

**TOWN OF DRYDEN  
TOWN BOARD MEETING  
March 16, 2017**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl Linda Lavine,  
Cl Kathrin Servoss

Absent: Cl Deborah Cipolla-Dennis

Elected Officials: Bambi L. Avery, Town Clerk

Other Town Staff: Susan Brock, Town Attorney  
Dave Sprout, Code Enforcement Officer  
Kevin Ezell, Code Enforcement Officer  
Jack Davison, Recreation Assistant

Supv Leifer called the meeting to order at 7:10 p.m. Board members and guests recited the pledge of allegiance.

**TOWN CLERK**

**RESOLUTION #49 (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 February 9 and February 16, 2017.  
2<sup>nd</sup> Cl Servoss

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**PUBLIC HEARING  
SPECIAL USE PERMIT APPLICATION OF  
SUN8 PDC, LLC (C/O DISTRIBUTED SUN, LLC)  
2150 DRYDEN ROAD AND TURKEY HILL & DODGE ROAD SITES**

Supv Leifer opened the public hearing at 7:12 p.m. and explained where the sites were. He said the board would not vote tonight. There will be a presentation by the applicant and then comments will be taken from the public. Comments will be limited to 3 minutes and speakers are not allowed to give their unused time to another speaker.

**PUBLIC HEARING  
PROPOSED LOCAL LAW AMENDMENT TO ALLOW  
FOR ALTERNATES ON THE CONSERVATION BOARD**

Supv Leifer opened the public hearing at 7:15 p.m.

**Charles Smith** said he has been a member of the Conservation Advisory Council and the Conservation Board for sixteen years, serving two years as Chair of the Conservation

Board. While he applauds the intent of the amendment to the local law that created the Conservation Board, he decries the manner in which it was done, with absolutely no consultation with the members of the Conservation Board, absolutely no communication with the Conservation Board, and its implementation against local laws for 15 months, illegally, by this board.

Supv Leifer explained this will add alternates to the Conservation Board, as the Planning Board has, so when there is a lack of quorum or someone cannot vote due to a conflict of interest, or they recuse or abstain, the chair can choose among the alternates to fill that voting position. It is permitted by state law. Our town attorney reviewed the proposal and made some amendments, so the board will likely vote on this next month because the suggestions are substantive. The intent is to allow the board to function when there otherwise would not be a quorum. Supv Leifer said it was talked about the beginning of last year, but we didn't get around to it until the end of 2016. He did meet with members of the Conservation Board and went to one of their meetings to explain it. At the time they did not seem opposed to it. There is no intent to violate any laws. Because we do have alternates who participate regularly, the idea is that when there is a vacancy to draw on them to fill vacancies of the full members.

Bruno Schickel suggested the board strike the part that allows an alternate to vote if a member abstains.

Supv Leifer said the board will review the changes suggested by the attorney. They are substantive, so the board will not vote tonight. The hearing was left open.

**Solar presentation** – Bharath Srinivasan of Distributed Sun said this is the largest public hearing they have attended in the State of New York. Distributed Sun is based in Washington, DC and has doing business in NY since 2012. When the concept of solar began in New York in 2012, Distributed Sun and other co-petitioners asked the PSC to review remote net metering. The theory behind that is those that don't have accessible solar or accessible rooftops need the ability to use solar energy from some remote location. That was approved and opened the way the industry has grown in New York up to this point. In 2015-16 they asked the PSC to address another rule where the previously approved concept of remote metering was not economically viable for residential solar customers. So the present regulation called community distributed solar allows arrays to be built at a remote location and the electricity to be absorbed by residential customers within a defined geographical area.

The first of the projects they did was the project by the Tompkins Regional Airport. There was no protocol to regulate a solar array of that size and it took nearly two years to get that in place. It gave them a sense of appreciate for what home rule meant. In most other states these projects happen at the county level or state level.

Distributed Sun was formed in 2009 by two entrepreneurs who decided to invest in the solar industry. They have a very down to earth set of senior leaders in Washington, DC.

New York in the mid 1990's approved through the PSC a law called 66j. That law gave rise to what is called net metering – the ability for a customer to put a solar array in place and have the electricity move through them. The concept is it moves the meter forward when you are producing electricity and putting it back in the grid and rolls back when you are drawing electricity at night. From that point it has now moved to community solar.

The utilities have long argued that solar is unduly incentivized. New York has some groundbreaking legislation and these projects are now under a regulatory structure where they are forced to compete.

B Srinivasan displayed other projects they have built in New York. They showed the project at the airport built around a 3.5 acre wetland and that wetland was not disturbed at all. In Harford the array is built on a 15% slope. In Ledyard they also built a 30 acre array near a wetland and didn't take an inch. The wires are such that they don't disturb either the drainage path off the wetland or the wetland itself. Near the airport in New Jersey, they built an array over a parking lot and it has been operating successfully for over four years.

A video of a fly over of the Harford and Ledyard arrays was shown, as well as a slide that demonstrates that an array doesn't cause as much glare as a body of water. Panels are spaced so as not to alter the runoff on the property.

Distributed Sun has paid for a decommissioning study to demonstrate what happens at the end of a solar arrays generating life. They presented a video of how the foundations are installed, building the array and decommissioning it. The life span is about 35 years, and 97% of the materials are recyclable.

Cliff Sheer, Development Director at Distributed Sun, presented plans for the Ellis Tract, the area near Stevenson Road and Turkey Hill Road. They are planning two clusters of 4.5 community solar sites. Each produces the equivalent electricity for 500 houses over the course of a year. The PSC regulation for community solar has been met. They are able to sell to residential customers who wouldn't otherwise be able to purchase solar or have arrays on their house. The panels are 8' at the highest end, lower than a one story building. Both this site and the one at 2150 Dryden Road are set back from public roads. There is no plan to grade the sites, which would cost money and impact runoff. They have looked closely at the topography and engineering has been done to minimize grading. The only concrete would be a 10' x 15' pad; one for each of the systems. The topography will be left intact. Grass is kept low by use of sheep or mowing 4 times per year. The area is monitored 24/7 for unusual activity. Surrounding trees are left in place as much as possible. Views of the Ellis Tract from different spots were displayed.

B Srinivasan said the arrays are being installed on property where agriculture is not the primary use. It could be used for agriculture, but is currently being used for other purposes. They propose they will have sheep at these sites just as they've done on all other solar arrays in New York. With sheep at the airport site, they haven't had to use chemicals for two years.

Review of fact sheet presented: Electricity prices in New York are 64% of its neighbors, meaning people in Upstate New York pay more for electricity. The electricity from the solar array can be sold to consumers only at the maximum price that NYSEG is currently selling. If this array was in Massachusetts or New Jersey, Distributed Sun would get a lot more. With its incentives New York is able to get developers to do more with a lot less so New York is getting more solar installed.

Traffic impact is only during construction. It is less than half of one percent during construction. After construction is complete and the arrays are operating, there is only a planned maintenance visit once a quarter. They propose to complete construction this year.

Economic impacts – There are no children added to the school system. There is no added trash. The cardboard packaging is taken to recycling centers. The operation itself does not produce trash. There is no new water demand.

The arrays operate silently. The inverters have a cooling fan, and that produces a noise. The panels don't move; they don't track the sun. The noise is similar to a humming refrigerator. There is no electrical interference. B Srinivasan said he used a cell phone and credit cards standing right next to one and there was no interference.

For all the projects proposed in Dryden there is nearly 4.5 million dollars in grid expenses they have to pay to NYSEG. This is for NYSEG to upgrade the grid to allow them to connect and feed power into the grid. Those costs to upgrade will not be made at the rate payers' expense. 94% of the material used in the system is recyclable: glass, aluminum, steel, and copper. The only part of the panel that can't be recycled is the back sheet of the panel. They are doing approximately 50 more sites in New York.

The projects proposed in Dryden collectively have about 300 construction jobs estimated. The sales tax burden is expected to be 1.2 million paid to Tompkins County. \$850,000 is the amount of earnings expected locally (at the county level) during construction (small tools, rental, gas purchases, etc.) The energy is being sold to a customer base that ranges east of Yates County all the way to Cortland County and the Pennsylvania border all the way to Cayuga County. They propose to sell the electricity at a discount of 10%. It's a mix of how long a person wants to buy electricity for and what their current credit is. They'll take customers with credit scores down to 650, and are working with their lenders to roll that out. That 10% savings over a 30 year period is 14 million dollars. Collectively there is a solid economic benefit to the community. For each dollar of federal tax credit (incentive for solar or wind systems) over the thirty-year life, they pay back \$1.40 in taxes (state and federal), so it is really a loan, not a subsidy.

The Dryden Road site was displayed and explained. It is a couple hundred feet from the cemetery. The arrays are being proposed in a 157 acre property. They will install around the pond and the buildings. There is also an area on the north side of Virgil Creek. They are leaving the railroad bed in place and will not encroach on that. A small portion of the site is visible from Irish Settlement Road. There are two areas that are visible from Hart Road. They are not proposing grading other than removing some trees. The topography will remain much as it is. Stormwater controls will be in place during construction.

They would like to do this project this year because there is a 30% incentive now and that may change next year. Distributed Sun is willing to do another information session. B Srinivasan encouraged the public to contact him directly with questions if they wish.

Supv Leifer said the public hearing will not be closed tonight. Comments and questions can be emailed to the board prior to March 30 when the board plans to address this again.

**Carey Brindisi**, 344 Turkey Hill Rd, would like the board to move carefully and slowly. This is a large project and her property is directly adjacent to it. Her property and others in the documentation are incorrectly listed as Cornell property. The sites labeled S4 and S5 appear to change in location between sheets in the application. It appears the project is about 100' from her house. They need to be firmly established. She is excited about project, but there are huge red flags about actual documentation and location. She would like to see an environmental impact statement or more careful review of the sites. It looks like, depending on the location, you'd have to remove many trees. The applicant talked about the amount of money to be pumped into the local area, but almost all of these properties are owned by Cornell University. Cornell doesn't pay any tax, so what are tax implications? Someone is making money off of this and she doesn't fully understand the relationship.

**Sarah Osmeloski** said she is all for solar energy and the establishment of solar farms as outlined at the meeting at the fire department last fall. 2MW per parcel that were suggested and what is written in NYS law seems reasonable. However, she objects to project at 2150 Dryden Road because it is just too big. It circumvents our law by requesting a subdivision and changing that parcel to six separate parcels. To make matters worse, the proposed subdivision is in violation of Dryden's subdivision laws. A little may be good, but more is not better. Currently there is a herd of deer that live at 2150 Dryden Road along with 50 plus wild turkeys, pheasants, woodchucks, raccoons, at least two dens of red foxes, beaver, geese,

multiple species of song birds and hawks, and turtles and snakes. Where will these creatures live if Distributed Sun is allowed to pave 75 acres of their home in glass? If Joni Mitchell were here she'd sing "They paved paradise and put in a solar farm".

**Joe Osmeloski**, 2180 Dryden Road, said besides the cemetery his land will be most affected by this project. He thanked Brad Perkins for the article in paper and read a portion of it. A lot of people here probably have relatives in the cemetery and he is not sure when people bought the plots they planned on being surrounded by a solar farm. History is a good way of predicting the future. This entire board is democrats and runs on the "Protecting Dryden" line. Protecting Dryden's website says: We protect Dryden through thoughtful town planning, through maintenance of infrastructure, and with updated emergency services. We remain committed to protecting our natural resources and Dryden's rural character. We protect Dryden by balancing our budget and promoting our town as a place to work, play, and live. A lot of people here probably voted for this board and hopes you stick with protecting Dryden.

At the October meeting at the fire hall the entire discussion was about where to put 2MW systems and how to fit them into the rural character of Dryden. He is in favor of solar in 2MWsystems. But somehow because of circumventing the law, these 2MW systems have now turned into 8 to 18 MW systems. You can't hide those. He is completely against this program. He doesn't know what it will do to his property values.

**Nancy Couch** said she is a lifelong resident of Dryden, has a plot in the cemetery and several relatives buried there. She is not sure this is the right location for a solar farm.

**Ed Couch** also has family members in the cemetery. He is a veteran. We have a lot of veterans in that cemetery. We should honor our veterans by keeping these things out of sight of the cemetery. They are too close.

**Robert Kuehn**, 1150 Ellis Hollow Road, said he is 110% behind solar and the town is to be commended by considering it. Dodge Road is more than a connecting road between Ellis Hollow Road and Stevenson Road. It is a park and a wildlife refuge. Local people go there, and people come from all over to walk there. It is one mile long and there is not a place in the county where you could see more wildlife than you see there. There are bobcats there now. Last year saw a woodcock drumming. They have eagles. There are turkeys. If a fence is built on the road, how will they migrate back and forth? There are many different birds there. They used to have more deer, but Cornell paid jacklighters to thin out the deer population. There are beaver in the brook and golden eagles in the trees. There is a combination of water, conifers, hardwoods, fields and bushes. In spring, summer and fall people go to watch the clouds and sunset across south hill. He doesn't want a fence there. It would be like standing outside of a prison. You could say he is a NIMBY, but he is not the only one. People come from all over to visit there. It's like wild kingdom. To destroy it would a travesty and be a scar on the landscape.

**Bob Shindelbeck**, 1102 Dryden Road, said he is concerned with the Ellis Tract. When he saw the maps he was concerned that it was so visible. No one wants to be imposed upon by the big array. People are concerned about the wildlife and visual impact. He proposed the board consider higher criteria on the siting and the importance of finding a good place first and consider how visible it would. It's kind of going backwards. Rather than say here's a road, put it here. It might be an interesting proposal, but it might be the worst place for it. Siting needs to be considered. People want it, but not in a spot that isn't right.

**Holly Payne**, 398 Ellis Hollow Creek Road, said she is a 6<sup>th</sup> generation Ithacan, mother of 3, and her kids went to Ellis Hollow Nursery School. She can't see the volatile organic compounds (VOCs) that come out of the Borger station. Her ancestors were here at the beginning of the industrial revolution and as a consequence of pulling the fossil fuels from the ground, we are now facing violent threats for global warming across the planet. The Dryden

board has been exemplary because we were the first town to put a ban on fracking. She looks to the town board for leadership and is proud to live here. She lives within one mile of the Borger station and would rather have solar panels upwind of her than that or any kind of fossil fuel network or infrastructure. She understands the problem of NIMBY and wants to help people figure out what it is that's really around us and fossil fuel impacts. If we have a proposal to do this properly, she urges the board to do all the mitigation necessary to bring in solar arrays in the right proportion and with the right viewsheds. She believes there can be wrens nesting underneath the solar panels. She also understands that they are butting up to people's land and ruining viewsheds. She gets it, but please remember we are trying to get rid of the fossil fuel industry for our children.

**Mahlon Perkins** asked whether the board has determined that the application is complete. Supv Leifer said no, they haven't. M Perkins asked why they were public hearing. Supv Leifer said the planner determined that, but we are here to figure out whether it actually is. He has questions for the planner, but he is not here tonight.

M Perkins asked if subdivision was required because of the way they are maximizing the use of the property and if was approved. The response was not yet. M Perkins asked if the cart was before the horse. Shouldn't we wait to see what the planning board does before considering conditions and so forth? Supv Leifer said the board is not voting tonight and people want to talk about it. M Perkins said he would like to see a complete application so we knew what was being discussed.

M Perkins said he believes runoff will increase. Impervious surfaces will increase runoff, so that's a stormwater issue. There will be increased runoff.

M Perkins asked where the panels are manufactured and applicant responded they are manufactured in China.

M Perkins said the solar law states that no special permit for ground mounted large scale energy systems shall be located in areas of potential environmental sensitivity, unique natural areas, flood plans and historic sites, unless otherwise approved by the Town Board. The Willow Glen Cemetery is probably the most prominent important historic site we have in town of Dryden. He hopes that is taken into consideration when the board looks at the scale of this project and the appropriate mitigation.

He also stated the law says no special use permit can be granted unless the applicant demonstrates a design and construction which minimizes the visual impact. He asked if the commercial design guidelines have been followed and if they have been addressed. Supv Leifer said they will address that.

**Sharon Ordway**, 178 Yellow Barn Road, said she is opposed to the facility proposed at Willow Glen. She has several family members there. It is a historic site. It will have a big impact. Dryden is concerned with preserving green space. She has attended a conservation board meeting where they were telling people what they may do and not do with their property and now you are taking a big space that may have a tax impact on us. It will permanently change the landscape of Dryden, replacing it with 75.5 acres of black glass, metal and wire fencing. Is this the view and impression that you want people to see driving through our community? She doesn't think it is a selling point for people looking to relocate here. She is not opposed to solar energy, but for those forward thinkers, maybe this should be put in their back yard.

**Gin Mistry**, 1159 Ellis Hollow Road, said she and her husband are concerned with the size of the project, its impact on the existing abundant wildlife, and the possible degradation of

Cascadilla Creek. They request a thorough environmental impact study, a smaller scale project, open space for wildlife and make other suggestions. *See attached letter*

**Brad Perkins** said he has lived here all his life. Several generations of his family are buried at the cemetery. For the past 18 years he has been President of the Willow Glen Cemetery Board of Directors. He is responsible to 7500 people who are buried there and 2400 lot owners who have been given the right of burial, the right of memorialization and the right to visit their loved ones' graves in a peaceful setting. 300 jobs will be created during construction and when it's done there is no labor required. So we get 300 jobs for part of a year. He is alarmed that the town board has crafted the ordinance that allows for this sort of thing after these folks came to Dryden and asked for accommodation. We've bent over backwards to do that. He asked that the Town Board require the applicant provide a Visual EAF for both sites. On the Willow Glen site there are several wooded areas. They will clear the trees and vegetation. They will increase the view so that people visiting graves will have better view of the solar arrays. Previously there was no zoning for this, but we made zoning to accommodate them. This will affect the cemetery's revenue. People coming to purchase graves there may go somewhere else because they don't want the view of a solar farm.

