to say. Thank you.
20 MR. CROVELLA: Woody Withers.
21 WOODROW W. WITHERS, JR.: I'm Woody
22 Withers and we live in Hamilton, but we have
23 some property on Bonnie Hill, which we hope
24 to retire to some day, depending on this
25 project.

Page 56

1
2 I want to change the focus just a
3 little bit for a minute or two. What are
4 the effects of these wind turbines on birds
5 and bats? I know a lot of people don't
6 consider birds and bats all that important,
7 but they truly are. Do wind turbines kill
8 birds and bats? The answer is without a
9 doubt, yes. Do they kill birds and bats at
10 a level previously predicted? The answer
11 seems to be much more unclear. Groups from
12 both sides of the question come up with
13 differing estimates and that is one of the
14 problems. All we have is estimates. This
15 happens for many reasons and however, the
16 main cause appears to be that no one is
17 really watching and counting. The entity
18 that is responsible for filing the reports on
19 bird and bat mortality is the same group
20 that operates these facilities. Hopefully
21 they are being honest with their reports.
22 The general consensus among the birding
23 community is that they are grossly
24 understating the numbers. The two Madison
25 wind farms do not file reports, in general,



1
2 as per an avian ecologist with the DEC
3 offices in Albany. They are considered to
4 be older facilities so they are not required
5 to file these reports. The Munnsville
6 project has been filing these reports. They
7 apparently show that bird mortality due to
8 wind turbines doesn't seem to be an issue
9 when compared to the figures due to
10 automobile and window collisions. Obviously,
11 There is a difference between the number of
12 cars on the road and the number of wind
13 turbines in operation, and I think the same
14 applies with windows. I understand that life
15 is always a balancing act, however, do we
16 really know what the future effect will be
17 on wildlife when bigger, as well as more
18 turbines, are in operation. And there is
19 more to consider when looking at the effects
20 of an industrial wind turbine project on
21 birds and bats. When one of these projects
22 is built, there is much habitat destruction.
23 From building roads and areas where ground
24 nesting birds exist to the fragmentation of
25 forest lands. Building access roads through

1
2 sound may also have a negative impacts to
3 wildlife. Given the mounting evidence
4 regarding the negative impacts of noise,
5 especially low frequency levels of noise,
6 such as those created by wind turbines on
7 birds and bats and other wildlife, it is
8 important to take precautionary measures to
9 insure that noise impacts at wind facilities
10 are thoroughly investigated prior to
11 development. Noise impacts to wildlife must
12 be considered during the landscape site
13 evaluation and construction processes. As a
14 result, specific noise effects from wind
15 turbines further evolves these findings should
16 be utilized to develop technologies and
17 measured to further minimize noise impacts on
18 wildlife. When looking at the effects on
19 bats, one sees that bats appear to be
20 effected more than birds. Bats are killed
21 not only by the direct trauma from the
22 spinning blade, but also changes in air
23 pressure surrounding the blades. This causes
24 internal injury to the animal. We have a
25 population of bats in the area that are

1
2 wooded areas opens the heart of these areas
3 to degradation. Song birds nest in deeper
4 woods and putting roads and power lines
5 through the woods allows predators, such as
6 cats, more access to the nesting areas.
7 This is thought to be one of the primary
8 causes for decreases in song bird
9 populations. Something as innocent as
10 leaving a light on in a maintenance building
11 can lead to the death of many birds. Since
12 they are drawn to lights while they're
13 migrating at night, they are then hit by the
14 blades of the turbine. Who will be
15 responsible to turn these lights off? Who
16 truly understands the impact of wind turbine
17 noise on wildlife? Studies have indicated
18 possible harm from especially the low
19 frequency levels. They can effect both the
20 sending and receiving of important acoustic
21 signaling and sounds. They also can cause
22 behavioral modifications in certain species of
23 birds and bats, such as decreased foraging
24 and mating success and overall avoidance of
25 noisy areas. The inaudible frequencies of

1
2 federally recognized as endangered. The
3 Indiana bat has a vernaculum within 40 miles
4 of the proposed project where precautions are
5 being taken to protect them. Who hasn't
6 seen an eagle lately? Over the past few
7 years bald eagles in particular have made a
8 wonderful recovery. All one has to do is go
9 to the e-bird site on the Internet to see
10 what is happening and there is even talk of
11 nesting sites of eagles in the area. When
12 looking over the bird census provided by the
13 developer, one cannot help but think the
14 numbers are not truly accurate. As an
15 example, in all the time surveyed, they only
16 saw one hummingbird, very few starlings, no
17 red bellied woodpeckers, no house finches, no
18 bluebirds, no hairy woodpeckers, and one
19 identified duck. All common species. I
20 have personally seen and photographed many
21 hummingbirds from May until at least
22 September, yet they saw one. No mention of
23 goshawks. We have had nesting pairs in the
24 area for several years and I did not see any
25 mention of great blue herrings. At one



Page 61

1
2 point we had nesting of great blue herrings
3 around the swampy area within the area in
4 question. I suggest that the totals of the
5 individual species may not be all that
6 important, however, it draws into question
7 the overall results. To this point I have
8 been aware that the Onondaga County Bird Club
9 is considering a visit in June to do their
10 own survey in attempts to verify and negate
11 the results of the DGEIS. I strongly feel
12 that the findings of the energy sources and
13 true need to protect wildlife are not
14 mutually exclusive. We need to protect the
15 wildlife that we have since it is the only
16 wildlife we have. The consultant hired by
17 the Town admitted that he had only driven
18 around the periphery of the area. How can
19 one truly understand the impact on an area
20 without seeing it. To approve such an
21 increase in the wind turbines, both in size
22 and number, without taking the time to study
23 the impact is, in my opinion, foolish and
24 risky.
25 MR. CROVELLA: Judy Brown.

Page 63

1
2 industrial use in zoning terms. And many,
3 including myself, don't consider residential
4 areas appropriate. We are further concerned
5 about many of the impacts mentioned in the
6 DGEIS: Noise, vibration, potential damage to
7 wells, disruption of the vegetation that
8 could change the nature of water runoff, and
9 many others. Could we put up with some of
10 these for the greater good? Certainly. I
11 am well aware of the trade-offs that I might
12 not like are sometimes necessary. This isn't
13 one of them. I've done a fair amount of
14 reading on the efficiency of turbines and
15 have looked at research by physicists,
16 governmental agencies here in the U.S. and
17 abroad, energy and electrical engineers, et
18 cetera. What I have discovered is that
19 today's wind turbine technology and wind farm
20 development is neither green nor efficient.
21 For one thing, the National Renewable Energy
22 Lab and the U.S. Department of Energy
23 classified this area as marginal in terms of
24 available wind, averaging around six to seven
25 meters per second. GE says that the turbine

Page 62

1
2 JUDITH R. BROWN: Good evening. I'm
3 Judy Brown and I live at 5251 Hill Road in
4 Madison. When my husband and I were
5 thinking about retiring from teaching and
6 relocating, two of our five children lived
7 here and convinced us to come as well. We
8 bought a lot on Hill Road owned by Warren
9 and June Baker. It has trees, a creek and
10 lovely views. We were encouraged by the
11 deed restrictions. We can't do any business
12 or anything else that could be construed as
13 an annoyance or nuisance to the general
14 neighborhood. Furthermore, we cannot have a
15 windmill on our land. In general, we live
16 in the greenest way possible. We recycle,
17 we use, et cetera. We are very interested
18 in preserving the natural beauty and quiet of
19 this area. I have lived in this region for
20 38 years and I have a full appreciation of
21 the worth of living here. While I'm not
22 opposed to wind turbines or wind farms in
23 the abstract, all the literature I have read,
24 pro and con, emphasize appropriate siting for
25 these projects. They are considered an

Page 64

1
2 under consideration for use here is good for
3 low wind areas. And the DGEIS mentions our
4 lower wind speed environment on page 2-7.
5 Further, many studies demonstrate that many
6 turbines can only produce from ten to
7 thirty-five percent of their rated capacity.
8 One study in five hundred turbines in
9 Scotland arrived at twenty-two percent. So,
10 the claim in the DGEIS that Rolling Upland
11 will produce enough energy to fuel up to one
12 hundred and fifty seven thousand homes is not
13 accurate, since it assumes production at full
14 capacity. The American Wind Energy
15 Association, a pro wind agency, says that
16 wind now supplies just over one percent of
17 the electrical supply in the U.S. The goal
18 is to achieve just five percent by 2020. In
19 other words, the U.S. is not counting on a
20 significant contribution of wind energy to
21 its search for clean and renewable energy.
22 A study of wind production in various places
23 also finds that the amount of electricity
24 drawn from the grid in four of the turbines
25 is not accounted for in their output figures.



Page 65

1
2 Their draw is not even metered in some
3 places. Customers pay for that use in
4 higher payments. The Department of Energy
5 also says that the nature of wind means that
6 utilities are forced to either keep
7 conventional power plants running or
8 continually ramp up and down, resulting in
9 inefficiency and creating more emissions, and
10 yet Horizon claims in Chapter 4 that there
11 will need to be reliance on fossil fuel
12 generators without these turbines. It would
13 seem that the turbines already do this. The
14 assumption that this wind farm would
15 significantly contribute to the good of
16 Madison or the U.S. is highly questionable.
17 Furthermore, if these projects were
18 profitable, it is highly likely that they
19 would need the federal tax production credits
20 they get. These are two hundred times more
21 than the same tax credits given to oil or
22 gas, to energy produced. In Germany, 40 top
23 business leaders complained that mandates
24 would cost them eight hundred billion Euros
25 this year. That's over one trillion U.S.

Page 66

1
2 dollars. Please reconsider declaring a
3 moratorium in order that more research can be
4 done and that more studies can be completed
5 by independent engineers. Thank you very
6 much.
7 MR. CROVELLA: Jerome Brown.
8 JEROME R. BROWN: I'm the other
9 half. Okay. As Judy has already told you,
10 she and I chose to live in the Town of
11 Madison. It's a great place to live and we
12 like it. When we built our house we sited
13 it on the lot so that the rooms we use in
14 the morning face east so we could enjoy the
15 morning sun. We also put the deck on the
16 east side of the house so it would be in
17 the shade in the afternoon. Since we are to
18 the west of the project, our house is at the
19 corner of Newton, we will have shadow flicker
20 in the morning and noise all day. We will
21 no longer have the quality of life which
22 brought us here. Chapter 3 in the DGEIS
23 says because the nighttime hours are the most
24 critical in terms of potential noise impacts,
25 sound levels were measured between 10 p.m.

Page 67

1
2 and 7 a.m. No explanation is given for this
3 statement. Why was the sound level measured
4 only at this time of today? Since turbine
5 noise depends on wind speed and wind speed
6 is greater between Noon and 2 p.m. -- and
7 the document I'm going to give you has the
8 reference where I got that information from
9 -- why wasn't sound level measured then?
10 Basing the decision of acceptable level of
11 noise on the amount of ambient sound and the
12 absolute level of sound, which the DGEIS
13 does, ignores the psychological aspects of
14 sound. There are two psychological aspects
15 which need to be considered. And again, the
16 reference is in the document. The first is
17 the deciding what is noise is subjective.
18 Think of the person in the car next to you
19 with their speakers blasting really loud with
20 rap music. They don't think it's noise. I
21 don't know about you, but I do. Noise is
22 irritating because it's undesirable to the
23 person listening to it. The second factor
24 is that people respond to changes in sound
25 differently than they do to a constant sound.

