

TOWN OF DRYDEN
TOWN BOARD MEETING
November 16, 2017

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl Linda Lavine,
 Cl Deborah Cipolla-Dennis, Cl Kathrin Servoss

Elected Officials: Bambi L. Avery, Town Clerk
 Rick Young, Highway/DPW Superintendent

Other Town Staff: Ray Burger, Director of Planning
 Susan Brock, Town Attorney

Supv Leifer opened the meeting at 7:00 p.m. Board members and audience recited the pledge of allegiance.

AG PLAN PRESENTATION

Monika Roth and Debbie Teeter of Cornell Cooperative Extension gave a presentation of the Town of Dryden Agriculture and Farmland Protection Plan. They have worked with the town's Ag Committee on this plan for the past few years under a grant from NYS Department of Agriculture and Markets. There has been committee input, three community meets for farmers and landowners and surveys. Monika Roth and Debbie Teeter served as advisors and George Frantz worked as a consultant. In Dryden there has been an addition of 1500 acres of land that has come back into agriculture production. Dryden has the second highest Ag product sales in Tompkins County. There is quite a bit of Ag land and farms under permanent easement (1,266 acres). There are 100 jobs on the town's 55 farms and 58 enterprises associated with those farms. Agriculture has good strength in the town. There is a diverse farm community in the town, and there are five dairy farms left in the town. Challenges for farms were reviewed and zoning recommendations made.

The vision of the committee is to encourage farms of all types and sizes and that enterprises will be able to respond freely to new marketing opportunities.

Lands to protect include those in the county Ag district, actively farmed farmland and land with prime soils and soils of statewide importance. Part of Dryden (northeast section) is included in the County's Ag Resource Focus area (designated by looking at prime soils). They suggest the town support farms looking to sell their development rights when those opportunities come along.

Implementation suggestions and recommendations include keeping the Ag Committee informed of activities impacting agriculture, providing staff to the committee to move forward, raising the status of the committee to a board (similar to the Conservation Board), and honor matters pertaining to agriculture in the town's Comprehensive Plan.

Other boards and committees should provide comment on the plan and it will continue to be edited. There is a requirement for a public hearing, after which the town board can approve the plan. The County Ag & Farmland Board has already endorsed the plan as written, understanding that there may be changes. The plan will ultimately go to Ag & Markets for final approval.

Comments:

- Recommendations on changes to the use table in our zoning law are helpful and some had already been identified by other town boards/committees.
- It is a great resource and helps identify where the trends are heading.
- Promotion of agri-tourism and farm markets could include working with the Chamber of Commerce, putting farm outlets on a map on the web so people in the community know where to buy local.
- Dryden has more farm markets than any other town in the county.
- There is legislation in the works to change liability insurance for equine operations to be more in line with other Ag businesses.
- Dryden is lacking wedding venues.
- There is demand for commercial kitchen and processing space.
- Land contiguous to already protected farmland is a high priority area per NYS Ag & Markets.

The board would like comments on the plan from the town’s other boards and will need to hold a public hearing and then approve the plan.

TOWN CLERK

RESOLUTION #140 (2017) – APPROVE MINUTES

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby approves the meeting minutes of October 12 and October 19, 2017.
2nd Cl Cipolla-Dennis

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

CITIZENS PRIVILEGE

Brad Perkins spoke regarding the amendments to solar law. There are two companies proposing to build solar in our town and the board has moved quickly to allow them to do this. They came in and helped us create a solar law. They knew what it was, knew what our zoning was and now, if he understands this, the town is proposing to sweeten the pie some more and reduce some of our zoning restrictions, specifically for these two applications and future applications. That is risky and might lead us other challenges in that some of these are already in the litigation stage. He thinks it is careless and the wrong time. He asked the board to not amend the solar law to change any setbacks, but if the board is going to that he said the board is increasing the density allowed for solar panels. Therefore it would only make sense to say to Sun8 that they could now move back away from the Osmeloskis and away from the cemetery because they can put more panels in less space. Herd them back a little bit and give the people what they’ve asked for. He represents 7500 dead people at the cemetery, 2900 families that are lot owners. Multiply by the family size and that is a lot of people. 750 of those people were polled and received 350 responses. Two out of 350 said solar is great, put it any place we can put it. Those comments were pretty well ignored as the board voted unanimously to grant permits and march right on through different stages. He thinks now is premature, with these things in litigation, to be changing the setback requirements, but if they

are going to change he expects that should make the density factor allow them to be moved further away from the cemetery and the Osmeloskis.

He thanked the board for serving and said he hopes the board finds a way to bring the town together because it has been very innovative in making a wide divide in it. Every board member has actively participated in that by not listening to the Planning Board and not listening to the citizens.

David Weinstein expressed concern regarding the bridge projects. The Varna community has emphasized they want to be involved during process of deciding what needed to be done on the bridge so they could understand issues and the criteria being used for repair or replacement. He advocated for a committee of community members to work with the engineers to create a dialogue, but that didn't happen and now they see a completed environmental impact statement with a project that seems like a done deal. It is exactly what they feared; that a decision would be made and they wouldn't understand why it was made. We still need a committee to work with the engineers. There are numerous mistakes in the EIS that could have been corrected if community members were involved. He encouraged the board to tell engineers to involve the community. They need a series of meetings and a committee to help everyone else understand. If you want to set up a situation where you have opposition to a project instead of community buy-in, this is a perfect scenario for generating opposition. The vast majority of people that live in the area are for keeping the existing bridge and they need to understand what is happening.

Supv Leifer said there will be a public hearing and public meetings will be scheduled in Varna about this. The reason for this SEQR is that we have to bond out and we can't bond without SEQR. SEQR doesn't dictate how the bridge will be designed. They have to present every single option. The town has about 16 months until construction has to begin.