A cemetery should be considered a sacred place. It's a historic place; a place of reflection. It's a place where for 200 years Willow Glen cemetery visitors have been able to stand on the highest ground and see to Groton, Cortlandville and almost to Harford. In that view now toward Freeville, Groton, and Cortland will be many acres of solar panels. He doesn't want to see that when he goes there. The cemetery association is investigating and preparing for green burial. People that want to visit those sites will be looking at solar panels.

We fought away renewables like wind generation alternative energy sources. We fought away drilling for gas and oil. We should think as a town board and as citizens whether this is the right spot for this solar farm. He's with everyone who wants solar and lower electric bills, but he isn't sure he wants it in view of the cemetery. The public was not given a view of the fence that is proposed. He's been told the fence is tall and has razor wire on it that looks like a prison.

**Craig Schutt** said he has lived his entire life in this town as has most of his family. He believes the cemetery is a sacred place. He has many ancestors, relatives and friends there. To do this and degrade this site is a bad idea. He's all for solar in the appropriate places, but doesn't think this is an appropriate place. You can see the site in Harford, but it is in a much more appropriate place. He doesn't want to see solar panels every time he goes to the cemetery. It is his understanding they will get a big tax break. We need industrial development in this town that will bring taxes in. That's what you promised when you were elected, that you would work on that, and I don't see it happening. Instead we're giving breaks for big industry. Where else in a conservation district could you put industrial development? This is industrial development, and you made special provisions for them. He's all for solar and thinks it is a great thing, but we need to look at better sites.

**Leslie Appel**, a local veterinarian and a Cornellian and the property owner at 78 Dodge Road, right across the street from the proposed panels and fences. She absolutely believes in solar energy and a better environment. She hopes that her kids go to Cornell and enjoy the same view from her Dodge Road home that she has enjoyed for the last 20 years, but is absolutely opposed to this project in the current locations. She was unaware of the issues with the cemetery, but you can see from the emotion in the room and the number of people that have commented, it's not that we're against the proposal. We are against the locations of the proposal. Dodge Road is more than just a road with a few houses. It is a place where the Skunk Cabbage Annual Road race is held. People walk on that road. There is a giant S curve so there are hardly any cars or traffic. People walk dogs, ride bikes, rollerblade; they do everything on Dodge Road. To lose Dodge Road's ability to have people and animals and wildlife

all enjoying it without fencing and solar panels would really be a shame. The applicant kept making the point that its other projects can't be seen from a municipal road. Dodge Road is a public road and we would definitely see the project. Her house is less than 100' from the project. The applicant stated that from 100' you could hear a humming like from a refrigerator, and she believes her house is less than 100' so will she hear a humming from the panels? She is in favor of solar, but thinks this location is not in the best interest of the town and the wildlife that are there.

**Dave Bradley**, Village of Dryden, said this is going to be a huge investment for investors and a large source of revenue for whoever owns the land. The town should keep that in mind because this is a very large commercial venture. There is a lot of money involved and it would be a shame for the town to do this and not collect a lot of money if it is going to be done in a certain way. He asked what the proposed PILOT fee would be for this and if there is an environmental impact statement for the project. To have such a large solar array made with slave labor produced solar panels is pretty appalling. There are plenty of manufacturers in the United States. If we want to prevent the export of our dollars to China to purchase the cheapest solar panels and insist that some of this money remains in America, that should be addressed. This is a large commercial transaction, several hundred acres, roughly 50 to 100 million dollars in outlay. Given the scale and volume of dollars, he hopes the town would be very well off and not have to raise taxes for other reasons. He advised the board to not feel pressured because they are in the driver's seat. They will make a lot of money on this and the investors will try to avoid paying federal taxes. That's how it works, so don't be buffaloed. Insist an EIS get done. You could ask for made in America parts and that multiplies the value of this to our country significantly.

**Gina Cacioppo** said she is married to electrician and is totally for solar because it will help reduce use of fossil fuel. She doesn't feel this is the proper location. There are other things that exist, such as a solar flower, that maybe we should seek town permission for. They are feasible, \$16,000 to \$20,000 they can be on your individual property. All of this to endanger wildlife for a 10% savings on our electric bill? We can do better than that.

**Nancy Munkenbeck** stated one of the sites displayed on Turkey Hill Road is beautiful ag land. She is all for solar and lowering fossil fuels. It's all trade off. She has sheep next to the solar site. She noted fences won't keep the coyotes out and animals can get through to some extent. She asked M Perkins' question. For the special use permit it must have solar collector surface area measured in the horizontal plan, and asked how that was measured. There was no response.

**Shirley Price**, 287 George Road, is directly across the road from some of the solar panels. She can't believe they would put panels there because she thought it was a wetland. The land has flooded the past and she can't imagine solar panels would withstand the flood. She also owns a plot at Willow Glen Cemetery. She objects to a solar farm so close to her property. There are deer and turkey in the field across from her house. She doesn't want to see any type of fence. She has a repair garage next door that the town allowed. Now they want to put solar panels across the road, and a walking trail right past her house. She isn't sure any one of those three has enhanced her property. Please find someplace else.

**Charles Smith** said he has been a Dryden resident for more than 40 years. He also served on the Town's Conservation Advisory Council and Conservation Board for the past 16 years with two years as chair of the Conservation Board. He is a naturalist educator and conservationist with more than 50 years experience studying plants and animals, especially birds. He submitted and read the *attached* comments.

**Daren Miller**, 74 Dodge Road, said his father purchased this property in 1976. They built a house and have lived there since. They bought it because Cornell owned the property across the road and the zoning is residential and they thought it would never be built up. They bought a large parcel so no one would be close and lived there because they like the rural setting. They expected it to never change because of way it was zoned. The board is now trying to do 180 degree turn and ruin their quality of life. Most of us are in favor of solar, but the siting of this project sucks. All the land in the Ellis Tract is owned by Cornell University and they aren't even here tonight. Everyone stands to make money at the neighbors' expense. Cornell owns a lot of acres in the town and if they want to do this project, they can find a spot where it won't bother anybody. It could be way on top of Mt Pleasant. There's nothing up there. It would be a breach of trust between the board and its constituents to allow this to come in and ruin part of our community. It will change lives forever. Right now he looks out his window and sees fields. In six months he'll see solar panels that he could throw a rock at and hit. The board won't. Put yourself in his position.

**Allen Fulkerson**, here as a board member of Willow Glen Cemetery, said many generations of his family are buried there as they settled in Dryden in 1811. He is not against solar, but the continuing theme is the site next to the cemetery is not the place for this kind of a project. The project will greatly impact the rural setting. It will impact the revenue stream of lot sales that sustain the cemetery. He is concerned with the removal of vegetation, especially that next to the cemetery. If the cemetery cannot sustain itself, the town will absorb the cost without any choice, because if the cemetery fails, the town taxpayers take over the cemetery.

**Richard Maxwell**, 34 Turkey Hill Road, thanked Supv Leifer for his letter to FERC in relation to the Borger station. He sees that as a context in which it is important to view solar panels. He put solar in his backyard, but it seems it's a question of scale and placement. His wife and he struggled a bit with the concept of defacing their back yard and having a panel as part of the fixture there. He noted there really wasn't a complaint made with respect to the north segment of Turkey Hill road area. So it may be that some elements of the plan are still reasonable in terms what people are complaining about. He didn't look as closely at the area around the cemetery. It may be there are ways that some elements of this can work and some others can be repositioned. It's important to commend the board for not just resisting the growth of fossil fuels, but also looking at alternatives such as solar.

**Bruno Schickel** asked:

- The size of the Harford site - 20 acres.
- Total cost of the two projects proposed in Dryden - 50 million dollars.
- How much in property tax will be gained by the town? – To be negotiated.
- Why are they not paying property tax like everyone else - They will either pay tax or a PILOT will be negotiated. Supv Leifer explained Real Property Tax Law provides that if a taxing jurisdiction fails to notify the developer within 60 days of their intent to either negotiate a PILOT or charge real property tax, then they would be exempt. The Town has sent that letter and it will be one or the other. There is also an issue of the TCAID PILOT that is being discussed. So there is a lot going on with that.
- What would this be called if it weren't 2MW sites on separate lots hooked together? Just a regular electric facility. B Schickel said then it would be taxed like a utility.
- Would you be able to charge more or less if it were a utility? You can't charge more than a utility. You'd have to charge a lot less and the product would not be viable.

B Schickel said feels like the town is involved in a deception and a fraud. To subdivide spots into two acre spots and daisy chain these 2 MW community solar arrays together, which is creating a utility, you should think about what you're doing.

**David Bravo-Cullen** said he is a 33 year resident of the town. From a tax perspective, we need to collect taxes from power generators of all types – oil, gas, coal, wind and solar. The impact is the power that comes to the grid. It doesn't matter where it comes from and it needs to be taxed. Taxpayers should not subsidize a particular type of power because certain people like it and it makes them feel good. He is an architect and builder and deals with issues of appropriateness of site all the time. An array of solar collectors that is more than a few collectors on someone's house is really a commercial/industrial use and should be treated like that and very likely be in an area zoned for commercial or industrial; not an agricultural or conservation area or an area that has rare species of plants, etc. It seems like it is more appropriate to put collectors over places like parking lots and roofs of industrial buildings. There is a lot of parking lot space at Cornell and TC3 that could have solar collectors. The parking garages in downtown Ithaca could have solar collectors on them. There are a lot of appropriate sites that are already open because they are parking areas.

**Jacques Schickel** said he sees a great future for Republicans in Dryden if this project gets passed. How will this project benefit Dryden? Supv Leifer said this is an industry that will produce property tax with no drain on services. He asked if the PILOT was a onetime payment and Supv Leifer responded it is a yearly payment. J Schickel asked when we would know the amount. Supv Leifer responded that none of these properties are producing anything beyond the actual real property tax collected pursuant to the current use. We can calculate that. Some of these properties are Cornell properties may not be paying anything to the town or school districts currently. The school districts are the biggest part of the tax bill. Dryden School District has opted out of the law, so a project like this that goes in will contribute toward the taxes. Article submitted and *attached*.

**Pat Fitzgibbons** asked if planned to opt out of the tax exemption. Supv Leifer said the Town plans to charge tax through the regular means or a PILOT. This will generate revenue for the town. P Fitzgibbons noted that tax on a \$50,000,000 would be significant and helpful. Cl Lamb noted that the project would not occur if they were taxed at full value. P Fitzgibbons said anything that requires a subsidy to be financially attractive probably shouldn't exist. Cl Lamb said this is a very light footprint. The Town of Newark Valley opted out.

P Fitzgibbons asked about toxicity. B Srinivasan there is a company called Silicon Valley Toxics Corporation that ranks all the solar modules and the stuff that used in a solar array. All the equipment they use has passed their strict test. There is no hazardous waste.

P Fitzgibbons said most municipalities require a performance bond for end of life decommissioning and he believes this board should require that. There should be a nonperformance clause that at such time as it is no longer generating electricity it is decommissioned.

The US Energy Information Administration has found that solar PV energy is the most expensive form of electricity outside of offshore and thermal solar. We are not getting cheap electricity by any stretch of the imagination. These people make a lot of money on our backs.

**Ethan Ash** said he lives at the corner of Dodge Road and Ellis Hollow Road. He was excited that our community was considering solar in a thoughtful way and he is supportive of that. He's not here as a NIMBY, is wondering why in my backyard? He and his family walk the road everyday and pass the whole community. It's a community gathering place. Others come there bird watching. It is Cornell's land, but it feels like a park to a lot of people. There is an emotional connection. Driving over here he sees storage facilities on land that clearly no one cares about. Even before he lived there he felt it was one of the most beautiful places he had ever seen. This is a beautiful field. Solar panels are beautiful for a different reason. He wants solar panels all over this town. Take a moment and think. Maybe this needs to be resized. Maybe we need to think about the fence. Maybe we need to think about how to do this in a

way that is fair for the other side, for the beauty of our region. Take that into account as well. If it turns out this is not the right place, the town can propose other places to this group.

**Buzz Dolph**, 26 Quarry Road, He is probably the only landowner to talk about living close to this and having an effect on him. His land looks directly out across Stevenson Road and up Turkey Hill. He loves his view, but will love it more if the panels are there because he has a township that is willing to accept the fact that the planet is burning up. It is interesting that the people on George Road don't talk about what is going on at Dodge Road, and the people on Dodge Road don't talk about what is going on at George Road. The issue is that there isn't a place in Dryden that a road goes by that a power line is going to be to hook these things up where people are not going to live and complain. We all like solar, we just don't want to see it. How many people have cell phones but don't want to see towers. At one point or another people have to make a decision. You can have a referendum or you can choose to have collective solar power and people can live with it. He will be proud to look across Ellis Hollow and see solar panels in his town that can help people who can't otherwise use solar and may be willing to pay more money. It isn't a matter of whether it is profitable. He has solar panels and they're probably ugly, but every time he looks at them he thinks he is probably doing the right thing.

**Martha Robertson** said she lives on Ellis Hollow Road closer to Borger, and close to Dodge Road, and drives by Willow Glen. There is a lot of land that is Cornell land but the house is owned by someone else. Cornell pays a lot of tax. It depends on the use of the land and the use of the property. She is not sure why these things need fences at all, but maybe there can be room for the animals, breaks in the fence or something. Maybe you can plant arborvitae and get a big screen in a year or two.

There are some important things that could mitigate the impact of these projects. You should do what you can to make these as good as they can be. She is proud that we fought fracking and led that fight. There are people here opposed to Borger. There are people that should be glad that she helped lead the fight against the West Dryden Road pipeline and is trying to work something out with the town of Lansing and the PSC. Change is hard, but change is happening. Did you forget the drought we just had and the blizzard? It is up to us. We have already messed it up almost beyond repair. It is time for us to do our part. If we have to get used to looking at solar panels, she's ready. It's time to welcome this. We are going to ask the town board to negotiate the best deal they can, the best deal on screening and fencing or not fencing. We have to embrace this. This is what the future is and if we don't do it the right way, it's already so late. We really just have to accept the future.

**Mike Lane**, a life resident and speaking for himself, not the County, said we need solar. We need to have a community of the whole town. He is very upset to hear anything that would make this a political issue. People here appreciate solar and understand it. Does that mean we have to go full speed into giant solar arrays? No. Does it mean that maybe we have to take time to figure out why the people who want to make money on solar pick particular areas, because that's where they can get to the substations? Maybe we need to talk to NYSEG about figuring out ways so that more areas that are less visible are accessible to the grid for solar. If you drive in to Dryden on Route 13 from Ithaca and come over the Willow Glen knoll and watch over the valley, you see our high school and community college that we are so proud of as a community and you see that green space that is there because of the water we have. The water that we protected when we came out against fracking early on. We need to look at the scale of these kinds of things. We may need more smaller ones and fewer bigger ones. The Town needs to take that into consideration.

**Gary Maybee** said he is a 44 year resident and his family has been here for hundreds of years. He is 100% for solar, wind and alternative power. What bothers him is why the taxpayers should subsidize these projects. They should be taxed to the hilt. Why this town

board can't seem to get ahead of things instead of waiting until the last minute to propose stuff and then have people come in and fight is beyond him. Why weren't there laws about the solar panels to begin with? Why are we fighting and arguing now? What does it take for the board to get ahead of this stuff? You took God knows how many years for zoning and are still working on it.

Supv Leifer left the hearing open and said there will be another meeting on the 30<sup>th</sup> at 7:00 p.m. on only this subject.

**CITIZENS PRIVILEGE** (9:35 p.m.)

**Kary Young** said she is here to express her absolute opposition to the Borger expansion. This expansion is part of the Dominion New Market and allowing this expansion supports the increased infrastructure for fossil fuel industries and we don't want that. She is the mother of two children and just purchased a beautiful property on Genung Road. She has deep concerns about the environmental and health impacts if Dominion is permitted to allow an additional 100 million cubic feet per day of natural gas to run through this facility. She believes it should not be legal, nor is it ethical, to allow this to happen. She did not purchase her home knowing about this expansion. It was very quietly put in place and she wants this expansion stopped. This is a neighborhood with 330 homes within a two kilometer radius of this facility and we know that this is not safe. I urge you not to allow this expansion.

**Elisa Evett** – read and submitted the *attached* statement.

**Katie Quinn-Jacobs**, 52 Sodom Road, read and submitted the *attached* statement.

**Wendy Wolf** said she lives less than three miles from Borger and has two kids. She thanked the board for writing to the DEC and FERC about the variance request. She read and submitted the *attached* statement. She said we need answers to the questions hopes a board task group will take this on.

**Lisa Marshall** said she is a guest in community and lives in Horseheads. She has a master's degree in earth science from Dartmouth. She is a mom of 3 kids and wife of a retired navy officer. They have lived all over the country and were lucky enough to settle in the Southern Tier. She is a community organizer for Mothers out Front, an organization that helps communities do grass roots organizing around climate change issues. She became involved with the Dominion New Market expansion and is here to give context. The context is that we live on a planet that by the time her kids are her age will not support human life. That's what we are facing. These are difficult questions. She was touched by all the civic voices tonight. At end of the day everyone wants the same thing: a safe and beautiful world for our kids. We all want places to play, clean air to breath, clean water, sacred spaces and a better future for our kids. She urged everyone to leave this meeting and continuously lobby Governor Cuomo to come up with a comprehensive energy plan for the state so we don't have to keep coming to these meetings and defending our land, air and water from big companies, whether it is a gas company or a solar company. So that we start to own our own future and envision our own energy future for this state.

