

**TOWN OF DRYDEN
TOWN BOARD MEETING
September 17, 2020
Via Zoom**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl James Skaley,
Cl Kathrin Servoss, Cl Loren Sparling,

Elected Officials: Bambi L. Avery, Town Clerk
Rick Young, Highway Superintendent

Other Town Staff: Ray Burger, Planning Director
Khandi Sokoni, Town Attorney

Supv Leifer opened the meeting at 6:02 p.m.

TOWN CLERK

RESOLUTION #115 (2020) – APPROVE MINUTES

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

RESOLVED, that this Town Board hereby approves the meeting minutes of August 13 and August 20, 2020.
2nd Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

BUDGET WORKSHOP

Supv Leifer announced the first of the board budget workshops will be held September 29, 2020 at 6:00 p.m. via Zoom.

COUNTY UPDATE

No representative present. Martha Robertson had sent an email saying she is unable to be there and providing some information on the county budget.

PLANNING DEPARTMENT

R Burger has submitted his monthly report (attached). The Comprehensive Plan update survey results. There were 747 submitted and the Planning Board will review the analysis of the survey on October 14. There was a virtual public meeting on Route 13 corridor study on September 3rd and the results of that are up on the Tompkins County website. There is also a new survey linked on that site.

On September 24 the Planning Board will hold a public hearing on the Maifly development at the corner of Freese Road and Dryden Road for site plan review.

R Burger said he met with the owners of 438 Lake Road (in the Blue Bird Subdivision) and their builder today and they have proposed mitigation measures. After those are reviewed by the attorneys and reduced to an agreement, the agreement will be reviewed by the Planning Board and then come back to the Town Board.

Route 13 Pedestrian Bridge for the Rail Trail – NYS DOT has agreed to undertake the right-of-way acquisition there on the northeast side of Route 13. The next step is that DOT will draft an agreement with the town that will spell out the scope and potential costs for the right-of-way acquisition.

Route 366 Project – There was shift in funds in the Transportation Improvement Program. This is Federal money so that shift was just acknowledging that while they had the design for this year, due to the pandemic they were not able to accomplish that and moved it into next year. Next year will be design phase for the Route 366 repaving and sidewalks on at least one side of the street in Varna. There is no schedule yet for public meetings.

R Burger noted that this month there were building permits issued for 8 single-family homes and 5 commercial buildings. While there may have been a temporary slowdown in the Spring, there is certainly no slowdown in the town.

HIGHWAY DEPARTMENT

R Young reported they are doing a lot of ditching and cleanup. All work on the 284 agreement was completed despite the cutbacks from the state. They did a little bit less than what they had planned, but actually completed it. He met with Dondi Harner at the site of the proposed Maifly Development and discussed the water and sewer infrastructure and doesn't believe the town should take responsibility for any of the pipes in the development. He will be meeting in the next few weeks with D Harner and representatives of Bolton Point and the Town of Ithaca to take a look at the Apple Orchard PRV.

CHIPS, Early Winter Recovery money and Pave NY were all affected by the state's 20% reduction. R Young reported that all paperwork has been turned in by the town for reimbursement.

DISCUSSION/ACTION ITEMS

Municipal Solutions Agreement – Supv Leifer reported the Broadband Committee has been working with Hunt Engineers and it is now time to look at the financing portion of the project beyond the grants that have already been applied for. He presented a proposal from Municipal Solutions, Inc. to provide preliminary services that include figuring out the financing during the phases of work. The hourly rate is \$130 and plus expenses and not expected to exceed \$3,500.00.

RESOLUTION #116 (2020) – AUTHORIZE AGREEMENT WITH MUNICIPAL SOLUTIONS, INC.

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

RESOLVED, that this Town Board hereby approves the agreement with Municipal Solutions, Inc. to provide preliminary services leading up to the Town of Dryden's potential broadband project at a cost not to exceed \$3,500.00 and the Town Supervisor is authorized to execute the same on behalf of the town.

2nd Cl Skaley

Roll Call Vote Cl Sparling Yes

Cl Servoss	Yes
Cl Skaley	Yes
Cl Lamb	Yes
Supv Leifer	Yes

LED Purchase Resolution – Will be on next month’s agenda.

Neptune Hose Company one-time request – Mike Hall of Neptune Hose said they have submitted their budget request. They are also requesting one-time funding to purchase an air compressor system to be used for filling their self-contained breathing apparatus (air packs) used on at least 75% of their calls. Currently they must utilize the system on their rescue truck that can only fill a handful of packs at a time. They have 33 air packs with 28 interior firefighters and run out of air in the truck on a regular basis. In order to fill that they have to take the truck out of service and go to Cortlandville to have it filled. Having a compressor system in house will alleviate the situation because they will be able to fill their air packs as well as the system on the trucks. All fire departments in the town will have access to the system as well. The cost of the compressor system (including installation and minor modifications to the station) is \$75,000.00.

Supv Leifer said the board can go into more in depth on the 29th when they review department requests.

ADVISORY BOARD UPDATES

Planning Board – Will review the 2150 Dryden Road amendment.

Conservation Board - Will review the 2150 Dryden Road amendment.

Recreation & Youth Commission – OURS won’t spend all its money this year so there is the possibility of Dryden putting that funding elsewhere. There was some discussion about hiring a part-time temporary assistant.

Ag Advisory Committee – Has not met, but the Chair did comment on the 2150 Dryden Road review. In June the County Ag Districts were approved.

Rail Trail Task Force – They are doing trail work in the Etna area, both east and west of Route 366. They have easements on the west side and volunteers have done more clearing work. They are beginning to open up some on the east side and are working with Finger Lakes Land Trust at the Etna Preserve on a plan to do the trail next to the preserve.

The committee meets again on Monday. Cl Lamb reported that he has heard back from the NYS DEC Bureau Chief about the pending concurrent use and occupancy permit. This would be a 30-50 year permit to have access through the DEC Game Farm property. DEC has reported that it is in their real estate attorney’s office, so there has been progress made.

Safety & Preparedness Committee - The committee sent a memo to the Town Board summarizing what the committee has worked on regarding the Borger SUP and what their recommendations were. They are supporting moving ahead with the SUP with the conditions in place including the volume data and are strongly recommending that the town adopts the idea of taking on an independent, professional consulting firm to evaluate things in the future starting with the April Borger report. We need more of an expert opinion that can pose meaningful questions and let us know what we should be asking for and looking at, not just always reacting to what’s been given to us. The information from DEC is helpful but it is clear that the DEC can only comment on a certain subset of information. That is not a

comprehensive view. The 239 review supplied by the county was very contradictory and their conclusion is to basically go ahead but also says they have concerns. Part of their issue is they don't have a way to evaluate things either. So it would be a benefit to the town and to the county to take on an expert to start evaluating information that comes from the Borger plant. They also supplied the names of three firms that could be potential firms to help the town out.

