

**Dryden Planning Board
March 23, 2017**

Members Present: Marty Moseley (Chair), Joe Wilson, John Kiefer, Marty Hatch, Tom Hatfield, David Weinstein, and Hilary Lambert (Alternate). Craig Anderson is excused.

Liaisons Present: Jason Leifer, Town Board

Town Hall Staff: Ray Burger, Planning Director

Guests: Susan Brock, Town Attorney

The meeting was called to order at 7:02PM

Public Comments:

430 Lake Road, Carl Snyder: NY Land Quest

- The applicant was required to do an archaeological study. Archaeologists from Binghamton University completed 13 shovel test pits with negative results.
- The archaeologists recommended a phase "1b" during which they would dig 150 number more pits. The recommendation was based on the archaeological findings near the lake dam in previous years.
- Mr. Snyder indicated that the likely places for archaeological findings would be near the lake and those areas are conservation areas so no building or digging would occur there.
- J. Kiefer said he is satisfied with the work done and the results.

Resolution #9

J. Kiefer offered the following resolution:

Whereas, the applicant has fulfilled the requirements per SEQR to determine the archaeological significance of the property located at 430 Lake Road; and

Whereas, the applicant hired Binghamton University to conduct the evaluation and who dug thirteen test pits with no findings of historical significance; and

Whereas, items of archaeological significance were found at a location on the opposite side of the lake which led to the recommendation that an additional 150 test pits be dug.

Therefore, be it resolved the Dryden Planning Board has determined the original thirteen test pits to be sufficient evidence of the lack of significant archaeological findings. The motion was seconded by D. Weinstein and unanimously approved.

M. Moseley will write a letter to New York State indicating the Planning Board's determination.

The Public Comment period was closed at 7:07PM.

Introduction to the Pineridge Cottages proposal on Mineah Road: Richard Wawak and John Anderson

- The property is 12 acres and has frontage on Route 13 and Mineah Road. The access from Route 13 will be for stormwater management and there won't be any thru traffic.
- They are planning drilled wells and water storage facilities that will get approval from the Tompkins County Health Department.
- The cottages will have individual septic systems also approved by the Health Department.

- The cottages will be all electric. They are being built into the hill with the first floor being halfway in the ground. They do not plan to install any insulation above code.
- The housing will be concentrated in the middle of the land parcel. The upper part of the property will be left natural and the lower part will be the stormwater management facility.
- The slopes where they are building will be between 15 to 20% which is part of the reason for building into the hill.
- D. Weinstein returned to the question about energy use. He asked if they are using air source heat pumps or baseboard heating.
- The cottages will have an 800 sq ft base and use baseboard heat.
- M. Hatch asked if the developer is aware of the county's heatsmart program which provides incentives to use renewable energies.
- Mr. Wawak indicated the buildings are oriented to the south with lots of windows to increase the heat.
- The cottages will be rentals.
- Mr. Wawak is asking for additional parking spots for ease of plowing and overflow parking.
- D. Weinstein asked if Mr. Wawak has considered a bus stop. He has because the bus stops directly across from Mineah road but there is not enough space between the road and the property fence.
- This project will be back before the Planning Board next month.

1061 PUD review and public feedback:

William Reed - 1065 Dryden Road

- Even though he grew up here, he understands things change. He feels that one needs to be open to what Varna will become rather than what it was 30 years ago. He is not against the project but has some recommendations.
 - He would like to see a shared driveway access.
 - He wants more screening.
 - He feels the maintenance building should be moved so it is not the first building seen as someone drives up.
 - He would like to see the water and sewer lines changed so they don't cut across his property.
 - He has called Mr. Sloan and they have talked about some of the concerns.
- M. Hatch is interested in space for outdoor recreation experience. He asked if that has been explored with Mr. Sloan.
 - Mr. Reed said his concern is the access to the railroad trail and he said he was willing to talk to Mr. Sloan about it further. Perhaps the fence could be removed or moved to permit more green space by using some of Mr. Reed's property.
- D. Weinstein said that his impression is that the tie in to the sewer and water is across Reed's driveway. Mr. Reed thinks the better way would be to go along the road and then up along the new driveway to the proposed project.
- D. Weinstein doesn't think he can move ahead with the project if the sewer and water are cutting across the property.
- Mr. Reed feels that things tend to work out when the two groups get together. He is positive about the project.

Laurie Snyder, 36 Freese Road, said she is amazed at how dense the project is.

23 March 2017

To: Dryden Town Planning Board

In regard to the 1061 Dryden Road Development.

I think the project is too dense for the lot. The 36 units in 6 buildings really packs the site.

There is too little safe place for children to play. The edge of the lot is cliff-like.

I think that 3 bedroom units should have parking available for 3 cars, There is NO over flow parking for guests/visitors.

I think the entrance/egress to the lot is too tight and on a hill of 366. This layout is dangerous for entering and exiting the development.

The entire project scale is insensitive to the Varna Master Plan and the neighbors.

Laurie Snyder 36 Freese Road Ithaca, NY 14850

607 272 2178 snydwood@yahoo.com



Buzz Dolph, 26 Quarry Road

- This property is zoned rural residential. He doesn't understand, knowing the Varna community would rather see single family owned residents, why a developer would want to plaster it with 36 more town houses. It is not the best for the town. If you are going to do a PUD, do it with a sense of community in mind rather than for money. There are better places to do student housing.

