FINAL SEQRA RESOLUTION
High Sheldon Wind Farm Project

RESOLUTION AUTHORIZING THE ISSUANCE OF A FINDINGS STATEMENT RELATIVE TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE SHELDON ENERGY LLC HIGH SHELDON WIND FARM PROJECT.

WHEREAS, Sheldon Energy LLC has submitted an application for variances for its High Sheldon Wind Farm Project (the "Project") to the Town of Sheldon Zoning Board of appeals (the "ZBA"); and

WHEREAS, pursuant to the application the ZBA held a duly noticed Public Hearing to hear all persons interested in the variances; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (collectively with the SEQR Act, "SEQRA"), the ZBA is an Involved Agency, and the Town of Sheldon Town Board (the "Town Board") acted as Lead Agency for the SEQRA review; and

WHEREAS on January 16, 2007 The Town Board issued the Final Environmental Impact Statement (the "FEIS") prepared with respect to the Project, and on February 20, 2007 issued a Statement of Findings; and

WHEREAS copies of the FEIS and the Statement of Findings have been made available to the members of the ZBA; and

WHEREAS, the members of the ZBA have reviewed the environmental record, including the FEIS and the Statement of Findings, considered; and

WHEREAS, the ZBA now desires to adopt the Findings Statement as the ZBA's written statement of findings relative to the Project, as required by Section 617.11(c) of the Regulations;

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF APPEALS OF THE TOWN OF SHELDON AS FOLLOWS:

Section 1. Based upon the consideration of and discussions held by the members of the ZBA respecting the FEIS and the Findings Statement (collectively, the "SEQRA Documents") and the review of the Statement of Findings, the ZBA hereby (1) makes the findings and provides the rationale for such findings as set forth in the Statement of Findings, which Statement of Findings is hereby incorporated into and made a part of this resolution, and (2) adopts the Statement of Findings as the ZBA's written statement of findings relative to the Project, as required by Section 617.11(c) of the Regulations.

Section 2. Based upon the foregoing, the ZBA hereby finds and determines that:

A. The ZBA has reviewed the FEIS and has considered the relevant environmental impacts, facts and conclusions disclosed in the FEIS;

B. The ZBA has weighed and balanced the relevant environmental impacts identified in the FEIS with social, economic and other considerations;

C. The ZBA has reviewed the SEQRA Act, the FEIS, and the Statement of Findings, and based on said materials, the ZBA finds no compelling reason not to proceed with the Project;

D. The requirements of SEQRA have been met with respect to the Project; and

E. As set forth in the Statement of Findings, consistent with social, economic and other essential considerations, from among the reasonable alternatives available, (1) the Project minimizes adverse environmental impacts to the maximum extent practicable and (2) adverse environmental effects revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the Special Use Permits those mitigative measures that were identified as practicable in the FEIS.

Section 3. A copy of this Resolution shall be sent to the supervisor of the Town of Sheldon, New York, and the applicant is directed to send a copy of this Resolution to each entity identified by the Lead Agency as an "involved agency" with respect to the Project, and a copy of this Resolution shall be maintained in the files of the ZBA that are readily accessible to the public and made available on request.

Section 4. This Resolution shall take effect immediately.

PASSED AND ADOPTED BY THE ZONING BOARD OF APPEALS OF THE TOWN OF SHELDON on the 12th day of April, 2007.

Certified as true and correct copies.
Gertrude E. Hyman
Town Clerk,
Town of Sheldon

EXHIBIT A

STATEMENT OF FINDINGS

The Town of Sheldon (the "Town") received an application from Sheldon Energy LLC for the High Sheldon Wind Farm, a twelve cluster 75 turbine wind energy generating facility, including associated access roads, electrical collection lines, substation and related infrastructure (the "Project"). In accordance with Article 8 (State Environmental Quality Review) of the Environmental Conservation Law (the "SEQRA Act"), and the statewide regulations under the Act (6 NYCRR Part 617) (the "Regulations", and collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the ZBA on April 12, 2007, the ZBA adopted the Statement of Findings of the Sheldon Town Board as the ZBA's written statement of findings relative to the Project, as required by 6 NYCRR 617.11(c). This written statement of findings has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Additional information may be obtained from the following: George Knab, Chairman, Town of Sheldon Zoning Board of Appeals, 1380 Centerline Road, Strykersville NY, 14145, Phone: (585) 535-7644.