

Residents of the Town of Glen submitted questions as part of the public hearing for the proposed Borrego Wind Turbine project at 411 Reynolds Rd, Fultonville, NY. The Town of Glen Planning Board, Borrego, and Prime AE coordinated efforts to respond to all questions submitted. The results are as follows:

Town of Glen Reponses

1. Q: Has the town requested help from NYSERDA as provided for?

A1: No, NYSERDA is pushing for Solar and Wind all across rural America. Our experience working with them in the past is that they provide input that serves to further their own mandate and is not always in the best interest of the community.

Borrego has noted this is not applicable for Community Distributed Generation projects.

2. Q: Who was assigned (as specified in the NYSERDA Document) to be the Public Information Coordinator?

A1: We do not have a Public Information Coordinator in the Town of Glen. Our community positions are limited to those we can fill through engaged community volunteers.

Borrego has noted the Public Information Coordinator is not applicable is not applicable for Community Distributed Generation projects

Q: Most of the information was sent by Borrego, and in my experience, very few of the Town residents even know this is being proposed – most confuse it with the issue being a property owner’s right to do what they want with their land. Even us, as landowners, were notified VIA US Mail (no proof of delivery) just 2 weeks prior to what was supposed to be the final meeting?

A1: The Town/Planning Board communicate with the community in a variety of ways. This includes keeping the Town website updated with agendas and meeting minutes/documents from each monthly meeting, updating the “News” section of the website, posting meeting agendas/notices on NextDoor and posting meeting notices in the Amsterdam Recorder and at Town Hall. Additionally, when an application has reached the point in the process where a public hearing must be held, the applicant is responsible for reaching out by USPS to landowners within 500ft of the project site to notify them of the proposed project and public hearing. A public hearing is a part of the application process but is by no means a final meeting on a proposed project.

Borrego noted the notifications to residents required by the Town of Glen zoning code were sent via certified mail with confirmation receipts to abutting properties 2 weeks prior to the public hearing. The Planning Board confirms receipts for these notifications were received and recorded in the project file.

3. Q: Has the board consulted a representative from National Grid to speak on how the electric purchase works?

A: No

Q: Can someone contact them to have a representative attend the Jan. 20 meeting?

A: Electric purchase is not a new program and is outside of the scope of responsibility of the Planning Board. Borrego can provide additional information regarding interconnection, should it be required.

4. Q: Who is the Ad Hoc member to represent the Town/County on the energy committee?

A1: The Town of Glen does not have an Ad Hoc member on the Energy Committee; not applicable as a CDG project.

5. Q: What are the provisions if Borrego bankrupts during the project? What happens to existing agreements?

A1: Borrego will not be the owner of the project when it goes into production. However, all agreements Borrego enters in to and all bonds established will be transferred to any future owner of the project.

A decommissioning plan is put into place that requires a bond be established to make funds available for the decommissioning of the wind turbine at the end of its lifecycle or if abandonment were to occur.

6. Q: Has Borrego put up a performance bond?

A: No, a performance bond is part of the project decommissioning plan. The bond for the project would be established once a project is approved.

7. Q: Do agreements made with Borrego carry over to the purchaser of the unit?

A: Yes

8. Q: NYUP.com lists 13 Wind Turbine Sites in Upstate NY. Has the board contacted any of them to see how those projects went?

A: The NYUP.com article references [Wind Farms](#). The Planning Board has not reached out to other counties operating wind farms, as the projects are very different. The Planning Board has reached out to the Town of Florida to see if they would be willing to discuss their single wind turbine project.

9. Q: Are the taxpayers guaranteed a minimum revenue stream? If yes, what if the provisions of production falls short of the minimum?

A1: Revenue stream to the Town of Glen comes in the form of Payments in Lieu of Taxes (PILOT), if the Town continues to opt into the Real Property Tax Law (RPTL) 487 or our standard tax percentage if the Town opts out of the Real Property Tax Law (RPTL) 487. The Town can also negotiate a Host Community Benefit Schedule. This schedule would identify what funds should be paid to the Town annually

Borrego noted that typically, tax payments are on a nameplate (\$ per MW) basis, and do not vary according to production of the wind turbine

10. Q: What are the provisions for auditing/independent verification of revenue/production of the unit to show taxpayer revenue?

