

**Dryden Conservation Board  
January 29, 2019**

**Members Present:** Peter Davies (chair), Bob Beck, Anne Clark, Gian Dodici, Craig Schutt, David Wilson, Tim Woods, and (at 7:41) Nancy Munkenbeck. Milo Richmond, alternate

**Absent:** Jeanne Grace

**Liaisons:** David Weinstein, Planning Board, Dan Lamb, Town Board

The meeting was called to order at 7:04 PM.

**Swearing in of New and Re-Appointed Board Members**

C. Terwilliger (Deputy Town Clerk) swore in new and re-appointed members to the Dryden Conservation Board.

**Review and approval of minutes dated December 18, 2018**

P. Davies made a motion to approve the minutes as written, B. Beck seconded motion, minutes were unanimously approved.

**Reports and updates**

**Dryden Rail Trail – B. Beck**

We are planning on having a celebration on May 11, 2019 for the newly opened Dryden to Freeville portion of the trail that is now open. George Junior has agreed to let us use their open-sided machine storage building at George Road as a pavilion for this celebration. We will work on having live music and all sorts of stuff going on there.

Trail from Stevenson Road now goes to Route 13. Game Farm is not yet open; however, it has been approved by DEC. Once Game Farm stretch is open you will be able to go all the way from Game Farm Road all the way to Route 13.

**Planning Board – D. Weinstein**

See attached report.

Highlights:

- The Zoning Board of Appeals is dealing with many requests for road frontage waivers.
- The wind farm ordinance was on the agenda of the Planning Board, we have a sub-committee (Wind Energy Subcommittee). We did make some small changes to the Conservation Board's proposal; however, the Planning Board ran out of time to discuss this ordinance. It will be on the agenda for the next meeting. T. Woods asked that D. Weinstein send the Conservation Board the changes. D. Weinstein will send what is going to be presented to the Planning Board at their next meeting.
- We have several communities, Mineah Road being one, that experience low water. They are requesting relief from allowing more development in those areas as they feel there isn't enough water to support more development. A study may need to be conducted for many areas of the town where water is limited to develop a consistent strategy for addressing this issue all over town.

**Environmental Management Council (EMC) – S. Bissen**  
See attached report.

**Agricultural Advisory Committee – C. Schutt**  
No meeting in January.

### **Old Business**

P. Davies – Craig, you apparently volunteered to produce an executive summary but I could not find what you sent out. C. Schutt – “it was guidance document for the Planning Board of which four or five of us came up with ideas and I took those and tried to bring them together where possible”. C. Schutt will resend what he previously sent out to this board back in December. P. Davies asked that everyone review it and send back comments before the next meeting so we can finalize it at the next meeting. (This was the merging of the AAC and CB recent reports into a bulleted document that may serve to guide the next Town of Dryden Comprehensive Plan.)

### **Freese Road Bridge**

D. Weinstein – There is a finding statement that DOT put together based on the Town’s recommendation that the bridge should be replaced with a new truss bridge. It is in draft phase and will eventually be finalized, at that stage they will accept comments on this proposed bridge. Erin Cole, from DOT, is who advised that comments should be held until it is finalized.

### **Trinitas**

D. Weinstein – The Planning Board did their assessment of the SEQR part II. Right before our meeting last Thursday, the Trinitas company splashed a ton of new documents on the Town. The Planning Board will have a special meeting on February 7, 2019 to make their recommendations to the Town Board about part III of the SEQR for Trinitas which indicates that for all those things that were identified as potentially large impacts on the SEQR part II they are in all likelihood going to be significant impacts and therefore require an environmental impact statement. The Town Board will make the ultimate assessment of whether there are significant impacts. B. Beck inquired if TG Miller has completed their review and D. Weinstein advised they have finished their analysis of the things they felt were missing in the long form environmental assessment form.

### **Freese Road Bridge**

P. Davies discussed the resolution G. Dodici has put together for this committee’s review with regards to what falls under the purview of this board. G. Dodici read his proposed resolution and a discussion ensued regarding:

- how high the flood may be
- the design narrowing the stream
- that the abutments would fill in some of the flood plain, restricting water causing a backup upstream
- height of current bridge verses new bridge and that the infrastructure should be built to accommodate larger storm events.

D. Lamb asked if the board had looked at the hydraulic study that was published in December on the bridge. No one on the board had seen the study, K. Servoss is the person responsible for putting this information on the web.

Board discussed the:

- flood plain
- hydraulics
- bridge support
- freeboard
- the removal of the current support structure under the bridge
- increase of velocity that could have adverse effects downstream and the study.

D. Lamb will share the hydraulic study with the members of this board. He apologized that it had not yet been shared.

Discussion ensued between members of the board and D. Lamb with regards to the proposed resolution, the information that was available, that it is this board's job to look after conservation issues and the comprehensive plan. Making a decision/vote based on information that we do not yet have.

