

**TOWN OF DRYDEN
TOWN BOARD MEETING
July 20, 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

Other Town Staff: Ray Burger, Director of Planning

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

TOWN CLERK

RESOLUTION #96 (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 June 8 and June 15, 2017.

2nd Cl Cipolla-Dennis

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

**PUBLIC HEARING
CONSERVATION EASEMENT
1624 ELLIS HOLLOW ROAD**

Supv Leifer opened the public hearing at 7:04 p.m. Ray Burger explained there is a 5 lot subdivision near 124 Ellis Hollow Road that involves an 11.4 acre conservation area along Cascadilla Creek. To secure the conservation easement, the action tonight is for the board to accept it. All the documentation is on the website and the board will review the short SEQR. The action is taking an 11.4 acre lot and dedicating it to open space through a conservation easement. The impacts are evaluated in part two and all are no or small impact.

There was no public comment and no comments from the board. Board members have the SEQR document. The hearing was left open.

**PUBLIC HEARING
DRYDEN BAPTIST CHURCH ADDITION/EXPANSION
138 VIRGIL ROAD**

Supv Leifer opened the public hearing at 7:07 p.m. Ray Burger explained a 4700 square foot addition is planned. David Bravo-Cullen is present representing applicant if there are questions. All the documents are on the website. D Bravo-Cullen explained this is an addition of a new fellowship hall behind the church. It won't be very visible from road. The

expansion will allow for activities such as funeral dinners, and more classroom. It enhances the activities of the church and promotes more community building. They are changing the entrance from two driveways to one wider drive. There were no questions from the public. In response to a question from the board it was noted there would be some increase in parking area. There were no further questions and the hearing was left open.

CONSERVATION EASEMENT

Supv Leifer closed the public hearing at 7:10 p.m.

RESOLUTION #97 (2017) – NEG SEQR DEC – Acceptance of conservation easement on portion of Tax Parcel 66.-1-12.1

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

WHEREAS,

A. The proposed action involves accepting a conservation easement on an 11.4 acre portion of Tax Parcel 66.-1-12.1 located near 1624 Ellis Hollow Road, and

B. The Town Board of the Town of Dryden considers this an unlisted action pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and is the lead agency for the purposes of uncoordinated environmental review in connection with acceptance of this conservation easement by the Town, and

C. The Town Board of the Town of Dryden, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of SEQRA, (i) thoroughly reviewed the Environmental Assessment Form (“EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) completed the EAF, Part 2;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Dryden, based upon (i) its thorough review of the EAF, Part I, and 2, and any and all other documents prepared and submitted with respect to this proposed action and future construction activities, and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its completion of the EAF, Part 3, including the reasons noted thereon (which reasons are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required, and

2. The Responsible Officer of the Town Board of the Town of Dryden is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution.

2nd Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes

Cl Servoss	Yes
Cl Lamb	Yes
Supv Leifer	Yes

RESOLUTION #98 (2017) - APPROVING A CONSERVATION EASEMENT ON PROPERTY LOCATED ON TOWN OF DRYDEN TAX PARCEL NUMBER 66.-1-12.1 AND AUTHORIZING EXECUTION OF THE DEED OF CONSERVATION EASEMENT TO THE TOWN OF DRYDEN

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

WHEREAS, the Town of Dryden Planning Board granted final subdivision plat approval for a five-lot subdivision (“the Project”) of a parcel of real estate located on Town of Dryden Tax Parcel Number 66.-1-12.1 (“the Property”) and owned by Tiny Timber, LLC (“Tiny Timber”), by resolution adopted on April 27, 2017, and granted site plan approval for the Project; and

WHEREAS, as a condition of site plan approval, Tiny Timber is required to preserve a portion of the subdivision as open space by means of a conservation easement; and

WHEREAS, a proposed Deed of Conservation Easement (“the Easement”) grants the Town a conservation easement on the portion of the Property described in the Easement; and

WHEREAS, the Town has the authority to acquire an interest in land (including an easement) for the purpose of preserving open space, pursuant to General Municipal Law (“GML”) §247, and may acquire such interest by gift, subject to a public hearing and due notice; and

WHEREAS, a public hearing on the proposed acquisition of the Easement was held on July 20, 2017 at 7:00 p.m. at the Town Hall of the Town of Dryden, 93 East Main Street, Dryden, New York 13053, and notice of such public hearing was duly given by posting at the Town Hall and publication in The Ithaca Journal on July 10, 2017; and

WHEREAS, the Town Board on July 20, 2017 issued a negative declaration of environmental impact under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, “SEQR”) with respect to the Project;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board approves and accepts a conservation easement for the area described in the proposed Deed of Conservation Easement, which is attached hereto and made a part hereof; and it is further

RESOLVED that the Town Supervisor is authorized to execute the Deed of Conservation Easement and all other necessary documents to complete the grant of the Easement to the Town and the recording thereof in the Tompkins County Clerk’s Office.

2nd Cl Servoss

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

DRYDEN BAPTIST CHURCH

Supv Leifer closed the public hearing at 7:13 p.m. The board has reviewed the SEQR documents. It is an unlisted action. The project is for a 4700 square foot fellowship hall connected to the existing building and a new 720 square foot entrance. The board had no questions on the completed Part 2. All questions were answered no or small impact. There was note of a temporary increase of noise and traffic during construction.

RESOLUTION #99 (2017) – NEG SEQR DEC – Dryden Baptist Church Addition/Expansion Special Use Permit and Site Plan Review

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

WHEREAS,

A. The proposed action involves the construction of a 4700 square foot addition, a 720 square foot new main entrance to the existing 9235 square foot church building, and includes widening and reconfiguring a driveway, adding 35 new parking spaces, and eliminating one road cut on the 13.66 acre parcel at 138 Virgil Road in Dryden, New York, Tax Parcel # 48.-1-66.1, and

B. The Town Board of the Town of Dryden considers this an unlisted action pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and is the lead agency for the purposes of uncoordinated environmental review in connection with site plan and special use permit approval by the Town, and

C. The Town Board of the Town of Dryden, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of SEQRA, (i) thoroughly reviewed the Environmental Assessment Form (“EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) completed the EAF, Part 2;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Dryden, based upon (i) its thorough review of the EAF, Part I, and 2, and any and all other documents prepared and submitted with respect to this proposed action and future construction activities, and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its completion of the EAF, Part 3, including the reasons noted thereon (which reasons are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required, and

2. The Responsible Officer of the Town Board of the Town of Dryden is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution.

2nd Cl

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

The Planning Department has not recommended any conditions for approval, however there is a provision for a landscaping plan.

RESOLUTION #100 (2017) - Approving Site Plan and Granting Special Use Permit for the Dryden Baptist Church at 138 Virgil Road, Tax Parcel #48.-1-66.1

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

WHEREAS,

- A. The Dryden Baptist Church has applied for a Special Use Permit (SUP) to expand its building with a fellowship hall and new main entrance at 138 Virgil Road in Dryden, New York, Tax parcel #48.-1-66.1, and
- B. The proposal is to construct a 4700 SF addition connected to the existing church by a 720 SF new main entrance on the 13.66 acre site, and
- C. The proposal includes adding 35 parking spaces, eliminating one point of ingress/egress and widening and reconfiguring a portion of the driveway, and
- D. An application, sketch plan, short EAF, and Ground Disturbance Tally Form have been submitted, and
- E. The Town Planning Department considers the application complete and in conformance with the requirements of Town Zoning Law §501, §600, §1103 and §1201, and
- F. A public hearing was held on July 20, 2017 with public comments registered in the meeting minutes and considered by this board, and
- G. The Tompkins County Planning Department has reviewed (letter dated 6/28/17) this project as required by NYS Municipal Law §239 -l, -m, and -n and has determined that the project will have no negative inter-community, or county-wide impacts, and
- H. The Ground Disturbance Tally Form has been reviewed by the Town Stormwater Management Officer and it was determined that the project falls under the threshold necessitating a Simple Stormwater Pollution Prevention Plan (SWPPP) and that an Erosion and Sediment Controls (E&SC) plan would be adequate, and
- I. The Town Board has reviewed this application relative to the considerations and standards found in Town Zoning Law §1104 for site plan review and §1202 for Special Use Permit;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The Town Board approves the sketch plan as site plan for 138 Virgil Road dated June 8, 2017, conditioned on submission of the following prior to issuance of building permits:
 - i) a landscaping plan, satisfactory to the Director of Planning, indicating the types of plants to be utilized.

- 1. The Town Board hereby finds that the considerations for approval of the requested Special Use Permit listed in Section 1202 of the Town of Dryden Zoning Law have been met, specifically that:
 - A. No new use is proposed. The current use is compatible with the other permitted uses in the district and the purposes of the district set forth in the Zoning Law, as the project is an addition to a use that has existed at 138 Dryden Road, now in the Rural Residential Zoning District, for more than 30 years and is an allowed use in that district.
 - B. The use, as demonstrated for over 30 years, is compatible with adjoining properties and with the natural and manmade environment. This parcel has residential and agricultural uses adjacent to or in its immediate vicinity. The proposed addition is on

the south side of the existing building, approximately two hundred feet from the closest residence to the west. An existing hedgerow, the existing church and existing out buildings on the residential property will screen that residence from the proposed addition. The residences to the north and east will be screened from the project by the existing church. The E&SC Plan will adequately address stormwater from the parcel during construction;

- C. Parking, vehicular circulation, and infrastructure for the proposed use is adequate;
- D. The overall impact on the site and its surroundings considering the environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances has been considered and found to be negligible, based on the information and reasons in the Short Environmental Assessment Form;
- E. As no new use of the property is proposed, no restrictions and/or conditions on design of structures or operation of the use (including hours of operation) are deemed necessary to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town
- F. The project complies with the requirements for site plan review and conforms to the Town’s Commercial Design Guidelines to the maximum extent practicable in that: the exterior of the proposed addition will match the existing structure, one road cut is being eliminated, and additional plantings are proposed, and

The Town Board, finding that the applicant is in compliance with all other provisions of the Town Zoning Law and other applicable ordinances, approves a Special Use Permit for the proposed addition/expansion of the Dryden Baptist Church, 138 Dryden Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

2nd Cl Lamb

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

SUN8 SEQR REVIEW

Supv Leifer announced the board would do a SEQR review for the Sun8 special use permit application. The site plan and special use permit will have a separate public hearing after the Planning Board takes action. There apparently was some concern about the public notice of this hearing. In consulting with the attorney there is no requirement for a public hearing on SEQR so there was no defect. The notice given was proper and we have the affidavit of publication ten days before the hearing. The board doesn’t believe there is any confusion. There have been many public meetings about these two sites. Tonight the board will only deal with the environmental quality review.

Presentation from applicant. Bharath Srinivasan of Distributed Sun, the parent company of Distributed Sun, said they are the applicant for both the 2150 Dryden Road project and the Ellis Tract project. Since the last time they were here they have done a substantial amount of additional work and provided a lot more information for review. This presentation is a summary of that. They are proposing community solar arrays in Dryden. Those are arrays that can be installed in a remote location and the energy can be credited on to residential subscribers’ bills in same utility load zone (NYSEG Load Zone C here). They are offering a pay as you go model. There is no upfront investment required by anyone. Community solar is useful to generate local clean energy and provides energy for renters and those with homes that don’t have a suitable roof or land and frees up liquidity because people don’t have to invest in panels on their roof.

Community solar in New York refers to the regulatory framework that the Public Service Commission (PSC) has set up. The Commission does not prescribe the size. There is a regulation in New York that each array that is connected to the grid can't be over 2 MW. All of the arrays comply with the regulations set up by the PSC.

They are proposing arrays in three groups in two clusters. The first cluster is called the Ellis Tract and is in the general area between Dodge Road, Turkey Hill Road, and Stevenson Road. They are divided into two groups: Ellis Tract North which is north of Stevenson Road and Ellis Tract South which is the area south of Stevenson Road between Dodge Road and Turkey Hill Road. There are five 2MW proposed at the 2150 Dryden Road property.

Since last time the applicant was here they have submitted 1000 plus pages of information on each project proposed. They have asked all agencies what they needed for environmental review, including NYS Department of Environmental Conservation, US Army Corp of Engineers, US Fish & Wildlife Service, NY Historic Preservation Program, and the State Historic Preservation Office. In response Tetrattech reviewed the environmental studies and prepared reports. The applicant then filed site plans and environmental assessment forms. They did a full ecological assessment; one survey was done in April and one was done in June. There was an aquatic resources report that delineated all the wetlands and other surface water related features on the properties. LaBella Associates prepared a phase 1 environmental site assessment that goes back multiple decades to find out if any hazardous substances exist on the properties. After consulting with the State Historic Preservation Office, Tetrattech prepared a Phase 1 and a 1b. They conducted over 900 shovel pit tests on both the properties and determined that the project the way it was structured was not affecting any cultural or archeological resources. LaBella and Trowbridge prepared extensive visual impact assessments which included detailed landscaping plans and buffers to be provided on multiple sites of the projects. All this information was then submitted to the State and Federal agencies and each of them concurred the projects did not create any adverse environmental impact; that they were not creating a "take" of any endangered or threatened species, and they would not require permits for the work to be performed. They hired a civil engineer who prepared a very detailed stormwater pollution prevention plan. The town had requested a construction level plan and they have provided a detailed plan. They also have 239(l) and (m) reviews from Tompkins County on both the projects.

Modifications and mitigations based on the feedback received from the town, the public and various agencies: Distributed Sun will not indiscriminately clear trees. They have agreed on a protocol to selectively cut and clear trees after making a determination on which trees pose either shading hazard or a fall hazard. As a general practice, Distributed Sun has never indiscriminately cleared tree cover. They are happy to put that in writing and will make the determination at the time they go for the construction permits. They are removing some trees on the Ellis Tract within wetland areas. They are not proposing any clearing at the 2150 Dryden Road property within wetlands. Where they work within wetlands if they use any heavy machinery they have agreed to use best management practices to prevent any damage to the soil and the vegetation. There is a definition for what non-mechanized clearing is and the Army Corps has let developers use that in the past and Distributed Sun has accepted that stipulation. Wherever possible existing vegetation in the form of brush and trees will be maintained. If trees and brush don't have to be removed, they will not remove them.

After the construction process is complete, as a part of the SWPPP, they have agreed to reseed with a pollinator friendly mix that the Cornell Botanical Gardens has recommended. They have also agreed to commit to a study with the National Renewable Energy Laboratory that is gearing up to study how native grasses in a local area impact the pollinator population. They have agreed to let them do testing within the solar array footprint along with other control

areas outside to determine if solar arrays have an impact in New York. Research in the southwest indicates there isn't an impact and this is an opportunity to study it in New York.

They have provided large amounts of setbacks to integrate the solar arrays with the neighboring surroundings and added visual barriers and screen where necessary to provide a level of buffer to the neighbors and passersby. They have agreed to and stated several times to use native plantings. In New York, the DEC defines those as non-invasive species that have nativized and adapted to the New York area. They have also made a commitment in general to procure any plantings. They have been in contact with a number of different nurseries. The landscaping plans provided use input in what can be procured locally.

They have added two additional wildlife corridors since the last time the plans were displayed. One is in conjunction with an existing hedgerow that they have agreed to preserve. They have avoided wetlands as much as possible. There is very little encroachment of the solar arrays into the wetlands. Any clearing in the wetland areas will not include stump removal. They have generally proposed an agricultural fence around the arrays and are not using the standard chain link fence. They never proposed razor wire at all.

Agency Concurrence: Because the size of the application prevents it from being emailed, they provide hard copies to all agencies. Before the official copy reached any of the agencies, some residents sent it to the agencies, so they were prepared when it was submitted. They took a month to review the materials submitted and each agency agreed the project would have no adverse environmental impact and the applicant can proceed unregulated with no permits necessary. They have had extensive field visits for ecological and habitat assessments and professional wetland delineation has been done on both sites. All information was provided to the US Army and NYS DEC. US Fish and Wildlife Service offers a three criteria exemption from a permit. The northern long eared bat was identified as a species of concern. The concern is not because their habitat is threatened. It is because they've developed a fungal disease. Tree clearing would be not allowed in June and July and the applicant has agreed to not clear from May to August as a more conservative window.

NYSHPO has reviewed the reports of over 900 shovel pit tests on both sites. They have written that no impact to cultural or archeological resources were perceived at the Ellis Tract. The applicant offered to do non-mechanized clearing on top of one particular site that was identified underground. They reviewed the protocol and determined that it would not disturb the eligibility for that particular site to be placed on the National Historic Register of Places. For 2150 Dryden Road they came back with the same opinion. Applicant voluntarily sent them the visual impact statement for SHPO to review the visual barriers intended to be provided. SHPO provided a letter stating they had reviewed the visual barrier in the context of the neighboring cemetery property line and found that the visual barrier was appropriate. They had two conditions which were that the visual barrier actually went in and was in existence and that the solar arrays were removed at the end of their life, both of which have been agreed to.

Visual barriers – Applicant has provided setbacks from all neighboring property lines as much as they can. They have provided adequate buffering at the ground level from a vantage point, but retaining the vista view as much as possible. At the Ellis Tract they have provided a visual barrier along Turkey Hill Road that starts out at a shorter planting height that won't grow tall enough to impact the vista view. Along Dodge Road they are proposing shrubbery that won't affect the shade and will provide the right amount of visual barrier for the homes and passersby. They have also agreed to preserve two existing hedgerows. Any tree in those taller than 20' will be trimmed or removed. If trees are removed the gap will be filled with shrubbery. That was a constructive suggestion and accepted by the applicant.

At 2150 Dryden Road they are proposing a double track row of trees and shrubs immediately behind the yellow building. They have provided a contour landscaping plan where they are providing shrubs instead of trees so that the vista view is not impacted. They have provided new trees at the edge of Route 13 and the cemetery boundary line and new shrubbery between Route 13 and array #5. A row of trees will be provided along the property line of 2180 Dryden Road to help screen the arrays and impact from removing the existing hedgerow.

Impact on soil and water quality – The applicant has provided a very detailed SWPPP that lays out the best management practices. DEC has very strict regulations that govern runoff water and runoff water quality from stormwater. Under that and based on feedback received, they have minimized the total area of access roads overall. They have minimized the impact to wetlands and water bodies. There are no roads that cross wetlands. Any machinery across wetlands during construction will have best management practices, like timber mats to cover and protect the wetlands. They are not proposing any concrete for solar array foundations. These are helical screws that can be driven into the ground and can be driven into rock. The only concrete proposed is for the concrete pads that house the transformers. Those are 300 sq feet per 2MW array. It is not a substantial contribution to the project in terms of impervious area. Those pads are placed on crushed stone and can be lifted out at any time after the equipment is removed. Before construction begins the applicant will have to secure a building permit and along with that they will file Notice of Intent with the DEC and seek a general permit for stormwater control. The SWPPP will be under the review of a professional engineer. They are required to inspect the site periodically and within 24 hours after a rainfall event. When construction is complete and the soil is stabilized they will file a Notice of Termination and the professional engineer that oversees the SWPPP will certify that erosion and sediment controls proposed have been completed. All of the best management practices recommended to protect surface water, protect sensitive areas and cause minimal impact will be followed.

Public Comment:

Joe Wilson, Hunt Hill Road said his understanding is that the SEQR law and the town law apply to the application (displaying each). We have had enough study of the environmental impacts. It's time to move to the next step of the process. (He displayed hard copy reports on the two areas where the solar arrays will go.) We have had eight months to look at environmental impacts. We have had hundreds and hundreds of comments written and spoken to this Board, the [Planning] Board, the Conservation Board and the Agricultural Advisory Board. Sun8 has made multiple modifications in response to questions and comments as has just been presented again in some reform and as outlined herein in these documents (displayed). The town has hired, at Sun8's expense, an engineering firm that has guided them and summarized all of the technical information that has been presented. The County, the State and the Federal Government and their various agencies that have some say in these projects have all been consulted. They have come to the conclusion that it is time to move on. There are no further adverse impacts to be probed or studied and there are, ultimately, no adverse impacts because of the mitigations and alterations which the company has made in response to the public.

Jim Skaley, 940 Dryden Road, said he served for 11 years as the County Environmental Planner and it was his responsibility during that time to review environmental assessment forms and impact statements and so forth. He has reviewed this particular EAS for this project. It appears to be a very clean project. The only significant component had to do with the threatened species of the northern long-eared bat. Looking it up, there isn't any identified location of that in either area, but the potential habitat exists. As was indicated earlier, the threat to the species is more of a disease threat than a habitat threat. If he were reviewing this project at the county, he would endorse what they have apparently already done

and say the project would have absolutely no negative impact. He urged town to move forward and approve this project post haste.

Art Berkey, 1205 Ellis Hollow Road, read a portion of and handed in the attached statement.

Craig Schutt, 69 Schutt Road, said he would like to address the board on the issue of the proposed moratorium that three advisory boards all discussed and voted on. Collectively the vote was 16 to 6 in favor of a moratorium. We don't hear anything about that proposal in front of the Town Board. As an advisory board member on the Conservation Board, it is our responsibility to advise the board, but apparently the board doesn't care. At the last Conservation Board meeting when he was simply trying to ask a question of one of the board members broke into a tirade and jumped out of their seat and started screaming in his face and wouldn't let him finish the question. Everyone else on the board was saying to sit down and be quiet. She then got upset, threw up her hands and stormed out of the room. She didn't listen to the rest of the conversation. Even the Conservation Board, a board that strongly favors this project. He doesn't disfavor it, but the way it was done. The vote at the Conservation Board was 4 to 4. Doesn't that show you something about where this town stands and how divided the subject is bringing this town. Let's see some positive action from this board and listen to what is being said to you besides just.... Move forward. All we are asking for is a time out so we can study it. As far as stormwater goes, you can have a great SWPPP and all that. Go to the Harford site and see all the runoff there's been there done by Sun8.

