

**From:** Joseph Wilson [REDACTED]  
**Sent:** Wednesday, September 19, 2018 12:31 PM  
**Subject:** Fwd: Dryden Trinitas Town Homes Project--Site Plan, SEQRA, and County Reviews

Colleagues, I have sent the attached email to the Town Board and copied the County Planning Department. The latter because I reference its 239 review criteria for new construction.

I want you to know my thinking about Trinitas as it relates to emissions, energy, and design. I indicated in a "PS" that I was writing as an individual and not for the Planning Board as a whole.

**Re. Site Plan and SEQRA review of Trinitas Townhomes in Dryden**

Dear Dryden Town Board Members and Town Planning Staff,

I understand that the Trinitas developer will be filing an up-dated Full Environmental Assessment Form Part 1 (hereafter FEAF). Before the Board completes its Site Plan and SEQRA Reviews, I offer these comments.

Before writing the comments, I studied the developer's Full Environmental Assessment Form (FEAF), Part 1 and Department of Environmental

Conservation (DEC) publication, "Full Environmental Assessment (FEAF) Workbook." (hereafter Workbook)

<sup>1</sup>

### A. Methane:

The developer incorrectly denied that this project will generate Methane emissions in its responses in its FEAF Part 1.<sup>2</sup>

Because of the profound negative impact which Methane emissions have on our environment through its powerful heat-trapping capability, SEQRA requires a developer to quantify the Methane emissions to be generated in terms of tons of CO<sub>2</sub> equivalent (CO<sub>2</sub>e) and to describe its proposed methods to control or eliminate these emissions. (FEAF Part 1, Question D.2.h.) This omission needs to be corrected in Trinitas' next FEAF.

1. Quantification of Methane emissions: Locally, the County and Cornell University have adopted a procedure for calculating emissions which the developer should follow. The procedure is an updated version of the out-dated approach outlined in the DEC's *Guide for Assessing Energy Use and Greenhouse Gas Emissions in an Environmental Impact Statement*

published in 2009. This method includes a calculation of "upstream Methane emissions."<sup>3</sup> I believe that the County Planning Department and Professor Robert Howarth at Cornell can help with the calculations.

2. Control and Elimination of Methane Emissions in Town Homes: The reasonable and practical methods of control or elimination of Methane emissions in the context of residential developments like this project include using electricity rather than fossil fuels as a source of power, generating some or all of the power from renewable sources, and constructing the buildings to be highly efficient. A recent report by local firm, Tatem Engineering, documents examples, costs, etc. and is a good starting reference.<sup>4</sup> The County Planning Department has a staff person, the "Energy Navigator," whose job it is to help developers design and build to reduce energy demand and emissions. In short and as required by SEQRA, the information for the developer to use for design and for completing the FEAf are readily available.

## B. Energy:

In answering Question D.2.k., the developer has said that its project will NOT "generate new or additional demand for energy." Given the 600+ renters who are

anticipated, the number of buildings proposed, the addition of a recreation center with its heated pool, the total square footage to be enclosed, it is obvious that there will be a substantial new demand for energy.

While the wording of the Question on its face excludes residential construction, the Board has discretion to take notice of potentially significant impacts<sup>5</sup> such as this substantial increase in energy and to request pertinent information.<sup>6</sup> The Board can then require the developer to provide the information in the sub-questions regarding the estimated annual energy demand and the source of energy. The obvious place in Trinitas' FEAFF to put the information is in FEAFF Part 1, Section F. This section is labeled, "Additional Information."<sup>7</sup>

In previous public meetings, this Board has already advised the developer that the amount of energy, its source, alternatives to gas, and mitigation measures such as heat pumps and efficient buildings will be considered as part of its review. Requesting such information is authorized by provisions in the Dryden Zoning law Section 1103 B.<sup>8</sup>

Such information is needed to help the Board decide the "significance" of the impact of energy use and

associated emissions under SEQRA. The information is also needed to determine the "significance" of the conflict which gas use and its emissions will cause with our Community Plans. In this case, the Community Plans at issue is the County's Energy Road Map which calls for reductions in greenhouse gas emissions and natural gas use rather than increases.<sup>9</sup>

### **C. Building Design:**

The Board should also ask the developer to provide additional, definitive information on its building design. Building design is highly relevant during Site Plan and SEQRA review because design has a major impact on energy demand and greenhouse gas emissions.

Addressing design issues during Site Plan/SEQRA review is consistent with the common sense principle (repeated in SEQRA) that the best time to consider alternatives and mitigation measures is before a design has been finalized.

The County, to "inspire immediate action to reduce energy use and transition to renewable energy," has created a list of design features that will accomplish these purposes. They appear in "Tompkins County Energy Recommendations for New Construction (2018)." <sup>10</sup>

The Recommendations are also a guide for developers through a portion of its mandated "239 review" for new construction. In this case, Trinitas will have to comply with the requirements before this Board approves the project; so requesting that they comply during Site Plan/SEQRA review is the most appropriate time for all involved to address the County's Recommendations.