M. Richmond is a voting member due to J. Grace's absence.

G. Dodici introduced a resolution regarding the Freese Road bridge. Discussion ensued:

T. Woods inquired if the policy of the Town Board is to adhere to the Town's Conservation Plan and accept designs that will *at least* be able to handle a 200-year flood according to the Plan.

D. Lamb advised that they take the recommendations of Department of Transportation. This board chose not to weigh in on the Dodge Road bridge, could be possible there is more interest in this bridge? N. Munkenbeck – NO. I think there is more interest in the fact that we have a comprehensive plan that was thought out and discussed for a long time and the portion that states that infrastructure should be able to withstand 200-year or larger floods was considered and thought out well. She is surprised the Town Board would ignore their own Comprehensive Plan when they make the request for bridge designs.

D. Lamb- the Town Board works with consultants, who work with DOT and they come up with the proposals to the Town and they explain why they are appropriate, and that's what they did. I understand in the broader sense we want to be a flood protected community for 200-year floods, but that costs a lot more and I'm not sure we're in a position to do that to tax payers and to get that money from outside sources. We have to make choices, not always the ultimate situation. I do ask you that if you are going to apply this level of scrutiny to one bridge you should apply it to all of them. Where was the scrutiny for Red Mill or Dodge Road?

P. Davies – There were no documents sent to this committee asking us to look at any new bridges from a conservation point of view. Not a single bridge.

N. Munkenbeck- We did have something on the Red Mill bridge.

D. Lamb – I don't recall us asking you to review this bridge and to do a resolution. You picked this project.

P. Davies -It was because of the community uproar that this came to the attention of this committee.

C. Schutt – Read the Town Board's minutes, the bridges are discussed all the time.

D. Lamb - The Bridge NY grant came for both the George Road bridge and the Freese Road bridge. It was a big gift of \$3,500,000 to the Town and taxpayers don't have to pay a cent out of their pockets.

G. Dodici made a motion to pass the following resolution:

**RESOLUTION # 1 of 2019 from the Town of Dryden Conservation Board to the Dryden Town Board regarding the Freese Road Bridge in Varna**

**WHEREAS**, a replacement bridge is being proposed for the existing bridge over Fall Creek on Freese Road in the Hamlet of Varna; and

**WHEREAS**, the approved design would result in fill being placed in a floodplain; and

**WHEREAS**, the approved design only passes the 100-year storm flow; and

**WHEREAS**, Extreme rainfall events have been occurring more frequently in the Northeast since the 1950s and the trend is predicted to continue through this century; and

**WHEREAS**, the Town of Dryden Conservation Board is empowered to make recommendations to the Dryden Town Board; and

**WHEREAS**, the Dryden Town Board has approved the Town of Dryden Conservation Board's Natural Resources Conservation Plan; and

**WHEREAS**, the Natural Resources Conservation Plan recommends designing new culverts and bridges and retrofit existing ones to accommodate storms of 200-year or 500-year storms; and

**WHEREAS**, on 25th September 2018 the Town of Dryden Conservation board passed a resolution disapproving the preferred design,

**THEREFORE, BE IT RESOLVED** that the Town of Dryden Conservation Board recommends that the Dryden Town Board reconsider the approved design and,

**BE IT FURTHER RESOLVED** that the Town of Dryden Conservation Board recommends that the Dryden Town Board consider design alternatives that pass at least a 200-year storm and do not reduce existing floodplains.

Motion was seconded by N. Munkenbeck

Ayes: Davies, Beck, Clark, Dodici, Munkenbeck, Richmond, Wilson, Woods; Schutt abstained.

**Climate Smart Community Task Force – P. Davies**

Objective: If we meet certain criteria, we can be designated a Climate Smart Community. This would make us eligible to request certain grant monies.

The grant monies can be used for a range of things associated with something to do with climate, reducing greenhouse emissions, etc. This could allow us to apply for more money towards the trail. If we could persuade more people to ride their bikes to work instead of driving their cars, this would reduce emissions.

The lights in this building could be converted to LEDs using grant money. Most of the things would be done by the Highway Department.

P. Davies is a member of this task force and met with Alice Green and the Cooperative Extension people this morning. We are close to achieving the bronze level, we can use a lot of what we already have. We are only ½ way to the meeting the bronze level. One thing that gets you a lot of points on this is the creation of a natural resource inventory. If they are looking for something more, we can update the current Natural Resources Conservation Plan.

P. Davies will send out the list to all members of this board for review and opinions of if our current Open Space Inventory meets the requirements or if more work will need to be done. This will be discussed at the next meeting. There is a deadline of April 2, 2019 then the next deadline is July 2, 2019.

