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ORIGINAL

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TOWN OF ENFIELD

OF

PUBLIC HEARING ON BLACK OAK WIND FARMS DSEIS

ON

Tuesday, April 12, 2016

@

7:00 p.m.

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Baker Transcription Service  
321 Troy Road  
Ithaca, New York 14850  
Telephone: (607) 207-6332

1           **ANN RIDER:** I'm Ann Rider, I'm the Enfield Town  
2 Supervisor for those of you who are not familiar  
3 with my face. I want to thank you for coming to  
4 this public hearing today on the sound perfect.  
5 Okay. The purpose of this public hearing is for the  
6 Enfield town board to hear the public's opinion on  
7 the content of the supplemental draft environment  
8 impact statement regarding some minor changes that  
9 the Black Oak wind farms wanted to make to their  
10 project layout. Specifically, these changes are to  
11 potentially relocate two of the approve wind  
12 turbines to one of three purposed locations as well  
13 as to relocated a substation and a new permanent  
14 wind measurement powered (inaudible) turbine four and  
15 relocate approximately 8,400 linear feet (inaudible)  
16 collection line. But except as noted the project  
17 would otherwise remains consisting of seven wind  
18 turbines generating sixteen point one megawatts of  
19 electricity using the GE two point three dash one  
20 zero seven model wind turbines. The wind farm has  
21 an environmental engineering group called Haley  
22 Aldrich and they in junction with the town's  
23 environmental engineers Labella associates have  
24 presented the town board with a draft supplemental  
25 environmental impact statement regarding the

1 purposed changes and the board has accepted this  
2 document as substantially complete and ready for  
3 public comment and that was done on March 9<sup>th</sup>, 2016.  
4 The document that's available online at  
5 www.blackoakwindfarmny.com and a hard copy has been  
6 available in the Enfield town hall and at the  
7 Tompkins County public library. Under the SEQR  
8 process, which is a law that New York State enacted  
9 quite a number of years ago regarding large  
10 community projects. Part of the SEQR process is to  
11 and have an open public hearing for the purposes of  
12 hearing the interested (inaudible) as to the  
13 completeness of the draft of the supplemental  
14 environmental impact statement. This hearing  
15 commenced on March 12<sup>th</sup>, 2016 and has been extended  
16 to April 27<sup>th</sup>, 2016 and this additional follow up  
17 hearing is being held. I ask tonight that the  
18 following requirement be made here. Please all  
19 attenders sign in and speakers need to form an  
20 orderly line in front of the microphone. You need  
21 to clearly state your name, address and organization  
22 you represent if any. You're allowed three minutes  
23 to speak and I was told that Henry was an excellent  
24 time keeper (inaudible). So speakers are allowed to  
25 speak once for a maximum of three minutes. I urge

1 speakers not to repeat previous subjects that have  
2 been addressed. The number of statements on the  
3 same subject that's not (inaudible) and I urge you to  
4 confine comments to the topics addressed in the  
5 draft of the environmental impact statement. Of  
6 course I can't control what you say, but what's  
7 relevant at a public hearing is the subject matter  
8 that's covered in the environmental impact  
9 statement. All the remarks are directed at the  
10 board as a body and not to any one member and I  
11 continue to urge if you observe commonly accepted  
12 rules of curtsy, decorum, dignity and good taste.  
13 Threats and bad language which could lead to your  
14 explosion from the hearing and certainly are not the  
15 way to enter into proper discourse. No (inaudible)  
16 speaker at the microphone and interested parties and  
17 representatives may address the board by (inaudible)  
18 communications until the deadline of the public  
19 comment period. So with that, I will ask for a  
20 single que here and give your name and address and  
21 Henry will keep time. I guess I should introduce  
22 the board.

23 **ALL:** Yes.

24 **ANN RIDER:** We have Michael Miles, who joined us  
25 this last October, I think, to fill out a previous

1 member's term. Henry Hansteen joined us at the  
2 first of the year. He's starting our four year  
3 council person term. Mike Carpenter was elected  
4 last fall to start a four year council person term  
5 and Virginia Bryant has been with us several years  
6 and may have to leave a little early because of  
7 family obligations. Alice Linton is our Town Clerk  
8 and Sue Thompson is our Deputy Town Clerk is very  
9 helpful in keeping the line going where you sign in.

10 **ALL:** I pledge allegiance to the flag of the  
11 United States of America and to the republic for  
12 which it stands one nation under God indivisible  
13 with liberty and justice for all.

14 **JOHN RANCICH:** Are we ready to start? I'm John  
15 Rancich. I live on Hines Road. I've lived here in  
16 Enfield for about four years. I am the originator  
17 of this project. I have seen all the environmental  
18 impact statements and I have fourteen years of work  
19 on this project. Black Oak wind farm people in  
20 their supplemental form have done a more than  
21 complete job. This is a project that has been in  
22 planning stages for a long time. We've had  
23 thousands of meetings on it. It is a good project  
24 for the community. It is a good project for the  
25 town of Enfield. It, it will generate income for

1 the town of Enfield. It will generate years and  
2 years of clean power for our community and I urge  
3 the board to accept the supplemental statement and  
4 get this project underway. Thank you.