Page 68

1
2 And wind turbines produce changes in sound as
3 the blades go around. Wind turbine noise is
4 not only a problem because of the amount of
5 sound, but because of people's reactions to
6 it. Why weren't psychological issues
7 considered in the DGEIS? Section 3.15 sets
8 a threshold of 30 hours annual exposure as
9 the point at which shadow flicker may be
10 perceived as an annoyance. The same point
11 about psychological impact that I made about
12 noise needs to be made here. I will find
13 experiencing shadow flicker while I eat
14 breakfast annoying once, let alone on sixty
15 days -- and that's assuming I spend thirty
16 minutes having breakfast every day. The
17 DGEIS says that shadow flicker is an
18 unavoidable impact, though it can be
19 minimized by following setback requirements.
20 Those requirements are thirteen hundred and
21 twelve feet. Yet, the DGEIS also says that
22 shadow flicker is essentially nonexistent
23 beyond six thousand five hundred and sixty
24 feet. Why not use that as the setback which
25 would eliminate the problem of shadow



Page 69

1 flicker?
 2
 3 Finally, thank you for taking the
 4 time to listen to all of us tonight.
 5 MR. CROVELLA: Jurgen Meierwin.
 6 JURGEN MEIERWIN: Thank you for
 7 pronouncing my name properly. Jurgen
 8 Meierwin, and living on East Lake Road since
 9 1974.
 10 A number of Madison town residents
 11 have found serious fault in a hastily and
 12 carelessly written report by the consulting
 13 firm for the industrial turbine project. If
 14 the report is accepted, it will cause a
 15 devaluation of home and land prices. More
 16 time is needed before the Planning Board, and
 17 subsequently the Town Board, make a final
 18 decision. A rushed decision would inevitably
 19 work against a short and long-term interest
 20 of the property owners. The Town Board's
 21 decision must first and foremost with the
 22 interest of the owners of houses and land.
 23 Without a doubt the Town would then face --
 24 I'm sorry -- would then face a cause for
 25 dealing with lawsuits of owners seeking

Page 71

1
 2 are far beyond those contiguous to the
 3 planned windmill sites. It includes every
 4 taxpayer in the Town of Madison. A strong
 5 warning for what might hit us are the many
 6 signs declaring "Madison Matters" on East
 7 Lake Road, for example, up to the beautiful
 8 hills and valleys on this side of Route 20.
 9 To illustrate my point, I refer to the
 10 publication of statistical data collected each
 11 month by modern economists who measure the
 12 perception of up or down trend about the
 13 economy. Only too often will one hear on
 14 the news that the stock market has reacted
 15 to a change of perception. This word
 16 perception has an impact on all markets. I
 17 doubt very much that an increase of new
 18 expensive buildings in the Town of Madison
 19 will occur if the windmills are built. And
 20 that doubt goes beyond the time when an
 21 upward trend of the economy at large
 22 hopefully changes the perception in a
 23 positive direction. Such a development won't
 24 necessarily lead to an improved real estate
 25 market in the Town of Madison. A decrease

Page 70

1
 2 compensation for their devalued properties.
 3 The serious faults just mentioned would
 4 supply legal representatives of taxpayers with
 5 ample arguments against the Town of Madison.
 6 It would be in the interest of all taxpayers
 7 for the Board to avoid strengthening this
 8 potential financial burden. Madison does
 9 indeed matter. The question is then whether
 10 the lure of money the builders of the
 11 windmills are offering will be strong enough
 12 to overpower the potential expense to the
 13 taxpayers. The magnitude of this windmill
 14 project exceeds by far the magnitude of all
 15 it decisions made by any Town Board in years
 16 past. If the Board's action is mainly
 17 determined by the immediate financial benefits
 18 the windmills will bring to the Town of
 19 Madison, such a rationale could easily become
 20 a very expensive income. The equation of
 21 income and expenses goes far beyond the
 22 concerns of residents who have houses and
 23 then next to the planned windmill sites will
 24 seek compensation for their losses. Part of
 25 this equation includes owners whose properties

Page 72

1
 2 of value of our property investments in the
 3 Town of Madison may very well cause
 4 stagnation or worse. The worse case scenario
 5 happens when a negative perception prevails
 6 and determines the real estate market value
 7 when there are fewer buyers or none at all.
 8 That is a moment when perception becomes
 9 reality. Industrial turbines will be there
 10 for years to come and the potential home
 11 buyer will look for another lake side,
 12 another beautiful area with brooks, hills and
 13 valleys. The undisturbed beauty of nature is
 14 a real asset for our Town of Madison and has
 15 at least up until now added substantial value
 16 in revenues, as we have witnessed, since
 17 1974.
 18 Conclusion: I am afraid that the
 19 gain of money from the builders of the
 20 windmills and the fallout it will have on
 21 perception about the beauty of the Town of
 22 Madison will change the equation of income
 23 and expenses of the Town budget in the near
 24 future and beyond. The sudden gain of money
 25 resulting from the go ahead for industrial



1
 2 turbines may turn out to mean an enormous
 3 loss of real estate taxes in the long run.
 4 Therefore, let us sit down together and think
 5 about the future of our town. We definitely
 6 need more time as a first step in the right
 7 direction. As in gambling, wishful thinking
 8 is our worst enemy.
 9 MR. CROVELLA: Gratton Johnson.
 10 GRATTON JOHNSON: My name is Gratton
 11 Johnson. I live on Spring Street in
 12 Hamilton and have for the last half dozen
 13 years.
 14 This whole controversy has made me
 15 very sad. I have been to earlier meetings
 16 and have tried to pay attention to people
 17 who have arguments against the windmill
 18 installation. Today I have tried twice to
 19 explain to other people, who are not involved
 20 in the controversy, what's going on and have
 21 found it very difficult to communicate deeply
 22 with them.
 23 My own prejudice is against the
 24 windmills, but I have tried to examine why I
 25 have felt this way and it seems to me the

1
 2 our arguments are convincing, they should
 3 work within the framework of the State
 4 commitment as well as on the local level.
 5 I'm disturbed by personal connections with
 6 people who have been approached by the
 7 company that's seeking leases in the town;
 8 that they have approached people who are in
 9 need of support and have taken advantage of
 10 that situation.
 11 One of the problems that has
 12 occurred, that has become apparent over and
 13 over again, is that the leases are private
 14 affairs and there are confidentiality clauses
 15 in them. The consequences of transgressing
 16 those clauses are grave for people after
 17 installation has started and I think it's
 18 important that people in the community know
 19 what's in those lease requirements so that
 20 they know what's being sold.
 21 One of the things that is apparent
 22 to me is that there are property rights of
 23 individuals that are being transferred, but
 24 there is some residue of rights that belong
 25 to the community and they are apparently

1
 2 details of technology are not the important
 3 issue.
 4 I don't know whether all of you have
 5 seen the New York Times Business Section from
 6 yesterday, or heard it on the radio reports,
 7 about an enormous Spanish energy company
 8 which is on the verge of bankruptcy because
 9 the Argentine government has repossessed a
 10 large part of their assets. Be that as it
 11 may, what seems to be happening worldwide is
 12 that there are investors who are seeking
 13 opportunities and finding them around the
 14 world.
 15 Madison, the Town's approach, having
 16 been approached by the windmill companies, is
 17 an example of this.
 18 There are two questions I would ask
 19 the people in front of me: One is what is
 20 the time line that's making this proceeding
 21 so urgent? It seems as though there is a
 22 concern that the State is going to take over
 23 decision-making in this process sometime in
 24 the summer, and I don't see that we should
 25 be worried about that. If that is true, and

1
 2 being transferred privately, and I think that
 3 that should not be allowed.
 4 I think, finally, that the Board
 5 should consider their own role and whether
 6 their expertise extends to being able to make
 7 adjudication in this matter. Thank you very
 8 much.
 9 MR. CROVELLA: Doug Waterman.
 10 DOUGLAS WATERMAN: Doug Waterman,
 11 Stone Road, Madison. I'm not sure I'm going
 12 to add anything that you haven't already
 13 heard. I've lived next to the windmills up
 14 on Stone Road for the 12 years and when they
 15 first went up I had some of the same
 16 concerns. What's it going to do to the
 17 scenery. What's the noise? What's the
 18 reflection? What is it going to do to
 19 wildlife? And I can honestly say I have not
 20 experienced any of that. We have plenty of
 21 wildlife. There is deer all over the place.
 22 Crop damage. We have plenty of turkeys. I
 23 know I'm gone a lot but I can, the only
 24 time I hear the windmills is in the summer
 25 if I'm sitting on the deck. You never hear



1
2 it on the inside. If that's the case, some
3 of our neighbors are saying that there is, I
4 better get my eyes and ears checked because
5 I'm not hearing it and I'm not seeing the
6 reflection of the strobe either.
7 I've got two young boys. I've asked
8 them do they hear it? They say once in a
9 while in the summer if we are outside, but
10 we never hear it on the inside. The
11 hummingbirds, we have hummingbird feeders all
12 summer long. They're around our house. We
13 have not decreased the bird population. I
14 will show you my bird seed bill every month.
15 I wish it would take some of them out. And
16 it's kind of interesting, the company I work
17 for does a lot of business in Wyoming County
18 and it's a deja vous all over again. I
19 work with a lot of farmers in that area, and
20 we are seeing today exactly what they went
21 through. It's a carbon copy. Where the
22 farmers, the landowners, the town boards, the
23 school districts, were looking at the
24 increase in revenue, land or house owners
25 were anti. Now, they've been, I think, five

1
2 because we don't think the company did the
3 right thing. That's what you guys are
4 elected for. We expect you to do that. We
5 can't sit here and say what are we going to
6 do, how are we going do this. Maybe it's
7 not perfect. The windmill has some issues.
8 But there is worse things. Have you ever
9 been down wind from a hog farm? Have you
10 been down wind from a two acre lagoon?
11 That's what a lot of these farms could end
12 up being.
13 MR. CROVELLA: Greg Whitle. Marge
14 Parry.
15 MARJORIE PARRY: Good evening. Mine
16 is five minutes long. If it's okay with
17 you, I can condense it or would you like me
18 to submit it without reading it? Which
19 would you prefer?
20 MR. CROVELLA: Is it your husband
21 who is right after you, David?
22 MARJORIE PARRY: Yes.
23 MR. CROVELLA: If he's okay with it,
24 do you want to use a minute of his time?
25 MARJORIE PARRY: Is it okay with

1
2 or six years I have been on those farms and
3 again you do not hear a lot of noise. A
4 little wooshing sound. From what I have
5 seen if you took a poll it hasn't changed.
6 You've got the people that see the economic
7 benefit and you've got the folks that are,
8 wanted the view are concerned, probably
9 didn't generate any income. Change is tough
10 and there is never going to be a change
11 where everything is one hundred percent
12 positive. Someone's going to be
13 dissatisfied. But we have to look at it
14 from a total picture. What is the overall
15 economic benefit from taxes, excavators,
16 construction companies, whatever, where we are
17 going to go and how we are going to do it.
18 Probably the most common sense today was the
19 gentleman that brought up comparing the four
20 hundred fifty foot to the three hundred.
21 Maybe we need to see that. Is there or is
22 there not a difference. That to me is
23 probably one of the more critical things.
24 And the other thing we have got to look at
25 is why -- let's not condemn a wind project

