

**PUBLIC HEARING
HAMLET UNITED METHODIST CHURCH
1119 Route 83
South Dayton, NY 14138
October 11, 2016
1:00 p.m.**

BALL HILL WIND ENERGY, LLC

Attendance:

Kristine Morabito, CCIDA Business Development Manager and Hearing Officer

Donald Ortel, Land Owner

Howard Crowell, Land Owner

Alyce Crowell, Land Owner

Bruce Roll, Resident

Michael Garrett, Resident

Tina Graziano, Resident

Richard Ardillo, Villenova Town Supervisor

Keith Butcher, Board Member

Barbara J. Wise, Town Historian

Richard N. Wise

Judy Phillips, Resident

Matthew Mazgaj, Phillips Lytle Counsel to CCIDA

Lynn Butcher, Resident

HEARING OFFICER: Good afternoon. My name is Kristine Morabito and I am a 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 October 11, 2016 and the time is now 1:05 p.m. We are at the Hamlet United Methodist Church, 1119 Route 83, South Dayton, NY 14138.

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:

Ball Hill Wind Energy, 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 8,312 acres of land located in the towns of Villenova and Hanover, County of Chautauqua, New York (collectively, the "Land")...I lost my spot...(2), I looked up at lost my spot... (2) the acquisition, construction, installation, and equipping on the Land of: (i) approximately 13.4 miles of gravel access roads, (ii) approximately 15.4 miles of underground medium voltage electrical collection lines, (iii) approximately 5.7 miles of overhead 115 kV electric transmission line on approximately 70 foot monopole transmission poles, (iv) an electrical collection substation on a site up to 5 acres, (v) an electrical interconnection substation on a site up to 8.57 acres, (vi) an approximately 3.0 acre operations interconnection substation- I'm sorry, excuse me, approximately 3.0 acre operations and maintenance building site, (vii) an approximately 3,750 square foot operations and maintenance building, and (viii) approximately 26 acres of construction laydown area on the Land (collectively, the "Improvements"), and a system of gravel access roads, parking, landscaping and related improvements to the Land (together with the Improvements, collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of certain furniture, fixtures, machinery and equipment, including approximately twenty-nine (29) Vestas V126 wind energy turbines (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 of the Project Facility by the Applicant to the Agency and the sublease of the Project Facility by the Agency to the Applicant.

Notice of this public hearing was published in the *Observer* on September 30th, 2016 and mailed to the Chief Executive Officer of each affected tax jurisdiction on September 21, 2016.

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 financial assistance proposed in the Application. I am here on behalf of the Agency, not the Applicant. During the course of this hearing the Agency will be unable to respond to comments or questions. The Agency will, however, transcribe all of the comments made by those interested in the Project and provide them to the Board of Directors.

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

TINA GRAZIANO: Well, my question is not really financial. (laughs)

HEARING OFFICER: I'm recording your comments; it'll be transcribed and shared to the Board of Directors on this microcassette recorder, so I can approach you when you have comments, or if you would like to approach me. Okay? And I would ask you to start off by stating your name and then you can proceed with your comment.

TINA GRAZIANO: Okay. My name is Tina Graziano.

HEARING OFFICER: Thank you.

TINA GRAZIANO: Okay. As a Villenova resident, I'm tired of hearing people speak for us not knowing the whole story here. At the IDA's September sixteenth meeting, Mark Lyons for RES stated this project had full support from both towns. How can that be proven? Let me explain the other side. Wednesday, September fourteenth at a regular Villenova town meeting, Mark Lyons

and partners were in attendance for the public speaking portion of this meeting. He brought the new map, and updates on the larger turbines and upcoming dates. He heavily, heavily pressed upon the importance of finishing up by November twenty-second to beat the deadline for the tax credits. The date for the next public hearing was set for October thirteenth. Letters were to be mailed to only residents inside the project and 500 foot outside. Councilman Angelo Graziano requested for a second time, because this is our second public hearing, that he wanted mailers to be sent to everyone in this township. Councilman Wes Tessey agreed. Mr. Lyons agreed and said he would be glad to do this, he just needed to get the additional addresses. This was also asked for the first public hearing; nothing was done. I know this because I was there. I attend the board meetings. Only a fraction of the township showed up. Lack of communication. Now we're having a second hearing and once again, two councilmen's requests are ignored. They are elected officials and should be treated as such. We live outside of the overlay and we will see twenty turbines, and so will our neighbors. They also do not receive any notifications, and I'm still running into residents of Villanova who still do not know about this project. So wrong to exclude anyone. All residents deserve to be treated equally and this is what's happening here. Only landowners with lease agreements and their neighbors are entitled to letters for meetings. Majority of people here do not subscribe to the paper and are unable to attend regular board meetings. These people are being denied their rights to attend these hearings and voice their opinions and ask questions. When you pick and choose who gets notified, and two councilmen's requests are ignored, this project seems a little sneaky and exclusive. Are they worried about confrontations? It's—include the entire township so when they say everyone's in agreement, not so. Everyone hasn't had a voice. And such a simple request of mailing notices to all, to prevent a division of this community should have been granted. These mammoths are short of five hundred

feet and they will impact everyone and everything here. I'm also asking, again, include everyone.