Leslie Appel, 78 Dodge Road, said her property is directly across from Dodge Road site. She still has the same sadness and concerns formerly expressed. She is really sad that this has become a polarizing issue with people that are pro-solar against people that are opposed to the project. She speaks for everyone opposed to the project in saying they all are pro-solar. What they don't like the commercial massive aspect of this project. She has another property in Tompkins County and installed solar on the roof. She wants solar. What is not acceptable and not okay to her is the massive scale of this, changing the entire neighborhood from a nice rural agricultural field to a commercial field. There are many 2MW projects going up all over Tompkins County. Renovus had a few meetings where they sent out postcards and invited people and there are several 2MW projects. This has been presented as if it doesn't go forward there is no solar coming to Dryden. She doesn't think that is the case. A special use permit says it should not be disruptive to neighboring properties, and as a direct neighbor, the current form of this project even with the mitigation is still extremely disruptive to them.

Janis Graham said she feels that this board couldn't have found a citizenry more open to having solar in their backyard than all of the people who live in the Ellis Tract. Many of the neighbors already have solar in the backyard. Instead of making them partners with the town in this development, so many of them are angry and disappointed and feeling disenfranchised either by this project or by this convoluted process which she really hopes the board will explain. Now the board is doing SEQR and then there will be site plan. This is the third public hearing. She asked the board to take a moment to explain the process because it would really help. She keeps thinking she understands it and the game changes. She doesn't undervalue Sun8's efforts to make adjustments from the plans first iteration with its chain link fencing and disregard of wetlands. It really has come a long way in the improvements and she lauds those efforts. She also lauds Bharath's tireless outreach to a lot of residents. Ultimately, she feels like you can't make a silk purse out of a sow's ear. She feels that the complicated mitigations can't change the fact that this installation is just too big for the footprint that it was allotted by the co-developer Cornell. She says co-developer because it is a farce to say that Cornell isn't one. Bringing adjacent fields into play could have eased a multitude of objections. She asked the board to speak to residents directly. They've talked and talked but haven't really had a conversation with board. She feels like the board never really reached out to them to talk to

them about it and she would like the board to share its thoughts, explanations, reasoning, and we've gotten to this point, what kind of negotiations have gone on. The SEQR appears to be done through TG Miller. The other question is about the maintenance of all the vegetation and she wonders if that's been taken care of.

Norma Goldberg, 1167 Ellis Hollow Road, read a statement by Joleen Multan – I am disappointed with the town board that they did not take action to impose a six month moratorium on large scale solar projects, especially given the large public outcry against these projects and after the Planning Board, Conservation Board and many taxpaying residents have recommended that they do so. At one Planning Board meeting the Town of Dryden lawyer said that it was completely within the legal rights for the Town Board to establish the moratorium, but only prior to formal review of the SEQR form. I think the town owes its citizens an explanation of why they didn't have a public discussion of the moratorium. I am a very enthusiastic supporter of solar energy. I plan to put it in my back yard. This is not about being for or against solar. It is about doing the right thing for our community. It's about taking the time to make plans and write laws to deal with the future of solar in the Town of Dryden. We have not done this yet. If we allow this project to go forward, we will not be able to go back. This is poor planning and could have any number of damaging effects on our community in the future. I see a bright future for true community solar projects in the Town of Dryden. I have been at meetings and seen emails that have offered their own parcels of land for community solar. Other residents have done research about land owned by the town that would be acceptable for community solar projects. All these in areas it seems no one would object to. These things need to be considered as an option that is more acceptable for our town.

Cl Lavine stated it seems important to note that the Conservation Board did not vote in favor of a moratorium. It was a 4 to 4 vote.

Marie McRae, 710 Irish Settlement Road, presented written statements from David Ritchie and Ann Leonard (attached) who could not be here. She said it's time to go forward. All of the reports are in. All of the law is complied with. It's time to do solar.

Buzz Lavine, Ringwood Road, said the board has heard his views on this project before and they have only been reinforced by what has gone on up to this point. The presentation tonight made it clear that there has been a huge amount of review that's gone on and all boxes have been checked in terms of the SEQR. He sees no reason why we shouldn't go with what the professional reviewers and all the municipal and regional and state reviewers have all said. Everything is ready to go. He thinks we should go. He was a county planner for ten years in Tompkins County. He served on the town's Planning Board for 20 years. From his point of view, the planning on this has been very, very good; very thorough and has been long range. As soon as there was a project to speak about of any significance, it was spoken about and it's been reviewed many, many times in public hearings as well. At this point he would end by saying the only reason anyone can give for not approving what is being proposed is if there are special interests that take precedence over the future of our world and certainly the future of our children.

Jan Shea, Ringwood Road, thanked the board for the time taken to learn and listen and to deliberate on this tough issue when good people feel very differently. She loves this small world we live in. She's been here for over 50 years and has travelled Mt Pleasant Road and Stevenson Road every week many times and enjoys it every time. When you learn about climate change it is absolutely overarching all other issues. She urged the board to accept the solar project.

Sara Osmeloski, 2180 Dryden Road, has received gotten six notices in the mail regarding hearings for these projects. She is talking specifically about the Distributed Sun

projects, not Dryden solar in general. In all of the meetings and hearings she has gone to she has not heard one person who lives close enough to these projects to receive these cards talk out in support of these projects. Not one. She asks that the town take this into account when making a decision on these projects. We all support solar, but not as it is laid out here with the arrays that are so close to our homes and places of sanctuary that they are going to interfere with what we see every day, 24 hours a day. This isn't just a commuting thing that you briefly see. They have to live with these. These projects are the largest solar projects proposed in New York State. No one else in New York State has been asked to live beside such massive solar farms. Frankly, for her, the thought of living beside one of these massive solar farms is unsettling. It's a feeling that's really hard to describe and she isn't sure if these are installed if she can continue to live in her home. It's a weird sort of feeling to know that there is a silent, unmoving manmade environment just outside your door. She realizes that many may think that sacrificing a few residents for the good of many is a good idea. But she wants you to remember this. This is just the start. Your backyard could be next. And then you will know how she feels.

Joe Osmeloski, 2180 Dryden Road, read a list of names: Myers, Armstrong, Brindisi, Plotkin, Ressler, Frost, Reed, Swart, Habecker, Keene, Graham, Miller, Appel, Price, Fox, Petrillose, Cole-Jones, Willow Glen Cemetery, Cornelius, Adams, Osmeloski. Who are these people? We've heard from some of them tonight. These are the people that the town has forgotten or ignored or doesn't care about, or all of the above. These are the people that for purposes of the rest of his presentation are going to be affected directly by these projects. They either live across the street from these projects or their land abuts the projects. Since the Town has done nothing for these people, he is proposing that as part of the special use permit the Town put in three conditions for these people. If the assessed value (as determined by Tompkins County Assessment) on any property just mentioned goes down, that Distributed Sun makes up the difference on a yearly basis. If Mr Miller's house drops by \$5,000, they make that up on a yearly basis. Second, any property that is on the market for more than a year at fair market value and does not sell, will be bought by Distributed Sun and they can try to sell it. Third, any property or business that loses a percentage of their business (if plot sales at the cemetery go down) those revenues are made up by Distributed Sun. You've got to compensate the people of Dryden and not compensate some million dollar project.

Spring Buck, Sunny Slope Road, said she lives less than a mile from the project and is very much in support of the project.

Lisa Kilgore said she lives in Ithaca but the outreach for this event encouraged people from Tompkins County to show their support. She supports the project and would welcome it in her backyard.

John Berger, 1686 Hanshaw Road, said he finds it troubling hearing the difference between people saying they are for it and people who feel like they are being oppressed by it. Previously we had a situation with fracking and we talked about not believing what the DEC said and now we're saying what the DEC said is fine. He is in favor of solar and thinks he is in favor of the project, but is finding himself torn. He wants to understand better. He asked where the alternative sites were. He's heard from the developer that these are viable sites in the sense that so far we haven't seen any sign of adverse impact. They can be connected to the grid. Even though there's a site, it may not be viable in that sense. The owners of that land think it is a proper use. He asked what makes these sites viable. How difficult is it to find sites and why this size? The size makes it industrial. A smaller site is not so industrial. Why these sites and the size? It would be nice to hear something discussed about the size. When people talk about biodiversity and scale, he's glad to hear about mitigation plans, but we think about not doing projects like this. The loss of biodiversity due to extinction; the havoc that's being wreaked on our planet. It's a very complicated issue and he feels we do need to be sensitive.

Pat Fitzgibbons said for those who think that these solar installations are going to save the environment, he'd like to make some points. Currently most of the power in this area is hydroelectric. The 29 MW of solar generation cannot be assumed to offset only carbon generated electricity. It may offset the hydroelectric. The CO₂ emissions reductions will have an immeasurable effect on global warming, especially with the offsets referred to before. However, the impact to Dryden's scenic beauty with its long and open vistas will be great and undeniable. Another point he wants to make is the apparent hypocrisies of at least a subset of the county legislators. He believes in 2012 they passed a law forbidding tax breaks for solar and wind installations. It has since been repealed. He was told by a legislator that it was to prevent a wind farm from coming. Apparently green is not green. Maybe it's a west vs east Dryden thing as to whose vistas should be compromised. Sun8 one more time said co-location of these installations is not prevented by law. If co-locations are acceptable, why do you need subdivisions? And why do you need subdivisions that create landlocked parcels? The two don't jibe. There's either a 2 MW limit, or there's not. These subdivisions are skirting the state law.

Darren Miller said Town of Dryden special use permits state they are for allowed uses so long as they are not disrupting neighboring properties. Clearly this project in its current form is disruptive to neighboring properties. On this basis alone it could and should be dismissed. The reason it is disruptive is its size and siting; two issues we've talked about from day one. Distributed Sun and Cornell have been adamant that they will not change the site or the size. He went to all the neighbors directly affected at the Ellis site and they came up with a plan of their own based on what they can live with without being unduly disrupted. (attached) Conspicuously absent from the long list of distinguished agencies that they contacted early on in this project was the people of the neighborhoods to be affected. It was almost hidden from them that it even existed. Residents should have been one of the first instead of one of the last steps in this project.

Fred Balfour, Scofield Road on the Dryden side, said they just moved in last month. Early this year he went to Google and asked what the life expectancy is for a 76 year old white male. The answer is 11 years, so if his grandfather was still alive he would say do you really have a dog in this hunt. But his five grandchildren do have a dog in this hunt. A previous speaker mentioned the overarching issue of climate change. While his family is newcomers here and they don't live next to it, they urge approval of this project.

Dave Weinstein, 51 Freese Road - The decision on these projects should be based on a careful consideration of what is best for our community, not based on a count of how many letters received or petition names you've received. But because you have received so many it would be useful to have an accounting of where people have stated that they stand. Marty Hatch did an analysis. D Weinstein said M Hatch did try to determine whether a signer was a resident of Dryden, although these decisions affect everyone in our county and if a neighboring town was going to make a decision that would raise the utility rate for our town, we would want to have a say in it.

Ellis Tract- (288 opinions stated)

Opinions in support of project: 81% (233 of 288)

Opinions against project: _____ 19% (55 of 288)

Opinions from Dryden residents in support of project: _____ 68 __ % (108 of 159)

Opinions from Dryden residents against project: _____ 32_% (51 of 159)

2150 Dryden Road- (336 opinions stated)

Opinions in support of project: 70% (233 of 336)

Opinions against project: _____ 30% (103 of 336)

Opinions from Dryden residents in support of project: 59% (108 of 184)

Opinions from Dryden residents against project: _____ 41_% (76 of 184)

Nancy Miller, 501 Midline Road, said she has written many times and spoken at several public hearings about this already so she won't reiterate what she has said previously. She is very much in favor of this project. It is time to move on and get it into production. She urged the Town Board to vote for a negative declaration on this and move it on to the Planning Board and the Zoning Board of Appeals and get this into production.

Charles Geisler, Dryden, thanked the board, planning and whoever else has made these documents available to residents and putting them around the town. It was wonderful to have access to them. He has spent considerable time in recent weeks circulating in the county distributing signs in favor of solar. The sign says "It's Time" and he believes it is time to approve community in solar in our town. There are three reasons. The first is that it is practical and loaded with common sense. There should be not one resident in the Town of Dryden who does not have access to solar electricity if they want it. It is not an entitlement for well-off homeowners who can afford it. It's time. Secondly, within the last two weeks we had the collapse of a major ice shelf in Antarctica creating what is probably the largest iceberg in memory and in history. Every jurisdiction on the planet, in light of what's going on around us, should not only encourage the development of alternative energy, including solar, but encourage the scaling up so every member of society has access if they want it.

Robert Watros, Village of Dryden, said he is opposed to the proposal in its current form for many reasons stated in his letter. The primary reason is the scheme is flawed in that it uses a number of 2MW facilities to make what we consider to be a large generation facility. Letter submitted (attached).

Brad Perkins said when Sully Sullenberger landed an airplane on the Hudson and saved 145 or so lives, he then was examined by the NTSB. They did some empirical things about "well if he had made his decision to go back to the airport, there was time to do it" and they made their big presentation a lot like this solar presentation has been very empirical. And then he said "But you forgot one thing; you forgot the human factor. I was the captain of the airplane. I needed a few seconds, maybe four, to decide what was the best thing to do. To add those four seconds to your empirical data and you can't get the airplane back to the airport. I put it in the Hudson River and I saved some lives". B Perkins said his point in telling that story is that now it is time for our five elected town board members to look at the human side of this. To say what's really the right thing? Do we need the whole loaf of bread, or can we pare off a couple of slices and make the people in Ellis Hollow more satisfied, more livable with it? Can we pare off Section 5 of Willow Glen and still make this a palatable, profitable thing for Sun8 so that they can have what they need and our community can have it? We've elected you and put our trust in every one of you that you will be honest, that you will be forthright, that you will be considerate and that you will make Dryden a better place in all ways during your term of office. That's what I'm asking you to do. (information submitted attached)

Claudia Wheatley, formerly Claudia Montague, said she was a reporter for many years starting in 1980 and attended many public meetings like this one, and heard the same remarks over and over. Read portions of statement submitted (attached). If not here, where? If not now, when?

Don Scutt, Dryden, said he normally speaks about taxes but tonight will talk about what is going on here. The scale and scope of these current projects is somewhat dividing the town. There was a very vocal majority here tonight on one side, a minority on the other side. We all live in here Dryden. We should try to come up with some sort of resolution of the problems we have here. This board has been deadly silent. He thinks the board has made a mistake in not advising or speaking out what it plans to do here. There has to be some sort of compromise. He can't understand why any civil board would want to not make a decision for the town's people that elected you. You are elected to make decisions for Dryden. He read a

statement “Think globally. Power local.” The board is elected to think for Dryden. If the board approves these projects the way they are you are taking Wall Street corporate cronyism over the Dryden people. That is not what you were elected for. There has to be some sort of compromise in these developments.

Tom Rutledge, Ellis Hollow, said he has never been here before. He is an avid cyclist and has solar power at his house that was generously subsidized by the State of New York and the Federal government. But not everyone can afford to do solar. He is fortunate and can afford to do it. His house now generates in excess of what he uses. We have to be sensitive to the members of the community that don't have that ability, either for siting or for financial outlet. He had to pay \$14,000 in order to put the solar on his roof before he got rebates and tax credits back. That's an incredible financial outlay that a lot of people can't make at the outset. Alternative energy is wonderful and he thinks everybody does support it, but it's not within reach of a lot of people. If this puts it within reach, that's wonderful. He added that he works for Cornell. He's not always a fan of his employer's policies, but they generate a lot of jobs for the community. They also use a lot of energy. He thinks Cornell is trying to be thoughtful in mitigating that. He bikes by their large solar farm out by the airport. This is the future and we have to think of the kids that are 20 years old. He's 53 and he'll be gone before all of this really is bad, but they're not.

Bruno Schickel, 210 Schutt Road, said it seems like Distributed Sun in the their presentation talked about a lot of things and a lot of impacts that weren't happening. But they didn't talk about the one impact. The fundamental question before us is the visual impact. That really is it. And they really didn't talk much about that. The problem is it is the visual impact and how that visual impact changes the character of the communities that these are going into. Brad Perkins and the folks in Ellis Hollow have talked about this. From day one everybody has been asking the board to scale it back. By Willow Glen cemetery if you take about a quarter of the arrays in the front out, nobody would have a problem. Everyone would be supportive of it. We would not have a problem with it. TC3 put in ten acres and everybody is fine with it. There are solar arrays out by the airport and everybody is fine with it. The reason is they have very, very little visual impact and the impact on the neighborhood is very, very low. He encouraged the board to use the power that it has. The board can say to the developer you have to scale it back. It has to be smaller. We have to find a compromise that will mitigate the impact on the neighborhood because the impact is here. He reminded the board that it turned down a special use permit for a retired couple that wanted to open a little business of repairing a few cars in their garage on a dead end road that needed a special use permit. The board turned them down because it was too much of an impact on the neighborhood.

Matt Kozlowski said he works for Cornell and formerly lived on Irish Settlement Road and feels connected with the community. He thanked the town board members and community members as a whole for a thorough assessment of the solar projects. It has been an exhaustive journey. He hopes they can find something that everyone is satisfied with in the end. He personally feels this is an important step in the necessary energy transition that we need to address climate change today. He believes this benefits not only the University and environment, but the community as a whole.

Gry Wildenstein, Dryden resident, urged the Town Board to approve the solar farms. We hear a lot about negative things and how it may impact people to in the community visually, maybe property values. A lot of those are assumptions. Maybe, just imagine, that people will go crazy to move here because they can get solar. She wants everybody to have access to that. She's lucky to have a solar unit and they are able produce all their own electricity. It's great; it's clean. Everyone should have the opportunity to get that. She feels we have a responsibility to our earth, to respect our natural resources, to diminish our carbon footprint. We owe it to our future generations. We often agree about that. We also owe it to

our past. Think about our forefathers. They came here to this land and came to live off the land. They would surely be proud of us if they knew that their future offspring actually had the foresight to help preserve our precious resources and the land around us. She knows the Town Board is in a tough position and asked that they try to work with the residents of the town and try to help unite the community instead of dividing it and vote in favor of the proposal.

Kathy McHugh, 127 Yellow Barn Road, said our planet is in trouble. She is very worried for our future, our children and our grandchildren. We cannot afford to wait on this project. It is way too important. People have been putting all kinds of obstacles ahead of renewable energy for far too long. She personally cannot install solar where she lives and many others can't. Community solar is a wonderful option for our world. She urged the board to move this forward as soon as possible.

Martha Robertson, County Legislator that represents the west of the Town including the Ellis Tract, speaking for herself, said Pat Fitzgibbons either completely misunderstood what she said about wind exemption or deliberately twisted it. We have a quality, responsive developer here. Solar won't work at her house and she can't wait to be part of Dryden Community Solar. She is puzzled by the characterization of the cemetery as a pristine sight. (She displayed pictures of the front of the cemetery along Route 13.) NYS DOT does traffic counts every three years and it is 18,000 or more cars a day on Dryden Road. It is the third busiest road in Tompkins County. The only busier tracts are Elmira Road and the Fulton Meadow area downtown. It's amazing that this is considered a pristine site. The solar panels aren't going to smell and aren't going to make any noise. She encouraged the cemetery to put up shrubbery like Bharath is going to do along the front of the cemetery. If trees and shrubs had been built ten, thirteen, fifteen years ago, you'd actually have privacy and solitude at least visually from Route 13, the third busiest road in Tompkins County. She knows this has been difficult, it's a political issue, but she is hopeful the Town Board will believe in the future and support these projects.

Dave Bradley, Village of Dryden, said one of the few rights people have in NYS is to choose the source of their electricity. Less than 100,000 currently do that. You can actually choose your electricity source if you wish. But most people don't seem to know that because most people don't really know much at all about energy and how it is paid for and how it is subsidized or anything else like that. At least people do understand that renewable energy doesn't cause CO2 pollution and the recent huge thunderstorms that we had which washed out a big part of Dryden lake creek – that's a warning of what is going to happen if we don't stop all this CO2 pollution of the atmosphere. That being said, what we really seem to have here is a group of Republicans who have whipped themselves into frenzy over what they consider is to be their right to see things. They only want to see certain things and they are absolutely sure that they don't that to see solar panels, but if it was wind turbines there, they wouldn't want to see those either. They think they own the right to see the photons and the shape of them that come into their eyes. It's kind of ridiculous. And they whip themselves up into this and *Edgar (?)* who is the father of modern advertising would be totally proud of this amazing propaganda effort. So people have just whipped themselves up into that and you can't really have a good discussion over how much subsidies to give, or what kind of energy that you are going to choose if all you are doing is just conjuring up bizarre fantasies about your viewing certain shapes and whether or not they are good for you and whether or not your ancient relatives would be upset with them. (statement attached)

Kay Wagner, 1665 Ellis Hollow Road, said she focuses on a few things. Most important is when she thinks of her children and grandchildren. She cares about the world they will have and they way we are headed now, who knows if they can even survive the way climate change is going. We really have to move now. We can't sit back and twiddle our thumbs and hope that problems will go away. A very detailed environmental review has already been done.

They've gone past the SEQR requirements. It's time to move on. People are talking about other sites that exist. She doesn't know how many other sites exist, but we have to use every site there is. We can't just say put it over there and then we'll never have to use the places proposed now. We are going to have to use every single site that exists if we are going to save the planet.

Judy Pierpont, 111 Pleasant Hollow Road, said she supports Dryden's proposed installation of 29 MW of solar arrays. The environmental effect we should be most concerned about is fast accelerating climate change which will have a negative impact on all species, including us. It's urgent that we do this now; that the county, state and country move quickly to install renewable energy to stop putting carbon into the atmosphere. We might just have time to stem the effects of climate change. She understands also that the board has had really hard deliberations and has considered in these deliberations whether there are other sites that are possible and found that there are not good grid connections. These are the best grid connections they can find and in the future we'll probably have to use less good ones or maybe not be able to not connect at all. She also understands that the board has had to deliberate on whether or not to push ahead with this now. She understands that state regulation of net metering is fast changing and that we can't really know whether we would be able to install this kind of solar array in the future. It's difficult to know how the finances of net metering are going to affect solar installations in the future, so we have to take advantage of this opportunity. That's one reason she understands we have to push forward.

Martha Ferger, said she moved to Dryden Village 62 years ago. She fears more than anything else climate change that will affect the whole planet so badly. She is in favor of anything that will help us avoid climate change as long as possible. The more solar the better.