1
2 you, Dave, if I use a minute of your time?
3 Okay. All right. So anyway, here
4 it goes. My name is Marge Parry and my
5 home is in the Town of Madison on McCormick
6 Road.
7 The other night I awoke to bright
8 lights shining through my bedroom window. It
9 was so quiet outside that you could hear the
10 grass growing. This light was not red. It
11 was not flashing. The only shadow that I
12 saw was the cats by the clear light of the
13 luminous full moon. So bright that I could
14 see each tiny branch in the trees in the
15 woods that surround my home. If this
16 project is approved we and our neighbors on
17 McCormick Road will be encircled by seven,
18 four hundred ninety-two foot tall monster
19 turbines located within less than two
20 thousand five hundred feet from our homes.
21 Moon shine and silence will become dim
22 memories. But by what right can our town
23 officials permit a faceless corporation to
24 come into our community and destroy our
25 homes, our peace, our lives, for the promise



Page 81

1
 2 of a pittance of PILOT payments that the
 3 town may never see? We have a legal right
 4 to the quiet use and enjoyment of our
 5 property and our homes. Who will compensate
 6 us for that loss? The SEQRA process
 7 requires the developer to look at
 8 alternatives to their proposed project. It
 9 also requires them to mitigate the impact of
 10 its project. I quote from the Executive
 11 Summary of the DGEIS. With the
 12 administration of proper mitigation measures,
 13 operational impacts other than the project's
 14 visibility, for example, noise, bird
 15 collisions and shadow flicker, will be
 16 limited in minor. They are saying here that
 17 the visibility of thirty-six enormous machines
 18 and the light and noise that each turbine
 19 will generate cannot be mitigated. And they
 20 are unfortunately correct. This is why the
 21 developer's discussion of these issues in the
 22 DGEIS is so theoretical and skewed. They
 23 are deliberately downplaying these impacts.
 24 Anyone who has actually seen or lived among
 25 turbines of this size can tell you what it

Page 83

1
 2 nearest residence from the perimeter of the
 3 Madison wind farm concluded that the small
 4 net increases that would occur at the nearest
 5 houses with the addition of the new project
 6 would be largely imperceptible. For example,
 7 the exterior sound level would appear to be
 8 about the same whether the windmill project
 9 were constructed or not. This is ludicrous.
 10 It certainly won't be imperceptible to those
 11 of us, and we are many, who did not already
 12 have turbines within the one thousand two
 13 hundred feet of our homes. They dismissed
 14 low frequency noise all together. Many
 15 studies have analyzed the effects of wind
 16 turbine noise on health. The DGEIS makes no
 17 effort to draw upon this body of knowledge.
 18 The developer may disagree with the
 19 conclusions of some of these studies, but it
 20 is intellectually dishonest to dismiss all of
 21 them. With very little effort I found a
 22 document entitled "Wind Turbines In Proximity
 23 To Homes - The Impact Of Wind Turbine Noise
 24 On Health" and subtitled "A Review Of The
 25 Literature And Discussion Of The Issues",

Page 82

1
 2 is like. Who is to be believed? The
 3 developer who has an invested interest in
 4 misrepresenting the issues or regular people
 5 who have actually experienced the effects
 6 firsthand.
 7 The DGEIS contains a consultant's
 8 modeling analysis of noise. Even this
 9 analysis shows that there is a fairly large
 10 number of homes within the thirty-five DBA's
 11 sound contour. Meaning that the project will
 12 be clearly perceptible at these residences
 13 much of the time when it is operating under
 14 low to moderate wind conditions.
 15 Consequently, there is a potential for
 16 annoyance and sporadic complaints. It is
 17 curious how they can be so precise about
 18 decibels, et cetera, but not about the number
 19 of houses. They claim to have conducted a
 20 background level survey. Certainly not where
 21 I live. At night you can hear a pin drop.
 22 If a high wind comes up it wakes you up.
 23 They measured sound emissions at one high
 24 wind -- when one high wind comes up, oh
 25 well, it does, I read that, but anyway, the

Page 84

1
 2 published in January of 2012. No one paid
 3 for the conclusions reached in this document
 4 since it is one hundred and seventy pages
 5 long. It has been e-mailed to the Chairman
 6 of the Town Planning Board and I urge the
 7 Board to read it. Mitigation measures should
 8 be meaningful. If a problem as large as
 9 this cannot be mitigated, then the project
 10 does not belong anywhere near our homes.
 11 What alternatives does the developer offer,
 12 given the mitigation is not possible. The
 13 developer has two suggested alternatives to
 14 the project as proposed are no action and
 15 the maximum build-out alternative. They are
 16 actually saying and asking us to believe that
 17 an alternative to a project that will have
 18 unavoidable and substantial adverse
 19 environmental impact on our community is to
 20 build seventy five monster turbines instead
 21 of thirty six. Are they serious? More than
 22 double the size of the proposed project. I
 23 fear that by suggesting this they have
 24 already planned Phase 2. Where will the
 25 next thirty nine monsters be placed. I



Page 85

1
2 quote further. The no action alternative
3 assumes that the proposed project area would
4 continue to be used as vacant, undeveloped,
5 rural, non-farm, forest and agricultural
6 lands. This is a completely false and
7 deliberately misleading assumption. The
8 developer's map showing development is a
9 fabrication. Over one hundred and fifty
10 homes are located within three thousand feet
11 of a proposed turbine and they know this.
12 The project area is bounded by Lake Moraine
13 on one side and Nine Mile Swamp on the other
14 and they know this. Yet, the DGEIS ignores
15 these inconvenient facts by assuming them out
16 of existence. One might consider mitigation
17 an alternative such as installing smaller and
18 fewer turbines so as to meaningfully limit
19 their impact on populated areas. That is
20 too sensible to consider and, of course, less
21 profitable for the developer. The real
22 cost of this project will be borne by those
23 of us who actually live here. An industrial
24 project of this magnitude has no place in a
25 developed residential neighborhood. Based

Page 87

1
2 DAVID PARRY: Hello. My name is
3 David Parry, and everybody tells me I'm the
4 long-winded one. I've had my wife beat me
5 out tonight. She's going to hit on a lot
6 of things I hit. First time I come in this
7 area is 1977. I helped my brother move his
8 friend out here. '78 I moved my brother out
9 here. '95 I came here. We bought the
10 property up on McCormick Road. He owns up
11 there. I own up there. We built our
12 houses from scratch. Nobody helped us. We
13 did it all ourselves. We've got a pretty
14 little valley up there and I'm really afraid
15 I'm going to have a sixteen hundred, you
16 know, a four hundred and ninety two foot
17 windmill sixteen hundred -- you know, fifteen
18 hundred feet from my house. I've got twenty
19 four foot glass and when I went to
20 Hardscrabble the guy said yeah, the way they
21 tell you to get rid of the flicker is pull
22 your shades down. I don't have no shades.
23 I don't have no curtains on my window. In
24 the summer we leave all our windows wide
25 open and it's like living outside in the

Page 86

1
2 upon the documents provided, it is incumbent
3 upon the Planning Board to deny the
4 developer's application for a special permit
5 to construct this project as currently
6 configured. When and if the developer one,
7 can demonstrate that it actually has legal
8 control of the property necessary to
9 construct the project described in these
10 documents, or two, is prepared to discuss
11 viable alternatives and to submit actual site
12 specific analysis in a proper draft
13 environmental impact statement. Let them
14 reapply and submit to the SEQRA process
15 rather than make a mockery of it, for the
16 record.
17 UNKNOWN SPEAKER: Would it be
18 possible to have a 10 minute break so
19 everyone can stretch and use the bathroom?
20 MR. CROVELLA: Five minutes? Yeah,
21 it's 8:52. Let's be back here at nine to
22 pick back up. So, eight minutes.
23 (WHEREUPON a short recess was taken
24 at 8:52-9:05.)
25 MR. CROVELLA: David Parry.

Page 88

1
2 summer at our house. That's how many
3 windows I've got. At night we lay in our
4 bed and we can look out and see the stars.
5 I don't have to see blinkin' red lights and
6 that's God's country up there and it's
7 beautiful and this area has become a
8 beautiful place to my heart and I'm going to
9 stay here the rest of my life - if windmills
10 don't chase me out. I, for 20 years I went
11 all over working on industrial nuclear power
12 plants, put up smoke stacks. I've been
13 around these things. The reason I live in
14 Madison is to be away from them. If I want
15 to live in an industrial area, I could have
16 lived in the Albany area, Syracuse or
17 whatever. But I come here not to live by
18 power plants. I come here to live by farms.
19 When I built my house up there they wouldn't
20 even plow me until seven or eight o'clock at
21 night. Some days it would be two days.
22 Never called down and complained, "hey, you
23 didn't plow my road." We got a pothole, we
24 don't care. I like that pothole. It tells
25 me to slow the hell down. My only speed



1 bump, okay. I live here because it's a farm
 2 community. It's not industrial and we don't
 3 want it as industrial. Thank you very much.
 4 MR. CROVELLA: Andrew Hengst.
 5 ANDREW HENGST: My name is Andrew
 6 Hengst. Most people know me by the name of
 7 Jock. I live at 7226 Lakeview Drive in the
 8 beautiful Town of Madison. First of all,
 9 could I ask you how many more speakers,
 10 just for the benefit of everybody gathered,
 11 we have lined up, how many are left?
 12 MR. CROVELLA: Yeah, we had --
 13 before Dave we had 23.
 14 ANDREW HENGST: No, no, I mean how
 15 many are left after me.
 16 MR. CROVELLA: 23 left.
 17 ANDREW HENGST: 23 left. You all
 18 know how much longer you've got. You're
 19 going to stay the term.
 20 First of all, I'm just going to go
 21 off -- I just only have a very brief
 22 statement, but I served on a number of
 23 boards, Heritage Farm, Madison County Tourism,
 24 number of others, airport boards, and I know
 25

1 you gentlemen and ladies, everyone takes
 2 their responsibilities very seriously in
 3 regards to your responsibility to the people
 4 you represent. So, I'm sure that you're
 5 going to make sure that when you raise your
 6 hand yes or no that you know all the facts.
 7 And if I run the board and serving with you
 8 one of the things I would consider is a
 9 little more time, because there are an awful
 10 lot of facts out there and there is a lot
 11 of fiction and that's what you have to plow
 12 through.
 13 Now, I wish to ask the Board this
 14 question. Has anyone on either the Town
 15 Board or the Planning Board been approached
 16 directly or indirectly by a representative of
 17 the wind farm project expressing a desire to
 18 have the permit issued by a certain date, or
 19 within a certain time frame? And does a
 20 date certain serve the interests of the
 21 residents of the Town of Madison, or does it
 22 serve the interests of the wind farm project?
 23 Are we in a rush to judgment? And if so,
 24 and I believe we are, would not a moratorium
 25