Do this fairly. Do this justly. And please do this right. Thank you.

HEARING OFFICER: Thank you for your comments.

MICHAEL GARRETT: (inaudible)

HEARING OFFICER: Just one second, I'll come closer so that I can hear you.

MICHAEL GARRETT: (inaudible) ... goes back to your agency's Board of Directors? So they won't go back to the actual company, the wind company that's doing the project here?

HEARING OFFICER: This is an Agency public hearing, not an Applicant's public hearing, so, yes, the—

MICHAEL GARRETT: So the Applicant's public hearing will be later, at a later date?

HEARING OFFICER: Um, I didn't receive information about it, but I hear that there is one on Thursday, and I think our—

BARBARA WISE: (inaudible) October thirteenth.

HEARING OFFICER: Okay.

MICHAEL GARRETT: So the Appli— the Applicant's meeting, the company that I hear is a company out of England? That's funding this project? It's not a United States' company, is that true?

HEARING OFFICER: I—

MICHAEL GARRETT: You don't know?

HEARING OFFICER: I'm... I'm here to take your comments; that's my role today.

MICHAEL GARRETT: Well I came here as an interested, you know, I'm relatively new here to this community. I have to agree with this lady here. I've only lived here a year and a half. I had no idea this thing was even happening 'til probably about five months ago when one of my

neighbors told me about it. You know, I don't subscribe to the local paper. I'm on the internet all the time, and I looked around on the internet and I couldn't find hardly anything on this, on the internet. Um, I mean I have concerns about, about wind energy and I'm basically an environmentalist, but I can give you a thousand different views on why this project probably shouldn't go forward. Um, that said, I've seen, I lived in Wyoming County, and I saw what happened in Varysburg, New York where they put up the wind turbines. I saw it split that community right in half. Where people obviously were benefiting from it—the landowners—and a lot of people that weren't, but then they went after each other's throats. What happened there, basically, the windmills went up, a lot of those companies went under. And those people aren't getting paid anymore. There's so much research out there on the internet that you should do some research before you just say, ah, put those things up there, it doesn't really matter. They have environmental, you know, impact on the area. Everything from bird migrations to hunting to deers. You put those things up there, you have the new thing called—sorry, I just...

HEARING OFFICER: It's okay.

MICHAEL GARRETT: Uh, wind turbine, syn—uh, syndrome, which is a relatively new thing, you know. And basically, from the sound waves going out it can affect your health. Now there's all sorts of research being done on it. Some of it says it's, it's a bunch of bologna. And some of it says there needs to be more research. I can tell you about my little, you know, my little world. I basically just retired from a college. And at that college I was a faculty advisor for what we called the environmental club or earth club. I've been an environmentalist for years and you would think, he's pro-green, he wants to put up those windmills! But the more research you do, the more you find out, uh, and not only about health and environment, but let's talk about property taxes. Will it increase your property taxes? Will they go down? You know, up front.

The energy companies don't usually pay educational taxes. They will give the schools some upfront money. Oh, here's a hundred thousand dollars. But some of these companies make over three million dollars a year. And, and after a while you say wait a minute. And they get all sorts of state and, you know, national tax breaks. So that's again, that's your tax dollars are paying for that. Um, you should be asking about, you know, would your town of Villenova be, you know, able to get green grants. That's something Massachusetts and other states, they can apply for green grants to upgrade, like, their fire departments and their roads and things like that. Are they gonna be eligible for that because they're putting all these windmills up. Those are the things that you need to ask. And you need to just, before you try to say we don't need 'em or we don't, we want 'em or we don't want 'em. You do some research. And I'm really disappointed in the vast area that this, you know, what, how many acres this, and all the land owners and people. Obviously it's one o'clock in the afternoon and that's probably why a lot of people aren't here. But you think, when I was in Varysburg this place would have been filled with people that were either pro or against. You know, at least they were there and active. So um, there's just some of things I have to say. And you know I'm one of these people that's on the fringe of these windmills. In other words, I live at the bottom of the ridge. I probably won't be able to see them. But again I'm, I'm concerned about that health risk. You know if they are truly, you know, there is something with these things that cause health risks, you should all be concerned. Not just for yourself because we all look like we're very grey in here, but for your grandkids and your kids that are going to be living in these areas. So that's my beef. Okay?

