

**PUBLIC HEARING  
TOWN HALL  
TOWN OF POMFRET  
9 Day Street  
Fredonia, NY 14063  
December 7, 2015  
10:00 a.m.**

**ARKWRIGHT SUMMIT WIND FARM, LLC**

Attendance:

Kristine Morabito, CCIDA Business Development Manager and Hearing Officer

Raymond Lewandowski, Pomfret Zoning Board Member

Larry Ball, Resident and former Town Board Member

Evadawn Bashaw, Pomfret Deputy Town Clerk and Pomfret Zoning and Planning Clerk

Greg Peterson, CCIDA Counsel

Dan Bigelow, Pomfret Highway Superintendent

One attendee wishing not to sign in

HEARING OFFICER: Good morning. My name is Kristine Morabito and I am the Business Development Manager for the County of Chautauqua Industrial Development Agency (hereafter, the "Agency") and I have been directed by the members of the Agency to hold a public hearing. Today is Monday, December 7, 2015 and the time is now 10:00am. We are at the Town Board Room, 9 Day Street, Fredonia, NY 14063.

This is a public hearing pursuant to section 859-a of the New York General Municipal Law, as amended. The Agency has received an application for financial assistance in connection with the following matter:

Arkwright Summit Wind Farm LLC, a limited liability company existing under the laws of the State of New York (the "Applicant"), presented an application (the "Application") to the Agency, which Application requested that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in approximately 36 parcels of land located in the towns of Arkwright and Pomfret, County of Chautauqua, New York (collectively, the "Land"), (2) the construction of: (i) up to 36 wind turbines with a maximum capacity of 79.8 megawatts, (ii) up to two permanent meteorological towers, (iii) a buried and overhead electrical collection system, (iv) an operation and maintenance building, (v) a project substation, and (vi) an interconnection substation facility on the Land (collectively, the "Building"), and a system of gravel access roads, parking, landscaping and related improvements to the Land (together with the Building, collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of certain furniture, fixtures, machinery and equipment (the "Equipment"), all of the foregoing for use by the Applicant as a wind-powered electric generating facility (collectively, the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions or partial exemptions from sales and use taxes, mortgage recording taxes and real property taxes (but not including special assessments and ad valorem levies) (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency.

Notice of this public hearing was published in the *Observer* on November 27, 2015 and mailed to the Chief Executive Officer of each affected tax jurisdiction on November 25, 2015.

The purpose of this hearing is to provide an opportunity for all interested parties to present their views, both orally and in writing, with respect to the Project.

Is there anyone wishing to be heard with respect to the Project?

EVADAWN BASHAW: When will we know where these things are to be located?

HEARING OFFICER: Ok, I'll pass your question along. Oh, I'm sorry, and would you please identify yourself for the record?

EVADAWN BASHAW: Yes. My name is Evadawn Bashaw and I'm the Deputy Clerk for the Town of Pomfret, and the Zoning and Planning Clerk for the Town of Pomfret.

HEARING OFFICER: Okay, thank you.

RAYMOND LEWANDOWSKI: I have one question. My name is Raymond Lewandowski. Will there be any of the wind turbine towers located in the Town of Pomfret?

HEARING OFFICER: Okay, I'll pass your question along.

RAYMOND LEWANDOWSKI: And I have another question. I'm sure there is going to be some buildings but I don't- the paper said something about there would be 44 towers- they started off at 36, then they went to 44 and then they went back to 36, or this paper here says 36, so I was just wondering if there is going to be some located in the Town of Pomfret?

HEARING OFFICER: Okay, thank you.

EVADAWN BASHAW: Kristine, I think we'd also like to know, on behalf of the ZBA and Planning Board, where the overhead lines will be located and visible as they affect Town of Pomfret residents.

HEARING OFFICER: Okay, thank you.

HEARING OFFICER: Is there anyone else wishing to be heard?

RAYMOND LEWANDOWSKI: I have a question. I'm on the Zoning Board for the Town of Pomfret. Raymond Lewandowski again, and we got a met tower that's coming up for zoning next Monday evening and that's in the Town of Pomfret and I'm wondering if that is associated with this project.

HEARING OFFICER: Okay. Evadawn is saying no that it's not. Okay? Thank you.

RAYMOND LEWANDOWSKI: Okay, thank you.