1 at this time serve the interests of all?
 2 Thank you.
 3 MR. CROVELLA: Amy Perry. Amy
 4 Perry, 2688 Kettle Road. Ron Bono, 3513
 5 South Street.
 6 RONALD BONO: Good evening. I live
 7 on 3513 South Street in the Village of
 8 Madison and we have a large crowd here this
 9 evening. It would be nice if we had all
 10 this community spirit when we have our
 11 Community Day and our Madison Breakfast for
 12 the churches and our Madison parade. It
 13 would be nice to see a lot of these people.
 14 Town of Madison is very proud of our
 15 windmills. We have our windmills on our
 16 signs coming into our township. We have
 17 windmills on our logo. The two wind farms
 18 have served us very well. I went out to
 19 Hardscrabble wind farm in Herkimer County.
 20 I drove around, looked at the windmills,
 21 listened to them and spent probably two hours
 22 driving around there. After spending that
 23 much time I said, you know, all I see is
 24 windmills and it's too many windmills. I'm
 25

1 thinking that our generation should not
 2 change the Town of Madison as much as
 3 putting up another 35 windmills. I would
 4 wish to see -- I would like to see
 5 [applause] -- I would like to see the size
 6 of the, or the number of turbines reduced if
 7 we could have half as many turbines,
 8 something along those lines, I think it's
 9 something that the taxpayers would be getting
 10 some revenue. It is renewable energy, but
 11 we would not be changing the landscape and I
 12 think that, you know, Carl Stone mentioned it
 13 earlier, that is one valid concern, that
 14 people don't like the looks of windmills.
 15 If we do put up and have in excess of 40
 16 windmills it is something that will be there
 17 for a long time. Thank you.
 18 MR. CROVELLA: Bob Albrecht.
 19 ROBERT ALBRECHT: First of all I'd
 20 like to thank you for the opportunity to
 21 address you this evening.
 22 My name is Robert Albrecht. I'm a
 23 resident of the Town of Madison. On April
 24 18th, 1970, exactly 42 years ago today, I
 25



Page 93

1
2 married a girl from Bouckville, purchased a
3 home in the Town of Madison and moved in.
4 Today is our 42nd wedding anniversary.
5 [Applause] I have never regretted either
6 decision.
7 This evening I'm going to give you a
8 claimer. I'm sure that you all know what a
9 disclaimer is. It's when somebody announces
10 that they are not responsible for what's
11 being said. My comments are my own. They
12 have not been passed by a committee. I
13 accept full responsibility for what I say.
14 I'm going to give you a little history to
15 qualify myself to speak before you tonight.
16 As children in the mid 1940s my
17 brother Carl and myself used to hike Bonnie
18 Hill enjoying the beauty of this area. We
19 had a camp site in Scout Woods above Sheldon
20 Wilcox's orchard where the housing development
21 is now. Frequently we would travel through
22 that Thayer Road and fish for trout, brook
23 trout in the Hunts Creek, which crosses
24 Thayer Road towards McCormick Road. This was
25 a long trek for a seven year old kid. We

Page 94

1
2 were given a pocket watch and told to be
3 back at five o'clock. Our parents trusted
4 us. We never betrayed their trust. In our
5 travels we would often take respite under one
6 of the huge trees that were found in the
7 hedge rows on Bonnie Hill. My name for
8 these trees and for long-standing has been
9 witness trees. Many of them remain standing
10 along the great lot lines for more than 200
11 years. I call them witness trees because
12 they have been witness to the trials and
13 tribulations of many generations of hard
14 working Madison farmers. They have witnessed
15 the joys and the sorrows of families. They
16 stand tonight as a witness to these
17 proceedings. In the past weeks I have had
18 an opportunity to talk with my fellow town
19 people. Their concerns regarding this
20 project, it seems to me, can be centered in
21 one very important concept. This concept is
22 very simple, yet profound. This concept has
23 been woven into the fabric of this nation
24 since its inception more than two hundred
25 years ago. This concept has been codified

Page 95

1
2 into law, reviewed and upheld in every matter
3 of court from the Justice Court to our
4 nation's Supreme Court. This concept simply
5 stated is that an individual has a reasonable
6 expectation to the quiet enjoyment of their
7 home. Tonight when this hearing is over
8 with, all of you board members and all of
9 the people in this room will go to your
10 home, you'll enter the quietude and shut the
11 door behind you and you will be glad to be
12 there, I'm pretty sure. This project as
13 currently proposed would seriously infringe
14 upon the enjoyment of more than one hundred
15 and fifty homes in the proposed project site.
16 It is clear to me that the environmental
17 impact statement on file with the Town is
18 both incomplete and inaccurate. Almost
19 one-third of our Town is characterized as
20 wasteland. I find that personally an
21 affront. The residential density has been
22 understated by about fifty percent, and the
23 historical significance of this area is not
24 even mentioned.
25 I'm going to address that for a

Page 96

1
2 minute. Bonnie Hill -- I'll hurry -- Bonnie
3 Hill is the grave site of Abner Woods,
4 soldier of the Revolution, and his beloved
5 wife Phoebe. The cemetery on Carter Road
6 contains the mortal remains of early
7 settlers, some of them born in the sixteenth
8 century. The Thayer Loomis gang made their
9 home on the eastern flank of Bonnie Hill,
10 above the Nine Mile Swamp.
11 This evening I respectfully request
12 that this board enact a moratorium, take a
13 step back and avail yourselves of the
14 expertise which has been offered to review
15 our permit. Thank you.
16 MR. WILLIAMS: Gretchen Maine.
17 GRETCHEN MAINE: My name is Gretchen
18 Main. I am a dairy farmer and have land in
19 the proposed windmill project. I have read
20 about all the stuff going on with the
21 windmill project and have said nothing until
22 now. I want it understood that this is me
23 talking and has nothing to do with the
24 windmill people. Charlie and I have farmed
25 and taken care of our five hundred and



Page 97

1
2 thirty five acres for forty five years.
3 Charlie's father farmed the same land for
4 forty seven years more. So, between us we
5 have fed the nation for more than ninety two
6 years. Farming is a tough occupation in
7 life. Most of us never get rich, but we
8 love what we do. We have planted crops and
9 hate it into the night and then done chores
10 for half the night to get the job done. We
11 have chopped corn way into the night and
12 then done our chores. One year our light
13 bill actually went down because we were doing
14 so many of our chores after midnight in the
15 offbeat time. We have chopped corn all
16 night, and I do mean all night, until the
17 sun was coming up so we could get the corn
18 off the hill before a major rain storm and
19 we wouldn't be able to get the said corn
20 off.
21 In 1990 our cows contracted a
22 disease and we lost a third of our dairy.
23 We almost didn't come out of that one and
24 still feel the effects today. It seems like
25 there are more downs than ups, but the name

Page 99

1
2 from their house. On the other hand, it
3 irks me that you, you and you can, are
4 telling me that I can't have a windmill
5 because you don't like the looks of it. I
6 don't tell you that you can't plant a tree
7 on your lawn or put up a fence to keep the
8 neighbor's dog off your lawn because I don't
9 like the way it looks. It also irks me
10 that people who don't even live here can
11 come here and cause a ruckus. They need to
12 stay home and take care of their own back
13 yards. Could it be that the people who
14 don't have a place for a windmill have so
15 much to say because they don't stand to gain
16 any monetary gain for it? If I am correct,
17 and I might not be, but I think that I read
18 that the Town gets eighty thousand dollars
19 for the current windmills. So, the
20 additional windmills would provide much more
21 revenue. That's tax money that we don't
22 have to pay, folks. It sounds like a
23 no-brainer to me. Who knows, we might even
24 get Tinker Hollow Road fixed.
25 I want to commend the Board for

Page 98

1
2 of the game is survival. Now we have to
3 suffer huge drops in the price we receive
4 for our milk. Our price has dropped six
5 dollars a hundred sine September. At the
6 same time our inputs keep going up. Feed,
7 lights, fertilizer, seed, chemicals, insurance
8 and everything else keep going up. It now
9 costs us two hundred dollars every time we
10 fill up one of our four tractors. It seems
11 as if the government and the people who
12 aren't farmers could give a flying leap.
13 You just go to the store and buy your food.
14 It doesn't matter where it comes from, right?
15 People need to think about where their food
16 supply is coming from or it could take the
17 same path that fuel has. Whenever you get a
18 chance to give a farmer a break you need to
19 do so. One thing that can really help is a
20 windmill or two. Every year for months I
21 have to worry about where we are going to
22 get the closer to \$10 thousand to pay our
23 taxes. A windmill would take a lot of that
24 burden away and I do understand that people
25 might not want a windmill a thousand feet

Page 100

1
2 being farmer friendly and looking for ways to
3 keep the taxes in line. Windmills definitely
4 fall into that category. Thank you.
5 MR. CROVELLA: Eve Ann Shwartz.
6 EVE ANN SHWARTZ: Thank you. My
7 name is Eve Ann Shwartz. I'm here
8 representing the Town of Hamilton and I'm the
9 Supervisor from the Town of Hamilton. I'm
10 your neighbor. I know I have a lot of
11 friends that live in the Town of Hamilton,
12 but I'm here tonight representing my
13 residents.
14 The Hamilton Town Council believes
15 that the RUWF project, that's what I'll call
16 it, Rolling Upland Wind Farm project as
17 proposed would violate Town of Hamilton laws
18 that were adopted to protect our citizens
19 from the negative impacts of improperly
20 planned wind power projects. With the
21 currently proposed siting, Hamilton properties
22 bordering on the Madison town line may be
23 subject to the quality of life impingements
24 and health concerns such as seasonal flicker
25 effect and noise pollution. The Town of

25 (Pages 97 to 100)



Nationwide Depositions, Hearings and Trials • Conference Facilities
Videoconferencing • Legal Video Services • Exhibit Scanning
Transcript / Video Synchronization • 24-7 Online Repository
1.888.ACR.3335 • 1.800.862.4206 (FAX)
info@acrdepos.com • www.acrdepos.com • scheduling@acrdepos.com

Page 101

1
2 Hamilton zoning provides for wider buffer
3 zones to protect our residents from these
4 concerns than do either the Town of Madison's
5 current regulations or buffers provided by
6 the RUWF project. While we understand that
7 the Town of Madison laws will control the
8 development of land in Madison, we believe
9 that the siting of wind farms is a unique
10 type of land use because it impacts --
11 because its impacts extend beyond towns and
12 even county borders. Because wind turbines
13 can be seen for many miles and because the
14 noise they generate and the shadows they
15 create can extend for thousands of feet,
16 their impacts can extend beyond town
17 boundaries.

18 We respectfully request that you
19 honor the intent of our laws and modify the
20 siting of the proposed RUWF project.

21 Turbines located too close to the
22 Town of Hamilton properties. Under Town of
23 Hamilton zoning laws adopted to control the
24 development of commercial wind power
25 facilities, Section 6, blah-blah-blah-blah,

Page 102

1
2 quote, "no turbines shall be located within
3 eight rotor hub heights of the model of
4 turbine used of an existing residence". This
5 section of the law is intended to protect
6 residents from the negative impact of
7 seasonal flicker caused by the ever-shifting
8 shadows of the turbines. The rotor hubs to
9 be used in the RUWF project are three
10 hundred twenty eight feet long, resulting in
11 a required setback of two thousand six
12 hundred twenty four feet, which is
13 approximately one half mile. At least six
14 Hamilton residences are closer than one half
15 mile to the four turbines sited along the
16 southern boundary of the project area and the
17 northern boundary line of the Town of
18 Hamilton. Notice the boundary line is right
19 on the town line. Why is that? Interesting
20 question.