5 **DAWN DRAKE:** Hi I'm Dawn Drake, I live on 105  
6 Griffin Road. I wanted to know tonight how this  
7 project being forced on us the residents (inaudible),  
8 but is it fair? We're the ones who could suffering  
9 from the known side effect at our homes with  
10 constant noise (inaudible) every day. How do you  
11 call, how do you all take this as right repaired  
12 besides a toll free number to call? What will  
13 happen if we cannot sleep or if the shadow flicker  
14 hits our window? Some say close the curtains it's a  
15 compassionate response and curtains won't help our  
16 animals outside having to deal with this, the dogs,  
17 cats, chickens, cows, horses, (inaudible) which has  
18 been feeding for many years. I want to know what  
19 the plan is (inaudible) besides a toll free number.  
20 What if I can't get used to the noise or the shadow  
21 flicker what options do we have. People seem to be  
22 worried about the investor's money what about us  
23 home owners? All of us have a life time invested in  
24 our homes. Most of us have more money invested in  
25 our properties than we have in this, than we have in

1 this project. Yet, yet where's the sympathy for us,  
2 the residences? This project may affect residences  
3 living farther away from Black Oak wind farms  
4 pushing Enfield residences against each other trying  
5 to get people to support them. Isn't that really  
6 sad? This project should not be about picking a  
7 side. It should have to do with what's the right  
8 thing is to do for neighbors, as I see all you  
9 investors here tonight supporting this project you  
10 were given an option, you've were given, given a  
11 choice. Where's our choice? I really don't think  
12 it's one information article over another (inaudible)  
13 everything (inaudible) Black Oak farm keeps talking  
14 about this community built project when in reality  
15 Onyx a large corporation in New York City will be  
16 purchasing this and making all the decisions. Why  
17 would they care if we sleep at night or the  
18 neighbors kid is getting a headache from the  
19 (inaudible). Why is this wind project being rushed  
20 through? Yes, we all have missed meetings in the  
21 past because we weren't for them, but we are here  
22 now and about to be heard. This is not right. It's  
23 the investors' money, but more importantly the  
24 safety of Enfield residents. How sad is this? I  
25 really think that the investors and the outsiders

1 looking in, what is going on here in this small town  
2 are completely uninformed. People have no clue what  
3 the level of stress and anxiety status and the  
4 worries we are following every day this project  
5 isn't even up yet. We are now looking to you the  
6 board of Enfield, who represents us, the residences,  
7 for some answers. We, the people, should not be  
8 forced to live so close to a four hundred eighty  
9 three foot turbine the rest of our lives. Can you  
10 guarantee there will be no side effects? Will the  
11 investors or the Town Board Members buy our house if  
12 there are? Some families lived there for  
13 generations on the family land. You are our  
14 representatives. Please have compassion to listen  
15 to us. We know some of you are listening and the  
16 board seems to be divides as the town. Ask yourself  
17 if this sounds right to you? Thank you.

18 **UNKNOWN:** (inaudible) Pennsylvania (inaudible).

19 **UNKNOWN:** This is manufactured lies (inaudible)

20 **ANN RIDER:** Hi, you are to direct your comments  
21 to the whole board.

22 **UNKNOWN:** Tell him that.

23 **UNKNOWN:** Next.

24 **JUDE LEMKE:** My name is Jude Lemke 215  
25 Connecticut Hill Road. I'm a member of the Wind

1 Farm Advisory Committee. I have study the impacts  
2 of wind farm in general and the impacts of this  
3 project in detail. Tonight I'm submitting that, or  
4 rather submitted to the board, my written comments  
5 on the SEIS as well as comments on how the town has  
6 processed this SEIS. There are copies available to  
7 the public for anyone who wants them out front. My  
8 primary concern is the towns haste in its expediting  
9 this process for Black Oak. This is thoroughly  
10 documented with emails between Labella and the Black  
11 Oak consultants and Black Oak personnel. Those  
12 emails make it clear that they did not want any of  
13 those documents made public. However, those, town  
14 consultants had these documents as early as January  
15 and there were comments being passed back and forth  
16 without making any of that public to the, making it  
17 available to the public, clearly in violation of  
18 FOIL as well as in violation of the SEQOR rules.  
19 This town has bent over backward to accommodate  
20 Black Oak to expedite it's review as those emails  
21 clearly make evident and despite telling the board  
22 at the March ninth meeting that the SEIS was ready  
23 and complete to be accepted, if you go through and  
24 look at all those emails as well as Labella's  
25 comments, it's clear that Labella did very detailed

1 comments, a large percentage of which were never  
2 answered in the SEIS that was accepted by the board  
3 as complete. I ask that the board rescind their  
4 action accepting that as a complete document and go  
5 back and answer all of Labella's comments and those  
6 that have been raised during these hearings. Thank  
7 you.

8           **GRETCHEN HERRMAN:** Hello I'm Gretchen Herrman,  
9 433 Bostwick Road, just into the town of Ithaca. I  
10 would like to add my voice in support of the Black  
11 Oak wind farm. We are fortunate to have such a  
12 caring community oriented company in our mitts. The  
13 wind farm already provides and will continue to  
14 provide enormous benefits to the town of Enfield,  
15 private property owners have leased their lands for  
16 turbines, reaping revenue for the last six year, a  
17 pilot agreement yields over a \$130,000 yearly for  
18 the next fifteen years to the town of Enfield,  
19 Tompkins County, as well as school districts. An  
20 agreement with the town of Enfield also provides  
21 \$45,000 as part of a community benefit to go towards  
22 renewed community building. Nearby landowners have  
23 also been offered \$500 per year roughly equivalent  
24 to the expected return on the \$9,000 investment in  
25 the company, which is probably (inaudible) as a small

1 investor and Black Oak will provide a fund for  
2 decommissioning the site rebuild the roads used for  
3 development of the farm and provides internet access  
4 to eight hundred households in the area. It will  
5 also create jobs. The plans for the wind farm have  
6 met or exceed all pertinent health, safety, and  
7 environment regulation and the company has  
8 demonstrate great consideration for the wishes of  
9 the impacted residents. Concerning the issue of  
10 noise, turbines have setbacks visuals, Black Oak  
11 wind farm has gone the extra mile to accompanied  
12 land owners wishes as much as possible. For  
13 example, the wind farm will purchase GE turbines at  
14 an additional cost that are extra quiet out of  
15 concern for neighbors. Overall, the larger  
16 community is anxious for electricity to be produced  
17 by the first New York State community wind farm and  
18 we all need this form of fossil free energy  
19 generation to come, come online. I urge your  
20 support and final approval of this document.