D. Weinstein asked Ray Burger about the questions generated at the March 1st meeting. His understanding was that the comments he had would be forwarded to the developer but there is no evidence that they were forwarded or answered.

- One of his questions was regarding energy and was handled fine by questions asked by other people.
- Another question dealt with the tie in lines for sewer and water. He is concerned that those lines are crossing another person's land.
- The third question asked whether the developer would consider a reduction in the number of the units so there would be a play area for kids.
- His final question was about the vegetative buffer which was, again, covered by other members' questions.
- D. Weinstein said he is not willing to support the project without the answers to his questions.

M. Moseley reminded the board that we are making recommendations to the Town Board. This board is not making any final decisions. D. Weinstein's questions could be incorporated into the recommendations.

T. Hatfield pointed out that we have often passed things on with conditions but he agrees that the water/sewer issue is important and the common driveway would also be a good idea.

M. Moseley pointed out that the Town Board will move forward whether we make recommendations or not.

J. Wilson asked his colleagues to consider the following conditions:

- the project has to be heated and cooled with air source heat pumps.
- water heaters should be air source - there was ample opportunity to comment on the relative costs and challenges the developer faced at the March 1st meeting. They had an agreement that the developer would respond to the questions forwarded to him in some detail. If the questions were irrelevant or impossible to answer, then they would say that but instead they are still investigating. The developer and his consultants are deliberately not here tonight to answer questions.
- He recommends the amount of housing proposed not be approved because there is not enough space there for the kinds of activities that have been recommended.
- This is a PUD. It is supposed to have a high level of benefits to the folks that live there and the town for the special zoning. To him, this looks like another motel complex with one exemption: the materials on the outside look nice.
- Confining the parking despite the probable demand doesn't make sense.
- He reiterated that the questions he has asked on the energy systems could have easily been answered. He has talked to engineers, in general regarding the heat pumps, and determined that the information could have been easily forthcoming. He recommends the Town Board not approve the PUD based on the plan that is put forth tonight.

J. Kiefer agreed with the points made but the Comprehensive Plan encourages development close to population centers and specifically hamlet areas. He doesn't think there is anything patently wrong with this project.

- He does not think this project should be denied because although it is not acceptable, it can be made acceptable.
- He commended the developer for the solar panels, however, the buildings do not face the correct direction. He encouraged the developer to take the money from the panels and put those funds into air source pumps.

J. Wilson indicated that the letter to M. Moseley from the developer implies the Town Board had told the developer to put up solar arrays; it was a suggestion, not a promise of approval.

D. Weinstein read the following section from the Comprehensive Plan.

Rural Residential Development

“Beyond the periphery of villages and hamlets, lower residential development densities would be allowed in areas designated as Rural Residential. The intent of these Rural Residential areas is to allow residents that desire to do so the option of living in a rural environment. In these areas agriculture is also expected to be a major land use well into the future and permitted in any future zoning regulations.

In the Rural Residential areas single- and two-family homes would represent the predominant form of development, at an overall density of 1 dwelling every two acres. This overall density is proposed as a means of reducing the overall development potential of the area.”

J. Kiefer showed a map from the Comprehensive Plan that shows this property as being in the hamlet zone. Page 51.

D. Weinstein and J. Kiefer continued to discuss what is laid out in the Comprehensive Plan, the Zoning Law and the intentions thereof.

J. Wilson stated that he does not believe the Town Board should approve the PUD unless the developer incorporates the suggestions offered, primarily about the air source heat pumps.

J. Kiefer offered the following resolution:

Whereas, Gary Sloan, project owner, has proposed a Planned Unit Development located at 1061 Dryden Road; and

Whereas, a Planned Unit Development is intended to provide certain benefits for the Town and the residents living in the PUD; and

Whereas, several of the anticipated benefits are not included in the proposed plan, including a recreation space/play area; and

Whereas, at the March 1, 2017 meeting of the Planning Board, a list of questions was generated and provided to the applicant with the expectation of answers prior to the March 26, 2017 meeting; and

Whereas, the applicant failed to answer some of the questions pertaining to energy usage; and

Whereas, the applicant has also failed to adjust their proposal based on recommendations from the Planning Board;

Therefore, be it resolved, that the Town of Dryden Planning Board recommends to the Town Board deny the Planned Unit Development proposal located at 1061 Dryden Road unless the developer address the following recommendations:

1. As a road cut and driveway already exist that could be used to access the parcel, the developer needs to consider developing a shared driveway with 1065 Dryden Road.
 2. The developer needs to move the expected intersection with the public water and sewer facilities to a location on his property eliminating the need to cross another resident's property.
 3. The vegetative buffer between 1061 Dryden Road and 1067 Dryden Road needs to be more substantial.
 4. The developer needs to reconsider the proposed energy sources. The Planning Board recommends removing the photovoltaic panels from the plan and requiring the use of air source heating and cooling for the entire project.
 5. The Planning Board strongly recommends the developer reduce the number of planned units to accommodate the desired recreation space/play area.
 6. The developer needs to create a designated recreation space/play area.
 7. The developer needs to reduce the overall density of the project.
 8. The developer needs to create additional parking accommodations.
- M. Hatch seconded the motion which after discussion was unanimously approved.

