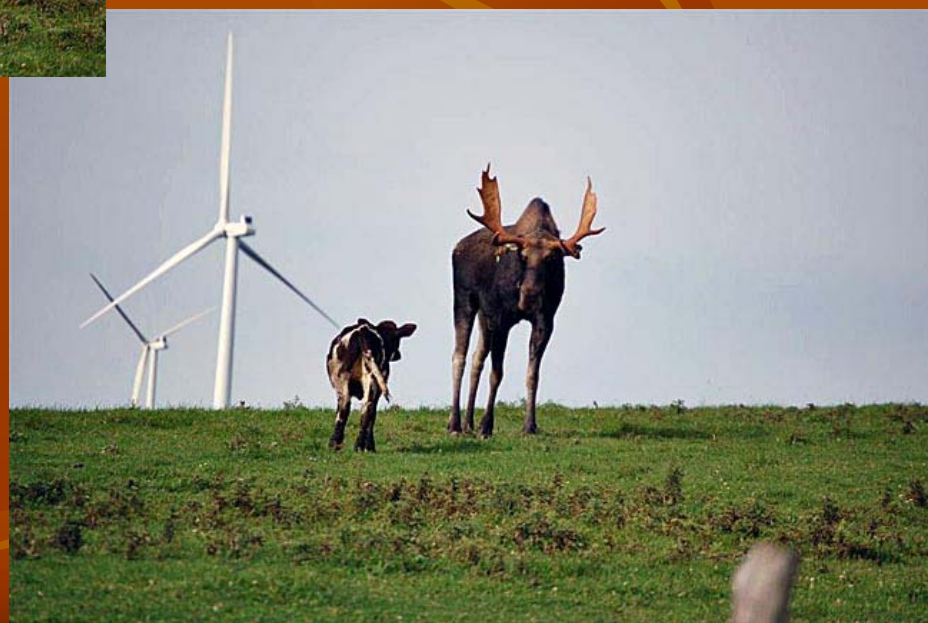


Wind Power Symposium

AOT Conference – NYC February 20, 2007

From the Local Perspective

Moose on the Loose



Tour of Wind Farms

- Searsburg, Vermont in February 2000
- Madison, NY in October 2000
- Fenner, NY in 2002
- Met with local officials and landowners at each of these projects to learn about the farms and lessons learned



AUG 24 2005

Zoning Law Amendments

- Each town approached in a different manner
- Martinsburg – Overlay District
- Lowville & Harrisburg – Amended their law to allow “wind power generating facilities” within agricultural and rural residential districts
- Zoning regulations available on www.tughillcouncil.com/Martinsburg



SEQR Process

- Coordinated review
- Martinsburg lead agency on behalf of the three towns
- Final determination – Positive Declaration
- Full Environmental Impact Statement



Payment in Lieu of Taxes (PILOT)

- How was the PILOT negotiated?
- Who was involved?
 - County Planning Department, County Attorney, School Boards, Town Supervisors, County Real Property Tax Services, Empire State Development, County Legislative Chair



Economic Development Zones

- EDZ rules allowed for allotment of zones around each individual turbine
- Allowed developer to offer a more comprehensive PILOT package to the taxing authorities – school districts, towns, and county
- Changes in EDZ rules do not currently allow for a similar distribution of zone acreage



Assessment Implications

- Budget
- Assessments
- Tax Rate

Local Reaction Post-Construction

- Visuals?
- Electronic devices – impacts?
- Noise?
- What happens to the turbines when they are no longer viable?
- Bird and bat impacts?

Roads Agreement

EXECUTION COPY

AGREEMENT FOR ROAD USE, REPAIR AND IMPROVEMENTS

This AGREEMENT FOR ROAD USE, REPAIR AND IMPROVEMENTS (this "Agreement") is made and entered into this 24th day of March, 2005 by and among the TOWN OF LOWVILLE, a municipal corporation with offices at 553 Bostwick Street, Lowville, New York ("Lowville"), the TOWN OF HARRISBURG, with an office at 7886 Cobb Creek Road, Copenhagen, New York ("Harrisburg"), the TOWN OF WATSON, a municipal corporation with offices at 6630 River road, Lowville, New York ("Watson"), the TOWN OF MARTINSBURG, a municipal corporation with offices at Route 26, Martinsburg, New York ("Martinsburg" and together with Lowville, Harrisburg and Watson, the "Towns"), the COUNTY OF LEWIS, a body corporate and politic under the laws of the State of New York with an office at 7668 State Street, Lowville, New York (the "County") and FLAT ROCK WINDPOWER LLC, a Delaware limited liability company with offices at 7612 State Street, Suite #7, Lowville, New York 13367 ("Flat Rock"). Lowville, Harrisburg, Watson, Martinsburg, the County and Flat Rock are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS

1. Flat Rock has been developing a wind-powered electric generating facility located in the towns of Martinsburg, Harrisburg, Watson and Lowville in Lewis County, New York (the "Flat Rock Wind Project").