Sarah Osmeloski thinks that reducing the setback on the internal lot lines is a good idea and that 100' between is a bit much. We need to have some alley ways between the parcels for wildlife movement. The only wildlife corridor that was incorporated in these two plans is on Dodge Road. That was given as a concession that shouldn't have been a concession had they observed the 50' setbacks. She agrees with what the Planning Board passed last night on the 15' setbacks. That would give plenty of room to break up the sea of solar panels visually and allow wildlife movement. She also feels that included in this we should move the setbacks away from the perimeter properties. Reasons are:

- (1) To relieve the feeling of encroachment for those that border these large facilities;
- (2) Trees planted on the perimeter properties could cause a shading problem; and
- (3) 50' setbacks for the perimeter could be problem with fire departments not being able to fight fires on these properties without encroaching on the perimeter properties. The fire department shouldn't run the risk of electrocuting themselves if they should get water on the panels. If we could increase the perimeter setbacks a little bit and have some kind of smaller, more conservative alleyways between the parcels, it would be good. We need to remember these parcels can only contain 2MW so there is a limit to how many solar panels can be put on them anyway.

Joe Osmeloski thinks the board should amend solar law. He recommends three things.

- (1) The 50' setback from the perimeter should be increased to 100' minimum.
- (2) A density clause. 2150 Dryden Road is in litigation and something will probably eventually happen there. The Carpenter farm is also getting a solar farm. The newest lawsuit is where Distributed Sun is suing Dynamic Energy. He read from #66 in the lawsuit: Also during the conference call, Mr. Pinney's attorney said that Mr. Pinney was willing to purchase a large parcel of land directly across from the Property [at 2150] in order to lease to Dynamic. So there is another solar farm within a mile radius. We just can't have that. We can't ravage one

part of the town. There should be a density clause in this that restricts a 3-5 mile radius with one large solar facility.

(3) There should be a per acreage limit. We have the daisy-chaining where they can subdivide the plot and put in 2 MW. We should have a per acre, such as 6 MW per 50 acres. Probably we could fit 6 MW next to him and not ruin the cemetery and his property.

Laurie Snyder, 36 Freese Road, came tonight because she heard that the Freese Road bridge proposal would come up tonight. It's the first time she has seen these documents. She can't tell whether the project is one or two lanes or has a pedestrian walkway. Supv Leifer explained they are not at the design stage yet. The resolution tonight is to declare lead agency status for SEQR. There will be a chance to hear more in the design stage.

Marie McRae heard today that the PSC approved the NYSEG alternate plan for mini compressors to stabilize service to existing gas companies in Lansing. That means the residents of West Dryden Road are no longer under the threat of having a pipeline go through their front yards. The alternate plan will cost \$4,000,000 as opposed to the original \$18,600,000 proposed for the pipeline. The new order mandates that NYSEG put out an RFP for other pipeline alternatives to meet the energy needs for growth and economic advantage in the community.

Cl Cipolla-Dennis thanked all the people involved in the process over the past three and half years. If citizens hadn't gotten involved we would already have a pipeline on West Dryden Road. Cl Lavine noted this equates to a savings of \$14,000,000 for the rate payers.

HIGHWAY/DPW DEPARTMENT

Highway Superintendent Rick Young asked for authorization to sell three trucks and trade three mowers.

RESOLUTION #141 (2017) – AUTHORIZE SALE AND TRADE OF HIGHWAY/DPW EQUIPMENT

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby authorizes the Highway/DPW Superintendent to sell the following at surplus auction or by advertisement to bid or to a public entity:

- 2006 GMC Dump truck, VIN# 1GDE5C3266F433524
- 2008 Ford Pickup, VIN# 1FTNF21518ED92947
- 2011 Chevrolet Pickup, VIN# 1GCNKSE09BZ268273

And to trade the following toward the purchase of a new John Deere 3046:

- 2012 John Deere mower Model 2720 (72" mower) Serial #1LV272HECH510766
- 2010 John Deere mower Model X720 (54" mower) Serial #MOX720A051733
- 2000 John Deere Tractor, Model 4700 (72" mower) Serial #LV4700H175341

2nd Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

RESOLUTION #142 (2017) – AUTHORIZE PURCHASE OF TRACTOR

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby authorizes the Highway Superintendent to purchase a new John Deere 3046 at a cost not to exceed \$18,000 and trade.
2nd Cl Cipolla-Dennis

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

R Young announced he has appointed Christopher Clauson as Deputy DPW Superintendent. Next month there will be a resolution to purchase a bobcat for use by the sewer districts.

Cl Lavine said she attended the meeting in Freeville about replacement of the bridge over Fall Creek on Route 38 in the Village. There was discussion about the possible detour routes. R Young will attend any meetings necessary with NYSDOT. This is currently in the planning stages and looking for options.

RECREATION DEPARTMENT

Cl Servoss said there are several volunteer coaches present. Chris Sidle has submitted a proposal for the future configuration of the Recreation Department and she has forwarded it to the DRYC. Two of those members are present. Mr. Sidle provided a printed version of the proposal to board members. He said this is an opportunity to reconfigure how we manage recreation. People are willing to step up and help run the various sports activities for the kids. The purpose of the proposal is to offer continuity of recreational services to the greater Dryden community. It allows for a better investment of the time and efforts of people from the community. In the past few years we’ve hired three or four people to run the rec department. For the volunteers it means working with a new person with a new agenda. They suggest individual programming groups (music, adult activities, and sport programs already run by volunteers) each have a representative leader. Their idea is that the board will hire a part time person to process paperwork (all applications, submissions, complaints, compliments, proposals, etc) to the various rec leaders. That person would do scheduling, reserving space for events and keep a master list and manage a contact list. Rec leaders would be responsible for planning and be responsible for communicating with the rec board for oversight. The town would provide money for needed certifications and trainings. The rec board would oversee the new configuration at their monthly meetings and have people come in as needed. Communication has been a problem recently with the sports groups and that could be eliminated.

The community wants to step up and do things. It would also save a lot of money. There would be saved wages that could be added to the rec fund. There would be continuity in that they would mentor new people and slowly give over to newer people coming in with their children. The ability for them to have more volunteerism and say in how they do things doesn’t increase the workload for any one person, but diversifies it over a number of people so no one would be overwhelmed. A large portion of this is already done, just answerable to somebody. Now they would be answerable to the board with the part time person coordinating and keeping everyone informed. The individual activities would supervise themselves and report to board.