Review of Distributed Sun's proposal:

M. Hatch asked what the goal is tonight for this project? What is the job that the Planning Board should be doing?

M. Moseley said that the Planning Board should be reviewing the application and listening to the public. Since we don't have a complete application, we cannot make any decisions.

The Board needs to rescind Resolutions #6 and #7 of 2017 because the Town Board has requested lead agency status on this project.

T. Hatfield offered the following resolution:

WHEREAS, on January 26, 2017, the Dryden Planning Board adopted Resolution #6 (2017), which stated the 2150 Dryden Road subdivision proposal by Distributed Sun,

LLC, is an Unlisted action for the purposes of uncoordinated environmental review in connection with approval by the Town, and

WHEREAS, in Resolution #6 (2017), the Dryden Planning Board made a negative determination of environmental significance in accordance with SEQR, and

WHEREAS, on January 26, 2017, the Planning Board adopted Resolution #7 (2017), which approved the sketch plan for the 2150 Dryden Rd subdivision, and

WHEREAS, the Planning Board believed the Distributed Sun proposal is an Unlisted action and made a negative determination of environmental significance because it mistakenly considered the action as only the proposed subdivision and it did not consider the entire action as required by SEQR, including the solar facilities Distributed Sun proposes to build on the subdivided lots, and

WHEREAS, the Planning Board has now learned that Distributed Sun's project for 2150 Dryden Road is a Type I action under SEQR, because it involves the construction of nonresidential facilities that would result in the physical alteration of at least 10 acres, and

WHEREAS, pursuant to SEQR's requirements, Type I actions require a coordinated environmental review among all involved agencies, and

WHEREAS, at its March 16, 2017 meeting, the Dryden Town Board declared its intent to be the lead agency for purposes of a coordinated SEQR review for the Distributed Sun project, and requested concurrence from involved agencies, including the Dryden Planning Board, now, therefore, be it

RESOLVED, the Planning Board hereby rescinds Resolution #6 (2017) in its entirety, including its negative determination of environmental significance, and be it further

RESOLVED, that because the Planning Board may not consider an approval until SEQR is completed, the Planning Board hereby rescinds Resolution #7 (2017) in its entirety, and be it further

RESOLVED, that the Planning Board concurs in having the Town Board act as lead agency for the coordinated environmental review of this project.

M. Hatch seconded the motion. There was no further discussion and the motion was unanimously approved.

J. Kiefer confirmed that the Dodge road subdivision is simply a lot line change which will be done administratively.

The Planning Board is looking at all of the solar projects for purposes of tonight's discussion. There are 16 separate applications for solar projects and each project will have its own SUP. The SEQR will be done as groups so there isn't a segmentation to the environmental aspects.

Public Comments

Pat Fitzgibbons – 637 Wilson Creek Road, Newark Valley - People make property buying decisions based on location, location, location. The people depend on you (the Planning Board) and the zoning law to protect those decisions and our property values. It is unfair to change those laws to allow a subdivision for an out of state entity, it is a slap in the face to the property owners. We are not talking about 2 solar farms, we are talking about 16. He does not understand why we would change the subdivision law to accommodate an out-of-state entity taking advantage of the generous tax rebates that NYS offers. He feels that the subdivisions are a way to skirt the 2 mw law and that the Dryden boards are co-conspirators.

Rachel Crispell – 134 Harford Road - She has 12 immediate family members in Willow Glen as well as several other family members. She doesn't trust the companies that are going to be putting in the solar panels. They should be on a south facing hillside and this will be eyesore to anyone visiting the cemetery. She is concerned with people who want to buy a lot just few feet from a solar field.

Marie McRae - Irish Settlement Road – She is here to urge the Board to do whatever you can to support the installation of solar in Dryden. Dryden has been a leader in energy issues and we have come to a point in our history where we need to seriously cut back on fossil fuels. We need to get energy from the sun and the wind. This project will move us in that direction. Solar panels do not give off noxious fumes and are quiet. They do not increase traffic; they are very nice neighbors. She encouraged the board to mitigate the concerns of close by home owners is also important, visual mitigation is important but she understands that those negotiations are currently underway. She looks forward to seeing the applications move forward.

Harvey Borchardt – 135 Sheldon Road - He is new to NY but came from the mid-west where they have wind farms. He has observed solar panels in NY area that seem to be of great interest. He has listened to the Planning Board discuss heat pumps and energy efficiency. He believes a solar farm would be to the benefit of all concerned.

Shirley Price - 287 George Road – She has an issue with parcel 1 and 6 of the 2150 Dryden Road proposal. Parcel 1 will have solar arrays in a 100 year flood zone, they plan to cut the trees along Virgil Creek, a trout stream. She can see where it could cause erosion along the creek bed and it will be loss of habitat for wildlife and birds. She questioned how an investment of 51 million is to show a profit? How can they sell that much energy in the NYSEG area? She thinks they have Cornell in their pocket and that Cornell will be their biggest customer. She doesn't like what this is doing to our landscape; to have solar arrays in the heart of Dryden is distracting from the beauty of our landscape. She understands the life of a solar panel is 20-25 years. At this point, all of our recycling goes to the landfill. If someone really wants solar, why not put it on your own property and get all of the benefits associated? Why do we need to have farms? As far as parcel 6, she feels it distracts from the beauty of the cemetery.

