

**Dryden Conservation Board  
September 25, 2018**

**Members Present:** Peter Davies (Chair), Steve Bisson, Mike Richmond, Craig Schutt, Gian Dodici, Tim Woods, Bob Beck, Jeanne Grace, and (at 7:30) Nancy Munkenbeck.

**Liaisons:** David Weinstein (Planning Board), and (at 8:30) Dan Lamb (Town Board)

The meeting was called to order at 6:58 PM

**Review and approval of minutes from August 28, 2018**

G. Dodici made a motion to approve the August 28, 2018 minutes, seconded by B. Beck, and unanimously approved.

**Additions to the agenda:**

J. Grace – Conservation easement inspections

D. Weinstein - Trinitas and Freese Road Bridge update from the meeting on September 24, 2018.

**Reports and updates:**

**Agricultural Advisory Committee - C. Schutt**

See attached report from September 12, 2018 meeting.

**Planning Board – D. Weinstein – no meeting.**

TRINITAS D. Weinstein advised that the town board had decided, at last night's meeting, to approve the concept of a 552-bedroom development. Concept included building on the very steep slope that this committee had sent a resolution to the town board advising against removal of vegetation on the steep slope. D. Lamb – Advised they are in a suspended mode, as there is concern regarding the number of students. Leases will be by the unit and not by the room to hopefully avoid a transient type tenant. Discussion ensued regarding the conservation board's recommendation not to build on the slope and the town board approving the concept, and what is appropriate and meets the Varna Plan.

FREESE RD BRIDGE D. Weinstein – Advised the number of alternatives has been reduced to either a new, two-lane truss bridge or a new, two-lane truss bridge using old trusses as decorative sides on new bridge. Both options will require filling in the federally designated wetland below the bridge with 26' X 30' X 15' of material. This will reduce the width of the flood zone by 20%, which will accelerate the flow and create potential backflow that could threaten homes. They are removing the 4' wide pier in the middle of the creek so you have to buildout 26'. The bottom of the bridge will be closer to the stream so any 50-year flood, there will be 4' of freeboard; whereas, any 100-year flood there would be no inches of freeboard. This meets the DEC's requirement. We do have a \$2,700,000 grant to cover whatever option is chosen. D. Lamb -Rehabilitating the current bridge would only be a 20-year bridge and after 20 years we would have yearly maintenance costs that would increase expense for the town. We are looking at a modern-style truss bridge that has a 75-year life span with no maintenance. G. Dodici questioned the reduced hydraulic capacity of the bridge. D. Lamb advised they have not yet settled on the design. The next stage will be to get the designs evaluated and presented at a public hearing.

N. Munkenbeck made a motion to pass the following resolution:

**Resolution #7 for 2018** from the Conservation Board to the Dryden Town Board regarding the Freese Road Bridge in Varna

**Be it resolved,** The Town of Dryden Conservation Board strongly disapproves the plan to fill-in federally designated wetlands as part of the renovation or replacement of the Freese Road bridge and asks the Dryden Town Board to ensure that no loss of existing wetlands takes place in the planning and installation of the said bridge.

Motion was seconded by G. Dodici and passed unanimously by the Conservation Board on September 25<sup>th</sup>, 2018.

**Environmental Management Council – S. Bissen**

See attached report. S. Bissen mentioned that Dryden seems to be falling behind with regards to promoting electric vehicles. Installation of charging stations, as well as policies that would be favorable to electric vehicles. P. Davies asked that S. Bissen bring some information to a meeting for discussion and a possible resolution to the town board. B. Beck mentioned other towns in the county have gone through NYSERDA and that with a little bit of effort Dryden could be up to par. B. Beck will bring information to the next conservation board meeting. G. Dodici advised most of NYSERDA's grants are quota based so there is incentive to join early because most rebates tend to be on a sliding scale downward.

**Dryden Rail Trail – B. Beck**

Advised 7 benches had been installed between Dryden and Freeville last weekend. A great work crew assembled the benches while Bruno Schickel and Dean Russo were digging the holes for the bench installation. They plan to have the top board of each bench routed with "Dryden Rail Trail" at Roscoe Brothers in Dryden. Need to get 3 kiosks built and installed in the Village of Dryden, George Road, and the Village of Freeville. We are planning to report back to AARP in early November as required by the grant. Conversation ensued regarding crush stone base, flashing pedestrian lights at high-risk crossings, easements, and bridge deck and railing work.