This project, the Dominion New Market expansion, is way beyond this town and really a social justice issue. Other areas where this expansion will be include poor folks who didn't go to Cornell. They have no voice. There are Amish farm communities that live and breathe these emissions every day and kids at risk. We've talked a lot about money and finances and jobs. Climate costs all of us money. It costs us jobs, our health and our kids' future.

**Chuck Geisler** said he lives down the road from Borger on Ellis Hollow Creek Road. He's been thinking about how quickly this expansion has gone. It has taken many people

living nearby by surprise. In some sense, they've learned things after the horses are out of the barn. He commended the board, and said a number of things make him proud to live in this town. He loves the letter written to FERC. The board passed a dynamite resolution last summer asking the DEC to hold hearings on Borger in Tompkins County and extend comment period, that water quality as well as air discharge be considered, that the pipeline's capacity be studied in depth and detail before any permits were issued, and finally that the greenhouse gas emissions along the entire pipeline be taken into account, including methane leakage. He thinks there's an opening with Tompkins County, despite the appalling response of the county health department. The County has an energy vision that by 2050 to have an 80% reduction in greenhouse emissions using 2008 as a starting point. Last year the County did a study looking at greenhouse gas emissions between 2008 and 2014 and found that there was a 21% reduction in greenhouse gas emissions if you didn't taken leakage into account. If you did, we went backwards 82%. If Borger is approved that 100 million cubic feet of gas jammed through the system a day – forget the energy vision. It will be wiped out and impossible from now on. He suggests that the town work with Tompkins County to get to the DEC. They have a very enormous vested interest in seeing that their energy visions succeed. (see *attached*)

**Mary Alice Kobler**, with Mothers Out Front, presented a brochure they have prepared. She lives outside the two mile radius but have friends who do live there. She knows two children who suffer from unknown illness right now. They've gone to multiple doctors and no one can figure it out. There is no diagnosis and no cure. She thanked town for going the distance to protect its citizens and environment and they are asking for that again. They don't want to end up like residents of Minisink, New York. The *attached* articles were referenced. Minisink had the misfortune of having a 12,000 hp compressor built and operational since 2013. They were told only water vapor would come from the compressor. This is a compressor half the size of the current Borger station. The Minisink compressor could have been built in an industrial zone instead of a neighborhood, but that extra pipeline would have added cost and they chose to contaminate the 200 households within a half mile of the compressor. We know the fossil fuel folks don't do anything that they aren't absolutely required to do. The Minisink compressor tripled the amount of fine particulate matter which is tied to many illnesses. Asthma, nosebleeds, headaches, and rashes are common among the people in Minisink. The particles in the air doubled the risk of a newborn having autism if the mother is exposed during her third trimester of pregnancy. Respiratory diseases and heart attacks are similarly a hazard. Once you know, you can't unknow.

**Jerelyn Smith**, with Mothers Our Front, thanked Dryden for confronting fracking, but now we need to confront a bigger problem. Climate change is made up of steps. Steps turn into leaps and bounds. She hopes we are leaping and bounding in the right direction. She will one day inherit this world, and although she is 17, she knows she wants to raise her future children in a healthy environment. Getting the upgrade for the Borger compressor station is not compatible with her or her future children's healthy environment. Taking a step in the right direction can be as easy as you make it. The only thing standing in the way is a wrong decision, which seems to be easier. If not us, who? If not now, when? Please help us make a difference and stop the upgrade.

**Judy Pierpont**, Pleasant Hollow Road said she has been aware that this project presents threats of air and water pollution. The pipeline runs through her property. Over two years ago she formally intervened in a FERC proceeding. She was not aware until recently of several factors which make the permitting of this pipeline vastly more problematic. She is looking for ways in which Dryden might be able to push back against the expansion. The plans to enlarge the Borger Station and Dominion's requests to FERC for variances for further expansion have seemingly deliberately moved and/or left out previously mapped wetland borders and streams to make it look as if these water bodies are not there anymore or are not being impinged on. This is unacceptable. Any permits or approvals based on misrepresented wetlands or other water features should be revoked or withheld. Dryden approved a

stormwater pollution protection plan in 2014 in which Dominion had presented inaccurate mapping leaving out one of the three wetland areas that were on the original water resources survey report. The SWPPP is improper and should be revoked by the Town Board and the DEC. Based in part on these approvals, she believes FERC issued a preliminary order to proceed on December 31, 2016. Then on January 24, 2017, Dominion requested variances to build out further. In this request a missing wetland reappeared on the maps. The fudging and shifting of the map boundaries of the limit of disturbance are irregular. A new SWPPP cannot be approved based on inaccurate mapping. She asked that Dryden require that the process be started over and done transparently. If it turns out that wetland buffers are impinged on then the company does not get to build there.

Dryden also needs to do a proper special use permit for the expansion. The SUPs issued in 82, 83 and 84 were issued for expansions and a new turbine. Should there not be an SUP issued for further expansion? There was probably not an original SUP because it was built before Dryden had zoning. It is her understanding there is no SUP for the facility as a whole. A current SUP for the expansion would consider zoning restrictions and call for a public hearing. It also appears that Dominion has not been responsible for cleaning up spills to the state mandated standards. It is time to call this company to account. Dominion does not get to violate rules that are in place expressly to protect water from contamination. All the more reason to withhold further approvals. A child who goes to these lengths to avoid following the rules would be severely punished. Where does this company get off thinking they can play us for fools?

She asks that Dryden revoke the fraudulent SWPPP and withhold approval for any new SWPPP until these issues are fully resolved. She further asks that Dominion's proposed expansion be subject to the Town's zoning ordinances. We made it clear when we banned fracking that heavy industrial uses are not permitted land uses in the town. If it is not an allowable land use, it should not be permitted.

**Vicki Bland**, said she has come to last three meetings and has written. Her concern is the property on Bone Plain Road that was subject to arson and how is going to get cleaned up and how it ever got to that point in the first place. She's heard that the town can't do anything because the unsafe structure law is not developed. This is debris and garbage. The place smoldered for a week and five kids across the street had to breath that air. Please take this serious. Supv Leifer said there will be an update in the Planning Department portion of the meeting.

**Dana Magnesen** lives 5 Sunny Slope Terrace with her wife and 4 kids. They have mini pigs and SPCA dogs and cats. They are .9 miles from Dominion's driveway. They just closed on their house last Labor Day. This came out of the blue and Dominion doesn't feel like a good neighbor. It's ironic that Pennsylvania fracked gas is being pumped through those very old pipes. None of the people in the neighborhood have natural gas. They have fuel oil tanks. She thanked the Supervisor for the letter to FERC. She is trying to educate herself quickly. It seems like such a swift process and they don't seem to be telling all the truths. She hopes the board will investigate and get to the bottom of what is really going on with the zoning and old permits that are still ok to be using. She asked the board to take its time on this. She hopes to retire where they are and have a good life. She doesn't want sick kids. There is a daycare at the Ellis Hollow Community Center. This is a neighborhood, not an industrial area.

**Laurie Snyder**, 36 Freese Road, read the *attached* letter signed by her and Kim Klein. She noted she understood that the resolution referred to has since been corrected to reflect rehabilitation or replacement. She also read the *attached* letter from Robin Seeley.

**Dave Weinstein**, 51 Freese Road, read the following letter:

As you know, the historic status of the Freese Road bridge mandates Section 106 review of the Freese Road Bridge project, as defined in the [National Historic Preservation Act of 1966 \(NHPA\)](#). The US Citizen's Guide to Section 106 Review, published by the Federal Advisory Council on Historic Properties, indicates that anyone who has a legal, economic, or other concern in the effects of a project on a historic property as an individual or member of a neighborhood association or preservation group can become a consulting party to the deliberations, involved in all aspects of the project evaluation.

Consulting party status entitles the individual or group to share views, receive and review pertinent information, offer ideas, and consider possible solutions together with the project agency and other consulting parties, as outlined by the Advisory Council on Historic Properties.

I formally request this consulting party status for myself for the Freese Road bridge project. My participation will be important to successful resolution of the issues involved in deciding what is to be done with the bridge for the following reasons:

1. As an individual who has done extensive research on the history and historical significance of the bridge, I can add valuable insight on these issues.
2. As a careful observer of traffic patterns on the bridge for the past 30 years because of the proximity of my house, I can contribute details concerning traffic flow that can enhance the understanding of these patterns well beyond what mere traffic counts can provide.
3. As a long-time resident of the Varna community, I can outline the ways that this bridge functions as a traffic calming gateway into and out of Varna. Further, as a co-author of the Varna Community Plan, I can contribute explanations of the role the bridge plays in the plan's discussion of the vision for the future of Varna.
4. My long awareness with the myriad accidents that have resulted from cars travelling too fast on the hills and curves of Freese road enables me to supply insight into this issue.
5. I have a probable legal interest in the outcome of this deliberation, since a two-lane bridge would require some amount of my property to be taken for the expanded bridge, something I sincerely hope does not happen.

I look forward to serving as an official consulting party in the process of evaluating the best option for the bridge project, beginning with participating in the selection of the consulting engineer.

**Janet Morgan**, 940 Dryden Road, on behalf of the Varna Community Association, said she has previously provided two resolutions unanimously passed by the VCA. One strongly advocates for representatives from the Varna community to be part of a committee to look at and develop plans for the Freese Road bridge project. The second advocates keeping the bridge as a one-lane bridge and sites a resolution passed by the town board a couple of years ago in favor of keeping it a one-lane bridge.

She has also provided a detailed proposal for materials for the fence around the VCA playground.

**Nancy Miller** provided the *attached* comments.

**Walter Hang** submitted and read the attached letter regarding the Borger station matter and wetland mapping inaccuracies. He believes TG Miller's conclusion is basically false because it did not address the concerns in the easternmost area where there is a revised limited disturbance. The aerial photographs he provided clearly show wetland and waterways within that revised limited area of disturbance. That makes this whole thing erroneous, incomplete and can't be used for regulatory compliance purposes. It must be revoked and started all over again.

**Gina Cacioppo**, 829 Ringwood Road, read the *attached* letter.

**Brad Perkins** said the board has considered a cell tower proposal that has been called the Irish Settlement Road cell tower. It's really the Willow Glen cell tower. He asked that whole

process be set aside and started over again so that people understand that it is not on Irish Settlement Road. It is down in Willow Glen. It has an impact on the cemetery, the neighbors and some other people. He thinks an injustice was done by not recognize that should have been named the Willow Glen cell tower. He almost wants to know that it named the Irish Settlement Road cell tower erroneously on purpose so that there would be confusion and there wouldn't be objections to it.

With respect to the cemetery, he reminded the board that there are 7500 mostly Dryden residents buried there. There are retired town supervisors, retired town employees, parents and daughters and children of current town employees. There are 2400 people that have purchased lots to support that cemetery. He asked each board member to look deeply into the inner parts of their person. He asked if they want to be remembered as a town board that created what will become a permanent eyesore in view of a sacred area.

There is a soar installation on the same street as town hall, near residences. A resident of that neighborhood reported to him this week that the electronic interference caused by the invertors and other equipment there make it so that he has difficulty using his electronic equipment in his residence. That is something we need to know about for all of the people who live very close by the proposed Ellis Hollow and Willow Glen solar projects.

#### **HIGHWAY/DPW SUPERINTENDENT**

No report.

#### **RECREATION DEPARTMENT**

**Jack Davison** made a brief report. The spring booklet has been sent to print. He expanded the volunteer page and information the on Rec Partnership and how town residents can use that. He also added a form so that people who qualify for free or reduced lunches can easily apply for scholarships.

J Davison reviewed a memo to the board providing two options for staffing the department. He asked that the board either hire another part time employee to help with the regular operations of running programs or make Rex Hollenbeck a full time employee. He believes there would be more productivity if there was a full time worker, bringing them back to a full 80 hours per week instead of 70. Rex has been great for the town. He knows a lot of community members and kids. He is involved at the school and is great at promoting and recruiting kids to the programs. If he became full time, J Davison would have more time to work on the administrative side of things, look for grants, work on the master plan and seek public input for projects. He would like the board to make a decision as soon as possible. Before the onset of summer would be nice. He will be working with the village a bit in his free time to understand their summer camp in the event the town takes it on next year. We had programs last year that didn't have instructors. Having another person to help recruit volunteers and find instructors would be very beneficial.

Cl Servoss said she sees no reason not to make Rex Hollenbeck full time. He does a good job and it would save advertising and going through the hiring process. Cl Lamb said J Davison has analyzed this as they asked and made a recommendation and he would like this done as soon as possible. He would like to move forward with two full time employees.

Cl Lavine asked whether there would be an assessment period. Cl Servoss said we have had two full time positions in past. J Davison said they would operate as in the past, but wouldn't have the official titles. J Davison will work in the same capacity as Jennifer Jones did, and Rex will take on the duties that Andrew had. There was some discussion about titles

and Supv Leifer said that will be discussed in the future. J Davison said a title would be nice, but in the meantime they understand the internal chain of command.

**RESOLUTION #50 (2017) – RECREATION DEPARTMENT STAFFING**

Cl Lamb offered the following resolution and asked for its adoption:

WHEREAS, the Board asked Jack Davison to provide information and make a recommendation on the staffing the Recreation Department and the board has reviewed and reviewed that, now be it

RESOLVED, that this Town Board has determined that the Recreation Department would be adequately staffed with two full time positions and approves changing Rex Hollenbeck from part time rec assistant to full time rec assistant.  
2<sup>nd</sup> Cl Servoss

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**NEW/OLD BUSINESS**

**Water/Sewer Consolidation Study Grant** – Board members all have copies of the final report and Supv Leifer asked for a resolution approving that report. An information meeting was held in Varna. If the board approves this report we can move on to the next step of legal consolidation of the district. Approval will also allow for reimbursement of the expense of the study by the state.

**RESOLUTION #51 (2017) – APPROVE WATER/SEWER CONSOLIDATION STUDY**

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

RESOLVED, that this Town Board hereby approves the Town of Dryden Water and Sewer District Consolidation Study, March 2017, as prepared by T.G. Miller, P.C.  
2<sup>nd</sup> Cl Lavine

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Grant Writer Agreement** – Last week the board discussed an agreement Murphy Grant Consulting. Supv Leifer explained the intent is to have them begin with a Community Development Block Grant study that will gather data to be used in applying for larger federal and state grants. The hourly rate is \$90 per hour and he expects the total will not exceed \$1,800 for this first this step.

**RESOLUTION #52 (2017) – APPROVE GRANT WRITER AGREEMENT**

Cl Servoss offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby authorizes the Town Supervisor to execute a contract with Murphy Grant Consulting for grant writing services.

2<sup>nd</sup> Supv Leifer

Roll Call Vote	Cl Lavine	Abstain
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Rescind Resolution #40** – Supv Leifer explained the amendment to the Comprehensive Plan should have been done by resolution and not be a local law, so this resolution needs to be rescinded.

**RESOLUTION #53 (2017) – RESCIND RESOLUTION #40 (2017) REGARDING COMPREHENSIVE PLAN AMENDMENTS TO ADDRESS SOLAR ENERGY SYSTEMS**

Cl Lamb offered the following resolution and asked for its adoption:

WHEREAS, on February 16, 2017, the Town Board adopted Resolution #40 (2017), titled “Adopt Local Law to Amend the Town of Dryden Comprehensive Plan to Address Solar Energy Systems,” and

WHEREAS, said amendments were not prepared in local law format because they may be adopted by resolution, but the Resolution mistakenly treated the amendments as if they were in a local law and purported to adopt a local law that does not exist,

Now, therefore, be it

RESOLVED, that Resolution #40 (2017) is hereby rescinded in its entirety.

2<sup>nd</sup> Supv Leifer

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Retirement Resolution for Elected Officials** – This is something that needs to be done each the beginning of each term for elected officials. Cl Servoss is the only new elected official participating in the NYS Retirement System.

**RESOLUTION #54 (2017) – ESTABLISH STANDARD WORK DAY AND REPORTING**

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

RESOLVED, that the Town of Dryden hereby establishing the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employee’s Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard work day (hrs/day)	Current term begins/ends	Participates in		Days/month reported based on ROA
				employer's time keeping system Y/N	Record of Activites Results	
<u>Elected Officials</u>						

<b>Town Council Person</b>	Kathrin Servoss	6	1/1/17- 12/31/2017	N	2.25	2.25
<b>(Former) Highway Superintendent</b>	Jack Bush	8	1/1/10- 12/31/2013	N	27.76	20

\*for clarification of previous reporting\* (at the request of the NYS Retirement System)

2<sup>nd</sup> Cl Lavine

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Declaration of Intent as Lead Agency** – Supv Leifer explained this is to be lead agency for SEQR on the solar applications (16 in all). The town will pass this resolution and wait 30 days for other possible interested agencies to weigh in whether they want to take that lead agency status.