21 **UNKNOWN:** Next.

22 **DAVID RITCHIE:** Hi, I'm David Ritchie. I live in  
23 the city of Ithaca. I am a small landowner in  
24 Enfield. I am to, sorry I'm a leaser. I have  
25 leased a little space underneath some solar panels

1 at the Renovus site up on route (inaudible). I, I'm  
2 also an investor in Black Oak. I would like to  
3 contrast this project and the care and the  
4 development of EIS that Black Oak has now with the  
5 project that was attempted in Cortland where a  
6 multinational company came in and basically said oh  
7 this is a great wind site let's develop and despite  
8 protests from members of four town boards, none of  
9 them was going to reap any benefit from the wind  
10 farm despite lots of other protests from people  
11 around the area that were basically because no one  
12 in Cortland County or in any of those towns was  
13 going to benefit from this outside firm coming in as  
14 a multinational hedge fund corporation to develop a  
15 wind farm, which they were going to sell over the  
16 next four year after they had reaped the benefits  
17 that they need that their clients benefits that they  
18 needed. This project started with small investors  
19 like myself, I have six thousand dollars invested in  
20 this, I really want to see it go and it has offered  
21 people in Tompkins County the opportunity, and New  
22 York State, the opportunity to invest in this  
23 project it will be community supported it is, it has  
24 been community supported as one of the pervious  
25 speakers said many of the landowners and the people

1 who also are conceding land for the project have  
2 already benefited for six years on this and the  
3 future benefits for this town and for Tompkins  
4 County and the Ithaca city school district are, has  
5 already been laid out. I think when you contrast  
6 the, the methodology that the company that came in  
7 and tried to develop a wind farm in Cortland versus  
8 the (inaudible) the fact that these people are local,  
9 that has made a difference and I urge you to support  
10 the project.

11 **ROBERT TESORI:** Ladies and gentleman, thank you  
12 for hearing me. Robert Tesori, 57 Black Oak Road.  
13 I know we've been here many times. My biggest issue  
14 is the land infringement as far as turbine two is  
15 next to us, I mentioned turbine C, which is causing  
16 the same problem. I've spoke to neighbors. They're  
17 very, very distraught about it. It's pretty much  
18 the same, same problem that we have, but my issue  
19 tonight is the completeness of the supplemental and  
20 reading the language. I don't believe it addresses  
21 lease holders properly. It's stated that there will  
22 be seven turbines put up. The way that I'm reading  
23 this language, I'll just read it to you, following  
24 the approval of the approved project, the project  
25 sponsor has decided to explore alternative location

1 for two turbines and a substation location. While  
2 the project sponsor continues to assess its rights  
3 under the existing contracts with the land owners  
4 and potentially develop the approved project and  
5 assessment of potential alternatives have become  
6 necessary and as they resolve the project sponsor  
7 has prepare the SEIS for a modified project. The  
8 previous approvals remain valid to the extent that  
9 the project sponsor is able to proceed, but in the  
10 meantime the project sponsor is assessing potential  
11 significant diverse environmental impacts of these  
12 alternative locations for two turbines and  
13 substations. So, the way I'm reading it is whatever  
14 configuration is chosen it'll be seven. What I'm  
15 not reading in here is what happens to the remaining  
16 three that aren't chosen as far as the lease holder  
17 and the legality. Are they going to be discharged  
18 legally? Even if they say well I still want it,  
19 because if that's not the case and that language  
20 isn't put in there, what I'm getting is there's at  
21 least eight potential sites, up to ten if these  
22 lease holders aren't discharged. So, I'd like the  
23 board to address that question and find out are they  
24 going to be, are contracts going to be dropped or  
25 not once the final seven sites are chosen, because

1 the map says (inaudible) but the language that I'm  
2 reading, nothing is abandoned. It's proposed  
3 postponed. Thank you.

4 **WILLIAM CONNORS:** Good evening. Thank you for  
5 this opportunity to speak. My name is William  
6 Connors. I've been a resident of Enfield for over  
7 forty years, raised my family here and I'm one for  
8 technology in my career. I've done many energy  
9 efficient projects for the large manufacturing firm  
10 I work for with great success and through a lot of  
11 projects often we are finding that we are misled by  
12 the source of facts and sometimes facts that remain  
13 hidden or those that fail to speak. I spoke before,  
14 again my concern is why do we not have the support  
15 of the experts locally nearby? Further research in  
16 ten years (inaudible) Cornell had actively pursued  
17 putting wind mills on their Mount Pleasant  
18 properties and such and of course at first town  
19 board meetings this was received with a lot of  
20 hostility, same as we are experiencing here. There  
21 was no definite reason why Cornell just decided to  
22 pull back and abandon this. There was rumors to be  
23 the FAA, which is probably true and such that here's  
24 another golden opportunity and they remain silent.  
25 My premise is and what gets me very concerned is

1 they absolutely say nothing but to support the  
2 technology but to support this project and ten years  
3 ago they wanted a project badly, but they realized  
4 that doing a project like this is going to splint  
5 the neighboring community and with this in mind, the  
6 other thing that was quite disturbing is quote the  
7 change in the type of turbine the be the quote  
8 latest technology. Very few of these are in  
9 abundance out there. Right now a lot of the other  
10 wind farms are already being actively researched by  
11 other universities and such. So there's a lot of  
12 duplicate research being done, but there's no  
13 research done yet in quantity on the new state of  
14 the art equipment. So, again, we're going to have  
15 state of the art equipment, ultimately who will  
16 benefit from this? Who will truly benefit? The  
17 university, because this will give them the  
18 research. This will expand their facilities, expand  
19 their student population and it will be collateral  
20 damage to this community. So all I ask is the  
21 supporters, the investors and the opponents take a  
22 clear look at what the result is going to be if this  
23 project goes through and can you live with that,  
24 allowing it to happen. Thank you.