**New Business:**

Finalization of the Wind Generation Law:

P. Davies - The town asked us to compose the Wind Generation law. I put this together essentially using the previous law, changing it to allow larger turbines (as requested by the town), and we went up to 25 kW. Discussion ensued regarding noise, emergency and non-emergency shutdown, auto shut-off, underground wiring requirement, and the following is the result of the discussion:

**Small Wind Energy Electrical Conversion Systems (WEECS)**

Small-Scale Wind Energy Systems consisting of a single turbine should be a permitted as-of-right accessory use throughout the community. The intent of this Article is to encourage the

development of small wind energy systems and to protect the public health, safety, and community welfare.

This Article regulates and provides standards for Small Wind Energy Conversion Systems (WEECS) designed for on-site home, farm, and commercial use, and that are primarily used to reduce on-site consumption of public utility generated and distributed electricity.

This shall apply only to windmills involved in electricity generation.

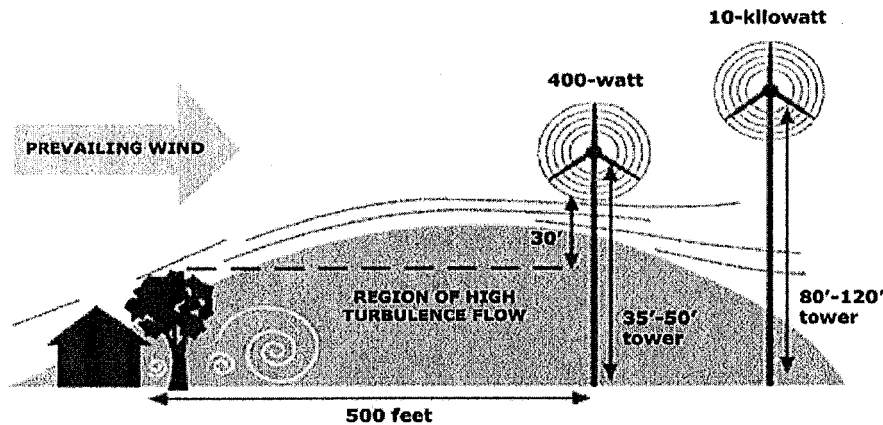
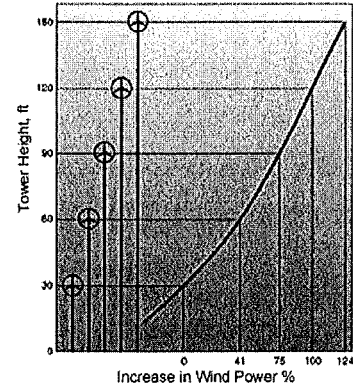
### **Section 1 Development Standards**

All Small WEECS shall comply with all the following standards.

Plans for the installation shall be approved by the Town planning department prior to installation.

- 1) **Appropriate Locations.** This may include agricultural, residential, commercial/industrial, and public property class designations. Parcels should be at least a 2-acre circle free of human occupied structures and property lines.
- 2) **Areas deemed inappropriate** include Unique natural areas (UNAs), slopes >15%, Important Bird Areas, Publicly owned open space, Critical Environmental Areas, Airport approach and clear zones, and Cornell natural areas. Any proposed installations in such areas will require a special use permit.
- 3) **Setbacks.** Setbacks for Small-Scale Wind Energy Systems from lot lines should be the total height of the installation plus 10 feet, unless the affected adjoining property owner agrees otherwise in writing. This setback should be measured from the center of the tower.
- 4) **Location on a Property.** In residential zoning districts, Small-Scale Wind Energy Systems should be located in the side or rear yards, to the extent practical.
- 5) **Only one Small WEECS** (or, where authorized, a temporary wind measurement tower) per lot shall be allowed. Adjoining lots shall be treated as one lot for purposes of this limitation. More than one Small WEECS per lot may be allowed if the applicant adequately demonstrates that the electrical or mechanical power needs of the individual user exceed the power generation capability of one WEECS; for this a Special Use Permit will be required.
- 6) **Small WEECS** shall be used primarily to reduce the on-site consumption of public utility-provided electricity, or as a primary source of electricity when the applicant is not connected to the electricity grid.
- 7) **The maximum turbine power output** is limited to 25 kW unless the applicant demonstrates to the reasonable satisfaction of the Town Board that a larger turbine is necessary to meet the historical and/or projected energy needs of the applicant. The applicant shall submit documentation via a Special Use Permit application supporting the increased turbine size including copies of electrical bills, an energy audit or electrical power requirements of any new or proposed equipment.
- 8) **Tower Height:** A tall tower is the single most important factor in the economic viability of a small wind system. Tall towers enable turbines to access faster in better quality winds, and even small increases in wind speed translate to exponentially more energy the turbine can generate. In other words, a taller tower means far more – and cheaper – energy. It is recommended but not required that the bottom of the turbine rotor should clear the highest wind obstacle (rooftop, mature

tree, etc.) within a 500-foot radius by at least 30 feet. Tower heights shall be limited to a maximum of 150 feet.