HEARING OFFICER: Thank you. And would you please identify yourself?

MICHAEL GARRETT: Michael Garrett.

HEARING OFFICER: Michael Garrett?

MICHAEL GARRETT: Mhm.

HEARING OFFICER: Thank you, Mr. Garrett.

BARBARA WISE: (inaudible)

HEARING OFFICER: Um, if you'd like to share it, that's—

BARBARA WISE: Um, this is the notice that was in the paper a day or two ago. Please take notice that the town board of the town of Villenova will hold a public hearing on October thirteenth, two thousand sixteen at seven p.m. at the Hamlet United Methodist Church to hear all public comments regarding the Ball Hill Wind Energy project. Including but not limited to the amended application for a special use permit, a local law introduction number six in two thousand sixteen to amend the maximum height restriction for wind energy conservation—conversion system. And a local law introduction number seven, law number seven of two thousand sixteen to create a wind overlay zone as set forth in the town's wind energy facilities law local number one of two thousand seven. The amended application, proposed local laws, and other project information is available for public review at the Villenova town offices located at 1094 Butcher Road, South Dayton, New York 14138. The amended application and the local laws and the documents relating to the environmental review of the project are also available on the internet at www.ballhillwind.com.

HEARING OFFICER: And would you please state your name?

BARBARA WISE: Barbara Wise.

HEARING OFFICER: Barbara Wise. Thank you, Barbara.

HEARING OFFICER: I think I saw... is there a gentleman who walked in? Okay. It was you, sir, who walked in as I was reading? No, um—

BARBARA WISE: I gave him one.

LYNN BUTCHER: I have one.

HEARING OFFICER: Oh, okay, thank you.

LYNN BUTCHER: I got one.

HEARING OFFICER: I don't—Have you signed in?

LYNN BUTCHER: No, I haven't signed in.

HEARING OFFICER: Okay, thank you sir. If you wouldn't mind signing in I'd appreciate it.

HEARING OFFICER: Is there anyone else wishing to be heard with respect to the project? Yes, ma'am?

HEARING OFFICER: And I met you this morning but would you please state your name?

JUDY PHILLIPS: My name is Judy Phillips. I'm a resident of Villenova. However, I did attend the, um, Chautauqua County Industrial Agency's, um, hearing in Hanover at ten a.m. this morning. Um, and then I approached the town clerk about the documents that should be available to the public in Hanover. Um, as there was someone there that didn't know about it and I wanted them to see, and, um, some of the documents were not available to them and (inaudible).

HEARING OFFICER: Thank you for your comments.

HEARING OFFICER: Thank you, sir.

(Inaudible)

HEARING OFFICER: Yes.

HEARING OFFICER: Well, just to reiterate, our notice, the, um, application for the applicant was available at the CCIDA offices prior to the meeting so that might clarify what you were looking for. Unless you were looking for something further, then, I wouldn't be able to answer for the town.

JUDY PHILLIPS: Thank you.

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

LYNN BUTCHER: Uh, Lynn Butcher, resident, Town of Villenova. Last weekend, I just spent the weekend up in Canada. Drove around through a lot of the farm countries. There was windmills everywhere. Clusters of six to eight to twelve. And everybody, I looked at 'em, and I says, environmental situations with your eagles, your birds migrating... I don't believe you're gonna have any problem with them because they're turning too, so slow. I don't think your bird is intentionally gonna run into them. They're not turning that fast. I don't think. And, as far as being an eyesore? I don't think they're anymore eyesore than these big high lines that are running through on these big steel towers and wood poles with multiple lines going throu— across the countryside, up over mountain sides, and that's something. I mean, I've been a resident in this town for eighty years. The town supervisor. And I really, really think the people of this town 'ought to be looking at the situation of an industry coming in to help the taxpayers on the situation. And with your town boards, and your supervisors, your highway... we need it. Because the taxes are getting out of line with the cost of everything that's going on. I am in favor of 'em one hundred percent. I'm not gonna have one on my land. But if there was one designated for it, I would greet it one hundred percent. Thank you very much.

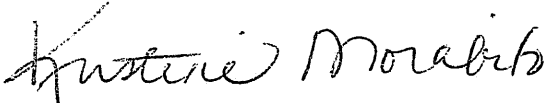
HEARING OFFICER: Thank you for your comments.

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

HEARING OFFICER: Last chance...

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 1:25 p.m. and I now call this hearing to a close. Thank you.

(TIME NOTED: 1:25 p.m.)