**Resolution No. 55 (2017) Lead Agency – Declaration of Intent, Sun8 Ellis Tract & Dryden Road Solar Plant Project, Tax Parcel No’s. 38.-1-3.1, Rt. 13, between Johnson Road & George Road; 56.-5-31, 57.-1-6, 57.-1-7.1, Stevenson Road; 67.-1-3 Dodge Road; 67.-1-4, 67.-1-7.2 Turkey Hill Road**

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

**WHEREAS:**

1. The Town of Dryden Town Board, at its meeting on March 16, 2017, considered the application for the proposed Sun8 Ellis Tract and Dryden Road Solar project located on Dryden Road between Johnson Road and George Road, Town of Dryden Tax Parcel No. 38.-1-3.1 Rural Residential and Conservation Zone and Town of Dryden Tax Parcel No’s. 56.-1-31, 57.-1-6, 57.-7.1 Stevenson Road; Town of Dryden Tax Parcel No. 67.-1-3 Dodge Road; Town of Dryden Tax Parcel No’s. 67.-1-7.2, 67.-1-4 Turkey Hill Road. The proposal involves a six lot Major subdivision of the 157 (+/-) acre parcel on Dryden Road and Minor subdivisions of the Stevenson Road, Dodge Road and Turkey Hill Road parcels. The project includes clearing and grubbing the parcels, installation of erosion and sediment controls, installation of gravel access roads and utilities, and the installation of solar panels resulting in thirteen 2MWac solar arrays and three 1MWac solar arrays Each array will be fenced. Sun8 PDC LLC ,Applicant; Cornell University, Property owner of Stevenson Road, Dodge Road, and Turkey Hill Road parcels; Scott Pinney, Owner Dryden Road Parcel, and
2. The proposed project, which requires site plan approval and special permit by the Town Board, and subdivision approval by the Town of Dryden Planning Board, is a Type I action pursuant to the State Environmental Quality Review Act, 6 NYCRR Part 617.4. Environmental Quality Review, because the project will result in the physical alteration of more than 10 acres (§617.4 (b)(6) (f)).
3. A Full Environmental Assessment Form, Part 1, has been submitted by the applicant, along with application materials dated February 22, 2017.

**NOW, THEREFORE, BE IT RESOLVED:**

That the Town of Dryden Town Board hereby proposes to establish itself as lead agency to coordinate the environmental review of the proposed actions, as described above, and

**BE IT FURTHER RESOLVED:**

That the Town of Dryden Town Board hereby requests the concurrence of all involved agencies on this proposed lead agency designation, said concurrence to be received by the Town of Dryden Planning Department no later than April 17, 2017.

2<sup>nd</sup> Cl Servoss

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Authorize Supervisor to sign BridgeNY Project Agreements** – The town has received the proposed contracts from the state for the bridge grants for George Road and Freese Road bridges. These are two separate contracts. The town attorney must review these and sign off on them. Supv Leifer asked for authorization to sign them after they have been approved by the town attorney.

**RESOLUTION #56 (2017) – APPROVE CONTRACTS WITH BRIDGE NY FOR FREESE ROAD AND GEORGE ROAD BRIDGE GRANTS**

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

RESOLVED, that this Town Board hereby authorizes the Town Supervisor to execute agreements with Bridge NY for the grant awards for the Freese Road and George Road bridges, subject to approval of the town attorney.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Comprehensive Plan Amendment –**

**RESOLUTION #57 (2017) – ADOPTING COMPREHENSIVE PLAN AMENDMENTS TO ADDRESS SOLAR ENERGY SYSTEMS**

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

WHEREAS, the Town Board of the Town of Dryden has proposed the adoption of proposed amendments to the 2005 Town of Dryden Comprehensive Plan that directly address large scale solar energy facilities, and

WHEREAS, two public hearing hearings on the proposed amendments were held by said Town, the first on December 15, 2016 at 7:15 p.m., and the second on February 16, 2017 at 7:15 p.m., to hear all interested parties on the proposed amendments to the Comprehensive Plan; and

WHEREAS, the notices of said public hearings were duly advertised in the Ithaca Journal; and

WHEREAS, said public hearings were duly held on said dates and times at the Town Hall of the Town of Dryden and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed amendments, or any part thereof; and

WHEREAS, pursuant to article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR Part 617 (“SEQRA”), adoption of said amendments to the Comprehensive Plan is an Unlisted action for which the Town Board of the Town of Dryden, acting as lead agency in an environmental review with respect to adoption of the amendments to the Comprehensive Plan, has on February 16, 2017, made a negative determination of environmental significance, after having reviewed and accepted as adequate the Short Environmental Assessment Form (EAF) Parts 1, 2 and 3 prepared by the Town’s Planning staff;

Now, therefore, be it

RESOLVED, that the Town Board of the Town of Dryden hereby adopts the amendments to the 2005 Town of Dryden Comprehensive Plan, as described in the attached document titled “Draft amendments to the Town of Dryden Comprehensive Plan to address solar energy systems,” which is made a part of this resolution, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file said amendments in the Town Clerk’s Office and with the Tompkins County Planning Department.

2<sup>nd</sup> Servoss

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Bridge NY Selection Committee** – Supv Leifer said he will review what Dave Weinstein submitted. The town board’s infrastructure committee, the highway superintendent, and Jeff Smith from the County will be part of this committee. The committee will not start reviewing any of the contractor’s proposals until the 30 days period has expired (next week). He will be in touch with Dave Weinstein on Monday. This committee will choose a design consultant for each bridge.

Cl Lavine said how you choose who does the work for you is critical. Who you have on the committee is important. It’s about the nature and the future of the community, not about the nature of the engineering qualifications to build a bridge. They aren’t mutually exclusive. We want the best of both.

**PLANNING DEPARTMENT**

Bone Plain Road – D Sprout said he has not been involved in this necessarily. Code Enforcement Officer Kevin Ezell and attorney Mariette Geldenhuys are working on a law. Supv Leifer said there is already a law that deals with debris called the property maintenance code. D Sprout said in this instance, with this house, not a lot of progress was made. The house burned, it was arson, and was just cleared within the last week, so now they can move forward. We need to take her to court and continue. Some of the debris on the property is stuff that she says is her cutting edge artwork. He said he has been arguing that we need a junk law, not a junk yard law, so we can address these properties that have a lot of accumulated stuff around.

K Ezell will call Vickie Bland tomorrow and bring her up to date. We have an outside storage law that might apply.

Cl Lavine left the meeting at 11:00 p.m.

## **COUNTY BRIEFING**

None – Supv Leifer asked about county’s infrastructure meeting. M Lane said it had been postponed to the 21<sup>st</sup>. There is a calendar on their website that lists all their meetings.

## **Advisory Board Updates**

**Planning Board** – Will be meeting on the 23<sup>rd</sup> at 7:00 p.m. to discuss the 1061 Dryden Road PUD proposal.

**Conservation Board** – They are making good progress on the natural resources plan.

**DRYC** – No report.

**Ag Committee** – Is still reviewing the ag protection plan. They have prodded Cooperative Extension to improve the quality of their work. They expect results in April.

**Rail Trail Task Force** – Will meet on the 22<sup>nd</sup> in Freeville at the Village Hall. They are about to go live with a Facebook page to keep people up to date. DOT has been researching ownership of the Fox Bridge in Varna. No one is certain who owns the bridge, though they are applying to DOT for permits to use it for the trail. It will need to be resolved at some point and Bob Beck asked whether the town will accept ownership. Either the town or DOT needs to claim it. DOT will need to issue a use and occupancy permit and a work permit and approval to use it for a multipurpose trail. They can’t proceed until we know if we get the grant and whether it is local, state or federal money. It may be that Mahlon Perkins, who took title from the railroad, will need to give over whatever his interest may be in the bridge.

**VCA Fencing Funding Request** – The law prevents municipalities making gifts to private entities, including not-for-profit corporations. The town provides funds to the VCA; it needs to receive something of equal value back. We’ll need an MOU or contract that spells out what the town gets in return for what it gives. It typically should be something that already isn’t being given. It is a NYS constitutional prohibition against gifts.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Bambi L. Avery  
Town Clerk

To: Dryden Town Board

March 15, 2017

From: Gin and Nari Mistry, 1159 Ellis Hollow Rd, Ithaca NY 14850 (Town of Dryden)

Re: Proposed Solar Farm on Dodge Rd, Town of Dryden

Dear Supervisor and Town Board Members,

We support the proposed Solar Farm on Dodge Rd in the Town of Dryden.

We have lived on Ellis Hollow Rd opposite the end of Dodge Rd for 48 years. We are very familiar with, and attached to, this area where we walk, ski and observe and record birds and other wildlife.

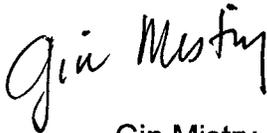
However, we have some reservations and these very important concerns about this project:

1. The huge scale of this project.
2. The impact of this project on the existing abundant wildlife. These fields are not barren empty lands, but support a wealth of birds, animals, plants and insects. (See attached lists.) Much of the impacted area contains wetlands.
3. The possible degradation of Cascadilla Creek, which runs through the area.

Therefore we request the following:

1. Require a thorough environmental impact study (EIS) for this project .
2. Consider a smaller scale project which would fit into the neighborhood and would be more likely to be accepted by local residents.
3. Leave open areas for wildlife to thrive.
4. Do not use herbicides/pesticides as these are known to cause great damage to wildlife and streams.
5. Avoid fences and walls which impede the passage of wildlife.
6. Do not allow construction runoff to pollute the wetlands and Cascadilla Creek.
7. Plant and maintain a "buffer zone" of trees, shrubs, and native plants along the road , and bordering Cascadilla Creek.
8. Allow continued access for local residents to walk, ski, watch birds and wildlife, and hunt.

Thank you for your consideration of these matters.

  
Gin Mistry

  
Nari Mistry

1159 Ellis Hollow Rd  
Ithaca, NY 14850 (Town of Dryden)

MAMMAL species living and nesting in the fields and Dodge Road area:

Bobcat  
Porcupine  
Opossum  
Moles  
Little brown bat  
Raccoons  
Long tailed weasel  
Striped skunk  
Red fox  
Gray fox  
Coyote  
Mink  
Woodchuck  
Chipmunk  
Red squirrel  
Gray squirrel  
White footed mouse  
Deer mouse  
Eastern cottontail rabbit  
White tailed deer

This is not an exhaustive list of mammals but are species observed by Gin and Nari Mistry and neighbors over 48 years of walking in the Dodge Road area.

BIRD species which have been recorded by Gin and Nari Mistry in the Dodge Road area. This area includes the habitats of fields, woods, wetlands and creek .

Killdeer	Savannah sparrow
Turkey vulture	House sparrow
Northern harrier	Meadow lark
Kestrel	Pileated woodpecker
Tree swallow	Northern flicker
Ruby-throated hummingbird	Downy woodpecker
Wild turkey	Hairy woodpecker
Northern Shrike	Red-bellied woodpecker
Cedar Waxwing	Yellow-bellied sapsucker
Eastern Kingbird	White-breasted nuthatch
Great-crested flycatcher	Red-breasted nuthatch
House wren	Brown creeper
Carolina wren	Eastern wood pewee
American crow	Eastern phoebe
Blue jay	Black billed cuckoo
Mockingbird	Canada goose
Common grackle	Mallard duck
Starling	Common merganser
Red-winged blackbird	Hooded merganser
Eastern bluebird	Great blue heron
Horned lark	Belted Kingfisher
Catbird	Bald Eagle
American goldfinch	Osprey
Bobolink	Barn Swallow
White-crowned sparrow	Great Horned Owl
White-throated sparrow	Sharp-shinned Hawk
Tree sparrow	Red-tailed Hawk
Chipping sparrow	Cooper's Hawk
Song sparrow	Brown headed cowbird
Fox sparrow	Baltimore oriole

Scarlet tanager

Robin

Wood thrush

Veery

Red-eyed vireo

Ovenbird

Black-capped chickadee

Golden crowned kinglet

Ruby crowned kinglet

Cardinal

Rose-breasted grosbeak

Pine siskin

Red crossbill

House finch

Purple finch

Dark-eyed junco

Ruffed grouse

Mourning dove

Black-throated green warbler

Yellow-rumped warbler

Magnolia warbler

Yellow warbler

Common Yellowthroat

Nashville warbler

Blackpoll warbler

Black and White warbler

Black-throated blue warbler

Redstart

Wilson's warbler

Besides BIRDS and MAMMALS there are many other kinds of wildlife and plants in the Dodge Road area.

Amphibians – such as frogs and salamanders.

Reptiles – such as lizards, snakes and turtles.

Insects – such as grasshoppers, butterflies, and crickets.

Plants – such as trees, shrubs, and native wildflowers (which support the important and declining numbers of pollinators.)

---

Submitted by Gin & Nari Mistry, 1159 Ellis Hollow Rd.

3/16/2017

**Comments on the SUN8 (Distributed Sun) Large-Scale Solar Facility  
2150 Dryden Road Facility  
Charles R. Smith  
Public Hearing, 16 March 2017  
Dryden Town Hall**

My name is Charles R. Smith. I've been a resident of the Town of Dryden for more than 40 years, first in Varna, and now living near Hammond Hill State Forest. I also have served on the Town of Dryden Conservation Advisory Council and Conservation Board for the past 16 years, with two years as Chair of the Conservation Board.

**Qualifications:** I am a naturalist, educator, and conservationist, with more than 50 years experience studying plants and animals, especially birds. Outdoors, in the field, I am able to identify on sight more than 1000 different kinds of plants and animals, including vascular plants (ferns, wildflowers, trees and shrubs), fish, amphibians, reptiles, birds, mammals, and insects (mostly damselflies, dragonflies, and butterflies). Before retiring in 2012, I held teaching, research, and administrative positions at Cornell for 40 years, including assignments as Executive Director of the Laboratory of Ornithology and Director of the Cornell Plantations Natural Areas Program. I also am a member of the Preserve Management Committee of the Finger Lakes Land Trust and have been an advisor to numerous state and federal conservation agencies. To be clear, I am NOT an "environmentalist." You may call me an SOB and other accolades if you choose, but please, please do not call me an "environmentalist." My professional opinions are based upon demonstrable scientific facts and the best objectivity I can muster.

*I am supportive of alternative energy sources, including solar and wind, if sited and constructed so that adverse effects on local biodiversity are demonstrably minimized,*

I have reviewed the "Full Environmental Assessment Form," dated 20 February 2017, related to the proposal to construct a large-scale solar facility at 2150 Dryden Road. I participated in a site visit to the proposed site on 9 March. In particular, I feel qualified to comment on Pages 12 and 13 of that form, which I have found to be totally inadequate with respect to its assessment of the biological features of the proposed site. On Page 12, only six general categories of "wildlife" species are identified as using the site, including only one kind of bird, "turkeys," which I assume means Wild Turkey. The site is situated within two New York

State Breeding Bird Atlas survey blocks. The Second New York State Breeding Bird Atlas was conducted from 2000 through 2005 and the data collected during that project are available on the NYSDEC web site. I was a scientific advisor for both the First and Second Breeding Bird Atlas Projects. The breeding bird atlas database reports 118 different kinds of breeding birds from the two atlas survey blocks within which the proposed Large-Scale Solar Facility is located. An as yet unknown number of those 118 different kinds of breeding birds could occur on the proposed site, including one state-listed "threatened" species and four state-listed "special concern" species. The site should be surveyed for breeding birds during the Summer, by an experienced and competent field ornithologist, before an adequate assessment of its potential effects on breeding bird species can be accomplished.

Though wetlands and a constructed pond occur on the site, absolutely no mention is made in the "Full Environmental Assessment Form" of possible use of the site by amphibians, most of which require ponds and wetlands for breeding in the Spring. In order to assess the potential effects of the proposed development and its construction on breeding amphibians, the site should be surveyed during the Spring and early Summer breeding seasons for the presence of frogs, toads, and salamanders. Amphibians will be especially vulnerable to being killed or disturbed by any construction on the site during their Spring and early Summer breeding periods.

On Page 13 of the "Full Environmental Assessment Form," it is reported that the proposed project is not within five miles of "any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource." In reality, the site is approximately 2.7 miles East of the Etna Nature Preserve of the Finger Lakes Land Trust, a local land conservation organization.

Finally, there is no evidence contained in the "Full Environmental Assessment Form" of any surveys conducted for plants on the site. Field surveys should be conducted by an experienced and competent field botanist to inventory plants occurring on the site to assure that no rare, threatened, or endangered species occur there. Further, the <sup>Proposed</sup> destruction of forests and shrublands ("brush") on the site will be detrimental to most forms of plant and animal life living on the site.

In summary, the "Full Environmental Assessment Form" is totally inadequate for assessing the potential negative effects of site construction on breeding birds, amphibians, and plants at this time. Further, it neglects to report the presence of a local, publicly accessible nature preserve less than five miles distant. In my best professional judgment, there is not sufficient information provided to allow the proposed development to be evaluated and to move forward. At this time, it bears testimony to the forces of greed, ignorance, and superstition that continue to threaten and destroy the natural beauty of the Town of Dryden.

Respectfully submitted,

A handwritten signature in cursive script that reads "Charles R. Smith". The signature is written in black ink and is positioned above the printed name.

Charles R. Smith, Ph.D.  
Naturalist

J. Senickel

# Frank Keating: I signed wind industry tax breaks, and I was wrong

By Frank Keating | Posted: Saturday, February 25, 2017 12:00 am

In 2001, when I served as governor of Oklahoma, I signed legislation creating the Zero Emissions Tax Credit for industrial wind energy. The tax credit was designed to give a jump-start to a wind industry in its infancy in Oklahoma at the time. It was sold to us as a low-cost way to broaden our already robust energy and economic development program. It was supposed to create jobs and develop a more prosperous future for Oklahoma.

Signing this legislation was simply a mistake. What was promised to cost the state less than \$2 million annually when I was in office has soared to \$113 million for the 2014 tax year and is expected to cost billions in the future. Wind farms average 10 percent to 13 permanent jobs, which hardly lives up to the promised employment growth.

Because the tax credits weren't limited or capped, the Zero Emissions Tax Credit has warped into a scam costing taxpayers millions to the detriment of other publicly funded services. In 2014, the credits became directly refundable, meaning the state writes wind companies checks for 85 percent of the value of each credit. That's essentially a blank check funded by taxpayers that goes to multibillion-dollar corporations based outside of Oklahoma and mostly located in foreign countries. It's the worst kind of corporate handout.