Jim Shippey, 11 Dodge Road, said he thinks the people painting them as anti solar are wrong about that. Everybody on Dodge Road is for solar. He thinks what we are talking about is this urge that people are promoting to rush to get this done. He gets it. Climate change is real and dramatic but the world is built on rules. The town works on rules. All the boards have rules. That is what we are really talking about. That project on Dodge Road does not fit inside the rules. It's just too big. That's what we're saying. We aren't saying we aren't for solar. There were a lot of great comments from everyone tonight; some a little stranger than others, but a lot of great constructive comments. This is just too big for Dodge Road. To carve up the land and daisy chain it together is circumventing the rules. He would dare say that if he came before the board and was obviously circumventing the rules he'd be shot down on his request. Sun8 said this was going to cause financial hardship in their letter to the board when they applied for the waiver, but he doesn't believe they provided any proof of this hardship. So if they are going to be granted this based on hardship, then every business person that wants to come in the town and have a venture, if it's hardship, that cannot be a rule. You can't set a precedent for that. This does not fit on Dodge Road.

Linda Mix, 626 Caswell Road, said she is in favor of a moratorium to look at the concerns that citizens have. It just shows respect for the people that opposed and to their views and opinions. A lot of good points were brought up here today. Martha Robertson showed pictures of the cemetery and since this has started, she went to cemetery and walked around and took pictures toward the back side. It's a beautiful site and you don't hear the road noise anywhere near the way she tries to portray that. I just wanted to bring that up as a point.

Kathy Zahler, 639 Midline Road, said she is lucky enough to have solar panels on her roof. She can afford them and paid for them. Her next door neighbor lives in the deeps woods and would love to have solar panels and can't have them because of the siting. Her neighbor down the driveway can't afford them but would love to have. She is so grateful to this board for working out a deal through which Dryden residents can have first dibs for affordable solar

energy. She is also extremely pleased with the way they managed to get more money for the town and money for the schools; money on sites that were previously not taxed. She thanked the board for what it has done and hopes this gets done soon. She doesn't believe that people think it has gone too fast. She thinks it's been really a sloth.

Pat Dubin, 2002 Ellis Hollow Rd in the town of Caroline, said she strongly supports the project and read a letter from Jerelyn Smith (attached). She said this about future generations and what is going to be left for them if we don't start building large solar now.

Bert Bland, Associate Vice President of Energy & Sustainability at Cornell University, said he has been at a few of these meetings and gone over a lot of details and Cornell's positions. Cornell selected Distributed Sun five solar projects ago. They performed as they said they would. He's happy they selected them in the competitive process. They have hung in there through TG Miller's requests which were appropriate and rigorous and all the agency requests. He thinks they've done a great job. He doesn't think they would have found many solar developers that would have hung in through all, producing 1,000s of pages. He thanked Distributed Sun for that. He specifically thanked Bharath for walking the land with all the neighbors. He is very happy and thankful that Cornell can stand behind the developer in this development.

Also attached are statements handed in the meeting from Laurence Heller, Michael Pitzrick, Jane Meader and Jon Erickson.

Supv Leifer gave an overview of the process. In 2016 the Town Board charged the Planning Board with developing a law to amend our zoning to allow community solar projects. That law was adopted in February of 2017. At that same meeting Distributed Sun was granted a waiver of the existing moratorium to submit an application. Prior to that, at board meetings, the company had talked about these potential projects at the end of 2016. It has been about six months since the application was submitted. Since he has been on the board (ten years) this is probably the most transparent process special use process he has experienced. He can't think of one that lasted six months like this, and we still aren't done. The board is only voting on the environmental review tonight. It will go back to the Planning Board then back to the Town Board for the actual site plan review approval and special use permit approval. Everyone will have another opportunity to voice an opinion on what comes out of the Planning Board. It will go to the Planning Board next Thursday. With respect to site selection, the Town Board does not select sites. If that happened, it would amount to asking government to locate the correct places. What you need to make this process work at all is a willing land owner who wants to lease their property and a company that needs to find the best interconnection for what they want to connect. If you don't have those two elements, you don't have a project. They still need to comply with the town zoning law, so when the board takes up review of the actual site plan it will likely address some of the things addressed tonight again before a vote is taken.

There were questions raised tonight about site selection, maintenance of vegetation, co-location and why they can put 2MW systems next to each other, and it seems that people want to see the visual simulations.

Cl Lamb said there were a number of comments that the board hasn't been communicative enough. The board wanted to hear from people on this. It has been very informative for everyone to hear the comments. The board has been taking notes and wants to steer the project with public input as much as possible before voting on it, not try to dictate the process. He hopes that people get the sense that the board has been transparent. All the known information is on the website so people can review it. They held a number of public sessions. He doesn't believe the board has done anything without being fully open about it. The board did not select these sites. The statement that they'd been working for three years is

on this is incorrect. This is process where a business and a property owner had an idea and brought it to us. The board's job is to look at all sides of something and see if it is in the best interests of what this town should have. They've been doing their best to do that.

Bharath Srinivasan – In response to comments about being in a hurry, he said before the town had a zoning law for this project, they voluntarily came here to two Town Board meetings and two Planning Board meetings. They gave a presentation and showed the layouts. This was the best place to gather feedback. They were here before submitting an application in hopes that people would have looked at what they said they were proposing and give feedback. At the first meeting they came prepared with a lot of information. Anyone who requested a one-on-one conversation had that opportunity. They organized public meetings at the Ellis Hollow Community Center and one at Neptune Fire Hall. Whatever mitigation they could include they have included. They came back in April after several meetings with folks and presented another detailed review of everything that has gone on. The truth of the matter is the one who has gotten most rich in this entire affair is a company called Data Flow in Ithaca and the FedEx office. They have printed so much of the information to hand out to people. They found out that the town charges \$.25 per page to provide copies. They provided the town with 15 copies of the application so they could be distributed at community centers and handed out to people. They have gone out of their way to provide information to people, even those who have openly spoken against the project. When they call and ask for information, it has been provided. They have always been willing to set down and have a conversation.

With respect to the three year approach, there are several data points that are being added cumulatively into a wrong fact. What they did three years ago was ask NYSEG if they could do something with the circuit on Mt Pleasant. It was when they started telling the public how long it has taken them to work with NYSEG to come up with a viable option. The process is to submit an application and fee to NYSEG and they come back with an answer. There isn't even a constructive dialogue. Distributed Sun was asked for an analysis of why they chose the site. At the Ellis Hollow Community Center they did show a comparative analysis across the state where they had surveyed 575 properties from leads that came in to them. Nearly 85% of those sites did not work for interconnection purposes. Last summer there were 6,000 MW of applications in the State of New York between the different utility companies. As of July 15 there are only 300 MW pending in the state and it not certain that those will move forward. That is even more of a reduction than they anticipated. He also presented at that meeting an analysis across the state of where they found viable circuits. The reasons they have not provided that data recently is because they received a call from a competitor that the screen shot had been shared. We have to be careful of that because it can end up in the wrong hands. Distributed Sun predicted what would happen interconnection wise in New York and it did happen.

Co-location of arrays – The rule that has to do with 2 MW is a very archaic rule under a regulation called 66j in New York. It's a regulation that the Public Service Commission set up for technologies to use with respect to net metering. At the time that they came up with the limit, 2 MW was a very big limit for solar or wind technology. When solar expanded several developers petitioned the PSC to raise that limit because it makes no practical, electrical, physical, monetary sense for that 2 MW limit to apply anymore. The PSC did not say no. They deferred the decision to look at it and the part of the process when the entire way the grid is operating is being remade. There is currently a solicitation from the PSC inviting comments on what it would mean to increase that 2MW limit to 5 MW. The interconnection limit, not the net metering eligibility limit has already been increased to 5 MW in the state of New York. That was done over a year ago. They are still forced to comply with the 2 MW limit because of the archaic laws.

Town council asked Distributed Sun to defend how they complied with the Brookhaven ruling. The Brookhaven ruling was a result of a petition by two petitioners, the Town of

Brookhaven and a firm called American Capital Energy from Massachusetts. B Srinivasan wrote that petition to the PSC to have verification on how to determine if sites were indeed separate. That ruling was granted in their favor. That ruling was subsequently adopted by the PSC as the rule to determine if two 2MW, one next to another, can be treated as separate projects. There is a three-part criterion. The PSC basically needs to know that the systems can operate independent of each other and that the parcels are located on their own subdivided land, including several citations along with other towns in the state of New York that approved co-located projects. In that particular Commission order, they not only say this is the process on how you can co-locate systems, they actually recommend that they be subdivided in separate parcels. The notion of having one service for each parcel is something that every state follows because the first service is provided at that taxpayer expense. It makes no sense for that rule to apply for solar energy facilities, because unlike residences, the cost of providing service is born by the project. Commercial installations in New York have to be responsible for 100% of the cost of delivering service. That cost of delivering service is really what makes a project work or break.

When Distributed Sun approached NYSEG in 2016 there was a moratorium in place. That moratorium expires today. They had to seek a waiver from the town because otherwise there was no application. The town does have a zoning law specifically for solar, and before they finalized the law, Distributed Sun gave all of their design to the Planning Board. It's not like they wrote the law in a vacuum thinking something like this may not happen. They were fully informed. There was no hiding any of this. They have other data on how they compare with other conventional sources of issue, and he would be happy to that with people on an individual basis.

Vegetation maintenance – The approach in all projects in New York (35 projects in New York and this is the only one yet to be approved) is to use sheep for vegetation control and maintenance. They are trying to do that across the country, but are limited to who actually has sheep within a reasonable distance. This area tends to have more sheep than other areas. Herbicides are not used as a standard practice. In past four years they have not used a drop of chemical on existing projects.

Why can't this be scaled down and/or put smaller ones elsewhere? B Srinivasan it really has to do with how much money NYSEG requires the developer to front them in order to be able to upgrade the service back to the site. That cost needs to be defrayed over the 30 years the system is operating. The system size proposed is based on being able to defray that cost.

Why did Distributed Sun say this had to start by July/August and now will be clearing trees September through April? B Srinivasan said when the Trump Administration came into power the first concern was tax overhaul. They were uncertain what the regulatory environment would be. After the first meeting in Dryden, there was no intention to rush this process. They did want to start sooner and complete the project this year. Now it really depends on what NYSEG does or doesn't do for service. NYSEG won't commit now until they have permits. They chose a September through April window for tree clearing because the Fish & Wildlife Service recommends no clearing in June and July. They added another month each way to reduce the risk of endangering the habitat of the northern long eared bat. They could begin construction and defer the clearing until that time passes.

How will you address the issues of vista/long view with installation of shrubs to block close views? B Srinivasan displayed the view behind cemetery with no screening and with shrubs planted. At maturity they don't affect the vista view. On Dodge Road they will use trees where the panels would be visible from the second floor and shrubs in other places.

There was a comment from someone who was born in a house on Turkey Hill Road that used to be a sheep farm. She is thrilled that the view from there will now include solar panels.

Joe Osmeloski said this board passed a resolution to also allow a cell tower at the 2150 Dryden Road site. There was wording in that resolution about specific trees remaining that would block the view of the cell tower. That is important for the cemetery and for him and for anyone coming up Route 13. He asked if Verizon has identified to Distributed Sun the trees they plan to use to block the cell tower. Have they identified the trees along Route 13 that were specified in the resolution to block the cell tower? Do you plan to take any of those trees down that by resolution have to stay to block the view of the cell tower? B Srinivasan said he is aware of trees along the creek that could be trees referred to block the view. They drove the sight to see what that area would look like and did some analysis and provided an equivalent buffer between 2150 and 2180 Dryden Road. Screening will be better than what exists.

S Osmeloski said the existing trees would provide a better buffer. J Osmeloski said he is specifically concerned that trees that were to stay by resolution will be removed. B Srinivasan said they are asking for permission to take down those trees in return for providing an equivalent or better screen at the property line. J Osmeloski asked whether Verizon had been asked what trees they planned to use their cell tower. B Srinivasan said they asked Verizon to share information but Verizon has been slow to respond. J Leifer said this will be dealt with during the site plan and special use permit process. The board is aware of the issue and it is not being addressed tonight.

B Srinivasan displayed the screening plan from the Osmeloski property at various stages of maturity. In their analysis and looking at the County's LIDAR data the proposed buffer will be 6-8' higher. With two more feet it produces the same coverage as the willow trees today. Over the life of the new hedgerow it offers additional coverage that is currently not provided by the willow hedge row. S Osmeloski said she does not agree with the analysis.

Someone asked for a description of a view along Dodge Road and the monoculture of spruce. B Srinivasan said they are primarily concerned about shade. They may top off some of the trees, but not take them out entirely. On the east side of the northern arrays they worked out a plan of what needed to be cut according to elevation. They are not indiscriminately cutting trees, but removing the ones that pose a shade or fall hazard issue.

Holly Austin, attorney for Distributed Sun, said the visual of the box of documents displayed earlier was compelling. She has been doing SEQR work for a lot of years. This is the most comprehensive set of review documents she has ever seen associated with an EAF. It is essentially all the reviews and surveys that would be included in an environmental impact statement. A tremendous amount of work has gone into this. The board has a lot of information at its disposal. Things that she doesn't typically see include: visual impact statements, aquatic resources report, ecological assessment, habitat assessment, agricultural data statement, and the archeological study. The agencies that have weighed in on this are state, local and national agencies. We've had DEC, Army Corps of Engineers, NY Natural Heritage Program, US Fish & Wildlife, NY Historic Preservation Office, Office of Parks, Recreation and Historic Preservation, Tompkins County Planning and all of the town agencies that are involved. There is a tremendous amount of information here. It's easy to do a full analysis of the environmental impacts of this because of all the work that has gone into it. All of the questions that have been asked have been addressed. There have been a lot of changes made to the project to minimize potential impacts. She asked that the board actually go through Parts 2 and 3 so we have the analysis on the record in an open meeting so it's clear that everyone on the board understands the analysis and is engaged in it actively tonight.

Supv Leifer closed the public comments on the SEQR. The board took a break at 9:31 p.m. and came back in session 9:47 p.m.

SEQR review for 2150 Dryden Road – David Herrick of TG Miller explained they had been asked by the Town to assist with the technical review of the environmental information that was provided by the applicant. Part 1 is disclosure of project information, the extent and nature of the project, the character of the surrounding area and has been completed by applicant and submitted to the town with the special use permit application. There isn't a lot of information to review at this point, and just one correction to be made in Part 1. In the brief description of the action there has been a loss of a 1MW facility that was proposed along Virgil Creek on George Road. On the Part 1 are numerous clouds. Those are all in response to reviews that TG Miller or the Planning Department completed and were subsequently modified by the applicant. Other than the one correction, TG Miller did not take exception with the information provided in Part 1. He asked the board if there were any questions or concerns on Part 1. There were none.

D Herrick led the board through review of Part 2 which is the identification of the potential project of impacts. It is a list of 18 concerns relative to environmental resources and asks the lead agency to determine which of the possible impacts from the project are of a small nature or not applicable at all or those that may be a moderate to large impact. He suggested the board review this and see if they agree with the assessment as prepared. All of the information made available, either digitally or in paper format, is here and can be accessed if necessary. Part 3 is a detailed critique, determinations and recommendations on adverse impacts. It advises with respect to the answers on Part 2. Part 3 was reviewed concurrently with Part 2.

Impacts on Land – There will be some. Sections (a) through (g) are marked as no or small impact. 20% of the site contains slopes between 10% and 15% based on the existing site plan drawing. It is now active agricultural fields. There was a fenced meadow for the tree nursery. There is no significant grading proposed. There would be five transformer inverter concrete pads over gravel so they can be removed. There will be some trench excavation for buried electric cable, about 14,500 feet. There will be no concrete used to anchor arrays. Soil disturbance is primarily removal of tree stumps and construction of a 12' wide access drive.

Impacts on Geological Features – There are no potential impacts applicable to the project.

Impacts on Surface Water – (a), (b), (c), (e), (f), (g), (h), (i), (j), and (k) were deemed to be of no impact. With respect to (d) that was considered to be of a small impact because of minor disturbances near Virgil Creek and the overhead wires that will be placed over a protected body of water.

Impacts on Ground Water – Given the nature of the project there are no relevant impacts.

Impacts on Flooding – This is no evidence there will be any impact on flooding. There has been input from Tompkins County Planning on avoiding any flood plains that adjoin Virgil Creek, and the information provided by the applicant does not show work encroaching into the 500 year flood plain.

Impacts on Air – There are no impacts.

Impacts on Plants and Animals – A small impact was found for (b) because of the information about the northern long eared bat and its habitat. On h they did not break the

threshold of ten acres, but because 7.6 acres of forested or treed area will be converted to meadow, it warranted a small impact designation.

Impacts on Agricultural Resources – A potential small impact was identified in (a) because the proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System. A small impact was identified in (d) because the project is located within an ag district. There was discussion about whether the use as a solar farm was “irreversible” and that the reduction in farmland because of this project town wide is less than half a percent. It was decided that because we don’t know if it will in fact convert back to ag use or when, there was a potential small impact.

Impacts on Aesthetic Resources – A moderate to large impact was found in (c) because it will be visible from publicly accessible vantage points either seasonally or year round. There is also a moderate large impact in (d). There was some discussion about whether the project was visible year round. There will be elements of the project that can be seen year round and are not able to be screened entirely from Route 13 or the adjacent properties. Cl Lamb acknowledged all the work the applicant has done in trying to screen the project and there has been considerable mitigation. Despite those efforts the project will be visible from certain vantage impacts, but the mitigations make that an impact that is not considered significant. It was noted there were no simulations provided from distant views. Neither the town’s Comprehensive Plan nor its Open Space Inventory designates the site as a scenic resource. It is also not listed in the County’s Scenic Resource’s Inventory. The responses on Part 2 were not changed.

Impacts on Historical and Archeological Resources – (a) and (b) are no impact. (c) is a small impact because there is a nearby site that has been inventoried previously. It was documented by the applicant and SHPO has weighed in on the lack of impacts of this project on that resource as well as the cemetery.

Impact on Open Space and Recreation – (b), (c), and (d) are no impact. (a) is a small impact because of the agricultural fence that will be used. Also noted in this section is the existence of Jim Shug trail.

Impact on Critical Environmental Areas – Not applicable. There are no critical environmental areas in the town. The site does not include a unique natural area.

Impact on Transportation – There is no impact.

Impact on Energy – There is no impact. It was noted the project will generate 10 MW of renewable energy.

Impact on Noise, Odor, and Light – There will be a noise during construction (6 months) so (f) is identified a small impact. (a), (b), (c), (d) and (e) are no impact. D Herrick noted he has witnessed the hum from the inverters and it is similar to a household refrigerator or a car idling. There is no noise from the panels themselves.

Impact on Human Health – no impact. There are no criteria applicable to this project.

Consistency with Community Plans – (b), (d), (e), (f) and (g) were identified as no impact. In (a) the proposed action’s land use components may be different from or in sharp contrast to surrounding land use patterns and it is identified as a moderate to large impact. Solar panels present and represent a different structure and architecture than is currently in the surrounding neighborhood of mixed commercial, residential and agricultural uses. Item (c) was identified as a small impact because of setback variances to be heard by the Zoning Board of Appeals.

Consistency with Community Character – (a), (b), (c) and (d) were identified as no impact, while (e) and (f) are marked moderate impact. Again the architecture and scale are different than the surrounding sites.

Part 3 has been read and reviewed along with Part 2. Part 3 details justification of the answers in Part 2 and no significant adverse impacts. The board is satisfied with Part 3. D Herrick reviewed Attachment A with the board for the record .

Attachment A describes the impacts identified as being a Yes in Part 2, followed by information taken from the applicant's material and a description of why we don't believe there will be a significant negative impact.

Impact on Land – The slopes of the property are described as being between 10 and 15% and there is no impact from that. The arrays are installed with ground screws and will follow the contour of the land and natural grade. There is no significant grading proposed to take place. There will be excavation of soil for constructing the gravel drives and installation of underground electrical cables. There is a stormwater pollution prevention plan which will have to be approved and permitted and will mitigate any effects of erosion that could happen with temporary control measures. The conclusion is there are no significant adverse impacts to land.

Impacts on Surface Water – Applicant has completed an aquatic resources report that identifies and delineates a large acreage of wetlands on the property and they are not proposing to extend the project into those wetlands. The Army Corps and DEC have both said they would have no jurisdiction over the wetlands and no permits will be required. The conclusion is there are no significant adverse impacts to surface water.

Impacts on Plants and Animals – The applicant through Tetrattech developed an ecological assessment report that identified seven ecological communities. NY Natural Heritage Program has no record of rare or state-listed animals or plants or significant natural communities at the project site or its immediate vicinity. Possible habitat for the federally-threatened northern long eared bat was a concern. There was a follow up survey in June to insure that the site was evaluated in the heart of the growing season and identify any additional significant changes or analysis due to the change of seasons. There were some additional species, namely songbirds that were here in June, and those were documented in the addendum. None were listed as being threatened or endangered. With respect to tree clearing, the applicant has volunteered they will use selective protocols in the clearing. Because of the avoidance of work in swamps and marsh communities and the calendar restrictions for benefit of the northern long eared bat, it was determined there was no significant adverse impact.

Impact on Agricultural Resources – Applicant has clarified there are roughly 35 acres of soils that would be considered highly productive that exist on the property within the fenced areas. Soils will not be removed though some will be lost in construction of the access drives. Given that the soils will remain and there is the opportunity to decommission the facility and restore the use, there is no significant adverse impact on agricultural resources.

Impacts on Aesthetic Resources – There was a considerable effort to provide, through the visual impact statement, rendered views of how the application of mitigation strategies would reduce the visual presence of the project. There is a proposed variation in the use of vegetative screening. Special attention has been given to the area behind cemetery. Mitigation efforts are sufficient to reduce the visual presence of this project so that there are no significant adverse impacts on aesthetic resources.

Impacts on Historic and Archeological Resources – There is a late woodland archeological site in the neighborhood of the project known as the Plus Site. The applicant did prepare a phase one a and b investigation which required a large number of shovel tests in the areas likely to have soil disturbance. It was submitted to the Office of Parks, Recreation and Historic Preservation and the responses from SHPO that there would be no effect on cultural or historic resources and would not be a negative impact to the cemetery. Given those opinions it was determined there were no significant adverse impacts on historic and archeological resources.