They thanked the public for their response at the last public hearing in expressing their opinions.

Cl Lamb thanked Katie Quinn-Jacobs and Dana Magnuson for serving on the committee and said going forward the board will want to work with the committee on an RFP for a consultant and what we would be asking specifically for someone to review. That can be discussed in the months ahead.

Climate Smart Committee – There have been no recent meetings. Supv Leifer said the EV charging station at the Town Hall is in place and the LED street light replacement project is moving along.

Broadband Committee – They are currently meeting every two weeks and working on finalizing a business plan and getting financial information together. Southern Tier 8 (a group of counties in the Southern Tier) have had a working group for some time. Tompkins County was not part of that group but may now join. There is also an effort from a number of other towns who are looking to do some version of what Dryden is doing. It won't affect what Dryden is doing as we are so far ahead when it comes to how we are thinking about this and doing it. Southern Tier 8 is not in the business of actually serving customers and even if they get involved in Tompkins County, they will not be hooking people up. Their solution is really middle mile and hoping local companies decide to take on the customer connection part. Supv Leifer said he didn't think they would be competing for the same type of grant money and seem to be caught up in the private-public paradigm.

Supv Leifer announced that going forward public hearings would begin at 6:45 p.m. with other town business prior to that.

**PUBLIC HEARING
2150 DRYDEN ROAD
SITE PLAN AMENDMENT**

Supv Leifer opened the public hearing at 6:50 p.m. and announced there would be no vote on this tonight. It is on the Planning Board agenda for next week. The board will take public comment tonight after an introduction by the Planning Director and project sponsor.

Ray Burger said in 2017 the project at 2150 Dryden Road was approved and at that time we did not have details of how the interconnect would happen at George Road. We now have details of that interconnect and that is the matter before the board. It is overhead lines over Virgil Creek and then connecting out to George Road. The 2017 plan showed five points of common coupling at George Road. The present plan shows three lines crossing Virgil Creek with three poles on each side of the creek. It then goes into a matrix of 18 poles to transfer from the customer side to the NYSEG side, then it is consolidated to a single pole and up to George Road. The hearing is open tonight and the Planning Board will take up consideration of this matter at their meeting next week for a recommendation to the Town Board.

Noah Siegel of True Green Capital introduced Ilias Garidis and clarified that they are the long-term owner and operator of the Dryden-Tompkins Solar facilities. They acquired the projects from Distributed Sun. True Green has been around since 2011 and has built, owned

and are now operating facilities across the US. They are extremely committed to renewable energy, and exclusively solar energy. In Upstate New York they have turned on several community solar farms over the last year and a half. They have just over 250 residents of Dryden and Freeville that are subscribers to their farms and are members. He thanked those members and partners including the Southworth Library, Youth Opportunity Fund and others.

They have been doing their best to address questions on the interconnection quickly and recently responded to questions from TG Miller. Some questions came up when their contractor hosted some folks from town on the site. They've done some research to make sure they have clear responses to the questions that are being asked and that will be shared.

There were a number of design constraints in this project that are New York specific, that are utility specific and site specific. In designing the system, they must consider the Public Service Commission's state regulations on system size. This was originally five separate interconnections to the utility grid. The PSC introduced an opportunity to consolidate adjacent systems and True Green submitted a proposal to consolidate and now only have three connections. The Standard Interconnection Requirements (SIR) introduced by the PSC governs the safety and reliability standards for utilities. For example, there needs to be an automatic disconnect for the systems (a recloser) which protects all the residential/commercial customers on that utility line in case of an issue with the photovoltaic system. It also protects the linemen that may be out there working and the system itself. So NYSEG's requirements have been integrated into this design. The utility also has their own standards and procedures. The state sets minimum safety standards and then there are some that the utility will enforce themselves. There isn't very much wiggle room when NYSEG prescribes certain equipment for each system. There is also a unique requirement here to cross over the creek. Virgil Creek is a state-regulated CT stream that requires a permit to cross over. Going over the stream will avoid ground disturbance. For any clearing that is done there, stumps will remain so that the stream will remain intact and the area around it won't be subject to certain erosion issues.

Comments received to date will be provided to the applicant and posted to the web, including those from Craig Schutt and Joe Osmeloski (attached).

What is the width of the area to be cleared in order to cross the creek? The width at the crossing is 90' in order to have enough width between the poles as well as on the outside in case a tree falls. The minimal width will be 90' and then once the poles are up, it's 30' between each and then 25' on each side of the poles, so 110' at the maximum. It's just over an acre of clearing on 157 acre property. 0.9 acres of timber will be cleared.

Stumps will be left; what kind of understory will be remaining? This will just be clearing for the purposes of making sure there is clearance underneath these poles. These poles are solely for the crossing and to avoid disturbing the ground there. It will be left as a natural environment once the trees are cut with the stumps remaining. Everything subgrade will remain in that 0.9 acres.

What is the height of the poles? These will be 34' high after embedment. The lines will be lower than that.

How much clearance is needed for any vegetation that might be growing up? Not sure what the threshold may be or what maintenance may be needed. The poles there don't need to be readily accessible. There will be no mechanized trimming. The poles are as low as possible while still maintaining safety clearances (per National Electric Code).

Can the lines to the NYSEG across the creek connection be buried? The first thing to do in order to interconnect any system is to tap into the street lines, the existing electrical grid, to go back to the substation. That tap would normally occur on the actual street line. You may

have some poles that go directly adjacent to an existing power line along the street in the utility's right of way. In this case, with three systems, part of what they are doing is avoiding going directly to the street with three lines, so the three poles that go into one single pole are actually the taps with the utility. Instead of three lines to the street which would lead to additional clearing on the utility's side, they are tapping the poles on the private property. They have tried to present this as best as possible with the existing vegetation and topographic features. NYSEG was okay with this single pole going to the street and the tap happening on private property. Otherwise there would have been three poles going to the street.

Would it be possible to plant native shrubs to prevent the whole area from growing up in non-native plants like Tartarian honeysuckle? They had planned on the natural vegetation in place, but are open to suggestions and will check with the field team.

Please explain why the lines appear to be together prior to crossing the creek and then are separated when crossing the creek. The lines are underground (in a conduits and well separated from each other) prior to crossing the creek. When they come out of the ground to cross the creek they must be separated by certain distances per code for fire and safety protection. If taller poles were used to cross the creek, they would only need two poles, but when the visual impact of the taller poles was considered, they felt it was a better choice to use three shorter poles.