I'm shocked and dismayed that taxpayer money has been spent so recklessly and at the cost of funding Oklahoma's education system, which we know continues to be at risk. Because of power purchase agreements with other states, people outside of Oklahoma enjoy the majority of this discounted power, thanks to the subsidies we fund. Yes, this really happens!

If you're not upset yet, just wait because it gets worse. The wind industry will tell you there are already controls in place because the current law sunsets these credits in 2021. However, Oklahoma pays these billion-dollar wind companies for the electricity produced by each turbine for 10 years. Turbines put in operation this year will receive tax credits until 2027. Under current law, payments will continue until Jan. 1, 2031, for turbines placed in operation before Jan. 1, 2021.



## Wind Farm

Turbines dot the landscape along an Oklahoma highway. JAMES GIBBARD/Tulsa World file

The wind industry is also not telling you about plans to accelerate the pace of construction so it can benefit from these subsidies on more than four times as many turbines as the number that generated the \$113 million claimed in 2014. This considerable growth could cost us up to \$5.2 billion by the time the last bill is paid.

The costs will continue to rise, opportunity for education will be lost and taxpayers will be on the hook for billions if we don't act now. Decisions made now will affect, and perhaps destroy, our state government financially over the next 14 years.

As your former governor and a proud citizen of Oklahoma, I encourage us all to work together to end this subsidy no later than July 1, 2017, before the planned growth compromises our future. Together, we can and we must protect Oklahoma.

---

*Frank Keating was governor of Oklahoma 1995-2003.*

To the members of the Dryden Town Board

March 16, 2017

My name is Elisa Evett and I am here in my capacity as a member of the Finger Lakes chapter of Mothers Out Front, a national group of mothers and grandmothers whose mission is to work for a liveable climate. I am here to register my concern about Dominion's New Market Pipeline Project, a startlingly large expansion of the 200 mile long pipeline between Horseheads and Albany which will affect the Borger compressor station in Ellis Hollow. With an increase of 100 million cubic feet per day of gas being pushed through the pipeline, Borger station will be emitting potentially large amounts of harmful pollutants into the air and water. I am very concerned about the risks these emissions pose to the health of the residents, especially those within the two kilometer radius area. I am also concerned about the other possible safety threats from forcing such a huge amount of gas through a pipeline that is pushing 60 years old. It has recently been reported that the US has 1 pipeline inspector for every 5,000 miles of pipeline. What are the chances of this old pipeline being inspected adequately? Furthermore, Comptroller Thomas DiNapoli reported in May of 2016 that between 1995 and 2014, New York had 194 pipeline incidents resulting in 23 fatalities, 123 injuries, and \$77 million in property damage. These are might sobering statistics. I don't want the residents of Ellis Hollow, especially the children at the daycare center at the Ellis Hollow Community Center or at the Lantern school both within the 2 kilometer radius of Borger, to show up in statistics like these!

I live at 298 Bald Hill Rd. in Brooktondale and so my objection to this ramp-up cannot be construed as an example of a not-in-my-backyard position. As a part of my larger commitment to reduce our reliance on fossil fuels in order to save the planet, I have chosen to work on the local level by trying to stop the New Market Project and thus save my Dryden neighbors from the hazards that the ramp-up poses.

A number of groups, including the Dryden town board, have sought to, if not halt, at least stall this project by asking FERC not to grant the variances recently requested by Dominion.

So if FERC grants the variances, what can we do?

To our knowledge, neither Dominion nor the DEC have ever conducted air monitoring to discover just what emissions are coming from this particular facility. Given this regrettable situation, the members of Mothers Out Front think that it behooves us to take the lead in protecting the community by undertaking three kinds of air monitoring as well as some water and noise testing, to assess the present impacts of the station, accompanied by a health study to get a picture of how

people might be affected by the existing conditions. This would give us a kind of baseline against which to compare an "after" set of monitoring and health study results.

We have met with the Tompkins County Health Department's Frank Kruppa and Liz Cameron to ask them to collaborate with us on this project. They have declined. I repeat, they have declined, even though they had already been invited to join forces with the Madison and Montgomery County Health Departments to do a three county study and to which they said no.

As an alternative, we have the possibility of partnering with the Environmental Health Project, a highly reputable non-profit public health organization that assists and supports residents who believe their health has been, or could be, impacted by unconventional oil and gas development. The group includes medical professionals, community service professionals, and public health scientists who would analyze the monitoring data that we would procure by placing monitors in 8 households within the 2 kilometer radius and the health data garnered from health questionnaires EHP would provide us. The price for EHP's services is \$12,364 . It would be much more costly if we were not able to do much of the leg work on a volunteer basis. But then we mothers are accustomed to doing plenty of unpaid work, especially when we are passionate about doing something to protect our children!

It would be very helpful if the Dryden Town Board would support this project by allocating a portion of its discretionary funds to help offset the cost of the data analysis by the Environmental Health Project and by writing a letter of support that could be used by Mothers Out Front in our quest for grant money. Dryden demonstrated its backbone and fortitude, despite the odds, in fighting for a fracking ban. The Borger station is a part of the insidious infrastructure that is designed to keep our society addicted to the fossil fuels that will hasten climate change. Surely Dryden will show the same kind of imagination, courage and resolve to pursue any reasonable path to protect its residents from this effects of this project.

Respectfully submitted,  
Elisa Evett  
Member of the Finger Lakes Chapter of Mothers Out Front

# Dominion New Market Project Monitoring



ITEM	Test Method	Equipment Cost/Unit	FTEs	Analysis Cost	No. of Units	Subtotal	NOTES
Fine Particulate Matter	Speck Monitors	\$ -		See Notation Below	8	0	No cost. On loan from Olsego 2000.
Formaldehyde	Badges	\$ 90.00			4	360	[Note]
Hydrogen sulfide	Badges	\$ 90.00			4	360	[Note]
VOCs	Summa Canisters	\$ 250.00			4	1000	[Note]
Noise	Casella CEL-24X Meters	\$ 1,500.00			1	1500	[Note]
Surface Water	19 Parameters	\$ 1,040.00			3	3120	Cascadilla upstream, downstream & wetland.
Home Water	17 Parameters	\$ 2,008.00			3	6024	Individual household wells/springs
Health Studies	EHP Questionnaire	\$ -				0	Printing and mailing costs
Printing & Mailing		\$ 400.00				0	
<b>Total</b>						<b>12364</b>	

\* EHP analysis & interpretation for all air & health questionnaires = \$26,000

\*\* Water testing costs are estimates based on Madison County Phase 1

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Thursday, March 16, 2017

Address to: Dryden Town Board Meeting

From: Katie Quinn-Jacobs

Re: Formation of a task force to review Borger Station's town approvals

First, I would like to thank the Board for its support and responsiveness to the community's concerns regarding the Borger expansion and for writing the letter to FERC regarding the Dominion New Market project. I know it's not easy fielding the myriad questions that come up from a mobilized citizenry, so I wanted to take a few moments to thank you for your patience and continued support.

The letter directed to FERC Secretary Bose from Supervisor Leifer outlines why the expansion at Borger needs to be revoked: the original flawed SPPP, the unremediated toxic areas, and the variance requests' encroachment into wetlands and waterways within the Limits of Disturbance.

When looking into local approvals for Borger, I was told that its operations and expansions are protected by a Special Use Permit (SUP) granted decades ago. This SUP was supposed to have a "grandfather clause" that allowed Borger to continue its operations and expansions without review by the Town of Dryden other than to oversee building permits and other zoning matters mandated by New York State.

At the end of February, 2017, I filed a FOIL request to obtain a copy of this SUP. I received 11 documents back from the Town Clerk's office, but none of them are a SUP for the general operations of the compressor plant.

There were 3 SUPs issued in 1982, 1983, and 1984 to Consolidated Gas Transmission Corp (CGTC), the owners of the plant at that time. However, the SUPs are limited in scope: two for building expansions and the other to replace old compressors with a new model. It appears that CGTC applied for SUPs when they needed to expand or update their operations.

This leaves open the question: where is the operating SUP for Borger? It is possible that it has been misplaced; it is also possible that it never was issued as zoning wasn't adopted by the township until the early 1980's.

In either case, it seems likely that over the ensuing decades institutional memory conflated the very limited SUPs from the 1980's into a general operating SUP that, in fact, hasn't been on file in the Town's records.

The existence of SUPs from the 1980's brings up another question: why didn't Dominion file a SUP for the current expansion project? Clearly, a precedent was set in this regard during the 1980's.

With this in mind, I looked at the current SUP requirements under article 12 of the Town of Dryden zoning code. It appears that if Borger had been required to submit a SUP for the Dominion New Market project expansion, it would not have been able to comply with the following provisions: A, B, D, and E of section 1202.

Section 1202: Town Board Action (Excerpt from Town of Dryden Zoning Code)

The Board shall not issue a Special Use Permit unless it determines that the proposed use will satisfy the standards set forth herein. In order to make such a determination, the Board may attach reasonable conditions to its approval. Such conditions must be directly related and incidental to the proposed Special Use Permit. The Town Board shall consider the standards outlined below in their determination:

- A. Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this Law;
- B. Compatibility of the proposed use with adjoining properties and with the natural and manmade environment;
- C. Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police, and emergency vehicles;
- 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;
- E. Restrictions and/or conditions on design of Structures or operation of the use (including hours of operation) necessary either to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town;
- F. Compliance with the requirements for site plan review, including conformity to the Town's Residential and Commercial Design Guidelines.

**Due to the complexities of the local regulatory landscape with regard to this continually-expanding industrial plant in our community, I would like to ask the Town Board to explore the historical and future permitting requirements related to the Borger station by forming a task force to address and clarify these issues.**

**Dryden Town Board Statement, Wendy Wolfe: March 16, 2017**

I would like to address the ramp-up at the Borger Station in Ellis Hollow, which is part of Dominion's New Market Project:

We have some very basic questions about the ramp-up that have not been answered by any of the many documents available to the public, by any local or county government officials we have asked, or by the DEC—including the person in charge of the Dominion New Market Project.

The critical question is: **What percent increase in operation is going to occur at Borger?** Is the ramp-up a 2% increase? A 200% increase? or a 2000% increase?

Doesn't the public have a right to know this? Shouldn't the DEC and Town officials know this before allowing the project to proceed? Does any County or Town Official know the relative scale of the increase? Apparently, the answer is "no."

We *do* know a few things:

(1) We know that Dominion's New Market Project will allow an additional 100 million cubic feet of gas PER DAY to flow through the Borger Station.

But we don't know if that is a small increase, a doubling, or an enormous increase that will generate tons more noise and air pollution.

We know that Borger did not require a new air pollution permit for this increase, so it must currently be emitting *under* its limits—and its limits are fairly *high*—Borger is an EPA-designated Title V Facility, which means it qualifies as a "major source" of emissions. It's possible that residents are suddenly going to experience a huge increase in air pollution in their neighborhood.

(2) We also know that Borger currently operates only 4 months of the year—late November through late March, according to its FERC certificate.

Will the ramp-up increase the operation time? Will it operate 12 months of the year now, including the spring, summer, and fall, when people are more likely to be outside and bothered by noise or harmed by air pollution? Will it operate for longer each day? How much longer? Will the compressors run at a higher rate than they do now? How much more? Will they have to run the two older, more polluting, turbines more often?

(3) We know that the pressure in the Dominion pipeline through New York currently ranges from 525 to 900 pounds per square inch. Dominion says it will not be increasing the maximum allowable operating pressure, which is now 900.

But, what is the average pressure through Ellis Hollow now when Borger is operating? And how much will that average pressure increase? Is it currently operating closer to 525 and now will be closer to 900? If so, that would be a lot more pressure on those 50-year-old joints and pipes, and could be greatly increasing the risk of explosions.

Why is this project being allowed to proceed without the DEC and local officials knowing the scale of increase? And why aren't Borger Station neighbors allowed to know these things? We need to understand the potential for increases in air pollution, noise, and health effects, as well as pipeline accidents.

In Minisink, NY, residents fought a compressor station, but it was built anyway in 2013. Now many residents are experiencing rashes, nosebleeds, respiratory problems, and headaches. That station has more modern equipment than Borger, and its turbines are just HALF the horsepower of those at Borger!

# What Can You Do?

## ► Participate in Health Study:

If you live within 1.25 miles of the Borger Station, please join our health study! (see box)  
**Contact:** Katie <kqj@authentrics.com>

## ► Educate Yourself:

Read the detailed information on our website, and check out our links to other resources:  
[www.MothersOutFront.org/FingerLakes](http://www.MothersOutFront.org/FingerLakes)

## ► Inform Your Neighbors:

Talk to your neighbors about this issue, have a gathering and present information, or go door-to-door to make sure everyone is aware of the changes just ahead.

## ► Assist our Group:

We are a small group of concerned residents who desperately need help researching, writing, talking to local officials, organizing public information sessions, carrying out air sampling and a health study, sending out action alerts, and connecting with other concerned groups. People with all types of skills are welcome, from good listeners and envelop-stuffers to web designers and the technically trained!

## Our Greatest Concern:

A compressor station *less than half the horsepower of Borger* was built in Minisink, NY in 2013. Many residents within a mile experienced rashes, nosebleeds, respiratory symptoms, and headaches, and several developed asthma. Spikes in health impacts coincided with spikes in air toxins, especially particulates. About a dozen families have moved away. We don't know how the ramp-up at Borger will compare to Minisink. And we don't know what greater impacts future increases could bring.

## Baseline Health Study

We need to gather baseline data on residents within 1.25 miles of the Borger Station to protect all of us in the future. If people get sick after the ramp-up, we will have little recourse without "before" data to document changes. We also plan to gather data after the ramp-up. This study will consist of a confidential, detailed, online (or paper) health questionnaire.  
**Contact:** Katie <kqj@authentrics.com>

## Air Quality Assessment

It is equally important to gather baseline air quality data, so we can document any changes resulting from the ramp-up. If we can secure enough funding, this study will consist of:

- (1) Speck monitors to measure particulates both inside and outside your home
- (2) Formaldehyde & hydrogen sulfide tests
- (3) Summa canisters to measure VOCs

**Contact:** Elisa <duccio44@gmail.com>

## Requests to Protect Ourselves:

With enough people, we could demand some basic changes to protect our neighborhood:

- Oxidation catalysts to reduce air emissions
- A neighbor notification system for annual blowdowns and emergencies
- Enforced use of the cleaner turbine
- Upgrades or replacements of older turbines
- An emergency response plan

## Mothers Out Front-Finger Lakes

[www.MothersOutFront.org/FingerLakes](http://www.MothersOutFront.org/FingerLakes)  
**Contact:** Katie <kqj@authentrics.com>

## Ellis Hollow Alert!

## Borger

## Compressor Station

## Ramp-Up



## Changes are Coming:

- Dominion plans a significant increase in the gas flowing through the Borger Station on Ellis Hollow Creek Rd.
- Construction will begin Spring or Summer 2017
- The new system will be in service by late 2017

## Resident Concerns:

- How will increased air emissions affect our health?
- How much will noise from the station increase?
- Is there an adequate emergency response and neighbor notification system?

*What can we do to protect ourselves?*

*Please join our efforts!*

**MOTHERS OUTFRONT**  
MOBILIZING FOR A LIVABLE CLIMATE

## Background Information:

### Compressor Station Function:

As gas flows through a pipeline, the pressure drops. Thus every 40 to 100 miles a compressor station is required to restore the pressure. Some of the incoming gas is burned to drive a turbine, which compresses the rest of the gas, causing it to move along the pipeline.

### Compressor Station Problems:

Compressor stations and their pipelines leak methane (the main component of natural gas), which is 86 times more powerful than carbon dioxide at trapping heat and causing climate change, over a 20-year period. They also emit air pollutants from the combustion of gas, and release unburned methane and other hydrocarbons during blowdowns—when pipes are vented during annual inspections or emergencies.

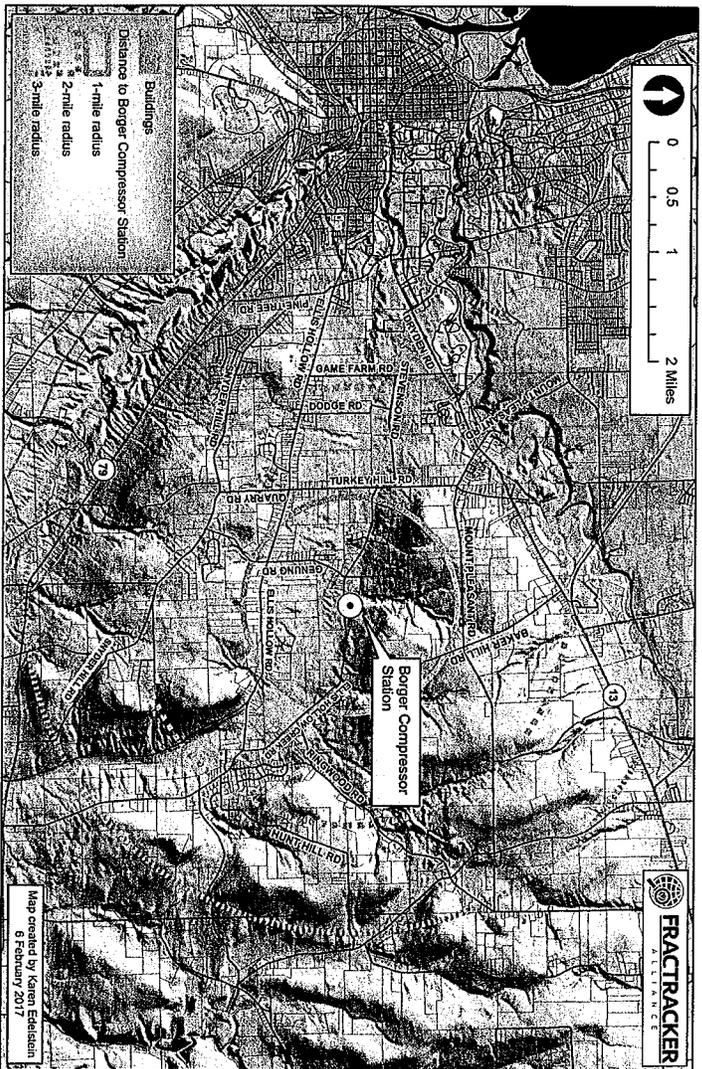
*Air emissions include nitrogen oxides, particulates, formaldehyde, VOCs including benzene, and various other hydrocarbons and hazardous chemicals.*

Also, compressors are noisy when running, and spills of petroleum or petroleum byproducts may impact nearby streams or wetlands.