Cl Servoss said the proposal has merit. She thinks a full time person should be there to coordinate volunteers and do scheduling and other things. Having one person as a point of contact is helpful. The DRYC will talk about this proposal and make a recommendation.

C Sidle noted winter is a good time to start because the programs are already set up. Cl Lavine said we need a central coordinator that is really effective. This could cost a similar amount but yield way more. Cl Servoss announced the next DRYC meeting will be held December 13 at 7:00 p.m. and they will discuss this proposal and get input.

There are vacancies on the DRYC and C Sidle handed in applications that Cl Servoss will distribute. Appointments could possibly be made at the next agenda meeting. Cl Lavine noted the six other coaches who accompanied Chris Sidle in support tonight.

PLANNING DEPARTMENT

Ray Burger has submitted his monthly report (attached). The 802 Dryden Road site plan was approved by the Planning Board. They have a target date of July 2019 for completion (6 buildings, 42 units).

There is a conservation subdivision proposed at 1540 Ellis Hollow Road, similar the model a few months ago, where a 10 acre lot is being subdivided to five small residential lots and a five acre open space along Cascadilla Creek. It is another Tiny Timbers project.

COUNTY BRIEFING

Mike Lane announced the legislature passed the county budget and they stayed under the cap. They allowed some agencies a small increase and justified the increases in the union contract. The health consortium helps to keep down the cost of health insurance. County Administrator Joe Mareane has taken earlier retirement than anticipated and is now gone. Deputy County Administrator Paula Younger will be the interim until they have a new County Administrator. The search committee has begun interviews and they hope to have someone in place by the first of the year.

The Commissioner of Planning search continues and they will be doing final interviews with candidates and hopefully make an announcement by the end of the year.

They expect a change at Tompkins County Area Development. Mike Stamm has indicated he is retiring next year.

There are five new faces on the County Legislature this year.

There is funding in the county budget for a study of emergency services. There is concern about the rural ambulance services and staffing.

ADVISORY BOARD UPDATES

Planning Board – Cl Cipolla-Dennis reported that last night they approved the 802 Dryden Road project and discussed the proposed amendments to the solar law. They also talked about reviewing the subdivision law with regard to solar development. Because of the PSC requirement to subdivide parcels down to a size where they only contain 2MW per lot and even though the PSC has stated its fine to have the solar farms on adjacent lots and that sort of thing, our subdivision law doesn't really take that into consideration. There are aspects of our law that just don't make sense for these solar farms, for example the common driveway. The Planning Board feels some aspects of that law could be modified and amended to make a

smoother process for the solar farms and have asked the Town Board to charge them with the task of looking at that. They view the current amendment for inside lot line setbacks as a band-aid. She agrees it could be handled better with modifications to the subdivision law. There may be other modifications in conjunction with these that make sense. Town Board could ask the Planning Board to do a comprehensive review in light of the large projects and the PSC regulations. There was an overall motivation to move forward by Planning Board members. The ZBA might also support doing that. The Town Board agreed it would like the Planning Board to review the subdivision law with respect to large scale solar applications, considering the requirements of the PSC, and make recommendations that would result in a clearer process for large scale solar applications.

Conservation Board – Chair Peter Davies reported there has been discussion about the official appointment and role of alternates on the board. They have a proposed amendment to section 3 that provides for appointment of two alternate members (one year terms) and that the town board designates them of first and second alternates. An alternate can be substituted for a full member and vote in the event that a full member is unable to vote because of absence or recusal due to conflict of interest. The Conservation Board would like this finalized and that two alternates be appointed.

P Davies presented a Natural Resources Conservation Plan that the board has worked on for over a year. There are 10 maps including two new ones created for this report. One is of the conserved land areas in the town and one of all the trails in the town. It is lavishly illustrated with many color photographs by members of the board. It was produced at no cost to the town and done entirely by volunteers. There was some cost for production of a map. This plan forms the basis for a vibrant and healthy lifestyle for a diverse and growing community. Cornerstones of the Natural Resources Conservation Plan include sustainable environmental and biological resources leading to active agriculture, provision for outdoor recreation and planned development, all of which contribute to long-term economic vitality. The report is divided into several chapters: Water, biological resources, farmland and agriculture, recreation and viewshed. This is not a legal document and is to be used solely as an advisory document. Appendices include a complete inventory of rare or endangered animals and plants in the town.

Comments:

- A tourism pamphlet could be developed from this document.
- Members of the Conservation Board appreciate Peter Davies' work editing, formatting and turning this into a quality production.
- While this document is advisory, there are strong recommendations in each section for maintenance of these natural resources.
- Consideration should be given to those maintenance recommendations.
- This document should be referred to in zoning matters.
- It can be used in the next comprehensive plan update.
- The board will consider adoption in December.
- Copies of this and the Ag plan will be placed at the Southworth Library, Community Café, and Varna Community Center marked draft with a note to submit comments prior to the next board meeting.

The board introduced the following proposed local law to allow for appointment of alternates on the Conservation Board and set the public hearing for December 21 at 7:05 p.m.

Title: A Local Law to amend Section 3 of Local Law No.4 of the year 2000, as amended by Local Law 1 of the year 2004, to Provide for the Appointment of Two Alternate Members of the Conservation Board.

Be it enacted by the Town Board of the Town of Dryden as follows:

Section 1. HISTORY. Local Law No. 4 of the year 2000 adopted by the Town Board of the Town of Dryden created the Town of Dryden Conservation Advisory Council (CAC) with 9 voting members. The Town Board has discussed the benefits of appointing alternate members to the Conservation Board who can sit as voting members when a regular member is absent or unable to vote due to a conflict of interest. The Town Board wishes to amend Local Law No. 4 of the year 2000, as further amended by Local Law 1 of the year 2004, to provide for the appointment of two alternate members to the Conservation Board.