Supv Leifer would like to look into whether the interconnects can be ground mounted rather than on poles. N Siegel said the PSC in their SIR set forth the minimum safety requirements across utilities in the state. They require a disconnect that you can physically see that is readily accessible 24/7. Given the differences in utilities and where they operate and their customers, the PSC doesn't say you have pole or a pad. They give you the requirements for safety and other things related to applications and procedures. The utilities must meet the requirements and, in this case, they approached the utility about a ground mount option. NYSEG doesn't offer this. So they are meeting the PSC requirements and their own safety requirements but they have certain limitations in terms of what they can do. It comes down to safety and standards for NYSEG across their organization.

J Wilson said after reading the email from a NYSEG representative stating that NYSEG doesn't stock the equipment that would be required for an underground connection. He suggested that NYSEG could get that equipment. It exists and other utilities use it. It's just that NYSEG doesn't. Pushing them a little harder might be worth doing.

The public hearing was left open at 7:31 p.m. The Planning Board will review the matter next week.

**CONTINUATION OF PUBLIC HEARING
BORGER STATION ELLIS HOLLOW CREEK ROAD
SPECIAL USE PERMIT**

Ray Burger explained that this is a continuation of the August public hearing on the special use permit for Borger Station that is basically replacing two turbines there. There is more modern equipment coming in to be installed before the two old turbines can be decommissioned. As part of this project there is also an oxidation catalyst being added to the one functional remaining turbine. There is also some underground piping, some fencing and landscaping upgrades to the site and the addition of some micro-turbines. A lot of information was supplemented to the application by Dominion in the last month to answer questions that came up at the hearing and in written comments. There is quite a body of data on what the emissions picture is from this operation.

John Muncy reviewed the list of documents provided during the last month to supplement the application. In addition to the county GML correspondence that came out just after the last meeting that stated no negative inter-community or county-wide impacts, on September 1 Dominion sent a letter to the town in response to the public hearing comments with supplemental information, primarily related to concentrating on air emissions and better understanding air emissions. It was a description of the genesis and objective of the project, to reiterate that as being initiated by the town wanting to replace the older units at the site. Dominion wanted to emphasize what they thought was the proper SEQR classification of the project as Type II for a replacement in kind project and there was some explanation of the potential to emit versus actual emissions associated with the project.

On September 14 Dominion sent the town the revised site development plans and SWPPP. They were slightly revised to reduce the laydown areas south of the road in order to maintain a minimum 50' setback from a State jurisdictional wetland. That will enable coverage under a general wetland permit with DEC and did not affect anything north of the road. It is a reduction in the project in the size of the laydown area. On September 15 a draft air permit was provided to the town for the project.

There was an email response to the town's Safety & Preparedness Committee. There was a follow up question from D Magnuson on percentages of CO₂e and plans for onsite mitigation of fugitives on methane and methane capture technologies that are in the conditions of approval and how Dominion would use those technologies. That email is on the town's website.

Katie Quinn-Jacobs – asked about the ZEVAC and LDAR equipment and what is the end result of lowering the CO₂e that Dominion expects from using these procedures and this equipment.

D Houser said the percentages on CO₂e is in the first few sentences of the response to the email. They don't change. That is a result of combustion in the engines. What really is the focus here is on fugitives and releases of methane as part of operations. That calculation of CO₂e that they have provided all along is really a calculation of what goes on in the combustion of the engines and the entire physical plan in normal operations. All the emissions are calculated in the figures they've given over the last two months. Dominion heard and paid attention to the concern for emissions that happen not during the combustion cycle, but in blowdowns and in pipeline cuts and maintenance in the project and in the area where blowdowns are done. For example, they often have to take out a section of pipe and replace it. Up until a few years ago, they would reduce pressure and then blowdown the natural gas that is in that pipe to release the pressure and then you can safely work on the area. Now, paying attention to the condition of approval and feedback and new technologies that are available, they can employ a technology called ZEVAC which is portable compression. They can reduce pressure and then take out the gas through a ZEVAC machine instead of releasing it to atmosphere. Similarly, this project entails the installation of a new station-wide blowdown system that allows for capped ESD testing where in the past and in the present they are mandated to do ESD testing that natural gas that is in the facility and in the station piping and the engines is released to atmosphere. With a cap system, which this project entails, they cap that blowdown system and keep the methane that is in the station in-house instead of releasing it. That also keeps the natural gas from being released to the atmosphere.

Also, the draft conditions of approval that are on the website talk about leak detection and repair (LDAR). That's really going after the very small leaks that you don't see and don't smell. You're going after it with infrared cameras, pointing it at all the equipment in the facility and finding those leaks and repairing them. It might be a very small leak that in that particular day isn't a lot, but over time it can accumulate. One of the things they are doing now, you can see that with ZEVAC and some other technologies. It used to be if you were

going to repair a small leak that you find on LDAR, you might have to blow down a station to fix a very small leak and you are releasing so much gas to blowdown an area to fix a very small leak that it would take hundreds of years to leak that much gas that you are releasing on a blowdown just to repair. Technology is catching up and use of a ZEVAC machine to capture methane and then fix the leak that you find with LDAR is a double payoff.

They are not calculated in the CO₂e calculations that you see. These are things that can't be anticipated. We don't know if we are going to do a station maintenance that includes a blowdown of a section. But if we do, we are going to capture as much as we can. Similarly, we don't know if we have a leak that will be found by LDAR but if we do find it, we will be able to address it. So that is not in the calculation of CO₂e that we have been talking about these past couple of months.

K Quinn-Jacobs – How is this being objectively recorded or reported? If the majority of emissions really are from the blowdowns and the pigging stations and things like that and is not counted in some way, how can you evaluate the program?

D Houser – Those large losses of gas are reported and with these technologies, the reporting of lost gas on these types of instances won't be necessary. That gas can be captured and not emitted and there will not be gas loss reported.

K Quinn-Jacobs – Is there a log of when the equipment is used? How will they know that it is being done?

D Houser – That can be talked about. The condition sets April as a time for Dominion to report to the town and that is something that they would be very happy to talk about. The goal of the company is reducing methane emissions and fugitives and they do like to talk about the successes they have. When they come and talk about emissions calculations, they can certainly talk about what maintenance efforts have taken place in the area and on the site during the past year and talk about what has been done to mitigate fugitive emissions and emissions during operations. The initiatives they have are industry-leading and they will certainly talk about them every April. They are wonderful stories to tell on methane savings that would otherwise be sent to atmosphere.

Joe Wilson said he has read Dominion's 2019 brochure. How does what Dominion is agreeing to through the special use permit conditions compare to the various initiatives, technology and practices that are outlined in the 2019 brochure?

D Houser said he would have to look at the brochure, but as far as the goals of the company, they complement each other wonderfully. It really is exactly what they want to do and is something that is a goal in reducing methane, which we know is a 25 times more powerful greenhouse gas than CO₂. To reduce that as much as possible is an overriding goal of the company. What the town has done with these conditions is very complementary to their internal goals and they are very pleased with it.