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

Respectfully submitted,

Kristine Morabito

Business Development Manager

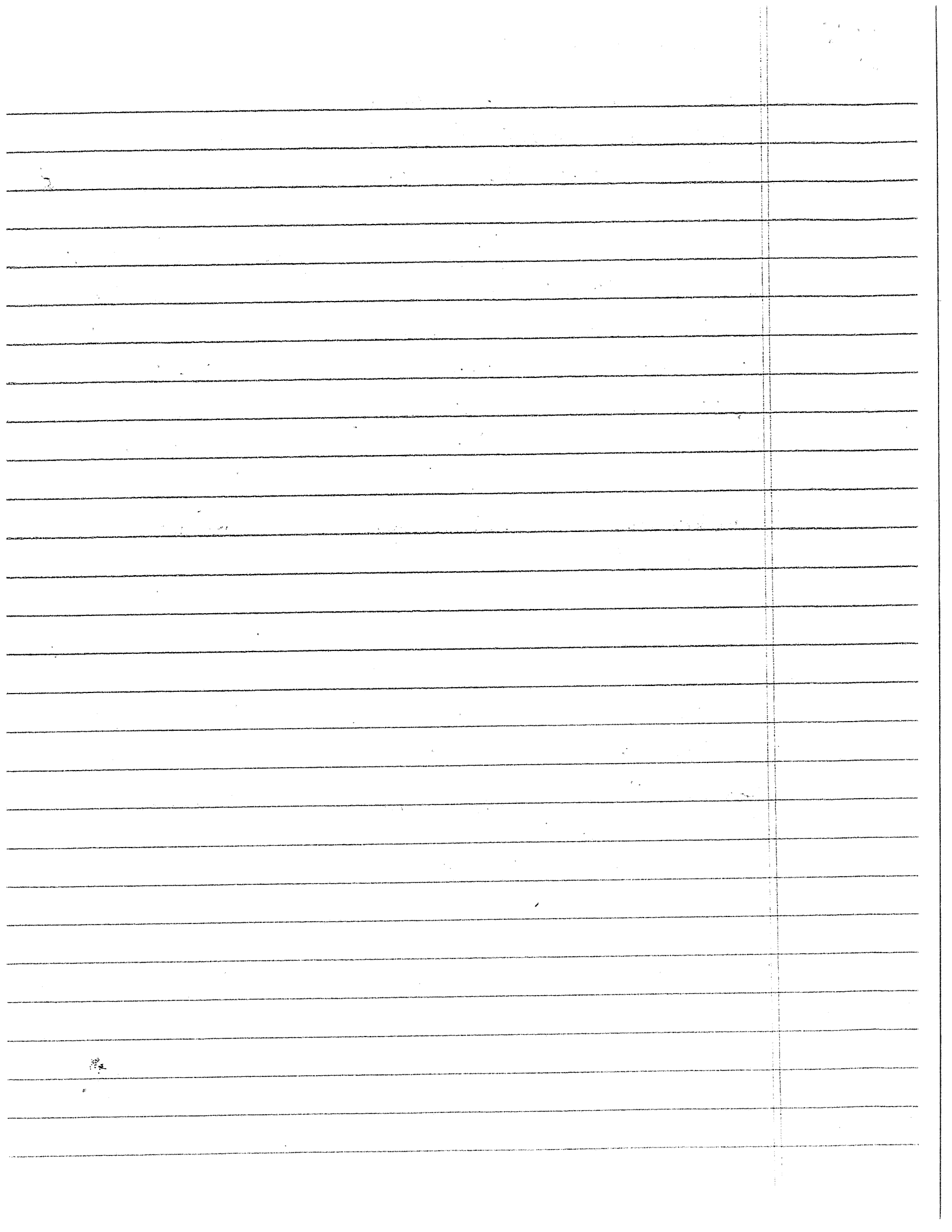
Public Hearing

Bull Hill Wind Energy, LLC

Hamlet United Methodist Church

1119 Route 83, South Dayton, NY 14138

<u>Print</u>	<u>Sign</u>	<u>Title</u>	<u>Title/Affiliation</u>
Kristine Morabito	Kristine Morabito		CCIDA
DONALD ORTEL	Donald Ortel		LAND OWNER
Howard Crowell	Howard Crowell		land owner
Alice Crowell	Alice Crowell		land owner
BRUCE ROLL	BRUCE ROLL		RESIDENT
MICHAEL GARRETT	Michael Garrett		resident
Tina Graziano	Tina Graziano		Resident
Richard Ardillo	Richard Ardillo		Williamstown Supervisor
Reidh Butcher	Reidh Butcher		Board member
Barbara Quire	Barbara Quire		Town Historian
Richard N Wise	Richard N Wise		
Judy Phillips	Judy Phillips		Resident
Matthew Mazgaj	Matthew Mazgaj		Counsel to CCIDA
Wynn Butcher	Wynn Butcher		Resident
WYNN BUTCHER	Wynn Butcher		Resident