A1: Turbine energy production and revenue to the turbine owner are outside of the scope of the Town's responsibility in reviewing the proposed project. "Taxpayer Revenue" comes in the form of the PILOT and Host Community Benefits Agreements established for the project.

A2: Taxpayer revenue is not tied to turbine production, rather it's calculated based on a nameplate capacity (\$/MW).

11. Q: What is the split between Town/County and State Revenue?

A1: As of 2/11/22, the Town of Glen has opted into the Real Property Tax Law (RPTL) 487 and is eligible to negotiate a PILOT agreement, therefore the revenue split being asked about is not relevant. If the Town of Glen determines it better to opt out of the Real Property Tax Law (RPTL) 487, then a general tax split for tax revenue is roughly 10% for the Town, 35% for the County, and 55% for the School District. Today Montgomery County is not doing PILOT agreements and it is the recommendation of the Town Assessor that the Town of Glen opt out of the Real Property Tax Law (RPTL) 487.

12. Q: Is the Town given additional revenue preference as the host community?

A: A Host Community Benefit agreement can be established once a project is approved.

13. Q: How can a landowner who doesn't even live in this area decide the fates of the community surrounding a proposed project?

A: All landowners in the Town of Glen have the same rights to use their property as falls within the Town of Glen Zoning and Land Use Management, regardless of whether they reside within in the Town of Glen or elsewhere.

14. Q: How does a solar company like Borrego get to propose a massive wind turbine (first for their company) in our farmland community?

A: Any renewables company can propose a wind or solar project. It happens that Borrego is the company that is proposing this project application.

15. Q: Why am I paying for a project like this with my tax dollars?

A: Residents should reach out to their State and Federal elected officials regarding the use of their tax dollars for Renewable Energy Projects: [State Officials](#) Reference: [New York State Real Property Tax Law 487](#)

16. Q: Why would such a large project get such a massive 15-year tax break when our property values will be greatly affected?

A: NYS has determined what Wind and Solar projects can be assessed and taxed for. Local Government is required to follow the determination of NYS. We recommend residents reach out to their elected

[State Officials](#) with concerns about taxation associated with renewables projects. **Reference:** [Appraisal Methodology for Solar/Wind Energy Projects](#)

17. Q: What will be the negative impact to property values of properties near the Turbine?

A: It remains to be seen what, if any, impact renewables will have on property values in the Town of Glen

Q: Can this be verified independently as Borrego is not independent to the project?

A: The Town Assessor is responsible for determining property value in the Town of Glen.

See Borrego Question #27 for Borrego's Response

18. Q: Have the final Avian & Bat studies been completed and where can they be viewed?

A: Yes, the Avian and Bat studies have been completed. The study data is located on the Town Website in the [December Meeting Minutes](#)

19. Q: If our property values do decrease, will our property taxes be lowered to reflect this?

A: No, taxes will not be reduced if property values go down. The only thing that causes taxes to go down is if budgets are decreased at the municipal levels.

20. Q: Is the tax status of the site property changed if the turbine is built and operational? For example, if a property is vacant farmland and begins producing power, is it taxed at a higher rate?

A: The land under a wind turbine or solar panels will become commercial and will have a higher value assigned to it. The rest of the land, if there is any on the parcel, will remain as vacant land or vacant farmland. Land that is currently taxed with an Agriculture exemption will lose said exemption when transitioned to renewables. **Reference:** [Farmland taken out of agricultural production](#) . Assessors will be required to use NYS' [Appraisal Methodology for Solar/Wind Energy Projects](#)

21. Q: Can the final decision of the Town regarding approval be appealed or overturned?

A: Approval or Denial of the application can be overturned. The Planning Board is responsible for following laws put in place by NYS and the Town to review proposed projects. There must be valid, legal reasons to deny an application. Due diligence in the form of completed application documentation and review must be completed before any decision can be made. This includes insight from the Town appointed Engineering Firm, Town Lawyer, and Montgomery County Planning Board.