J Wilson – How does what is agreed to here compare with what is being done in comparable compressor plants to reduce methane?

D Houser – It is very similar. They have purchased, as a company, several ZEVAC machines that they deploy not only in the transmission side of the company, but also on the distribution side. They have gas distribution companies in Ohio and West Virginia and also deploy ZEVAC machines in those areas and use LDAR and other tools to work within their plan to drive down methane emissions to atmosphere. These are complementary efforts by the town looking to Dominion and things that Dominion also does voluntarily internally throughout their entire system.

Cl Lamb said it is important to clamp down on methane emissions, but let's keep track of what this project does in terms of reducing VOCs by 92%, NOX by 74% and carbon monoxide by 82%. That's what we should be excited about with this project. That's why we're having this conversation. Three years ago the town went to Dominion and asked them to make this investment to address these very issues, to reduce these criteria pollutants that were going into our neighborhoods. These things are known problem-causers for humans and are bad for human health. He talked with a number of specialists this week, doctors and engineers, and they all emphasized the importance of reducing these criteria emissions and the benefits to human health. As much as we are talking about methane, not downplaying the importance of that, and happy that Dominion has agreed to the conditions to do additional methane capture, what we really hope to get out of this project is a reduction in exposure to these criteria pollutants. It goes back to the members of the Safety and Preparedness Committee who put this on our agenda three years ago, to go after Dominion. He didn't expect them to respond and do this project, but they have. If anyone hasn't read their letter from September 1, it lays out the history of how we got involved in this project.

What hasn't been mentioned is that Dominion has agreed to share their throughput, the gas volume that is going through Borger on an annual basis. That is something we've been after for a couple of years. Until this week, there has been resistance on sharing the actual volume that goes through Borger. We're glad that they've made that agreement and that will be a condition in the special use permit. That's positive news.

Their air permit that is pending with New York State and the EPA has a condition in it, item 47, where the Climate Leadership and Community Protection Act (New York State's ambitious act to reduce greenhouse gases by 40% of 1990 levels by 2030 and 85% by 2050). It is hard to fathom what a big change that means in terms of greenhouse gas emissions in New York State. This went into effect January 1 of this year. The permit process that Dominion started for this project started last year. There is some grappling at the DEC about what to do with this project and the goals of the CLCPA, but there is a condition 47 in Dominion's draft permit that says that CLCPA is applicable for the entire length of this permit that is pending right now with EPA. The DEC has to figure out what to do with this project to make it compliant with the CLCPA. Cl Lamb learned today that DEC has to do the evaluation that all of us have been saying we want in order to grant this permit. If they are going to approve this project based on the public health benefits, they have to say in terms of the greenhouse gas, why that is a net public benefit. We have been wanting this calculation that neither Tompkins County or Dominion could provide. The answer to what is the tradeoff here. If it is coming from New York State, you have to remember that we now have the strictest CO2 statute in the country. This puts them in a little bit of a bind. They have to come out with a statement on this and we will be watching this very closely. They'll have to justify issuing this permit within the context of CLCPA and those emission reduction goals, or they will have a problem. This is causing a little bit of stir within DEC in Albany.

At the town we've been saying we have a replacement project, it's a construction project, we're very concerned about emissions, but we don't regulate emissions at the town level. Some of our conversations have gone back to thinking it was DEC's job. Some of us thought that permit was on track and out of our hands, but there is going to be a review and it is going to be put in the context of CLCPA. That's kind of a big deal.

J Skaley referred to a letter Stu Berg wrote about the Borger equipment. It implies that the current equipment that is due to be replaced is really out of date and that Dominion would need to be replacing this equipment in any regard so it would be part of standard operating procedures to replace old equipment as new equipment is available to handle the criteria pollutants that we've been talking about. If that is the case, then we should have assumed that Dominion would be doing this on a routine basis as they need to with any of these

compressor stations. In trying to understand the potential impact on the community, was there ever an airshed analysis with regard to the dispersion of these pollutants from the Borger Station?

D Houser said the DEC did use the EPA's National Ambient Air Quality Standards (NAAQS) in developing the draft air permit. That's been talked about in previous letters. The DEC does refer to NAAQS in developing air permits and that draft permit is on the town's website for review.

Cl Skaley said when EPA evaluates these things with regard to risk, etc., it is based on some health impacts. He did not find anything in the documents which refers to health impacts, nor is it referred to in letters that were on the site. Not to say that it's not important, he's just saying the community may be concerned about potential health impacts. Have there actually been impacts that have been attributed to the release of any of these pollutants?

D Houser said right now they operate under a Title 5 permit and are regulated by DEC through the EPA on NAAQS and they meet those standards right now at Borger Station as they operate under the current permit. The value in this project is the emissions levels that they emit currently that are the criteria pollutants will be greatly reduced by the project. So even though they operate safely right now, they will be tremendously safer with this project and the emissions level on the harmful criteria pollutants that are emitted at the site. It's a response to the community ask that they do that. They are happy to do it. And that brings us to this evening.

Cl Skaley said he applauds Dominion's efforts in this area. We all want to see not only the criteria pollutants reduced, but also the methane capture that's been referred to. He is trying to figure out how this is evaluated over time. Is there a particular life expectancy for this particular compressor station? At some point it will grow old and what happens to it?

D Houser said the engines that are being replaced are 1983-84 vintage engines. They still run, and run when they need them to run. There are still parts available to fix them when they need repair. So a life expectancy of a particular engine is unknown, but parts are available and the crews find the parts to keep them running.

Gene Kelly said we've talked about the Title 5 permit that currently governs the operation there. The really important thing to remember as Cl Lamb put it, is that with the extreme reductions in these regulated criteria pollutants that this project will achieve, that Title 5 permit will be replaced by a State Facility permit. That is reflective of the fact that this station will no longer emit pollutants at a level that requires a Title 5 permit. It will be dropped down to the requirements of a State Facility permit. That is because the station will no longer reach those thresholds that are potentially being reached right now. That is a really important factor. When we talk about Title 5 it is important to keep in mind that that Title 5 is going to go away after this project is finished.

Cl Skaley said he appreciates those efforts. The town is working on a comp plan update. One of the things they are dealing with there is to reduce the town's carbon footprint. Number 47 in the air permit says you need to comply now with the CLCPA in the reduction of greenhouse gases. The new equipment actually increases the amount of CO2 over current numbers and he understands that results from increased combustion in the new turbines. The criteria pollutants are decreased and there is an increase in the CO2. Is that a result of running the turbines more, or a different combustion process?