**PUBLIC HEARING
TOWN COURT ROOM
68 Hanover Street
Silver Creek, NY 14136
October 11, 2016
10:00 a.m.**

BALL HILL WIND ENERGY, LLC

Attendance:

Kristine Morabito, CCIDA Business Development Manager and Hearing Officer

Bruce Roll, Resident

Howard Crowell

Alyce Crowell

Matt Mazgaj, CCIDA Counsel, Phillips Lytle

Mary Ann Stawitzky

Robert Stawitzky, Resident

Judy Phillips, Resident/Villanova

Eliot Jimerson, IUOE Local 17

HEARING OFFICER: Good morning. My name is Kristine Morabito. I am a 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 October 11, 2016 and the time is now 10:02 a.m. We are at the Town of Hanover-Town Court Room, at 68 Hanover Street, Silver Creek, NY 14136.

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:

Ball Hill Wind Energy, 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 8,312 acres of land located in the towns of Villenova and Hanover, County of Chautauqua, New York (collectively, the "Land"), (2) the acquisition, construction, installation, and equipping on the Land of: (i) approximately 13.4 miles of gravel access roads, (ii) approximately 15.4 miles of underground medium voltage electrical collection lines, (iii) approximately 5.7 miles of overhead 115 kV electric transmission line on approximately 70 foot monopole transmission poles, (iv) an electrical collection substation on a site up to 5 acres, (v) an electrical interconnection substation on a site up to 8.57 acres, (vi) an approximately 3.0 acre operations and maintenance building site, (vii) an approximately 3,750 square foot operations and maintenance building, and (viii) approximately 26 acres of construction laydown area on the Land (collectively, the "Improvements"), and a system of gravel access roads, parking, landscaping and related improvements to the Land (together with the Improvements, collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of certain furniture, fixtures, machinery and equipment, including approximately twenty-nine (29) Vestas V126 wind energy turbines (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 of the Project Facility by the Applicant to the Agency and the sublease of the Project Facility by the Agency to the Applicant.

Notice of this public hearing was published in the *Observer* on September 30th, 2016 and mailed to the Chief Executive Officer of each affected tax jurisdiction on September 21st, 2016.

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 financial assistance proposed in the Application. I am here on behalf of the Agency, not the Applicant. During the course of this hearing the Agency will be unable to respond to comments or questions. The Agency will, however, transcribe all of the comments made by those interested in the Project and provide them to the Agency's Board of Directors.

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

MARY ANN STAWITZKY: You said that you advertised this in the paper, did you put it in any other section (inaudible) the *Observer*?

HEARING OFFICER: I (inaudible) take your comment, thank you.

And I would ask- I can either come to you or you can approach me, I'm recording your comments on this microcassette recorder. And would you please identify yourself?

MARY ANN STAWITZKY: I'm Mary Ann Stawitzky.

HEARING OFFICER: Thank you.

HOWARD CROWELL: Mr. Howard Crowell.

HEARING OFFICER: And how do you spell your last name, sir?

HOWARD CROWELL: C-R-O-W-E-L-L.

HEARING OFFICER: Thank you.

HOWARD CROWELL: Uh, I wish to come here in support of the windmill project. I know some (ringing phone) places have some opposition to it, and I was—

HEARING OFFICER: Sorry. Let me, uh, let me just—

HOWARD CROWELL: (chuckles).

HEARING OFFICER: Thank you. Sorry about that. Okay. I apologize for that interruption, please continue.

HOWARD CROWELL: That's fine.

HOWARD CROWELL: I'm here in support of the windmill project. I think it's going to be good for the town and bring some needed income to the town and uh, give us maybe some employment around here. So that's what I'm here for.

HEARING OFFICER: Thank you for your comments. I will share them.

HEARING OFFICER: Yes, ma'am.

MARY ANN STAWITZKY: Yup, I—

HEARING OFFICER: And would you—

MARY ANN STAWITZKY: I'm not in support of the program. Um, I have a lot of questions about what's going to happen with this project. I believe it's a twenty year lease. I'd like to know what happens after twenty years. Um, I feel it's unfair that people that aren't getting monetary, uh, something monetary out of this have to look at these things. And I find them very unattractive. My husband and I spent an awful lot of time and (inaudible) remodeling our home so we can look out the back and now we're going to be looking at windmills. I didn't move out here for that.