1           **ANN RIDER:** Are there other people who wish to  
2 speak?

3           **SARA HESS:** Hello. My name is a Sarah Hess. I  
4 live at 124 Westfield Drive on West Hill in Ithaca,  
5 about 15 minutes away. So, why am I here in  
6 Enfield? Clearly I don't live here and I'm not an  
7 investor either. I have friends in Enfield who, not  
8 surprisingly, are on all sides of this community  
9 debate and so a few months back I began attending  
10 many wind farm meetings, including most of the  
11 advisory board meetings. I've read dozen of  
12 articles in these past few months and studies. I've  
13 talked with more than forty Enfield residences  
14 myself personally. I've studied the maps and driven  
15 down the roads where the turbines will be put up.  
16 During these past two months, I've learned much more  
17 about wind farms in general than I knew before and  
18 much more about Black Oak in particular. I now know  
19 that I would not support every wind farm ever  
20 purposed, because not all locations are suitable and  
21 I honestly don't know how I would feel if a turbine  
22 was going to be put up a thousand feet from my home,  
23 but I have to tell you I've given it a lot of  
24 thought and I think I would try to live with it. I  
25 put a sound meter on my telephone, my smart phone,

1 to get a sense of the daytime and nighttime ambient  
2 noise inside and outside of my house. I learned  
3 that the same level of sound can feel either loud or  
4 soft, depending on the situation. For example,  
5 standing in my kitchen in front of my refrigerator  
6 when the motor is running, it's about forty five dba  
7 on this little, maybe not very accurate, but this  
8 little sound meter. It doesn't interfere with any  
9 conversation in my kitchen and I barely even notice  
10 when the motor goes on or off, but I know I would  
11 like to have the refrigerator next to my bed either.  
12 I like a quiet room for sleeping. My house is about  
13 half a block from route seventy nine. Standing on,  
14 outside my front door when the morning traffic is  
15 heavy, the meter reads about 55 to 60 DBA. I was  
16 surprised to see that number, but I don't know  
17 anything about sound and I was trying to learn ad  
18 again I'm used to the dull drum of the traffic noise  
19 so when I go outside I hear the birds, I don't  
20 really even hear the traffic unless I'm listening  
21 for it. I came to Enfield to listen, to learn and  
22 to be a participant in this discussion. In the  
23 process, I felt the intensity of the conflict. Like  
24 many of you, I've been unsettled by the feelings of  
25 anger, frustration and powerlessness on all sides.

1 I know no one feels good about this. So, I'll just  
2 close by saying I wish that solar power and cutting  
3 back on our energy use as individuals would be  
4 enough to stop climate disasters, but it's not even  
5 close. We need wind power to do this and I support  
6 the Black Oak wind, Black Oak wind farm.

7 **LES BLOMBERG:** Hello. My name is Les Blomberg  
8 and I'm the executive director of the Noise  
9 Pollution Clearinghouse in Montpelier, Vermont.  
10 I've got 20 years of experience in the field. As I  
11 testified two weeks ago, I'm now have a theme, the  
12 theme is that I wanted to highlight problems with  
13 the DSPIS that cannot be fixed in a final  
14 supplemental EIS, because they are fundamental to  
15 the review process. At the last hearing, I  
16 mentioned three of them. I'm going to add a fourth  
17 one today. The first one was the ridiculous  
18 criteria in the local noise regulation of sixty  
19 decibels over the ambient. This cannot be used as a  
20 criterion of significance. This was even recognize  
21 by the authors of the DEIS, DSEIS where they did not  
22 use it. Their solution is my problem number two,  
23 which is they fabricated a standard. The standard  
24 they fabricated was 60 DBA. This can't be used as a  
25 criterion of significance either, because it's not

1 the law. The third problem that I rose last week  
2 was the fact that we were not provided the  
3 supporting data for the DSEIS conclusions. Not  
4 providing the data is not to us to examine is not  
5 compatible with the EIS process, it's not compatible  
6 with good government, it's not compatible with open  
7 government. If the data that we requested is not  
8 capable of, of withstanding scrutiny than it should  
9 be removed from the draft supplement EIS. My new  
10 point, number four, today, problem number four,  
11 which also cannot be fixed in a final EIS that is  
12 because of the, the EIS is incomplete at this point,  
13 and which I am going to provide for you is a check  
14 list of the things that the draft environmental  
15 impact statement, supplemental environment impact  
16 statement should have covered with respect to noise  
17 and could have covered. If you read that document  
18 and if you read appendix H that goes with it, you  
19 will not find, you will find mention of only one  
20 environmental noise impact. That is a brief mention  
21 which I have identified with a small little green  
22 check with these otherwise large red checked page,  
23 and that is to with annoyance at a 3163 hertz  
24 frequency range. Other than that, there is really  
25 not noise assessment in the DSEIS. The whole point

1 of the EIS process is to identify environmental  
2 impacts early in the process so that mitigation  
3 measures can be taken. Those, to, to try to address  
4 those in the final I'm doing it right now where  
5 there's an end run to the EIS process.

6 **UNKNOWN:** Thank you. Can you pass those out to  
7 everybody?

8 **UNKNOWN:** Thank you.

9 **ERIC GASTEIGER:** Eric Gasteiger, 37 Connecticut  
10 Hill road. I spoke last time (inaudible). The first  
11 time I ever that the, there's been sex year lease  
12 going on. I have a question for the board to  
13 consider. We had an oil and gas rush. A lot of  
14 people actually leased their property. I'd like to  
15 know whether or not that takes priority over  
16 (inaudible) leases, because who's going to be in  
17 charge of that, of those people's land. A couple of  
18 other things that I didn't see either defined in the  
19 environmental impact statement. Has the FAA been  
20 questioned as to their flight paths for small planes  
21 and such coming over Connecticut Hill, which happens  
22 frequently? There was no discussion about, what I  
23 could see about the agricultural impact. There's  
24 some studies that I can't site and driven down to  
25 find out who did them, so this isn't necessarily

1 something you could pay the bank with, but there's  
2 some study that has found that downwind of a wind  
3 turbine there is a thirty percent, plus or minus,  
4 loss of water from the soil. Maybe that's not a  
5 problem in Upstate New York, I don't know. Also,  
6 which I had spoken before about bats being killed  
7 and the increase of harmful insects will have on  
8 (inaudible) crops...

