

Some Key Wind Law Regulations in Sample NY Communities

| <u>Community</u> | <u>Setbacks</u> | <u>Acoustics</u> | <u>Terms</u> | <u>PVG</u> | <u>Environmental</u> | <u>Decommission</u> | <u>RATING</u> <u>TOTAL</u> |
|---|-----------------|-----------------------|--------------|---------------------|----------------------|---------------------|-------------------------------|
| <u>Richland (2018)</u> | 5280 ft | 35 dBA @ PL | | 2 Miles | Excellent | Excellent | 100 |
| <u>Yates (2016)</u> | 2640 feet | 39-42 dBA @ PL | | Partial for 2 Miles | Excellent | Very Good | 79 |
| <u>Randolph (2016)</u> | 2000 feet | No Infrasound | | 2 Miles | Very Good | Good | 73 |
| <u>Somerset (2016)</u> | 1500 feet | 35-45 dBA @ R | | 2 Miles | Average | Excellent | 71 |
| <u>Lyme (2012)</u> | 2640 feet | 30-35 dBA @ PL | | None | Average | Excellent | 63 |
| <u>Orleans (2017)</u> | 2500± feet | 33 dBA @ PL | | None | Very Good | Very Good | 63 |
| <u>Hopkinton (2018)</u> | 2500± feet | +3 dBA/40 dBA @ PL | | 1 Mile | Minimal | Good | 58 |
| <u>Cortlandville (2013)</u> | 3280 feet | 35-45 dBA @ PL | | None | Average | Good | 55 |
| <u>Hammond (2011)</u> | 2500± feet | 35-45 dBA @ R | | None | Minimal | Excellent | 49 |
| <u>Cape Vincent (2012)</u> | 3000 feet | 35-45 dBA @ PL | | None | Minimal | Good | 48 |
| <u>Parishville (2017)</u> | 2500± feet | 35-45 dBA @ PL | | None | Minimal | Good | 46 |
| <u>Hartsville (2009)</u> | 2460 feet | +6 dBA @ R | | None | Minimal | Good | 43 |
| <u>Brownville (2017)</u> | 1500± feet | +5 dBA/50 dBA @ PL | | None | Minimal | Marginal | 25 |
| <u>Barre (2018)</u> | 1000 feet | 45 dBA @ R | | None | Minimal | Marginal | 24 |
| <u>Charlotte (2012)</u> | 1000 feet | 50 dBA @ R | | None | Minimal | Marginal | 21 |
| <u>Lowville (2016)</u> | 1000 feet | 55 dBA @ R | | None | Minimal | Marginal | 16 |
| <u>Clayton (2017)</u> | None | None | | None | None | None | 0 |

Note 1: Per the [NYS Constitution](#), the objective of a wind law should be to protect the Health, Safety and Well-Being of local citizens.

Note 2: A wind law that provides proper protections for its citizens, the environment and the military will have a Rating Total of **100**.

For an explanation of how to write a proper wind law see this [document](#). Also, here is a pre-written [NYS Model Wind Law](#).

Note 3: Setbacks should be from closest wind turbine to nearest non-participating property line (**not** residence). "±" assumes a 500' turbine.

Note 4: In Acoustics, "PL" is "Property Line" (the appropriate point of reference), and "R" is "Residence" (inappropriate).

Note 5: In PVG (Property Value Guarantee), two miles is the recommend protection area. Having a proper PVG is VERY important.

Note 6: In Environmental, "Excellent" is when the community selects the tests *and* the testers, *and* the developer pays for these.

Note 7: In Decommission, "Excellent" is when there are good conditions, strong financial protections, and no salvage value credit.

Note 8: To see any of the sample NY Town's wind laws, click on their blue underlined link. (Brownville's is not yet posted.)

Clayton hopes to stop wind turbines with a 250' height limit. We don't believe that there is science or legal precedent to do that.

Note 9: To see how the Rating Total was calculated, see the next page for the Rating sheet information.

Note 10: The Article 10 Board will not likely remove any of these key regulations that are carefully written: see this [Article 10 Summary](#).

Note 11: Hiring a wind energy competent attorney, who is a genuine team player, is **extraordinarily** important.

Note 12: I'm not an attorney so none of the legal opinions should be construed as giving legal advice. Please see #11.

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For any questions or corrections please email John Droz —> aaprjohn@northnet.org

Protective Rating of Some Sample NY Community Wind Laws

| RATINGS | | | | | | |
|---|-----------|-----------|-----------|---------------|--------------|------------|
| Community | Setbacks | Acoustics | PVG | Environmental | Decommission | TOTAL |
| <u>Richland (2018)</u> | 20 | 20 | 20 | 20 | 20 | 100 |
| <u>Yates (2016)</u> | 11 | 15 | 15 | 20 | 18 | 79 |
| <u>Randolph (2016)</u> | 8 | 15 | 20 | 15 | 15 | 73 |
| <u>Somerset (2016)</u> | 6 | 13 | 20 | 12 | 20 | 71 |
| <u>Lyme (2012)</u> | 11 | 20 | 0 | 12 | 20 | 63 |
| <u>Orleans (2017)</u> | 10 | 20 | 0 | 15 | 18 | 63 |
| <u>Hopkinton (2018)</u> | 10 | 12 | 15 | 6 | 15 | 58 |
| <u>Cortlandville (2013)</u> | 13 | 15 | 0 | 12 | 15 | 55 |
| <u>Hammond (2011)</u> | 10 | 13 | 0 | 6 | 20 | 49 |
| <u>Cape Vincent (2012)</u> | 12 | 15 | 0 | 6 | 15 | 48 |
| <u>Parishville (2017)</u> | 10 | 15 | 0 | 6 | 15 | 46 |
| <u>Hartsville (2009)</u> | 10 | 12 | 0 | 6 | 15 | 43 |
| Brownville (2017) | 6 | 5 | 0 | 6 | 8 | 25 |
| <u>Barre (2018)</u> | 2 | 8 | 0 | 6 | 8 | 24 |
| <u>Charlotte (2012)</u> | 2 | 5 | 0 | 6 | 8 | 21 |
| <u>Lowville (2016)</u> | 2 | 0 | 0 | 6 | 8 | 16 |
| <u>Clayton (2017)</u> | 0 | 0 | 0 | 0 | 0 | 0 |

Note 1: A wind law that provides proper protections for its citizens, the environment and the military will have a Rating Total of **100**.

For an explanation of how to write a proper wind law see this [document](#). Also, here is a pre-written [NYS Model Wind Law](#).

Note 2: To see any of the sample NY Town's wind laws, click on their underlined link. (Brownville's is not yet posted.)

The year listed in the parenthesis is the year the local wind law was passed.

Note 3: To see what the regulation details are for these Ratings, see the prior (Regulation) page for that information.

Note 4: Make sure to read all notes on the prior (Regulation) page of this document.

Note 5: The Green items are superior regulations that should be emulated.

Note 6: It's interesting that different NY Towns got some key elements correct, but (so far) only one NYS Town has gotten ALL of them right.

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