

**RESOLUTION  
OF THE PLANNING BOARD OF THE TOWN OF ALLEGANY  
ISSUING “NOTICE OF COMPLETION” PURSUANT TO THE STATE ENVIRONMENTAL  
QUALITY REVIEW ACT RELATIVE TO THE PROPOSED PROJECT  
AND ESTABLISHING PUBLIC COMMENTS AND A PUBLIC HEARING DATE**

Adopted: February 24, 2010

**WHEREAS**, the Town of Allegany Planning Board (hereinafter the “Board”) has received an application from Allegany Wind LLC (hereinafter the “Applicant”) proposing to construct a wind-powered generating facility consisting of up to 29 wind turbine generators (“WTGs”), each with a maximum nameplate capacity of 2.5 MW, and related infrastructure, which includes an operation and maintenance “O&M” facility, a system of gravel access roads, a 34.5 KV electrical collection system of buried electrical cable from the WTG(s) collection station, a buried 115 kV line to a substation, and two permanent meteorological towers (hereinafter the “Project”); and

**WHEREAS**, pursuant to the State Environmental Quality Review Act (hereinafter “SEQRA”), the Applicant submitted to the Board Part 1 of a Full Environmental Assessment Form for the Project (hereinafter the “FEAF”); and

**WHEREAS**, after completing the FEAF the Board made its “Determination of Significance” with respect to the Project in accordance with the SEQRA regulations at 6 NYCRR §617.7 and issued a “Positive Declaration”; and

**WHEREAS**, the Applicant submitted to the Planning Board a preliminary “Draft Environmental Impact Statement” (hereinafter the “DEIS”); and

**WHEREAS**, the Planning Board has reviewed the DEIS for adequacy in accordance with the SEQRA regulations at 6 NYCRR §617.9; and

**NOW THEREFORE BE IT RESOLVED** by the Planning Board of the Town of Allegany as follows:

1. Based upon an examination and analysis of the DEIS and review of the SEQRA regulations at 6 NYCRR §617.9, and based upon such further investigation as the Planning Board has deemed appropriate, the Planning Board determines that the DEIS is adequate and acceptable for the purpose of commencing public review in accordance with the SEQRA regulations at 6 NYCRR §617.

2. The Planning Board hereby issues the attached “Notice of Completion of Draft Environmental Impact Statement and Notice of SEQR Hearing” (herein Notice of Completion”), which is made a part of this Resolution

3. The public comment period shall commence on February 25, 2010 and shall close on May 3, 2010.

4. The Planning Board will hold a public hearing on the Project on April 21, 2010 at 7:00 p.m. at the Allegany Senior Citizen Center, 3790 Birch Run Road, Allegany, New York 14706.

5. The Clerk to the Planning Board and the Applicant are hereby directed to file a copy of the DEIS and file or publish the Notice of Completion as set forth below:

a. The Clerk shall file the DEIS and Notice of Completion in the Record of the Board

b. Copies of said DEIS and Notice of Completion shall be filed/mailed by the Applicant simultaneously with all involved and interested agencies, in accordance with the SEQRA regulations. The Applicant shall file an Affidavit of Service with the Clerk

c. The Applicant shall submit a copy of the Notice of Completion to the Environmental Notice Bulletin, New York State Department of Environmental Conservation, 4th Floor, 625 Broadway, Albany, New York 12233-1750 for publication in the "Environmental Notice Bulletin."

d. The Applicant shall post the DEIS and Notice of Completion on the Internet. The web site, and the locations where the DEIS is available for public review, shall be stated in any correspondence filing the DEIS or providing the Notice of Completion

e. The Clerk shall publish a notice of public hearing in the official newspaper of the Town, and post the same upon the Town's official bulletin board, which notice shall state the web site, and the locations where the DEIS is available for public review, at least 14 days in advance of the hearing date.

6. This Resolution shall be effective immediately.

Passed and adopted the 24<sup>th</sup> day of February, 2010.