22. Q: Does the Town have legal counsel that reviews these proposals to guard against legal issues that could arise by entering into an agreement like this that we have no experience with?

A: Yes

Borrego Responses

1. **Q: Several websites listing wind data for our area show wind speeds as marginal at best. Why was this site considered and why is the weather station on the property not at the height of the actual wind turbine hub? NREL website shows our region having a wind speed of 4-4.5 m/s. This makes the site an IEC class D (very low). Vestas (V150-4.5mW) requires an IEC Class C.**

A: The proposed location is ideal for a single Community Wind turbine because of the high elevation in comparison to the surrounding region. This is the only viable location for a wind turbine in the Town of Glen. Overall wind speeds across the Town of Glen are indeed marginal at best and the region would not support a utility scale wind farm. Publicly available wind maps are not useful for determining the wind speeds at a specific location. The industry standard is to measure wind speeds with wind measurable towers at 60 meters above ground level. Measuring wind speeds at a higher elevation is prohibitively expensive.

2. **Q: What easements have been requested? The NYSERDA Guidebook section on Planning and Permitting grants certain rights to the developer to disturb neighboring properties.**

A: This is not applicable as a CDG project. Regardless, no easements are needed.

3. **Q: How many neighboring payment agreements have been arranged? If the project is not intrusive why are neighbor agreements even considered?**

A: Not applicable. These agreements typically contain confidentiality requirements.

4. **Q: Where is the interconnect to the power supply? Transmission Lines are on the 411 Reynolds Road site, but representatives of Borrego cite an interconnect at Reynolds Road. The nearest 3 phase lines are on 30A at the intersection of Reynolds Rd (North connector) and Lathers Rd. Who will pay to connect to those line and what would be the impact of routing overhead or underground lines.**

A: The project's interconnection will come at no cost or burden to the Town's existing electrical services. The relatively small output of the project means no new transmission* lines will be needed.

* Note: transmission lines and distribution lines are different. Upgraded distributions lines will be required. See Borrego question #29

5. **Q: The original site was moved north requiring more de-forestation and disruption of the wetlands – was updated analysis done? Were soil evaluations based on “off the shelf” data, why didn't they use off the shelf wind data?**

A: All portions of the work area have had wetlands delineated, including all iterations of siting the turbine. Impacts to both wetlands and forests have been minimized to the extent practicable.

6. **Q: Borrego cites a 10% savings to residents – 10% of what? Our total power bill or just the supply portion?**

A: Residents have to sign up for these programs, and the current market rate for discount to the electricity supply and distribution charges is 10%. Numerous companies provide

CDG renewable energy in New York and can be found at this website:

<https://documents.dps.ny.gov/PTC/der>

- 7. Q: How much property taxes will be paid? If this were a Full Market Valued industrial property, the taxes would be about \$200,000 per year for County and School. Is there a PILOT agreement planned? Will the School get the full amount based on assessment?**

A: Borrego has not yet entered into negotiations for the PILOT with the Town of Glen.

- 8. Q: What is the projected Sales Tax revenue of the project's revenue – and how calculated, what assumptions?**

A: Borrego has not yet entered into negotiations for the PILOT with the Town of Glen.

- 9. Q: Has anyone asked what percentage of the project's revenue is from Carbon Off sets (also called Carbon Credits). This is selling "green credit" to polluters.**

A: Not Applicable in New York

- 10. Q: Has anyone looked at the energy produced per acre and compared to other generation technologies like a combined cycle gas fired plant (they occupy 80 acres for 1400 mW of generation typically)?**

A: Borrego develops renewable energy projects only and has not considered gas fired plants.

- 11. Q: What is the impact of intermittent power being put on our local grid? A typical house uses 750 kW hours per month, this will put 4300 kW each hour it is running at peak load.**

A: There will be no adverse impacts to the local grid.

- 12. Q: What are the assumptions of running hours for the Unit and how much power it will generate annually. There are about 900 households in the Town of Glen.**

A: Typically wind turbines run as long as wind speeds are above 12 mph at the hub height of the wind turbine, or approximately 90% of the hours in a year. A single turbine can power approximately 1200 homes.