D Houser – These turbines use more fuel in the combustion process to produce the little difference in horsepower, but are using more fuel in the engines to deliver that power. At the same time, these turbines are using newer technologies to reduce criteria pollutants. The

byproduct when you are using more fuel in the combustion setting. Liz Gayne really went into the science on this, the combustion, the effects of reducing the criteria pollutants in this process and the reaction gives you more CO₂ and a little bit more methane. The same percentage we talked about when we responded to Dana's letter. It's really more fuel in the combustion process delivering the same horsepower output, but at the same time you are using those technologies inside that engine to drive down criteria pollutant emissions.

Dominion has said they will comply with the CLCPA and the regulations that are devised from it. They put that in writing in their September 1 letter. And a day or so later they received a revised draft air permit from the DEC that had that new condition in it. Presently in New York State the DEC is working on regulations on how they will regulate and promulgate the regulations for the CLCPA legislation that was signed by the Governor. That hasn't gotten to an end process so no one knows what the regulations will look like in their final form. In the history of their company they haven't wholly opposed any regulation in any state they operate. They've made comments as regulations have gone out for public comment to try to make them better or try to fit into normal operations, just like any business comments on a proposed regulation. But they haven't wholly opposed any regulation. As stated in their letter, they are prepared to be regulated by this law and will adapt to it.

Cl Skaley – Does Dominion need as large a turbine as they are putting in? Do they need that much horsepower to push something that usually is only going to move 20%?

D Houser – It is done to meet a customer demand. If every customer on the entire system called for their entire firm transportation at the exact moment, they have to have the facilities in place to meet the customer demand in that moment. Their September 1 talks about the like, in-kind replacement where you replace with substantially similar horsepower without increasing the output on the system. So you are not providing for more demand and you are using similar-sized equipment. That's the regulation of the FERC and FERC regulates their equipment.

Cl Skaley – Residents in the town are going to have to reduce substantively more of their carbon footprint to offset any extra greenhouse gases that Dominion might be generating so that the town can meet its commitment to reduce greenhouse gases. What if the town asked for a potential impact fee that could go in to assisting our residents to reduce greenhouse gases through helping with fixing houses or equipment or other kinds of things that need to be addressed? Impact fees are often used in this regard when it's not technically feasible for the vendor to take care of all the necessary issues that are being raised. Since we don't know yet what the state is going to require of Dominion or how they are going to proceed, and you are asking us to approve a special use permit prior to knowing all that, it raises a question.

Supv Leifer – Dominion is doing exactly what the town asked for. He talked with a doctor who said there is more danger to someone's personal health from wearing masks to protect against Covid than the amount of CO₂ being released. These criteria pollutants actually cause health problems.

Cl Lamb – DEC will make the decision of whether it is worth it to allow a little more CO₂ here if we are achieving these other health benefits. NYS as a whole has to clamp down on these reductions, not every emitter. Dominion is part of a system and supply gas far from here. If something goes out in one system they produce more gas going through to serve another part of the state. The state is in a better position to look at aggregate CO₂ emissions than a town. That's the beauty of the CLCPA. It looks at aggregate emissions and DEC will make the cost benefit analysis on that for us and they will issue the permit. Then Dominion will live up to the conditions of the permit.

Cl Skaley – Agrees to the reduction of the criteria pollutants. He was trying to find out if there is technology that also could reduce the amount of CO₂. There are means of converting CO₂ to oxygen and he doesn't know whether the equipment is available, but technically it is possible to do that through use of a laser concept. That could happen as we go forward. He was getting to how do we as a town reduce our carbon footprint. It may be the cost benefit to offset someplace else, but that doesn't help the people in the town of Dryden in this context.

Cl Lamb – We don't know what DEC may come back with as a condition of their permit, and they are in a much better place to make those conditions. We don't know what that may be.

Cl Skaley – Wants to get this on the record so we know where we stand on some of these issues. It is complicated. The likelihood that what we are doing at the state level is that things will have to be increased rather than decreased.

Cl Sparling – Thanked Dominion for committing to the CLCPA. He raised the greenhouse gas emissions questions and this has answered it for him. It won't be localized, because we are serving a greater good and by explicitly committing to that, his mind was eased. He hopes this sets precedent for any future endeavors that Dominion may do at other compressor stations. He agrees with Cl Lamb that we are entering a new era, that the onus is now on DEC to get its act together with this. That's where he sees the recommendation by the Safety and Preparedness Committee for an external advisor doesn't apply to Dominion at all in his mind. It is a separate thing, to keep the DEC aware of what is going on.

Chuck Geisler – The tradeoff issue between these two very large domains of greenhouse gas emissions and more localized pollutants is obviously very fraught. We are all struggling to understand it. Going back to the topic of outside expertise as a way of reviewing, he doesn't see it so much as reporting back to DEC. Right now it seems like our information records on the performance regarding the pollutants from the Borger Station is going to come from the annual reports from Dominion. Cl Sparling raised the issue last month of what happens if there is underperformance. With all due respect to the expertise and good will of Dominion, we won't necessarily know that the performance is on the mark or under the mark without an independent third-party expertise. It seems there's a question of with or without external expertise reviewing those annual reports by Dominion, what is the town going to do if the performance falls off? Is there is a sanction or remedy equivalent of a regulation at the greenhouse gas equivalent at the state level? What do we do in that situation? Do we have any leverage at all?

G Kelly – The oversight here is provided on a very detailed level by DEC. Borger Station is subject to frequent inspections, multiple times a year. There are reports that go in to DEC that Dominion has to file. The level of oversight from the state is very strong on these kinds of facilities and it is going to ramp up under the CLCPA. As we move forward with these aggressive greenhouse gas reduction targets that the law has, there is going to be increased oversight over these kinds of facilities because these kinds of facilities are one of the keys to achieving those levels. Whether or not we achieve the kinds of greenhouse gas reductions that we need to achieve as a nation or as a planet will depend entirely on what happens in the transportation sector.

D Houser – The data that the town has requested Dominion to provide every April in the conditions of approval is the exact same data that DEC collects and is reported up to the DEC. What they do in providing that to the town in an open form is save the town a freedom of information request. When the data is reported to the DEC and when they come and collect that data, they are making judgments then on Dominion's performance and how they perform on their air permit. They take that data and use it to determine whether Dominion is living up to the permit expectations. There is an agency and a regulatory body that looks and does those

checks on performance at the station, and every regulated entity on air in New York State, not just Borger.

Supv Leifer closed the public hearing at 8:40 p.m. The board discussed the draft resolution to approve this special use permit, made a few changes and adopted the resolution as follows.

RESOLUTION #117 (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

Supv Leifer 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, and September 17, 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 20, 2020, and September 15, 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 shall 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 CO₂e, 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, following installation of the proposed equipment, operating under a State Facility Air Permit that will implement the requirements of the CLCPA. This is a positive factor for the Town because the criteria pollutants are reduced, benefitting public health.

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.