### **New Business**

A. Clark - Report on the New Visions Program that takes high school students to Cornell and gives them research projects. There is a Dryden student, Riley Scales, who is geared more toward conservation and natural resource. She will be looking at the way the area around and immediately underneath the solar panels are handled/managed with respect to wildlife. At some point she may get in there and do a little soil and insect sampling. There is very little available on this. N. Munkenbeck will get A. Clark the name of the person in control of the solar site for Cornell.

P. Davies – S. Bissen’s EMC report expressed that J. Wilson is interested in being our liaison. The problem we have is that the person must be a member of this board in order to be our liaison with the EMC. Therefore, at this point, the EMC liaison position will remain unfilled.

P. Davies advised the Board that he will no longer able to attend Planning Board meetings due to other responsibilities.

P. Davies – drafted following resolution for review

A resolution to the Town of Dryden requesting support for the banning of single use plastic bags in Tompkins County.

- Resolution #2 from the Conservation Board to the Dryden Town Board requesting that the Town Board transmit to The Tompkins County Legislature their support for the banning of single-use plastic bags.
- Whereas discarded plastic has become an environmental scourge of our time.
- Whereas most of this plastic is single-use plastic
- Whereas this plastic has become a principal pollutant of our seas and oceans,
- Whereas this plastic is causing significant damage to wildlife.
- Whereas the most common single-use plastic in our community is single-use plastic bags.
- Whereas the Tompkins County Legislature is considering banning single-use plastic bags in the county.

- Resolved that the Town of Dryden Conservation Board request that the Dryden Town Board transmit to The Tompkins County Legislature their support for the banning of single-use plastic bags in the County.

Discussion ensued regarding plastic bags and reusable bags. This will be put off until next month's meeting to see if the County or State takes any action.

**Open Meetings Law**

C. Schutt- Discussed the requirements under the Open Meetings Law and that sub-committees are also subject to the same law.

D. Weinstein advised that on February 28, 2019 the Planning Board will be meeting with the Town Attorney, Khandikile Sokoni, to discuss these kinds of issues.

There being no further business, D. Wilson made a motion to adjourn the meeting, seconded by M. Richmond and unanimously approved, The meeting was adjourned at 8:52 PM.

Respectfully submitted,

Chrystle Terwilliger  
Deputy Town Clerk

Liaison report from Planning Board to Conservation Board 1/29/19

### **Recent Planning Board discussions**

#### **1. Trinitas Review –**

The Board spend the majority of its time at the December 2018 meeting going over the SEQRA LEAF (long environmental assessment form) submitted by Trinitas, identifying information that was needed by missing, as well as information that was factually incorrect or being questioned. Because many of these issues had been previously identified, because it is important for the town board to have the benefit of the Planning Board's review, which could occur at any time, and because SEQRA does not require that every element of information has been collected before evaluating SEQRA, the Planning Board conducted its review of the Part 2 of SEQRA for this proposal. The detailed assessment was forwarded to the Town Board following the December meeting. The Part 3 is

#### **2. ZBA requests for review**

The Planning Board has been receiving a number of ZBA Request for PB Review. Many of these involve requests to alter the town's setback and road frontage requirements for specific parcels. The Board discussed whether this trend might indicate a need to re-examine the town zoning regarding these requirements.

#### **3. PB Projects -**

Most of the January Planning Board meeting consisted of an examination of proposed changes to the Comprehensive Plan to incorporate considerations of energy conservation and sustainability, identifying the town's commitment to energy conservation and greenhouse gas emissions reduction. These proposed changes will be available for the review by the other boards in the near future. The Board also discussed a Communication Plan for presenting these potential changes to the public.

### **Issues to be discussed during February 2019 and beyond**

#### **1. Trinitas Review –**

The Board will hold a special meeting on February 6 to complete its SEQR Part 3 recommendation for determination of significance w/ rationale. The Board has scheduled a meeting with the Town Counsel, tentatively at the regular Planning Board meeting in February, to discuss such items as Open Meetings Law, Email Communications, and Limits of Local Law. Members of other boards and the public may be interested in attending this discussion.

#### **2. Small Scale Wind Ordinance- Proposed Changes to Conservation Board Draft**

Some small changes to the Conservation Board's proposal were made by a Wind Energy subcommittee. The revised proposal was going to be discussed at the January Board meeting, but we ran out of time for this agenda item.

### 3. Mineah Road Residents Request for Rezoning

Residents of Mineah road have requested a zoning change for some parcels on the road because water limitations are likely to become more severe if continued development on the road as permitted by the current zoning is allowed to proceed. The proposal was going to be discussed at the January Board meeting, but we ran out of time for this agenda item. A more comprehensive analysis may need to be conducted for many areas of the town where water is limited to develop a consistent strategy for addressing this issue all over town.