Brad Perkins – He has members of his family in the cemetery but he is also the President of the Board of Directors. He has to speak for 7,500 burials and 2,900 lot owners. He said we have to think about what those families and the dead have to say about our “progress”. He met with the proposers of the solar farm and some of the Board members today at the 2150 Dryden Road site to look at the viewscape. If the project

can't be taken to a new site entirely, he hopes we would consider eliminating parcels 4, 5 & 6 which will take the solar out of the viewscape of those visiting the cemetery. Personally he objects to the customization of our subdivisions for this purpose. He thinks that sets a different precedent for other industry that wants to come to Town. There must be a reason for only permitting 2mw on a certain size parcel of land. We have bent over backwards to help these folks and after talking to them today, he is certain they can help themselves. The Town of Dryden could be the land owner for the solar farm. We have acreage all around the town hall, and we have 10 acres on Johnson road; those would be better places. The town could bring in the revenues for the town rather than Washington, DC.

The proposers don't have to look at the solar farms, this is our land. The assessment department in our county puts a value on the view you have from your property. Please remember that the view has value.

Michael Parker – 118 Mill Street - He has a lot of family in the cemetery. He has been told that this will benefit everyone but his has not been told what the benefit will be – are the taxes going to go down, is my electric rate going to go down? Honestly, he doesn't care. His parents are still alive but they have chosen a burial spot that overlooks this property. If they build this, that view is going to be ruined and he is not going to sell his family out for mere savings that have not been proven yet.

Dan Seewald – 51 Yellow Barn Road – As he looks at the Board members, he feels they have a tough job. He is against this solar system. 23 years ago he was working for a company that invented an intercept that consisted of mirrors that would follow the sun. We live at the wrong longitude and latitude to have solar, we don't get enough sun. He is not convinced or he would have solar on his roof. This project, if people think solar is good, it is not good around the cemetery – it defaces the cemetery.

Joe Osmelowski - 2180 Dryden Road – He lives near the cemetery and he will probably be the most affected.

It is disingenuous to say that if you are against this project, then you are against solar. He is reading and hearing that and it is not right, he believes almost everyone at the meeting is in favor of solar. At the October meeting at the Neptune Fire Hall, he heard ways that we can have 2mw systems and disperse them throughout Dryden so we can keep our rural character. If the developers had proposed site 4 or 5, Mr. Osmelowski would have been in favor of it. Sites 4, 5 and 6 are going to ruin the viewscape from the cemetery. He read parts of the recently passed solar law for the Town of Dryden regarding ground mount large-scale solar systems and they should not be on prime ag lands. He is a member of the Conservation Board and was a member of the Ag Committee. The Ag Committee is working on an ag protection plan. The whole idea is to protect farmland but on page 9 of 13 in the EAS, it indicates that 32 acres of farmland will be removed.

- Referring back to the solar law, he can go through all six of the proposed lots and find something in the new solar law that contradicts them all.
- This proposal does not conform with the adopted plans for the town of Dryden and it emaciates the subdivision law
- Please see attached for more reference.

Sarah Osmelowski - 2180 Dryden Road

She has no problem with solar in 2mw units dispersed throughout the town. She is against the farm at 2150 Dryden Road. She feels they circumvented the solar law by proposing the subdivision. She thinks it is a disgusting subdivision and that the board should not apply special rules to the subdivision. This subdivision should be treated like any other subdivision. The lease for Distributed Sun is 30 years. What happens in 30 years when the solar is decommissioned? We will have landlocked parcels of land. She is very concerned about stormwater run-off; her property is downhill and to the east of three of the solar arrays. She also wants a major vegetative screen along her property line (on the east side of the Pinney property). Pinney seems to want to turn this into an industrial zone. She also wants screening along route 13 so drivers don't have to look at them. Her second request is to see the 15 acres of forest that is going to be removed, replanted somewhere on the property.

Craig Schutt – 69 Schutt Road - He attended the walk around today. He agrees with most of what has been said. He has been on the Conservation Board 17 years and a few years ago everyone was eager to turn the town in to CEAs; this area would fit in a CEA. What we heard today is they are cutting the trees to the wetland (they can't go into the wetland due to State and Federal law) but the developer indicated that there was no reason to leave the trees there. They will destroy all the habitats there; if this happens, it is an environmental disaster as far as he is concerned. The entire site will have to be fenced preventing the movement of wildlife. There are places for 2 mw systems in this town but to use 70-75 acres to cover with solar panels is not a good idea. He also has a lot of relatives in the cemetery and he objects to the view that he will have when visiting there.

The Conservation Board was never asked to weigh in on this project. That is what the Conservation Board is supposed to do. It will be discussed at the next Conservation Board meeting per Mr. Schutt's request.

Robert Kuehn – 1150 Ellis Hollow Road – finagling around with the parcel maps is wrong. Cornell owns the whole field and to chop it up so the solar fits - that finagling is no good. He is starting to feel sorry for Sun8; they are a victim of Cornell. Cornell gave him trouble spots when Cornell owns 1000s of acres. He heard from a Cornell representative that it costs a million dollars a mile to bring the electric lines to the substation. At the end of Ellis Hollow Road where the horses are; he has been going past there for 20 years but he has never seen more than 7-8 horses but there are hundreds of acres. Cornell is part octopus and leech. They spread out and throw up an ink screen and then they suck blood. They are trying to put a solar farm up across the road from people's houses that are right on the road. He feels bad for the Sun8 representative because his company has to raise money, make the connection and maintain it. It makes Cornell look great – look at what we are doing to save the planet.