Section 2. This local law is adopted pursuant to § 10, Subdivision 1(ii)d(3), of the Municipal Home Rule Law of the State of New York. This local law supersedes Sections 239-x(3) and 239-y of the General Municipal Law of the State of New York relating to the appointment of members to the Town Conservation Board to the extent this local law is inconsistent with such sections.

Section 3. Amend Section 3 of Local Law No. 4 of the year 2000, as amended by Local Law 1 of the year 2004, to read as follows:

“Section 3. MEMBERSHIP: The CAC shall consist of nine (9) full members, appointed by the Town Board, who shall serve for terms of three (3) years (four of the initial members shall be appointed for two years and five of the initial members shall be appointed for three years). The Board may appoint two alternate members (designated first and second alternate in order or priority) to serve for terms of one year or part thereof ending on December 31st of the year of appointment. One full member shall be the Town representative to the Tompkins County Environmental Management Council. Any person residing within the Town of Dryden who is interested in the improvement and preservation of environmental quality shall be eligible for appointment. Each full member shall be entitled to one vote. The Chairperson shall designate an alternate member to substitute for a full member and vote in the event that a full member is unable to vote due to the full member’s absence or recusal due to a conflict of interest.”

Section 4. The provisions of this local law are severable. If any court of competent jurisdiction decides that any section, clause, sentence, part or provision of this local law is illegal, invalid, or unconstitutional, such decision shall not affect, impair, or invalidate any of the remaining sections, clauses, sentences, parts, or provisions of this local law.

Section 5. This local law shall take effect immediately upon filing with the New York Secretary of State.

Rail Trail Task Force – Bob Beck announced that the trail between the villages of Dryden and Freeville is open. It may not be sufficiently compacted for bicycles yet. He is thankful to Bruno Schickel for his efforts over the past few months in getting that done. To date over \$45,000 in time and materials and machine work has been donated and coordinated by Bruno. A copy of the report is attached. Bruno estimates about \$8,000 in contributions, not counting his time. Dennis Mix and Mix Brothers also donated an enormous amount of time and contributed 120 truckloads of dirt and fill from a construction site trucked to George Road. There are others listed.

They are hopeful to get a written agreement from DEC for the trail through the game farm any day now. They have been assured that it is in the works and will soon be seeing it in writing. There is written intention. The task force will soon be able to do work at Ithaca end.

They are looking at how to cross Route 13 near NYSEG. It’s a very busy road and they are hoping for a pedestrian bridge over Route 13. Barbara Lifton is supportive and suggested

there may be state money to help with that. They are working with her and the Syracuse DOT office. If they can do this pedestrian bridge it would be fantastic advertisement for town and for the rail trail. It would bring more visitors, more use of the trail, and more money spent in Dryden.

The next meeting of the RTTF meeting is Monday at the Freeville Village Hall. They will be working on a celebration or ribbon cutting for spring.

OLD BUSINESS

The board set the public hearing on the Ag and Farmland Protection Plan for December 21, 2017 at 7:10 p.m.

Supv Leifer asked for authorization to sign the proposal from General Code for codification of our laws and ordinances.

RESOLUTION #143 (2017) – AUTHORIZE AGREEMENT WITH GENERAL CODE

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby authorizes the Supervisor to execute the agreement with General Code for codification services at a total cost not to exceed \$17,150.00.
2nd Cl Servoss

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

NEW BUSINESS

Freese Road & George Road bridges - The board needs to pass resolutions declaring lead agency status for the Freese Road bridge and George Road bridge projects. Letters will go out to involved and interested agencies and they then have 30 days to respond. No public hearing required at this point. The public hearing is on underlying action. Atty Brock will talk with the bonding attorneys. Barton & Loguidice will do a presentation in December.

**Proposed Action: Freese Road over Fall Creek Bridge Replacement
(PIN 3756.41)**

**RESOLUTION #144 (2017) - DECLARING THE INTENT OF THE TOWN OF DRYDEN
TO ACT AS LEAD AGENCY**

Supv Leifer offered the following resolution and asked for its adoption:

WHEREAS, the Town of Dryden (Town) is proposing to replace the Freese Road Bridge over Fall Creek (PIN 3756.41) (Project), located in the Town of Dryden, Tompkins County, New York; and

WHEREAS, the Project has been classified as a “Type I” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.2; and

WHEREAS, it is the intent of the Town of Dryden Town Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA assessment of the Project; and

WHEREAS, Part I of a Full Environmental Assessment Form (FEAF) has been completed, reviewed by the Town of Dryden Town Board, and will be circulated to all Interested and Involved Agencies for purposes of establishing the Town of Dryden Town Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6(b).

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Town of Dryden Town Supervisor hereby is authorized to sign Part I of the FEAF (page 13); and it is further

RESOLVED AND DETERMINED, that the Town of Dryden will send said Part I of the FEAF to the attached list of “Interested and Involved Agencies” under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under the SEQRA; and it is further

RESOLVED, that the Town of Dryden Town Supervisor and Town Board, together with the Town of Dryden Attorney and Barton & Loguidice, D.P.C., are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.
2nd Cl Lamb

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Jason Leifer, Town Supervisor	Yes
Daniel Lamb, Deputy Supervisor	Yes
Linda Lavine, Board Member	Yes
Deborah Cipolla-Dennis, Board Member	Yes
Kathrin Servoss, Board Member	Yes

**Proposed Action: South George Road Bridge over Virgil Creek Bridge Replacement
(PIN 3756.42)**

**RESOLUTION #145 (2017) - DECLARING THE INTENT OF THE TOWN OF DRYDEN
TO ACT AS LEAD AGENCY**

Supv Leifer offered the following resolution and asked for its adoption:

WHEREAS, the Town of Dryden (Town) is proposing to replace the South George Road Bridge over Virgil Creek (PIN 3756.42) (Project), located in the Town of Dryden, Tompkins County, New York; and

WHEREAS, the Project has been classified as an “Unlisted Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, it is the intent of the Town of Dryden Town Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA assessment of the Project; and

WHEREAS, Part I of a Short Environmental Assessment Form (SEAF) has been completed, reviewed by the Town of Dryden Town Board, and will be circulated to all Interested and Involved Agencies for purposes of establishing the Town of Dryden Town Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6(b).

