

**TOWN OF DRYDEN
TOWN BOARD MEETING
October 15, 2020
Via Zoom**

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

Absent: Cl Kathrin Servoss

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

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

Supv Leifer called the meeting to order at 6:00 p.m.

RESOLUTION #124 (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 September 10 and September 17, 2020.
2nd Cl Lamb

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

Supv Leifer announced there will be a budget workshop on September 20 at 6:00 p.m. via zoom (meeting link to be posted on the town website). The board will review the Recreation and Supervisor budgets. Varna and Etna Fire Companies will review their budget requests.

438 Lake Road Agreement re: Restrictive Covenants – Atty Sokoni explained this is a situation where the Planning Board had approved a conservation subdivision and the property owner constructed a home within the restricted area. There has been some negotiation between the property owner and the town after a request to release the property owner from the restriction. After a meeting with the Planning Director, the contractor and the property owner this agreement was prepared outlining how the encroachment would be mitigated.

**RESOLUTION #125 (2020) – RELEASE OF RESTRICTION ON DEED FOR 438 LAKE ROAD
TAX PARCEL 49.-1-30.24**

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

WHEREAS, the Town of Dryden Planning Board (“Planning Board”) on June 22, 2017 reviewed

and approved a final subdivision plat (“Bluebird Subdivision”) pursuant to the conservation subdivision provisions outlined in the Town’s Zoning Law which plat was recorded with the Tompkins County Clerk as Instrument Number 2017-09729 on August 22, 2017, and

WHEREAS, the plat noted fourteen (14) Restrictive Covenants that applied to each property with Covenant #11 stating: “The designated conservation easement shown on the survey maps along Lake Road is restricted against any house construction. The area allows for agricultural purposes including fencing and run-in sheds not to exceed 10’ in height and 800 sft in area.”, and

WHEREAS, this Covenant was intended to protect the public’s viewshed from Lake Road, and

WHEREAS, the owners of Lot 4, now 438 Lake Road, built their house encroaching approximately 50 feet into the Conservation Easement area stated above, and

WHEREAS, the owners propose now the following conditions as mitigation for the impact of this encroachment:

1. No further encroachment into the conservation easement area (CEA)
2. No structures can be placed within 40 feet of the side lot lines within 350 feet of the centerline of Lake Road (this additional area beyond the current CEA is mitigation for the change of the view that was caused by the house encroaching into the easement area)
3. Owner has planted 20 arborvitae shrubs in CEA as well as 10 flowering fruit trees and these trees will be maintained. (This measure is intended to show use of the CEA for environmentally friendly use by the owner), and

WHEREAS, at a duly convened meeting on September 24, 2020, the Planning Board reviewed this proposal and supports this solution to the encroachment.

BE IT NOW RESOLVED, that the Town Board finds that the proposed conditions provide protections to the viewshed that are equivalent to those provided by the original Covenant and agrees to execute a release of this restriction number 11 as embodied in the attached agreement, and be it further

RESOLVED, that the Town Supervisor is authorized to sign the said agreement of release of the restrictive covenant.

2nd Cl Lamb

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

Health Consortium Resolution – New members joined the consortium in 2020 and will join in 2021. All members need to sign off on the associated administrative changes and a few governing changes.

Resolution #126 (2020) - Approval of the 2020 and 2021 Amendments to the Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

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

WHEREAS, the Town of Dryden is a Participant in the Greater Tompkins County

Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and the 2020 and 2021 Amendments that provide for the operation and governance of the Consortium, and

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review on the fifth (5th) anniversary date and upon acceptance of any new Participant hereafter, and

WHEREAS, by motion nos. 005-2020 and 008 of 2020 the Consortium's Board of Directors recommends approval of the 2020 and 2021 amended agreements based on review of the document by the Governance Structure/MCA Review Committee, the New York State Department of Financial Services, and the Consortium's legal counsel, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by its municipal board,

WHEREAS, the Town of Dryden is in receipt of the proposed amended Agreement(s) and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2020 and 2021 Amended Municipal Cooperative Agreements, now therefore be it

RESOLVED, that the Town of Dryden approves and authorizes the Chief Executive Officer to sign the 2020 and 2021 Amendments to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium, and

RESOLVED, further, that the Clerk of the Town of Dryden is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

2nd Supv Leifer

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

Short Term Rental Local Law – Atty Sokoni has provided two versions. One sets forth rules and the second adds a registration process. Having a registration process will provide the town with contact information for the owner. The registration fee is modest. Article 18 of the zoning law has fines and penalties and those would apply unless the board decides on special penalties. The board decided to go with the version that requires registration. Language in Section 3(D) was revised in the draft. There will be a button on the town's website describing the town's short term rental policy and reminding property owners what the penalty is. The penalty will also be noted on the registration form. The registration fee will support the expenses of maintaining that and the enforcement.