- 13. Q: Does Borrego (the developer) have a purchase agreement by an owner/operator, or is this speculation? If so, who is the buyer? Does the Town have a say in the purchaser?**

A: Borrego does not know the buyer at this time. No, the Town does not have a say in the purchaser

- 14. Q: Will the Town have lien on the Turbine?**

A: No

15. Q: Are the Taxpayer benefits only if there is production? Energy units of sale are mW – Hours (output of the turbine in mW for an hour continuous).

A: Typically, tax payments are on a nameplate (\$ per MW) basis, and do not vary according to production of the wind turbine.

16. Q: Borrego has several days of wind data from the tower. What would revenue stream/production look like so far using this data?

A: These details have not been reviewed and will not be available until at least one year of wind data has been collected.

17. Q: What months are considered the Peak wind flow?

A: Typically wind speeds are higher in the winter months, and lower in the summer.

18. Q: Do taxpayers participate in a commission on the sale of the turbine from Borrego to the owner/operator? How is the commission calculated and verified?

A: No, revenue benefits to taxpayers come in the form of PILOT payments, a Community Host Agreement, and Community Distributed Generation renewable energy programs.

19. Q: Another revenue stream is from the sale of Carbon Offsets/Credits – does the taxpayer participate in this revenue? If so, how is it calculated and verified?

A: Not Applicable in New York

20. Q: Is there a meter that the town can access to see production of the Turbine?

A: No, the meter is owned by and monitored by the electric utility.

21. Q: Vestas lists cut in speed of 3 meters/sec and cut out speed of 25 meters/sec. Based on the wind data so far, how many hours of production would there have been?

A: These details have not been reviewed and will not be available until at least one year* of wind data has been collected.

*Note: wind data began to be collected on November 10, 2021

22. Q: What provisions are made for all agreements to continue for life of the project, regardless of owner/operator?

A: The obligations of the project owner do not change if the owner/operator changes.

23. Q: What is the impact if Borrego (or subsequent entities) purchases the land verses leasing it?

A: Land purchase is not contemplated as part of the project.

24. Q: How will this affect our wildlife?

A: Impacts to terrestrial wildlife are limited due to the small footprint of the site, lack of barriers to movement, and because the site will be unmanned. Therefore, the typical impacts from wind turbines are to avian and bat species. To mitigate this impact, Borrego has partnered with Environmental Design & Research to perform field studies, such as Spring and Fall Raptor Migration Surveys, Winter Raptor Surveys, and Summer Breeding Bird Surveys. These surveys will be provided to NYSDEC. Borrego intends to comply with all DEC mitigation requirements to limit the net impact to species. This applies to bats as well, with one additional step being taken. Bat activity is more predictable, being highest during the summer on calm nights, and so the turbine will be shut down during these times

25. Q: When this turbine ages, who will it be replaced or decommissioned?

A: At the end of this turbine's useful life, it will be decommissioned. If at that time a new turbine is proposed to replace it, that proposal would need to be approved by the town.

26. Q: How will neighboring landowners be compensated for the permanent disturbance this project will infringe upon them? (reduction in property value, noise, infer soundwaves, pulsating vibrations, sleep deprivation, heart palpitations, Flicker effect, shadowing, disturbance to cell service, radio, television, satellite and internet, etc.)

A: Neighbors will benefit through the project's contributions to the Town, County, and School District via Payment-in-Lieu-of-Tax agreements and tax payments. As residents in the Town of Glen, neighbors will benefit from a Community Host Agreement which will provide direct payment to the Town of Glen.

There are over 80 peer-reviewed studies that demonstrate living near wind turbines does not pose a risk to human health, as summarized in New York State Energy Research and Development Authority's Wind Energy Guidebook.

Link here:

<https://www.nysrerda.ny.gov/All-Programs/Clean-Energy-Siting/WindGuidebook>

Fortunately, the effects of wind turbines on property values is a well studied, and well-documented area of research. There is no evidence of an effect on property values, as summarized in the quote below from research conducted by the Lawrence Berkeley National Laboratory (LBNL) under the U.S. Department of Energy.