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Town of Dryden Town Supervisor hereby is authorized to sign Part I of the SEAF (page 3); and it is further

RESOLVED AND DETERMINED, that the Town of Dryden will send said Part I of the SEAF to the attached list of “Interested and Involved Agencies” under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under SEQRA; and it is further

RESOLVED, that the Town of Dryden Town Supervisor and Town Board, together with the Town of Dryden Attorney and Barton & Loguidice, D.P.C., are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.
2nd CI Cipolla-Dennis

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Jason Leifer, Town Supervisor	Yes
Daniel Lamb, Deputy Supervisor	Yes
Linda Lavine, Board Member	Yes
Deborah Cipolla-Dennis, Board Member	Yes
Kathrin Servoss, Board Member	Yes

Capital Project Agreements – IAWWTF – CI Servoss recused herself from these matters. These agreements are for flow monitoring stations and grit removal. The town’s percentage is 1.98. That would be \$58 for flow monitoring and \$8,596 for grit removal. These are maintenance types of projects.

Resolution #146 (2017) - Capital Project Engineering Services Agreement for Evaluation and Recommendations for Improvements to the Flow Monitoring Stations Owned by the IAWWTF

Supv Leifer offered the following resolution and asked for its adoption:

WHEREAS, the Ithaca Area Wastewater Treatment Plants 13-remote flow monitoring stations are in need of certain Capital Improvements, and

WHEREAS, staff developed and advertised a Request for Proposals for Professional Engineering Services for Design and Installation of Flow Monitoring Stations for Ithaca Area Wastewater Treatment Plants 13-remote flow monitoring stations, and

WHEREAS, four Proposals for Professional Engineering Services for Design and Installation of Flow Monitoring Stations for Ithaca Area Wastewater Treatment Plants 13-remote flow monitoring stations were received on September 22, 2017 and evaluated by staff, and

WHEREAS, staff based on their evaluation recommend accepting the proposal and execute agreement dated October 23, 2017 from the MRB group for the Flow Monitoring Station Project, and

WHEREAS, staff in association with the MRB group consulting engineers have estimated the cost for the engineering services including only the first 3 tasks in their proposal for the Review, Evaluation, and Recommendations for improvements to the flow monitoring stations to be \$23,837.50, and

WHEREAS, flow meter stations rehabilitation is an existing active SJC capital project, number 414J with a current balance of \$20,910.58 remaining after the first phase of access improvements were completed in 2008, and

WHEREAS, the Special Joint Committee (SJC) recommends to the Owners that this project be authorized for additional funding in an amount not to exceed \$2,926.92 for the engineering services agreement with MRB group, and be it further

RESOLVED, That the Town of Dryden hereby authorizes this project contingent upon action by all wastewater partners committing their percentage of reimbursement shares to the Joint Activity Fund allocated per the Joint Sewer Agreement as follows:

Municipality	Percentage	Project Cost
City of Ithaca	57.14	\$1,672
Town of Ithaca	40.88	\$1,197
Town of Dryden	1.98	<u>\$58</u>
		\$2,927

2nd Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Recused
	Cl Lamb	Yes
	Supv Leifer	Yes

Resolution #147 (2017) - Capital Project Engineering Services Agreement for Grit Removal Project, Concrete Restoration Project, Emergency Generator Replacement, and Miscellaneous Plant Improvements at the Ithaca Area Wastewater Facility

Supv Leifer offered the following resolution and asked for its adoption:

WHEREAS, the Ithaca Area Wastewater Treatment Plant is in need of certain Capital Improvements, and

WHEREAS, staff in association with the Plant’s consulting engineers, GHD have estimated the cost for the engineering services for the final design of Grit Removal, Concrete Restoration, Emergency Generator Replacement, and miscellaneous plant improvements to be,

1-Concrete Restoration and Leak Repairs (final design)	\$22,900
2-Grit Removal and Miscellaneous Repairs (final design)	
2.1-Grit System	\$200,700
2.2-Influent Building Improvements	\$28,700
2.3-Stair Tower Improvements	\$37,400
2.4-Structural Improvements	\$10,200
2.5-Miscellaneous Improvements	\$56,700
2.6-Instrumentation and Control	\$15,100
3-Emergency Generator Replacement	\$41,800
Total Design Fees	\$413,500
Contingency 5%	\$20,675
Total	\$434,175

As detailed in GHD’s letter and Scope of Services Schedule A dated October 9, 2017 Revised Scope of Services and Engineering Fee Grit Removal and Concrete Restoration Project, and

WHEREAS, the Special Joint Committee (SJC) recommends to the Owners that this project be authorized and funded in the amount not to exceed \$434,175 for the final design engineering services agreement with GHD, and be it further

RESOLVED, That the Town of Dryden hereby authorizes this project contingent upon action by all wastewater partners committing their percentage of reimbursement shares to the Joint Activity Fund allocated per the Joint Sewer Agreement as follows:

Municipality	Percentage	Project Cost
City of Ithaca	57.14	\$248,088
Town of Ithaca	40.88	\$177,491
Town of Dryden	1.98	<u>\$8,596</u>
		\$434,175

2nd Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Recused
	Cl Lamb	Yes
	Supv Leifer	Yes

SJC – DEC Consent Order – A resolution is necessary to authorize the City of Ithaca to execute the Consent Order for the aboveground storage tank violations. The problem has been resolved and is not expected to occur again.