Impacts on Open Space & Recreation – The site is not within or adjacent to a designated UNA and is not listed as an open space asset within the town’s comprehensive plan. The Dryden Freeville trail is proposed to be routed along Virgil Creek and the project will make provisions to allow for that corridor and the arrays will not impose any restrictions to that future trail.

Impacts on Plants and Animals – An agricultural fence used to secure the sites. It is a 6’ tall agricultural style with another strand of wire at the top, no barbed wire or razor wire or chain link. There is the ability for small animals to move through that. Larger animals may travel through the corridors, or in the case of white tail deer jump over the fence. The wooded corridor along Virgil Creek will remain with the exception of the cut for the overhead electric line. For those reasons there is no significant adverse impact on plants and animals.

Impact on Noise Odor & Light – There will be construction noise from 6:00 a.m. to 6:00 p.m. for about six months. The equipment used for this work is relatively consistent with other construction site equipment. The tools are common and not unusual for setting whether residential or agricultural. The temporary construction noises will not create a significant adverse impact.

Consistency with Community Plans – Town zoning law permits the ground mounted solar energy systems subject to special use permits and site plan approval. The proposed layout of solar panels relative to the proposed subdivision parcel lines will not conform to the 50’ front, rear and side yard setbacks and will require a variance by the town Zoning Board of Appeals. There are separations distances between the fence lines of the sites and the adjacent properties (cemetery and Osmeloski). Those distances are all in excess of the 50’ set back requirements. Given the setbacks and mitigations proposed with vegetation, it was concluded there are no significant adverse impacts on the community plans.

Consistency with Community Character – It is acknowledged that the proposed project introduces architectural components inconsistent with the character of the existing architectural and natural landscape. There are many design features and mitigation strategies that will be implemented by the applicant to lessen the visual impacts of the project. Once the project is operational there is no traffic, noise, light or other impacts that accompany many of the existing surrounding land uses. Because of the design features and mitigation strategies, there are no significant adverse impacts to community character as a result of the action.

Cl Lamb said it was interesting that there are about 13,500 active acres of farmland and an additional 3500 unfarmed. There has been some concern raised in the community about loss of farmland and it has been calculated as a loss of .5% of potential farmland in Dryden. That is helpful information.

Ray Burger described briefly the proposed resolution declaring lead agency and making a negative declaration. Supv Leifer read the “resolved” portions for the public. Board members confirmed they had read the content of the resolution.

RESOLUTION #101 - (2017) – Lead Agency Designation and Negative Declaration of Environmental Significance – 2150 Dryden Road Community Solar Project

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

WHEREAS,

A. The proposed action involves the construction of five 2 MW solar photo-voltaic (PV) arrays for generation of energy and sale under the community distributed generation program. Solar arrays consist of PV modules mounted on metal racks anchored using helical ground screws. The arrays will be fenced in and gravel access drives will be constructed to access each site. Each site will contain an electric transformer mounted on a cement pad. The five fenced arrays will encompass approximately 51 acres of the total of approximately 158 acre Tax Parcel 38.-1-3.1 at the address 2150 Dryden Road. The owner of the parcel is Scott Pinney and the applicant is SUN8 PDC LLC, and

B. The proposed project, which requires Special Use Permits and site plan approvals from the Town Board of the Town of Dryden; subdivision approval from the Town Planning Board; and an area variance or area variances from the Town Zoning Board of Appeals, is a Type 1 action pursuant to the New York State Environmental Quality Review Act (“SEQRA”), 6 NYCRR Part 617, and

C. A Full Environmental Assessment Form, Part 1 was submitted by the applicant, along with application materials, and

D. The Town Planning Department, on behalf of the Town Board, distributed a Lead Agency concurrence letter to potential involved and interested agencies on March 17, 2017, and received no objections to the Town of Dryden Town Board serving as Lead Agency on this matter, and

E. The Town Board has reviewed the Full Environmental Assessment Form Part 1, revised and dated 7-9-2017, prepared by the applicant, and Parts 2 and 3, prepared by town’s consultant TG Miller and Planning staff, and

F. A public hearing having been held on July 20, 2017

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town of Dryden Town Board hereby establishes itself as lead agency to coordinate the environmental review of the proposed actions, as described above, and
2. The Town Board of the Town of Dryden, based upon (i) its thorough review of the EAF, Part 1 and 2, and any and all other documents prepared and submitted with respect to this proposed action and future construction activities, and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its review of the EAF, Part 3, including the reasons noted thereon (which reasons are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQRA for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required, and
3. The Responsible Officer of the Town Board of the Town of Dryden is hereby authorized and directed to complete and sign as required the determination of significance, confirming the

foregoing Negative Declaration, which fully completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution.

2nd Cl Lamb

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

Supv Leifer said next Thursday the Planning Board will be able to start the subdivision review.

Ellis Tract – Dave Herrick explained the applicant provided the information for Part 1 and on review some corrections were made and shown in clouds on Part 1. Under government approvals other local agencies it was checked for minor subdivision by the Director of Planning.

Part 2 review – D Herrick explained on each of the 18 criteria they made a determination on whether there were thresholds exceeded or criteria that, based on the characteristics of the project, would trigger a no, small or moderate or large impact.

Impact on Land – The response is yes for similar reasons as the other project. There will be the construction of access drives and there will be a disturbance of soil that is mitigated with erosion and sediment practices. They acknowledged a small impact because of the construction access drive. (a), (b), (c), (d), (e), (f) and (g) were deemed to be of no impact.

Impacts on Geological Features – There was no criteria applicable and it was marked no.

Impacts on Surface Waters – This was identified as a moderate to large impact (d). All other criteria were identified as no impact. The reason for the determination is that there will be encroachments into delineated wetland on some of the sites, specifically the S5 site. Work for tree clearing will occur within forested wetlands on the N1, N2 and N3 sites. There are mitigation strategies that reduce that, but it was identified as a moderate to large impact.

Impact on Ground Water – No criteria or thresholds were exceeded. No impact.

Impact on Flooding – No criteria or thresholds were exceeded. No impact

Impact on Air – No criteria or thresholds were exceeded. No impact.

Impact on Plants and Animals – There could be a small impact on (b). (a), (c), (d), (e), (f), (g), and (i) were determined to be of no impact. The northern long eared bat and possible habitat is a concern on this site as well. That will be mitigated by a voluntary commitment to no tree clearing when they may be roosting in the summer months. The ecological assessment was done in March/April and a follow up investigation was done in June. Trillium was noted by residents as being known to exist in the Dodge Road area and considered. It is not rare, threatened or endangered according to the Natural Heritage Program, but they are susceptible to being violated with inappropriate picking. There was a list of animals identified through public comment that were considered and none are rare, threatened or endangered. There is no known bald eagle nesting site. A moderate impact was identified on item (h) because the proposed action requires conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. There will be 29.8 acres of tree clearing for this project that will be converted to meadow or shrubland.

Impact on Agricultural Resources - No impact was determined for (b), (c), (e), (f) and (g). There would be a small impact on (a) in that the proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System and a small impact for (d) in that the proposed action may irreversibly convert agricultural land to non-agricultural uses. The project site is not within an ag district. The project is covering highly productive soils with solar arrays. They are not being irreversibly committed to non-agricultural purposes. In this case all of the lands being utilized for the solar arrays are owned by Cornell and of different uses, some pasture, some cropland and some agricultural research plots.

Impact on Aesthetic Resources – Yes was checked and there will be potentially moderate to large impacts on items (c) and (d). The proposed action may be visible from publicly accessible vantage points during routine travel or recreational or tourism based activities. There are proposed mitigation strategies using setbacks and vegetative screening. The N5 and N4 sites will be on a slope and routinely visible from Turkey Hill Road and Stevenson Roads even with use of the vegetative screening. Site N5 falls within one of the noteworthy views in the Tompkins County Inventory of Aesthetic Resources and across the whole frame of that noted view. There is no impact on (a), (b), (e) and (f).

Impact on Historic and Archeological Resources – That was marked yes given there is a former historic site. The Lamkin Historic Site is along Dodge Road and the project will be clearing trees for shade reduction in that area that has grown up with hardwoods and/or the evergreen plantation. Because of the presence of that site a small impact has been found for (c), and it is mitigated by clearing of trees with hand tools and non-mechanistic measures. No or small impact was marked for (a), (b) and (c).

Impacts on Open Space and Recreation – This has been marked yes. There could be a small impact for (a). No impact for (b), (c) and (d).

Impacts on Critical Environmental Areas – There are no critical environmental areas in the vicinity of the project so it was marked no.

Impact on Transportation – None of the thresholds or criteria are applicable to the project so it was marked no.

Impact on Energy – There is no impact. A note was added that the project would add 18 MW of renewable energy.

Impact on Noise, Odor and Light – Was checked yes. There will be construction noise for about six months from 6:00 a.m. to 6:00 p.m. The inverters are set back at distances of at least 450 feet from property lines. The nearest residence on Dodge Road is approximately 500 feet from any inverter pads.

Impact on Human Health – is checked yes. Based on information from the applicant, there have been some spill incidents on Cornell's property mainly in proximity to the old turkey farm on Turkey Hill Road. Applicant has provided information on the status of those spill incidents and they are either closed or inactive. There will be no impact to the adjacent project site (S5) and further to the west. While it is considered a small impact, it won't have an impact on the project at all.

Consistency with Community Plans – A moderate to large impact for (a) is acknowledged. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use patterns. This is a structural system and architectural style that is not customary to the neighborhood. There are a lot of other facilities and buildings of different conditions, configurations and materials, but the solar panels will

certainly be different from those. The land use components may be different from or in sharp contrast to current surrounding land use patterns. The mitigation strategies proposed by the applicant are helpful in reducing the visual presence of the arrays. Some of those, however, with the mitigation, will still be visible, mainly from Stevenson Road and Turkey Hill Road. There could be a visual impact, but it will not be significant or adverse.

Consistency with Community Character – a moderate to large impact would occur given that the proposed action is inconsistent with the predominant architectural scale and character. The proposed action is inconsistent with the character of existing natural landscape. While the impacts may be significant, they are not adverse to the community character and will be mitigated with setbacks and vegetative screening.

Part 3 was reviewed for the record.

Impacts on Land - The Ellis Tract is made up of two sections, north and south. The land characteristics are different; slopes are different. The proposed construction methods will be consistent with installation of gravel access roads and trenching for the electrical system. The stormwater pollution prevention plan will address the needs for temporary erosion and sediment control measures. The majority of soil disturbance comes from removal of tree stumps. Given that the SWPPP will address erosion control measures, it was determined there would be no significant adverse impacts to land as a result of the project.

Impacts on Surface Water – There will be some minor disturbance as shown in the plans in the wetlands delineated by the applicant. To avoid impacts to the wetlands, any construction activity will utilize mats so that heavier equipment does not negatively impact the soil and vegetative cover in those wetlands. The wetland areas were displayed. In the forested wetlands east of N1, N2 and N3 the applicant will be selective about tree removal. Tiered removal will be implemented to avoid clear cutting. This is a change from the last submission. In S5 an existing building will be removed and some delineated wetlands will be covered by arrays. The corridor will be cleared between S2 and S4 through a forested wetland. DEC and Army Corps require no permits because of the applicant's use of timber mats and proper protocol. There is no trenching or filling or grading within the wetlands. It was determined there is no significant adverse impact. Because DEC and Army Corps will not require permits and because of the applicant's construction mitigation approaches, it was determined there would be no significant impact on surface water.

Impacts on Plants and Animals – Qualified biologists walked the sites in March and June. The NY Natural Heritage has no concerns in the vicinity. US Fish & Wildlife Service has indicated the northern long eared bat could occur within the boundary of the site and could be affected. No bald eagle nests or records were identified in the vicinity. Based on the additional work in June by the biologist there was an added list of flora and fauna that were observed based on that time of the year. None of the species identified in the subsequent June visit were identified as rare, endangered or threatened.

These sites will also be secured with the 7' tall agricultural fence and in addition to the ability for animals to move through the fenced material, the applicant has proposed a 45' wide wildlife corridor between the N3 and N4 sites. There is an existing hedgerow there that can remain (selective tree clearing will apply) and is already an existing buffer. A recent inclusion is an evergreen hedgerow between N4 and N5 that will remain other than selective tree removal within that hedgerow for shading.

Tree clearing on this site is 29.8 acres and dispersed between the north and south groups. S4 and S5 will have removal of 3.2 acres of white ash. In S4 approximately 6.4 acres of shrub land will be removed. Species in the shrub land are generally dogwood, honeysuckle, European buckthorn and multiflora rose. The applicant will only clear trees deemed

necessary for fall hazard or pose a shading concern. In the existing hedgerow along a perennial stream to the east of S5 they will also apply selective clearing protocol. That will help maintain a visual buffer along the stream. Keeping as many trees as possible along the stream corridor will benefit the stream as well as visual screening from Turkey Hill Road.

Given the selective tree cutting, the reduction of impacts of tree removal for the forested wetlands, voluntary commitments for the tree clearing and calendar restrictions for the benefit of the bats, it was determined the impacts on plants and animals are anticipated to be small and not significant.

Impacts on Agricultural Resources – The site contains 30.4 acres of highly productive soils will fall within the fenced areas of the arrays. Soils will not be removed. There will be a relatively small impact from construction of the access drives which would remove some top soil. Included in the documentation is a letter from the Dean of Agriculture and Life Sciences which explains Cornell's approach to considering the sites for use by solar arrays. The lands proposed to be used are not in an ag district or in any of the County's six agricultural focus areas. Solar farms can be readily converted to traditional agriculture and can support current grazing activity. During the site selection process more than 50 Cornell sites were analyzed and a number were eliminated due to the distance from an interconnection point. Other options were eliminated because they support active funded research or for other research reasons. Given that the systems can possibly be decommissioned in the future and that the underlying land can revert to agricultural use without having a loss of highly productive soils, it was determined that there would be no significant adverse impacts on agricultural resources.

Impacts on Aesthetic Resources – The Town's Comprehensive Plan does not include or designate any scenic or aesthetic resources that incorporate the group N or group S sights. Neither does the 2001 Open Space Inventory. The N5 site will be within the Tompkins County Noteworthy Viewshed #12 from Turkey Hill Road. The mitigation being proposed along Turkey Hill Road includes multiple rows of vegetation planted to reduce the near view from Turkey Hill Road. The noteworthy view #12 is a distant view that takes in the valley below and distant hills. The negative screening will block the terminal ends of the arrays and fence, but the selection of the plant materials will reach a height that, while it partially blocks the view of the panels, it won't interrupt the distant horizon view. The Turkey Hill Road and Dodge Road visual simulations were displayed (at differing stages of vegetative screening growth), reviewed and explained. The length of the frontage on Dodge Road will be screened. The screening will also wrap around the south end of S3 and that will mitigate views from the property at 15 Dodge Road. On the S5 site, in addition to maintaining the vegetation through the selective tree clearing protocols, they propose to have a vegetative buffer between the fence and the perennial stream. Setbacks proposed will exceed what is required by the solar law. The determination is that there will be visual impacts, but they are not considered to be significant due to the mitigation efforts.

Impacts on Archeological Resources – The Lamkin historic site is located within a portion of the hardwoods and evergreen plantation that will be removed for screening purposes. The Phase 1 Archeological Investigation report was submitted to the Office of Parks, Recreation and Historic Preservation and in consultation with SHPO in the areas that were tested by shovel excavation nothing significant was revealed. NYS Office of Parks, Recreation and Historic Preservation agreed there would be no impact to the cultural resources in or eligible for inclusion in the National Register of Historic Places. There was a caveat that tree removal in that portion be conducted with hand tools in order to minimize impacts to the site. Given the opinion of the State, it was determined that archeological resources would not be adversely impacted.

Impacts on Open Space and Recreation – It is noted that the N group site does include a future trail that would go along the west of the N2 and N1 sites and the footprint of the

proposed project will not interfere with that future trail planning. The Town's Comprehensive Plan does acknowledge that the Cornell lands in this location are utilized for agriculture and field crops, experimental plots and field laboratories and some areas are woodland tracts. There are no UNAs or CEAs. A wildlife corridor proposed between the N3 and N4 sites will encompass the existing east-west hedgerow. Within the S group sites are two wildlife corridors 15 feet wide located between the S1 and S2 and S2 and S3 sites. The tree removal plan incorporates selective tree clearing. There will be no significant adverse impacts as a result of the action.

Impacts on Noise, Odor and Light – Construction of this project requires equipment consistent with agricultural practices and other residential and commercial construction practices for six months from 6:00 a.m. to 6:00 p.m. The construction methods and noise generated from associated equipment is not inconsistent with rural or residential settings and therefore there is no significant adverse impact. That there is no proposed outdoor lighting for this project.

Impacts on Human Health – The applicant has completed assessments of two spill incidents on record with DEC at the former turkey farm. Those incidents are closed or inactive and there is no expectation of significant adverse effects on this project from those. There is no significant adverse impact on human health as a result of the project.

Consistency with Community Plans – The town's Comprehensive Plan states that while some small scale solar energy generation exists on some small private lots, there is a desire to provide options for solar energy generation. Large scale solar energy installations should be mitigated carefully through siting and adequate buffering. The plan recommends that to diversity the electrical supply, large scale solar installations should be allowed in the town with careful siting and adequate buffering provided to mitigate adverse impacts. The town Zoning Law permits the ground mounted solar energy systems subject to the issuance of special use permit and site plan approval. There are no parking lots proposed for the project. There will be three new curb cuts or access points proposed on Dodge Road and additional vegetative screening will be planted along Turkey Hill Road and Dodge Road. Tompkins County Planning Department has noted in their §239(l) and (m) review that the proposed project has been adjusted in a way that better accommodates the natural features of the site and goes a long way in supporting the Tompkins County Comprehensive Plan policy to increase the use of local and regional renewable energy sources and technologies.

Town Zoning Law permits ground mounted large scale solar energy systems. The proposed layout of solar panels relative to the proposed subdivision parcel lines will not conform with the 50' front yard, rear yard, or side yard setbacks and needs an variance from Town's Zoning Board of Appeals. It is noted in the drawings that separation distances between the fence line of site 5 is 211' from the north property and across the other sites the separation distances to the fences are all well in excess of the 50' minimum.

The solar panels do present a visual contrast to surrounding land uses. However the vast majority of the land beneath the arrays will be maintained in a vegetative condition. Physical mitigation measures the applicant is utilizing will result in no significant adverse impacts.

Consistency with Community Character – The architectural and landscape characteristics of current usage in the immediate vicinity of the property include rural residential, agriculture and agricultural research. Agriculture is predominant. In addition to the surrounding fields and fenced pastures, the Stevenson Road corridor is bounded by numerous agricultural buildings and structures including silos, grain bins, metal clad pole barns, Quonset shelters, concrete block buildings and a remnant farm house. There are similar types of uses along Turkey Hill Road. Along Dodge Road the residential structures

reflect a mix of old farm house and more recent colonial style. By virtue of the structural characteristics of the solar arrays, the project does introduce architectural components inconsistent with the character of the existing architecture, material and natural landscape. There are many design features and mitigation strategies to be implemented by the applicant that will lessen the visual impacts of this project. Once the project is operational, there will be no traffic, noise, light or other impacts that accompany many of the existing surrounding land uses. The design features and mitigation strategies lessen the visual impacts, together with the lack of impacts that often accompany other types of development, and mitigate the impact caused by the fact that the solar energy facility is different from the current broad spectrum of surrounding uses. As a result it was determined there are no significant adverse impacts.

There were no comments or questions by the board. Supv Leifer reviewed the proposed resolution for lead agency designation and negative declaration of environmental significance.

RESOLUTION #102 (2017) – Lead Agency Designation and Negative Declaration of Environmental Significance – Ellis Tract Community Solar Project

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

WHEREAS,

A. The proposed action involves the construction of eight 2 MW and two 1MW solar photovoltaic (PV) arrays for generation of energy and sale under the community distributed generation program. Solar arrays consist of PV modules mounted on metal racks anchored using helical ground screws. The arrays will be fenced in and gravel access drives will be constructed to access each site. Each site will contain an electric transformer mounted on a cement pad. The 10 fenced arrays will encompass approximately 110 acres of the total of approximately 294 acre that are contained in Tax Parcels 56.-5-19.2, 56.-5-31, 57.-1-6, 57.-1-7.1, 67.-1-3, 67.-1-7.2, 67.-1-4 located along Turkey Hill, Stevenson and Dodge Roads. The owner of the parcels is Cornell University and the applicant is SUN8 PDC LLC, and

B. The proposed project, which requires Special Use Permits and site plan approvals from the Town Board of the Town of Dryden; subdivision approvals from the Town Planning Director; and an area variance or area variances from the Town Zoning Board of Appeals, is a Type 1 action pursuant to the New York State Environmental Quality Review Act (“SEQRA”), 6 NYCRR Part 617, and

C. A Full Environmental Assessment Form, Part 1 was submitted by the applicant, along with application materials, and

D. The Town Planning Department, on behalf of the Town Board, distributed a Lead Agency concurrence letter to potential involved and interested agencies on March 17, 2017, and received no objections to the Town of Dryden Town Board serving as Lead Agency on this matter, and

E. The Town Board has reviewed the Full Environmental Assessment Form Part 1 prepared by the applicant, revised and dated 7-9-2017, as amended by 7-17-17 errata tracking sheet to include Planning Director’s subdivision approval in Section B.d., and Parts 2 and 3, prepared by town’s consultant TG Miller and Planning staff,

F. A public hearing having been held on July 20, 2017

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town of Dryden Town Board hereby establishes itself as lead agency to coordinate the environmental review of the proposed actions, as described above, and
2. The Town Board of the Town of Dryden, based upon (i) its thorough review of the EAF, Part 1 and 2, and any and all other documents prepared and submitted with respect to this proposed action and future construction activities, and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its review of the EAF, Part 3, including the reasons noted thereon (which reasons are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required, and
3. The Responsible Officer of the Town Board of the Town of Dryden is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution.
2nd Cl Lamb

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

Updated Employee Review Form – Supv Leifer said he would like to use this form in August for performance reviews in anticipation of budget preparation. Board members have reviewed the form and proposed resolution.