21 We respectfully request that these
22 four turbines be moved to comply with this
23 section of our zoning law. The proposed
24 RUWF project is sited within one mile of
25 ninety two properties in the Town of

Page 103

1
2 Hamilton. These properties cover eighteen
3 hundred and seven acres and have an assessed
4 value of eight million seven hundred sixteen
5 thousand four hundred dollars. According to
6 numerous studies, wind turbine projects have
7 a negative impact on nearby property values.
8 A recent study of more than 11 thousand
9 property transactions in Franklin, Clinton and
10 Lewis County found an average reduction in
11 value of seven to fifteen percent for
12 properties located within one mile of wind
13 turbine projects. Owners of these ninety two
14 properties will experience a collective loss
15 of value ranging from six hundred ten
16 thousand in change to a million three hundred
17 thousand four hundred sixty dollars. The
18 Town of Hamilton will likewise see its tax
19 base eroded by the same amounts resulting in
20 higher property tax rates and lower sales tax
21 revenues. It will have a real impact on us.
22 To lessen the impact of the project and
23 attempt to preserve property values we ask
24 that the Town of Hamilton observe larger
25 setbacks from the Town of Hamilton

Page 104

1
2 properties. The ramifications of the RUWF
3 project will also be felt throughout the Town
4 of Hamilton far beyond the one mile zone of
5 immediate impact. According to the view shed
6 analysis on page fifteen, close to one-third
7 of the five mile visual impact area for the
8 RUWF project is in the Town of Hamilton.
9 The study does not adequately show this
10 visual impact on the northern portion of the
11 Town of Hamilton properties. Also, clearly
12 highlighted on the view shed analysis maps
13 are areas where turbines will be visible, but
14 no photos were taken from Hubbardsville, East
15 Hamilton or Bonnie Hill Road. These are all
16 populated residential areas in the Town of
17 Hamilton and this aspect of study is not
18 complete. But even without a more complete
19 view shed analysis, studies have shown that
20 properties within five miles of the wind
21 turbine projects may experience a loss of two
22 to eight percent. While the Town of Madison
23 will be receiving PILOT payments for fifteen
24 years, Town of Hamilton residents will be
25 receiving -- will not be receiving any kind



Page 105

1
2 of compensation, even though they reside in
3 roughly one-third of the impact area. This
4 lowering of property values in the Town of
5 Hamilton will be a serious blow to our tax
6 base.
7 A little bit more and I will quit
8 and I will submit the rest of it. We
9 request that any PILOT payments going to the
10 Town of Madison be shared proportionately
11 with the Town of Hamilton to reflect that
12 portion of our town residents with impacted
13 view scapes. We request that the PILOT
14 payments be increased to seventy five hundred
15 dollars per megawatt hour produced and that
16 Madison County receive a share of these
17 payments which will further help to
18 compensate the Town of Hamilton taxpayers for
19 the loss of property value. And I'll just
20 briefly mention that we are going to need a
21 road use agreement because some of the
22 proposed project would come right through the
23 Town of Hamilton. So, if it's passing on
24 town roads we are going to need road use
25 agreements.

Page 106

1
2 And I also, just in general, I think
3 you really need to think about the long-term
4 impact of this project on the tourism economy
5 and the agra tourism economy. It's a big
6 issue in the Town of Hamilton. It's
7 something that's growing and something that's
8 strengthening. It's an even bigger issue for
9 you in the Town of Madison. Tourism,
10 Bouckville, the antique show, it's huge for
11 you guys, and I think this will have an
12 impact on that in the long run and I think
13 you really should be concerned about it. I
14 recommend that you -- really urge you to
15 seriously get more studies on this to see
16 both sides of this issue. Thank you very
17 much and I will submit something in writing.
18 Thank you.
19 MR. CROVELLA: Anna Nichols.
20 ANNA NICHOLS: Hi, my name is Anna
21 Nichols and I have lived in this area since
22 1962. I love it because it's quiet and
23 beautiful and I think every effort ought to
24 be made to preserve it. I am not against
25 wind energy. I'm against this particular

Page 107

1
2 project in this particular site. I think
3 the windmills that we have now are fine.
4 They're smaller; they're fewer. The benefits
5 of this windmill project do not outweigh the
6 negatives. In Chapter 7, Unavoidable Adverse
7 Environmental Impacts, of the DGEIS, it says:
8 "The RUWF will provide electric power with no
9 emissions of pollutants". We all know that
10 there are other kinds of pollutants beyond
11 air and water. There is also noise
12 pollution and light pollution, including
13 shadow flicker and flashing lights. It is
14 important to consider the effects of wind
15 turbine noise. Just because scientists are
16 in the early stages of studying it doesn't
17 mean that it doesn't have significant impact.
18 Also remember that the studies done so far
19 have been on fewer smaller and quieter wind
20 turbines. Points to consider are that
21 because the wind is variable and inconstant,
22 so the noise will be. And our sense of
23 hearing responds to change more than it does
24 to a constant level. It is wrong to argue
25 that because not everyone would suffer the

Page 108

1
2 effects of the noise that the people who do
3 are making it up. And it is something that
4 the people who are badly effected by it
5 cannot stop. They would have no choice but
6 to listen to it. Studies have found that
7 wind turbine noise was consistently judged to
8 be more annoying than road, rail or aviation
9 noise. What disturbs me very much is that
10 if this thing is passed the householders and
11 landowners who are bothered in whatever way
12 by the wind turbines are going to be unhappy
13 in their homes. Two of the most important
14 things in most people's lives are their
15 families and their homes. These wind
16 turbines can have a negative impact on both.
17 And if the situation is so unpleasant that
18 they want to leave and sell their houses,
19 who would want to buy them? Would you, if
20 you were looking to buy a house or land to
21 build one, want to do it in the middle of
22 dozens of loud towering windmills? I urge
23 the Planning Board to think long and hard
24 about passing this project. What benefits
25 there are, are not worth the costs. It is



Page 109

1
2 not something that can be undone. Thank
3 you.
4 MR. CROVELLA: Nancy McGuire.
5 NANCY MC GUIRE: Good evening. I
6 actually already handed my paper in to Roger.
7 But you know what, I'm not really going to
8 talk about what's on my paper because I've
9 heard a lot tonight and I basically have
10 only recently moved to Madison. I previously
11 lived across the river from Manhattan in a
12 very urban environment. One of the things
13 I've wanted to do all my life is to live in
14 the country and in a small close knit
15 community. So, bear with me because I'm
16 really just reading from notes that I have
17 scratched over the last few minutes.
18 I guess I'm one of those dreaded and
19 feared newcomers that everybody seems to
20 think wants to come in and change everything.
21 But actually, it's quite the opposite. I
22 want to come in here and fit in and be part
23 of a wonderful community like this and also
24 to help protect and preserve it. I have
25 been coming up here for four years on

Page 110

1
2 weekends and I have been supporting all the
3 local businesses in that time frame.
4 Subsequently, since moving here I've joined a
5 number of community oriented organizations
6 because one of my desires is to really
7 contribute to this close sense of community
8 that we have here. I have been to the-- on
9 the Hardscrabble bus tour and really related
10 to what Supervisor Bono said because the
11 sense of being surrounded, just totally
12 surrounded by the windmills -- and my whole
13 paper was about noise and about technical
14 shortcomings of the DGEIS -- but that's in
15 my paper -- but the really sad part for me
16 was to see division of community, and I'm
17 seeing that here and it's really -- sense of
18 community I think is the biggest asset that
19 we have here. So, I think that's something
20 that's to be cherished and to be protected
21 pretty much at all costs. So, I'm just
22 going to skip ahead to my hand scribble
23 notes here.
24 I know how big companies are. I
25 work for one. I worked for one before

Page 111

1
2 coming. A giant, one of the biggest
3 companies in the world bought the company I
4 worked for. They have one objective. It's
5 to make money. They don't care about their
6 employees. They don't care about our town.
7 They don't care about anything about, except
8 their shareholders and making money. I think
9 what we want for this town should be what we
10 want and what works for our community and
11 not what serves a big company. I know, and
12 I'm getting to hear a lot from the folks who
13 do farming, which is part of our heritage
14 here, and we certainly want to protect our
15 heritage. But while also supporting people
16 who have moved here, for one of the things
17 I've enjoyed the most is the sense of quiet.
18 It's an amazing natural resource and it's
19 wonderful to be able to enjoy that. The big
20 company involved, of course, drives a wedge
21 and does the dividing conquer and creates bad
22 feelings between neighbors. Let's see what
23 else I have. I know it's hard as a
24 Planning Board and Town Boards to come up
25 with the finances to keep our towns healthy

Page 112

1
2 and to do the things that we need to do,
3 but it's really harder to maintain our sense
4 of community.
5 One of the sayings that I have is
6 that there is always a third alternative.
7 It's usually harder to find and you have to
8 look for it, but I think that maybe we
9 should work together to try to find the
10 third alternative that works for our town and
11 does not divide it and that works for
12 everybody. Thank you.
13 MR. CROVELLA: Paul Bookbinder.
14 PAUL BOOKBINDER: Paul Bookbinder,
15 West Hill Road, Madison. I came here to
16 read a statement by Barbara and David Holmes,
17 who couldn't be here tonight. Before I do I
18 need to speak off the cuff just momentarily.
19 I think most of the early speakers
20 who extolled wonderful virtues of the Stone
21 Road windmills must not have seen the second
22 generation windmills and the third generation
23 windmills that are being proposed. They are
24 as similar to the ones we have here now as
25 the Wright Brothers' plane is to the space



1
 2 shuttle. They both have wings and they both
 3 fly, but other than that, they are different
 4 beasts and that's my experience of being this
 5 far away from both of the different types of
 6 windmills.
 7 Now I'll go on to what Barbara and
 8 David had to say. We moved here ten years
 9 ago after having spent our adult lives
 10 watching the state of New Jersey be laid to
 11 waste by commerce, industry, traffic and
 12 development, and experience in the hopeless
 13 feeling of having no control over what was
 14 occurring. We are self-employed and could
 15 have lived anywhere. We chose here for no
 16 other reason than the beautiful rural
 17 countryside and the friendliness of small
 18 town life. We have never regretted our
 19 decision. We both agree that being here has
 20 restored a large measure of peacefulness to
 21 our lives. It is distressing to find both
 22 the beauty and friendliness under threat,
 23 sine such an issue such as this inevitably
 24 divides a community. We took a trip to
 25 Fairfield to make sure we understood the

1
 2 issue properly. We saw and heard the wind
 3 turbines and spoke to someone whose life had
 4 been very negatively impacted because his
 5 house is now surrounded by them. The noise
 6 and flicker and TV interference makes this
 7 man and his family's lives close to
 8 intolerable as it does for many of the
 9 people in this neighborhood. And yet, they
 10 have little hope of selling their homes and
 11 moving, since who would buy such a house.
 12 Most likely no one. And certainly not for
 13 the price it was worth before the turbines
 14 came. To us the placement of the Fairfield
 15 turbines shows a total disrespect for the
 16 needs and rights of citizens of the area who
 17 had this foisted upon them, just as we may
 18 be about to have a similar project foisted
 19 upon us. This is in italics and bold: We
 20 live here now already. Our homes are in
 21 place. They were not built with the
 22 understanding that five hundred foot towers
 23 might be built within one thousand feet of
 24 them. The potential impacts listed in the
 25 project's own summary include wetland filling,