Janis Graham -1150 Ellis Hollow Road – She said she has submitted a petition protesting the large scale industrial. Today they asked for ways to mitigate it but they felt that everything they suggested, like downsizing or pushing the project back, was not viable. She asked that the Planning Board look at whether the project fulfills the purpose of the solar law; it fulfills number one but two and three talk about increasing employment and decreasing the cost of energy. She also asked that the Planning Board look into the contention that there are no alternate locations for the Dodge Road and Ellis Hollow road to change the configuration. There has been talk about mitigat-

ing affects by taking plots from other areas. She feels like she hears “we can’t make it smaller, we can’t set it back, we can’t move them”. The current plan engulfs their road.

Buzz Dolph – 26 Quarry Road – it is my town as much as yours. He believes that the savings from this project is to save the planet. If you do believe in solar then you must believe in some way or form that solar is needed. If you don’t believe the planet is burning up then you can agree with Mr. Trump and deny the science. It gets tedious to hear people say “I am really for solar but I don’t want to see it”. He lives on Ellis Hollow and is going to look at it. He hopes he can be proud of his town for doing the right thing. It is frustrating to only hear from people that are directly affected. He has not heard anyone from George Road talking about Dodge Road.

Rosalie Borzik – 11 Johnson Road - she has questions concerning how a farm of these dimensions will be managed. She understands that sod get put under the panels and asked if herbicide will be applied to keep the grass low? Sheep will be used to maintain the green under the panels. She proposed they make a habitat for pollinators. The highway departments are cutting back the roadside killing the milkweed plants which are needed for monarch butterflies. She recommended the melding of habitat and solar. She has the same feeling about the size of the farms, she leans more toward smaller parcels. This is an opportunity here to try something that goes beyond solar. She is a birder and is concerned about the loss of the trees along Dodge Road where long eared owls live.

Daren Miller – 74 Dodge Road – We have heard a lot of the common arguments tonight about the infringement on viewsapes and wildlife. He has all of those concerns but tonight he has some other issues. The project is directly across the road from his property. This morning he was part of the meeting (the group that gathered at Dodge road to visit the site and ask questions) with some of the Planning Board members and Cornell came out of the shadows for the first time. They added a little information that the residents were lacking. They have been working on this for two years and we only have 2 weeks notice to try to figure out what is going on. The more they talked to them, the more inconsistencies came up. The primary thing they have been suggesting is the site selection; they are adamant that they have researched this and there is no compromise. Yet, they changed the plan once already in regard to S4 and S5 so that is not really true. As far as the exploration of sites Cornell representative stated that they have spent time and effort looking at everything and the only areas that met the criteria are where they put them. Some residents suggested sites that the Cornell representative had never heard of so he doesn’t believe that they have done a thorough job. Some of the sites – S4 and S5 - could have greater setbacks (because they are adjacent to other parcels) but Cornell argued that those are research fields. With the law that was recently passed – we haven’t heard anything about setback rules, or vegetative screening – none of that was written into the law that he has seen. We are going into a new era that is solar but this policy does not address the issues. You can’t start a game without knowing the rules. Last they got some information this morning about the tie in issue. This morning they were told the only acceptable tie in is the East Ithaca substation. If that is the case, how are they going to tie the Dryden Road site into that substation but they discount the suggestion that they move up to Mount Pleasant which would be much less distance – the inconsistency troubles us. The North array of the Ellis site needs to be tied in too – it is more than a mile. All of these things are inconsistencies and we shouldn’t rush into this.

Jim Shipman - 11 Dodge Road – He has the same concerns for Dodge Road as the other sites. His opinion is that this is massive and will make Dodge road completely unrecognizable. He finances housing and he sees real estate all the time. He cannot believe that facility is not going to impact the value of Mr. Miller’s home. He does not want to see a SUP granted for this location. In the letter, it appears that they are more concerned about themselves, the negative impacts on Sun8 than the mitigating factors (The letter referred to is one to the Town Board from Sun8 asking for a waiver to the public utility moratorium). His experience is that if you are asking for a special permit you are asking something that is not normally allowed but they have not stated why their request is warranted.

There was a short discussion regarding the public members who wished to speak – the list of speakers will pick up where we left off at the next Planning Board meeting (April 27).

Carrie Brindisi - 344 Turkey Hill Road - There are 4 homes on Turkey Hill Road listed on the sketch plan document that are privately owned but are listed as Cornell owned. Their house abutts directly with the S5 lot and currently on the sketch plan document, her parcel overlaps with a parcel that is slated for tree removal but they own that property. There are significant inaccuracies in the documentation. She has talked to representatives from Distributed Sun and Cornell and they are aware of the inaccuracies. She asked that this slows down and that all documentation is reviewed very carefully. They recognize this important and they want to support the project but they have serious concerns. Her secondary concern is with the fence - the barbed wire is not so nice if you live close. She asked that they minimize the visual impact. Written comments are attached.