(Indecipherable)

HEARING OFFICER: Is there anyone else wishing to be heard with respect to the project?

HEARING OFFICER: Thank you.

DAN BIGELOW: My name is Dan Bigelow. I'm the Highway Superintendent for the Town of Pomfret. I guess my concern is when the project goes forward, the protection of the Town of Pomfret's roads for the build or construction of the project. I just want to make sure that the Town is covered, so if there is any damage during the construction season things would get replaced, repaired. I don't know how we go forward with this but I just want to make sure we're covered.

HEARING OFFICER: I'll pass your comment along.

DAN BIGELOW: Beautiful.

HEARING OFFICER: Thank you. Your name again?

DAN BIGELOW: Dan Bigelow.

HEARING OFFICER: Dan Bigelow, thank you.

EVADAWN BASHAW: Kristine, are the specifics of this project as they must be already determined, you're just unable to share them with us?

GREG PETERSON: Let me react to that. I'm Greg Peterson. I'm the attorney for the IDA and today is only an opportunity to provide public comment. These are questions. Comments go back to the IDA, so this is not an open forum for a response to that. There is an application. It was in the application, and that application at the IDA has a lot of detail. Today is not our position or opportunity to react to all of your questions. We're really not the applicant. The applicant is applying for financial assistance through the IDA. This is the project that's been described and so forth.

EVADAWN BASHAW: This is a public hearing for what?

GREG PETERSON: For the tax and financial assistance that has been proposed in the application by Arkwright Summit Wind Farm, LLC. They have applied to the Industrial Development Agency, and they are seeking tax lease/PILOT information which has been (indecipherable) and we're here to solicit comments regarding the project itself.

(Indecipherable) comments that we would respond to and the Board has to be part of it. But we're doing a similar thing in Pomfret tomorrow.

HEARING OFFICER: In Arkwright tomorrow.

GREG PETERSON: In Arkwright.

EVADAWN BASHAW: So this is an IDA public hearing

GREG PETERSON: Correct.

EVADAWN BASHAW: and not an Applicant public hearing.

GREG PETERSON: Correct. This is the IDA public hearing, based on the application of the wind farm.

EVADAWN BASHAW: And this is seeking financial assistance for this project.

GREG PETERSON: Correct.

EVADAWN BASHAW: For tax exemptions, PILOT programs

GREG PETERSON: And where is the detail of that located?

GREG PETERSON: At the IDA, and this Town Board has received that as well.

JIM WILMOTH: My name is Jim Wilmoth, I'm a citizen/resident of the Village of Fredonia. I attended the Planning Commission vote last week where they voted unanimously to approve the ongoing project for Arkwright with the caveat that they get certain no fault designation from the FAA for this final turbine. But it seemed like that's all going to go through, they did vote for it unanimously. And they covered all the PILOT information as they went through, and it sounded like the landowners would get something like \$500,000 a year in royalties or payments for production and then the PILOT is \$600,000 a year to be split between the Town of Arkwright, Town of Pomfret- I mean there's the town split, there's the county then there's the school. Besides the benefits to the environment, and achieving the Governor's renewable portfolio standard that he requests, it seems like a great project and I'm all for it. I guess that's all I have to say at the moment. I'm in favor of giving them more financial assistance and tax credits.

HEARING OFFICER: Thank you for your comments.

JIM WILMOTH: Sure.

HEARING OFFICER: I think someone else raised their hand?

LARRY BALL: Yes my name's Larry Ball. I'm a resident of Arkwright and a former Town Board Member of Arkwright when the project was first proposed, and I see it as a very strong economic benefit to our community. I will not directly benefit from the project, but as a tax

payer I'm sure I will benefit, and I'd like to encourage the IDA Board to move forward with the funding of this project.


HEARING OFFICER: Thank you for your comment.

HEARING OFFICER: Is there anyone else wishing to be heard with respect to the project?

HEARING OFFICER: On behalf of the Agency, I would like to thank the members of the public for attending this public hearing and for their comments with respect to the Project. It is now 10:13am and I now call this hearing to a close. Thank you.

(TIME NOTED: 10:13 a.m.)

Respectfully Submitted,

A handwritten signature in cursive script that reads "Kristine Morabito". The signature is written in dark ink and is positioned above the printed name.

Kristine Morabito

CCIDA Project Manager