9) The allowed height shall be reduced if necessary to comply with all applicable Federal Aviation Requirements, including Subpart B (commencing with Section 77.11) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports.

10) The sound level at the closest place of human residence or frequent occupancy not owned by the person shall not exceed twice the local ambient noise level, or 3dB above the ambient level. [This will differ with location. In quiet rural areas ambient level is about 30 dB, which is the rustling of leaves, whereas next to a highway (which can be 70-80 dB) or in a commercial area, 50 dB (equivalent to a living room in a suburban area) would be reasonable.]

Quiet suburb, conversation at home.	50dB
Library, bird calls (44 dB); lowest limit of urban ambient sound	40dB
Quiet rural area.	30dB

Note: Doubling the sound level = +3dB  
Doubling the distance from the source = -6dB

11) The system's tower and components shall be painted a non-reflective, unobtrusive color that blends the system and its components into the surrounding landscape to the greatest extent possible and incorporate non-reflective surfaces to minimize any visual disruption.

12) The system shall be designed and located in such a manner to minimize adverse visual impacts from public viewing areas (e.g., public parks, roads, trails) and from adjacent properties.

- 13) Exterior lighting on any structure associated with the system shall not be allowed except that which is specifically required by the Federal Aviation Administration.
- 14) All on-site electrical wires associated with the system shall be installed underground except for "tie-ins" to a public utility company and public utility company transmission poles, towers and lines. This standard may be modified by the Town Board if the project terrain is determined to be unsuitable due to reasons of excessive grading, biological impacts, or similar factors.
- 15) The system shall be operated such that no disruptive electromagnetic interference is caused. If it has been demonstrated that a system is causing harmful interference, the system operator shall promptly mitigate the harmful interference or cease operation of the system.
- 16) At least one sign shall be posted on the tower at a height of five feet warning of electrical shock or high voltage and harm therefrom. No brand names, logo or advertising shall be placed or painted on the tower or components where it would be visible from the ground, except that a system or tower's manufacturer's logo may be displayed on a system housing or the fantail in an unobtrusive manner.
- 17) Towers shall be constructed to provide one of the following means of access control, or other appropriate method of access:
  - a. Tower-climbing apparatus located no closer than 12 feet from the ground.
  - b. A locked anti-climb device installed on the tower.
  - c. A locked, protective fence at least six feet in height that encloses the tower.
- 18) Anchor points for any guy wires for a system tower shall be located within the property that the system is located on and not on or across any above-ground electric transmission or distribution lines. The point of attachment for the guy wires shall be enclosed by a fence six feet high or sheathed in bright orange or yellow covering from three to eight feet above the ground.
- 19) The minimum height above the ground of the lowest part of the wind turbine blade shall be at least 15 feet.
- 20) All Small WEECS tower structures shall be designed and constructed to be in compliance with applicable provisions of the New York State Uniform Fire Prevention Building Code, National Electric Code and generally accepted engineering practices.
- 21) All Small WEECS shall be equipped with manual and automatic over-speed controls and emergency shutoff controls. The conformance of rotor and over-speed control design and fabrication with good engineering practices shall be certified by the manufacturer.
- 22) No WEECS shall be so constructed or operated so as to create artificial habitat for raptors or raptor prey. Electrical boxes, perching opportunities, etc., shall to the maximum extent practicable be minimized.
- 23) A Small WEECS shall not be located closer to any adjacent property's line, right of way, easement, public highway or power line than the Total Height of the facility plus ten feet.
- 24) Small WEECS shall be set back at least 1,000 feet from any Important Bird Area as identified by New York Audubon and from State-listed wetlands. The Town Board may consider applications for Small WEECS within 1,000 feet of an Important Bird Area or State-listed wetland upon a recommendation from the Conservation Board.

25) All Small WEECS shall be maintained in good operational condition in accordance with the manufacturer's specifications and all requirements of this section. A person should be available to shut down the wind turbine within 12 hours in case of a dangerous or high-noise malfunction. The local fire department or other alternative agency shall be provided, at installation, with the means of shutdown.

## **Section II Special Use Permits**

Should the proposed installation **not** meet all the above requirements the Small Wind Energy Conversion System may be permitted upon issuance of a Special Use Permit by the Town Board.