### 4. SUP/Allowable Uses Analysis –

The Planning Board will be forming a Working Committee to discuss whether many changes should be made to the Allowable Use table in the Zoning Law, particularly with respect to the many items listed as allowable by Special Use Permit. Some members want to reduce the number of Special Use Permit reviews by changing many uses to either Allowable by Right or Not Allowed. Some lists of potential changes have been created, but there is not yet an officially proposed list for other boards to review.



## Deputy Clerk

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**From:** Steve Bissen <spbissen@toxicstargeting.com>  
**Sent:** Tuesday, January 29, 2019 9:52 AM  
**To:** Peter Davies; David Alan Weinstein; Mike Richmond; Gian Dodici; Deputy Clerk; Bard Prentiss; Ray Burger; Robert Beck; Timothy L. Woods; Sherman Jeremy; Schutt Craig; Nancy Walker Munkenbeck; Jeanne Grace; Anne Clark; David Wilson  
**Subject:** Report from the EMC

Hello CB,

Here is my report for the EMC meeting from Jan 10th. I will not be at tonight's meeting. If you have any questions, please feel free to email me.

Our meeting was mostly a review of the past year and planning for the coming year.

Some highlights:

- The next batch of Unique Natural Areas (UNAs) border improvements was approved by the Tompkins County Legislature. There was talk of looking to obtain funding for ground-truthing of more important UNAs which haven't been surveyed in a number of years.
- Tompkins County was looking into a ban of single-use plastic bags. The Legislature was working on a resolution and wanted pass it by June but it looks now like that has been put on hold because the NY State is working on their own ban. Governor Cuomo's Executive Budget, released January 15, includes State legislation that would ban single-use plastic bags provided to customers, as of March 1, 2020.
- There will be a public outreach EMC meeting in mid-March.

Also, Joe Wilson of the Dryden Planning Board was at the January EMC meeting and expressed interest in being the EMC liaison from the Town of Dryden. Since I am no longer on the Conservation Board (although I believe I'm an alternate), I would be fine with having Joe become Dryden's rep on the EMC. Of course, the current by-laws still state that Dryden's rep must be on the Conservation Board unless that is resolved. Either way, I will remain on the EMC as either Dryden's rep or as an at-large member.

Steve Bissen  
Town of Dryden Representative on the EMC



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**Revised Agenda**  
**Town of Dryden Conservation Board**  
**Tuesday, 29 January 2018** 9

**7:00 - 8:00 p.m.**  
**Dryden Town Hall**  
**93 East Main Street, Dryden, NY 13053**

Note: Items may be added to or removed from this agenda as needs and circumstances dictate.

Call to Order (7:00 p.m.) - Peter Davies

Swearing in of New Members by Deputy Town Clerk Chrystle Terwilliger.

Completion of Record of Attendance by Members and Observers.

Review and Approval of Minutes from December 18<sup>th</sup> 2018.

Citizens' Privilege (5 minutes or less per person, please).

Additions to Agenda?

Discussion of Reports and Updates (if any) from Boards, Commissions, etc. (previously distributed by email please).

**Old Business**

- Craig Schutt: Status of Executive Summary of Natural Resources conservation plan.
- David Weinstein: Any updates on Freese Road bridge and Trinitas development.
- Gian Dodici: Motion on Freese Road Bridge:

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[APPROVED, this 29<sup>th</sup> day of January]

- Peter Davies and David Weinstein: Status of Small Wind Energy Regulations.
- Peter Davies: Status of Climate Smart Community Task Force.

### **New Business**

- Anne Clark: Report on a study on the effects of different substrate maintenance regimes in solar farms on wildlife.
- Planning of tasks and initiatives for the year ahead.
  - Peter Davies: Creation of a Natural Resource Inventory
  - Jeanne Grace: a protocol for the conservation easements formalized and approved.
  - Jeanne Grace: deer population management through promoting hunting initiatives
- Joe Wilson of the Dryden Planning Board has expressed interest in being the EMC liaison from the Town of Dryden.
- Peter Davies after Steve Bisson's memo: A resolution to the Town of Dryden requesting support for the banning of single use plastic bags in Tompkins County.
  - Resolution #2 from the Conservation Board to the Dryden Town Board requesting that the Town Board transmit to The Tompkins County Legislature their support for the banning of single-use plastic bags.
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  - Whereas the Tompkins County Legislature is considering banning single-use plastic bags in the county.
  - Resolved that the Town of Dryden Conservation Board request that the Dryden Town Board transmit to The Tompkins County Legislature their support for the banning of single-use plastic bags in the County.
- Any other business

Adjourn