

## AFFIDAVIT

CATTARAUGUS COUNTY                   )  
STATE OF NEW YORK                   )     ss:

DANIEL MOHR, being duly sworn, under penalty of perjury,  
deposes and says:

1. My wife Paula Mohr and I live at 3854 West Branch Road in Allegany, NY on land purchased from my family in 1978.

2. We chose to build on this land because it is very secluded and allows for solitude and a haven from the slings and arrows of daily life, despite the inconvenience of moving building materials onto the site and despite the work of keeping the driveway free of snow in winter.

3. The land is located about a quarter-mile from any traffic on the West Branch Road, off Four Mile Road, and it is visually separated from other houses built along the roadway by a line of trees that have always lined the banks of the West Branch Creek.

4. The land has sentimental value to me because in

my youth my father owned and farmed the land and this was a favorite location to camp outside overnight once we, as a farm family, had completed making hay or other crops on the property.

5. The land has a spring that I've never seen go dry, and we now use the spring as a drinking water source for our home.

6. Another reason we chose this spot for a home is that Paula and I wanted a strong connection to the natural environment. Thus, we lined our house up to true north by sighting on the North Star. To this day, we go outside to enjoy the stars of the nighttime sky, something a lot of friends living in the country do.

7. Because we lined the house up to face directly south, our view and most of the house's windows are oriented directly to the south where a number of the proposed windmills will be sited.

8. I understand that the Town of Allegany has approved construction of 18 five-hundred foot windmills on the next ridge line about 8,000 feet west of our home, as part of a larger wind farm project.

9. I believe that these 18 windmills will inescapably dominate our view, based on a visual impact study completed for the project.

10. Keep in mind that these windmills will be atop a ridge eight-hundred feet higher than my house, making their total height thirteen-hundred feet above my house. At that height, according to the project impact study, there will be over six hours during the year when the sun is low in the western sky and the spinning blades will be in a direct line between the sun and my house causing a strobe-like "shadow flicker."

11. At least six hours of shadow flicker per year at my home has been approved by the Town of Allegany for this project.

12. As far as I know, based on my reading of the project impact study, if shadow flicker occurs more often, it will fall to me to prove it.

13. In addition, the town's approval is not conditioned on any requirement calling for the developer to reduce the flicker effect, no matter how long its duration.

14. In the past, I lived five years in a sunny

climate and, when I returned here, I wanted to take advantage of as many days of sunshine as possible, something in short supply in western New York, especially in winter. If the windmills are sited as planned, my view of the southern and western sky will be ruined essentially for the rest of my life. Unfortunately, this comes just about exactly as I reach retirement age when I'll finally be able to spend more time at my house to enjoy the fruits of a lifetime of work.

15. In addition, the lighting that is required on tall structures at night by the Federal Aviation Administration will light up the sky and obscure the natural show of stars. We have chosen not to install outdoor area lighting around our house precisely to be able to enjoy the stars at night.

16. I am also concerned about possible noise issues because our house is at the base of a hill facing the turbines. Our experience with other noises in the valley is that the hill tends to amplify noises like a parabolic reflector, particularly during the seven months of the year when the trees lack foliage.

17. I understand and believe, based on my review of the comments and responses to comments on the project impact study, that wind turbine noise has distinctively annoying qualities such as low frequencies which travel great distances, pulsing noise which, like a dripping faucet does not need to be very loud to be very annoying, and they make noise at night when we want to sleep.

18. Taken together, destroying these rural amenities with industrial windmills will severely diminish the desirability of living where we do. I doubt very many people would line up to buy my house since I know of no countervailing values of this project that would offset these negative impacts. Not that selling my house is a viable alternative-- it is not-- the location is irreplaceable due to personal connections to the property.



DANIEL MOHR  
3854 West Branch Road  
Allegany, New York

Subscribed and sworn to before me  
this 28<sup>th</sup> day of September, 2011

  
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NOTARY PUBLIC

GARY ALAN ABRAHAM #02AB6064367  
Notary Public, State of New York  
Qualified in Cattaraugus County  
My Commission Expires 9/24/20. 