

# Cohocton Wind

Developer: First Wind

Location: Steuben County, New York

Prepared July, 2008

For updates, see [www.macalester.edu/windvisual](http://www.macalester.edu/windvisual)

## BACKGROUND

The town of Cohocton is in Steuben County, in New York's southern tier and Finger Lakes regions. The Cohocton Wind project is sited in a designated agricultural district. It is a landscape dominated by active agricultural fields with widely dispersed farms and residences. Steuben County has a population of 98,726, or 71 people per square mile. The county has a median household income of \$41,541.

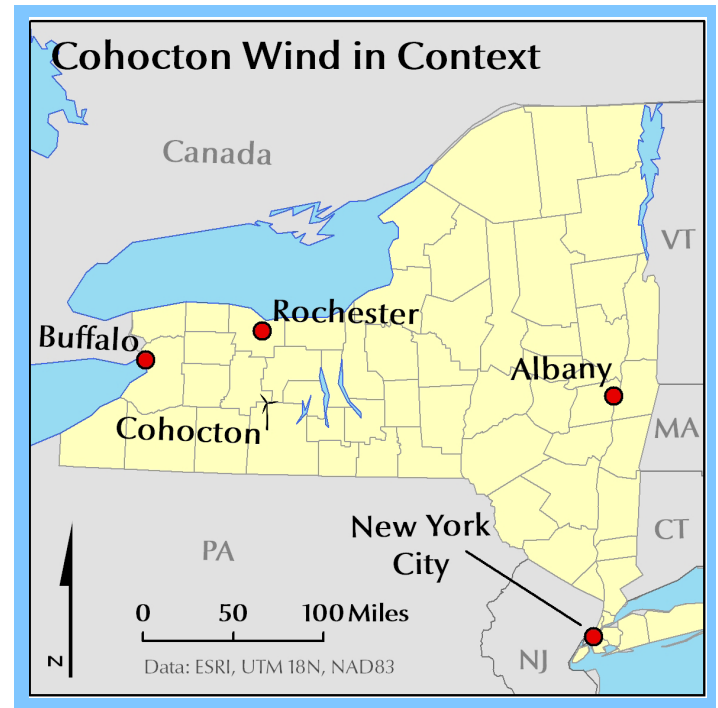
First Wind, then UPC Wind, proposed building a wind farm in Cohocton in 2006. The 35 turbine farm is one of several being developed in the area (see table). This wind development boom follows New York's enactment of a Renewable Portfolio Standard in 2004 requiring 24% of the state's energy come from renewable sources by 2013. New York State has 424.8 MW of installed wind capacity, with another 636 MW under construction.

The turbines being used in the Cohocton Wind project are Clipper C-96 2.5 MW models. At their highest, the turbine blades reach 420 feet above the ground. Construction began in the fall of 2007.

Most of the turbines for the Cohocton project are clustered on Pine Hill and Lent Hill north and east of the Town of Cohocton. Three other turbines stand on Brown Hill, on the other side of town. In addition to the turbine towers, the project includes about nine miles of gravel access roads, buried electric cables, a substation, an office, meteorological towers and nine miles of transmission line strung on wooden poles.

## POLICY CONTEXT

The Town of Cohocton passed a law in 2006 in reaction to the proposed wind projects, creating guidelines for development. It specified that utility scale turbines could not be over 500 feet, had to be a distance equal to 100 feet plus the height of the turbine away from property lines and had to be 1500 feet



from buildings.

The law also instituted a process for wind development in the town. Projects would have to be awarded Special Use Permits by the Planning Board. A site review would be necessary before a building permit would be issued. The Windmill Local Law also required that wind developers perform an environmental impact review in accordance with the State Environmental Quality Review Act (SEQRA) and specified that it would require a visual impact assessment meeting several requirements.

A county agency, the Steuben County Industrial Development Agency (SCIDA), created an incentive for wind development by offering a payment in lieu of taxes (PILOT) agreement to wind developers. The money in the PILOT agreement was less than could have been collected in property taxes. Over twenty years, the developer will pay \$14.5 million to the town, county and local school districts.

The Final Environmental Impact Statement (FEIS) required by state law was accepted by the Cohocton Planning Board on June 27, 2007. Prior to the acceptance of the FEIS, two drafts were presented, followed by periods for public comment. The Environmental Impact Statement documents were prepared by Environmental Design & Research (EDR), one of the largest companies providing such services and a frequent consultant in New York State Projects.

A pivotal section of the EIS was the Visual Impact Assessment (VIA). Using viewshed analysis, cross section analysis and field analyses, EDR concluded that the impact would be generally low, with higher impacts on hilltops and near the turbine sites. Their simulation photographs were used by both proponents and opponents to argue this point.

## PUBLIC RESPONSE

Throughout the process, the residents of Cohocton and its surrounding areas have been engaged in public discourse through formal and informal routes. The town has become split

### WIND PROJECTS IN STEUBEN COUNTY:

Project	Location	Developer	Turbines	Status
Cohocton Wind	Cohocton	First Wind	35	Construction
Dutch Hill Wind	Cohocton	First Wind	16	Construction
Prattsburgh Wind	Prattsburgh	First Wind	44	Permitting
Howard Wind Farm	Howard	EverPower	25-30	Permitting
Prattsburgh-Italy Wind	Prattsburgh & Italy	EcoGen	~53	Permitting



*Simulation of "view looking northwest from Kirkwood-Lent Hill Road, Town of Cohocton, NY" (EDR)*

into those to favor the First Wind development, and those who resent it.

