

CURTIN & DeJOSEPH, P.C.

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**Admitted in California Only*

Brian T. Sinsabaugh

August 11, 2016

VIA ELECTRONIC MAIL

Hon. Kathleen H. Burgess, Secretary
N.Y.S. Board on Electric Generation
Siting and the Environment
Three Empire State Plaza
Albany, New York 12223-1350
Email: secretary@dps.ny.gov

Kevin Casutto, Presiding Examiner
Three Empire State Plaza
Albany, New York 12223-1350

Re: Request for Intervenor Funding for Case 15-F-0327, Application of Galloo Island Wind LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Project

Dear Secretary Burgess and Presiding Examiner Casutto:

As you know, I am representing the interests of the Town of Hounsfield in the matters relating to the case referenced above and as a result of an application that was previously made by Galloo Island Wind, LLC. We submitted an initial proposal for Intervenor Funds and subsequently amended that in answer to inquiries made relative to the nature and scope of services to be provided by the Town Engineers office.

We have also received copies of the submission that was made by the Village of Sackets Harbor, an incorporated municipality within the Town of Hounsfield, and noted that there were concerns raised that involved the visual impacts that may be realized as a result of the Wind Farm Project. We have consulted with Saratoga Associates and have retained them to act on behalf of the Town and in turn, the Village, in providing a visual assessment of the overall project and its potential adverse effects.

The nature and scope of the proposal would include, but not necessarily be limited to: (1) a review of the preliminary scoping statement that has been submitted on behalf of the applicant; (2) identification of potential locations of interest in and about the Town of Hounsfield, inclusive, but not limited to the Village of Sackets Harbor; (3) site visitation as may be required in order to ascertain line of sight, visual assessments; (4) photographic stimulations; (5) an evaluation of the degree and nature of visual changes as a result of the construction of the project; and (6) other related services as may be required.

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In response to the presiding examiner's comments offered during the course of the most recent hearing, the Town did reach out to the Village of Sackets Harbor, its Mayor and Trustees in order to coordinate efforts to address the potential concerns of the residents of the Town and in turn, the Village. Unfortunately, because of time and other potential constraints, the parties were unable to meet in order to address mutual concerns. However, in the interim, their attorney and I have had conversations and I believe that he is in agreement that the Visual Assessment to be undertaken by Saratoga Associates does meet the needs of the Village, as well as the Town within which the Village is located.

The scope of the services that are proposed by Saratoga Associates is \$10,100.00 and a copy of their proposal is submitted herewith.

On behalf of the Town, we hereby amend our application to include these services and we respectfully believe other concerns that have been raised by the Village may well be incorporated within the scope of review provided by the Town's professionals during the course of this undertaking.

Respectfully submitted,

Very truly yours,

CURTIN & DeJOSEPH, P.C.

Paul J. Curtin, Jr.
Email: pcurtin@curtinlawpc.com

PJC/jmm
Enclosure(s)
cc (w/enc.): Timothy Scee (via email: satsunmore@twcny.rr.com)

SARATOGA ASSOCIATES

Landscape Architects, Architects,
Engineers, and Planners, P.C.

August 10, 2016

Mr. Paul Curtin, Esq
Curtin & DeJoseph, P.C.
42 Albany Street
Cazenovia, New York 13035

Re: Proposal for Visual Assessment Consulting Services – Review of the Galloo Island Wind Farm

Dear Mr. Curtin:

On behalf of Saratoga Associates Landscape Architects, Architects, Engineers, and Planners, P.C. (Saratoga Associates), I am pleased to submit this proposal for visual assessment consulting services. We look forward to working with you as we identify potential visual impacts caused by the proposed Galloo Island Wind Farm (Town of Hounsfield, New York). As we had discussed, the Town of Hounsfield would like to confirm potential, actual, or perceived visual impact of the proposed project. As requested, a scope has been identified below that will result in the preliminary assessment of the potential visual impact within the Town.

Proposed Scope of Services

Task 1 – Review of the Preliminary Scoping Statement

Saratoga Associates will review the Preliminary Scoping Statement (PSS) completed by Environmental Design & Research, Landscape Architecture, Engineering, & Environmental Services, D.P.C. (EDR). The PSS's section dealing with visual impacts (Section 2.24) will be reviewed to ensure a suitable methodology is being presented for their visual assessment. Should questions, comments, or concerns arise Saratoga Associates will provide the Town with documentation identifying such.

For the purpose of this proposal, Saratoga Associates assumes that a maximum of two man-hours will be required

Task 2 – Identification of Potential Locations of Interest

While Saratoga Associates will not be completing a detailed search to identify potential sensitive resources, a desktop study will be undertaken to identify areas of potential interest which will warrant further investigation. We anticipate that much of this effort will be related to the Village of Sackets Harbor, the Town's waterfront, and potential elevated locations within the Town. In addition, the Town will supply Saratoga Associates with a list of locations that may be of interest to the community.

A viewshed map will be completed for this effort.

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Deliverable: Map identifying potential locations of concern in 11"x17" color format.