*"...we find **no statistical evidence that home values near turbines were affected** in the post-construction or post-announcement/pre-construction periods. Previous research on potentially analogous disamenities (e.g., high-voltage transmission lines, roads) suggests that the property-value effect of wind turbines is likely to be small, on average, if it is present at all, potentially helping to explain why **no evidence of an effect was found in the present research.**"*

Abstract:

<https://emp.lbl.gov/publications/spatial-hedonic-analysis-effects-wind>

Report link:

<https://eta-publications.lbl.gov/sites/default/files/lbnl-6362e.pdf>

More specifically, with regard to Community Wind and its effects on property values, further research on Community Wind (1 or 2 wind turbines rather than wind farms) supports the same conclusions reached by the LBNL as shown in the quote below:

*"Although we found the effects from various negative features (such as electricity transmission lines) and positive features (such as open space) generally accorded with previous studies, **we found no net effects due to turbines in these communities. We also found no unique impact on the rate of home sales near wind turbines.**"*

Report Link: <https://puc.sd.gov/commission/dockets/electric/2017/el17-055/exhibit13.pdf>

27. Q: Will Borrego have the right to tell the neighboring landowners they cannot build buildings, such as a silo, build investment development on their property, plant trees, hunt, etc.?

A: No. The project will not have any effect on property rights to neighboring parcels.

28. Q: Will Borrego have the right to use private property for Easements and Right-of-way, to dig underground lines and trenches through properties and run 3 PHz power lines above and below private property?

A: No. The project will not have any effect on property rights to neighboring parcels, and no work is proposed on any parcel other than the subject property. Any 3 Phase upgrades required to support this infrastructure will be paid for by the project and performed and permitted by the utility company. These upgrades will be within existing utility easements.

29. Q: What are the lines of no trespassing boundaries considering the proximity to private property?

A: There are no lines of no trespass associated with the project. The project and associated subject parcel will be no different than any other private property.

30. Q: Further explanation is needed regarding the noise impact study. Namely, how can accurate sound estimates be made regarding noise generation without actual, real-life readings from a wind turbine that is in place and operational?

A: Data from actual, real-life readings of wind turbines are used to establish the methodology and modeling presented in the Sound Level Modeling Report. Epsilon Associates is a recognized industry leader in sound level studies for the wind energy industry, having analyzed sound level impacts for more than 150 projects in the US.

31. Q: If the turbine is placed and becomes operational and sound readings are above the projections, what happens next? Is it decommissioned?

A: Turbine manufacturers Borrego partners with provide a sound level warranty. If the sound readings are above projections, the turbine will be under warranty to remedy the situation. Because of this, turbines are certified to International Electrotechnical Commission (IEC) standards and it is in the manufacturers best interest to ensure they do not exceed the stated noise levels.

32. Q: Does changing the pitch of the blades and atmospheric conditions have an effect on the sound produced?

A: Yes. Inconsistent airflow, higher wind speeds, variations in temperature all have an effect.

33. Q: How much of the construction costs are subsidized by taxpayer dollars?

A: Currently there are no subsidies for construction costs associated with this project, although there may be extensions to tax credits in the future. These may be Investment Tax Credits, or Production Tax Credits.

34. Q: How much revenue would this turbine generate yearly that will be paid directly to the town and the school district? (actual dollar amounts, not percentages)

A: This number is determined by the Payment In Lieu Of Taxes (PILOT) agreement. Borrego has not yet entered into negotiations for the PILOT with the Town of Glen.

35. Q: The National Renewable Energy Lab (NREL) has maps that show the potential for wind generation across the country. Our area is only rated as 'Marginal'. With that being the case, why is this project being proposed in the Town of Glen?

A: The proposed location is ideal for a single Community Wind turbine because of the high elevation in comparison to the surrounding region. This is the only viable location for a wind turbine in the Town of Glen. Overall wind speeds across the Town of Glen are indeed marginal at best and the region would not support a utility scale wind farm. Publicly available wind maps are not useful for determining the wind speeds at a specific location.

36. Q: Have any other owners of properties surrounding this proposed site granted Borrego any easements or right of ways to the site property that would lead to further development for either wind or solar projects in the future?

A: No. All development and access ways proposed are shown on the site plan, and consist of the single access road on the subject property.