### Borger Compressor Station:

Owned by Dominion Transmission, Inc. (DTI), this 23,726-horsepower (hp) facility has three turbines: two Dresser Clark, 5,800 hp each, installed in 1984 & 1999, and one Solar Taurus, 12,126 hp, added in 2009. The Taurus emits fewer nitrogen oxides and is less leaky than the older turbines. Because of its high air pollution emissions, Borger is an EPA “Title V” facility.

Borger runs only 4-6 months each year, from Nov. to March. The 50-year-old Dominion pipeline has a pressure limit of 900 psi (pounds per square inch), but currently may be operating at a much lower pressure.



## Borger Ramp-Up Changes

As part of Dominion’s “New Market Project,” the Borger Station will undergo the following changes, expected to be completed by late fall 2017.

- ▶ gas flow will increase by 100 million cubic feet per day (=112,000 dekatherms)
- ▶ 2 coolers (large fans) will be added to cool gas after it leaves the compressors; cooling makes the gas more dense, allowing more gas flow without exceeding the pipeline’s maximum pressure limit
- ▶ 3 Capstone microturbines will be added to generate electricity to power the coolers
- ▶ a filter/separator, which cleans the gas entering the compressors, will be replaced

## What won’t they tell us about the Ramp-Up?

So far, neither Dominion nor the permitting government agencies (DEC and FERC) will disclose to the public the scale of the increase in gas flow and operation of the Borger Station:

- ▶ We know that 100 million ft<sup>3</sup>/day MORE gas will flow, but they will not disclose how much is flowing now, so we do not know if this is a 2% or a 200% increase.
- ▶ We do not know at what capacity the turbines are running now, nor what capacity they will run at after the increase.
- ▶ We do not know if the turbines will run more of the year after the increase, operating more during non-winter months, when more people will be outside, breathing in the emissions and hearing the noise.



## **MOTHERS OUT FRONT**

**MOBILIZING FOR A LIVABLE CLIMATE**

### **Questions about the Borger Compressor Station Ramp-Up that the Public & Local Officials Need Answers to!**

Answers to the following questions would help us learn important information that we have been unable to ascertain, despite many hours pouring through FERC and Dominion documents, and a number of emails and phone calls to DEC and Dominion personnel.

We are sure that local town and county officials deserve and would like to know this information as well, as it will help us all to understand what the percent increase over current operations the ramp-up in the Borger Station will be as a result of the New Market Project. Thus, we can get some idea of the increases in air pollution, noise, and health effects to be expected, as well as the increased potential for pipeline accidents.

- (1) How much gas total, in terms of cubic feet, is moving through Borger now each year?  
By what percent will that increase due to the New Market Project?
- (2) How much gas, in terms of cubic feet/day, is moving through Borger now on a peak day?  
By what percent will that increase due to the New Market Project?
- (3) How many months of the year are the compressors at Borger running now?  
*[Is it really just late Nov through late March? We have conflicting information on this—someone from DEC said 6 months, and the FERC certificate says late Nov through late March.]*  
How many (and which) months of the year will the compressors run once the New Market Project is in-service?
- (4) How many hours per year do the compressors currently run?  
If that will change under the New Market Project, what is the percent increase in the number of hours of operation annually?
- (5) At what percent of their capacity are the compressors at Borger running now, on average, when they are actually running?  
By how much will that increase due to the New Market Project?
- (6) What percent of the total operating time are each of the 3 turbines running? (In other words, does Unit 2 do 25% of the work, Unit 3 do 60%, and Unit 4 do 15%, for example?)  
How will this change due to the New Market Project?
- (7) We understand that the pressure in the Dominion pipeline ranges from 525 to 900 psig currently. What is the average pressure near Borger when is it operation now?

## *C. Geisler Comment on Borger:*

TB REMARKS: 3/14/17

Many of us here tonight are concerned by the magnitude of the New Market expansion as well as the swiftness of its permitting. When Dominion sought permits in July of 2016, the Borger Compressor Station wasn't on the ENB list at DEC. 6 months later, it was permitted by DEC to move forward.

Hard believe this happened. And though we may be asking you to take actions that are not within your jurisdiction, it's a tribute to your unstinting work as a town board that we're here.

To your credit you passed a resolution and circulated it widely last summer that asked:

1. DEC to hold hearings on Borger in TC and extend the comment period;
2. that water quality as well as air discharge be considered;
3. that pipeline's capacity be studied before permits were granted;
4. and that a study of GG emissions be made of the full pipeline in light of what is now known about methane leakage from pipelines and auxiliary equipment.

Thank you.

My request tonight is that, in light of your limited powers over DEC and FERC, you formally ask the Tompkins County Legislature to request that DEC put its Borger permits on hold until an updated GG Emissions Study is completed. TC is really vested in GG Emission reduction; its Energy Road Map aims at an 80% reduction by 2050 from 2008 levels). Leakage from the New Market Pipeline makes this virtually impossible.

As the **TC Greenhouse Gas Emissions Inventory** reported last year, if leakage is not considered the County reduced GG emissions 21% from 2008 to 2014; if leakage is included, they increase by 82%. Not clear if that includes the Dominion expansion of 100 million cu. Ft./day over the current base flow. That's 6 times as much as the proposed W.D.P. which, if build, will add the equivalent of 30% of TC's carbon emissions.

So the Town has a natural ally in TC and should be going after DEC together.

## Summary of Minisink Monitoring Results

The Minisink compressor station has been in operation since the summer of 2013. Families living within a few kilometers of the station have been experiencing episodic health symptoms since the station began operation. The facility is a 12,000 horsepower compressor. At the request of the community, EHP placed 5 Speck particulate matter (PM 2.5) monitors near residences from October 19 – December 17, 2014 and collected health information from 8 families living within 1.5 kilometers of the site. Residents also collected air samples of VOCs using Summa canisters on four occasions.

### Major Findings

#### SUMMARY OF HEALTH IMPACTS

EHP collected health information from 35 individuals, 12 of whom are children. A medical professional collected the data. Symptoms that developed after the potential exposure period (beginning summer 2013) or worsening pre-existing symptoms without a more plausible cause were reviewed. The health findings are consistent with information from other research reported in peer-reviewed literature and by other environmental health organizations. The predominant health impacts reported were:

- Respiratory problems (22, includes 6 experiencing nosebleeds)
- Neurological problems, (12, all of whom report headaches)
- Dermatological problems (10, skin rashes)
- Overall physical health self-assessments, when compared to a national standard (SF36), are below normal for 2 out of the 8 individuals who completed the SF36. Overall mental health and wellbeing levels were below normal for half of the respondents.

#### PM2.5 MONITORING RESULTS

Monitoring of PM2.5 outside residences near the Minisink Compressor station demonstrated the following:

- Four of the 5 Speck monitors recorded elevated PM2.5 baseline values in outside ambient air compared to regional levels of AQI PM2.5 reported from Newburgh, NY Airport. The average hourly AQI for the monitoring period was 6.4 ug/m<sup>3</sup>. The average hourly values for the Specks ranged from 4 to 20

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#### SW Pennsylvania Office

2001 Waterdam Plaza Drive, #201, McMurray, PA 15317  
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#### Connecticut Office

760 Chapel Street, New Haven, CT 06510  
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ug/m<sup>3</sup>. The Speck monitor that recorded the lowest average PM<sub>2.5</sub> value was separated from the compressor station by 2 valleys, likely showing the effect of topography. (Table 1)

- There were times when more than one monitor showed unusually high PM<sub>2.5</sub> values. (Table 2)
- All residential 24-hour averages of PM<sub>2.5</sub> outside levels were below the EPA level of concern (35ug/m<sup>3</sup>), with one exception. One home had one 24-hour period with an average of 64ug/m<sup>3</sup>. This shows how the standard 24-hour averaging time can mask peak exposures.
- Periods of low wind speed and nighttime (especially early morning hours) were found to increase potential exposures to PM<sub>2.5</sub> and any associated chemicals at residences near the compressor station.

**Table 1. Baseline hourly average PM<sub>2.5</sub> levels recorded by Speck monitors for entire monitoring period (Oct 19 - Dec 17 2014). Values in ug/m<sup>3</sup>.**

DISTANCE (km) from compressor	0.5		0.5	0.8	1.5		1.0
SPECK ID	A		B	C	D		E
Average	14.6		8.7	11	4		20
Range of baseline	10-30		1-21	5-25	1-20		15-25



**Table 2. Episodic high levels of PM<sub>2.5</sub> outside multiple homes occurred within similar time frames seven times over 59 days. These results are based on hourly averages of ug/m<sup>3</sup> values.**

Date of Peak event	# of monitors showing a peak out of # in use	Recorded peak levels	Daily AQI average
10/30	3/4	31, 90, 426	5.0
11/5	2/5	33, 57	5.5
11/7	3/5	36.5, 114, 133	5.3
11/12	4/5	53.7, 131, 269, 325	9.0
12/3	3/5	40, 235, 399	5.0
12/6	2/5	76, 160	10.8
12/17	3/5	99, 162, 229	9.9

Tables 1 and 2 show that although hourly baseline Speck values averaged between 4 and 20 ug/m<sup>3</sup>, peaks in PM<sub>2.5</sub> were recorded at multiple sites on the same days

with values between 31 and 426 ug/m<sup>3</sup>. Concurrently, the average regional AQI for the same time period was 6.4ug/m<sup>3</sup>.

**SUMMA CANISTER RESULTS**

Four chemical samples were taken outside of four homes in November 2014. The chemicals detected are the same chemicals found at numerous shale gas development facilities by other researchers. The sampling times do not correlate with recorded peaks of PM<sub>2.5</sub>, so likely show what might be in the air in between episodic peaks.

Chemicals	Summa canister results as of 12.12.2014			
	11.4.14	11.12.14	11.9.14	11.12.14
	12hr overnight	12hr day	12hr day	grab
<b>Methane</b>	2.4ppmv	3.0ppmv	2.25ppmv	2.4ppmv
<b>Acetone</b>	7.9ug/m <sup>3</sup> 3.3ppb		5.9ug/m <sup>3</sup> 2.5ppb	
<b>Dichlorodifluoromethane (CFC12)</b>	2.2ug/m <sup>3</sup> 0.45ppb	2.5ug/m <sup>3</sup> 0.51ppb	2.6ug/m <sup>3</sup> 0.52ppb	2.5ug/m <sup>3</sup> 0.52ppb
<b>Ethanol</b>	27ug/m <sup>3</sup> 14ppb		44ug/m <sup>3</sup> 23ppb	
<b>Ethylbenzene</b>			0.99ug/m <sup>3</sup> 0.23ppb	
<b>Propene</b>		2.7ug/m <sup>3</sup> 1.6ppb		
<b>Toluene</b>	1.0ug/m <sup>3</sup> 0.27ppb	1.5ug/m <sup>3</sup> 0.4ppb	0.7ug/m <sup>3</sup> 0.19ppb	1.2ug/m <sup>3</sup> 0.32ppb
<b>Trichlorofluoromethane</b>	1.3 ug/m <sup>3</sup> 0.24ppb	2.3 ugm <sup>3</sup> 0.4ppb	1.6ug/m <sup>3</sup> 0.28ppb	1.6ug/m <sup>3</sup> 0.29ppb
<b>Trichlorotrifluoroethane</b>			0.66ug/m <sup>3</sup> 0.086ppb	

*The levels of reported VOCs were not high in terms of health effects for a single chemical exposure, but are still of concern if these exposures occur over a long period of time or if high spikes periodically occur.*

**Conclusions**

Based on the monitoring results and health intakes, EHP finds that families living near the Minisink Compressor station are exposed to elevated levels of PM<sub>2.5</sub>, when compared to the regional AQI. PM<sub>2.5</sub> is one of a number of air pollutants associated with compressor stations. Summa canister sampling revealed that some of these

chemicals are present in the air near the monitored homes. This leads us to conclude that residents are exposed to air pollution from the Minisink compressor.

The episodic nature of health symptoms reported by residents is likely associated with the episodic high emissions that come from the compressor station. This conclusion is supported by the periodically high levels of PM2.5 recorded by the Speck monitors. While baseline levels of PM2.5 are relatively low, high short-term spikes may have health effects that are not currently evident. We recommend that health symptoms be monitored over time.

## Gas Compressors and Nose Bleeds

A new study connects health issues with rural gas compressor pollution.

Fall 2015

<http://www.utne.com/environment/gas-compressors-and-nose-bleeds-zmOz15fzsau>

By Jessica Cohen, special to Utne Reader



To attain permits, pipeline companies use analysts who manipulate projected emissions levels to make them acceptable by Environmental Protection Agency standards.

Photo by Fotolia/Alikssa

In rural Minisink, NY, air contaminants from the Millennium Pipeline gas compressor now exceed what would be found even in a big city, says environmental health consultant David Brown. After dozens of Minisink residents found they were beset by similar ailments immediately after the compressor station was built in 2013, a two-month study of air contaminants and residents' symptoms was conducted by Brown and his cohorts at Southwest Pennsylvania Environmental Health Project. The nonprofit group of public health experts, based in McMurray, PA, have been investigating a comparable pattern of symptoms near gas drilling sites in Pennsylvania and other states.

In the Minisink study, recently released, they found that spikes in air toxins around the compressor coincided with residents' adverse health symptoms. The study involved 35 residents, who were surveyed using a well-tested survey method, including interviews by a physician. SWP-EHP also provided five Speck monitors to measure fine particulate matter in air near residences for the two months, from October 19 to December 17 of 2014. Participants additionally used special canisters to capture air samples during "odor events," periods when the compressor emitted strong odors.

\* Asthma, nosebleeds, headaches, and rashes were common among the 35 participants in eight families living within one mile of the compressor. Those symptoms are also frequently reported around gas fracking sites, said Brown.

Six of the 12 children studied had nosebleeds, which Brown attributed to elevated blood pressure or irritation of mucous membranes by formaldehyde, a carcinogen found in excess around compressors in a recent SUNY Albany study.

## More from Minisink (<http://www.utne.com/environment/minisink-maladies-zloz1512zsau.aspx?embed=5>)

Of particular concern were elevations of fine particulate matter (PM 2.5).

During the monitoring period, average PM 2.5 was 17 to 20 micrograms per cubic meter (ug/M3)—three times the regional average of 6.3. So it was regularly beyond the Environmental Protection Agency limit of 12. Multiple episodes of peaks into the hundreds, as high as 426, were also recorded by Speck monitors. "One home had a 24-hour period with an average of 64ug/m<sup>3</sup>," said Brown.

A study published in June by Harvard epidemiologist Joel Schwartz and his colleagues identified the dangers of PM 2.5 even above 6. Each increase of one microgram per cubic meter increases the mortality rate by 1 percent for people over 65, they found. They used Medicaid mortality statistics in conjunction with satellite readings of PM 2.5 in New England for the research.

\* High PM 2.5 levels also double the risk of a newborn having autism if the mother is exposed during her third trimester of pregnancy, according to a study published in *Environmental Health Perspectives* in December 2014 by Harvard epidemiologist Marc Weisskopf and his colleagues.

Schwartz attributes the effects of PM 2.5, particularly respiratory disease and heart attacks, to the inflammation it generates throughout the body. Inflammation of arterial plaque stimulates white blood cells to infiltrate the plaque, making it less stable and more likely to rupture, causing a heart attack, Schwartz says. "Even in a big city like New York, you wouldn't see these peaks in particulate matter nor have the same chemicals in the air," said Brown.

\* Several kinds of volatile organic compounds (VOCs) were captured in canisters by residents during odor events. "The levels of reported VOCs were not high in terms of health effects for a single chemical exposure, but are still of concern if these exposures occur over a long period of time or if high spikes periodically occur," according to the report.

Brown would like to get data about what exactly is being done at the compressor. "They keep records," he says. "But everyone is so secretive, protecting their business interests."

To attain permits, pipeline companies use analysts who manipulate projected emissions levels to make them acceptable by Environmental Protection Agency standards, Brown says. Those standards are also weakened by industry lawsuits when the EPA tries to tighten them. "They delude themselves about emissions safety," says Brown.

Pramilla Malick, who lives a half mile from the compressor, participated in the study. She recalls how Minisink residents were told the compressor would emit only "water vapor" by representatives from AECOM, the company who did the emissions analysis for the compressor. She notes that the CEO of AECOM, Daniel Tishman, was chairman, and is now vice chairman, of the Natural Resources Defense Council board of trustees. "I'm tired of this duplicitousness," she says.

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She points to the opportunity for public health safety that was denied by Millennium. "They could easily eliminate these issues with an electric compressor," as opposed to the high emissions gas-fueled compressor, she says. But the electric one would cost the company more initially. "Why are economic considerations allowed to be a priority? People are getting sick," says Malick.