1
 2 permanent stream crossings, loss or alteration
 3 of habitat, possible telecommunications
 4 interference, visual impact on sensitive sites
 5 and changes in community character and land
 6 use trends. That's from the project's own
 7 summary. What benefit to the community could
 8 possibly make it worth these losses? We
 9 don't understand why this has even moved
 10 forward as a possible project appropriate for
 11 our lovely rural town. Recently signs
 12 appeared long Route 20 designating it as a
 13 scenic highway. Clearly people here value
 14 the beauty of the land. The size of these
 15 turbines is overwhelming. The fact that we
 16 currently have smaller, more livable ones
 17 around us is surely muddying the issue, since
 18 the people who have signed leases and the
 19 ones who love the windmills are inevitably
 20 picturing those. They are pinwheels compared
 21 to the ones coming here. The ones we are
 22 getting are to our understanding larger than
 23 any currently placed anywhere in the United
 24 States. So, of course, no one can imagine
 25 them. They are three times the height of

1
 2 the Statue of Liberty. It seems vastly
 3 unfair that this is not an issue that cannot
 4 be voted on by a community. That such a
 5 hugely impacting decision effecting an entire
 6 region can be made by a handful of people.
 7 We hope that you will take the concerns of
 8 the population fully into consideration before
 9 you make your decision, since you are our
 10 representatives. Our hope is that you will
 11 act in the best interest of all of us, not
 12 just a few who stand to gain financially.
 13 If these machines are allowed to be built we
 14 can never go back, never recapture what we
 15 have lost.
 16 MR. CROVELLA: Lynne Derhammer.
 17 LYNNE DERHAMMER: Hi, I'm Lynne
 18 Derhammer. I live on Spillway Road, Town of
 19 Madison. Many of my comments are -- have
 20 all been said before tonight.
 21 Why is this wind farm project
 22 different from the existing wind farms in
 23 this area? This project proposes to place
 24 thirty six, four hundred and ninety two feet
 25 GE wind turbines with minimal setbacks in an



Page 117

1
2 area that is home to wildlife and hundreds
3 of residents. According to the company
4 representatives at the Planning Board meeting
5 on February 16th the GE turbines are not yet
6 in use. No one has lived with these
7 turbines. In the years since the existing
8 wind farms were completed, wind turbines have
9 become larger, wind energy companies have
10 become huge for-profit businesses and research
11 studies have begun to show the dark side of
12 what everyone hoped would truly be green
13 energy.
14 I had also wanted to talk briefly
15 about bats, but Mr. Withers did quite a bit.
16 I'm going to skip one whole paragraph and
17 mention one aspect about bats that has not
18 been mentioned. Two words do not appear in
19 the DGEIS section on bats: Agriculture and
20 insects. A science magazine article from
21 April 2011 has the title "Economic Importance
22 Of Bats In Agriculture". I'll quote a few
23 comments from this article. "White nose
24 syndrome and the increased development of
25 wind power facilities are threatening

Page 118

1
2 populations of insectivorous bats in North
3 America. Bats are voracious predators of
4 nocturnal insects, including many crop and
5 forest pests. Insectivorous bats suppress
6 populations of nocturnal insects but bats in
7 North America are under severe pressure from
8 two major new threats. White nose syndrome
9 is an emerging infectious disease affecting
10 populations of hibernating cave-dwelling bats
11 throughout eastern North America. At the
12 same time bats of several migratory
13 tree-dwelling species are being killed at
14 unprecedented numbers at wind turbines across
15 the continent. Bats are among the most
16 overlooked, yet economically important
17 non-domesticated animals in North America and
18 their conservation is important for the
19 integrity of ecosystems and in the best
20 interest of both national and international
21 economies". We need to think about this
22 now. Every individual in this community,
23 every member of the town and Planning Boards
24 has a responsibility to consider all of the
25 issues involved in this project, all of the

Page 119

1
2 issues that have been raised tonight,
3 including consideration of unexpected and
4 irreversible consequences. Thank you.
5 MR. CROVELLA: Peter McDonald.
6 PETER MC DONALD: My name is Peter
7 McDonald. I live with a bat lover. I
8 prefer my cats. I have four cats. I won't
9 talk too much about what I had intended to
10 talk about because it's been covered more
11 eloquently than I have written here. It was
12 about the quality of life issues. Though we
13 all agree that -- well, most of us agree
14 that wind power is a clean form of energy
15 scientifically, there are -- there is damage
16 that can occur to the quality of life from
17 those who are impacted by the structures.
18 I'll skip through all of that, but I do want
19 to point out a passage in the DGEIS in
20 Chapter 3 on page 3-31 regarding the
21 mitigation of the quality of life issue that
22 I was focusing on, the views of the rural
23 community, the rural environment we live in.
24 On that page it makes the statement about
25 the mitigation possibilities of vegetation.

Page 120

1
2 "Vegetation can reduce the visual effects of
3 these turbines". That seemed ludicrous to
4 me. Personally I doubt there are many trees
5 in the hills of Madison tall enough to hide
6 one of these new generation wind turbines.
7 I'd like -- but I would like to point out a
8 couple of more reasonable mitigation measures
9 that could be taken to begin to address
10 these quality of life concerns. One,
11 lengthening the setback distances from
12 residential buildings. Two, allowing much
13 more smaller turbines in this populated area
14 of Madison. Three, reduce the number of
15 turbines and place them in areas in ways
16 that would minimize the adverse effects of
17 the residents in that community.
18 Finally, I'd like to change my
19 approach to this a little bit and finish
20 with this: That just because the Town of
21 Madison doesn't have any zoning regulations
22 in place to regulate commercial structures on
23 inhabited land does not mean that the Town
24 should blindly allow the construction of 492
25 foot structures, when if we did have such

30 (Pages 117 to 120)



Nationwide Depositions, Hearings and Trials • Conference Facilities
Videoconferencing • Legal Video Services • Exhibit Scanning
Transcript / Video Synchronization • 24-7 Online Repository
1.888.ACR.3335 • 1.800.862.4206 (FAX)
info@acrdepos.com • www.acrdepos.com • scheduling@acrdepos.com

1 zoning regulations on the books such
 2 structures would very possibly have been
 3 prohibited entirely. Thank you.
 4 MR. CROVELLA: Eric Gorton.
 5 ERIC GORTON: Good evening. I'm
 6 Eric Gorton. I live on 3946 Stone Road in
 7 Madison and I'm aware of the windmills up
 8 there as the first five to appear in New
 9 York state and it's entirely different from
 10 any project in the state because it's set
 11 back away from everyone. The only ones that
 12 live around them are the Stones. They're
 13 not close to anybody's house. It's entirely
 14 different. People have to take that into
 15 consideration. I don't think any one of you
 16 folks would want one of these in your back
 17 yard. A lot of these folks here tonight, I
 18 never knew them until this whole thing come
 19 to light, and I just figured that sometimes
 20 we get things pushed on us that we don't
 21 need to have, and I don't think anybody
 22 needs one of these in their back yard. I
 23 guess that's all I've got to say.
 24 MR. CROVELLA: Bill Langbein.
 25

1 that only the landowners are going to reap
 2 the benefit. Everyone in the District will
 3 reap the benefit. School taxes raise -- to
 4 raise school taxes \$25,000 raises your tax
 5 rate one percent. So, for every \$25, \$30
 6 thousand that we receive on a PILOT payment
 7 every year, that keeps your taxes one percent
 8 lower. If we get a hundred thousand it's
 9 three percent that we don't have to pass on.
 10 And this is each and every year and it's
 11 very similar to the Town. They have the
 12 same situation. This money will avoid
 13 raising taxes. In the past six years on the
 14 original project we put the money into a
 15 windmill reserve fund. We have used that to
 16 buy things that we normally would not be
 17 able to afford, or didn't want to raise
 18 taxes for. I'll just list a few examples.
 19 We purchased playground equipment for the
 20 lower three grades. Musical instruments.
 21 Trophy cases and book cases for the library
 22 and foyer in the school. Bleachers for out
 23 back in the ball field. Bleachers for in
 24 here when we have performances in the Music
 25

1 WILLIAM C. LANGBEIN, SR.: Like
 2 everyone ahead of me, I'm Bill Langbein. I
 3 live on 3612 South Street in Madison,
 4 formerly up on Bird and Jefferies Road in
 5 the Town of Madison, on a farm which has
 6 since been sold and split up and by other
 7 property owners around it and all of them
 8 have windmills on there. I'm not going to
 9 go by what I had written because it's all
 10 been covered, so I'm going to just jump from
 11 a few items.
 12 I have lived in the District since
 13 the 1960s. I started serving on the Madison
 14 School Board in the 1970s. I've been the
 15 Village Mayor, Village Trustee and a board
 16 member. Ran a business for over 20 years in
 17 the Village of Solesville. The windmills are
 18 here. They are green energy. The State of
 19 New York is pushing them. Whether it's
 20 right or wrong for us I'm not going to argue
 21 that point. That's up to you people. And
 22 from there, the PILOT payment both the school
 23 and the town will receive will offset taxes
 24 in the future. The people have said here
 25

1 Department, and many other things. Mats for
 2 the wrestling in the fitness room. Sewing
 3 machines for the Home Ec class. And this is
 4 all purchased with windmill money and we do
 5 this every year. Anything is possible.
 6 These are tough times. People say, and I
 7 have heard this rumor that's been brought to
 8 us, that if the PILOT program goes through
 9 and the State keeps track of the money we
 10 get they might reduce our state aid. Well,
 11 that's a rumor is all it is. Granted, they
 12 keep track of what we get just like they do
 13 everything else. The State could eliminate
 14 Medicare, Medicaid, free or reduced lunches.
 15 They could do any of that any time they
 16 want. It's tough times. Many school
 17 districts have cut kindergarten class to half
 18 day and they still had layoffs. They had to
 19 have increased class sizes. We have done
 20 none of that. We have been able to hold
 21 the line. We need to look for new sources
 22 of revenue. With dwindling state and federal
 23 aid, if we don't take action because of what
 24 the State may or may not do, then I think
 25



Page 125

1
2 we would be fiscally irresponsible to let
3 something like this go by. This money would
4 be a guarantee for the next 15 years. There
5 are clauses I understand, and I have been
6 involved and I have read all the documents,
7 that some people have brought up, what
8 happens if they decide not to use them or
9 they go out of style. Then we have a
10 derelict sitting there. No, they will be
11 dismantled and taken away. It's in the
12 contracts. That's what I have been told.
13 We need to act, not react. And the State
14 could take any action at any time. Federal
15 government could. We have no control of
16 that and we can't wait for that to happen.
17 We, as a Board of Education, are looking
18 into avenues of tightening the belt, whether
19 it be shared busing with other school
20 districts, shared maintenance, shared
21 purchasing, sharing with teachers through
22 video conferences, half day sessions, in one
23 school and another school using a teacher,
24 moving it from one to another. We also are
25 presently looking into shared services,

Page 126

1
2 consolidations, merger studies to see if
3 there is anything we can do more
4 economically. People have alluded to our
5 community and our school. We want to keep
6 our school. We want to keep our identity,
7 but somebody has to pay the bills and we
8 cannot keep passing the tax bills on to the
9 general public. Better than 60% of the
10 public in this District are retired farmers
11 on fixed income. I'm on fixed income. Up
12 until this year we on fixed income didn't
13 get a Social Security increase for three
14 years, you know, so we all feel it. Compare
15 this to about five years ago when Madison
16 Marketplace was proposed. In this
17 auditorium, packed, I mean standing room
18 only, people against it deathly. One
19 gentleman claimed he worked for the EPA or
20 the DEC. I'll never forget this. Said what
21 happens if an employee, teenager, loading a
22 bag of lawn fertilizer in the parking lot
23 goes in the storm drain, will contaminate all
24 the water supply in the Town of Hamilton
25 and Madison. I approached him after the