RESOLUTION #103 (2017) – ADOPTING UPDATED PERFORMANCE REVIEW FORM AND PROCEDURE

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

WHEREAS, the Town of Dryden has 13 full-time and 7 part-time non-elected, non-union employees; and

WHEREAS, the Personnel and Finance Committee is charged with reviewing policies and procedures related to the management of these employees; and

WHEREAS, best practices in personnel management state that providing meaningful feedback in a constructive manner on a regular basis will improve morale and job performance¹; and

WHEREAS, best practices in personnel management also state that relating salary increases to job performance increases motivation and productivity²; and

WHEREAS, the Town of Dryden seeks to create a standardized, fair, and respectful process of providing feedback and evaluating the job performance of its employees, now therefore be it

¹ Mone E. M. and London M., 2010, Taylor and Francis Group, Employee Engagement Through Effective Performance Management: A Practical Guide for Managers

² Belle, N., December 2012, **Public Administration Review**, Vol. 73, Issue 1, Pages 143-145, *Experimental Evidence on the Relationship between Public Service Motivation and Job Performance*

RESOLVED that Town Board of Dryden adopts the updated **Employee Performance Review Form** and procedure as outlined on the **Town of Dryden Employee Performance Review Cover Page** dated July 2017.

2nd Cl Cipolla-Dennis

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

Intermunicipal Agreement with Village of Dryden – The town and village need an agreement for the improvements to be made on Lake Road for their water system. It appears that the respective attorneys have come to an agreement on the language and some confusion about what version the Village may have voted on. There was a question about whether SEQR review was necessary for this action.

CITIZENS PRIVILEGE

Marty Moseley, Planning Board Chair, said the Town Board had previously talked about the utility moratorium and specifically the related local law the Planning Board has been working on. The last time they discussed it was in February and then they were occupied with solar and other items. The Planning Board is not ignoring it and trying to bring it back to table. He is currently working with town counsel to determine what is legal and not legal as far as comments from committees. As soon as they itemize that, it will be brought to the Planning Board with associated comments for discussion. They may be able to move forward with the utilities matter in August.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned 12:21 a.m. (7/21/17)

Respectfully submitted,

Bambi L. Avery
Town Clerk

Testimony in Opposition to the Siting By Distributed Sun, LLC of a Commercial Solar Array on 2150 Dryden Road in the Town of Dryden in the County of Tompkins

I. The Need for a Cumulative Impact Study and a Generic Environmental Impact Statement for Rural Solar Commercial Arrays.

On January 25, 2016 the Public Service Staff (DPS) issued a White Paper on Clean Energy Standards for the purpose of converting clean energy targets to mandated requirements. The paper discusses clean energy goals for 2020, 2030, and 2050. A table on page 9 of the paper states that the plan calls for an increase of 75,000 GWh (75,000,000 megawatts) from renewable energy sources, primarily solar and wind, from 2015 to 2050.

Much of this is intended to be provided by commercial solar projects (misnamed as solar farms). However, the unsolved problem with solar is the lack of storage ability. **"Unlike water, electricity can't be stored in a bucket. While batteries are improving, most electricity is used the instant it is created."** *New York Times, Sunday February 12, 2017.*

If the applicant in this proceeding proposes 11 MW on 70 acres, and Governor Cuomo proposes to build-out 75,000,000 MW of renewables, New Yorkers would have to devote **477,272,727 acres** to industrial solar sites (10 times the total acreage of the entire state of New York). New York State has only **34,915,850 acres**, of which 4,000,000 +/- are in the Adirondack Park blue line. Therefore it is **completely impossible** produce 50 % of York State's electricity needs from in-state solar sources. These facts alone require an environmental impact statement for the adverse cumulative effects of siting industrial solar arrays in the Town of Dryden.

SEQRA, which also applies to Distributed Sun, LLC's (DSL) project, was enacted to prevent economic or other development without first considering their adverse environmental impacts. One of the most crucial aspects of SEQRA is that it recognizes that a 'small' project, when considered only in a single town, will appear to have an acceptable adverse environmental impact, but when aggregated with all the other potential 'small' projects around the town, county or state, will have an enormous and unacceptable environmental impact.

Because each and every solar project has some environmental impact, and because there will certainly be a great many of them (See governor Cuomo's goals above), these solar projects require an examination of their larger impact when they are considered as a whole (in other words, their cumulative impact). The preparation of a Generic Environmental Impact Statement

(GEIS) as provided in the SEQR law is therefore essential. Without a GEIS, each town has the obligation to conduct an environmental review which will touch all the concerns of a GEIS, i.e. cumulative impacts. The governor's announced goals guarantee that there will be cumulative impacts.

A GEIS would allow for projects to progress smoothly and rapidly once the GEIS is completed. NYSDEC recently commented on another project: "DEC is undertaking a careful and thorough review of the necessary state permit applications as required by our protective regulatory programs." As with all complex proposals which have the potential to impact a large portion of the state, DEC works with State and Federal agencies and other stakeholders to fully understand the potential impacts and make sound decisions based on sound science. "DEC considers all public comments as part of our review process." These DEC principles also apply to town permits and local SEQRA reviews. Given the extensive potential impact to land that will occur as a result of DSL's solar project, it is essential that the town be proactive in examining the cumulative project impact of each individual project proposal, and to especially allow sufficient time for review and comments by the public and the residents. See the attached excerpt from Garret Hardins' *'Tragedy of the Commons'*. Exhibit A

The unique aspect of solar sites is that they require three phase electric service. By first **requiring developers to build on non-sequestration sites, un-forested sites and non-farmland sites**, and then building out the 3-phase lines, the environmental impacts can be substantially mitigated. For instance, solar development companies such as Cypress Creek Energy are estimated to have signed over 2,000 leases in New York State alone. At twenty acres each, the acreage to be covered could exceed 40,000 acres, much of which is believed to be prime farm land or mature forest with a high degree of carbon sequestration. With at least five other companies proposing leases of similar magnitude, the impacts could easily reach 100,000 acres.

Siting on the non-sequestration sites, the un-forested sites, and the non-farmland sites **must be the first priority**, and if any sites exist in a town or in a neighboring town, then the Town Board, **must under sound environmental mitigation and review principles, deny** any application on such farmland, sequestration sites, and woodland and forested sites.

The former landfill within several miles of the Dryden Road site is a perfect candidate for the industrial solar site, and it is available. The site has been brought to the attention of the town board and to the applicant but has been ignored by both. The existence of such a site and its availability is dispositive of this application proceeding. The application must be denied because there is a better site available with less environmental impacts.

Other unexamined environmental impacts are:

1. woodland fragmentation,

2. loss of wildlife habitat in fields and forests,
3. decommissioning costs,
4. disposal costs,
5. bankruptcies of the companies who own the arrays,
6. loss of carbon sequestration,
7. storm water runoff, change in drainage patterns, loss of wetlands,
8. land restoration, including de-compaction
9. loss of scenic view resources,
10. loss of vital tourist industry, and
11. the potential for herbicide and pesticide run-off.

These are but a fragment of the unexamined environmental impacts. These alone should be more than enough to trigger a local and a cumulative environmental impact study of siting, use, and disposal.

The lack of economic viability of industrial solar arrays without government grants, tax credits, accelerated depreciation, SREC's, real property tax exemptions, regulatory mandates regarding solar capacity, and rate payer subsidized purchase agreements for power, calls out for a statewide moratorium until a detailed and broad public and scientific environmental review can be completed. Only a full and complete examination of the environmental impacts of such a massive solar build-out can disclose and address its material and adverse environmental impacts.

II. The False Premise of Local Solar

Looking in the Wrong Direction:

In a grand and surprising irony, human global warming advocates are population deniers. Every four days the world adds 1,000,000 people to the population. The biggest contributors to global warming are an expanding population's demand for resources, the clear cutting forests and jungle, and methane produced by rice patties in the third World. By shutting down Earth's sequestration engine and adding methane from rice paddies to feed Asia's massive population explosion, no amount of solar or wind in the USA will matter globally. The increasing size of the world's population will continue to demand more food and more land on which to grow it.

To illustrate the false premise of local solar aiding global warming reduction, one must first examine what the rest of the world is doing about the problem. Unfortunately, the Third World has begun to free-load off the United States of America, when one assesses global warming. The data speaks for itself. As reported in the New York Times, Sunday July 2, 2017, "China's energy companies will make up nearly half of the new coal fired generation expected to go online in the next decade. These corporations are building or planning to build more than 700 new coal plants at home and around the world, some in countries that today burn little or no coal." The NY Times continued: "Overall, 1,600 coal plants are planned or under construction in 62 countries." ... "The new plants would expand the world's coal fired power capacity by 43 percent..." **The fleet of new coal plants would make it virtually impossible to meet the goals set in the Paris climate accord...** "

The Chinese corporation, Shanghai Electric Group, has itself announced plans to build coal power plants in Egypt, Pakistan, and Iran with a total capacity of **6,285 MW**. Moreover, when added to the planned construction by all the companies building coal fired plants in Egypt, the Egyptians will go from zero coal fired plants to **17,000 MW** of coal fired plants. *NYTimes Sunday July 2, 2017*. To produce 17,000 MW of solar energy (but none at night, during the winter or in bad weather) would require 108,181 acres of land to wit: all the land in the Town of Dryden and about half of all the acreage in a neighboring town. But only when the sun shines and the weather is perfect. If solar were the sole producer of electricity, we would have no lights at night and no electric heat in the winter.

Pakistan's capacity of coal fired power plants is expected to go from 190 MW to **15,300 MW**. Little Malawi is expected to go from zero coal fired power to **3,500 MW** of coal fired power. Marubeni Corporation in Japan is building **5,500 MW** in Myanmar, Vietnam, the Philippines, and Indonesia. The National Thermal Power Corporation of India plans to build **30,000 MW** of coal fired plants in India and Bangladesh. All the Chinese companies together are behind approximately **386,000 MW** of coal fired plants. The typical coal fired plant with a capacity of 500 MW burns about 1.4 million tons of coal per year. *NY Times Sunday July 2, 2017*.

If one adds up all the coal fired power plant capacity which is planned, the annual total of coal burned will be about **1,298,038,000 tons of coal per year**. This is why no amount of solar development in the United States will help lower global warming. The Third World will reap the benefits of the USA going solar, but we will not have helped decrease global warming one iota. As the New York Times stated: "**The fleet of new coal plants would make it virtually impossible to meet the goals set in the Paris climate accord.**" *Sunday edition July 2, 2017*

So why is Dryden sacrificing its farm land, its scenic beauty, and its real property tax base for an industrial free-standing solar array on 70 acres? First World western civilization guilt is not a valid reason for ignoring the environmental impacts of 70 acres of industrial, investor owned, government subsidized, completely uneconomical free-standing solar construction.

A Review of Responsibility for Global Warming:

No study has been presented to determine the extent of the contribution to global warming caused by the population of the Town of Dryden, net of the town's sequestration rate. To understand the town's unusually pristine character, it is useful to compare the Town of Dryden with the City of New York. The population of the Town of Dryden in Tompkins County, New York State is 20,095 people, spread over an area of 60,288 acres (94.2 square miles). The Population Density of the Town of Dryden is therefore one person for every 3 acres. The population of the City of New York is 8,550,000 people, spread over an area of 300,096 acres (468.90 square miles). The Population Density of the City of New York is therefore one person for every .03 acres, including all the streets and avenues and parks.

A useful way of looking at population impact is to examine the difference (aka delta) between a local increase in carbon emissions due to population density and the reduction of carbon by way of natural carbon sequestration. No data on that difference has been presented in any portion of applicant's papers. If we examined that delta for the Town of Dryden and the City of New York we would find that NYC is enormously benefiting from the existing low emissions of the Town of Dryden.

In a very real sense, NYC residents are freeloaders when it comes to global warming. New York City derives its power as follows:

Wind 3%

Nuclear 31 % (about to be less with Indian Point closing down)

Natural Gas 44% (about to be more with Indian Point closing down and a planned new pipeline crossing the Hudson River).

Hydro 19%

Coal 1%

Solar < 1%

"The State has announced plans to close all the remaining (coal fired) plants or convert them to natural gas, which is currently cheap and plentiful." *New York Times Sunday February 12, 2017.*

New York City's population is so high and so dense and its land use so intense, that any efforts by New York City to reduce its human induced global warming imprint will be problematic. The population of the Town of Dryden is so small and so dispersed that any effort there to reduce New York's statewide carbon footprint will be negligible.

If one calculates merely the difference in population density without regard to the Town's enormous carbon sequestration rate, New York City's population is responsible for 100 times more global warming on a per capita basis, than the population of the Town of Dryden. In other words, New York City has a 10,000 % greater global warming input per person per square area than the Town of Dryden. This does not include the impact of the traffic originating out of the City of New York and driving into it every day. Nor does it include the impact of leaking refrigeration gas from air conditioners, both window and industrial, which has up to 2,000 times more global warming potential than carbon dioxide.

Indeed, large scale industrial solar projects in the Town of Dryden would only encourage New York City to argue that it can use the Town of Dryden's solar arrays and sequestration rates to reduce New York City's obligation to reduce its human induced global warming contribution - in essence free-loading again. In other words, like all matters of addiction, the Town of Dryden would be enabling the addictive global warming habits of New York City and the coal fired plants of the Third World, instead of stopping them.

The Town Board should look carefully at Exhibit H of this submission. It shows an air quality warning for every place in New York State except in the region in which Dryden is located. NYC has a health alert for Ozone. The area in which Dryden is located is noted as Green or Good, the highest and cleanest rating. Ozone is a product of fossil fuel consumption. Dryden does not have a global warming issue. NYC and the Metropolitan Area do.

Without a comprehensive study to determine the extent of the contribution to global warming caused by the population of the Town of Dryden, net of the town's sequestration rate, there can be no rational global warming argument for solar in the Town of Dryden. And as shown below there is no rational economic argument of it either.

III. The Artificial Economics of Commercial Solar

If solar power installation, operation and decommissioning could, on their own financial merits, be profitable without government subsidies, and if the rates at which consumers could purchase electric power were competitive with other sources of electric power, then there would be a sound argument for commercial solar arrays in the Town. However, it appears that the applicant is relying on a government grant for a large part of acquisition and installation costs of the array, as well as a real property tax reduction, as well as income tax credits and accelerated depreciation schedules, all of which are extraordinarily favorable to the applicant but do nothing to enhance the economics of the Town of Dryden. (There is not a shortage of electric power in the area nor is there a question of reliability of current electric supplies.) In fact, solar is inherently unreliable, in that it only functions on sunny days and only in daylight hours, and

hardly at all in the low angle rays of the winter, further complicated by snow fall. (See Exhibit F Cornell University's very own free standing solar array, incidentally built upon an old waste dump near an airport, not in the middle of a working farm) Electricity from base load suppliers will always be necessary.

There is even more free-loading occurring. The solar industry has not built the grid that it employs to deliver electricity to its users. It freely admits that a build-out of the infrastructure, without subsidies to pay for it, would make the industry unprofitable. Base load companies must, by New York law, accept the solar power coming into its grid, even when there is no demand for the additional power. As a consequence, the base load generators must reduce the amount of their own electricity going into the grid. Every time that happens, the base load providers lose money two ways: 1. The amount of electricity which they sell goes down, so less product is sold, yet the power plants must still be maintained and 2. The base load providers' grid is used by their competitors without adequate compensation for the cost of building and maintaining that grid.

There is also the matter of the alleged savings to customers from the solar power producer. For the sake of easy math let's presume that a typical new customer of the Commercial Solar array is offered a 10% savings on her electric rate for the first year, after that it fades out. Below are figures from an actual invoice from NYSEG for a four bedroom single family house which uses natural gas for heat, the dryer and the water heater (see the attached NYSEG invoice Exhibit B).

Total energy bill in the month of October:	\$150.27
Natural gas charges:	\$87.38
Electric Charges:	\$37.02
Miscellaneous charges	\$25.87

However, the electric supply charge was only \$11.89, 10% of which would be \$1.18. So the bill would only decrease by \$1.18 from the heavily subsidized and ideologically driven solar commercial array.

But there is another factor, the bill also shows a charge of \$1.24 to SBC. (That is the money sent to NYSERDA to give the applicant several million dollars in grant money. In other words, the base load producers are forced to collect money from their own customers to fund the solar arrays which will free-load off the base load infra-structure.)

When we subtract the \$1.18 savings from the \$1.24 SBC there is still a net loss to the customer of \$.06. In essence, this entire process only feeds money to the solar speculator/investor without helping the local customer at all. No one wins except the investors.

The commercial solar industry is therefore a regulatory bubble, filled with income tax credits, accelerated depreciation benefits, real property tax exemptions, grants, and free-loading grid privileges. As such, the entire solar industry is subject to the political winds of change in the State and Federal Government. If the benefits bubble bursts (and with the election of the new President Trump, it looks as if that it is probable), then the Town of Dryden will be left to foot the bill to clean up the mess.

IV. Requiring Developers to Build on Non-sequestration sites, Un-forested sites, Non-Scenic sites and Non-farmland sites

It is axiomatic and one of the most fundamental principles of environmental review that the permitting authority must require an examination of alternate sites for a project for which a permit is sought.

Solar is unique among energy production systems in that it is a zero sum game. Only so much solar energy falls on the planet on a given day. (See Exhibit F for a Cornell University winter production model) Depending upon the weather and the ground conditions, sunlight may be absorbed, may be reflected back into space or may be converted by photosynthesis or other chemical processes. If one traps solar rays with a solar panel, those rays are denied to plants for photosynthesis, soil for warmth, and the elements on the surface of the Earth which require sunlight for their normal daily chemical reactions (such as the breakdown of complex molecules in the atmosphere or soil).

As noted earlier, the people of Town of Dryden do not appear to generate a significant global warming impact by their activities, and no study has shown otherwise. In fact, depending on the amount of woodlands and electric vehicles, the town might actually be a net sequester of carbon. Therefore, the Town of Dryden does not need a commercial solar facility which will, for the next two generations of townsfolk, tie-up scarce, valuable, and productive farmland while at the same time despoiling a magnificent scenic asset of the community. If there are other areas in Tompkins County or Town of Dryden which do not impact the Town's precious farmland and the unique scenic value of the Dryden Road area, then under sound environmental principles and the requirements of SEQRA, such alternate sites must be preferred.

There is no evidence available to the public which shows that the applicant has performed a study of the scenic value of the site, either when viewed from the site itself or viewed from afar.

No one would dispute that the great beauty and intrinsic value of the Town of Dryden lies in its forests (great carbon sinks, see Tufts chart below), its pastoral farm land and farmscapes, and its calming and beautiful scenic views. Among those assets, it is well accepted that one of the town's most valuable assets, is the existence of farm lands and scenic views.

Gravel pits, old town dumps, abandoned plant sites, and brownfields, to name a few, are far more appropriate and environmentally sound for solar sites than the rare and scenic farmland of Dryden Road. Notably there appears to be no study or serious effort to identify such alternate sites. Therefore the environmental review in this proceeding is fatally flawed. Instead of a pro-forma and wholly inadequate environmental assessment form, the Town of Dryden must require a full and complete Environmental Impact Statement which examines not only all sites, but which also examines and considers the cumulative impact of commercial solar sites in the Town of Dryden and County of Tompkins. See Scenic view destruction in Exhibit D

V. Trout Stream, Forest Fragmentation, Open Field Habitat, and Runoff of Herbicides and Pesticides

The full environmental assessment form which has been delivered to the Town should identify a class C (T) trout stream. The stream is directly downhill from the proposed site. The stream is a few hundred feet from the bottom of the Project Site. No study has been made to determine the potential stream damage from runoff from the Project Site during construction, operation, and decommissioning. No study has been made of the impact on the stream in the event of damage to the array, the inverters, or other material on site. What will hold the soil and water after the applicant denudes the site? (See pictures of construction attached at Exhibit G, which is on flat land. Note that DSL's project is on **sloped** land.)

The environmental assessment form should also show that the Project Site is covered by some woodlands. The application contains no prohibition on clear cutting this valuable carbon sequestration asset. (see Tufts Exhibit C below for forest sequestration values) Moreover, forest habitat and the hardwood trees comprise an integral part of the scenic view, especially in the Autumn months were the leaves turn colors. "Leaf peeping" and the tourism which it brings, have never been examined in any study presented to the Town for this project. It goes without saying that the magnificence of the area's scenic views is at its most spectacular when the leaves turn. Such assets ought not to be lightly passed over as a small incremental loss. (read again Hardin's *Tragedy of the Commons*, attached below)

Open field habitat and primary succession habitat are well known to be a distinct and necessary habitat for a host of zoological and botanical species. The environmental and economic costs of the loss of valuable farmland and open field habitat has not been studied nor reported in any of the submissions available to the public.

Furthermore, the applicant has not identified the specific plastics, metals and semi-conductors which are incorporated in the solar project nor the frequency and composition of the herbicides and pesticides employed to prevent plant growth on the site, nor how runoff and contamination of downhill and downstream areas will be prevented.

VI. Ground Leases, Standing and Decommissioning

Standing and Ground Leases:

We believe that the applicant DSL claims to have a ground lease, but that its lease may have legal problems causing DSL to have no standing to bring the application. We believe that there is the distinct possibility that there is an earlier lease with a rival company which may create a substantial question of whether DSL has the right to even apply for the Special Permit or for the subdivision. **Until the question of the validity of the ground lease is resolved we believe that the Town Board should delay the consideration of the application.**

As currently presented by the applicant, commercial solar development presents a leasing practice usually reserved for malls, retail stores and large commercial retail outlets, to wit: ground leases. These leases are unusual for energy companies. The leases are traditionally for very long terms, 40 to 50 years. The buildings and the improvements are owned by the tenants not by the landowner. This can create a substantial liability to the landowner and a risk to the Town if the Tenant violates a building code, an environmental regulation, or fails to pay the taxes on the building.

The landowner remains liable for all matters for which a lien may attach to the land, even if it was not created or caused by the Landowner. For instance, code violations which go unrepaired can cause personal liability to the landowner. If the real property tax is not paid by the Tenant, as promised in the lease, the landowner will lose his or her land.

Decommissioning:

Decommissioning is a euphemism for "What do we do with the useless 30,000 solar panels when the lease expires, or when the company becomes insolvent, files for bankruptcy, or simply abandons the site?"

