

**RESOLUTION #\_\_\_\_ (2020) - Approving Site Plan and Granting Special Use Permit for a Turbine Replacement Project at 219 Ellis Hollow Creek Road, Tax Parcels 66.-1-18 and 66.-1-22**

Cl \_\_\_\_\_ offered the following resolution and asked for its adoption:

WHEREAS,

A. Dominion Energy Transmission, Inc. has applied for a Special Use Permit (SUP) to replace two turbines at the Borger station at 219 Ellis Hollow Creek Road, Tax Parcels 66.-1-18 and 22. The Borger Replacement Project (“Project”) also includes adding an oxidation catalyst, 3 new microturbines and upgraded pipes and fences; and

B. An application, site development plan, architectural drawings, landscaping plan, visual renderings, Stormwater Pollution Prevention Plan (SWPPP), Environmental Assessment Form, and Noise Study have been submitted, and

C. The Town Planning Department considers the application complete and in conformance with the requirements of Dryden Zoning Law §501, §600, §1103 and §1201, and

D. A public hearing was held on August 20, 2020 with public comments registered in the meeting minutes and considered by this board, and

E. The Tompkins County Planning Department has reviewed the application pursuant to §239 -l, -m, and -n of the New York State General Municipal Law, and

F. In a letter dated August 26, 2020, the Tompkins County Planning Department determined that this proposal has no negative inter-community or county-wide impacts, and

G. Pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617, the Town Board of the Town of Dryden has, on August 20, 2020, declared itself as Lead Agency for purposes of uncoordinated environmental review under SEQRA, and determined that this proposal is exempt from review since it is a Type II action under 6 CRR-NY 617.5 (c) (2), since it is a replacement of facilities, in kind, on the same site, and

H. The Town Board has reviewed this application relative to the considerations and standards found in Dryden Zoning Law §1104 for site plan review and §1202 for Special Use Permit, and

I. An existing Stormwater Operation and Maintenance Easement Agreement between the applicant and the Town dated May 31, 2019 and which is on record with the Tompkins County Clerk is sufficient to address any stormwater issues that might arise in connection with this upgrade.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the site development plan documents, submitted with the application dated May 29, 2020 (as revised by plans dated August 2020) as site plan for the Borger turbine replacement project at 219 Ellis Hollow Creek Road, conditioned upon applicant complying with the following prior to issuance of a Certificate of Occupancy:

- a. The applicant will comply with emissions requirements applicable to the Borger Station as determined by the New York State Department of Environmental Conservation, including the integration of the following industry leading commercially available methane mitigation technology and equipment to capture and monitor planned and fugitive methane emissions during operation and maintenance activities at Borger Station:
  - “Pressurized hold” accomplished through the installation of electric-driven seal gas booster pumps on Units 4, 5, &6. This will eliminate methane emissions during start up and shutdown of each unit.
  - Portable compression which will be utilized to reduce the volume of methane vented to atmosphere during planned station and pipeline maintenance, including the pigging of pipelines associated with Borger Station.
  - Leak Detection and Repair (LDAR) conducted at Borger Station to identify and mitigate sources of fugitive methane emissions.
  - Utilization of continuous methane monitoring devices (combustible gas indicators) inside each compressor station pumphouse at Borger Station

The applicant agrees to install this new equipment and incorporate these best practices into its operations contemporaneously with the other proposed equipment included in this application.

- b. The applicant must report, annually in April, to the town of Dryden in a public setting on the operational run-hours and emissions, including CO<sub>2</sub>e, at Borger Station, as well as the technology and practices used to reduce fugitive methane emissions. Annual gas volume through Borger Station will also be reported.
- c. That the resolution approving this site plan and special use permit shall be recorded with the Tompkins County Clerk by applicant at applicant’s expense.

2. The Town Board hereby finds:

- a. That the considerations for approval of the requested Special Use Permit listed in Section 1202 of the Town of Dryden Zoning Law have been met in that this public utility infrastructure existed prior to any zoning in the Town of Dryden and the Project now proposed upgrades certain equipment, thus increasing the compatibility with the surrounding neighborhood by reducing impacts to the surrounding neighborhood including reduced noise from the operation of the older equipment and reduced emissions of pollutants regulated by the DEC.

- b. Applicant has supplied evidence that the facility over the last 5 years has only operated at 20% capacity. Therefore, even though the application discloses what the output would result from the equipment operating at 100% of capacity, the historical data and plans described by applicant support a finding that the actual operations would not likely significantly exceed the historical operations.
- c. Borger Station is currently operating under a Title V Air Permit from the NYSDEC. The NYSDEC has issued a draft air permit that would result in the facility, with the installation of the proposed equipment, operating under a State Facility Air Permit. This is a positive factor for the Town.

3. The Town Board, finding that the applicant is in compliance with all other provisions of the Dryden Zoning Law and other applicable laws, approves a Special Use Permit for the Borger turbine replacement project at 219 Ellis Hollow Creek Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

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