**RESOLUTION NUMBER 127 (2020) - ADOPTION OF DRAFT LOCAL
LAW LANGUAGE FOR PROPOSED REVISIONS TO THE DRYDEN
ZONING LAW REGARDING SHORT TERM RENTALS AND
SCHEDULING OF PUBLIC HEARING.**

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

WHEREAS, the Planning Board of the Town of Dryden, by Resolution Number 9 of 2020 proposed to the Town Board for its consideration, certain revisions to the Dryden Zoning Law to allow and regulate short-term rentals; and

WHEREAS, Municipal Home Rule Law §20(5) requires that a public hearing be held before a local law is adopted by the Town Board, which public hearing must be held upon the publication of at least ten days' notice in the Town's official newspaper; and

WHEREAS, Town Law §264(4) also requires that a public hearing be held prior to adopting (or amending) zoning regulations, and

WHEREAS, Town Law §265(2) requires that amendments made to any zoning law(excluding any map incorporated therein) shall be entered in the minutes of the town board; such minutes shall describe and refer to any map adopted in connection with such change, amendment or supplement and a copy, summary or abstract thereof (exclusive of any map incorporated therein) shall be published once in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, as the town board may designate, and affidavits of the publication thereof shall be filed with the town clerk, and

WHEREAS, due to the Corona Virus/COVID-19 pandemic, the Governor of the State of New York has authorized municipalities to conduct certain public hearings and meetings by virtual means in order to ensure the public health and safety,

NOW THEREFORE, BE IT RESOLVED, that the attached draft local law, the full text of which the Town Clerk is hereby directed to reproduce in the full in the minutes hereof, is adopted as the draft upon which a public hearing shall be held to consider whether or not to adopt the proposed amendments, and be it further

RESOLVED, that the Town Board hereby schedules a public hearing for November 19, 2020 at 6:30 p.m. Access details for the public hearing shall be posted on the Town of Dryden website at www.dryden.ny.us twenty-four (24) hours prior to the date of the hearing. The purpose of the public hearing is for all persons wishing to comment in favor of or against the proposed amendments to have an opportunity to provide their comments thereon, and be it further

RESOLVED, that in addition to participation in the public hearing via Zoom or whatever means the Town deems necessary, all members of the public wishing to submit written comments on the proposed local law may do so in writing addressed to the Town Clerk at 93 East Main Street, Ithaca, NY 13053 or by email to townclerk@dryden.ny.us, and be it further

RESOLVED, that the Town Clerk is directed to publish notice of said hearing in the Ithaca Journal as required by law, to mail notices to all persons and agencies entitled to notice, to file in the office of the Town Clerk affidavits of publication, and the Town Board authorizes payment of expenses associated with said publications and mailings.
2nd Cl Lamb

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

Cl Lamb thanked Tony Salerno and the Planning Board for their work on this.

Noise Ordinance – This is in response to noise complaints that the town has received including loud parties, construction noise and other things. The example is what the Town of Ithaca is currently using and they have a permitting process for parties. Atty Sokoni said this needs more discussion including exactly what types of noise the town wants to regulate. The board is not inclined to have a permitting process for parties.

Comments:

- Whether a noise ordinance or law will be upheld is based on objectivity. There should be some kind of standard.
- If it is too broad it may cover things not intended.
- It could focus on amplified noise.
- The term unreasonable or reasonable is an objective term because it allows you to look at the context.
- There can be a distance measure.
- Measuring decibels requires a meter.

The matter was postponed to next month. In the meantime, samples of what has been done in other communities will be gathered.

**2150 DRYDEN ROAD
SPECIAL USE PERMIT AMENDMENT
PUBLIC HEARING (continued)**

Supv Leifer opened the public hearing at 6:30 p.m. R Burger explained this is a continuation of the hearing for 2150 Dryden Road. The solar facility there is now interconnecting to the grid and we have a revision to the site plan that was approved in 2017. The substantive pieces of the revision are

(1) the original crossing of Virgil Creek was a single line crossing with a 20' wide clearing that has now been expanded to a three line crossing with a 100' wide clearing, and

(2) the detail of how the interconnection will happen with the electric lines coming from the facility and how NYSEG receives them to plug them into the grid.

There has been a lot of visual analysis provided by True Green Capital from about 7 different perspectives along George Road, nearby residences and from the cemetery back on

Dryden Road. There have been some meetings with NYSEG and PSC. NYSEG representatives are present tonight as well as Noah Siegel and other people from True Green.