There is a caveat regarding efficient building design. The developer has said it will try to comply with "LEED" (i.e. "Leadership in Energy and Environmental Design"). According to a recent peer-reviewed study about the energy performance of buildings in New York City, however, it was found that "LEED Silver" and "LEED Gold" buildings performed WORSE than building to current Code.<sup>11</sup> This means that the Board should not accept LEED Silver or Gold as an adequate building standard to mitigate the project's energy demand and emissions.

For these reasons, under its authority in the Zoning Law and as a matter of best practice, the Board should ask the developer to comply with the County's Recommendation and document this as part of its next FEA/F, Part 1, F. submission.

/s/ Joseph M. Wilson

PS: I write as an individual and not voicing the collective opinion of the Town Planning Board of which I am a member.

## c: Dryden Planning Board, Tompkins County Planning Department

[1https://www.dec.ny.gov/permits/91614.html](https://www.dec.ny.gov/permits/91614.html)

[2See Trinitas' answer to Question D.2. h. at page 7: http://dryden.ny.us/wp-content/uploads/2018/07/Executed-Full-EAF-Trinitas-Dryden.pdf](http://dryden.ny.us/wp-content/uploads/2018/07/Executed-Full-EAF-Trinitas-Dryden.pdf)

[3See as examples of quantification: "Tompkins County Energy Road Map"](#)

[http://tompkinscountyny.gov/files2/planning/energyclimate/documents/Energy\\_Roadmap\\_3-25-16.pdf](http://tompkinscountyny.gov/files2/planning/energyclimate/documents/Energy_Roadmap_3-25-16.pdf) and "Options for Achieving a Carbon Neutral Campus by 2035,"

<https://www.google.com/search?q=Options+for+Achieving+a+Carbon+Neutral+Campus+by+2035&oq=Options+for+Achieving+a+Carbon+Neutral+Campus+by+2035&aq=chrome..69i57j69i60l3.2096j0j7&sourceid=chrome&ie=UTF-8>

[4](#) " Representative Building Energy Study In Tompkins County (Townhouses and Custom Homes)," May 2, 2017, Taitem Engineering, PC, 110 South Albany Street, Ithaca, NY 14850.

<http://ccetompkins.org/resources/representative-building-energy-study-in-tompkins-county>

[5](#) "While the EAF's need to be completed according to the Part 617 regulations, interpretation on the size or significance of an impact is at the discretion of the reviewing agency."

"Introduction," Workbook, page 5

[6](#) "Part 2 is used to help the reviewing agency identify potential impacts that may result from the project. In order to do this, the reviewing agency will evaluate information from Part 1, but may also ask the applicant for clarification of information provided in Part 1, or additional information." Workbook, page 1

[7](#) In Section F, the directions read: "Attach any additional information which may be needed to clarify your project. If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them."

[8](#) The Board has this authority under two sub-sections of its Zoning Law. The relevant language under Section 1103. B. read: "15. Location, design, and construction materials of all energy distribution facilities, including electrical, gas and solar energy;" and "28. Other elements integral to the proposed development as considered necessary by the Board; "

[9](#) See Tompkins County Energy Road Map, March 4, 2016, Figure 1, p.2; Table 3 and explanatory paragraph, p. 4; and "Recommendations" nos. 2 and 4, p. 7. Executive Summary retrievable at: [http://tompkinscountyny.gov/files/planning/energyclimate/documents/Executive\\_Summary\\_Recs-TOC\\_3-24-16v1.pdf](http://tompkinscountyny.gov/files/planning/energyclimate/documents/Executive_Summary_Recs-TOC_3-24-16v1.pdf) ;

10The Recommendations include information on equipment and appliances, heat pumps, renewables, building envelope, lighting technology, heating and cooling systems, and whole-building energy modeling. [http://tompkinscountyny.gov/files2/planning/community\\_planning/documents/TC Energy Recommendations for New Construction 2018.pdf](http://tompkinscountyny.gov/files2/planning/community_planning/documents/TC%20Energy%20Recommendations%20for%20New%20Construction%202018.pdf)

11Scofield, John H., "Efficacy of LEED-certification in reducing energy consumption and greenhouse gas emissions for large New York City office buildings," in *Energy and Buildings*, Vol. 67, December 2013, pages 517-524 at page 524.  
<https://www.sciencedirect.com/science/article/pii/S037877881300529X#fn0005>

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**From:** Peter J. Davies [REDACTED] >  
**Sent:** Wednesday, September 19, 2018 3:06 PM  
**Subject:** Resolution #6 for 2018 from the Conservation Board to the Dryden Town Board with regard to the Trinitas Development in Varna.

**Resolution #6 for 2018** from the Conservation Board to the Dryden Town Board with regard to the Trinitas Development in Varna.

- **Whereas** the proposed location includes a steep slope subject to erosion.  
[From the site plan much of the site has a slope of 25% and 35%; by comparison the steepest section of Mount Pleasant Road at the edge of the site has a slope of 15%.]
- **Whereas** extensive blacktop will lead to high volume runoff, further causing land erosion.

**Be it resolved** that The Conservation board recommends that the Town board reject the Trinitas proposal UNLESS:

- 1) The trees and other large vegetation be left on slopes exceeding 15% both during construction and in the final development and
- 2) Appropriate Storm Water Pollution Prevention be a prominent part of the project.

Adopted unanimously on August 28<sup>th</sup> 2018.

Peter Davies,  
Chair,  
Conservation Board

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