9 **UNKNOWN:** We can't hear you very well.

10 **ERIC GASTEIGER:** No, I'm talking right into this  
11 thing, sorry. I can try. Okay so bats and insects,  
12 kill the bats you get more harmful insects and  
13 that's a given generally. I found something very  
14 interesting that because one of the substations is  
15 behind our house and according to one of the maps  
16 there's wet land the underground cable can possible  
17 cause stray voltages. Somebody walking out there  
18 can get zapped and who's going to be responsible for  
19 that. The wind farm organization is an LLC  
20 (inaudible) property owners don't have the protection  
21 of an LLC, so if something goes wrong they can be  
22 target of law suits. I haven't seen any real  
23 discussion about what the fire department says, we  
24 don't have equipment to go to the top of those  
25 towers to put out a fire. So who's going to come

1 out and, and fight those things. And the one thing  
2 that bothers me very much is that according to the  
3 documents that are published, these new turbines GE  
4 says that they like to have a setback of 1,300 feet.  
5 How come the town comes up with 425 or 475 feet and  
6 that's it and thank you very much for letting me  
7 speak.

8       **DEBORAH CIPOLLA-DENNIS:** Hello. My name is  
9 Deborah Cipolla-Dennis. I'm from Dryden and I'm  
10 also on the town board of Dryden, so I understand  
11 the issue that you have before you today and how  
12 difficult this must be. I have a lot of respect for  
13 all of you sitting up there because it could be me  
14 sitting up there. I just wanted to talk about a  
15 couple of things from my personal experience. I  
16 grew up in Texas, in Amarillo, Texas and about five  
17 years ago seventy five wind turbines were put up in  
18 quite literally in my parents' back yard where I  
19 grew up and you know we went and visited there.  
20 When I first went, I thought wow these turbines are  
21 really close to the house. I talked to my parents,  
22 what kind of impacts are they having with these  
23 turbines? Are they having any impacts and the, the  
24 consensus from my family was we can hear them when  
25 we're outside sometimes when it's really windy, but

1 other than that there's not much of an impact and I  
2 stayed there with my parents and I can tell you I  
3 slept just fine. I had no problems. We walked  
4 right up to the turbines within just a couple  
5 hundred feet of them, the wind was blowing about  
6 forty miles an hours, they were going around. I was  
7 having a perfectly normal conversation with my  
8 sister and, and sure you could hear it. I'm not  
9 going to say you can't hear anything. You can hear  
10 it, but the impact is, is just really minimal and  
11 it's, it's not there. So that's my personal  
12 experience with these wind turbines and, and these  
13 are very large turbines. They're actually quite a  
14 bit larger than the ones that we're talking about  
15 with Black Oak. The other thing is I wanted to talk  
16 about is I am going to address the gentleman's  
17 question about the turbines that were purposed in  
18 Dryden on Mount Pleasant. That, they did not go  
19 forward primarily because the location was not  
20 appropriate for air travel and the FAA has  
21 restrictions on the height of structures in that  
22 area and the turbines were too tall for that. There  
23 was a lot of concern and a lot of citizen engagement  
24 in that process. Cornell, I also work at the lab of  
25 ornithology. The lab of ornithology engaged in a

1 two year study of that area looking at the impacts  
2 to wild life, bird and bats and so forth and the,  
3 the results of that study showed that wind turbines  
4 in general have a minimal impact on wild life.  
5 There are way more birds that fly into building and  
6 get hit by cars than are, are killed by the wind  
7 turbines. There is a concern about the bat  
8 population and I understand that there was a pretty  
9 significant, during the environmental impact study  
10 there was someone looking at that and that that was  
11 discussed. So the issue before you today is looking  
12 at the, at the supplemental environmental impact  
13 study (inaudible) and hope that, and I urge you to  
14 move swift through that. I believe it is...

15 **HENRY HANSTEEN:** Three minutes fifteen.

16 **MARCUS GINGERICH:** My name is Marcus Gingerich,  
17 101...

18 **ANN RIDER:** You can actually just take it off  
19 and hold it.

20 **MARCUS GINGERICH:** I might need to hands full of  
21 paper too.

22 **ANN RIDER:** Pull it up. It gets higher.

23 **HENRY HANSTEEN:** I'll reset the timer.

24 **MARCUS GINGERICH:** Well...

25 **ANN RIDER:** It's set for fifth graders.

1           **MARCUS GINGERICH:** That was just last year.  
2 Okay, Marcus Gingerich, 101 Rumsey Hill Road. As  
3 far as the, the current supplemental draft EIS,  
4 there's a number of things that I'm going to submit  
5 in writing form. I have a lot of concerns. There's  
6 a lot of things that are, I think, brushed over and  
7 there's not a lot detail as far as what is actually  
8 supposed to be done, but the thing that, I want to  
9 point out tonight is there's something that really  
10 bothers me that I keep hearing over and over and  
11 that is well we have investors who are going to lose  
12 their money and Black Oak has done everything right.  
13 They have done everything (inaudible) everything safe.  
14 Everything's good. It's a community project. Well,  
15 I take some disagreement with that. First let me  
16 address the community. It started out as a  
17 community. I believe there was a lot of investors  
18 that had it as a community project. We know that  
19 that's not going to stay that way. Black Oak has  
20 already shown that they're ready to sell as soon as  
21 the permits are issued. We also know that Black Oak  
22 didn't want their investors to know that. Now, as  
23 far as the investors. I've invested in things in  
24 the past and I know what it's like to lose money. I  
25 lost my investment when I was like eighteen years