Resolution #148 (2017) Approving the proposed Consent Order and Authorizing the City of Ithaca to execute the Consent Order

Supv Leifer offered the following resolution and asked for its adoption:

Whereas, the Ithaca Area Wastewater Treatment Facility (“IAWTF”) is owned and operated by the City of Ithaca, Town of Ithaca, and Town of Dryden (“Municipal Owners”), with oversight provided

through the Special Joint Committee (“SJC”) composed of representatives from the three Municipal Owners; and

Whereas, as a result of the New York State Department of Environmental Conservation’s (“DEC’s”) August 31, 2017 inspection of the IAWTF, the DEC identified certain aboveground storage tank violations and proposed a Consent Order, which includes a \$9,800 payable penalty and a \$2,500 suspended penalty; and

Whereas, counsel for the IAWTF and the City of Ithaca have reviewed the Consent Order, and the SJC at its meeting on November 8, 2017 consulted with IAWTF staff regarding future preventative measures, and passed a resolution recommending that the Municipal Owners approve the execution of the same; now, therefore, be it

Resolved, that the Town Board of the Town of Dryden approves the proposed Consent Order and authorizes the City of Ithaca to execute the Consent Order through its designated signatory on behalf of the Municipal Owners.

2nd Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Recused
	Cl Lamb	Yes
	Supv Leifer	Yes

Additional Check Signer – Supv Leifer explained the need to appoint an additional check signer. Some checks require two signatures depending on the amount. Currently it is the Supervisor, Town Clerk and Deputy Clerk Erin Bieber. Erin is out for the foreseeable future. After discussion, the board decided to designate Lee Ann Parker in Erin’s place.

RESOLUTION 149 (2017) – AUTHORIZE CHECK SIGNER

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby appoints Lee Ann Parker as a signatory on Town checking accounts.

2nd Cl Servoss

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes

Amendments to Solar law introduce & set public hearing – The board discussed and made a revision to the proposed local law and removed language review with respect to increasing the setback where it makes sense. The following version was introduced and the public hearing set for December 14 at 7:00 p.m. The proposed law will be sent to the other boards and committees for review.

A LOCAL LAW TO AMEND TOWN OF DRYDEN ZONING LAW PROVISIONS REGARDING SETBACKS AND APPLICATION DEPOSITS FOR SOLAR ENERGY SYSTEMS

Be it enacted by the Town Board of the Town of Dryden as follows:

Section 1. The Town of Dryden Zoning Law, Article XIII (Standards and Requirements for Certain Uses), Section 1312 titled “Solar Energy Systems,” Section F titled “Ground-Mounted Large-Scale Solar Energy Systems, is amended by deleting subsection 3.e and replacing it with the following:

“e. Complies with a fifty-foot (50) front yard, rear yard, and side yard setback, except the setback is reduced to 10 feet (0 feet for fences) along the portion of any lot line where another ground-mounted large-scale solar energy system (i) is located across the line and (ii) is no more than 50 feet from the lot line.”

Section 2. The Town of Dryden Zoning Law, Article XIII (Standards and Requirements for Certain Uses), Section 1312 titled “Solar Energy Systems,” Section G titled “Fees and Deposits” is amended by deleting the first sentence of subsection 2 and replacing it with the following:

“2. The Solar Energy Applicant shall deliver with its application an amount equal to one percent (1%) of the estimated cost of the project or \$25,000.00, whichever is less (the “Initial Deposit”).”

Section 3. The provisions of this local law are severable. If any court of competent jurisdiction decides that any section, clause, sentence, part or provision of this local law is illegal, invalid, or unconstitutional, such decision shall not affect, impair, or invalidate any of the remaining sections clauses, sentences, parts, or provisions of the local law.

Section 4. This local law shall supersede or repeal any prior inconsistent local law.

Section 5. This local law shall take effect immediately upon its filing with the New York Secretary of State.

Town Clerk B Avery announced that she will appoint Diane Michaud to serve as Deputy Town Clerk for the next several months.

There is a need to make a few payments outside the abstract.

RESOLUTION #150 (2017) – AUTHORIZE PAYMENTS OUTSIDE THE ABSTRACT

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby authorizes payment outside the abstract for the following:

VISA – Rec Department	\$ 50.00
VISA – Planning Department	136.98
Toshiba	325.78
Casella Waste Services	300.00
(total \$812.76)	
2 nd Cl Cipolla-Dennis	

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

A resolution is necessary to relevy unpaid water/sewer accounts to the 2018 property tax bills. These amounts represent the unpaid balance prior to the October billing, if it is still unpaid. Any amounts paid prior to turning the list over to the County will be removed.

RESOLUTION #151 (2017) – RELEVY DELINQUENT WATER/SEWER AMOUNTS

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby relevies the following unpaid water/sewer amounts to the 2018 tax real property tax bills:

Acct #	Tax Parcel #	Total
K3418	56.-5-5	404.42
K3419	56.-5-5	381.94
K3467	43.-1-14.1	724.33
K3489	56.-3-6	161.40
K4267	52.-1-4.42	101.19
K4281	43.-1-33.2	732.34
K4326	52.-1-4.9	321.24
K4338	52.-1-4.11	321.24
K4353	55.-1-15.2	2296.14
K5279	54.-2-1	1606.24
K5289	55.-1-12	1398.99
L1671	43.-1-13	314.87
L3430	56.-5-15	457.77
L3446	53.-1-7	465.55
L3449	43.-1-19.12	116.89
L3466	43.-1-19.10	543.27
L3478	43.-1-9.8	556.36
L3495	56.-3-11.2	321.24
L3500	56.-3-16.1	160.62
L3501	56.-3-17.2	160.62
L4028	69.-2-13	276.32
L4271	69.-2-3.3	250.10
L5252	54.-2-3	321.24
L5254	57.-1-18	221.24
L5256	55.-2-3	461.28
L5390	56.-4-5.31	155.34
L5413	54.-1-3.2	1094.53
L5446	54.-2-2	226.19
L5547	55.-1-15.1	73.01
L5730	56.-5-25.12	376.24
L6376	54.-1-19	321.24
L6443	56.-4-7.31	313.21
LYB70	46.-1-59	544.66
565	35.-1-17.1	3966.00
584	38.-1-28.12	542.30

2nd Cl Cipolla-Dennis

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

On motion made, seconded and unanimously carried, the board moved into executive session at 9:38 p.m. to consider the employment histories of particular individuals. The board moved back to regular session at 10:05 a.m.