2nd Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

D Houser thanked the board, the staff in the Planning Department and members of the Safety and Preparedness Committee for the work everyone put in the last few years in getting this project to this point. He also thanked the constituents who came to meetings, added to the discussion and added value to the resolution just passed and the conditions thereof. It's their pleasure to work with this community to do this project. Dominion as a company is part of the community. Their employees live and work there. He looks forward to driving this project forward. They now wait for the permit from DEC to be finalized and then will go to FERC for their approval on the prior notice to do the project. Then they will start ordering the equipment and getting into construction. He looks forward to working with R Burger on a building permit application.

The board thanked Dominion staff for their efforts.

K Quinn-Jacobs asked when the transfer to Berkshire Hathaway will happen and how that will impact the Borger Station. D Houser said they don't know when it will happen. It was advertised to happen sometime in the fourth quarter of this year. He doesn't know what the new company will be called, but other than the sign and logo changing, he doesn't expect any changes in the operation of the business.

COUNTY BRIEFING

Mike Lane reported the County's budget is estimated at 189 million dollars for 2021. The legislature will have regular meetings for a while and then will eventually adopt a final budget. Big impacts are the loss of sales tax and casino revenues this year – about 4.2 million dollars. Sales tax is down considerably, and they will need to make up for that. They will reduce positions in the county, but that does not mean that they will do layoffs. They hope to be able to fill vacancies with current county staff. There will be a 4.97% increase on the levy and that is over their cap, which was very small this year. The tax rate will go down a small amount because of the increased tax base. The state has cut back most payments to the county by 20% and has not reduced the state mandates at all. Budget spending is down this year. It is a balanced budget, though not a happy budget, but this is where they are starting discussions. If people have comments there will be an opportunity for a public forum, a public hearing, and you can also contact members of the legislature.

As of Monday, Tompkins County had a 62.7% self-response rate from residents. Census workers are following up with people who have not responded. There has been a change in the way students can be reported, and Cornell University has furnished off-campus student housing addresses dating back to April 1. Ithaca College is in the process of doing the same.

The county has hired its first Chief Equity and Diversity Officer. After a nationwide search, they hired Deanna Carrithers of Kansas where she had been doing similar work at Wichita State University. She will be working remotely until November.

CITIZENS PRIVILEGE

None.

OTHER BUSINESS

Atty Sokoni announced there will be a hearing on the 107 Morris Road matter tomorrow morning. This is for authorization for the town to be able to demolish the unsafe structure at that address. There will be no in-person appearance; it will be on submission. She has already submitted her papers and a proposed order.

On motion made, seconded and unanimously carried, the board moved into executive session at 8:55 p.m. for legal counsel regarding the proposed moratorium on development in Varna, the proposed short-term rental law, the broadband project, the 438 Lake Road matter, and inclusionary zoning. No action was taken. and the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk

Memorandum

Date: September 15, 2020

To: Town Board

From: Ray Burger, Planning Director

Subject: Planning Department Update

Application materials and other documents for some of the items below can be found at:

<http://dryden.ny.us/>

Send public comments to planning@dryden.ny.us with project address in the subject line.

Planning Department Offices open for window service: For the safety of all Town residents, the Planning Department will conduct business through a walk up window at Town Hall. Applications, complaints and inquiries are also accepted via email (planning@dryden.ny.us), phone and mail.

Comprehensive Plan Update: The community survey ended on August 31 and 747 surveys were submitted. These results will be reviewed by the Planning Board at their October 14th meeting. Go to Dryden2045.org to inform yourself about this Town project. You can also sign up for updates or leave a comment.

Route 13 Corridor Study: A public meeting held on September 3 had 89 attendees. To see a meeting summary, copy of the presentation and recording of the meeting go to:

<https://tompkinscountyny.gov/planning/transportation-choices/rt13corridor>

where you can also respond to a new community survey on the preliminary recommendations.

Borger Station Special Use Permit (SUP) application submitted by Dominion: Dominion Energy Transmission, Inc. submitted an application for the Borger replacement project at 219 Ellis Hollow Creek Road. They propose to replace two existing turbines with more efficient new units that will reduce toxic air emissions. The public hearing will resume at the September 17 Town Board meeting.

Solar project at 2150 Dryden Road: The interconnect at George Road has now been designed and the revised site plan will be the subject of a public hearing at the September 17th Town Board meeting. The Planning Board will also review this site plan amendment at their September 24 meeting in order to make recommendations to the Town Board.

Maifly Development Townhomes at Freese and Dryden Roads: This proposal for 32 townhomes and 15 single family homes will be the subject of a public hearing at the September 24th meeting of the Planning Board.

Transportation Improvement Program (TIP) for Varna's main street: The \$5.5 million project to repave Route 366 through the Hamlet of Varna and add a sidewalk has been delayed on the federal TIP schedule. The design phase that was scheduled for this year has now been scheduled for 2021. Construction remains scheduled for 2022.

Planning Department activity for TOWN for August

Building permits: 30 (8 single family homes, 5 commercial buildings)
Zoning permits: 12
Special Use Permit Reviews: 2
Site Plan Reviews: 1
Variance reviews: 3
New businesses: 4 (dollar store, artist studio, contractor, farm stand)
Fire safety inspections: 2
Building inspections: 33
Certificates of Occupancy/Compliance: 48
Subdivisions: 2
Violation notices: 4
Complaints: 9
Fire calls: 0
Training hours: 4

Planning Department activity for VILLAGE for August

Building permits: 9
Zoning permits: 6
Special Use Permit reviews: 0
Site Plan Reviews: 0
Variance reviews: 2
New businesses: 0
Fire safety inspections: 0
Building inspections: 0
Certificates of Occupancy/Compliance: 0
Subdivisions: 0
Violation notices: 0
Complaints: 7
Fire calls: 1

Dear Supervisor Leifer and Town Board,

I am writing to express my concerns with the proposed SUP revision at the 2150 Dryden Road solar project. I want to make it clear that although I am a member of the Conservation Board I am making these comments as a concerned citizen of the Town Of Dryden. I attended a site visit of the proposed project area on September 16 along with the Project Manager, the Town Planning Director, two members of the Planning Board and a neighboring land- owner. I had emailed Ray Burger and asked if the Conservation Board could be included in the site visit considering the location along Virgil Creek where work is proposed to be completed but received no reply. So, I took it upon myself to join the visit.