1 old. It's not fun. But I would like to read from  
2 your, your PBM, or the PBM from their, their private  
3 placement memorandum. The investors know that it's  
4 speculator. It says these units are offered as a  
5 highly speculative and investment involvement a high  
6 degree of risk. Investors must be able to bare the  
7 economic risk of the investment for an indefinite  
8 period of time and withstand a total loss of their  
9 investment. Now, there's another issue as far as  
10 (inaudible) actually doing things right and legally.  
11 Also I want to read another statement from their  
12 PBM. We began initial construction three years ago  
13 commencing with the excavation of the access road to  
14 the wind farm which was completed in December twenty  
15 thirteen. We also recently completed the excavation  
16 of a foundation hole for a permanent meteorological  
17 tower on July eleven 2014, oh well this goes on to  
18 talk about some other stuff. My question is, is  
19 that legal? Is that proper for the SEQR process?

20 **NANCY SPERO:** Hello, Nancy Spero I live at 68  
21 North Van Dorn Road and it's about, about five miles  
22 from the wind farm. So I don't think that it's  
23 going to have a big impact on my personal life and  
24 space, but as some of you guys said here if these  
25 wind towers were going right by my house, I probably

1 already would have sold my house because I don't  
2 want to be that close to these large industrial wind  
3 towers and the vibrations and the ice throw and the  
4 concerns that I am hearing from a lot of people and  
5 I have been doing some research and I know that some  
6 people can live easily next to them and some people  
7 have a really hard time and some types of houses  
8 absorb the sounds more and some houses construction  
9 absorb it less and things like that and (inaudible),  
10 but that's just some of the issues and then  
11 (inaudible) wind power is part of the solution for  
12 alternative energy, but if this is truly (inaudible)  
13 let's make sure we support the people who are living  
14 and the sacrifices zones closest to them and find a  
15 way to help them either buy, buy them out if they  
16 happen to be people who are very adversely affected.  
17 (inaudible) who are good neighbors to them but other  
18 people may find it very, very difficult to live next  
19 to them and I think this is, if this is truly a  
20 community win you'll support the whole community  
21 including the people who are living right next to  
22 them and make sure that they really get help being  
23 bought out or some kind of a support if they do find  
24 that they can't live next to them. Thank you.

25

1           **MARGEURITE WELLS:** Good evening. Marguerite  
2 Wells, 863 Hyatt road. I know this isn't really  
3 supposed to be response back and forth, this is  
4 supposed to be (inaudible) information to share I  
5 thought I would be able to help in response to some  
6 questions (inaudible). One of which is related to  
7 alternatives sites rather or not leases would be  
8 dropped and that's just private (inaudible) people  
9 want to have turbines, we were not forced to put  
10 turbines on there we did have a choice. That's kind  
11 of how a lease works. When (inaudible) gas leases work  
12 side by side pretty (inaudible) if fracking we're  
13 legal in New York you could have a gas lease and  
14 (inaudible) the same property. As for any (inaudible)  
15 about us rushing this process through the past few  
16 months, the rush has been to get the information out  
17 into the public. That has been our concern because  
18 so many people (inaudible) and (inaudible) other than  
19 FOILING the documents which some people have done  
20 nobody previously (inaudible) in order to make them  
21 public documents we had to get the process done.  
22 That was the purpose of (inaudible) that is why you'll  
23 also see that Labella did have comments that weren't  
24 responded to, but they decided that the document was  
25 complete as we put it forth any way because the

1 material questions were being responded to. The  
2 ones we didn't respond to were (inaudible) in the  
3 document (inaudible). In terms of Cornell's lack of  
4 visible support through this process. They are  
5 especially not participating in this public process  
6 here because they are just a customer of the  
7 project. It is not their project. They don't have  
8 any part of it. They don't want to be seen as  
9 medaling in the process at all. In terms of the  
10 sound (inaudible) that's supposedly not being  
11 available to the public, we have made them all  
12 available through FOIL process (inaudible) the spread  
13 sheets (inaudible) but they are all there. There's  
14 also been a number of points made about whether or  
15 not Black Oak is legitimately community owned and  
16 whether or not it's going to be sold and before I  
17 bore anybody the details of the project financing in  
18 the wind business sufficed to say that we would like  
19 to remain community owned. It is currently  
20 community owned. Whether it gets sold or not, it  
21 remains having community investors in it. The  
22 (inaudible) tax equity are something I won't bore you  
23 with here, but suffice to say that local investors  
24 remain in the project and (inaudible) if we get  
25 (inaudible) I would point that the fundamental

1 question is what we propose, is it appreciably  
2 different or more impactful then the (inaudible) now?  
3 Does it make a lot more noise? Does it kill a lot  
4 more creatures? Does it impact more wet lands? Or  
5 is it about the same impact that there is already  
6 judged to be acceptable (inaudible)? So that would be  
7 the (inaudible) for which I ask the board to review  
8 these facts to say you know are there others,  
9 others, (inaudible) no differences between before and  
10 now or is this all just the same?