If the Solar Company (the Tenant) fails to remove the 30,000 panels when the lease expires, then the Landowner or the Town will be burdened with the cost of the removal and disposal. If the array is determined to contain hazardous material or is required to be disposed of at great cost, the landowner or town may be stuck with the expense.

With solar leases running from 20 to 40 years, none of the original landowners or tenants will still be in existence. No one will want to take the burden or the blame. It is not enough to say that the panels will be still productive in 20 or 40 years, because no one can be sure until the time passes. Even if the panels are productive, current science indicates that the panels will be substantially less productive due to natural deterioration of the panels. Additionally, if the landowner has no right to the "interconnect" to the grid (which is very valuable and may otherwise have expired) then it doesn't matter how much productive life remains in the panels, they cannot be used.

If the technology of solar panels advances at a rate anywhere near what computers have advanced, then the current panels will be totally obsolete sometime during the term. It is then that the successor to DSL is likely to walk away from the site, the taxes and its obligations, leaving the clean-up and disposal to the landowner and the town. If the scenic view is bad when the panels were functioning, it will be many times worse when it is abandoned.

The applicant has not provided proof of what method will be used to remove and dispose of all materials placed on the site, including de-compaction, surface and subsurface hydrology restoration, and the restoration of the site to fertile and productive farmland. There is no real way of protecting against bankruptcy. (See Exhibit E)

NYSERDA, which notoriously underestimates cost of restoration and repair of land after development, (partly because their job is to promote massive free standing industrial solar sites) has estimated that a 2 MW site will require at least \$60,200.00 in today's dollars for 'decommissioning'. For 11 MW that calculates to about **\$331,100.00** in today's dollars. NSERDA calculates that at a 2.5% inflation rate, the cost will rise to **\$543,950.00** within 20 years. If NYSERDA has under estimated the inflation rate the cost could be in the over **\$1,000,000.00 in 20 years**. Where is that money coming from and how will it be preserved **over two generations of Dryden residents**. And if the lease goes 30 or 40 years, **where will the millions of dollars come from for decommissioning?** The current board will be long dead when these chickens come home to roost.

These matters are insufficiently addressed in the application. A full and complete environmental impact statement ought to be prepared to resolve these significant environmental issues.

VII. Subdivision Plan and Applicant's Work-Around of SEQRA

The Applicant, DSL, has proposed a subdivision of the 70 acres into six separate parcels for the purpose of qualifying for grants from NYSERDA which can, in some cases, make a gift (not loan) of up to 50% of the cost of the purchase price of the panels and the costs of the installation. In this case, the figure will be many millions of dollars of free money to the investors. These subsidizing grants are funded from the SBC charges shown on our utility bills as illustrated above; and they comprise the \$200,000,000 to \$400,000,000 in annual revenue from the SBC charges (and are distributed at the sole direction of Governor Cuomo without the need for approval or oversight from the State Legislature). These particular grants are limited to projects where the project does not exceed a 2 MW capacity. The applicant's 70 acre project will have an 11 MW capacity, thereby otherwise disqualifying it from these more favorable grants. In addition, if the project has a capacity in excess of 10 MW it must comply with Article 10 of the Public Service Law, and a complete and comprehensive Environmental Impact Statement must be prepared.

The six subdivisions will each require six access roads into each site and individual fencing around each site. Such a plan forfeits any economy of scale otherwise inherent in a single 70 acre site, which would have 1/4 the fencing and 1/5 of the roads needed for the six subdivisions. The entire 70 acre project would be far less intrusive environmentally if the subdivision were not part of the plan. The subdivision is not justifiable from an engineering or land use perspective, but is an artificial construct designed solely to increase the amount of free money flowing into the pockets of the investors.

Moreover, the applicant is trying to play two laws against each other and neutralize both of them. For the purposes of SEQRA, the applicant wants six separate parcels so that each parcel can be considered as only a small environmental effect; it wants six separate parcels so that it can avoid the regulatory effect of an Article 10 proceeding; and it wants six separate parcels so that it can obtain millions more free dollars. Yet the applicant wants to be considered a single project for the purpose of the "interconnect to the grid", and thereby not apply for and pay for six interconnects. And the applicant wants the project to be considered a single 70 project so that it can claim that the project cannot be reduced in size to lessen the environmental impact and accommodate the needs of the Willow Glen Cemetery Association, to wit: abandoning the subdivision closest to the Cemetery to preserve the beauty and historic nature of the Cemetery (which contains many veterans of American wars). In other words, the applicant characterizes the project as a 70 acre 11 MW project or six separate 2 MW projects depending on which agency it is before.

This project and its subdivision proposal should therefore be denied.

VIII. Specific Impacts and Concerns for Willow Glen Cemetery Association

Willow Glen Cemetery

History: A community resource since 1816. It is believed that it was once also used as a burial site of Native Americans and pioneers coming to this area.

Beauty: Willow Glen Cemetery is referred to the best maintained cemetery in a wide geographic area. This causes families from Ithaca and Cortland as well as those from Dryden to use the cemetery. It is situated on a rise of land to purposely to take advantage of its wonderful viewscape. It also acts as gateway greeting to people entering the east side of the Town of Dryden.

Value to the Community: The cemetery is one of the longest established institutions of the community. It is part of the identity of the community and represents the permanent resting place of many Dryden families. It shows a great variety of landscape features and many architectural designs in the monuments. People of all religious faiths are interred there.

Damage from the Solar Plan: If the solar installation is allowed in the form and size that is proposed, the cemetery viewscape to the east and north will be permanently disfigured. It will change from an agricultural landscape to a commercial/industrial glass view. Residents of Dryden who have previously selected this cemetery have expressed that if they had ever imagined that the view would change, as proposed, they might very well have considered a different resting place.

Traffic and Accident Risks: The south side of the cemetery grounds borders a very busy state highway (NYS Rte 13). Construction of the proposed solar project will cause a significantly altered traffic pattern which will increase the driving risk for people that travel the highway and for people that are entering and exiting the cemetery

Potential Loss of Clients: In this season alone, there have been families who have stated they were not going to decide on cemetery lots until this issue is settled. This indicates that if the historically peaceful view is changed they may very likely choose another cemetery. The cemetery expansion areas for the future are all in a northerly direction (overlooking the solar site) which will mean that as time progresses new lot purchasers will have to accept locations even closer to the proposed solar installations or decide on a different cemetery for their loved ones.

Other Impacts: The proposed solar installation is unlike any other landscape feature in the area and is not compatible with the existing scenic views. It is all harsh angles, metallic sheens, and severe urban landscape attributes.

Alternative Sites: Many other open land areas, including the former county landfill, are available for solar installation where there would not be sensitive neighbor or where only one or two neighbors would be impacted. As is, this proposal offends 2800 + lot owners and more that 7500 grave sites. The land area of the cemetery is currently one half developed. Therefore the future impact would be on more than 5600 lot owner and 15,000 graves.

Modification to the Current Site: If the proposal would eliminate the solar array designated as "5" in its entirety then the solar installation would not change the viewscape to the east and north and the impact on the cemetery would be mitigated. Also the need for fencing and a vegetative barrier would be reduced.

Conclusion

There are many reasons why the Town Board should reject the application of Distributed Sun, LLC, including all of the above points. The process is far from being complete and it is badly under-researched. On the basis of the above, we respectfully request that the Town Board reject the application of Distributed Sun, LLC as incomplete and requiring a full vetting of the environmental impacts of the project at this site.

Additionally, there is another reason to reject the application: the applicant posted new changes to the application and there has not been sufficient time for the public to have meaningful review of the data in order to render input at the hearing. It is necessary to give meaningful notice and meaningful time to review, to understand, and to digest the application and its exhibits. For fairness and to comply with the requirements of due process and notice for this hearing, we respectfully request that this hearing be adjourned to and continued to a date in September 2017.

Respectfully Submitted,


Willow Glen Cemetery Association

Exhibit A

Tragedy of Freedom in a Commons (excerpt)

The rebuttal to the invisible hand in population control is to be found in a scenario first sketched in a little-known pamphlet (6) in 1833 by a mathematical amateur named William Forster Lloyd (1794-1852). We may well call it "the tragedy of the commons," using the word "tragedy" as the philosopher Whitehead used it (7): "The essence of dramatic tragedy is not unhappiness. It resides in the solemnity of the remorseless working of things." He then goes on to say, "This inevitableness of destiny can only be illustrated in terms of human life by incidents which in fact involve unhappiness. For it is only by them that the futility of escape can be made evident in the drama."

The tragedy of the commons develops in this way. Picture a pasture open to all. It is to be expected that each herdsman will try to keep as many cattle as possible on the commons. Such an arrangement may work reasonably satisfactorily for centuries because tribal wars, poaching, and disease keep the numbers of both man and beast well below the carrying capacity of the land. Finally, however, comes the day of reckoning, that is, the day when the long-desired goal of social stability becomes a reality. At this point, the inherent logic of the commons remorselessly generates tragedy.

As a rational being, each herdsman seeks to maximize his gain. Explicitly or implicitly, more or less consciously, he asks, "What is the utility to me of adding one more animal to my herd?"

This utility has one negative and one positive component.

1) The positive component is a function of the increment of one animal.

Since the herdsman receives all the proceeds from the sale of the additional animal, the positive utility is nearly +1.

2) The negative component is a function of the additional overgrazing created by one more animal. Since, however, the effects of overgrazing are shared by all the herdsmen, the negative utility for any particular decision making herdsman is only a fraction of -1.

Adding together the component partial utilities, the rational herdsman concludes that the only sensible course for him to pursue is to add another animal to his herd. And another; and another.... But this is the conclusion reached by each and every rational herdsman sharing a commons. Therein is the tragedy. Each man is locked into a system that compels him to increase his herd without limit-in a world that is limited. Ruin is the destination toward which all men rush, each pursuing his own best interest in a society that believes in the freedom of the commons. Freedom in a commons brings ruin to all.

Some would say that this is a platitude. Would that it were! In a sense, it was learned thousands of years ago, but natural selection favors the forces of psychological denial (8). The individual benefits as an individual from his ability to deny the truth even though society as a whole, of which he is a part, suffers.

Education can counteract the natural tendency to do the wrong thing, but the inexorable succession of generations requires that the basis for this knowledge

be constantly refreshed.

A simple incident that occurred a few years ago in Leominster, Massachusetts, shows how perishable the knowledge is. During the Christmas shopping season the parking meters downtown were covered with plastic bags that bore tags reading: "Do not open until after Christmas. Free parking courtesy of the mayor and city council." In other words, facing the prospect of an increased demand for already scarce space, the city fathers reinstated the system of the commons. (Cynically, we suspect that they gained more votes than they lost by this retrogressive act.)

In an approximate way, the logic of the commons has been understood for a long time, perhaps since the discovery of agriculture or the invention of private property in real estate. But it is understood mostly only in special cases which are not sufficiently generalized. Even at this late date, cattlemen leasing national land on the western ranges demonstrate no more than an ambivalent understanding, in constantly pressuring federal authorities to increase the head count to the point where overgrazing produces erosion and weed dominance. Likewise, the oceans of the world continue to suffer from the survival of the philosophy of the commons. Maritime nations still respond automatically to the shibboleth of the "freedom of the seas." Professing to believe in the "inexhaustible resources of the oceans," they bring species after species of fish and whales closer to extinction (9).

The National Parks present another instance of the working out of the tragedy of the commons. At present, they are open to all, without limit. The parks themselves are limited in extent there is only one Yosemite Valley whereas population seems to grow without

limit. The values that visitors seek in the parks are steadily eroded. Plainly, we must soon cease to treat the parks as commons or they will be of no value to anyone.

What shall we do? We have several options. We might sell them off as private property. We might keep them as public property, but allocate the right to enter them. The allocation might be on the basis of wealth, by the use of an auction system. It might be on the basis of merit, as defined by some agreed-upon standards. It might be by lottery. Or it might be on a first-come, first served basis, administered to long queues. These, I think, are all the reasonable possibilities. They are all objectionable. But we must choose-or acquiesce in the destruction of the commons that we call our National Parks.

Pollution

In a reverse way, the tragedy of the commons reappears in problems of pollution. Here it is not a question of taking something out of the commons, but of putting something in-sewage, or chemical, radioactive, and heat wastes into water; noxious and dangerous fumes into the air; and distracting and unpleasant advertising signs into the line of sight. The calculations of utility are much the same as before. The rational man finds that his share of the cost of the wastes he discharges into the commons is less than the cost of purifying his wastes before releasing them. Since this is true for everyone, we are locked into a system of "fouling our own nest," so long as we behave only as independent, rational, free-enterprisers. The tragedy of the commons as a food basket is averted by private property, or something formally like it. But the air and waters surrounding us cannot readily be fenced, and so the tragedy

of the commons as a cesspool must be prevented by different means, by coercive laws or taxing devices that make it cheaper for the polluter to treat his pollutants than to discharge them untreated.

We have not progressed as far with the solution of this problem as we have with the first. Indeed, our particular concept of private property, which deters us from exhausting the positive resources of the earth, favors pollution.

The owner of a factory on the bank of a stream-whose property extends to the middle of the stream-often has difficulty seeing why it is not his natural right to muddy the waters flowing past his door. The law, always behind the times, requires elaborate stitching and fitting to adapt it to this newly perceived aspect of the commons.

The pollution problem is a consequence of population. It did not much matter how a lonely American frontiersman disposed of his waste. "Flowing water purifies itself every 10 miles," my grandfather used to say, and the myth was near enough to the truth when he was a boy, for there were not too many people. But as population became denser, the natural chemical and biological recycling processes became overloaded ...

Exhibit B



Account Number:

Statement Date:

Service Address:
 NYSEG DETAILED ACCOUNT ACTIVITY

Page 3 of 5



Electricity Service - Residential
 Electricity Rate - 12001 NYSEG Supply Service

Service from: 09/17/16 - 10/17/16
 PoD ID:

Meter Number	Current Meter Read		Previous Meter Read		Reading Difference	Billed Usage	Billing Period
	Date	Reading	Date	Reading			
96391112	10/17/16	83972 A	09/17/16	83759 E	213	213 kwh	31 days

Type of read: A - Actual, E - Estimate, C - Customer, R - Remote and N - No read

03481926

Electricity Delivery Charges

Basic service charge							15.11
Delivery charge	213	kwh	@	0.03676			7.83
Transition charge	213	kwh	@	-0.00216413			-0.46
Revenue decoupling mech	213	kwh	@	-0.004192			-0.89
Reliability support svcs. chg.	213	kwh	@	0.001478			0.31
NY state assessment	213	kwh	@	0.000621			0.13
SBC charge	213	kwh	@	0.005836			1.24

Subtotal Electricity Delivery **\$23.27**

Electricity Supply Charges

Supply charge	213	kwh	@	0.05132696			10.93
Merchant function charge - Sep	89	kwh	@	0.004277			0.38
Merchant function charge - Oct	124	kwh	@	0.00442			0.55

Subtotal Electricity Supply **\$11.86**

Electricity Taxes and Surcharges

Taxes on delivery charges			@	2.0408%			0.47
County sales tax			@	4.0000%			1.42

Subtotal Electricity Taxes and Surcharges **\$1.89**

Total Electricity Cost \$37.02



Gas Service - Residential
 Gas Rate - 08701H Sales

Service from: 09/17/16 - 10/14/16
 PoD ID:

Meter Number	Current Meter Read		Previous Meter Read		Reading Difference	Billed Usage	Billing Period
	Date	Reading	Date	Reading			
0J801217	10/14/16	9103 E	09/17/16	9007 E	96	96 ccf	28 days

Type of read: A - Actual, E - Estimate, C - Customer, R - Remote and N - No read

Natural Gas Delivery Charges

Natural gas used (ccf)	96						
Energy content factor	x 1.025700						
Natural gas used (therm)	98.5						
Basic service charge							16.30
Included in Basic service chg	3.0	therm	@	0.00			0.00
Delivery charge	47.0	therm	@	0.57893			27.21
Delivery charge	48.5	therm	@	0.13601			6.60
Weather adjustment	-2.500	therm	@	0.136			-0.34
Research & development charge	98.5	therm	@	0.001441			0.14
Transition surcharge	98.5	therm	@	0.011886			1.17
Revenue decoupling mech	98.5	therm	@	-0.004119			-0.41
NY state assessment	98.5	therm	@	0.0056			0.55
SBC charge	98.5	therm	@	0.00868			0.85

Subtotal Natural Gas Delivery **\$52.07**



Account Number: _____
Statement Date: October 19, 2016

Service Address: _____

Page 4 of 5

Natural Gas Supply Charges

Supply charge - September	46.2	therm	@	0.29775	13.76
Supply charge - October	52.3	therm	@	0.280212	14.66
Merchant function charge - Sep	46.2	therm	@	0.025423	1.17
Merchant function charge - Oct	52.3	therm	@	0.02491	1.30
Subtotal Natural Gas Supply					\$30.89

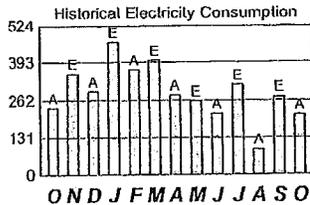
Natural Gas Taxes and Surcharges

Taxes on delivery charges	@	2.0408%	1.06	
County sales tax	@	4.0000%	3.36	
Subtotal Natural Gas Taxes and Surcharges				\$4.42

Total Natural Gas Cost \$87.38

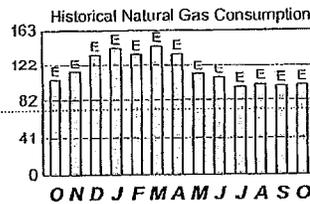
Total Energy Charges \$124.40

Usage Chart Information



Electricity Daily Average Comparisons

Billing Period	Average Daily Use	Average Daily Temp
Oct-16	7 kwh	56° F
Oct-15	9 kwh	58° F



Natural Gas Daily Average Comparisons

Billing Period	Average Daily Use	Average Daily Temp
Oct-16	4 therm	57° F
Oct-15	3 therm	57° F

Miscellaneous Charges

10/05/16	Natural gas no access fee	25.00
10/19/16	Payment & billing svcs charge	0.81
10/19/16	Payment & billing svcs charge sales tax	0.04
10/19/16	Payment & billing svcs GRT	0.02

Total Miscellaneous Charges \$25.87

Detailed Adjustments

10/05/16	Natural gas no access fee sales tax	1.00
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Total Adjustments \$1.00



Account Number:
Statement Date:

Service Address:

Page 5 of 5

Terms and Definitions

Delivery charge: what you pay NYSEG to transport energy to your home or business.

Supply charge: what you pay for the energy purchased for you by NYSEG or a supplier other than NYSEG.

Payment & billing services charge: the cost to produce and send you (electronically or paper) a bill and process payments. Customers who use an energy supplier (also known as an energy services company or ESCO) other than NYSEG will not be assessed this charge by NYSEG if their ESCO's supply charges appear on their NYSEG bill, however, their energy supplier may charge a similar fee.

Competitive meter charge, Competitive meter service charge, and Competitive meter data service: apply to customers billed under service classes 2, 3, and 7 whose metering services are provided by NYSEG. These meter services charges, previously included in the customer charge, are now broken out in the electricity section of the bill. Customers with a demand of 50 kilowatts or more for two consecutive months who use a meter service provider and a meter data service provider other than NYSEG are not assessed these charges.

Basic service charge: includes a portion of the cost of the meter, meter reading, billing and part of the cost for delivery service. Appears on your bill whether or not you use any electricity or natural gas during the billing period.

Kilowatt-hours (kwh): measure of electricity use.

Residential consumer discount: monthly payment received from the New York Power Authority (NYPA) to be used for the benefit of residential customers. It is included in the Transition Charge.

ccf (hundreds of cubic feet): measure of volume of natural gas used. You are charged based on therms, the energy (heat) content of natural gas.

Merchant function charge: reflects the administrative costs of obtaining electricity and natural gas supply. Customers with a supplier other than NYSEG are not charged by NYSEG for this service.

New York State Assessment: As required by state law, effective July 1, 2009, utilities must collect a special state assessment from customers for the state's general fund.

Reliability support services (RSS) charge: the cost incurred by NYSEG for third-party services to ensure local electric reliability needs are met.

System Benefits Charge (SBC): a state mandated charge for all electric and natural gas customers. The SBC is used to fund clean energy activities conducted by NYSERDA and energy efficiency programs administered by NYSEG.

Revenue Decoupling Mechanism: a charge or credit on your bill that reflects the difference between forecast and actual delivery service revenues by service classification to encourage the promotion of energy efficiency and renewable technologies.

Weather adjustment: moderates natural gas bills during any extreme weather between October 1 and May 31. If temperatures during the billing period are colder than normal, customers typically receive a credit; if temperatures are warmer than normal, customers receive a charge.

Meter Mult (Meter Multiplier): when the actual amount of energy you use is more than can be registered on the meter, the meter displays a fraction of your actual use. A multiplier is then applied to determine your actual energy use. When a multiplier is used, it will be shown in the "Meter Mult" box under the "NYSEG Detailed Account Activity" section of your bill.

Transition charge/surcharge: reflects the costs of making the electricity and/or natural gas industry more competitive; includes associated credits and/or charges.

Prorated bills: calculated by determining your average daily energy cost and multiplying it by the number of days in your billing period. Prorated bills are used only when your billing period is shorter or longer than usual.

Pay your bill by mail, at nyseg.com or at any of NYSEG's authorized pay agents. If you pay in person, please bring your entire bill.

Payment is due when you receive your bill. Your payment must be postmarked by the "Late Fee After" date shown on page 1. If paying in person, payment must be made by the "Late Fee After" date. Payments received after the "Late Fee After" date will be subject to a 1.5% late payment charge per month.

03/16/13



Account Number:
Statement Date:
Amount Due: \$151.27

Service Address:
Next Scheduled Read Date: On or about December 14, 2016

Page 1 of 5

Account Summary

Previous invoice	\$129.11
Total adjustments	1.00
Payments received as of 10/18/16	-129.11
Balance forward	\$1.00
Energy charges	124.40
Miscellaneous charges	25.87
Payment due upon receipt:	\$151.27

To avoid a 1.5% late payment charge, please ensure payment is received by the date displayed below.