Page 127

1
2 meeting and I said -- I'm almost there -- I
3 said to him, how much fertilizer do you
4 think the average farmer puts on the ground,
5 the fields adjoining Madison Marketplace?
6 Average corn, 500 pounds to the acre. Motor
7 Farm plants cabbage all around the area,
8 1,500 pounds to the acre. Been there for
9 five years now. The farms have been there
10 longer than that. Has any water supply been
11 contaminated? No. I feel that no one has
12 the right to dictate what another person can
13 do with their property, as long as it is
14 done within written laws, and I emphasize
15 that. As long as it's done within the law
16 and the regulations that are there. I
17 encourage the Town Board to go ahead with
18 this project. Do it in any and all legal
19 way possible and help bring more income to
20 the District, to the Town and the school.
21 Thank you.
22 MR. CROVELLA: Ivan Gallon? Ivan
23 Gallon from Middle Road? Lorna Wilson.
24 LORNA WILSON: Hello Roger, Paul and
25 the Planning Board. My name is Lorna

Page 128

1
2 Wilson. As you know, I have lived and
3 raised my family in the Town of Madison for
4 the past 23 years. My husband and I own
5 Hamilton Village Real Estate as a licensed
6 broker for the past 21 years. I am very
7 familiar with the real estate values in our
8 area. I speak in regards to the DGEIS,
9 specifically addressing Appendix X, which is
10 24, I think. The Impact Of Wind Power
11 Projects On Residential Property Values. I
12 have the following comments.
13 First, the report is not objective.
14 It is funded and written by the Department
15 of Energy. Our government is funding 70% to
16 80% of this windmill project.
17 Secondly, the report is outdated.
18 The report is published in December 2009.
19 According to the Department of Housing and
20 Urban Development, and the appraisal expires
21 within 120 to 150 days of the report. The
22 data in this report is now more than two
23 years old.
24 Third, the report does not provide
25 adequate home sales data for the area of



Page 129

1
2 greatest impact. Only 2% of the homes in
3 the study were within less than one mile of
4 the turbines. And this study does not even
5 account for the residences that remain for
6 sale or that homeowners have simply
7 abandoned, walked away from, as is the case
8 with several homes. The study even admits
9 that it is limited in this regard.
10 Fourth, the report contains confusing
11 turbine height data. After hours of sifting
12 through the report and researching other wind
13 turbine sites, I have been able to determine
14 that the proposed windmills will be 100 feet,
15 or 20% taller than the tallest of those
16 cited in the report. Clearly, the DGEIS is
17 not comparing apples to apples.
18 And fifth -- my legs are shaking --
19 so, I guess I haven't had my dinner yet --
20 the report is unreliable because it has
21 omitted data that was or is currently
22 available to them. And that's all in the
23 written statement. I'm not going to go
24 through that detail. It's too long. But,
25 in conclusion, I find no information in the

Page 131

1
2 study of the effects from the Town of
3 Fairfield's Hardscrabble Road project, which
4 is of similar size to this proposed project,
5 but should also take into account the fact
6 that this proposed project is considerably
7 more densely populated than the Town of
8 Fairfield project. Some of the studies that
9 I request are highest and best use analysis
10 of the entire project area, number of
11 residences in the Town of Madison, number of
12 residences in the project area, number of
13 residences outside the project area but
14 within one mile, the current total value of
15 real property in the Town of Madison, the
16 current value of real property within the
17 project area and the current value of real
18 property outside the project area, but within
19 one mile of the project area, and the total
20 project value of real property within the
21 project area after one year after the project
22 is complete, and the total projected value of
23 real property outside the project area but
24 within one mile of the project area one year
25 after project completion. Thank you.

Page 130

1
2 DGEIS report's The Impact Of Wind Power
3 Projects On Residential Property Values that
4 comes even close to simulating the proposed
5 industrial wind turbine project in terms of
6 turbine size, density of population or
7 individual and collective value of existing
8 residences within or near the project area.
9 Please don't make us be the guinea pigs.
10 The tensions between leased and non-leased
11 land alone has an impact on perceived
12 property values as home buyers and builders
13 generally prefer to locate in happy
14 residential and agricultural communities rather
15 than a contentious neighborhood or in
16 industrial power sites.
17 I respectfully request that the Town
18 of Madison Planning Board deny the special
19 permit until further and more pertinent
20 studies of the effects on real estate values
21 and other effects can be obtained. That
22 they hire an objective property value
23 consultant who has no conflict of interest
24 with the Department of Energy or any wind
25 energy company, to do a complete follow-up

Page 132

1
2 MR. CROVELLA: David Sahn.
3 DAVID SAHN: Good evening. I
4 appreciate the patience of the panel sitting
5 here listening to these comments. I can
6 also appreciate the rapt attention in
7 watching your eyes and your ears you care.
8 I'm a resident, David Sahn. I am a resident
9 of the Town of Madison, reside on Rockwell
10 Road and I will be directly impacted by this
11 project.
12 I'm going to be commenting on DGEIS
13 Section 3-83, Wind Farm Tax and Financial
14 Incentives. Let us first look at what the
15 developers told us and see if any concerns
16 are raised in our minds. A wind farm is a
17 taxable property, however, the history of
18 such projects is yes, revenue is more
19 typically secured through negotiated
20 arrangements, through the local IDA, not
21 through the Town, which can effectively abate
22 real property taxes. We don't know what we
23 are getting or what we are going to get from
24 the IDA and the project developer. The
25 actual form of the PILOT agreement with the



Page 133

1
2 Madison County Industrial Agency is a subject
3 of negotiation. Again, we are approving
4 something which hasn't even been negotiated.
5 Then the developer goes on with its teasers.
6 The project can generate as much as 60
7 megawatts of electric power. The number of
8 turbines can vary with estimated investment
9 as much as \$150 million. The multiplier can
10 be as high as 2.24 times the money
11 originally spent. There can be as many as
12 eight new permanent jobs. Of course, no
13 assurance the labor will not just come from
14 other projects within commuting distance.
15 Even the developer states the total amount of
16 the PILOT payment is difficult to project
17 because it is subject to negotiation. And
18 the rates vary from project to project.
19 So, we are hearing a lot of
20 conversation about the money we are going to
21 get. Give us the dollar. We don't know
22 what that is, okay. Also, not to mention
23 that the payments are likely, in these basic
24 agreements they are tied to output capacity,
25 okay, and efficiency of the project, over

Page 134

1
2 which the developer has control, not the
3 Town, not the community. Our income can go
4 up or down based upon their efficiency and
5 their decisions. Again, the projects could
6 produce as much as \$300,000 for an annual
7 payment. But how much will the developer
8 commit to. There is no mention of minimum
9 payments. Will there be a host community
10 agreement? I think we are familiar with
11 that. What will they do besides just giving
12 us this cash, where certain community needs
13 may be addressed. The document, the DGEIS,
14 says maybe. Okay, again that's all subject
15 to negotiation. We are going forward
16 approving something not knowing. Are there
17 any concerns yet? We are given no proposed
18 agreement. There is no commitment for the
19 developer to actually do anything. The
20 developer simply is asking for a permit, our
21 commitment to allow the developer or its
22 successor to proceed on financial terms to be
23 negotiated. No obligation to proceed or to
24 complete any project after it is started. I
25 have to wonder if the landowners who signed

Page 135

1
2 leases are so trusting. Sure, you can build
3 them on my land. I trust you to pay me a
4 fair price later. Whatever the IDA
5 negotiates with you, or do you think they
6 read their agreements and they know how much
7 cash they are going to be assured. Of
8 course, we don't know this. Why? Because
9 unlike the Town's agreement, these agreements
10 are secret. Not just from us, but they are
11 secret from each other, and you talk about
12 this idea of divide and conquer. They can't
13 even -- oh, skipping to my conclusions.
14 Okay. So, but it must be clear by
15 all now this is an economic model. It's run
16 by incentives and rapid depreciation. It's
17 not an energy model. It's been admitted
18 that the renewable energy output does not
19 justify the project. Again, you know, what
20 are we going to get out of this? Hopefully
21 we'll get some money. We're not offered a
22 new sewer plant, highway, park, nothing
23 tangible, okay. Just some money, and we
24 don't know how much that is. And yet we
25 are going to be approving something that can

Page 136

1
2 have tremendous impact on many, many citizens
3 who have made very large investments in their
4 home and in their community. Not just
5 monetary, but emotional commitments to their
6 community. We cannot be blinded by a
7 promise of easy money. This is our town
8 where we live, work and raise our children.
9 Anything of this magnitude which can so
10 seriously effect our town for decades, for
11 generations, needs to be carefully and
12 thoughtfully considered. All we hear is as
13 much as not at a minimum. We are selling
14 the future of the town. We need to know
15 what we're getting. The developer needs to
16 give us the financial terms so the Town can
17 do a valid cost benefit analysis before the
18 developer can expect to get permission to
19 proceed.
20 I want to thank you very much for
21 your careful consideration of my comments and
22 those of the others before and after me.
23 MR. CROVELLA: Suzanne Martin.
24 SUZANNE MARTIN: I think I'm the
25 last speaker, correct?

34 (Pages 133 to 136)



Nationwide Depositions, Hearings and Trials • Conference Facilities
Videoconferencing • Legal Video Services • Exhibit Scanning
Transcript / Video Synchronization • 24-7 Online Repository
1.888.ACR.3335 • 1.800.862.4206 (FAX)
info@acrdepos.com • www.acrdepos.com • scheduling@acrdepos.com

1
2 MR. CROVELLA: We have had one
3 addition.
4 SUZANNE MARTIN: Oh, one addition,
5 okay. Thank you. I am Susan Martin. I
6 have been a licensed professional in the real
7 estate business for 39 years; 30 of those
8 years in the Towns of Hamilton and Madison.
9 I live on Bonnie Hill Road in the Town of
10 Hamilton, across the street from my good
11 neighbors in the Town of Madison.
12 I have serious concerns and questions
13 about the DGEIS report conclusions that there
14 is little to no impact from wind farms on
15 residential property values. This DGEIS
16 report states that there are no, quote,
17 statistical significant differences in sale
18 prices between homes situated one to five
19 miles of a wind facility. Reminder for all
20 that one mile is 5,280 feet. Rolling Upland
21 Wind Farm is proposing placements of
22 windmills as close as 1,000 feet from the
23 residence. Therefore, this report does not
24 address home sales less than 5,280 feet from
25 a windmill. It states that there are an

1 insignificant number of homes under one mile
2 for calculation. Doesn't this say something
3 to us? We do need greater setbacks. It's
4 obvious that residents less than one mile
5 from a turbine are going to incur the
6 greatest impacts on all accounts. We,
7 therefore, need to request a more relevant
8 study, a study for the impact of wind farms
9 less than 5,280 feet from residential
10 properties. These turbines that are studied
11 in this report were also much smaller in
12 size, as has been stated tonight, than those
13 proposed by the Rolling Upland Wind Farm.
14 These nearly 500 foot industrial turbines
15 that are being proposed for our hills of
16 Madison are going to be visible from great
17 distances. The scenic vista for a home
18 buyer is a key factor in determining whether
19 one makes a purchase and thus, does have a
20 bearing on the home value. Once again, the
21 DGEIS report states there is no statistical
22 significant difference between the homes with
23 a wind turbine view and those without a wind
24 turbine view. I don't believe that, do you?
25