RESOLUTION #152 (2017) – APPOINT RECREATION ASSISTANT

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this board hire Marty Conger at part time recreation assistant at \$14.50 per hour.

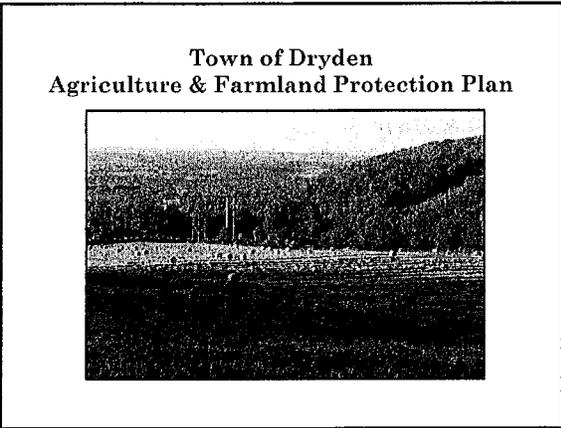
2nd Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 10:07 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk



Impetus/Background

- 2006 State funding for development of municipal agriculture plans
- 2014 Grant written/awarded to Dryden
- 2015 Ag Committee charged with developing draft plan
- Work in progress...since then...
 - Committee input
 - Three community meetings for farmers and landowners
 - Farmer and landowner surveys

Committee Members

<p><u>Agriculture Committee</u> Evan Carpenter, Chair Kim LaMotte, Vice Chair Doug Barton Steve Foote Brian Magee Jeremy Sherman</p> <p><u>CCETC</u> Monika Roth Debbie Teeter</p>	<p><u>Planning Board Representative</u> John Kiefer</p> <p><u>Conservation Board Representative</u> Craig Schutt</p> <p><u>Consultant</u> George Frantz, AICP, ASLA</p>
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State Requirements for Plans

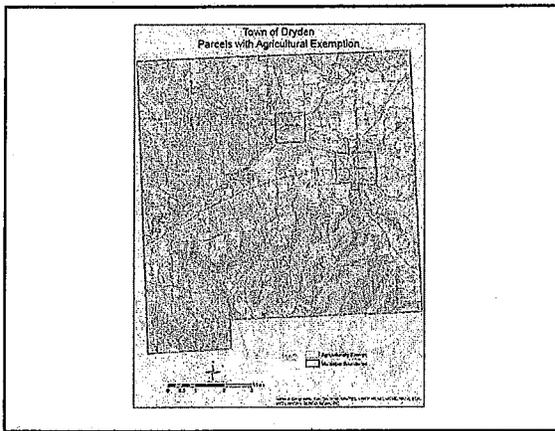
- Location of areas or land to be protected
- An assessment of the economic and open space value of the agricultural lands to be protected, the consequences of conversion, and the level of development pressure on these lands
- A description of programs and strategies to be used by the municipality to promote continued agricultural use
- Economic Development Strategies (new push)

Work Plan Approach

- Committee/farm community input
- Farmer & Landowner Surveys
- Available ag data (Ag District Review, County ARFA, SWCD, County Assessment)
- Vision & Strategies
- Development pressure in town (data)
- Zoning Review & Recommendations
- Implementation Plan

Agriculture is strong

- 55 farms (including horticulture)
- 14,836 acres of land involved in farming – 25% of the town’s land area
- 1,495 acres added in the past ten years
- 1,266 farm acres under permanent ag easement
- Increase in land owned and rented by farmers
- Second highest Ag Sales in county - \$15 million
- 100 plus jobs
- *Farmers are investing in facilities, land, future*



Enterprises

- 5 Dairy farms
 - 10 Crop farms
 - 7 Vegetable/Fruit
 - 21 Livestock/poultry
 - 12 Equine
 - 3 Ornamental Plants/Nurseries
- (58 enterprises associated with 55 farms)

Farming Challenges

- | | |
|--|---|
| <p>External Pressures</p> <ul style="list-style-type: none"> -Rural sprawl -More people/traffic -Higher land prices/taxes -Future of rented land | <p>Internal Pressures</p> <ul style="list-style-type: none"> -Land to rent or own -Higher land prices/taxes -Future of rented land?? -Next generation? -Higher start up costs -Farm economy?? -Weather |
|--|---|

VISION

Farms of all types and sizes are encouraged. Existing and emerging operations and enterprises will be able to respond to customer demand quickly thereby taking advantage of new or increased market opportunities, without burdensome restrictions or regulations. There is recognition that a diversity of farm operations creates demand for and more effective and efficient use of a diversity of agricultural resources.

Recommendations – Zoning Changes

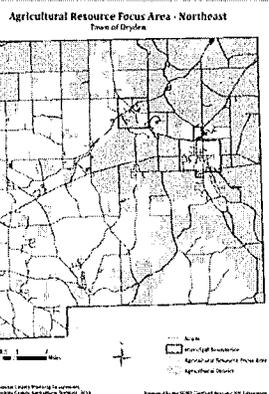
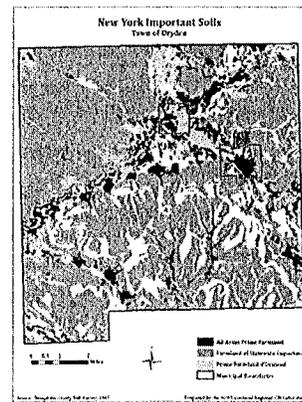
The regulations in the Town of Dryden Zoning Law as they relate to agriculture are not overly burdensome and with the exception of a few minor issues avoid contravention of Agriculture and Markets Law (AML) Section 305-a, or the provisions of town Law governing land use regulations.

Recommendations – Zoning Changes

- The major changes proposed consist of:
- Removing certain non-agricultural uses from the list of uses permitted in the Rural Residential, Rural Agricultural and Conservation zoning districts;
 - Removing the requirement for special use permits for several agriculture-related land use activities;
 - Adding new agriculture-related land uses including agri-tourism, farm markets and agriculture-related light industrial uses;
 - Adding new or modifying existing definitions in Article 3 of the Zoning Law.
 - Adding a definition for Farm Worker Hosing and amending the Zoning Law to allow for it.