Noah Siegel displayed the visual impact analysis and said modifications have been made to the original following onsite meetings with various folks from multiple boards from the town and reviewed those. He introduced Ilias Garitas, who oversees construction and operations and maintenance across the organization and Keith Gallagher, project manager from CS Energy. In a collaborative process with NYSEG over the last year and visits to the site to figure out exactly where the interconnect could be located. It is common practice that after a utility completes their study you have an onsite visit to figure out exactly where the equipment will be placed. The decision was to find a location that would not require clearing of any vegetation for infrastructure so the equipment is located on the private property and instead of having what was originally five points of interconnection to the electric grid, there is a single line going out to the street and no equipment along George Road. This decision (after the consolidation of the five projects down to three) moved 15 poles away from the public right of way. These three systems need to be independent per the state regulation for large and commercial scale solar projects. They spoke with NYSEG about the vegetative buffer and there is minimal vegetation actually located in the right of way so they don't anticipate any impacts to the natural vegetative buffer there between the project and George Road. There will be no unnecessary clearing in this area and they have discussed it with NYSEG.

Following site visits they had a meeting with NYSEG's field planner. They've had CS Energy, their contractor, and their Civil Engineer of record out there and took measurements to insure that there will be an adequate 30' pathway for future use of the field and to allow for farm equipment. There was an adjustment made to reduce the guy wire from the typical 22' down to 17'.

The other update they made was to reduce the width of clearing across Virgil Creek and the design was adjusted to make it an even 100' distance throughout the entire crossing.

Cl Lamb said he was happy to have a response from the applicant and NYSEG to concerns raised by the Planning Board and Town Board. The town is glad that the buffer will be maintained and the visibility will be fairly restricted of this installation from George Road. If any substantial tree cutting is to occur, NYSEG will let the town know in advance. It is important to get an explanation from NYSEG about the things that couldn't be done to accommodate some of the request having to do with changing the pole height, doing a ground based installation and the limitations that were there in terms of pole height crossing the creek and whether that could be accomplished with one line as opposed to three lines.

N Siegel said they checked on consolidating the lines and insulated cables. The primary reason they can't is that they have equipment on both the north and south sides of the creek. They do not have any equipment on the poles just outside of the riparian buffer on the north side of the creek, but there are safety reclosers on the north side and there are meter poles on the south side of the creek. They can't physically fit three meters and three reclosers on a single pole. There was also discussion about stacking the lines and that would require taller poles, but the primary reason is they have equipment on these poles and they physically can't fit it on one line of poles.

Tim Lynch, Director of Transmission Services for NYSEG and RG&E, said his group serves as the interconnection facilitator for all of the renewable projects, both the very large sites and sites like this, 5 megawatts and below, as well as rooftop solar. They are very familiar with these types of projects and have been working with True Green on several projects. Part of their charge is to engineer and design the interconnection facilities, essentially the NYSEG & RG&E side of the project. There is an existing distribution line along the road and they are building facilities out on to the property to meet the project and they have certain facilities that

they are required to install that serve to protect the grid from any adverse impacts or anomalies that might happen as well as metering control and other aspects of managing the site. They have standard requirements for that, and these requirements are consistent across the state for all types of work whether it be a load customer, commercial, industrial or otherwise, or other aspects of their system. They apply these standards consistently.

He was asked to address the pole height as well as the particular piece of equipment that are on those poles and whether or not they could be more suitably located at the ground to avoid some visual impacts. With respect to pole height, that is determined by an electrical safety clearance. It is determined by the lowest hung piece of equipment that would be energized as well as the voltage of that equipment. The higher the voltage, the taller typically the pole has to be because of the potential for an adverse advent. Electricity being conducted to ground is dependent on that voltage. The voltage in this case is 34,500 volts, a reasonably high voltage. It requires a ground clearance for the safety of workers, vehicles underneath, farm equipment and so on. That pole height of 50', embedded into the ground is a net height of 43' above ground. There is equipment hung at the top. Only a certain amount of equipment can be hung on a pole before that pole is effective full, so they do have a line-up of poles to accommodate the recloser, which is essentially a circuit breaker switch-type device as well as metering and some other sensing equipment.

The second issue was whether some of that equipment, particularly the recloser, could be located at the ground level. Unfortunately, in this circumstance NYSEG does not use ground mounted reclosers. They have none of those on their system. They have no standard for it, they have no contracts for the procurement of such devices. Their crews are not familiar with the device. They don't have spares; they don't have training. It is just not a device they use. They understand there are other entities that use the device. The process on selecting a type of device and making it a standard is an involved, complicated process that balances many factors, not the least important of which is the safety of the device, the operability, the reliability and also the cost. NYSEG has standardized on a pole-mounted device, a very reliable device and robust. It is up in the air. It is away from the public for safety reasons. It is operable from a safe distance by crews on the ground with long insulated rods called hot sticks. It is a very good device for them, and they have never standardized and do not have a means to move to a ground mounted or pad type device. It is just not a possibility though they understand the reason that it could be desirable. Another aspect of this site is that this is a flood plain and even if they had such a ground mounted device it would not be appropriate for a flood plain area. In that sense, it becomes a moot point.