11 **MARIA \_\_\_\_\_**: Hi, Maria (inaudible) 717 Black Oak  
12 road. I am truly, truly heartbroken for the people  
13 of Black Oak. I am truly, truly upset at the people  
14 who take on jobs that had an oath to protect and  
15 care and keep safety in their community. I'm sure  
16 you have to had have to raise your hand before you  
17 each became board members. There is a few things  
18 that really, really get to me. Board members are  
19 not with us, but against us. Board members are  
20 doing things that they say people who ten years ago  
21 when I heard it (inaudible). You are not with us.  
22 Why? You are not for us as you took an oath and  
23 stated that you were going to protect and make your  
24 community safe. Why aren't you on our side? Why  
25 aren't you sticking with the people's pain what

1 they're suffering with is incredible because of this  
2 project that's never going to move anywhere? I  
3 don't know what is entailed with the Onyx what are  
4 they or whoever with this board, but something is  
5 keeping you stuck to that side. There's a reason  
6 that you do not want to be for us when you took your  
7 hand and said I am Enfield and we are Enfield, all  
8 these people area Enfield. Another thing, I'm going  
9 to point out before I leave. I don't think I can  
10 control myself. You stated in the Ithaca Journal,  
11 those who did not want to participate or be in the  
12 project will be released, do not have to be in...

13 **HENRY HANSTEEN:** That's three minutes. It's up.

14 **UNKNOWN:** Three minutes ain't no bother. What a  
15 matter of a year? You screwed up this whole  
16 community and you give me three minutes?

17 **UNKNOWN:** Don't look at her like that.

18 **HENRY HANSTEEN:** Sorry, I'm just enforcing the  
19 rule.

20 **UNKNOWN:** This, these are the rules of this  
21 hearing.

22 **UNKNOWN:** There is no rules. You are playing by  
23 your rules only. We want documents like you stated  
24 in the paper. The rule and those words you stated  
25 to the Ithaca Journal will come back on you. You

1 stated the (inaudible) land, you stated my land that  
2 they were not going to participate anymore. Now,  
3 where are their documents of release?

4 **ANN RIDER:** You need to confine yourself.

5 **UNKNOWN:** Confine myself?

6 **ANN RIDER:** Your time is up.

7 **UNKNOWN:** I'm working (inaudible) here.

8 **UNKNOWN:** By the way, take a look at your  
9 salary.

10 **UNKNOWN:** Yes.

11 **MIMI \_\_\_\_\_:** Mimi (inaudible) 150 West Enfield  
12 Center Road. I'm on the Newfield Advisory Committee  
13 also at the town board many members have spend...

14 **ALL:** Could you speak up please?

15 **MIMI \_\_\_\_\_:** Many members have spent many  
16 hundreds of hours looking over materials and really  
17 agonizing and I thank those members that have done  
18 that. I presented a challenge at the last public  
19 meeting. Nobody accepted it. So I have another one  
20 tonight for the yes people. I have a clip board  
21 that you can give me your phone number and your name  
22 and I will be happy to scripted out all the  
23 neighbors and it will be random as to who's affect  
24 and who's not and I want somebody that we can call  
25 when we have problems, when we get overwhelmed and

1 can't get back to sleep at night because it's so  
2 loud or because the fear ice throw and we can't go  
3 out in our yards. So can you give me your number  
4 first and I'll just give it to one neighbor and you  
5 might not get a call ever because it might not  
6 affect them, but you might get lots of calls as long  
7 as you're willing to risk that than we will too.  
8 Okay? And if you want you can even go one step  
9 further and say I would be willing to trade house  
10 with people for one year if it's been so bad that  
11 you can't live there. So I'll be in the back and  
12 you can sign up on the sheet. Thank you guys.

13 **ANDREW AUBLE:** Hello Andy Auble, Porter Hill  
14 Road heard enough about this point and one thing I'd  
15 like to state is that these wind mills they are not  
16 (inaudible) and they are not efficient you average  
17 wind mill produce just 20% of its rated capacity  
18 because you have fluctuation in the wind, you need  
19 the wind to blow thirty miles an hour, a sustained  
20 wind for thirty miles an hour. Other than that they  
21 make the difference with fossil fuel. So, and the  
22 power typically (inaudible) the most (inaudible) it's  
23 really cold or really hot. So this idea that  
24 they're fossil free and efficient, that's, that is  
25 not true. That's very, very far from it. Yeah the,

1 the fluctuations actually require continuous power  
2 from conventional sources. So, yeah they have very  
3 (inaudible) production cost. Germany did a study and  
4 found that the average electric produced off wind  
5 mills was three point seven times higher than any  
6 conventional mean and a lot of your utilities are  
7 being forced to buy it. So, which means like most of  
8 the other green schemes, ethanol and everything  
9 else, it takes more fuel to produce this stuff than  
10 any benefit you're going to get out of it and the  
11 tax payers going to be stuck with the difference and  
12 as far as any jobs it will create in this  
13 neighborhood, I see Teeters and sons scrape yard  
14 perhaps getting some money when the blades start  
15 falling off, like they did in the town, Fenner a 113  
16 foot blade right on the ground. So, well thanks.

17 **GARY FISHER:** Gary Fisher, 329 Buck Hill Road South.  
18 To say that this is community supported project  
19 tonight is (inaudible) and obviously (inaudible) that  
20 there's going to be some (inaudible) and (inaudible)  
21 you want to come up with a name (inaudible) that it's  
22 going to generate support the locality and I see  
23 nothing more than public relations (inaudible) to say  
24 that the windmill would never be sold, that it's  
25 going to remain with the individual investors I

1 think is short sighted and just a, you know, wind  
2 mill farms are sold all the time. John Deere was a  
3 major developer of wind power (inaudible) in the  
4 Midwest and guess what they don't own it now. They  
5 sold it. Investors die. Their investments are  
6 inherited. Their investments are sold. Companies  
7 are bought and sold every day and I just don't see  
8 that (inaudible) community supported project is holds  
9 any water, thank you.

