

SUPREME COURT
STATE OF NEW YORK COUNTY OF TOMPKINS

In the Matter of the Application of

FLX STRONG by its President Kenneth Wolkin and CAYUGA
LAKE ENVIRONMENTAL ACTION NOW by its President John
V. Dennis,

Petitioners,

**AFFIRMATION OF
JOEL
PODKAMINER**

Index No.:

For a Judgment Under Article 78 of the Civil Practice Law And
Rules,

vs.

TOWN OF LANSING ZONING BOARD OF APPEALS,
TERAWULF INC., CAYUGA OPERATING COMPANY LLC,
LAKE HAWKEYE LLC, and FRED DELFAVERO,

Respondents.

I, Joel Podkaminer, of legal age, affirm under penalty of perjury pursuant to N.Y. C.P.L.R. § 2106 the following:

1. I am a resident of Trumansburg in Tompkins County and a member of FLX Strong.
2. I own three acres of land (the "Property") on the West Shore of Cayuga Lake located at 8871 Little Point Road, Interlaken, NY. The Property has 150 feet of frontage along Cayuga Lake and a boat dock.
3. I have owned the Property since 1998.
4. I use the Property as a summer retreat for recreation and relaxation and occasionally for camping.

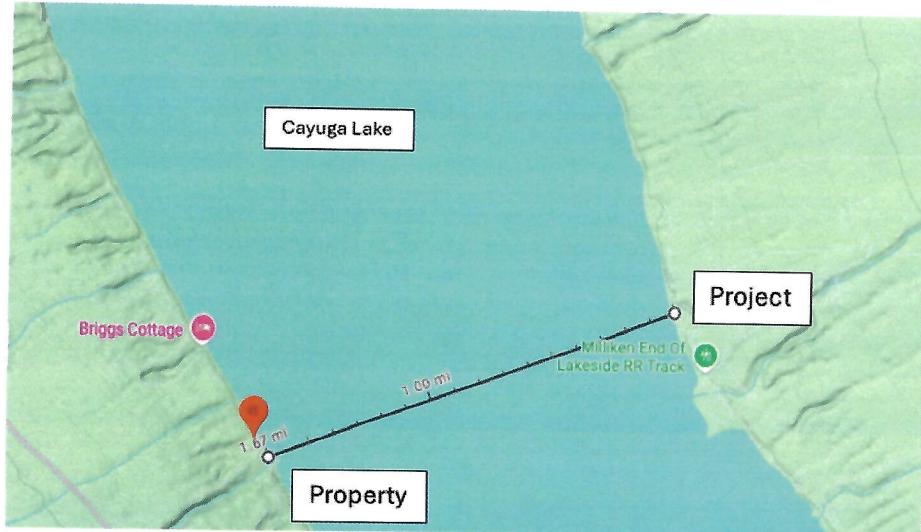
CI2026-02333

Index #: EF2026-0069

5. The Property is located across Cayuga Lake from the former power plant at Milliken Station (“Milliken Station”) and is about 1.7 miles from the proposed location of the new data center. I have a clear vantage of Milliken Station and the site of the proposed data center from the Property.

6. I have attached as **Exhibit 1 a** photograph of the former Milliken Station site taken from the Property’s shoreline at night.

7. The following map shows the location of the Property in relation to the proposed data center (the “Project”) at the former Milliken Station site:



8. In my experience, sound from across the lake at the Milliken Station site travels very easily across the Lake to my Property. While the power plant was in operation, I could literally hear people’s voices from Milliken Station depending on the time of day or weather conditions.

9. While the power plant was active, the operations and activities at the Milliken Station site caused noise that disturbed my use and enjoyment of the Property for recreation and relaxation.

CI2026-02333**Index #: EF2026-0069**

10. The lighting at Milliken Station has also been an ongoing nuisance and prevents me from being able to enjoy the Property at night.

11. There are five intense red strobe lights that flash every second atop a stack at the Milliken Station site, as shown in Exhibit 1. They were installed around January 2024. The current lighting at Milliken Station is a direct detriment to my property value and those of hundreds of other West Shore properties within the viewshed of Milliken Station.

12. The construction and operation of the Project at the same site will similarly disturb me and negatively impact the use and enjoyment of the Property, with its constant noise and additional light pollution.

13. The data center will operate 24/7 and 365 days per year and will emit light and constant noise.

14. If the Project is constructed, I will be forced to leave the Property whenever it gets dark because of the noise and light pollution.

15. The value of the Property is closely tied to its proximity to the Lake and its ample recreational opportunities. However, if the data center is constructed along the eastern lake shore and emits noise and light pollution towards the Property, it will cause a nuisance and diminish the value of my Property.

CI2026-02333**Index #: EF2026-0069**

Pursuant to N.Y. C.P.L.R. 2106, I affirm this 27 day of January 2026, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Joel Podkaminer
Joel Podkaminer (Jan 27, 2026 13:09:31 EST)

Joel Podkaminer