HEARING OFFICER: And would you please restate your name?

MARY ANN STAWITZKY: Mary Ann Stawitzky.

HEARING OFFICER: Thank you.

HEARING OFFICER: Ma'am? Could I ask you to sign in, please? Here is a copy of the Notice for you.

(Inaudible)

HEARING OFFICER: That's okay.

ROBERT STAWITZKY: I have a question.

HEARING OFFICER: Yes.

ROBERT STAWITZKY: Bob Stawitzky. I thought was going to be an information meeting. But you won't answer any questions.

HEARING OFFICER: As I stated, this an opportunity for you to make comments orally or in writing, and then they're presented to our Board of Directors—

ROBERT STAWITZKY: And then how do we get a response? Some of the inquiries, I mean, this, we don't really know what's going on half the time. Like—

HEARING OFFICER: I'll ask our Counsel to—

ROBERT STAWITZKY: Like, I'll ask you one question: what happens after the lease is up? Why can't you answer these things? That's what bothers me. What happens when the lease is up? What happens to the windmills? I'm sure something's going to happen because the infrastructure's already in there. But I don't know what. There's a lot of unanswered questions, but I thought that's why we were here to find out. And evidentially that's not true, huh?

HEARING OFFICER: I appreciate your questions and I will relay it to our Board of Directors.

ROBERT STAWITZKY: Okay.

HEARING OFFICER: Do you have anything further?

MATT MAZGAJ: Yeah, I'd like you to give me an opportunity. Um, my name is Matthew Mazgaj and I'm counsel for the Chautauqua County Industrial Development Agency, and I work at Phillips Lytle out of Jamestown. We are here today on behalf of the Agency. The Agency's role is with respect to financial assistance potentially for this project coming in to the county. The— we do not represent the applicant who is in charge of the windmills. They will be having a public hearing on Thursday in Villenova, uh, and substantive questions can be directed towards that public hearing. This is with respect to the involvement of the Industrial Development Agency, and, uh, potential financial assistance.

ROBERT STAWITZKY: May I ask you a question, then? Are you people, uh, do you people make sure that when you're putting your money into a project, that you're going to see results from that project, right?

MATT MAZGAJ: That's the point.

ROBERT STAWITZKY: Yeah, you researched this to the fact that you believe that you're going to get your money's worth out of what you're putting in, is what I mean to say.

MATT MAZGAJ: You can visit the County of Chautauqua Industrial Development Agency website to understand the mission and goals, but that—

ROBERT STAWITZKY: That's basically it, right?

MATT MAZGAJ: That's the point.

ROBERT STAWITZKY: Okay.

MATT MAZGAJ: And under the law, we are not supposed to engage in a question and answer dialogue here. This is a collection of comments and questions that will be relayed to the Board, uh, next week.

ROBERT STAWITZKY: That's funny I didn't, I didn't see that in the, uh, (inaudible)

MARY ANN STAWITZKY: Well, how do you know how to comment on anything if you really don't even know exactly what's going on? What kind of comments can you make if you don't know...

HEARING OFFICER: I'll ask Matt to, um, address the process.

ROBERT STAWITZKY: Evidentially we all have to go to Thursday's meeting to find out that then.

MATT MAZGAJ: Well that is something to, uh, that should be a substantive discussion with the applicant himself.

ROBERT STAWITZKY: Okay.

MATT MAZGAJ: Um, w—

MARY ANN STAWITZKY: But that—

MATT MAZGAJ: —With regard to the Industrial Development Agency, the notice indicates that the application from the applicant is in our offices in Jamestown. Um, and, a full reading of the notice indicates ways to, uh, research the issue prior to a hearing like this.

ROBERT STAWITZKY: Okay.

MARY ANN STAWITZKY: Will they be addressing the Hanover portion of this project on Thursday or will it be the Villenova portion of the project?

MATT MAZGAJ: It's all one in the same thing.

MARY ANN STAWITZKY: Is it all one in the same? It's not going to make any difference whether you are a Town of Hanover resident or a Villenova resident?

MATT MAZGAJ: That is correct. We are having two separate public hearings because, uh, they are separate taxing jurisdictions.

ROBERT STAWITZKY: Okay.

MARY ANN STAWITZKY: But there's nothing- there's got to be another meeting for Hanover, just for Hanover with this project?

ROBERT STAWITZKY: With the applicant?

MARY ANN STAWITZKY: With the applicant?

MATT MAZGAJ: Not that I know of—

MARY ANN STAWITZKY: —Is there going to be one with, just for Hanover with the applicant or just Villenova with the applicant?

MATT MAZGAJ: Not that I know of.

ROBERT STAWITZKY: Okay.