She has led opposition both to the compressor and to plans to build a Competitive Power Ventures gas power plant in Wawayanda, seven miles away. The plant would produce multiple amounts of the same emissions.

Meanwhile, the gas industry plans to increase gas drilling wells to ten times their current numbers, according to Sam Koplinka-Loehr, of the Clean Air Council. Over the next decade, wells will increase from 10,000 to 100,000, he said. Consequently, pipelines and compressors would also proliferate.

Gas compressors are built near wells and at 50- to 100-mile intervals along pipelines to stimulate gas flow. They regularly emit many tons of air pollutants.

★ "Since Minisink has only a compressor and no gas wells, we hoped to be able to sort the data," to determine what symptoms can be traced to compressors, said Brown. He was previously Chief of Environmental Epidemiology and Occupational Health in Connecticut and a Centers for Disease Control superfund site investigator. "But we're not just doing research," he said. If we see health effects, we provide guidance about maintaining quality of health. Minisink people were engaged and rigorous with what we were doing. We could do more with more money and equipment, but we got good, reliable data."

The health findings are consistent with research reported in peer-reviewed literature and by other environmental health organizations, Brown says.

Brown says county health departments are the government agencies designed to address public health issues when other departments fail. But a spokesperson for the Orange County Health Department said protocol required that questions go through the county executive. A spokesperson for County Executive Steve Neuhaus, Justin Rodriguez, declined to provide a contact at the Orange County Department of Health for comment on survey findings. "Air quality issues are addressed by the NYS Department of Environmental Conservation, and with their discretion, input from the NYSDOH," Rodriguez wrote in an e-mail.

However, both the DEC and NYSDOH acknowledged questions about Minisink survey results, but failed to respond.

**Read more from Jessica Cohen about the trouble in Minisink (<http://www.utne.com/environment/minisink-maladies-zl0z1512zsau.aspx?embed=5>).**

*Jessica Cohen is a freelance reporter who has been covering the fracking industry in New York state for local newspapers.*

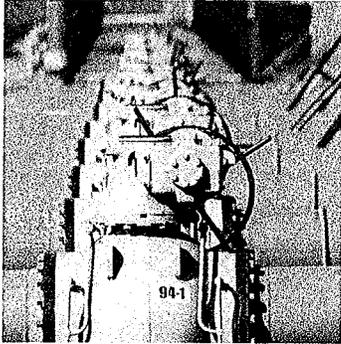
## Home Sick from Toxic Emissions

*How emissions from a toxic gas compressor led one family to abandon their house amid health concerns.*

Winter 2015

<http://www.utne.com/environment/home-sick-from-toxic-emissions-zm0z15wzdeh>

By Jessica Cohen, special to *Utne Reader*



200 homes are within a half mile of the Minisink compressor.

Photo by Fotolia/ed\_danilow

In June, Leanne and Rob Baum and their four children abandoned their house in Minisink, New York, leaving it to the bank holding the mortgage and oversight by a friend. Ominous symptoms from emissions of a 12,600-horsepower gas compressor built in their rural neighborhood two years before by Millennium Pipeline, LLC, prompted their decision, said Leanne Baum. After six months on the market they had no offers on their house, and selling to another family felt morally questionable.

"Once you know, you can't un-know about the hazards," she said. "I hoped no one would be interested."

No one was, and others in the neighborhood negotiated with "lowball offers" to sell their houses in the once quiet rural community after a year on the market, Baum said.

The Baums had bought their four-bedroom house for \$374,000, and invested about \$250,000 in payments and improvements during their nine years there. In addition to putting in hardwood floors, lighting upgrades, a family room, wood stove, and patio, they had landscaped two acres. Their apple, cherry, and peach trees, gardens and greenhouse yielded produce they ate, preserved, and gave away to friends. They sold raspberry jam at a farmers' market and drank wine made from grapes they grew.

But in those last two years, they lost interest in gardening. Rob Baum had begun waking up with headaches that went away when he arrived at work, though his office was dusty, low ceilinged, and lit by fluorescent lights, said Leanne. Her eyes became too irritated to tolerate contact lenses, and she noticed her children had become "lethargic." Although they were accustomed to playing imaginary games outside, where they had a treehouse and trampoline, the Baums began to wonder if that was a good idea, with the toxic emissions from the compressor. "OSHA (Occupational Safety and Healthy Administration) regulations for the workplace are more stringent than for compressors," said Leanne. "And that's for a six-foot male, not for kids whose metabolisms are faster."

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Even some of the Baums' fruit trees looked sickly, as environmental health consultant David Brown noticed when he visited while doing a health survey of 35 residents living within 1.5 kilometers of the compressor. Brown, former chief of environmental epidemiology and occupational health in Connecticut, and his cohorts at Southwest Pennsylvania Environmental Health Project found that residents exhibited a pattern of symptoms that increased when emissions surged in the neighborhood, as measured by particulate matter monitors and air samples during "odor events."

The compressor tripled ambient levels of fine particulate matter, which produces inflammation throughout the body and increases the likelihood of heart attacks and other ailments, according to Harvard environmental epidemiologist Joel Schwartz. Volatile organic chemical emissions SWP-EHP identified included formaldehyde and benzene, which are considered unsafe at any level and associated with childhood leukemia by the World Health Organization.

Rob Baum was one of 12 of the 35 in the survey who developed headaches after the compressor began functioning. A Baum child was one of 10 who had rashes. Respiratory problems affected 22 people—six of the 12 surveyed children had nosebleeds; at least two adults became asthmatic. And, consistent with what the Baums noticed in their children, "Overall mental health and wellbeing levels were below normal for half of the respondents," according to the survey summary.

These results echoed findings around the country near other gas infrastructure, including drilling sites. Wjlma Subra, an environmental health consultant who received a MacArthur Fellowship "genius" grant for her community work, found that 90 percent of people living and working within two to three miles of a compressor develop such symptoms. Resulting chronic problems included organ damage, birth defects, and leukemia. Two hundred homes are within a half mile of the Minisink compressor. A plan by Competitive Power Ventures, LLC, to build a gas power plant a few miles away, in Wawayanda, would increase compressor use and generate the same emissions as the compressor in multiple amounts. For people living within a few miles of a power plant, adverse health effects are intensified, said Subra.

The Baums had been in the habit of opening their windows at night, but Brown said, "You don't want to do that," Leanne recalled. "It sent a chill through me."

Safety issues also loomed. Fumes near the compressor prompted a neighbor to call 911 on a Sunday night when Leanne was home alone with her baby. "When emergency responders got to the compressor, they couldn't get beyond the locked gate," she recalled. "What was I supposed to do? Stay? Leave?"

## More from Minisink (<http://www.utne.com/environment/minisink-maladies-zloz1512zsau.aspx?embed=5>)

Columbia Pipeline Group, Millennium's parent company, monitors the compressor remotely from Charleston, West Virginia, according to Scott Castleman, CPG senior communications specialist. CPG officials declined to provide information about on-site staffing hours.

By the time health survey results came out early in 2015, the Baums, collaborating with other Minisink residents, had lost their federal court case against Millennium and the Federal Energy Regulatory Commission (FERC), which had approved the compressor. It could have been built in an industrially zoned area in Deerpark, where Millennium already had facilities; they were just avoiding costly replacement of seven miles of pipeline, the Minisink group said. Also, the compressor application environmental impact statement omitted mentioning plans for a Wawayanda power plant, secretly documented years before.

"The gas industry and FERC refer to Minisink as a host community, but we are not hosts. We are hostages," said Pramilla Malick, a Minisink resident and founder of Protect Orange County. "FERC's decision in the Minisink case raises serious questions about the constitutionality of the permitting process. Millennium admitted they had a viable alternative, but rejected it based on economics. If they had a viable alternative, then why was the Minisink compressor declared a 'public necessity'? And why are the financial interests of a billion dollar company more important than the basic rights of ordinary citizens? The fact that this family had to walk away from their home is a stunning indictment of the industry and its main enabler, FERC. I'm afraid this is just the beginning. Given the magnitude of the CPV Valley project, adverse health and economic impacts will greatly increase throughout the region."

She pointed out that building power plants creates a need for constructing other gas infrastructure, including pipelines and metering stations, as well as compressors, all of which have problematic health effects from emissions and leaks, according to Subra's study.

However, the Federal Energy Regulatory Commission (FERC) has continued issuing permits without apparent regard for these concerns. So, for five days, Malick participated in an 18-day hunger strike in front of FERC offices in Washington, D.C., with Beyond Extreme Energy, a national group, demanding a stop to fossil fuel infrastructure permitting. Health professionals are also joining the gas opposition. In October, members of Physicians for Social Responsibility and Concerned Health Professionals of New York sent a letter to New York Governor Andrew Cuomo requesting a moratorium on gas infrastructure construction because of public health problems from toxic emissions.

## Utne Uplifter Newsletter (<http://www.utne.com/newsletter.aspx?embed=1>)

The Baums and other Minisink residents also fought the compressor for two years before its construction, when Farmstead Land Development, LLC, whose principal is Dean Ford Sr., sold Millennium the land, contingent on local and federal approvals. Ford blamed the sale on hard times for farmers, Leanne said. "It was the last large farm in the area," she said. "If he'd come to the neighbors, we could have made the land a park, and he would have been a hero." She feels that both local and federal officials failed the community. "We thought, how can they be so blind? But the government says industry must survive. Get out of the way. The federal decision was the hardest. Where do we go from here? We were bogged down by the house and mortgage. You can't just walk away, can you? But we started taking the house apart, downsizing, giving away furniture. We packed like we were moving, with no destination in mind. It was kind of bizarre. We stopped paying the mortgage and decided we'd step away at some point."

When David Brown explained health survey results, that was the "catalyst," said Baum. "Would I be taking one of my children for chemotherapy in 15 years because we'd stayed too long?"

The Baums had visited friends in the Midwest over the winter, and their friends connected Rob Baum with a job possibility. Early in 2015 he received an offer and decided to take it. He would be shifting from a white collar job as corporate buyer for an outdoor equipment company to a blue collar job digging water wells. "My husband is a Renaissance man, who does what he puts his mind to. Now he comes home dirty," said Leanne.

The Baums are working with the bank to get a "deed in lieu of foreclosure."

"We didn't just drop the keys on the doorstep," says Baum. "But our credit is severely damaged."

They now live in a rented house in a Midwestern city.

"People say to us, 'You uprooted your family to start a new job. What made you do that?' We sit them down and explain." Baum said. "On the street downtown, we see people walk past petitions to stop fracking. It's not on their radar."

*Jessica Cohen is a freelance reporter who has been covering the fracking industry in New York state for local newspapers. Read more about the trouble in Minisink (<http://www.utne.com/environment/minisink-maladies-zloz1512zsau.aspx?embed=5>).*

16 March 2017

To: Dryden Town Board and Dryden Planning

From: Laurie Snyder 36 Freese Road and Kim Klein 14 Freese Road

We were saddened to learn at last week's Agenda Meeting, that the Town Board signed a Resolution to Replace the Freese Road Bridge. We were under the impression that the Board was going to start the process of research and design of the Freese Road Bridge, with **Rehabilitation or Replacement** being the goals.

We would like to strongly oppose replacing the Freese Road bridge.

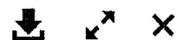
100% of the homeowners who live on Freese Road are opposed to the bridge replacement. I think the people who live on Freese Road should have an opportunity to be part of the **planning process** for Freese Road Bridge.

In February, we presented a petition from 80 signers:

1. The Freese Road bridge is an historic steel truss bridge, and is handsome and functional. It adds to the historic nature of the scenic qualities of Varna.
2. The Freese Road bridge acts as a traffic calming device, forcing cars to slow down and take turns crossing the bridge
3. The Freese Road hill is steep and curved. It would become more dangerous if cars were flowing through Freese Road at a greater speed.
4. As the residential nature of Freese Road increases with more development, reducing speed limits on Freese Road would be advantageous.
5. The Cayuga Trail system crosses Freese Road in several locations. It is also very popular with the runners of Tompkins County, Cornell and Ithaca High School. Traffic needs to be slower to be mindful of pedestrians, runners and cyclists.
6. We do not want bigger trucks coming across the bridge and up the steep hill. This is a **residential** neighborhood. We do not want heavier trucks. There are several blind driveways on Freese Road.

Laurie Snyder

Kim Klein



16 March 2017

To the Dryden Town Board  
Dryden, NY

Dear Town Board members,

I hope that no decision has been made to REPLACE the Freese Road bridge when many town residents want this historic bridge rehabilitated but **not** replaced.

In that case, please **correct** the resolution that you passed at your last meeting on 9 March 2017. (That was a resolution to REPLACE the bridge, not REPLACE OR REHABILITATE the bridge.)

If you truly have made no decision about replacing vs rehabilitating the bridge, you should correct the resolution.

Thanks,

A handwritten signature in black ink that reads "Robin Hadlock Seeley".

Robin Hadlock Seeley  
332 Hurd Rd, Dryden, NY

March 16, 2017

To: Town Board of Dryden

Re: Borger Compressor Station at 219 Ellis Hollow Creek Road - Expansion as part of the New Markets Pipeline Project

There are many parts of this proposed expansion and the Borger Compressor Station as it exists today that are problematic from an environmental standpoint. Others that have spoken or will speak can be more articulate about many of the complexities and unanswered important questions.

As a maternal child Health Care provider in Tompkins County and a member of the Water Protection Advisory Committee of this Board, I am well aware of the role that toxins and contaminants can play especially in maternal, fetal, and child health. The increased number of premature births and low birth weight babies in areas where high volume hydrofracking occurs has been well documented. By extension natural gas infra-structure build outs have its own set of toxins that could be very problematic. And we might not know about it until too many have been harmed.

Here at the Borger Station which has been on this site since before Special Use Permits were required there have been several documented spills of contaminants that have never been fully investigated or cleaned up to state standards. The Town must require that this be done before any expansion and further possible spread of contaminants. If the state of NY or the federal government will not protect us, our local government must.

Our county has passed a goal for decrease in the amount of GHGs. This project expansion will increase GHGs with blow downs and leaks that are inevitable. Wetlands that surround that Compressor Station and the proximity to Cascadilla Creek that flows into Cayuga Lake are endangered even now. The permits have inaccurate information about wetlands. The Tompkins County Health Department has to date not been willing to consider monitoring of the health of the 300 some Dryden Residents within a 2 km circle of the compressor station. I ask that the TB put pressure on the TCHD or the Tompkins County Legislature to be involved in this project that is right in our own backyard. This project could affect those that live close but also those that live in the watershed area outside the Town.

The Town of Dryden is famous for undertaking landmark "home rule" legal action to prohibit shale fracking even though it had no authority to grant or deny permits authorizing high-

volume hydraulic fracking. This is an excellent example of proving that we can "make a way out of no way."

Respectfully submitted, Nancy Miller, 501 Midline Road, Freeville, NY 13068

Honorable Jason Leifer  
Town of Dryden Supervisor  
93 East Main Street  
Dryden, NY 13053

Dear Supervisor Leifer:

I wrote to you on February 22, 2017 to request that you take urgent action to suspend or withdraw all Town of Dryden approvals required for the expansion of the Borger Compressor Station as part of the proposed Dominion New Market Pipeline Project.

I made this request due to concerns about inadequate water quality protection afforded by Dominion's factually incorrect Stormwater Pollution Prevention Plan (SPPP), a Wetland Delineation and Waterway Identification Survey used to prepare the SPPP, wetland and waterbody protection variances requested by the firm and a "blanket authorization" Section 401 Water Quality Certification that never should have been granted because the existing Dominion Pipeline has already caused water quality violations at this site that were never fully investigated or cleaned up in compliance with State standards.

I write today to follow up on my request. First, I provide additional documentation regarding my SPPP concerns. Second, I request that you require Dominion to apply for a Special Use Permit for its proposed expansion and reject it due to your Town's onerous applicable requirements. Finally, I provide additional information regarding reported toxic chemical use at the Borger facility which warrants your attention due to the inadequate clean up of reported contamination at multiple Areas of Concern (AOC).

**Further Documentation That The Borger Wetland Delineation and Waterbody Identification Analysis for the Dominion New Market SPPP is Inaccurate and Incomplete.**

I am pleased to provide additional documentation regarding the inaccurate and incomplete mapping of wetlands and waterways presented in Dominion's Borger Station Wetland Delineation and Waterbody Identification Survey, its SPPP and the firm's wetland/waterbody protection variance request.

I respectfully provide this information because I believe it contradicts the Town's consulting engineer's reported conclusion that: "It is my opinion that the SWPPP as approved is valid as no impacts to wetlands or regulated adjacent areas were proposed."

See: <http://dryden.ny.us/wp-content/uploads/2016/01/Borger-Complaint-Review-to-Town-3-8-17.pdf>

With all respect, I believe that at least two wetlands and multiple waterways are inaccurately delineated by Dominion within the original proposed Limit of Disturbance (LOD) delineated around AOC 1 north of Ellis Hollow Creek Road. These include Wetlands 10 and 12 as well as several unidentified waterways in Dominion's Wetland Delineation and Waterway Identification Survey.

Those wetlands and waterways are also inaccurately delineated within Dominion's Approved

LOD as well as in its proposed LOD Wetland/Waterway Variance Request.

Dominion's field survey wetland and waterway delineations were overlaid on a low-resolution aerial photo coverage. As a result, it is difficult to see various structures at the compressor station facility, surrounding land features or the precise boundaries of the original proposed LOD, the Approved LOD and the proposed revised LOD.