A number of organizations arose to protest or support the proposed wind development. A group called Yes! Wind Cohocton formed to support the development. One of the most prominent opposition groups is Cohocton Wind Watch (CWW), joined in opposition by Cohocton Free and Reform Cohocton.

A recurring theme in the opposition is what one group lists as "three major costs—unsightliness, noise and loss in property value." Those three problems are connected to the fear that Cohocton risks losing its "rural character." The opposition to wind development in Cohocton is grounded in a resistance to changes to the area's rural aesthetic.

That opposition is further fueled, however, by resentment towards the process by which the project has proceeded. "It's not an issue of opposing wind turbines, it's about the way the decisions are made," said James Hall, the leader of CWW, at a town hall meeting. Some feel that the decision to approve the project was made before public comment, and that there has been a lack of transparency in all stages of the process. CWW has asked the State Attorney General to investigate SCIDA, town and planning board members and First Wind, charging them with bribery, fraud and numerous conflicts of interest. Attorney General Andrew Cuomo began an investigation in July 2008.

CWW has also brought lawsuits to prevent the construction of Cohocton Wind, or to punish those they see as having profited illegally from the project. CWW alleges that the Town of Cohocton should have completed a SEQRA when it passed the Windmill Local Law to address potential wind developments. They further claim that the code violates the town's comprehensive plan which aims to maintain the area's rural character.

Reform Cohocton is a group which took the form of a political party (albeit one whose candidates ran as independents), presenting a platform they said contrasted sharply with the incumbents in several town positions. The Reform Cohocton movement was intended to capture anger towards town officials who approved Cohocton Wind in what they saw as an unethical manner. They held a town hall meeting with 60 attendees

where Reform Cohocton candidates answered questions about wind development before an enthusiastic crowd. On election day, however, none of the incumbents were unseated.

Local opposition groups such as Cohocton Wind Watch have gotten a lot of press, and have had enough resources and support to pursue litigation and electoral politics. There are certainly many like-minded individuals.

Still, it seems that it is the passion, time and energy of a very small group which powers the opposition's many activities. If we are to view the 2007 local elections as a referendum on the pro-wind policies of the incumbents, we must come to the conclusion that a solid majority of residents favor the wind development.

## SUMMARY

In some sense, the Cohocton Wind project has been successful. Construction is going ahead, and there is some broad support for the project. In another sense, it is a worst case scenario for such development in a small town. The project has been extremely contentious, turning bitter and litigious and pitting neighbors against each other. It should be expected that any large proposed change to a landscape will engender resistance from some section of the public. In this case, that natural discomfort was only made worse by a process that was seen as forcing the change without input from residents.

For more information on this case, and on others, go to [www.Macalester.edu/windvisual](http://www.Macalester.edu/windvisual)

## Bibliography

- Clark, Bob. "Trust-buster: Massa vows to go after 'foreign' wind companies, says they're monopolies: Wind power the major issue in event hosted by Reform Cohocton" *Hornell Evening Tribune* (September 12, 2007), <http://www.wind-watch.org/news/2007/09/13/trust-buster-massa-vows-to-go-after-foreign-wind-companies-says-theyre-monopolies-wind-power-the-major-issue-in-event-hosted-by-reform-cohocton/>. (accessed June 16, 2008).
- "Cohocton Free." <http://www.cohoctonfree.com/> (accessed June 16, 2008).
- "Cohocton Planning Board." October 26 2007. <http://www.cohoctonny.com/Planning.htm> (accessed June 16, 2008).
- "Cohocton Wind Watch." 2008. <http://www.batr.net/cohoctonwindwatch/> (accessed June 16, 2008).
- "DEC Application #8-4699-00052 NY Dept. of Environmental Conservation Memo (February 28, 2008), [http://www.cohoctonwind.com/UserFiles/File/regulatory\\_cohocton/Permits/Cohocton\\_NYSDEC\\_Permit\(1\).pdf](http://www.cohoctonwind.com/UserFiles/File/regulatory_cohocton/Permits/Cohocton_NYSDEC_Permit(1).pdf). (accessed June 16, 2008).
- "First Wind - Cohocton Wind." 2008. <http://www.cohoctonwind.com/cohocton/> (accessed June 16, 2008).
- Perham, Mary. "Wind farm opponents in court; Cohocton group claims zoning changes violate state law" *Corning Leader* (May 8, 2007), <http://www.wind-watch.org/news/2007/05/09/wind-farm-opponents-in-court-cohocton-group-claims-zoning-changes-violate-state-law/>. (accessed June 16, 2008).
- Perham, Mary. "Group challenges wind farm zoning" *Corning Leader* (September 30, 2008), <http://www.wind-watch.org/news/2007/09/30/group-challenges-wind-farm-zoning/>. (accessed June 16, 2008).
- Perham, Mary. "Opponents demand investigation into wind farms" *Corning Leader* (May 9, 2008), <http://www.the-leader.com/archive/x1478015313/Opponents-demand-investigation-into-wind-farms>. (accessed June 16, 2008).
- "Reform Cohocton." <http://www.cohocton.net/> (accessed June 16, 2008).
- Smith, Hilary. "Judge: Wind turbine cases to go forward" *Daily Messenger* (2008), <http://www.mpnnow.com/archive/x1925662405>. (accessed June 16, 2008).
- "Yes! Windpower for Cohocton." June 10, 2008. <http://www.yeswindcohocton.com/> (accessed June 16, 2008).