The following are highlights of what I observed:

1. The proposed site work is in the Virgil Creek 100 year flood plain and in the town's designated Conservation District zone.
2. To complete the work of running high power lines over Virgil Creek there will be considerable clear cutting of many trees (50 or more in the words of the project manager) in a estimated 150 ft. (maybe more) swath on both sides of the creek. Without a cutting plan, it is difficult to know for sure. (Virgil Creek is a DEC designated trout stream). Not only will this open Virgil Creek up to erosion, it will also destroy what is currently a very well buffered (wide riparian buffer) stretch of stream and allow warming of the water. Currently this stream segment is well shaded and protected for optimal fish habitat. The stream corridor is also an important wildlife corridor and the cutting of the mature white oak trees (as described by the project manager) on the south side of the creek, and, many more trees will jeopardize this important habitat. Haven't we already lost enough carbon sequestering trees and other vegetation from the clearing for the arrays? I distinctly remember at some of the meetings when asked about the mature willows along Willow Glen Creek the solar representatives stating that they would do what they could to preserve some of those mature trees. We see how that worked out. The willows are all gone and a bulldozer was used to straighten that stream. It makes it very difficult to believe anything these companies promise.
3. Once the lines come over the stream then there is the proposed twenty plus 45-50 ft. poles that will be placed in the large agricultural field, rendering that flat parcel of land useless for future agricultural uses. The stakeout for the poles is questionable at best and will make it near impossible to get machinery into the western end of the field if someone wanted to do so. I can only imagine that the utility company would not allow tractors and machinery going in and out through its array of poles.
4. Then of course is the visual impact of the poles. Again, we were told at meetings by the solar representatives that the interconnections would all be underground. (minutes of April 20, 2017 Town Board meeting) The placement of these poles was never shown on the original drawings for the project when it was approved. The Town Board bought into these misrepresentations and the citizens of Dryden will suffer if this project is

approved as presented. I asked the project manager directly if these interconnections could all be underground. His response was don't quote me but yes, they could be underground but the company doesn't want to spend the extra money to do so. I even asked about going under Virgil Creek and again he said it could be done but the company doesn't want to spend the extra money to do so. It goes to prove what these companies are all about. All they care about is the bottom line and the local people are stuck with the end results. So all the rhetoric about wanting to be good neighbors was false. The corporate greed is coming to light.

Everything about this proposal is contrary to the Town of Dryden Natural Resources Plan, the Town of Dryden Agricultural Protection Plan and the NYS Ag and Markets recommendations for these facilities. Both town plans referenced above, you as a Town Board accepted and approved and at the time praised them as good guidance for protecting critical areas and agricultural lands. Here is a time when protections are needed.

So where do we go from here? I first think it is prudent for the Town Board to ask both the Conservation Board and the Agricultural Committee to review and comment on this proposal before any decision is made. That was what these boards were originally established to do. Again, as often happens, the Town Board takes the attitude of not utilizing the expertise of the individuals on these boards.

Personally, I feel this proposal should be denied and the company should be told to put the interconnections underground or look for an alternative site. To me this is the only prudent action to take to "Protect" the taxpayers of Dryden as you always run for office on the "Protecting Dryden" line. Here is an opportunity to do just that.

Thank you for your time and consideration and please enter this letter into the public record of the SUP public hearing.

Craig Schutt
69 Schutt Road
Dryden, NY 13053

Subject: Public Hearing NOH 2150 Dryden Rd. 9-17-2020

SEP 17 2020

From: Osmeloski <ttia607@gmail.com>

DRYDEN TOWN CLERK

Date: 9/17/2020, 10:13 AM

To: Supervisor <JasonLeifer2@dryden.ny.us>, Ray Burger <rburger@dryden.ny.us>, "Alice W. Green" <awg3@cornell.edu>, Brad Perkins <bperkin3@twcny.rr.com>, Steven Bissen <spbissen@toxicstargeting.com>, Craig Schutt <crschutt61@gmail.com>, Craig Anderson <craiga@frontiernet.net>, "Charles R. Smith" <crs6@cornell.edu>, Evan Carpenter <evanjcarpenter@yahoo.com>, David Alan Weinstein <daw5@cornell.edu>, "Peter J. Davies" <pjd2@cornell.edu>, Gian Dodici <gdodici@gmail.com>, Janis Graham <janisgraham22@gmail.com>, Hilary Lambert <steward@cayugalake.org>, John Kiefer <jak14@cornell.edu>, "Timothy L. Woods" <wwwoodsw@earthlink.net>, Nancy Munkenbeck <nwm1@Cornell.edu>, "Robert M. Beck" <rmb24@cornell.edu>, Mike Richmond <mrichmond2@twcny.rr.com>, Tom Hatfield <thatfieldcpa@gmail.com>, Joseph Wilson <wilson.drydenplanningboard@gmail.com>, sports@flcn.org

Dear Dryden Board Members and other interested parties,

I am writing this email to go on the record for tonights (9-17-2020) public hearing of the Dryden Town Board labeled as : NOH 2150 Dryden Road Solar Facility Interconnection, Dryden-Tompkins Solar II, LLC/True Green Capital. Site Plan amendment.

In addition to the points I made in my September 5th email to this board, which I also expect to be put on the record, I would like to comment on some other issues that have arisen since that last email.

We have come to learn that besides the interconnections that were originally shown on ALL Site Plan Maps, and were part of the SUP, the Town Board approved, and were falsely claimed by Bhirath Srinivasan to be ALL underground (see Dryden Town Board meeting 4-20-2017, Page 9, and his response to Shirley Price, <http://dryden.ny.us/wp-content/uploads/2017/08/TB-4-20-17att.pdf>), that approximately 5000 square feet of the property bordering VIRGIL CREEK on both sides is to be clear cut removing an incredible amount of fully mature trees, saplings, and brush thus permanently destroying the riparian buffer, to allow all the interconnections crossing Virgil Creek.

In addition to the incredible environmental damage this will cause to a major tributary to Cayuga Lake, and trout spawning creek, I have seen NO tree cutting plan or map that was in the original site plan that shows this illegal tree removal. The tree cutting plan that was approved in the site plan NEVER addresses any tree removal along Virgil Creek, so one can now assume given the lies already to be proven propagated by Mr. Srinivasan, that this whole site plan and SUP approved by the Dryden Planning Board and Town Board was one great big lie.

Also, on the website, under the Site Plan Amendment for these interconnections, I notice that the 239A review dated August 27th, and signed by a Mrs. Katherine Borgella, shows no ill effects in their review, but given that we have seen NO tree cutting plan for the crossing of Virgil Creek, its more than likely that the county and Mrs. Borgella were never made aware of this Tree cutting plan during their review, as it does not show up on any map or plan that the public has seen. Also, given the history of 239A reviews in this town, as one need only go back to the disastrous Building and Energy Committee's debacle where the Planning Director submitted the changes proposed in the Comprehensive Plan to the county BEFORE public comments were taken, makes one wonder if again, the planning director prematurely sent in the 2150 review without the county having all pertinent information.