MARY ANN STAWITZKY: Why?

ROBERT STAWITZKY: So that means we've gotta go to the one Thursday. It's the same wind farm.

HEARING OFFICER: Thank you.

HEARING OFFICER: And would you please sign in?

(Inaudible)

HEARING OFFICER: All set? Thank you.

HEARING OFFICER: Yes, ma'am?

JUDY PHILLIPS: I came into the meeting a little late, so I don't know what was said prior to my arrival. But, um, my question is what kind of funding does the Chautauqua County Developmental Agency give to a project such as this? How does that work?

HEARING OFFICER: Okay, I will relay your question to the Board.

JUDY PHILLIPS: Okay.

HEARING OFFICER: And, um, and to respond to what you asked about what was said before, I introduced the project by reading the notice that I provided a copy of to you.

JUDY PHILLIPS: Okay.

HEARING OFFICER: Yes, sir? Oh, I'm sorry, before I move on, would you please identify yourself?

JUDY PHILLIPS: Judy Phillips.

HEARING OFFICER: Thank you, Judy. Yes, sir?

ELIOT JIMERSON: My name is Eliot Jimerson. Uh, so this is just a comment type hearing, you just want to hear from people, what they feel on this project?

HEARING OFFICER: Exactly.

ELIOT JIMERSON: And um, one thing for sure is I have to say that I know they're building one just down the road, down here, but it's only one. And, um, I know I'm kind of fascinated by the windmills. I watch, when I travel, I watch all the different sized windmills on farms, and homes, and stuff like that. And uh, I believe it's a better way of, um, maybe as far as the environment goes. But I'm not an environmentalist or anything but it seems a lot more clean than the other types of power that they've been using over the years. And, um, I guess if it's in your backyard, though, if they're going have twenty, thirty, or whatever, I don't know how hard that would have to be to deal with it. But I still believe that the power that's going to be generated from the windmills has got to be a lot better than what we've been doing over the years. As, uh, human being we've got to live on this planet, and, we need uh, bigger and better ways to, uh, produce energy for ourselves so that we can continue on. And, um, I know it wouldn't probably happen in our time, but we've got to think ahead and save the planet and the people who will be on it. But I know it might, people might think that's a little farfetched, but as human beings, you know,

we've got global warming and all this stuff, and I don't know, we won't even go there, other than that I just believe it's a good idea. And, um, I'm hoping that it'll make life easier on people as far as, uh, electric bills and whatnot because people with utilities seem to have us strapped over a barrel in a sense, and that, I think people get tired of that. And I think they should be made to make it more fair rather than just keep collecting and collecting and collecting more. And you know, you're just hoping it stays on. And the utilities, you're always, like, you're at their mercy. And you hope that they're not cheating you. And...because there's a lot of greed in these people who have stock in all this stuff are just looking for the mighty dollar. At what point in time (inaudible). Because we all have to work for a living. We need to be able to, uh, stay up with the cost of living in order to live comfortable. And if we're heading in that direction, and if it will provide work for a lot of people, and I hope that we get some people on the project (inaudible) from the area, and not some people from out of town, that are just coming around. And so that's what my thoughts are. Thank you.

HEARING OFFICER: Thank you for your comments.

HEARING OFFICER: Yes, sir?

BRUCE ROLL: My name is Bruce Roll. I'd like to say that I'm opposed to the project. I'm opposed to the funding for the project for all of the negative environmental impacts it's going to have on this area. And apparently, um, negative health impacts on the people in proximity to the towns.

HEARING OFFICER: Thank you for your comments.

JUDY PHILLIPS: Is this the same meeting that will occur at one o'clock in the Hamlet Church?

HEARING OFFICER: We have another meeting just like this, yes, in the Hamlet Church today at one o'clock, um, for residents in the Villanova area.

ELIOT JIMERSON: And there's supposed to be another one at, like, um at seven at night, though?

HEARING OFFICER: I'm, that's not an IDA public hearing. If there's an— do you mean today?

ELIOT JIMERSON: No, I seen a flyer, and it was, um—Forestville—

JUDY PHILLIPS: Thursday. Thursday at Hamlet Church.

HEARING OFFICER: Is that the one that Mr. Mazgaj mentioned? Okay, I'm, yeah, that's not an IDA-

ELIOT JIMERSON: That's the one where we can ask questions and (inaudible) allowed to answer questions.

HEARING OFFICER: Yes.

JUDY PHILLIPS: That's at seven o'clock and (inaudible)

HEARING OFFICER: I don't have that information.

JUDY PHILLIPS: I know, that's okay.