Bruno Schickel - NYS created a community solar law that allows community solar to be exempt from property tax. The law allowed them to not be regulated by the PSC, to sell for their electricity for more than a normal power generator can sell for and he assumes they kept the size at 2 mw/10 acres to limit its impact. This was supposed to be a relatively low impact solar installation that would still be viable. Bigger than 2mw becomes a utility. It is regulated by the PSC, has to sell power at wholesale prices and it has a big impact. There are 16 different parcels of land which are daisy chaining together the 2mw to stay under the community solar umbrella so they can charge more, claim it is not a utility or an industrial installation, it will have a huge impact on the viewscape, the residents that live near it and the wildlife. Fundamentally it’s dishonest, a fraudulent exercise. This Planning Board should not be participating in a fraudulent enterprise. It is fraudulent because when the SEQR review is done, the lots have to be considered all together. If someone came with 100 apartments but had it divided into 10 lots, it would not work, they would be laughed out of the room. Fundamentally, he does not believe anyone looks at solar and says “how beautiful”, solar is butt ugly. The Town needs to take a step a back and consider where they can put community solar installations of 2mw. Not daisy chain them together but where they will have low impact on the wildlife, residents, the natural surroundings and the residents that live in that area. The Town is almost 100 square miles, there is area that can be done. The TC3 site is a good example of minimal impact. You have to respect the push back you are getting and hearing what is being said.

An audience member pointed out that the net metering laws changed on March 9, 2017.

T. Hatfield indicated that no one here is probably against solar or other alternative energy; that is our future and we will have to go there. This is one of the largest towns in NY.

- We have a cell tower law. In that legislation, the developer has to put forward to the considering body a study of all the potential sites; they have to prove the sites that they wanted to use was the best place to put that tower. Although no one wants a cell tower in their backyard but we all want to be able to pick up the phone and call 911 or family. We all need solar, we all need energy, we all need to be able to flip the switch and know the power is going to be there. None of us want to pollute the water or kill animals, we all have those common concerns. We have time here, it will take a while to get the EIS done and reviewed.
- A request can be to ask them to show us the study – why is this the best or only spot to put the solar? Are they (Dodge Road and by the cemetery) really the only or best spots? It has to work all the way around for everyone.

J. Wilson asked if when T. Hatfield requests a study to determine the best site, is he referring to the 2mw sites or large scale like Sun8?

T. Hatfield does not think we are talking about 2mw or smaller. Anybody who wants to put solar on their property, we aren't talking about that and we are probably in favor of it. The Planning Board spent a lot of time in discussion about including in our solar law a section on industrial solar and that got taken out of the law. This is an industry. The one we have mostly been looking at which is the one on Dryden Road, we are looking at a subdivision that we would not look at for any other application.

- this should start with a siting study of the Town. Some of the same issues that are addressed in the cell tower law should be looked at for the solar as well.

A member of the audience asked/stated: At this point as I understand it, we do not have a completed application for a subdivision. We are way ahead of things to be talking about it. How long will the Board consider it before the lack of a completed application ends the ongoing discussion?

M. Moseley indicated that without a complete application, the project will not move forward and the Board will stop considering it.

Additional letters are attached.

The next regular Planning Board meeting is scheduled for April 27th.

There being no further business, on motion made and seconded, the meeting was adjourned at 9:20PM.

Respectfully Submitted,

Erin A. Bieber
Deputy Town Clerk

From: William A. House

20 Lone Oak Road Ithaca, NY 14850

To: Governing Body of the Town of Dryden and Members of the Town of Dryden Planning Board

Subject: Solar Farm

The Town of Dryden is considering a proposal to allow the development of a "solar farm" on Cornell University property located on Dodge Road and on Cornell property adjacent to Stevenson Road. As currently proposed, it appears to me that such an extensive array of solar panels would have a very negative impact on those who reside in these areas.

Alternate energy sources, including solar, are a means by which carbon emissions and the potential for environmental contamination can be reduced. In the present case, there is a way in which this can be accomplished so that there can be a WIN,WIN, WIN outcome from the development of solar farms on Cornell property. This triple win can occur by relocating the site of the solar collectors. It appears to me that these collectors could be located on Mt. Pleasant Road east of the planetarium or on portions of the research farms near Harford, NY. There is an extensive area on Mt. Pleasant Road along which there are no residents. Placing the collectors on Mt. Pleasant would provide the following:

WIN for the Town of Dryden: Revenue from collection of taxes.

WIN for Cornell: Revenue from leasing the land, positive publicity.

WIN for Dodge Road and Stevenson Road residents: They would not have to see the array.

Win for all.

Comments to the Planning Board 3-23-2017

The proposed solar project is exciting and very interesting, as a land owner on property adjacent the Cornell plots in the Sketch Plan document I have some concerns that I think must be addressed before the plan moves forward.

First and foremost I believe that the speed at which this plan is moving has lead to significant inaccuracies in the documentation. Last week I spoke at the Town Board meeting and pointed out that several privately owned properties on the southern section of Turkey Hill Road were incorrectly labeled as Cornell owned properties (House numbers - 344, 352, 366, and 376) including my own home which abuts the S5 site. Additionally, Distributed Sun's documentation also currently indicates planned tree removal on our private property. While Cornell and Distributed Sun are working to resolve these mistakes, I believe they are a symptom of a rushed project that would benefit from more careful review by the town of Dryden.