When these Solar Farms were originally proposed, the primary reason given was of course a source of clean energy that would obviously help the planet, but it is now clear that any positive affects to the planet at the 2150 Solar site have been completely negated by the terrible destruction of many beautiful Carbon sequestering trees, the ruining of Willow Glen Creek, and now we propose more environmental destruction, and more removal of mature Carbon sequestering trees, all adding to the destruction and detriment to a major tributary and Trout Spawning creek. WHEN will this lunacy end?

Thank you,

Joseph Osmeloski

SEP 17 2020

Subject: Public Hearing NOH 2150 Dryden Rd 9-17-2020**From:** Osmeloski <ttia607@gmail.com>**Date:** 9/5/2020, 10:35 AM**DRYDEN TOWN CLERK**

To: Supervisor <JasonLeifer2@dryden.ny.us>, Ray Burger <rburger@dryden.ny.us>, Brad Perkins <bperkin3@twcny.rr.com>, Steven Bissen <spbissen@toxicstargeting.com>, "Alice W. Green" <awg3@cornell.edu>, Craig Anderson <craiga@frontiernet.net>, "Charles R. Smith" <crs6@cornell.edu>, Craig Schutt <crschutt61@gmail.com>, David Alan Weinstein <daw5@cornell.edu>, "Peter J. Davies" <pjd2@cornell.edu>, Gian Dodici <gdodici@gmail.com>, Evan Carpenter <evanjcarpenter@yahoo.com>, Janis Graham <janisgraham22@gmail.com>, Hilary Lambert <steward@cayugalake.org>, Tom Hatfield <thatfieldcpa@gmail.com>, John Kiefer <jak14@cornell.edu>, "Timothy L. Woods" <wwwoodsw@earthlink.net>, Nancy Munkenbeck <nwm1@Cornell.edu>, "Robert M. Beck" <rmb24@cornell.edu>, Mike Richmond <mrichmond2@twcny.rr.com>, Mahlon Perkins <mrp@mrperkinspc.com>, Joseph Wilson <wilson.drydenplanningboard@gmail.com>, aclark@binghamton.edu, dwilson@binghamton.edu, jegrace02@yahoo.com, James Skaley <jskaley.dryden.ny@gmail.com>

Dear Dryden Board members and interested parties,

I am writing this letter in response to the Public Hearing scheduled for 6:15pm on September 17, 2020. The Dryden Town Board on that date and time has scheduled a public hearing for a Site Plan Review, labeled NOH 2150 Dryden Road Solar facility Interconnection, Dryden-Tompkins Solar II, LLC/True Green Capital for a Site Plan Amendment.

My first point I would like to make is I am wondering why this Public Hearing is even scheduled given the fact that the Dryden Planning Board according to Local Law #3, 2017 (Dryden Solar Law), has not reviewed this Site Plan change nor even aware of this change.

In Local Law #3, 2017, Dryden Solar Law, it clearly reads as follows:

F. Ground Mounted Large-Scale Solar Energy Systems

1. Ground-Mounted Large-Scale Solar Energy Systems are permitted as principal and accessory uses through the issuance of a special use permit as approved by the Town Board with PRIOR REVIEW AND RECOMMENDATIONS OF THE SITE PLAN BY THE PLANNING BOARD, within Conservation, Rural Agriculture, Rural Residential, Mixed-use Commercial, and Light Industrial zoning districts, subject to the requirements set forth in this section, including Site Plan approval.

The above law clearly states that the Dryden Planning Board should review this site plan BEFORE any public hearing should be scheduled, so obviously this Public Hearing should be postponed, pending Planning Board Review. Given the recent September 2nd article in the Dryden Courier, I realize that this Town Board, will probably choose to ignore any recommendations from the Planning Board, as Assistant Supervisor Lamb made that abundantly clear in the Courier Article, and this Board has a clear history of ignoring all its advisory boards. That being said, the Dryden Solar Law clearly states that the Planning board needs to review this site plan PRIOR to any Town Board public hearing.

My 2nd Point has to do the honesty and integrity, or lack there of, of Distributed Sun, and

more specifically, their representative: Bhirath Srinivasan. Mr. Srinivasan clearly was not honest and forthright with the Dryden Public, both in his spoken words and the materials he presented to the town. Clearly NO MAPS I have ever seen for 2150 Dryden road ever showed the hideous above ground poles for the interconnections to the grid (and also the Ellis Project which I will address later), and Mr. Srinivasan clearly stated (which is now obviously shown to be false), that the interconnections at 2150 Dryden Rd. would ALL be underground except for the crossing of Virgil creek.

Please refer to Dryden Town Board meeting minutes dated 4-20-2017, Page 9:

Shirley Price-Asked whether the solar would have overhead wires to connect to the grid. B. Srinivasan said the only overhead connection is across the creek.

We now know that the statement by Mr. Srinivasan was completely false and at worst, was a flat out LIE. Ironically, the member of the public, Shirley Price who asked this question lives directly across George Road from where this new array of hideous poles are to be constructed, obviously ruining her viewscape, and her possibly property values.

It is shameful looking back that this Town Board approved these Large Scale Solar facilities based on information that we now know was deceiving, dishonest, false and many times inter dispersed with Lies and falsehoods. Not only should this illegal and ridiculous Public Hearing be canceled but this Town board should finally show some back bone and finally reject not only this site plan review but also find out why their was no Public Hearing for the Ellis Tract Site, when no poles are apparent on their site plan maps either.

Thank you,

Joseph Osmeloski

September 17, 2020

Zoom Chat

01:35:58 Judith Pierpont: Could you plant native shrubs like grey dogwood or red osier dogwood to prevent the whole area growing up in non-natives, in particular Tartarian honeysuckle.

01:46:47 Joe Wilson: The email posted from NYSEG seems to say that they just don't have the equipment in their stock, so to speak, that prevents the ground connect. That email should be read. It seems that NYSEG could do better.

02:14:45 Joe Wilson: Kudos to the Safety & Preparedness Committee and Dan for continuing to follow up. The result is an improved proposal from Dominion.

02:15:17 Joe Wilson: How do we keep track of the developments Dan just described?

02:16:15 Dan Lamb: I told the DEC rep that I'd be checking back regularly and he said that was fine.

02:19:19 Katie Quinn-Jacobs: MOF and EHP have conducted air monitoring and health assessments

02:20:06 Joe Wilson: Re. 2150: Will there be plantings and other efforts to curtail or reduce erosion along Virgil Creek where the swath will be cut?

02:21:22 Katie Quinn-Jacobs: DOH in Madison County conducts air monitoring as part of the oversight for the compressor station in their area.

02:22:08 Katie Quinn-Jacobs: DOH Tompkins has been approached to do monitoring.

02:33:45 Judith Pierpont: Jim Skaley's impact fee is a great idea. The money would go to helping low income houses with insufficient insulation and leaky seams to insulate and tighten up. This would lower emissions in the Town.