Residential

Residential consumer discount \$ 0.30

See details beginning on page 3

See messages on page 2

054619.12

Think of the minutes, money and natural resources you'll save by doing business online or by phone 24/7.

Visit nyseg.com to:

- View and pay your bill online
- Submit and view meter readings
- Enroll and manage budget billing
- Enroll in Autopay

Call our self-service line at 1.800.600.2275 for billing information, provide a meter reading and to pay by phone.

Add \$1, \$2, or \$5 to your payment to make a tax-deductible donation to NYSEG and RG&E Project SHARE Heating Fund. Learn more at nyseg.com.

1.1.16

Exhibit C

TUFTS UNIVERSITY <http://www.tufts.edu>

Office of Sustainability

• Carbon Sequestration

Sequestration: How much CO₂ does a tree take up?

The issue of sequestration is very complicated. Sequestration rates vary greatly according to the age, composition, and location of the forests and the type of soil.

The information TCI used for its computer brochure was taken from:

Forests and Global Change, Vol. 2, Forest Management Opportunities for Mitigation of Carbon Emissions. Neil Sampson and Dwight Hair, Washington, 1996.

Northeast, maple-beech-birch forests

25 year old forest: 12,000 lbs of carbon / 25 = 480 lbs of C per acre per year x 44/12 = 1,760 lbs of CO₂ per acre per year

120 year old forest: 128,000 lbs of carbon / 120 = 1,066 lbs of C per year per acre x 44/12 = 3,909 lbs of CO₂ per acre per year

Tree density varies, and we used an average of 700 trees per acre (this number was taken from DOE's "Sector-Specific Issues and Reporting Methodologies Supporting the General Guidelines for the Voluntary Reporting of Greenhouse Gases under Sections 1605(b) of the Energy Policy Act of 1992")

25 year old forest: 1,760 lbs of CO₂ per acre per year / 700 trees = **average of 2.52 lbs of CO₂ per tree per year (rounded to 3 lbs)**

120 year old forest: 3,909 lbs of CO₂ per year per acre = **average of 5.58 lbs of CO₂ per tree per year**

Northeast, white and red pine forests

25 year old forest: 67,000 lbs of carbon / 25 = 2,680 lbs of C per acre per year x 44/12 = 9,826 lbs of CO₂ per acre per year / 700 = **average of 14 lbs of CO₂ per year per tree (rounded to 15 lbs)**

120 year old forest: 246,000 lbs of carbon / 120 = 2,050 lbs of C per acre per year x 44/12 = 7,516 lbs of CO₂ per acre per year / 700 = **average of 11.7 lbs of CO₂ per year per tree .**

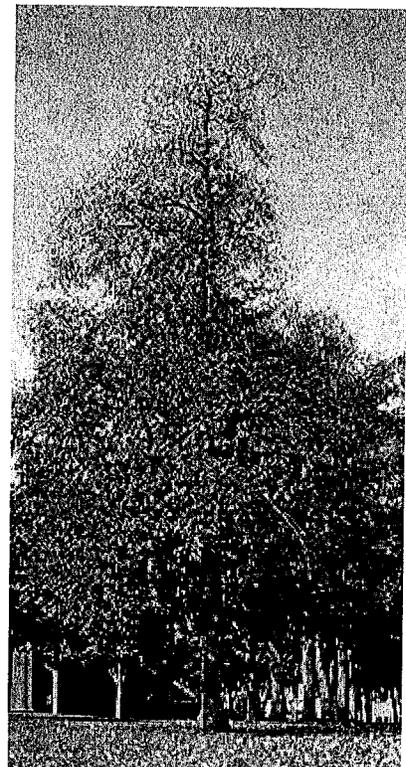
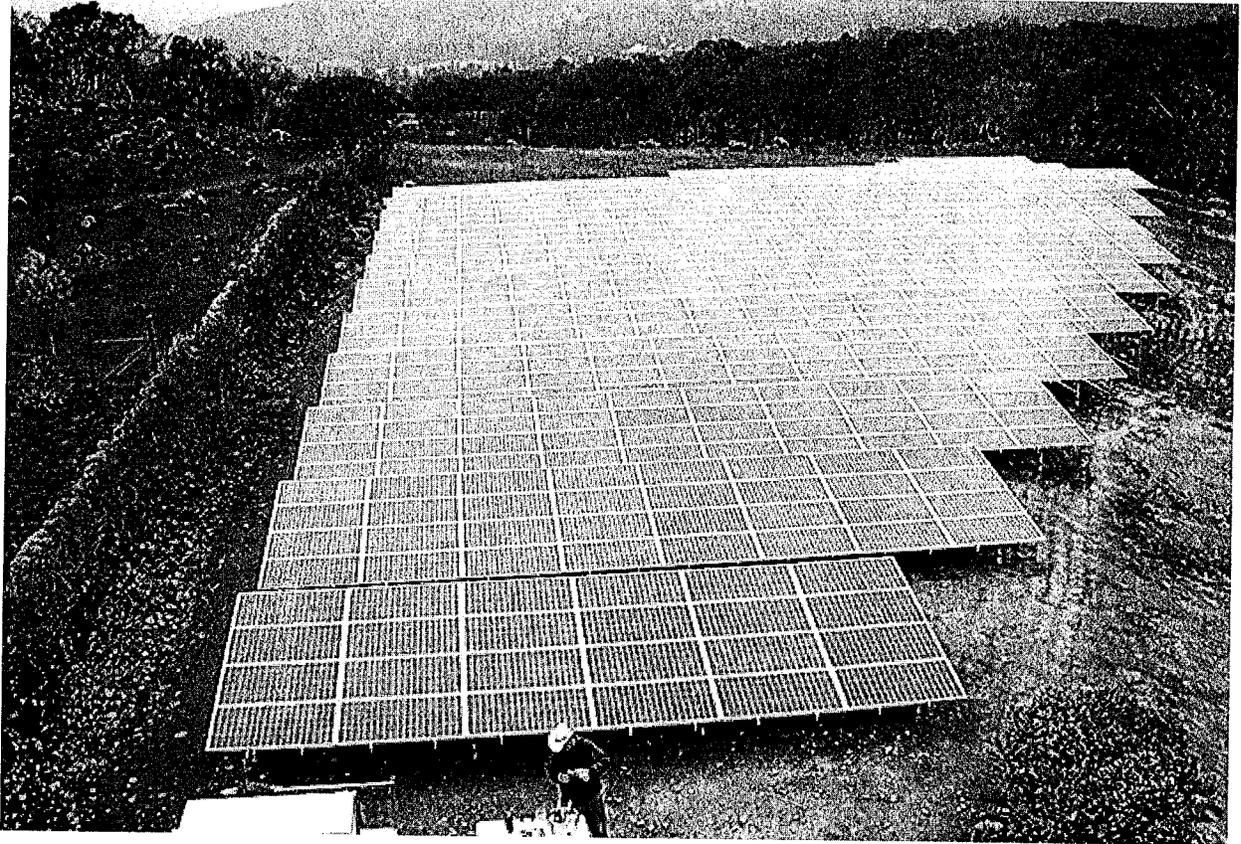
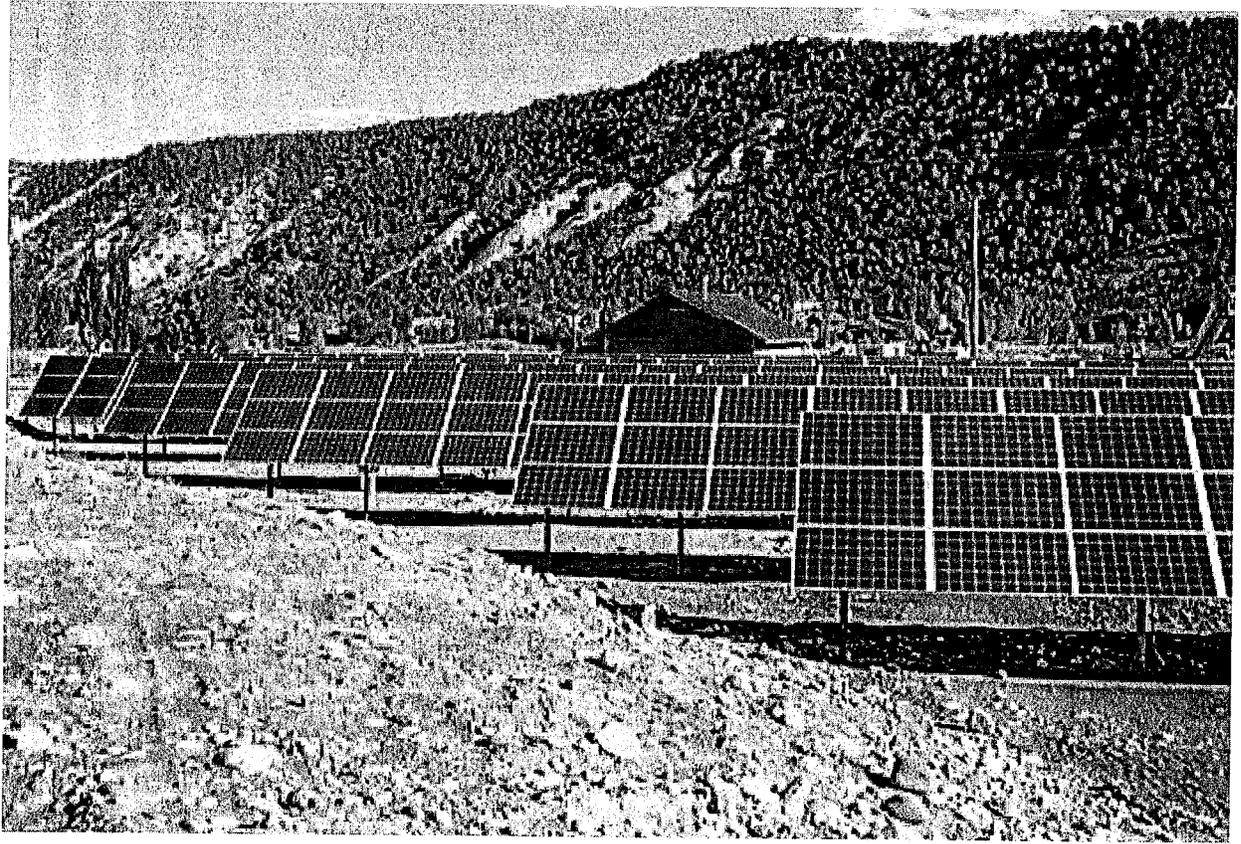


Exhibit D





From: arthur berkey aberkey@twcny.rr.com
Subject: Objection to issuing special permit for large scale energy systems
Date: July 20, 2017 at 4:22 PM
To: TOWN OF DRYDEN BOARD



MY NAME IS ARTHUR BERKEY, RESIDING AT 1205 ELLIS HOLLOW ROAD AND I OPPOSE APPROVAL OF A SPECIAL PERMIT FOR LARGE SCALE ENERGY SYSTEMS IN THE TWO SITES SPECIFIED. MY OBJECTIONS ARE AS FOLLOWS:

1. THE SITING IS UNFAIR TO THE DRYDEN RESIDENTS AFFECTED. RESIDENTS BUILD/PURCHASE/REMAIN IN LOCATIONS BASED IN PART ON ZONING, BE IT RESIDENCES OR CEMETERY LOTS. THE PERMITS ARE AN EXCEPTION/CHANGE IN VIOLATION OF THE TOWN'S OWN ZONING.

2. THE TOWN BOARD HAS UNFORTUNATELY AND UNWISELY CREATED THIS PROBLEM BY IT'S LACK OF TRANSPARENCY. DESPITE KNOWING ABOUT THE SOLAR COMPANY'S INTEREST FOR SOME THREE YEARS, THE BOARD SELECTED THE PRESENT TWO SITES WITHOUT PRIOR PUBLIC INPUT.

SEVERAL SPEAKERS HAVE ATTEMPTED TO JUSTIFY THE CURRENT SITES BY THE MERITS OF SOLAR ENERGY AS SUCH - WHICH IS NOT AT ISSUE GIVEN THERE ARE ALTERNATE SITES AVAILABLE TO PRODUCE SOLAR THAT DO NOT INFRINGE ON THE INTERESTS OF FELLOW RESIDENTS.

3. AGAIN, DIFFERENT SITING AND STILL PRODUCE SOLAR ENERGY IS POSSIBLE. ALTERNATE SITES AVOIDING OBJECTIONS ARE AVAILABLE AND HAVE BEEN SUGGESTED.

4. THE ZONING DOES NOT PERMIT THE SOLAR SYSTEMS, OTHERWISE A SPECIAL USE PERMIT WOULD NOT BE NEEDED. YET A BOARD MEMBER SPEAKING ON WHCU RADIO ATTEMPTED TO AVOID RESPONSIBILITY, STATING THE BOARD HAD NO CHOICE DUE TO UNSPECIFIED OTHER LEGAL RIGHTS.. THE BOARD MEMBER IS EITHER UNINFORMED OR UNWILLING TO ACCEPT RESPONSIBILITY FOR HER PROPOSED SPECIAL USE PERMIT.

5. MISREPRESENTATION. THE PROJECTS ARE MULTIPLE SMALLER UNITS DAISEY CHAINED TOGETHER TO AVOID CLASSIFICATION AS INDUSTRIAL SOLAR SUBJECT TO PSC OVERSIGHT, HIGHER TAXES, AND LOWER GOVERNMENT SUBSIDIES - SUBSIDIES PAID WITH OUR TAX DOLLARS.

6. BY IT'S SELECTION AND NEGOTIATION OF THE CURRENTLY PROPOSED SITES, THE TOWN BOARD HAS CAUSED THE SOLAR COMPANY TO INVEST TIME AND RESOURCES. YES, THE COMPANY HAS MADE CHANGES TO ACCOMMODATE CONCERNS. BUT IT IS NOT POSSIBLE TO MAKE A SILK PURSE OUT OF A SOW'S EAR SOLAR SUN'S INVESTMENT TO DATE DOES NOT JUSTIFY APPROVAL FOR THE CURRENT SITES.

7. FURTHER, I NOTE THAT THE TOWN BOARD HAS DELEGATED IT'S TAXING AUTHORITY TO THE IDA. The IDA CAN ONLY APPROVE TAX ABATEMENTS WHEN SO AUTHORIZED BY A MUNICIPALITY,

8. THE IDA HEARING ON THE PILOT TO BE PAID WAS A FARCE WITH A QUORUM NOT PRESENT, ONLY 3 OF 7 MEMBERS ATTENDING, AND ONE MEMBER HAD ALREADY LOBBIED FOR APPROVAL AND SHOULD HAVE BEEN RECUSED DUE TO CONFLICT OF INTEREST, NO QUESTIONS WERE ALLOWED, AND NO JUSTIFICATION FOR THE SOLAR COMPANY'S REQUEST FOR A SIGNIFICANT REDUCTION IN THE PILOT WAS PRESENTED. DELEGATION TO THE IDA SEEMS UNWISE.

IN SUMMARY, IT APPEARS THE TOWN BOARD IS ONCE AGAIN - AS WITH THE ATTEMPTED PURCHASE OF THE PINCKEY ROAD PROPERTY FOR 154% OF ASSESSED VALUATION WHICH WAS VOIDED BY PUBLIC VOTE, PROPOSING ACTION CONTRARY TO THE WISHES AND INTERESTS OF THE RESIDENTS THEY WERE ELECTED TO REPRESENT.

July 17, 2017

To the Dryden Town Board:

I support the community solar proposal and I urge the Town Board to approve it.

I live just inside the city of Ithaca on South Hill where I have attempted for several years with three different vendors and under two initiatives to add the advantages of solar power generation to my home lot, but my lot is unavoidably shaded by trees and houses across the street and uphill to the east, south and west. I finally invested in a Renovus-sponsored group solar project – similar in concept to a community solar project. I really appreciate the advantages that community solar can bring to people who are unable to generate renewable energy on their own property. Community solar is just another example of the best ways we can use our communities to enable all of us to achieve a greater good – which, among other benefits, is that of providing a more robust, de-centralized electric energy grid while decreasing climate change impacts and reducing the “carbon footprint” for the whole town.

I urge the Town Board to approve the Dryden community solar project. Thank you.

David Ritchie
160 Crescent Place
Ithaca, NY
607-273-4453

I am writing to implore our Dryden Town Board to allow the Diversified Solar projects to move forward.

- **DS has been highly responsive to all comments made and has made significant adjustments to their original plans to accommodate residents' concerns. This speaks highly of them as a company.**
- **Despite some folks' concerns that this negatively impacts Dryden farmland, a simple google search will show that sheep farming (which is part of the solar farm's intention to do) is a highly viable farming activity, producing both food AND fiber. Not only will this land produce renewable energy, it will continue as farmland besides.**
- **This project would provide lower cost, renewable energy to the whole of Dryden, enabling those who cannot otherwise access solar energy a chance to make this very important switch.**
- **We cannot continue to rely on fossil fuels. To continue with the status quo is to behave like the proverbial frog in the frying pan. I, for one, have no interest in being cooked.**

Therefore, I urge Dryden to act responsibly, and, as we did when we banned fracking in our town, to put the best interests of the many ahead of the self-interests of a few.

Please advance solar energy in our town without further delay.

Thank you

Ann Leonard

46 Hammond Hill

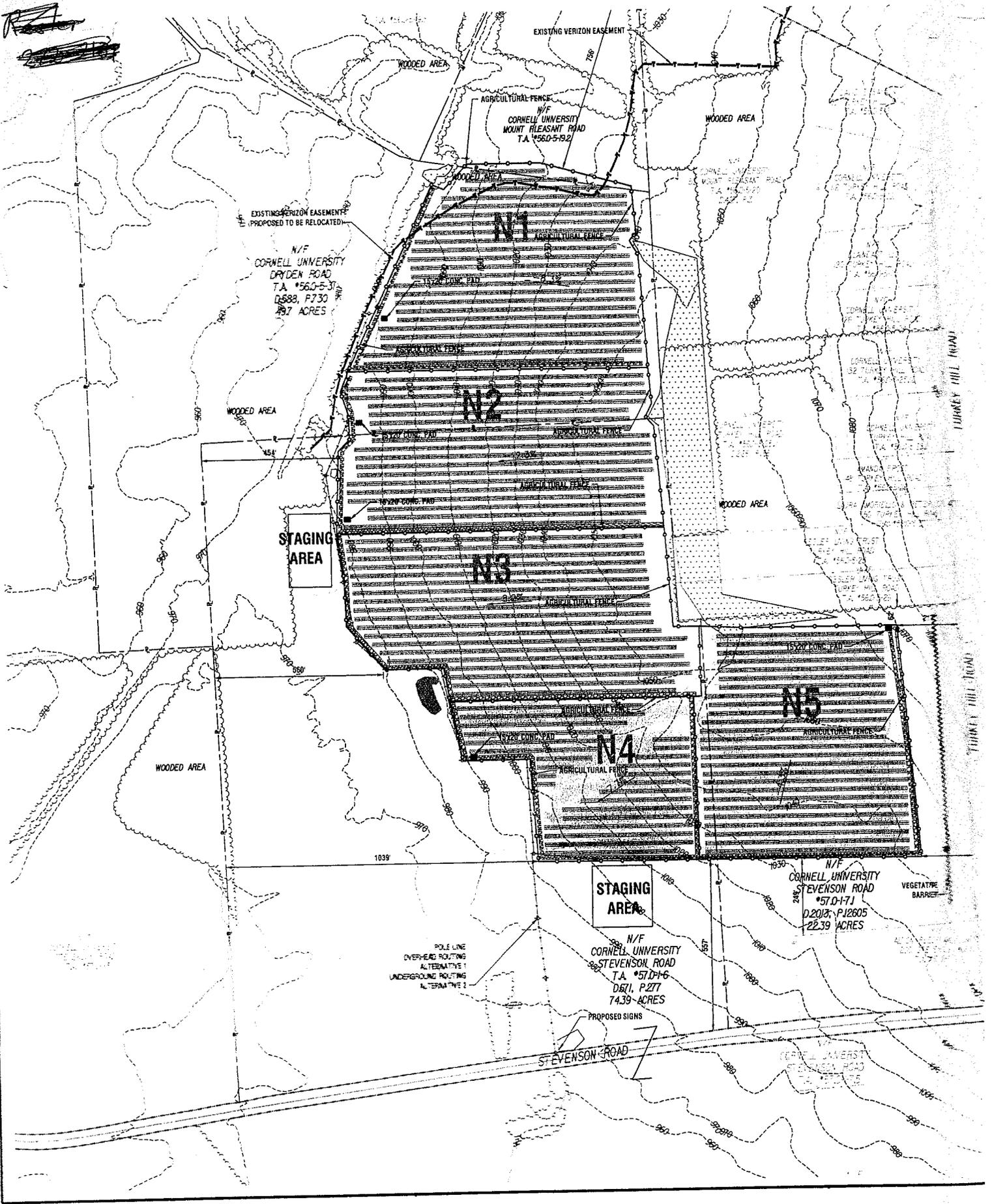
Freeville NY 13068

607-844-8706

Acceptable Footprint of proposed
Solar Project as determined by the
people directly effected by each
array. Areas ~~is~~ shaded in red are
unacceptable.

Submitted + researched by
Daren Miller

P.S. This study was only done
on the Ellis Hollow portion of the
project, because I am not familiar
with the Dryden Rd Parcel or the
people effected.