10 **JOAN** \_\_\_\_: Good evening. Joan (inaudible) 964  
11 West Dryden Road. Thanks for having us here tonight  
12 and I feel like somebody should apologize to you for  
13 the behavior of people who (inaudible). We, we do  
14 expect each other to come in here and to, to act  
15 reasonably and I'm sorry if people are just unable  
16 to do that for whatever reason. It just makes it  
17 uncomfortable for everyone. So thanks for your  
18 patience's. When I started to study energy I really  
19 became terrified of what I heard (inaudible) and  
20 fracking, something that I didn't want, but  
21 something that produces energy for the rest of us to  
22 use and when I learned about the dangers of fracking  
23 I wanted to stop that in my area and thank you for,  
24 for doing that too. And I'm having a difficult time  
25 understanding people who are talking about selling

1 the wind farm and they pay (inaudible) New York State  
2 electric and gas every month and don't say a word  
3 about it. They breath in the emissions from burnt  
4 gas inside their house and they never thought that  
5 as an impact that we know is causing lung cancer  
6 because when you burn gas the radioactivity of the  
7 radon doesn't dissipate. New York State electric  
8 and gas (inaudible) doesn't tell you that and I don't  
9 think that the Enfield residences are making  
10 accurate comparisons to the energy and so there  
11 aren't any toxic emissions from the wind turbines  
12 and you're not breathing them in. There aren't any  
13 incredibly loud noises that would prevent you from  
14 sleeping every single day. If ice comes down, which  
15 is a potential, it falls to the ground beneath the  
16 wind turbine. To think that it's going to fly over  
17 a thousand feet to hit a home is absurd. Your  
18 charged today and is and the only decision to make  
19 that is whether the impact statement is going to be  
20 approved. This farm is going to be built. It is  
21 already approved and that is the decision before you  
22 and I'm sure that you're going to do you due  
23 diligence, as you have, for the entire eight years  
24 or more this project has been coming up and I hope

25

1 that you do it swiftly because that's what I need  
2 you to do (inaudible) to do that. Thank you.

3 **ANN RIDER:** Are there other people who wish to  
4 address the contents of the environmental impact  
5 statement during this public hearing?

6 **BEVERLY GINGERICH:** Beverly Gingerich 101 Rumsey  
7 Hill Road. Can you lend me that (inaudible).

8 **ANN RIDER:** I really can't I'm sorry.

9 **BEVERLY GINGERICH:** Okay.

10 **ANN RIDER:** (inaudible) off the stage.

11 **BEVERLY GINGERICH:** Okay.

12 **UNKNOWN:** Is this being transcribed...

13 **BEVERLY GINGERICH:** Many of the issues that I  
14 had wanted to talk about have already been addressed  
15 tonight. I just wanted to make a comment on the  
16 woman who just spoke's comment on the board doing  
17 their due diligence like they have done. But I  
18 don't be accusatory, but if I remember correctly  
19 only Ms. Rider, Ms. Bryant and Mr. Carpenter were on  
20 the board in 2013 when the DEIS was finalized and if  
21 I also remember correctly Mr. Carpenter had said  
22 within the last five or six months that he did not  
23 read the DEIS at that time. Correct me if I'm wrong  
24 Mike and I have to wonder did Ms. Rider, did Ms.  
25 Bryant read it? Did they look into it? I believe

1 the town board, the current town board is doing  
2 their due diligence and I do appreciated that, I  
3 really, really do and maybe if the previous boards  
4 in 2008, 2009 had done their due diligence we  
5 wouldn't be here today. I've spoken with a  
6 gentleman who was on the board in 2008 two Sundays  
7 ago and he said when he was on the board he said I  
8 was supportive of the project. He says since then  
9 I've done the research and he said he has read that  
10 there are thousands of wind turbines in the south  
11 western United States that are setting ideal because  
12 they haven't been properly maintained and I asked  
13 him I said why at that time did supervisor Bud  
14 (inaudible) decide to decrease the setbacks and he  
15 said I don't know. He said you'd have to talk to  
16 him. He said actually I don't recall there much  
17 discussion amongst the board about wind turbines and  
18 I would just really like to know why. So I'm glad  
19 the discussion is happening now and you know one of  
20 our greatest needs as human beings is the need to be  
21 understood and I understand those investors who have  
22 invested some money in Black Oak wind and I  
23 understand that we're worried about the fossil  
24 fuels, but I would hope that really that they have  
25 in their minds that they would understand our

1 concerns too. If you do research with an open mind  
2 there are real issues. Yes, some people can live  
3 comfortably by a wind turbine and it won't bother  
4 them and other people are affected. It's very  
5 evident and I think that's due mainly to the  
6 infrasound. The noise, yeah, you can do things to  
7 eliminate audible noise, but I worry about the  
8 infrasound and I don't know if there's anything that  
9 can be done about that. So thanks for listening.

10 **ANN RIDER:** Is there someone else who wishes to  
11 speak during this public hearing? I do not see  
12 anyone who looks to me like they're wishing to  
13 speak. So with that I will close this public  
14 hearing and I do thank the audience for your  
15 participation tonight. These proceedings are  
16 transcribed and like other proceedings of the board  
17 will be available to the public. There's a  
18 regularly scheduled board meeting tomorrow night  
19 starting at 6:30. There are some parts of the wind  
20 farm that will be discussed and are on the agenda.  
21 So with that I will move that we be adjourned. Is  
22 there a second?

23 **UNKNOWN:** Second.

24 **ANN RIDER:** We're adjourned.

25 **ALL:** Thank you.

## CERTIFICATE

1  
2  
3 IN THE MATTER OF: Town of Enfield (Public Hearing on Black  
4 Oak Wind Farm DSEIS

5 LOCATION: Town of Enfield

6 DATE: Tuesday, April 12, 2016  
7  
8

9 I, Karyn Baker, certify that the foregoing transcript of  
10 the Town of Enfield (Public Hearing, 4/12/2016, on Black Oak  
11 Wind Farm DSEIS, was prepared using electronic transcription  
12 equipment and is a true and accurate record of the  
13 proceedings.  
14  
15  
16  
17  
18

19 Signature: Karyn Baker

20 BAKER TRANSCRIPTION SERVICE  
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(607) 207-6332

23 Date: 5, 23, 2016  
24  
25