Task 3 – Site Visit

Saratoga Associates will complete a site visit in order to document views towards the proposed project from previously identified vantage points. When Galloo Island is not clearly visible from land, the trained visual analyst will use GPS to indicate the direction of the proposed Island in order to determine whether or not an unobstructed line-of-sight exists between the subject location and the turbine(s). Where a view of the Island is found to exist, the precise location of the worst-case (most exposed) vantage point in the immediate vicinity of the photo location will be recorded using a handheld GPS unit and a high resolution digital photograph will be taken using a 50mm± lens to approximate normal perspective.

We anticipated that the Village of Sackets Harbor waterfront, Sackets Harbor Battlefield State Park, Madison Barracks, and local streets will be photo documented. In addition the Town's shoreline outside the Village and additional locations within the Town will be photographed.

For the purpose of this proposal, Saratoga Associates assumes: 1) a balloon study will not be conducted; 2) one (1) site visit, consisting of one (1) day in the field plus travel and preparation time will be required to collect the necessary photographs – only publicly available locations will be visited; 3) only daytime photos will be obtained; and 4) photographs of the project will not be taken from water resources.

Task 4 – Photographic Simulations

Daytime photo realistic simulations of the proposed wind farm will be prepared for up to three (3) representative locations to be determined in consultation with the Town. Photo simulations will be developed by superimposing a rendering of a three-dimensional computer model of the prproject into the base photograph taken from each corresponding location. The three-dimensional computer model, covering the regional terrain within the project area, will be developed in AutoDesk Civil 3D® and Autodesk 3ds Max Design® (MAX) software. Location and dimensions of the proposed turbines will be supplied by the Town or obtained from the PSS.

The proposed condition model will be rendered at the same output size/digital resolution as the base photograph, and using the base photograph as a background environment map. The 3D model will be rendered using sunlight settings matching the date and time of day the base photograph was taken. To the extent practicable, design details of the proposed facilities will be built into the 3D model and incorporated into the photo simulation. Consequently, the scale, alignment, elevations and location of the visible elements of the proposed facilities are representative of the proposed design. The rendered view will then be superimposed into a digital version of the base photograph using Adobe Photoshop® software for post-production editing.

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For the purpose of this proposal, Saratoga Associates assumes: 1) “panorama” simulations/illustrations are not required; and 2) simulations of transmission lines/structures, alternative layouts/heights, mitigation measures (e.g. proposed vegetation), or additional proposed wind projects are not required.

Deliverables: 11” x 17” illustrations showing the existing view and the simulated view for each simulated location.

Task 5 – Evaluate the Degree and Nature of Visual Change

A summary analysis describing potential project visibility from the photographed locations will be provided. This evaluation will include a narrative describing the aesthetic character of each viewpoint, project components potentially within view, magnitude of visual exposure, identification of affected viewer groups, and duration of view.

Evaluation of secondary impacts (e.g., construction impacts, FAA required lighting or coloration and other potential operational considerations) will also be provided. This evaluation will be sufficiently detailed to provide an overall understanding of such secondary impact.

A brief narrative section will also be provided describing the compatibility of the proposed wind energy facility within the context of the local visible landscape. Issues such as differences in form, line, color, texture, scale, and spatial dominance will be addressed. This information will assist the Town determination of how the project will be seen within the community.

Task 6 – Technical Memorandum

Saratoga Associates will produce a Technical Memorandum that contains information identified in Tasks 2-5, above. In addition, the memorandum will include the following components:

- > Brief description of the proposed project;
- > Brief description of the existing landscape character/visual setting;
- > Discussion on environmental factors that affect visibility (e.g. distance, curvature of the earth, atmospheric conditions, and vegetation); and
- > Summary of findings.

Saratoga Associates will provide the Town with a draft of the memorandum for one (1) round of comments.

Deliverable: One (1) digital version of the memorandum will be provided.

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Other Services

Unanticipated scope items as may be required by regulatory agencies, and/or hearings, review of submitted visual impact assessment, public meetings, testimony, preparation of applications, additional simulations, documentation not identified in this proposal, or meetings will be supplied at the request of the Town at the flat hourly rate for the involved personnel or as applicable, on an agreed to fixed fee. In addition, the development of a cumulative analysis including the proposed project along with other proposed/existing energy related projects in the area is not included in this scope.

Proposed Fee

Saratoga Associates proposes to complete Tasks 1 – 6 described above based on a time and materials basis anticipated not to exceed \$9,850.00, plus an estimated \$250.00 for expenses. Only those actual out of pocket expenses, plus 10% will be billed.

All deliverables will be in PDF format.

Scheduling

Saratoga Associates is prepared to initiate work upon written authorization to proceed and contract execution. The work products identified above will be supplied to the Town on a mutually agreeable schedule.

Thank you for the opportunity to assist the Town of Hounsfield in the review of potential visual impacts resulting from the proposed Galloo Island Wind Farm. If you have any questions please feel free to call me at (315) 288-4286 ext 3302.

Very truly yours,
SARATOGA ASSOCIATES
Landscape Architects, Architects, Engineers, and Planners, P.C.



John Guariglia, RLA