See: Borger Compressor Station Location Map

I am pleased to provide two higher resolution maps that are visually clearer. These maps document wetlands and waterways as well as land features and structures that are less discernible in Dominion's Wetland/Waterway Protection Variance Request as well as Borger Compressor Station - Wetland and Waterway Delineation Documents and Photos and Resource Report 2 - Water Use and Quality.

First, you can clearly see from the field survey wetland information used to prepare Dominion's Borger SPPP that Wetlands 10 and 12 are apparently not mapped accurately. The field survey wetland delineations obviously do not match the digital overlays presented in Dominion's analysis.

See: Borger Station Comparison Dominion Field Study Wetland Delineation and Digital Map Overlays

Second, you can clearly see from a 2015 aerial coverage and a Bird's Eye View coverage that Wetlands 10 and 12 are apparently larger and shaped differently than the digital delineations mapped by Dominion. These wetlands are also evidently connected by a drainage channel.

See: Borger Station 2015 Aerial Coverage Wetlands Waterways Vicinity Proposed LOC Variance AOC1 and

Borger Station Birdseye Map Proposed Limit of Disturbance Dominion Requested Wetland Waterway Protection Variance.

Third, instead of being located a few feet outside of the LOD boundary identified in the SPPP, I believe there is ample visual evidence to conclude that Wetlands 10 and 12 are apparently within the original Proposed LOD, the Approved LOD and the proposed Revised LOD. This is documented by both a standard aerial coverage as well as a Bird's Eye View aerial coverage.

You can see various other waterways in the two maps I am providing for your review that are not identified in Dominion's above-referenced documents. At least two waterways are clearly discernible in the mowed area immediately north of AOC 1. I do not believe that these waterways are documented in Dominion's Wetlands/Waterway Protection Variance Request.

I also provide photos of waterways, ponds and wetlands throughout this area that have not been accurately delineated in Dominion's documents.

See: Wetlands and Waterways Immediately Adjoining Borger AOC 1

In conclusion, various wetlands are not accurately mapped within Dominion's original proposed

LOD, its Approved LOD or its proposed Revised LOD, but that is very likely where they are located based on the data I am presenting for your review.

As reported by the Town's consultant, additional wetlands and buffer zones are within the "Approved Limits of Disturbance" mapped in Dominion's wetland/waterbody variance request, notably for the LOD south of Ellis Hollow Creek Road. While this LOD reportedly was not included in Dominion's SPPP, it was mapped in the above-referenced Wetland Delineation and Waterway Identification Survey presented in Resource Report 2. As a result, Dominion very likely anticipated including this area in its proposed expansion at the Borger facility.

For all these reasons, I reiterate my request that the Town of Dryden take action to: a) require Dominion's SPPP to be **Revoked**, b) not used for regulatory compliance purposes and c) required to be redone.

### **Request for Borger Expansion Special Use Permit Application and Denial**

Based on a review of historic public documents made available by the Town of Dryden, a Special Use Permit (SUP) was required and granted circa 1984 for an earlier expansion of the Borger Compressor Station Facility.

Please note that the Environmental Assessment Form submitted by the applicant circa 1984 could be considered misleading if not factually incorrect. The response to question 14 is, "Streams within or contiguous with project area: None." In reality, a stream is located immediately to the west of the parcel boundary where the proposed expansion project was undertaken.

See: [Borger Compressor Station 1984 Special Use Permit and Environmental Assessment Form](#)

Please note that I could find no documentation that a SUP was ever granted by the Town of Dryden regarding the on-going operation of the Borger facility.

Given these findings, I request that a SUP application also be required for the proposed expansion of the Borger Compressor Facility as part of the Dominion New Market Project. I also request that the SUP be denied because the proposed project cannot comply with the Town of Dryden Comprehensive Land Use Plan.

It is my understanding that no SUP can be granted unless the Town Board considers onerous standards, including:

"Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this Law;"

"Compatibility of the proposed use with adjoining properties and with the natural and manmade environment;"

"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;" and

"Restrictions and/or conditions on design of Structures or operation of the use (including hours of operation) necessary either to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town;"

See: Article XII: Special Use Permits, PDF page 71: Town Zoning Law Adopted 2-19-15

According to the Town of Dryden Comprehensive Land Use Plan, the Borger Compressor Station is located in the "rugged terrain of the Allegheny Plateau portion of the town and land uses in the area should be limited to farming and recreation or conservation-oriented uses."

A massive industrial facility involving huge quantities of flammable, explosive and toxic materials is clearly inappropriate for this location.

See: PDF page 6: ([10.6 MB PDF](#))

### **Hazardous Materials Documented At Borger Facility Circa 1995**

I noticed that CNG originally reported circa 1995 that the Borger facility handled a wide array of hazardous substances. This information must be used to require that all AOCs at the Borger site be investigated and remediated on a comprehensive basis, notably AOCs where incomplete investigations and remediations were earlier conducted.

See: CNG Transmission Corp. Hazardous Materials Report Form Circa 1995

### **Conclusion**

In conclusion, I would like to reiterate my request that the Town of Dryden take all appropriate action to make sure that the Dominion New Market Project cannot be granted any wetland/waterway protection variances or a Notice to Proceed until all of the concerns I have documented herein are fully resolved.

Thank you for writing to the Federal Energy Regulatory Commission (FERC) in that regard. I believe your expression of concern will carry considerable weight with FERC.

I reiterate my request that you write Governor Cuomo to echo this request.

Thank you very much for your consideration.

Best regards,

Walter Hang



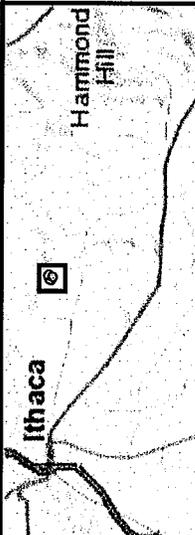
# Existing Borger Compressor Station



Lone Oak Rd

Hickory Rd

Elfis Hollow Creek Rd



Ithaca

Hammond Hill

Source: World Street Map ArcGIS online.  
Aerial Source: 2013 Bing Aerials maps from ArcGIS online.  
Delineated Stream and Wetland Source:  
2014 Tetra Tech GPS wetland delineation data.

Docket No. CP14-497-000  
Borger Compressor Station Location Map  
Tompkins County, New York  
Dominion New Market Project



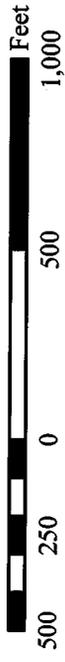
Prepared For:  
**Dominion Transmission, Inc.**



Prepared By:  
**TETRA TECH**

Date:  
Jan  
2017

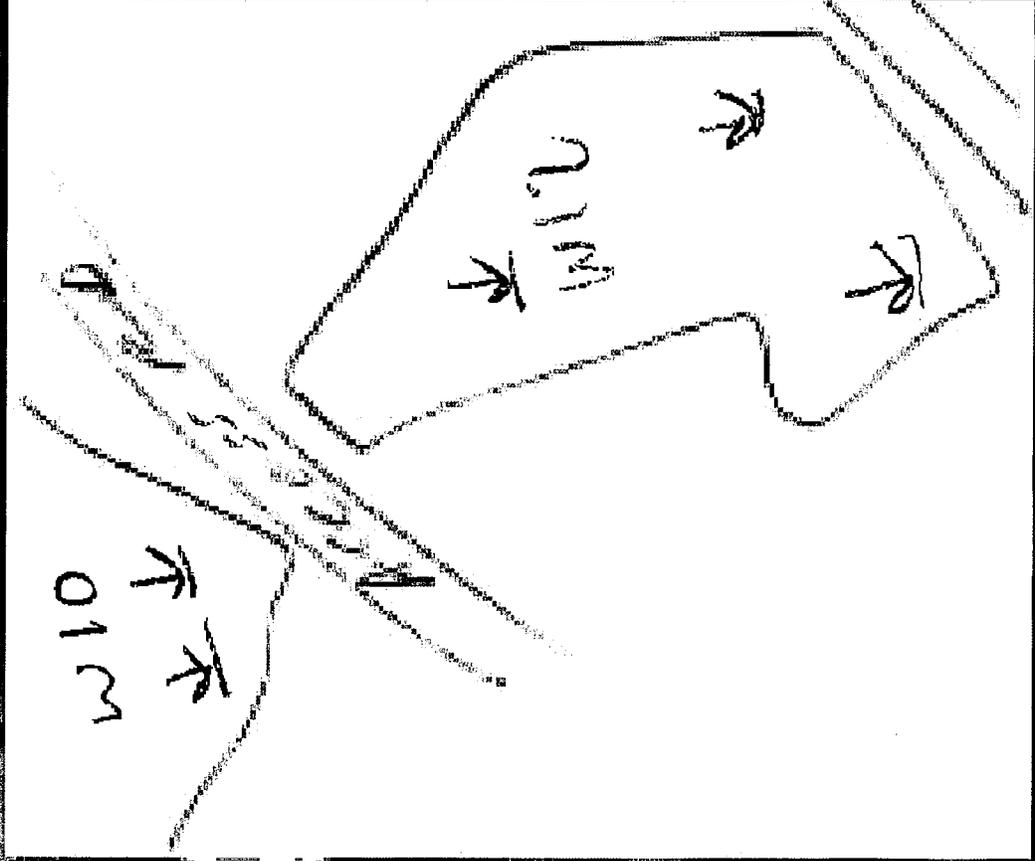
- Legend**
- Delineated Stream
  - Existing Access Road
  - Delineated Wetland
  - Updated Limits of Disturbance
  - Approved Limits of Disturbance

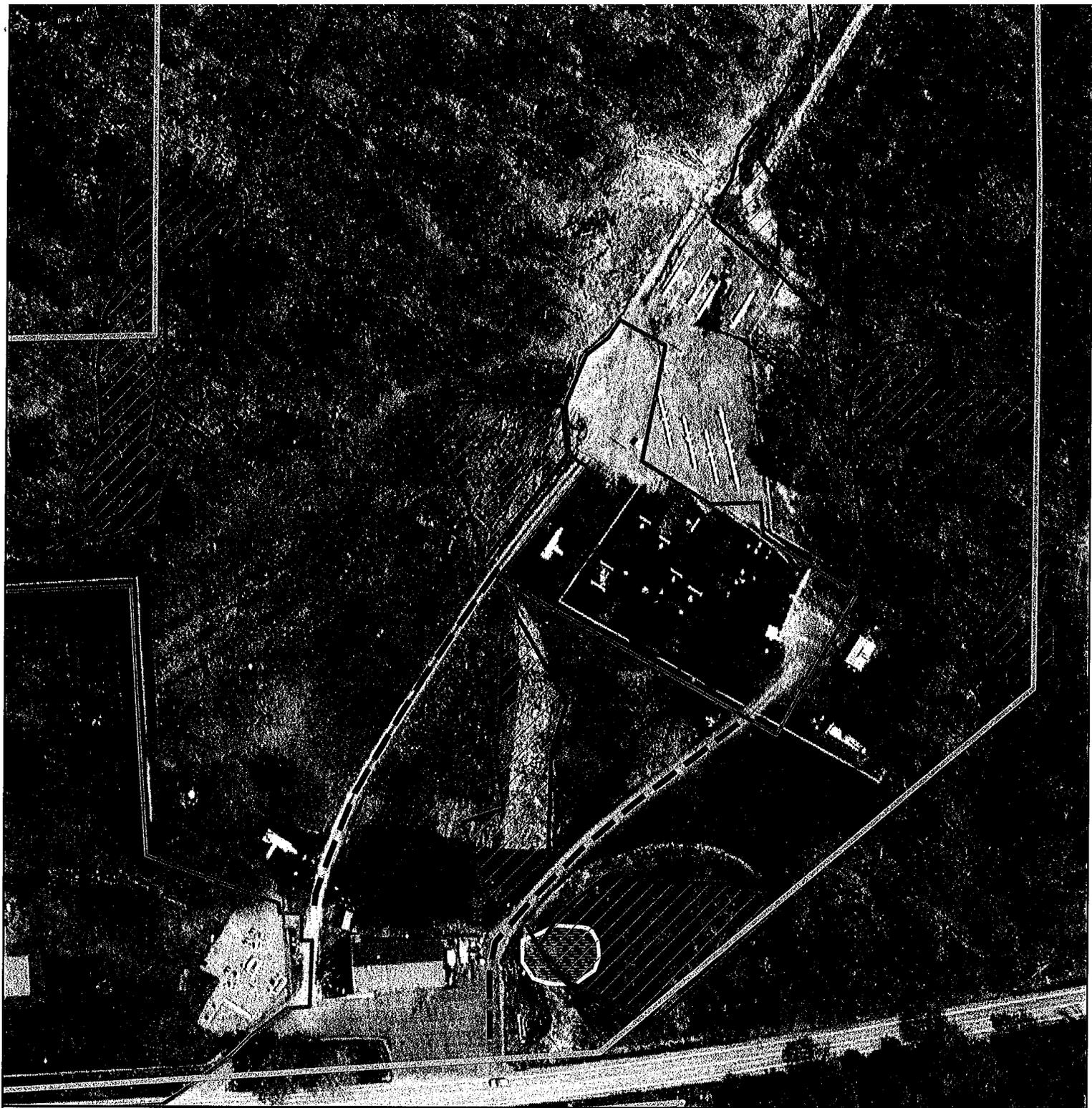


# Comparison of Dominion's Field Survey Wetland Delineations and Digital Map Overlays

Sources: Tetra Tech, Docket No. CP14-497-000, Borger Compressor Station Location Map, Tompkins County, New York, Dominion New Market Project, January 2017.

Dominion Transmission, Inc., New Market Project, Resource Report No. 2, Water Use and Quality, FERC Docket No. CP14-\_\_\_\_-000, June 2, 2014, prepared by Tetra Tech.



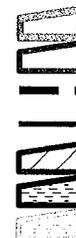
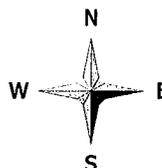


## 2015 Aerial Photo Coverage of Wetlands and Waterways in the Vicinity of Proposed LOD Variance at AOC 1

Sources:  
SE Technologies, Site Characterization Report, Additional Sampling Activities, Borger Compressor Station, Tompkins County, New York, July 13, 1999.

Tetra Tech, Docket No. CP14-497-000, Borger Compressor Station Location Map, Tompkins County, January 2017.

Statewide Digital Orthoimagery of Tompkins County, New York, 2012.



Approved Limits of Disturbance  
Updated Limits of Disturbance  
Existing Access Road  
Delineated Stream - 2014  
Delineated Wetland - 2014  
Areas of Concern # 1 & 2  
Areas of Concern # 3, 4 & 5

0 200 ft US



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Updated Limits of Disturbance



# Bird's Eye View Map of Proposed Limit of Disturbance in Dominion's Requested Wetland/Waterway Protection Variance

Sources: Bing Aerial Image.  
Tetra Tech, Docket No. CP14-497-000, Borger Compressor Station Location Map,  
Tompkins County, New York, Dominion New Market Project, January 2017.

I am here to express my deepest concern regarding the Dominions planned expansion. I am a teacher, soon to be mother and resident of this community. We the people of Dryden helped Ban fracking is a case that helped decide the energy policy for all of NY state. Yet, here we are discussing the the expansion of a compressor station that transports fracked gas from Penn through 50 year old underground pipelines. How will this infrastructure hold up under higher pressure and increased flow?

This gas does not serve this community. During the conflict over fracking in NY, Dryden's then attorney, ~~Malton R.~~ Perkins, acknowledged that the law take action in order to prevent local governments from regulating how oil and gas companies operate. "How," but not 'where' or 'if,'. Otherwise, a gas company could drill a well next to a church or a school. This according to **Natural Resources News Service**

This expansion is a "where" issue. It is in our neighborhood with 330 homes with in a 1.2 mile (2km) radius of this station. The Borger station is located in a lowland area surrounded by wetlands and waterways on three sides. The legacy contamination at five sites on the property and has not been cleaned up to New York State Department of Environmental Conservation, NYSDEC standards. This information is documented in Ithaca Journal, showing spills ranging from the 90's - 2001. "How can we protect our land from further contamination when this company already has a negligent history?"

We have Ellis hollow nature preserve and Genung preserve to consider. As well as, our communities well water and the very soil that we track into our homes, allow our children to play on and our animals call home. We are in the pathway to harm, if not through water contamination, but to the peace, quiet and healthy air we venture to preserves to enjoy. I moved to the county for fresh clean air and I am deeply concerned for my family, friends, neighbors, students. For me personally these risks obviously out way corporate conveniences, as this fracked gas, does not directly benefit me or serve my community.

Gina Cacioppo  
829 Ringwood Rd  
Ithaca NY

Draft amendments to Town of Dryden Comprehensive Plan to address solar energy systems (amended language underlined)

**Plan Synthesis chapter, Land Use section on page 39**

**After paragraph reading:** "In the new comprehensive plan accommodations must be made to allow commercial and industrial development within the town, but in a manner that minimizes the impacts on existing and future residential neighborhoods, and the overall character of the community."

**Add:** "While small scale solar energy generation exists on some small private lots, there is a desire to provide more options for solar energy generation. Large solar installations will allow this but the impacts should be mitigated through careful siting and adequate buffering."

**Plan Recommendations chapter, Future Land Use section, Industrial/Office/Research subsection on page 60**

**After paragraph reading:** "Although it occupies a small proportion of the town's land area, industry continues to be an important economic sector. Currently there are approximately 275 acres of land dedicated to industrial uses in the town and another 412 acres dedicated to utilities. These utilities include the electrical distribution system of New York State Electric and Gas Corporation, and the gas pipeline compressor station in Ellis Hollow."

**Add:** "To diversify our electrical supply grid large scale solar installations should be allowed in the town with careful siting and adequate buffering provided to mitigate adverse impacts."