

**Tompkins County**  
**DEPARTMENT OF PLANNING**

121 East Court Street  
Ithaca, New York 14850

Edward C. Marx, AICP  
Commissioner of Planning

Telephone (607) 274-5560

December 15, 2016

Ray Burger, Planning Director  
Town of Dryden  
93 East Main Street  
Dryden, NY 13053

**Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law**  
**Action: Proposed Town of Dryden Local Law to Amend the Renewable Energy Facilities Law**

Dear Mr. Burger:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it may have negative inter-community, or county-wide impacts as described below. We recommend modification of the proposal. If the Board does not incorporate the recommendations, such approval will require a vote of a supermajority (meaning a majority plus one) of all members of the decision-making body.

**Recommended Modifications**

- To help prospective installers navigate the proposed legislation we recommend that the Town follow the format proposed by the New York State “Model Solar Energy Law” ([http://www.cuny.edu/about/resources/sustainability/reports/NYS\\_Model\\_Solar\\_Energy\\_LawToolkit\\_FINAL\\_final.pdf](http://www.cuny.edu/about/resources/sustainability/reports/NYS_Model_Solar_Energy_LawToolkit_FINAL_final.pdf)).
- In defining “Large-Scale Solar Energy Systems” (Section 2) the Town indicates that its size is larger than two thousand (2,000) square feet in area of solar collectors per lot, but also limited to producing less than or equal to 2MW. To allow for potential advances in technology or changes in utility regulation we recommend eliminating the reference to the 2MW limit.
- In outlining the limitations for location of “Ground-Mounted Small-Scale Solar Energy Systems” (Section E (1); Section F (1)) the proposed law references “Prime farmland soils as identified by the Town of Dryden soil analysis maps”. We recommend the law reference which types of soils the Town considers “Prime”. Additionally, the host of “potential environmental sensitivity” factors referenced should include source data and not refer to the potentially dynamic “Tompkins County Planning Department mapping services”.
- To help facilitate the use of very small systems such as those employed for lighting or other direct uses we recommend exempting solar energy systems that are less than 10 square feet in area.
- It is unclear as to what the “Town’s Greenway” is in Section F (3) d. As such we recommend eliminating this reference.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,

A handwritten signature in cursive script that reads "Edward C. Marx". The signature is written in dark ink and is positioned above the printed name.

Edward C. Marx, AICP  
Commissioner of Planning

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**Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law**  
**Action: Draft Amendments to the Town of Dryden Comprehensive Plan to Address Solar Energy Systems**

Dear Mr. Burger:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l, -m and -n of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,



Edward C. Marx, AICP  
Commissioner of Planning