

Some Key Wind Law Regulations in Sample NY Communities

<u>Community</u>	<u>Setbacks</u>	<u>Acoustics</u>	<u>Terms PVG</u>	<u>Environmental</u>	<u>Decommission</u>	<u>RATING TOTAL</u>
<u>Somerset (2016)</u>	1500 feet	35-45 dBA @ R	2 Miles	Average	Excellent	70
<u>Yates (2016)</u>	1800 feet	35-50 dBA @ PL	Partial for 2 Miles	Excellent	Very Good	68
<u>Lyme (2012)</u>	2640 feet	30-35 dBA @ PL	None	Average	Excellent	63
<u>Orleans (2017)</u>	1500± feet	35-45 dBA @ R	None	Very Good	Very Good	51
<u>Cape Vincent (2012)</u>	3000 feet	35-45 dBA @ PL	None	Minimal	Good	48
<u>Hammond (2011)</u>	2500± feet	35-45 dBA @ R	None	Minimal	Excellent	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
Brownville (2017)	1500± feet	+5 dBA/50 dBA @ PL	None	Minimal	Marginal	30
<u>Clayton (2017)</u>	None	None	None	None	None	0
<i>For comparison, note the following: a) a passed 2014 wind law, and b) a proposed 2016 wind law, still pending —</i>						
a) <u>Carteret County, NC</u>	5280 ft	35 dBA @ PL	2 Miles	Excellent	Excellent	100
b) <u>Clayton, NY (LL3)</u>	5280 ft	35 dBA @ PL	2 Miles	Excellent	Excellent	100

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.

Protective Rating of Some Sample NY Community Wind Laws

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<u>Community</u>	<u>Setbacks</u>	<u>Acoustics</u>	<u>PVG</u>	<u>Environmental</u>	<u>Decommission</u>	<u>TOTAL</u>
<u>Somerset (2016)</u>	6	12	20	12	20	70
<u>Yates (2016)</u>	7	8	15	20	18	68
<u>Lyme (2012)</u>	11	20	0	12	20	63
<u>Orleans (2017)</u>	6	12	0	15	18	51
<u>Cape Vincent (2012)</u>	12	15	0	6	15	48
<u>Hammond (2011)</u>	10	12	0	6	20	48
<u>Parishville (2017)</u>	10	15	0	6	15	46
<u>Hartsville (2009)</u>	10	12	0	6	15	43
Brownville (2017)	6	10	0	6	8	30
<u>Clayton (2017)</u>	0	0	0	0	0	0
<i>For comparison, note the following: a) a passed 2014 wind law, and b) a proposed 2016 wind law, still pending —</i>						
a) <u>Carteret County, NC</u>	20	20	20	20	20	100
b) <u>Clayton, NY (LL3)</u>	20	20	20	20	20	100

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 certain key elements correct, but (so far) no NYS Town has gotten ALL of them right.

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