

**STATE OF NEW YORK  
JEFFERSON COUNTY  
SUPREME COURT  
AMENDED ORDER TO  
SHOW CAUSE**

**Index No. 07-0189**

**R.J. I. No. 22-01-0250**

IN THE MATTER OF WIND  
POWER ETHICS GROUP  
(WPEG) and SARAH BOSS,  
Petitioners, vs. ZONING BOARD  
OF APPEALS OF THE TOWN  
OF CAPE VINCENT, ST.  
LAWRENCE WINDPOWER LLC,  
and JOHN DOE and MARY ROE,  
BEING FICTITIOUS NAMES TO  
REPRESENT UNKNOWN  
LANDOWNERS WHO HAVE  
CONTRACTED WITH ST.  
LAWRENCE WINDPOWER, LLC  
FOR INSTALLATION OF  
COMMERCIAL WIND  
GENERATION FACILITIES,  
Respondents.

For a Judgment and Order  
pursuant to CPLR Article 78

Petitioners, having filed their  
Verified Petition and Supporting  
documents seeking a Judgment and  
Order of this Court vacating and  
setting aside a determination of the  
Respondent Zoning Board of  
Appeals, dated February 28, 2007  
to the extent that said determination  
concluded that the application of St.  
Lawrence Windpower, LLC is a  
permitted Site Plan use in the  
Agricultural/Residential (AR)  
District as a public utility.

And the matter having regularly  
come on to be heard;

And sufficient cause having been  
shown therefore;

Now upon reading the Verified  
Petition and attached documentation  
in support of the Petitioner's  
Petition;

And due deliberation having been  
heard thereon.

IT IS HEREBY ORDERED,  
that the Respondents Show Cause  
on the 14th day of May, 2007 at  
9:30 o'clock in the forenoon of that  
day by personal appearance at the  
Jefferson County Supreme Court,  
Supreme Court Chambers, Dulles  
State Office Building, 317  
Washington Street, Watertown,  
New York, 13601, why a Judgment  
and Order should not be granted to  
the Petitioners for the relief prayed  
for in the Petition; and

IT IS FURTHER ORDERED,  
that service upon John Doe and  
Mary Roe, being fictitious names  
to represent all unknown  
landowners who have contracted  
with St. Lawrence Windpower,  
LLC for installation of wind  
powered electrical generation  
facilities on their land by  
publication once in both the  
Watertown Daily Times and the  
Thousand Islands Sun of this order  
to show cause, and by posting a  
copy of the Order to Show Cause  
and Verified Petition with exhibits  
in the offices of the Town of Cape  
Vincent by April 23, 2007, shall be  
deemed good and sufficient service;  
and

IT IS FURTHER ORDERED,  
that responding papers and a copy  
of the Certified Record of the  
proceedings herein involved  
pursuant to CPLR 7804 be served  
on Petitioner's attorney on or  
before May 1, 2007.

Dated April 4, 2007

Watertown, New York

Hon. Hugh A. Gilbert

Justice of the Supreme Court

4/11/lc

## NOTICE OF PUBLIC HEARING

A public hearing shall be held at 7:00 P.M. at the Town of Clayton/Village Municipal offices, 425 Mary Street, Clayton on April 26, 2007, to take public comments on a Draft Generic Environmental Impact Statement ("DGEIS") prepared in connection with the Horse Creek wind power project located approximately five (5) miles south/southeast of the Village of Clayton and three (3) miles northeast of the Village of Chaumont and adjoining the Towns of Brownville and Lyme between Perch Lake and the Chaumont River. The action involves a proposed wind-generating capacity of 2.1 megawatts ("MW") for a total maximum project capacity of 130 MW. Each turbine consists of a 262' tall tubular steel tower, a 289' diameter rotor consisting of three (3) 144' long composite blades, and a nacelle which houses the generator, gear box and power train. With a rotor blade oriented vertically, each turbine has a maximum height of 407' (including concrete pedestal). The project will also include 16 miles of gravel access roads, 28 miles of buried electric cable, and a 200' x 200' substation.

The Town of Clayton Planning Board, as lead agency under the State Environmental Quality Review Act, has issued a notice of completion of the DGEIS on February 22, 2007. Copies of the DGEIS are available for public inspection and/or copying at the Town of Clayton offices; the Hawn Memorial Library, John Street, Clayton, New York; the Town of Orleans Library, 20558 Sunrise Avenue, LaFargeville, New York; and the Depauville Free Library, Caroline Street, Depauville, New York.