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## **Save Ontario Shores leaders head to New York City to highlight costs and consequences of Industrial Wind Projects under Article 10**

When the leadership of Save Ontario Shores (SOS) presents at the Association of Towns of New York (AOTNYS) meeting on Monday, Feb. 20 in New York City, they will be raising questions about industrial wind projects including how far Article 10 erodes Home Rule for the 950 towns across New York State.

Signed into law in 2011 by Governor Andrew M. Cuomo, Article 10 gives a siting board the power to approve new, repowered or modified major electric generating facilities in the state.

In the towns of Somerset and Yates, a siting board, with most members appointed by the governor, will be considering the proposal by Apex Clean Energy to install up to 70 industrial wind turbines along the Lake Ontario Shoreline. The turbines reportedly would tower more than 620 feet, making them the tallest onshore industrial wind turbines in the United States.

“We will educate town leaders from across the state about the divisive tactics used by out-of-state companies which are trying to force these projects on communities where residents overwhelmingly oppose them,” said Pam Atwater, SOS president. “They need to know that these industrial wind factories could be forced on their communities as well. The turmoil this process creates is unacceptable, and Home Rule needs to be returned to local governments.”

Kate Kremer, SOS vice president, and Carl Calabrese, SOS consultant and former Town of Tonawanda supervisor, will also be part of Monday’s presentation at the Marriott Marquis in mid-town Manhattan.

On Tuesday, Dennis C. Vacco, Benjamin E. Wisniewski and Mark C. Davis, attorneys at Lippes Mathias Wexler Friedman LLP, will make a presentation titled: *“Article 10: A plan to bring large industrial renewable energy to your town, without your town’s approval”*. The presentation will provide information on what to expect when a wind or solar energy developer proposes a project and tips on how to successfully navigate through an Article 10 project.

“It is our opinion that Article 10 wrongfully limits municipalities’ constitutional Home Rule, power to protect the health, safety, and welfare of their residents,” Vacco said. “Furthermore, we believe that wind and solar energy developers interpret that Article 10 strips municipalities of their control over land usage and zoning on these projects.

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Town of Somerset supervisor Dan Engert will speak along with the legal panel. "My focus will be to discuss firsthand with supervisors and board members, the challenges of Article 10 in terms of its evisceration of Home Rule and the tremendous financial burdens being borne by Somerset to protect the health, safety and general welfare of my constituents," he said. "I will advocate intently to further the discussions among several towns, which have been ongoing over the past several months, about joining with Somerset in a legal challenge regarding the constitutionality of Article 10."

The Town of Somerset has introduced a resolution to be voted upon which calls for the AOTNYS to strongly advocate for legislative revisions to Article 10 to preserve Home Rule principles and to address financial burdens that impact towns faced with large scale wind and solar energy projects. Engert will be joined by representatives from other towns in Niagara and Orleans counties to support the adoption of that resolution.