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Via Electronic Filing

May 3, 2018

Hon. Kathleen H. Burgess, Secretary
New York State Public Service Commission
Empire State Plaza, Agency Building 3
Albany, NY 12223-1350

RE: Case No. 16-F-0546, Heritage Wind LLC

Dear Secretary Burgess:

In 2007, I had the opportunity to critique the wind ordinance drafted by the Town of Barre, NY, the location of the above-referenced project. I am heartened to see that many of the flaws in that law have been corrected by requirements now imposed on wind developers by various State agencies. Nevertheless, I oppose this project based on several items I have read in the PSS submitted by Heritage Wind, LLC.

I am the owner of the Skinner-Tinkham House, the National Register listed property located at 4652 Oak Orchard Road at the corner of Maple Street, in the approximate center of the Facility Area. Despite the fact that this property is shown in Figure 9, noted in the report as a visually sensitive resource, and Mr. Kenneth DaLusio swore that he served me with a copy of the Notice of Filing of the PSS on March 26, 2018 (I am listed as #899 on the list attached to the Affidavit of Service), I have received no communications from Heritage Wind LLC. I wrote to the project developer, Mr. Yazman, in 2016 and provided him with my contact information. Although I am not always in residence at the Barre property, both the Town Clerk and the Tax Assessor have my mailing address, email and phone number. I mention all this to alert you that Ashley Moreno's direction in her letter of March 21, 2018 to Heritage Wind to improve communications with potentially affected persons is not being fully carried out.

For the record, I wish to inform you that my property is also an archaeological site which has been examined by the University at Buffalo Archaeological Survey and the Anthropology Department at SUNY Brockport, where 8,000 artifacts taken from a handful of units are in storage. The site has potential to reveal a great deal more about the history of early settlement in Barre.

As for my concerns with the PSS: On page 87, the PSS states "It is also worth noting the visual setting may or may not be an important factor contributing to a given property's historical

significance. Scenic views and/or association with the landscape are not specifically identified as contributing to the significance of any of the historic resources in the study area.” This is an improper statement to be included in a scoping document, and indicates a bias on the part of the expert who is presumably going to conduct the Historic Architectural Resources Effects Analysis.

I wrote the National Register nomination which placed this property on the Register in 2004. My original draft included more material on the integrity of setting and context, but SHPO staff made edits to reduce the size of Sections 7 and 8, resulting in only a few references to the rural character of the surroundings and the continued cultivation of the 50 acres to the west of the property that originally constituted the remainder of the Skinner farmstead in the 1830s. If the architectural historian mentioned on page 87 is indeed 36CFR61 qualified (as I am), it should be obvious to him/her that this farmhouse is still surrounded by farmland, and thus retains integrity of setting and association with the landscape. However, erecting 500 ft. turbines within a mile or less of this property will destroy that setting, and that constitutes an Adverse Impact.

Furthermore, on page 86 the PSS states that “The Facility will have no physical impacts to historic architectural resources (i.e., no historic structures will be damaged or removed).” It is premature to make this statement and once again is an indication of bias. Other portions of the PSS acknowledge that structures can be damaged by vibration. The Skinner-Tinkham House is located quite close to State Route 98, the major north-south route through the Facility Area. To the west are quarries that supply crushed stone and, in all likelihood, will be supplying this material for the construction of roadways, foundations, etc. Heavy trucks carrying this material will rumble down both Rt. 98 and Maple St. and the vibration from this prolonged and steady traffic may generate enough vibration to produce hairline cracks in the mortar joints of the brickwork, leaving it susceptible to damaging moisture penetration. This insidious damage can doom a building for there is no economical way to correct the problem.

As I am sure your agency is well aware, Part 428.4 of Section 14.09 of the NYS Historic Preservation Act requires that undertakings that may or will cause any change in the quality of a registered property in the project impact area must be reviewed by the NY SHPO (OPRHP), and defines “change” to include “alteration of the property’s surrounding environment; the introduction of any visual, audible or atmospheric elements or any other actions with might cause or contribute to the destruction, alteration or neglect of the property.” The Applicant states that it has initiated consultation with SHPO and provides detailed information on protection of archaeological resources, but when it comes to standing buildings, the PSS concerns itself almost exclusively with visual effects. This may be at the urging of SHPO staff who too often in the past have shown more concern for the appearance than the structural integrity of historic properties. However, unless a building’s structure is intact, its appearance – and its very existence – are in jeopardy.

This leads to another concern I have, that the Applicant assumes when it comes to historic architectural resources, that it need not comply with Section 428.8 to explore “all feasible and prudent alternatives” to avoid any adverse impacts. On page 7 the PSS lists many steps it will

take to avoid or minimize negative impacts of all kinds, but the only place historic resources are mentioned is in the list of “specific measures to mitigate potential impacts” which include “Preparing a historic resource mitigation program to be developed in consultation with the SHPO.” Jumping straight to mitigation seems to be a trend with the SHPO in recent years, but it cheats the community and does nothing to prevent harm to “these irreplaceable assets” (to quote Section 428.8 again). For a project this vast, with its potential to radically alter the landscape and affect the quality of life for a generation of Orleans County residents and property owners, it is imperative that the Applicant be required to seriously explore alternatives that will avoid or significantly minimize negative impacts.

On a different topic, under Socioeconomic Effects, Section 2.27 (a), Construction Workforce, transparency would be better served by having the Applicant state what proportion of the construction workforce will be imported from outside the Orleans County area. There have been complaints that due to the specialized nature of the work, most members of the construction crew are brought in from other parts of the country and the actual involvement of local workers is minimal.

Sincerely,

A handwritten signature in blue ink that reads "Andrea Rebeck". The signature is written in a cursive, flowing style.

Andrea Rebeck, R.A.