My second concern is that the fencing around the Solar sites is large and obtrusive. The eight foot chain link fence topped with barbed wire is not necessary and visually more impactful than the solar panels themselves. I would like Distributed Sun to decrease the height of the fencing and remove the barbed wire --This would be a vast improvement on the plan.

Cornell University and Distributed Sun have a vested interest in completing this plan as soon as possible, but the significant inaccuracies in the preliminary documentation demonstrate the plan is not ready to move forward at this time. Please take the time to study the plans, listen to residents directly impacted by this industrial solar power plant and make the best possible decision.

Sincerely,

Carrie Brindisi
Landowner - Turkey Hill Road

Dryden Planning Board March 23,2017

Pertaining to: Distributed Sun, 2150 Dryden Rd, Large-Scale Solar Project

Please find included with this Letter, Page 5 of the recently adopted Town of Dryden, Solar Law, and Page 9, of the Full Environmental Assessment form for the Distributed Sun, 2150 Dryden Rd. large-scale solar project.

Distributed Sun is proposing a subdivision of the property at 2150 Dryden Rd. into 6 distinctive lots, taking up 78 acres, to install Solar panels.

All the lots, numbered 1-6 on the Labella Associates, map provided for the Special Use Permit either contradict or are in direct violation of the above Dryden Solar law as follows:

Lot#1:

UNA near Virgil Creek

In the 100 year Flood plain

Adjacent to proposed Dryden Trail System

Takes up prime farmland

Lot #2

UNA that contains wetlands Lot #3

Removes large amounts of forested land causing the disruption of an ecologically sensitive area

Lot#4

In direct view and disruptive to historically significant cemetery Contains an area that may

exceed a 15% grade Also contains prime farmland

Lot #5

Also, in direct view and disruptive to Willow Glen Cemetery

Contains prime farmland

Large forested areas being removed

Lot #6

Most disruptive lot to Willow Glen Cemetery Contains prime farmland Has a portion that exceeds a 15% grade UNA/wetlands that will be affected Large area of forested land will be removed

In addition, as some one who has either worked on or who is familiar with many of our Town Plans, this project also directly contradicts the following Town Plans:

- 1. Comprehensive Plan**
- 2. Ag Protection Plan**
- 3. Open Space Plan**
- 4. Natural Resources Conservation Plan**

The Town of Dryden also has a very specific Sub-Division law that this board is well acquainted with, so you are quite aware of all the violations and contradictions, this project presents to those laws.

Please reject the planned Large-Scale Solar facility being planned for 2150 Dryden Rd, by Distributed Sun.

Thank you,

Joseph Osmeloski 2180 Dryden Rd.

Freeville

NY,

13068

Districts, subject to the requirements set forth in this section, including site plan approval. Applications for the installation of a Ground-Mounted Large-Scale Solar Energy System shall be reviewed by the Zoning Officer and referred, with comments, to the Town Planning Board for its review and recommendation, and to the Town Board for its review and action, which can include approval, approval on conditions, or denial.

- a. **Ground-Mounted Large-Scale Solar Energy Systems that produce electricity or thermal energy primarily for active farming or agricultural uses, where the generation is less than one hundred and ten percent (110%) of the farm use, shall be exempt from the requirement to obtain a Special Use Permit or a site plan.**
2. **Ground-Mounted Large-Scale Solar Energy Systems shall not be located in the following areas unless otherwise approved by the Town Board in conjunction with the Special Use Permit approval process as provided in this section:**
 - a. **Prime farmland soils as identified by the USDA-NRCS or alternative available resource.**
 - b. **Areas of potential environmental sensitivity, including Unique Natural Areas, flood plains, historic sites, airports, state-owned lands, conservation easements, trails, parkland, prime soils, and wetlands as identified by Tompkins County Planning Department mapping services, the New York State Department of Environmental Conservation, or the United States Army Corps of Engineers.**
 - c. **On slopes of greater than fifteen percent (15%), unless the Solar Energy Applicant can demonstrate through engineering studies and to the satisfaction of the Town Engineer that the proposed development will cause no adverse environmental impact that will not be satisfactorily mitigated.**
 3. **No Special Use Permit or renewal thereof or amendment of a current Special Use Permit relating to a Ground-Mounted Large-Scale Solar Energy System shall be granted by the Town Board unless the Solar Energy Applicant demonstrates that such Ground-Mounted Large-Scale Solar Energy System:**
 - a. **Conforms with all federal and state laws and all applicable rules and regulations promulgated by any federal or state agencies having jurisdiction.**
 - b. **Is designed and constructed in a manner which minimizes visual impact to the extent practical.**
 - c. **Complies with all other requirements of the Town of Dryden Zoning Law and applicable Commercial Design Guidelines unless expressly superseded herein.**
 - d. **Conforms with all adopted plans of the Town of Dryden.**
 - e. **Complies with a fifty-foot (50) front yard, rear yard, and side yard setback.**
 - f. **Does not exceed twenty (20) feet in height.**
 - g. **Has a solar collector surface area (as measured in the horizontal plane) that, when combined with the coverage of other structures on the lot, does not exceed twice the maximum lot coverage as permitted in the underlying zoning district, unless the Town**

; s. Does the proposed action include construction or modification of a solid waste management facility?

