

Public Hearing

Ball Hill

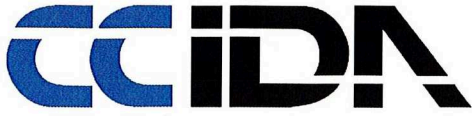
Hanover Town Court

68 Hanover Street

Silver Creek, NY 14136

April 16, 2024

9:00 AM



County of Chautauqua Industrial Development Agency

Public Hearing Attendance Sheet

Project: Ball Hill Wind Project

Public Hearing Location: Hanover Town Court – 68 Hanover Street, Silver Creek, NY 14136

Public Hearing Date and Time: April 16, 2024 9:00 a.m.

Full Name (Please Print)	Signature	Affiliation
1. <u>Cynthia L Sheely</u>	<u>Cynthia L Sheely</u>	
2. <u>Amiee Rogers</u>	<u>Amiee Rogers</u>	<u>Town Council</u>
3. <u>Louis Pelletta</u>	<u>Louis Pelletta</u>	<u>Town Supervisor</u>
4. _____		
5. _____		
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10. _____		
11. _____		
12. _____		
13. _____		

MS. STRANDBURG: Good morning. My name is Rosemarie Strandburg. I am a Project Manager and a duly authorized hearing officer of the County of Chautauqua Industrial Development Agency (the “Agency”) and I have been authorized to hold a public hearing pursuant to Section 859-a of the New York General Municipal Law, as amended (the “Act”).

Today is July 16, 2024 and the time is now 9:00 a.m. We are at Hanover Town Court, 68 Hanover Street, Silver Creek, County of Chautauqua, New York.

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”), previously presented an application (the “Application”) and a supplemental application (the “Supplemental Application”) to the Agency, which Application and Supplemental Application requested that the Agency consider undertaking a project (the “Project”) consisting of the following: (A) (1) the acquisition of an interest in approximately 9,715 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 13.0 miles of gravel access roads, (ii) approximately 19.8 miles of underground medium voltage electrical collection lines, (iii) approximately 5.7 miles of overhead 115 kV electric transmission line on monopole transmission poles, (iv) an electrical collection substation on a site of up to 5.0 acres (with up to 1.3 acres of that impacted by construction of Project improvements), (v) an electrical interconnection substation on a site of up to 8.57 acres (with up to 4.0 acres of that impacted by construction of Project improvements), (vi) an approximately 5 acre operations and maintenance building site, (vii) an approximately 7,000 square foot operations and maintenance building, and (viii) approximately 20 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) wind energy turbines that will each be up to 3.45 megawatts (“MW”) (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.

By resolution adopted by the members of the Agency on December 9, 2016 (the “Authorizing Resolution”), the Agency determined to proceed with the Project, to grant the Financial Assistance and to enter into the “straight lease transaction” (as such quoted term is defined in the Act) contemplated by that certain Agency Lease Agreement dated as of December 22, 2016 between the Agency and the Applicant.

Pursuant to request letter submitted to the Agency by the Applicant on or about December 3, 2020 (as amended, the “Amended Application”), the Applicant has requested that the Agency consider granting certain additional financial assistance with respect to the Project in the form of an amended exemption from real property taxes to reflect a decrease in the number of turbines from 29 to 25 and an increase in the output of the Project Facility from approximately 100 megawatts to approximately 107.5 megawatts (collectively, the “Additional Financial Assistance”).

The Project Facility would be initially owned, operated and/or managed by the Applicant (or such other designated entity(ies)).

The Applicant (or such other designated entity(ies)) would receive the Additional Financial Assistance from the Agency in the form of potential exemptions or partial exemptions from sales and use taxes, mortgage recording taxes and real property taxes.

Notice of this public hearing was published in *The Observer* on July 2, 2024 and provided to the Chief Executive Officer of each affected tax jurisdiction within which the Project Facility is or will be located by letter dated July 1, 2024.

The purpose of this public hearing is to provide an opportunity for all interested parties to present their views, both orally and in writing, with respect to the granting of the Additional Financial Assistance contemplated by the Agency. As set forth in the notice of this public hearing, comments may also be submitted to the Agency in writing or electronically at the following email address:

strandbr@chqgov.com.

Subject to applicable law, copies of the Amended Application, including an analysis of the costs and benefits of the Additional Financial Assistance, are available for review by the public online at www.ccida.com.

This public hearing is being streamed on the Agency's website in real-time and a video recording of this public hearing is being made and will be posted on the Agency's website, all in accordance with Section 857 of the New York General Municipal Law, as amended. In addition, a report or summary of this hearing will be made and such report or summary of all comments received by the Agency shall be provided to the Agency's members and posted on the Agency's website. Comments received in writing will be also be included in the report and any summary of this public hearing.

Is there anyone wishing to be heard with respect to the granting of the Additional Financial Assistance?

Cynthia Sheedy – I am just a resident concerned. Now we have already given variances and financial credits. No, no more, they keep asking for more. They haven't done anything; they haven't hired permanent people that are going to get benefits or anything else. We don't get anything out of it. No, no more. The CCIDA is way too generous and I have said this before. No. Thank you.

Louis Pelletter – Town of Hanover Supervisor. So my comments would be first of all I pro green energy, solar, wind, and whatever else, as far as green goes. However, I voted against the windmills back in 2016 and at that time the windmills obviously passed and I was one of the two votes that voted against it and at that time, the person presenting the windmill project came up to me and said "I'm going to show you that you were wrong". I said "ok, so let me tell you why I voted against it" and we discussed all the tax credits and I said "when the tax credits are drying up, you're not going to be able to make any money and you're going to be back here within a year or two, asking for more financial

relief cause you're not making any money". Within two years, if I remember correctly, the windmill people came back and said "we're not making any money, we need to go back another 100 feet from the 495 up the 595" and at that time the Town Board voted no, against that. So here, within two years, they were back looking for more because they couldn't make money because of the tax credits weren't there. So getting back to the windmill energy, which I am for, but I would like to make sure they are making money, number one before they put those up, number two, they are able to dispose of them when they are no longer of value, but being a proponent of wind, I was involved in wind energy and Village of Silver Creek Historian, back in the 70's, long before these green energy people ever thought about green energy, I was trying to get a windmill, as Village Historian, for my own personal use. Having been around for the ice storm of 1976, when the Silver Creek transformer blew up and it might have been a year before we got a new transformer, we were completely out of electric. I started researching, as historian, what they did during the pre-depression days, before the 1936 rural electrification act came in, when the rural people had to use windmills. So, I had been searching for the last 40-50 years, looking for a windmill to put in my yard. So that's where I'm looking and the wind and I'm also involved trying to do solar, which I wasn't able to do off grid and things of that nature. So basically, I could go on about my proponent about being pro green energy but in this particular case, they told me that they were able to make money, they were self-sufficient, but in reality, they came back within two years looking for more. Now how many years has it been? 8 years and now we're back looking for more. What seems to be the problem financially. Thank you.

Aimee Rogers – I also agree. Voting no is my comment regarding it. I haven't been apart of all the development of it so I'm not as affluent with the information as Louis or Cindy is for that matter. I feel we have already given them a lot as far as we've had to. I know it's the good of the windmills but our view has altered, so I feel like we have been paying for that and I understand there is a need, I suppose, I don't agree, I vote no.

MS. STRANDBURG: It is now 9:12 a.m. Let the record show that, no other members of the public have indicated a desire to comment with respect to the granting of the Additional Financial Assistance. No written comments have been received by the Agency with respect to the granting of the Additional Financial Assistance. I therefore call this hearing to a close.

(TIME NOTED: 9:12 a.m.)