ELIOT JIMERSON: yeah, that church

HEARING OFFICER: And back—

JUDY PHILLIPS: United Methodist

ELIOT JIMERSON: United Methodist, yeah

(inaudible)

HEARING OFFICER: And back to your question, you are welcome to attend that meeting, as well, at one o'clock today in Villenova—

JUDY PHILLIPS: All right.

HEARING OFFICER: —if you would like to.

JUDY PHILLIPS: Am I able to make comments regarding (inaudible) not a Hanover resident?

HEARING OFFICER: You're welcome as a member of the public to make comments at this meeting.

JUDY PHILLIPS: Okay. I am thoroughly opposed to this project. For many reasons. Um, one: they cannot mitigate the visual impact. Um, two: and I'm hoping to have some of these answered on Thursday night, and I brought up last February at the last public meeting, was, um, whether or not these will, um, interrupt the NOAH weather signals, which are so important in this area to people trying to get to work, or driving a bus, um, because of the heavy snowfall that we receive. If they will interrupt the over-the-air TV signals, um, where people may have antennas on their homes, to feed their televisions. Um, if it will take forty or more tractor trailer loads to bring in one of the twenty-nine turbines that are now on, um, the, um, the applicant's amended application. Um...how much that will disturb, um, our area with that kind of truck load that, um, that will be brought in. The de-commissioning, um, agreement between the town of Villenova and the applicant...is it, um....fully written as far as the timeline, and who will be responsible for the d-commissioning. Whether they can bring in more, if they can replace the ones after the twenty year period. Um. (sigh) There is an eagle's nest within one mile of this project on a corner of thirty-nine in Hanover. There is... those birds will be affected by it. Uh, I kind of wish I had written some of this stuff down at this point, but I could go on and on.

HEARING OFFICER: I'm happy to take your comments.

JUDY PHILLIPS: Right, and I gather the big thing as far as this meeting is, I would like to understand more about the Chautauqua County Industrial Agency's role, um, in the type of funding that they will provide and where that funding comes from both for the residents of Hanover and Villenova. Um. That's what I would like to know.

HEARING OFFICER: Thank you very much for your comments.

ALYCE CROWELL: My name is Alyce Crowell. I am for the windmills. I am a land owner and I find them totally fascinating and I wish I could have one.

HEARING OFFICER: Thank you for your comments.

ALYCE CROWELL: Okay. (laughs). I just want one.

(inaudible)

HEARING OFFICER: Yes, ma'am, would you please identify yourself—

JUDY PHILLIPS: Judy Phillips. Okay, I've been on both sides of this. When Noble had this project in 2008, as a land owner, our family was opposed. When there were sixty turbines proposed. Again, they were under the feet that they're proposing now of four hundred and ninety-two feet, um, back then. And as a family we discussed this because we were approached as a family. Of course that fell through with Noble. But at that time, I was against them even though it had, would have brought a lot of help to our family maintaining the land that's been in our blood for six generations. Because I didn't feel that just because we had more land than other people, that the person across the street may have measured their land in feet, and not in acres, and they had worked just as hard, if not harder, for what they had. They had gone to maybe a bank, obtained a mortgage, built a home, brought in a home onto that piece of property, and that they would have to, um, live with whatever those turbines brought, whether it was a visual problem for them, whether it was infrasound problem, whatever it was, they would have to live with it. And I didn't think that was right, because we had land and they didn't. Um, and that was my objection in '08 and again it stands in two thousand sixteen.

HEARING OFFICER: Thank you for your comments.

HEARING OFFICER: (Phone vibrating) Is that my phone? I'm sorry, where is my phone?

MATT MAZGAJ: Silver Creek number?

HEARING OFFICER: My son's at school, so I get nervous when I hear the phone ring and ring.

(inaudible)

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 10:25 a.m. and I now call this hearing to a close. Thank you.

(TIME NOTED: 10:25 a.m.)

Respectfully submitted,

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

Kristine Morabito

Business Development Manager

Public Hearing

Ball Hill Wind Energy, LLC

Down of Hanover Town Court Room

68 Hanover St, Silver Creek, NY 14136

October 11, 2016

10:00am

<u>Print</u>	<u>Sign</u>	<u>Title / Affiliation</u>
Kristine Morabito	Kristine Morabito	CCIDA
BRUCE ROLL	1/2 Roll	RESIDENT
Howard Alyce Crowley	Howard Alyce Crowley	
Matt Mazzaj	Matt Mazzaj	Phillips Lytle
Mary Ann Sawitzky	Mary Ann Sawitzky	Resident
Robert Sawitzky	Robert Sawitzky	Resident
Judy Phillips	Judy Phillips	Resident/Villeona
Eliot Jimerson	Eliot Jimerson	IUOE Local 17