1 Remember, we are talking about industrial
2 wind turbines, nearly 500 feet tall,
3 decorating our landscape permanently. I have
4 been selling real estate for many years and
5 one of the prime reasons people select
6 country homes is for the view of our
7 beautiful hillsides. This report states in
8 summary that neither the view of the wind
9 facilities nor the distance of the home to
10 those facilities is found to have any
11 consistent measurable and statistically
12 significant effect on home sale prices. If
13 this is true, which I do not believe, then
14 the Rolling Upland Wind Farm should be
15 agreeable to property value guarantees.
16 There are some 150 homes within 3,000 feet
17 of the proposed turbines by Rolling Upland
18 Wind Farm. So, can we propose to them that
19 they appraise these homes prior to the
20 turbines to guarantee to the owners their
21 value plus a reasonable appreciation post
22 construction of turbines? If there is no
23 statistical significant difference before and
24 after construction of the turbines, as they
25

1 claim in this report, then Rolling Upland
2 Wind Farms should be willing to support
3 property value guarantees. I refer you to,
4 and in hereby attach I have some reports for
5 you and statistics, a certified review by an
6 appraiser, Michael McCane, who critiques the
7 DGEIS report as falling short of being truly
8 objective and not a reliable real estate
9 value study. His testimony contains examples
10 of property sales close to wind turbines.
11 The most important of these was an appendix
12 which compared 15 sales within two miles of
13 the project in Illinois with 38 sales beyond
14 two miles and showed a 25% lower price per
15 square foot for the closer properties. In
16 my role as a realtor I have already seen and
17 heard reluctance on the part of buyers to
18 consider homes within a few miles of these
19 proposed turbines. There is no question in
20 my mind that the current proposed wind farms
21 would have a significant impact on reducing
22 property values, especially for those within
23 one mile of the turbines. People often move
24 to this area for its beauty, for the
25



1
2 peaceful environment, and for the friendship
3 of good neighbors. I ask that there be a
4 more current, honest and impartial study of
5 the impact of these industrial size turbines
6 on home values, particularly within one mile
7 of the turbines. Please consider carefully a
8 project that could so negatively impact so
9 many people and the beautiful hills of
10 Madison for the rest of most of our lives.
11 Thank you.
12 MR. CROVELLA: Melody Bomgardner.
13 MELODY BOMGARDNER: Thank you for
14 your patience. I'm last, so I'll be brief.
15 My husband, Richard, and I moved to Hill
16 Road. We live at 5563 Hill Road. In the
17 spring of last year we were thrilled at the
18 opportunity to live in such a picturesque
19 community and we were immediately and warmly
20 welcomed by our new neighbors. We are
21 dismayed that a large industrial energy firm
22 has plans to significantly change the
23 character of our neighborhood. I'm going to
24 skip a lot of the information that's already
25 been very eloquently covered by my neighbors.

1
2 But it is clear that the impacts of this
3 project will effect the ability of future
4 generations to use the land, certainly well
5 beyond the time when Madison will have reaped
6 any benefit. Like our neighbors, we have
7 committed time and resources to taking care
8 of and improving the land here. Our
9 neighbors have had decades of a head start
10 on us and there is clearly no way that they
11 can recoup what would be taken from them
12 should this permit be issued.
13 Like our neighbors, our specific
14 concerns have to do with noise, light
15 pollution, vibration and related effects, and
16 how industrial development would change the
17 character of our neighborhood. The land here
18 is not underutilized or wasted space.
19 Residents walk, ride bikes, horseback ride
20 and hunt all around the ridge. Wildlife
21 abounds, from deer, hawks, woodpeckers and
22 all sorts of water creatures.
23 Early last spring we spotted in the
24 snow, along with coyote tracks, the
25 footprints of a mama bear and cub. We

1
2 understand that the lack of zoning makes a
3 lot of things possible though they may not
4 all be wanted. We would not, for example,
5 propose a factory scale pig farm here because
6 we value our neighbors and their right to
7 enjoy the land. We would like to see the
8 Town of Madison Planning Board and the Town
9 Board stand up for the rights of the many
10 residents in our area to use and enjoy their
11 property. The backers of Rolling Upland Wind
12 Farm have belittled your role as decision
13 makers, pushing the idea that it is
14 inevitable that the project will go forward.
15 Instead, it is clear to us that the Town
16 needs to take its time, get unbiased expert
17 advice and set requirements for industrial
18 installation that do not benefit the few at
19 the cost of the many. As new residents, we
20 have not yet had the chance to become
21 complacent about economic development of the
22 Town and County of Madison. We feel that
23 this proposal should be a wake up call to
24 revive attempts to steer development in a
25 direction that benefits all. This area is

1
2 rural with an economy based on agricultural.
3 If Madison wants to participate in the
4 renewable energy revolution it should be
5 based on agriculture. In January, USDA
6 secretary Tom Vilsack told members of the
7 American Farm Bureau, small communities may
8 not have the local capacity, organization or
9 resources to attract economic opportunity.
10 But, operating as part of a region, resources
11 can be maximized and leveraged. He goes on
12 to say the potential of a bio based economy
13 for rural America is unlimited. Imagine a
14 rural America with hundreds of bio
15 refineries, using waste from livestock or bio
16 mass from crop production, which we have
17 some, to create new feed stocks for chemical
18 or polymer production, helping further reduce
19 our reliance on fossil fuels imported from
20 somewhere else, while creating better paying
21 jobs for your children and grandchildren in
22 rural America. Did you know that last
23 August the Navy, along with the Departments
24 of Agriculture and Energy, announced plans to
25 invest up to \$510 million during the next



Page 145

1
2 three years in bio fuel partnerships. These
3 kinds of efforts are worth looking into.
4 Thank you.
5 MR. CROVELLA: Okay. Let me just
6 thank you all for the time you have taken to
7 come out this evening and share your
8 thoughts. Thank you for you who have
9 written comments and submitted them. Let me
10 just reiterate that we would appreciate if
11 you have any further comments you'd like us
12 to consider during, throughout the analysis
13 please send them along to the Town offices
14 so they get into the document that we
15 created for the compilation of all those
16 comments.
17 DOUGLAS ZAMELIS: I didn't sign up.
18 May I make some comments? And I will be
19 happy to keep them to four minutes.
20 MR. CROVELLA: Okay.
21 MR. ZAMELIS: Good evening. My name
22 is Doug Zamelis, Z-A-M-E-L-I-S, and I'm proud
23 and honored to be the attorney for Madison
24 Matters, and I commend you for holding this
25 hearing tonight. You have no doubt noted

Page 147

1
2 findings statement is not going to be written
3 by the Planning Board. It's not going to be
4 written by the Planning Board's consultant.
5 It's not going to be written by the Planning
6 Board's attorney. It's going to be written
7 by the applicant, and in that statement
8 they're going to try to get you to say to
9 these people there are certain things
10 constituted in mitigation. Someone mentioned
11 meaningful mitigation. One of the things
12 you're going to see is they're going to say
13 as mitigation they are only going to put as
14 many red lights on top as required by the
15 FAA, as if they stand to gain something by
16 putting more on them and paying more for the
17 electricity. They are also going to say as
18 mitigation that they are not going to
19 require, or they are not going to allow any
20 advertising on these wind turbines. We don't
21 see advertisements on wind turbines. That's
22 not meaningful mitigation. They are also
23 going to say that the turbines will be a
24 neutral color. Well, of course, they are.
25 They are all a neutral color. They don't

Page 146

1
2 how diverse the people that have spoken to
3 you tonight are. This was not a group of
4 yuppy, nimbi whiners. In fact, this was a
5 representative cross-section of your community:
6 Old people, young people, producers, business
7 men. The people that spoke in favor of the
8 project generally stand to profit in one way
9 or the other and, of course, they don't hear
10 woosh-woosh-woosh. They hear
11 ching-ching-ching.
12 492 feet tall. That number has been
13 banded about several times tonight. If
14 these towers are approved they would be the
15 tallest structures between Albany and
16 Cleveland. In fact, the Erastus Corning
17 tower in Albany, our State government's crown
18 jewel, of our State bureaucracy, is about 50
19 stories tall. These wind turbines from tip
20 to stem are about 50 stories tall, to put
21 those in perspective.
22 This is a secret hearing. In fact,
23 if you fast forward to the process at the
24 end you will be called on to make SEQRA
25 findings and with all due respect that SEQRA

Page 148

1
2 come in pink. They don't come in Zebra
3 stripes. They don't come in leopard spots.
4 That's not meaningful litigation. And if
5 this determination is ever subject to review
6 you'll have to demonstrate that you met the
7 hard look test. I would submit that if the
8 developer tries to sell you that that's
9 actual mitigation, that that doesn't pass the
10 straight face test. It's also been mentioned
11 tonight several times that a moratorium
12 should be considered. You are, of course,
13 the Planning Board. You can't adopt a
14 moratorium. But what you can do is you
15 could recommend to your Town Board that the
16 Town Board consider and adopt a moratorium,
17 and based on the comments of the supervisor
18 it does not sound like such a recommendation
19 would be badly received. So, to the extent
20 anyone tells you "oh, they've already
21 applied, we can't adopt a moratorium", I
22 would refer you not only to your excellent
23 counsel and your town attorney, but also the
24 New York State Department of State
25 publication on how to enact moratoria.



Page 149

1
2 They're done all the time and I encourage
3 you to consider recommending to your Town
4 Board, based on what you have heard tonight,
5 that they strongly consider a moratorium so
6 that this Town can make sure that it's
7 adequately protected in its own laws so that
8 you can properly review this project and
9 properly protect your citizens. Thank you
10 very much.
11 UNKNOWN SPEAKER: Two questions:
12 How long will it take FOR THE transcript to
13 be prepared and when it is prepared can you
14 POST IT on the Town's website?
15 COURT REPORTER: It will usually go
16 to the agency in 10 days.
17 MR. CROVELLA: The answer was that
18 the transcript would usually be completed in
19 ten days and that as far as getting it on
20 the website I don't see why not. I mean, I
21 don't know right now what that takes, but we
22 put other things on the website so we should
23 be able to get this on the website as well.
24 UNKNOWN SPEAKER: I think it would
25 be really interesting for people who couldn't

Page 151

1
2 CERTIFICATION
3
4 This is to certify that I am an
5 Official Senior Court Reporter of the State
6 of New York (retired); that I attended and
7 reported the foregoing proceedings; that the
8 foregoing is a true, accurate and correct
9 transcript of the proceedings had therein, to
10 the best of my knowledge and ability. The
11 indication of double dashes [--] within this
12 transcript indicates an interruption in
13 speaking or incomplete thought, and under no
14 circumstances is an indication or an omission
15 of the spoken word from this transcript.
16
17
18
19 David T. Robinson
20
21 Dated: April 30, 2012
22
23
24
25

Page 150

1
2 be here tonight to have the benefit of the
3 transcript.
4 (WHEREUPON the proceedings were
5 concluded at 10:25 p.m.)
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