No

f If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - Tons/month, if transfer or other non-combustion/thermal treatment, or
 - Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? 0Yes0No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents:

iii. Specify amount to be handled or generated tons/month

;v. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility'?

" DYesCJNo

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture d Aquatic <input type="checkbox"/> Other (specify): Cemetery ii. If mix of uses, generally describe:			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.4	2.4	0
• Forested	20	5	-15
• Meadows, grasslands or brushlands (non- agricultural, including abandoned agricultural)	85	132	+47
• Agricultural (includes active orchards, field, greenhouse etc.)	37	5	-32
• Surface water features (lakes, ponds, streams, rivers, etc.)	3	3	0
• Wetlands (freshwater or tidal)	10	10	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe:			

March 20, 2017

Attention: Town of Dryden Planning Board, Dryden Town Board, Dryden Supervisor and Cornell's Campus Sustainability Office

We write to object to the Ellis Tract Solar Project as it is currently being proposed for the following reasons:

1. **Its large-scale clashes in character with the rural-residential neighborhood** it will be adjacent to. What's more, the project comes into very close proximity to several homes. The possibility of noise pollution, from the incessant daytime humming of the inverters, has not been addressed.

2. **It transforms agricultural land into an industrial zone.** Some of the fields off Dodge Road have been farmed as recently as last summer. Any field that is fallow is so because Cornell chose to leave it unworked—not because it isn't prime farmland.

3. **The negative aesthetic impact is immeasurable.** The design of this project puts solar panels –and chain link fencing--right up to the road's edge. The viewscapes from Dodge Road, especially, are enjoyed not only by local residents but by runners, walkers, bikers, hikers and birdwatchers from all over Tompkins County. These people come to enjoy the natural beauty of the area.

4. **The Project's benefits have been misrepresented.** The claim that it will create 200 to 250 local jobs—even temporary ones-- is unsubstantiated. The other benefits, including an increase in tax revenue from a PILOT agreement and the creation of enough energy to power all the homes in Dryden, are without guarantee.

5. **It could cause irreparable environmental damage.** The area hosts wetlands and its groundwaters drain into Cascadilla Creek. Yet a comprehensive Environmental Impact Study, to our knowledge, has not been conducted.

6. **Wildlife and its habitat will be harmed.** Our neighbors, the Mistry's, have documented this in detail.

7. **Future generations will lose.** Yes, we support solar to help prevent climate change. But location is of the utmost importance. Our children need easy, close access to nature and a way to connect with native environments, agriculture and wild animals. Think of the line from the Joni Mitchell song: "*they paved paradise to put in a parking lot.*"

We urge you to weigh these considerations seriously. We hope your careful assessment results in choosing an alternate site (of which there are many; Cornell's land holdings are extensive and include many areas that would be less damaging) or in drastically downscaling the current proposed project to minimize its multitude of negative impacts.

Virginia Mistry 1159 Ellis Hollow Ithaca NY
Nari Mistry 1159 Ellis Hollow Rd Ithaca
Sue Mistry 1139 Ellis Hollow Rd Ithaca
Norma Goldberg 1167 Ellis Hollow Rd. Ithaca

Za Heller 1167 Ellis Hollow Rd Ithaca, NY 14850

Sally Norcross 1191 Ellis Hollow Rd Ithaca, N.Y. 14850

Neil Norcross " "
NEIL NORCROSS

Breg Kadlak 1166 Ellis Hollow Rd. Ithaca

Megan Kadlak 1166 Ellis Hollow Rd.

Susan Habecker 15 Dodge Rd.

Jerry Habecker 15 Dodge Rd.

Katherine Dillon 21 Game Farm Rd

Andy Ash 1184 Ellis Hollow Rd.

Rachel E Ash 1184 Ellis Hollow Rd.

Joan E Bullock 1202 Ellis Hollow Rd,

John Janni 1151 Ellis Hollow Rd.

Sharon Barrio 1151 Ellis Hollow Rd.

Jeanette Knapp 1143 Ellis Hollow Rd.

Wm W. Knapp 1143 Ellis Hollow Rd.

Frank Zota 1140 Ellis Hollow Rd, Ithaca 14850

Donna Tregaskis 1140 Ellis Hollow Road, Ithaca

Joe Zappa 11 Dodge Road Ithaca NY 14850

11 Dodge Road, Ithaca, N.Y. 14850

Jeremy A. Kruser 7 Dodge Rd. Ithaca NY 14850

17 Dodge Rd Ithaca NY 14850

137 Judd Falls Rd Ithaca NY 14850

Lucille H. Miller 74 Dodge Rd Ithaca NY 14850

Laura Miller 74 Dodge Rd Ithaca, NY 14850

Daren Miller

EVAN Wills

Aaron Swartwood

DAVID JACKSON

MATT TULLOCH

in suit

74 Dodge Rd

81 Game Farm Rd

81 Game Farm Rd

81 GAME FARM Rd

81 GAME FARM Rd

Janis Graham 1150 Ellis Hollow Rd

Carter O'Gorman 81 Game Farm Road

Robert Kuehn 1150 Ellis Hollow Rd