Lands to Protect via permanent easements

- **Town of Dryden farmland in NYS Agriculture District #1.** Ensure that town staff and officials are knowledgeable about NYS Agricultural District Law, and refer to the Law and related Guidance Documents when drafting new or updated town plans, zoning, and other laws.
- **Town of Dryden farmland in the Northeast Tompkins County Agriculture Resource Focus area.**
- **Actively farmed land and land with prime soils and soils of statewide importance.**
- Support farmers and rural landowners interested in applying for state and federal grant funding for purchase of development rights on farmland which is most threatened by development.



Recommendations – goals and general strategies

- Increase general awareness and support for the Town's agriculture industry
- Create a supportive environment for farming in the Town
- Protect the best farmland and encourage environmental stewardship
- Ensure farm-friendly zoning and other legislation

State Requirements for Plans

- Location of areas or land to be protected
- An assessment of the economic and open space value of the agricultural lands to be protected, the consequences of conversion, and the level of development pressure on these lands
- A description of programs and strategies to be used by the municipality to promote continued agricultural use
- Economic Development Strategies (new push)

Implementation

A priority need is that the Town maintain open communication with the farm community in decision-making on matters pertaining to and impacting agriculture and farmland use.

Implementation

- Keep Agriculture Committee informed about town activities impacting agriculture, share and consider Agriculture committee's input on such matters
- Provide staff support to Ag Committee to move forward on Agriculture Plan Action Steps.
- Raise status of Agriculture Advisory Committee to that of an Agriculture Board similar to the Conservation Board.
- Honor objectives pertaining to agriculture contained in 2005 Town of Dryden Comprehensive Plan as further evidence of the town's support for agriculture.
- Reference comments provided by the NYS Department of Agriculture & Markets (provided by Robert Somers, 2012) when considering amendments to the town's zoning ordinance.

Process from here

- Review/input by stakeholders
- Editing as appropriate
- Public Hearing
- Town Board approval
- County AFPB approval
- Submit to NYS Ag & Markets for approval

Questions/Suggestions

- Send feedback to Monika Roth, mr55@cornell.edu

Cost Report for work to connect Village of Dryden to Village of Freeville

by Bruno Schickel Vice Chair of Dryden Rail Trail task Force 10/16/17

Donations of Work to date

Mix Brothers (Dennis and Nate Mix) Machine time 72 hr @ 125.00	\$ 9,000
S & S Tree Service (Jack Simrell) Large tree cutting	\$ 1,000
Dirt / Fill (J E Y Contracting) trucked by Mix Bro's 120 loads @ value of 140.00	\$ 16,800
Reagan Land Surveying (Paid By Bruno Schickel)	\$ 2,100
S & S Tree Service (Paid by Bruno Schickel)	\$ 600
Excavator machine time (Paid by Bruno Schickel) 24 hr @ 125.00	\$ 3,000
Colvert pipe 10 inch x 100 feet (paid by Bruno Schickel)	\$ 800
RMS Gravel item 4# @ 250 7 loads	\$ 1,750
Volunteer time (work done on three different days) 176 hours @ 25.00	\$ 4,400

Total Value of work to date 10/16/17 **\$ 39,450**

Donations pledged to complete in the next 3 weeks

RMS Gravel item 4# @ 250 10 loads	\$ 2,500
Excavator machine time (to be paid by Bruno Schickel) 16 hr @ 125.00	\$ 2,000
Misc expenses (to be paid by Bruno Schickel)	\$ 300
Volunteer time 50 hr @ 25.00	\$ 1,250

Total Value of work to complete **\$ 6,050**

Grand Total **\$ 45,500**

Memorandum

Date: October 16, 2017

To: Town Board

From: Ray Burger, Planning Director

Subject: Planning Department Update

Safer intersection for Forest Home Drive and Dryden Road: Part of the plan for the townhome development at 902 Dryden Road was to realign the adjacent intersection to improve sight lines and turning radiuses. This work will result in some traffic delays in the short term and a safer intersection for the long term.

Townhome project at 802 Dryden Road: Revised drawings have been submitted and another public hearing will be held during the planning board meeting on 10/26/17 to review Modern Living Rental's proposal to build 42 townhomes on three acres near the Game Farm Road intersection.

Permit fee schedule being examined: The current fees charged by the Town for various permits were last revised in 2014. The planning department is researching the current fee schedule to find where adjustments should be made.

Special Use Permit (SUP) application for Large-Scale Solar Facilities at 2243 Dryden Road: Delaware River Solar's application for a SUP to construct two 2 MW facilities on land behind the electrical substation on Dryden Road (Evan Carpenter parcel) was received. TG Miller, acting for the Town, is reviewing this application for environmental impacts.

Zoning Board of Appeals (ZBA) variance requests: A request for relief from yard setbacks for the SUN8 large-scale solar energy systems at 2150 Dryden Road was tabled due to pending litigation. One of the requests for an area variance at the Ellis Tract (Turkey Hill, Stevenson and Dodge Roads) was denied and the remainder of the applications were withdrawn.

New Rite Aid at 79 North Street: Construction is underway for the new Rite Aid store being built on this vacant lot near the intersection with Freeville Road.

Planning Department activity for **TOWN** -September 2017

Building permits: 19

Zoning permits: 6

Special Use Permit Reviews: 0

Site Plan Reviews: 1

Variance reviews: 15
Fire safety inspections: 1
Building inspections: 38
New businesses: 0
Subdivisions: 5
Violation notices: 0
Complaints: 2 (property maintenance)
Fire calls: 0
Training hours: 14

Planning Department activity for VILLAGE -September 2017

Building permits: 3
Zoning permits: 2
Special Use Permit reviews: 0
Site Plan Reviews: 0
Variance reviews: 0
Fire safety inspections: 1
Building inspections: 17
New businesses: 0
Subdivisions: 1
Violation notices: 0
Complaints: 3 (property maintenance, drain pipe in ROW, grease trap maintenance)
Fire calls: 0