37. Q: How much in liability insurances will the operators of the turbine be required to carry to cover any instances where surrounding properties or individuals suffer losses due to catastrophic failures? Would this include environmental damage? Do they cover compensation for any adverse health problems that residents could incur by being close to the site?

A: Wind turbine operators are required to carry insurance between \$5 Million and \$10 Million, and valid claims can be reviewed by the insurance carrier.

38. Q: Is there a licensing procedure that operators have to do prior to operation?

A: Yes, there are numerous requirements before operation including but not limited to 3rd party engineering inspections, wind turbine commissioning, and utility interconnection testing.

Prime AE Responses**1. Q: Who will pay for the preparation and restoration of the rural roads leading to the project? Are these roads designed for the industrial construction traffic of that volume?**

A1: The applicant will be responsible for repairing all local roads that may be damaged during the transportation of equipment required for the installation of the proposed wind turbine. The applicant has stated that they will provide a Transportation Study to determine load capacities, existing road restrictions, and any improvements necessary to transport the wind turbine equipment, which will be reviewed for accuracy. A Road Use Agreement is planned to be executed between the developer/project sponsor and the Town with specific conditions that must be met. A Road Bond will also be required which will provide a guaranteed fiscal surety in such case that the applicant creates damages that they fail to repair to a required standard or within an acceptable time frame.

Borrego Noted: A road use agreement will be negotiated with the appropriate communities prior to construction. The road use agreement will include the following:

1. Statement of no adverse impact or expense to the community.
2. Designated roads to be used over the course of the project.
3. Pre- and post- road evaluations, including before and after photographs, to confirm no damages of the traversed roads have occurred.
4. Any damages to the roads will be repaired in a timely manner.

2. Q: Who has evaluated the credibility of Borrego? They cite a Vestas V150-4.3mW turbine (half again the size of the neighboring Wind Turbines in Little Falls) but the Vestas Website lists only a 4.2 and a 4.5 mW model. What is their experience on completed wind turbine projects? Their decommissioning plan says the net cost is \$10,000. The application submitted to the board was returned to have Borrego answer several questions, yet this was in the final stages of review? (PRIME AE & Borrego responded to this question)

A1: Borrego is a 40+ year old national renewable energy company and has hired GHD, a global professional services company, and other specialized firms to prepare the required documents for this project. They will have to provide the proper financial securities for the project and would not be able to do so, if the company was in poor financial condition. For clarity, we note that the name of the applicant for this project is listed as "Reynolds Wind Farm, LLC c/o Helga Courtney" on the Building Permit application submitted to the Town.

A2: It can be seen in the Decommissioning Plan that a 4.3 mW turbine is cited, however, the submitted technical information sheet for this project is the 4.2 mW model. Borrego shall confirm the model number intended to be used for this project.

Per Borrego: the turbines listed on the website are those currently in production. Because this project is proposed for construction in 2023 at the earliest, Vestas has advised us that the turbine available at that time will be a 4.3 MW version of the existing 4.2 MW.

A3: The Borrego representative stated in a recent public meeting that they do not build or operate the completed project, they perform the upfront design, siting and permitting to obtain the necessary local, state and federal approvals and then sell the project.

A4: The Decommissioning Plan was reviewed by the Town Designated Engineer (TDE), PRIME AE Group of NY. A response was provided by Borrego, and additional comments from the TDE are forthcoming regarding this plan. We do not see a \$10,000 figure in the Decommissioning Plan. The overall costs of decommissioning that the owner would have to bond for in 2022 was proposed in the amount of \$216,300. Considering a 2% rate of inflation over the course of 20 years, this amount would increase to \$321,559, and this is the value proposed to be bonded for by Borrego. Please note that this value has yet to be approved. It appears this comment may have been made in regard to the applicant providing a salvage value. It is important to note that **the salvage value will not be allowed to be used to reduce the amount needed to be bonded for decommissioning**. Considering salvage values, Borrego stated that the **net** decommissioning cost may end up being approximately \$12,006 in 2022 dollars, but this figure is not used for bonding purposes.

A5: It is unclear which “application” this question is referring to that has been “returned to Borrego.” The proposed project is currently undergoing the typical review process, which results in comment and response letters as well as revised documents to be submitted to the Town over a period of months.