Applications for Small WEECS Special Use Permits shall include:

1. Name, address, telephone number of the applicant. If the applicant will be represented by an agent, the name, address and telephone number of the agent, as well as an original signature of the applicant authorizing the agent to represent the applicant is required.
2. Name, address, telephone number of the property owner. If the property owner is not the applicant, the application shall include a letter or other written permission signed by the property owner (i) confirming that the property owner is familiar with the proposed applications and (ii) authorizing the submission of the application.
3. The names and mailing addresses of all owners of all property adjacent to the proposed tower Site and/or within 500 feet of the proposed tower Site.
4. Address of each proposed tower Site, including tax map parcel number.
5. Evidence that the proposed tower height does not exceed the height recommended by the manufacturer or distributor of the system.
6. A completed Short Environmental Assessment Form (EAF) and a Visual EAF Addendum.  

The Board may require submission of a more detailed visual analysis based on the results of the Visual EAF Addendum including a computerized photographic simulation, demonstrating the visual impacts from nearby strategic vantage points. The visual analysis shall also indicate the color treatment of the system's components and any visual screening incorporated into the project that is intended to lessen the system's visual prominence.
7. Applicants must have a pre-application conference with the Town Code Enforcement Officer to address the scope of the required visual assessment.

T. Woods -Important Bird Areas (IBAs)- Found the database with Audubon for IBAs, but it was for the state and it talked about it being part of the GIS system that I do not have access to. How would we know where the local IBAs are? G. Dodici – The town should have this information; or, Tompkins County would have them as they have a robust GIS department. D. Weinstein advised there is one IBA in Dryden – Caswell Road.

Conservation Easement Handbook

J. Grace provided a draft handbook with a list of suggestions of what should be considered, and a discussion ensued regarding the draft and information J. Grace can pull from as she works on drafting this handbook. P. Davies had sent out information, and D. Weinstein will send J. Grace information he has on the conservation easement development in Ellis Hollow.

Park and Recreation impact fees

N. Munkenbeck talked to R. Burger and this is still a work in progress. D. Lamb received the correspondence that this committee supports this fee in theory. D. Lamb advised there are some concerns on how this would be implemented and they continue to look into this.

A motion to adjourn the meeting at 9:12 pm was made by N. Munkenbeck and seconded by S. Bissen, and unanimously approved.

Respectfully submitted,

Chrystle Terwilliger  
Deputy Town Clerk

Report to the CB on the Ag Committee meeting 9 – 12 – 2018

Prepared by Craig Schutt liaison from the CB to the Ag Committee

1. The regular scheduled meeting of Ag Committee was held on 9 – 12 – 2018. Much of the meeting was spent discussing by-laws for the committee. There was an extensive discussion about developing a site plan review process for ag- related enterprises (not ag operations) Craig Anderson from the Planning Board has been assisting the AC develop a document to pass on to the PB for its review and comments.
2. A discussion continued from the previous meeting on a document for procedures of operation for the AC being developed. The AC finalized the draft they had been working on and passed it on to the Town Board for approval. The draft is based on the CB document.



## Deputy Clerk

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**From:** Steve Bissen <[REDACTED]>  
**Sent:** Tuesday, September 25, 2018 12:46 PM  
**To:** [REDACTED]  
[REDACTED]  
[REDACTED]  
**Subject:** Report for EMC meeting from 9-13-2018

Hello CB,

The Tompkins County EMC meeting on 9/13/2018 was mostly a presentation from Bryan Roy of NYS Energy Research and Development Authority (NYSERDA) for EV Tompkins.

Bryan (via Skype) talked about the policies and activities that NYSERDA and EV Tompkins are doing to promote electric vehicles and plug-in hybrids.

Some of the activities are:

- Ride and Drive events with electric cars to give people a better perception of EVs.
- Talk to municipalities about EV-ready policies. Currently, Dryden is not an EV Tompkins partner. The Towns of Ithaca, Caroline, and Ulysses are partners.
- Give information about the \$2000 state incentives, known as the Drive Clean Rebate, and \$7500 federal incentives to purchase an electric vehicle. This also includes plug-in hybrids.
- Promote the web site, PlugShare, where people can find on a map where the closest electric vehicle charging stations are.
- Work with businesses and municipalities to install additional charging stations. Currently, Dryden has only 2 public charging stations, one on W Dryden Rd and the other in Freeville village.
- EV Tompkins Facebook page

Also in the meeting, it has been announced that Tompkins County has received a grant of \$1 million to combat climate change. This is called the Resilience and Recovery Grant. According to TC planners, the number one priority will be FEMA Flood Map updating. Municipalities should contact TC planning about this grant if they have not already.

Steve Bissen  
Town of Dryden representative on the EMC



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