EXISTING VERIZON EASEMENT
(PROPOSED TO BE RELOCATED)

N/F
CORNELL UNIVERSITY
DRYDEN ROAD
T.A. #56.0-5-31
D588, P730
79.7 ACRES

N/F
CORNELL UNIVERSITY
MOUNT PLEASANT ROAD
T.A. #56.0-5-192

STAGING AREA

STAGING AREA

N/F
CORNELL UNIVERSITY
STEVENSON ROAD
T.A. #57.0-1-6
D671, P277
74.39 ACRES

N/F
CORNELL UNIVERSITY
STEVENSON ROAD
T.A. #57.0-1-71
D2013, P12605
22.39 ACRES

POLE LINE
OVERHEAD ROUTING
ALTERNATIVE 1
UNDERGROUND ROUTING
ALTERNATIVE 2

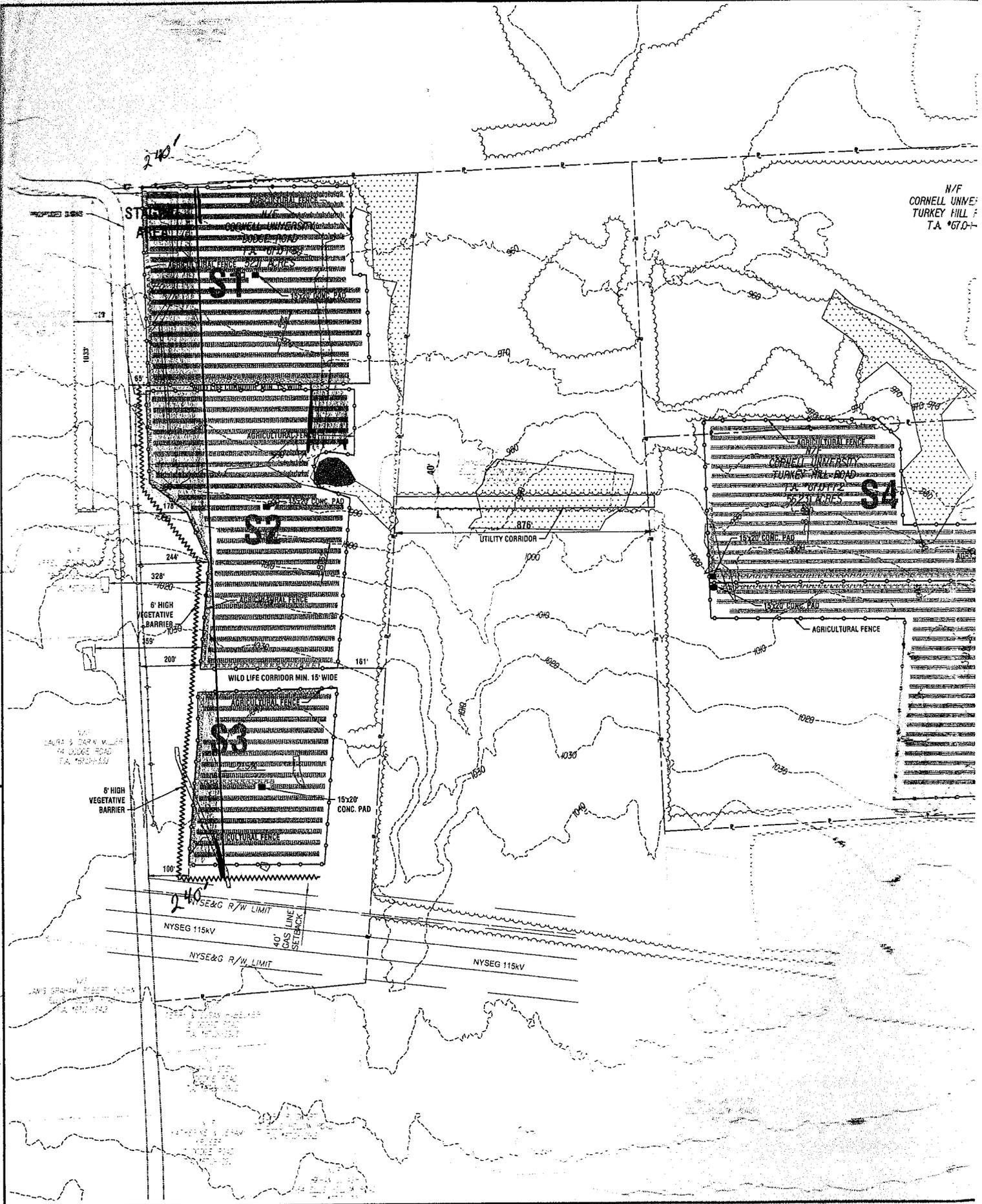
STEVENSON ROAD

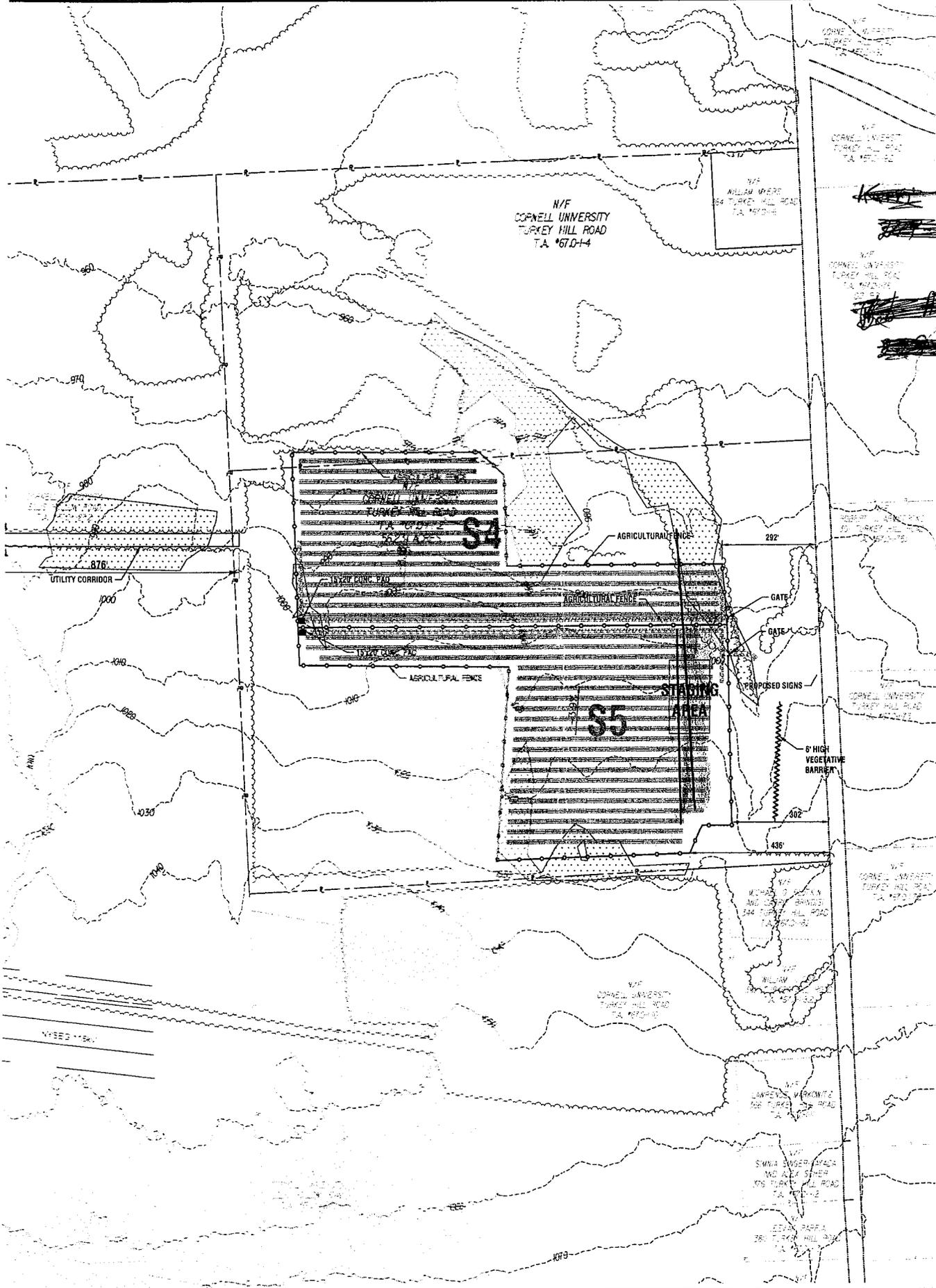
TURKEY HILL ROAD

TURKEY HILL ROAD

VEGETATIVE BARRIER

N/F
CORNELL UNIVE:
TURKEY HILL F
T.A. *67.D-





~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

DESCRIPTION
S1 Perennial Area
S2 Perennial Area
S3 Perennial Area
S4 Perennial Area
S5 Perennial Area
Under Vegetative Barrier
Total Perennial Area
Cornell Property
67-D-1
67-D-2

STATEMENT BY ROBERT I. WATROS

July 20, 2017

I believe the solar proposal by Distributed Sun, LLC is flawed. As I understand the issue, the current state law mandates that only 2 megawatts of power can be generated on a single parcel. The New York State Public Service Commission has issued an opinion that a large property can be subdivided to provide for several different 2MW projects.

I believe that this means that each parcel must have a separate interconnect to the connecting grid. Applicant has shown only one connection. The owner has requested a subdivision of his land to accommodate several 2MW projects all tied together making it one 11 megawatts (MW) industrial size generation facility. This subdivision is for the sole purpose of each subdivided parcel becoming eligible for NYSERDA grants for which a 70 acre parcel of 11 MW would not qualify.

I do not believe that the state law or PSC opinion intended a scheme such as the applicant proposes. If NYSE&G were to propose a 11 MW power plant, it is without question that it would come under the purview of the PSC, not the Town of Dryden.

By this subdivision scheme, the applicant is attempting to circumvent the rules of the State Environmental Quality Review Act (SEQRA). The act of creating a subdivision itself creates a need for a cumulative impact analysis due to each project now being a separate stand-alone project. Segmenting the project does not alter the fact that the cumulative impact of 11 MW's of solar panels and a 5 fold increase in roads and soil compaction are significant.

The applicant by this subdivision has increased the environmental impact for the sole purpose of making more money through grants and benefits not available for a single 11 MW project.

It is for the above reasons that I think the town board should reject the subdivision proposal and proposed development at 2150 Dryden Road.



Robert I. Watros
14 Evergreen Street
Dryden, NY 13053

Dryden PV, 2017

In Dryden, we recently experienced “the new climate normal” - an abnormal rainfall rate for a prolonged period of time. This happens when the tropical weather moves northward in this country as a result of Global Warming. While average yearly rainfall rates may not change much, the severity of rainfall events WILL increase – it’s just a math/statistics thing. When more energy is dumped into a confined volume/mass as big our planet’s ecosphere, stuff like this and worse happens.

This means local governments will need to increase taxes to “harden” the region - creek beds will need to be deepened/widened at chokepoints, bridges reworked and/or else houses and villages/towns will have to be abandoned. Last week, we were lucky only a few homes got flooded out by the flash flood sequentially mowed over beaver dams, making the surge worse as it traveled down Dryden Lake Creek outlet.

The root cause is net CO2 pollution of our atmosphere - nowadays burning up nearly a million years of stashed hydrocarbons (from reduced CO2) in less than a year. Atmospheric CO2 levels of 318 ppm in 1958 are now over 412 ppm in 2017, and the change in CO2 ppm/year rate is INCREASING. The basic solution to this is easy to understand, and it is in the electricity sector that the easiest partial cure for Global Warming is accomplished. Just stop burning coal and methane to make electricity, and, in general, use wind turbines supplemented by solar PV and other renewable technologies, instead. If done right, the deployment of renewable electricity generation systems could be a massive economic stimulus, and a massive wealth generation/redistribution, which would immensely benefit our country. IF done right.

But when lunatic ideas like “the dead don’t want PV panels (or wind turbines) placed next to them – it’s SO disrespectful” become publicly acceptable, well, a discussion of the right way to meld renewable electricity and economic stimulus in our country/region obviously is not possible. When people spout such absurdities, it’s because they have been programmed for that, and either they are compliant in this brainwashing, don’t care or don’t even know it is happening to them. The Mob have a term for it - “button man” - press the button and somebody does what they are told, no thinking needed or allowed. Or as Pete Townshend has stated – “You know that the hypnotized never lie”.

And it would be nice if we could be discussing how to do renewable electricity in a way that allowed most or all to benefit significantly and not minutely, not just a tiny ultra-wealthy elite (almost by definition, Republican) who can exploit tax avoidance incentives which only they can use, and then pig out at the proverbial trough when they rake in the rentier profits by selling off their taxpayer subsidized assets. It would be nice to be able to discuss this, but when ignorance reigns supreme, it is only the wealthy who clean up while the rest of us get left behind.

Dave Bradley
45 Mill Street, Dryden, NY 13053
499 words
File = bwag072017a.doc

May 8, 2017

Dear Dryden Town Board -

I am Jerelynn Smith and I am an 11th grade student at Lehman Alternative Community School. I have been to a few of your meetings and would like to voice my own opinion of the solar panels.

Personally, I like to look towards a hopeful future, not a fearful one. I feel that many of the old folks are afraid of this NEW CHANGE. Those are key words for them. Many are afraid of change. Me being one of them. I've feared change since i was twelve, but i feel this is a change worth experiencing!

These solar panels are MY future. Either we get behind the only available green energy change and help save the planet, or come up with a better idea, because I am NEVER going to stand behind a compressor station of ANY KIND! Those are the only two options here; clean air, or dirty contaminated air. I want a clean, green future for my children, and that will NOT come by being too AFRAID of CHANGE!

We cannot sit around and wait for others to do the work we are already able to do. This causes disconnection from both society and from ourselves. We CANNOT allow fear to be our deciding factor here! We need faith.

Faith that this new energy source WILL WORK.

Faith that, as a community, we will do what is right.

Faith that, as we do what is right, we better ourselves more than anyone else can.

Faith that, "YES WE CAN!" and "YES WE WILL!"

Please give us more solar panels than more compressor stations. PLEASE! For MY future as well as my children's.

Thank you.

Sincerely,

Jerelynn Smith

Claudia Wheatley
60 Hickory Circle

Text as prepared for presentation

My name is Claudia Wheatley, and I live in Ellis Hollow.

Before I retired from Cornell this spring I used Stevenson Road as my commuter route. I always admired the sunny fields on either side of the road and thought they would be perfect for solar arrays. I am delighted to see that a developer is thinking the same thing. I hope the project will move forward.

My family moved to Lansing in 1967 so my dad could help oversee construction of a nuclear power plant on Cayuga Lake. Bell Station never got off the ground, so NYSEG continued to operate Milliken Station, the coal-fired plant that occupies one of the most beautiful lakefront properties in Tompkins County.

I was a reporter for many years and attended many public meetings like this one. I heard the same remarks over and over: "I love solar, but not in Dryden." "I love hydropower, but not in Fall Creek." "I agree with wind power, but not in Enfield." The message is clear: "I love alternative energy *in theory*, but not here." And now it is 2017, and we are still heavily dependent on fossil fuels, still cursing hydraulic fracturing, still hating oil, still asking, "Why can't we have alternative energy?"

We don't have alternative energy because we value our viewsheds more than we value the environment. Because we would rather go on burning coal and oil than risk the

possibility that someone will make some money. And we won't have alternative energy until someone, somewhere, takes a deep breath and says, "Okay. Put it here, in my backyard."

You're thinking, "That's easy for her to say. It's not going in her backyard." True; but I'm not asking anyone to suffer more than I did when Coal was King.

My family lived on one mile uphill from Milliken Station and one mile downhill from the plant's fly ash dump. All day long, dump trucks went by our house taking fly ash to the dump and rattling back down to the plant to reload. The noise and grit were pretty bad. Every time it rained hard, runoff from the dump trickled down the hill into our yard.

The Dryden projects will provide a clean, silent alternative to coal, and a considerably safer alternative to nuclear power plants of the 1970s. People who have never lived near a power plant may not recognize the significance of this next step in energy production. But I did. And I do.

Laurence Heller

1167 Ellis Hollow Rd
Town of Dryden, NY

July 20, 2017

Re: SPECIAL USE PERMIT APPLICATION SUBMITTED TO TOWN BOARD Town of Dryden, Tompkins County ELLIS TRACT Dryden, New York 13053

Gentle Members of the Town of Dryden Planning Board:

This is a huge project. Not someone asking for a variance to put up a garage 2 feet over the allowed zoning markers that may impact a few neighbors. But a huge tract of land already designated by our county as among the best viewsapes in the area.

Sun-8 is a company looking to make a serious profit from this endeavor. They are not out to save the world from carbon emissions. Sarah Zemanick, the Cornell rep said Sun8 will sell the carbon credits generated by the project to Cornell. Another maximization of profit.

They asking for special consideration from this board so they can maximize their profit beyond the generous local tax breaks already granted the project. I feel they should be willing to offer to seriously reduce the up to 40 acres of trees they are proposing to cut. I asked Barath Srivinasan about why the shading was such a problem. Why not just scale down? He responded that scaling down made the project unprofitable. Yet their are least two other solar companies in Tompkins County that are going ahead with much smaller solar farms: just 2 MW or less, not 18 MW.. They see no profit problem with such a smaller scale. Why does Sun8?

To further add to my consternation about his response, the solar farm put in by Sun8 just north of the county airport has a forested area on its western border that shades several rows of panels when the sun is at a 45 degree angle in the afternoon. Why is this okay, for that solar farm, but not for the proposed Ellis Tract?

I'm particularly concerned about the magnificent tract 80-year old Norway spruce trees just west of the project that is slated for devastation. It offers a wonderful viewscape from the east, a welcome wind block in winter, shade from the hot sun in summer and is home to many local denizen. Shame on Cornell for just offering to allow these majestic trees to be cut.

Solar farms are a good thing, especially when done well. The one by the airport is actually a prime example. It is well hidden from view and has minimal impact on the surrounding area. Kudos to Sun8. But this current proposed project seriously impacts the local area around it and needs work.

This board won my admiration when it bravely stood up to fracking profiteers in favor of the quality of life of all Dryden citizens. Please keep that quality of life, the viewscape and the local wildlife, in mind as you review this application.

Respectively submitted,

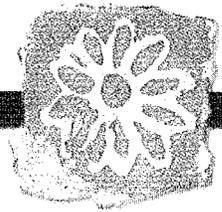
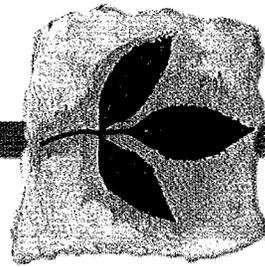
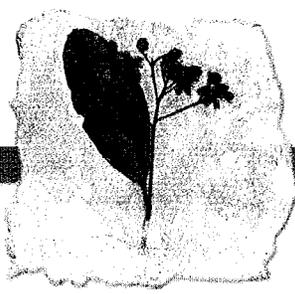
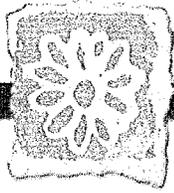
Laurence Heller
1167 Ellis Hollow Rd

P.S. What happened to the solar moratorium?

Ideas for Community Solar Statement

- Hi! My name is Mike Pitzrick, and I moved to Dryden 6 years ago because I was attracted to how folks cared about their community, and how active they were in making the Town a better place to live.
- I think global climate change is an important societal issue, and am delighted that the Town has stepped up to the plate to do something about it with this community solar project.
- I like the idea of saving 10% on my electric bill, and having the benefit of \$8,000,00 in taxes paid to the Town of Dryden and Tompkins County.
- I like that community solar in Dryden will have a minimal impact on the environment, certainly less than Cayuga Power Plant.
- This coal burning power plant releases a number of significant pollutants into our community:
 - carbon dioxide, contributing to global climate change
 - tons of sulfates and nitrogen oxides, contributing to regional acid rain
 - mercury, which retards fetus growth in the womb, and retards infant brain development, up to 30 miles downwind, that is, in Dryden
 - heavy metals and other pollutants in the ground water and Cayuga Lake, affecting the drinking water of thousands.
- I use electricity, and I would love to consume it without harming my community.
- Please, this is the right thing to do, the responsible thing to do. Let's look forward to the future, and the life of our children and our children's children!


Michael Pitzrick
9 Meadowlark Dr.,
Ithaca, NY 14850



Dear Members of the Board,

July 20, 2017

My name is Jane Mezder and I live at 59 Palmetto Rd in Freeville. I have been a voting member of the Dryden community for close to 30 years, and am excited by the prospect of our community becoming increasingly energy independent.

I am proud of our community. Together we fought an arduous grassroots movement that prevented the siting of a potentially toxic landfill within our town's borders, an effort to which I personally committed countless hours.

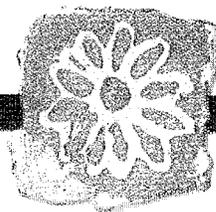
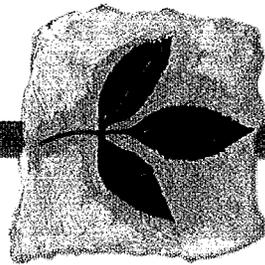
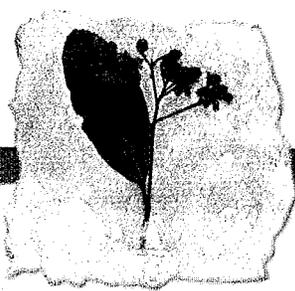
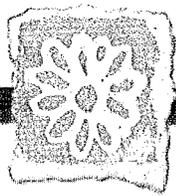
Many years later our community rose to ban the insidious practice of fracking - leading the way and setting an example that other rural communities across the land have followed. Now our community is poised to lead again, as we have the opportunity to initiate solar projects that will set a precedent and demonstrate our citizen's commitment to developing alternative sources of energy that stand to protect our land and its people for generations to come. The company that has initiated these projects has proven ~~responsible and~~ extremely responsive to the neighbors, and responsible to the preservation of the environment, and of our community's aesthetic and rural way of life.

I am writing this note to urge the board to unanimously vote to proceed with the development of the proposed, and well researched, solar projects and lead Dryden into a cleaner, greener energy independent future that honors and protects our community's health, and manifests our capacity for forward thinking and courageous action.

My gratitude for the many hours the board has committed to this project,

sincerely,

Jan B. Mezder



To Members of the Dryden Town Board:

I fully support the community solar projects planned for Ellis Hollow/Cornell and Rt 13 sites. I feel the company's response to citizen's concerns have been thoughtful & thorough - I have seen the projected line of site modifications & I think they are about 1/2 beyond addressing the stated concerns.

One other thought - people who are most affected; can they be won over by being compensated (free electricity for 10 yrs., e.g.). This is what the "landmen" representing the gas companies did with the signing bonus + royalties. Perhaps impractical!

Thank you for your service,

(Jon Erickson)
59 Palmer Rd
Freerville