3. Q: Did the town get the Intervenor Funding to evaluate the project? Who was hired?

A: Borrego was required to deposit funds in an escrow account to pay for the Town Designated Engineer (TDE), PRIME AE Group of NY, to perform the 3rd party project review. This is typical across New York State for Planning Board project reviews.

The Planning Board notes that Intervenor Funding is related to major renewable facilities that fall within the Article 10 or 94-c process and do not apply to community projects.

4. Q: Did the town hire any industry specific consul or energy specific experts to evaluate this? Has Borrego’s claims been independently verified?

A: PRIME AE Group of NY (PRIME AE) is the Town Designated Engineer (TDE) for this project review. Douglas P. Cole, P.E. is the Senior Director of Engineering for PRIME AE’s Albany NY office and has over 29 years of Planning Board review experience. Mr. Cole was the TDE for the Town of Princetown Planning Board during the development of their Commercial Wind Energy Facility Law and has reviewed countless commercial and industrial projects for many planning boards throughout his career. As the Town of Glen does not have a Wind Law, the technical review of the project has been based on NYSERDA, EPA, NYSDEC and other guidance documents and the requirements contained in other nearby rural community, local government Wind Laws.

We recommend the Town seek counsel from NYSERDA representative, Bill Oberkehr, Project Manager and an expert in Clean Energy applications. We have reached out to him to see if he, or another person with NYSERDA, would be willing to make a presentation at a Planning Board meeting.

5. Q: Who is Prime AE and what is their continued role in this process?

A: PRIME AE Group of NY (PRIME AE) is a consulting engineering firm and is the Town Designated Engineer (TDE) for this project review. PRIME AE is providing technical and procedural guidance to the planning board during this project review. PRIME AE currently has over 425 employees in 18 offices, which includes Professional Engineers, Registered Architects, and Construction Inspectors.

These professionals average 20 years of experience in their respective disciplines. In 2021, Engineering News-Record ranked PRIME AE #236 on the list of the Top 500 A/E Design Services Firms nationwide.

6. Q: Who decides what noise level is acceptable?

A1: As the Town of Glen does not have a Wind Energy Law, the resources used to determine an acceptable noise level for the project are planned to include: NYSDEC Assessing and Mitigating Noise Impacts, latest issue dated 2/2/2001, US Department of Energy Distributed Wind Energy Zoning and Permitting Toolkit for Local Governments dated November 2017 and the NYSERDA Wind Energy Guidebook for Local Governments dated September 2020. In order to have proper baseline measurements to assess the potential noise impacts, the applicant will be required to conduct a noise analysis to document the existing sound pressure levels at neighboring properties (as selected by the Planning Board).

Borrego noted there is no specification in the Glen bylaw, but the noise limits established by the NY Office of Renewable Energy Siting are “45 dBA (8-hour) outside any non-participating residence and 55 dBA (8) hour outside any participating residence that exists when the siting permit is issued.

7. Q: Since this proposed turbine would be sold to another party after construction, what happens in the event that they deem it not feasible to operate any longer or go bankrupt, what happens next and who is responsible for paying for it?

A1: This exact scenario is the purpose of the requirement for the project sponsor to establish a decommissioning fund, which will be updated with the Town each time there is a new owner of the project. In the case the owner/operator is no longer able to continue operation, does not perform the removal of the system, or return the site to pre-development conditions, the Town can use the Decommissioning bond to perform the work. The Town will also be requiring the Decommissioning bond amount to be updated every 2 years by the project owner and submitted for review and approval by a Town designated engineer.

8. Q: Who is responsible for oversight of the site to make sure Borrego is compliant with regulations regarding operation?

A: Borrego has advised that they will not be constructing or operating the proposed facility. The owner of the project, at any point in time, will be required to abide by the approval documents and conditions imposed by the Town of Glen Planning Board and State and Federal Laws. The Town of Glen Code Enforcement Officer is tasked with verifying that approved projects are following the approved plans, applicable conditions and laws. The Town could elect to hire an engineering firm to oversee the construction at Borrego’s cost.