Joe Osmeloski, 2180 Dryden Road, said he doesn't appreciate being lied to. If citizens are being lied to it is an issue with the Town Board, the Planning Board and the Planning Director. Bharath Srinivasan stated this would be underground. That is what was in the plan that was approved by the Town Board and the Planning Board. That was the plan that went through all the court hearings. Now to hear that it has to be above ground is garbage. The people of the town were lied to. If the board is going to allow this, then good luck next November.

He sent an email and would like it included on the record (attached and on the website). If this company came in and said we can't afford to do it underground, NYSEG doesn't do it underground, then Bharath flat out lied to us, which means this whole project was based on a lie.

Cl Lamb said he understands why Joe feels the way he does, but we've learned more about this process in terms of the stages that occur. We learned about the CESIR study (Coordinated Electric System Interconnection Review) that followed the site plan. He asked Noah Siegel to explain that study.

N Siegel - When first siting a project you will submit to the utility for an analysis of the existing utility grid. The question the utility needs to answer is how much capacity in terms of the size of the solar project could actually interconnect to that existing electric grid. In this case the CESIR study was submitted for this property for an interconnection along the line that is on George Road. At that point in the study you get insight into the capacity and whether or not the line will be able to accommodate that size system and what upgrades will need to be made along that line to reach the substation. After that process, there is onsite meetings and a great deal of collaboration between the developer and the utility to figure out what equipment will ultimately be required, how it will look and where it can be installed. The interconnect has not changed. It is still on the George Road line in that sense. They will still be routing to the same substation and the process has led us to where we are today. The best-suited physical location is on the private property, out of the public right of way.

Alias Garitas - When the project was approved it had five points of interconnections. When True Green acquired the project they were able to reduce that three interconnections and on the road there will only be one point of connection.

Martha Robertson – If what Tim Lynch described are standard requirements statewide, why would Distributed Sun believe that these interconnections could be underground, and if other utilities are able to do this kind of work underground, why not here? And maybe that's what Bharath Srinivasan expected. Who did the negotiations, was it True Green or was it Distributed Sun? This all seems like a mystery. It seems like the developer should have known if this couldn't be underground. Or does NYSEG not give an answer to that until after the project is approved by the town? When does all this happen?

T Lynch – He can't speak to why or why not B Srinivasan stated what he did. He may not have known or may not have asked. Typically the utility side is designed, constructed, and procured by the utility and the developer constructs their side. It's not always reasonable that all of the different developers would know the particular utility practices until they've gone through a project with the utility.

M Robertson pointed out that Distributed Sun has gone through many projects in the NYSEG territory. They had done all of the Cornell sites, a number of two megawatt sites, before they came to Dryden. What is the timing? What is typical, what's expected and what happened in this case? The developer submits a plan to NYSEG. Is that before or after the developer gets the permit from the town?

T Lynch – Typically the process starts with an application to determine feasibility. In most cases that is before a permit is obtained because you'd want to know if the project was viable in the first instance. That would be an application to NYSEG. There are a variety of steps that are provided under the state regulations to facility project development by these developers so there are various types of studies they can ask for. A very preliminary, inexpensive study to perhaps find suitable locations. The study that was mentioned earlier, the CESIR, is the top-level, final, most detailed system impact study and involves a preliminary design by the utility and a cost estimate which is then revisited later in the project for a more detailed design.

M Robertson asked when the CESIR study happened for this project.

T Lynch – It could be done immediately upon application by the developer, but typically they will go through a preliminary type study to check feasibility. He does not know when that was done in this case, but can find out.

N Siegel – The developer was doing this in tandem, both the CESIR study and interfacing with the town, before 2018.

(The town process was started in March of 2017 and granted approval in August 2017.)

M Robertson – The town approved this based on what Bharath said but Bharath didn't have the detailed study from NYSEG at that time. But having done numerous other projects in this rate area, in NYSEG's territory, he would presumably have known what was typical and what was standard and what NYSEG does do and what NYSEG doesn't do, especially compared to what other utilities do.

Craig Schutt – If when True Green was negotiating for this project, and looked at the plans and it said underground, it was pretty obvious that was what was approved, but yet they knew that NYSEG wouldn't accept it, why did they buy that project? Why would you go there? Why didn't you just walk away and say, I'm sorry but this isn't going to work because NYSEG won't go with it? True Green must have known and just assumed that they would get a variance and go ahead and do what they want to do.

I Garidis – The sketch that he has seen shows one line that says underground going to five dots on the road which said point of interconnection. If that is the case, they saw it as a very schematic picture. It really doesn't show any equipment. What it implies is that behind the five points on the road are 15 poles for NYSEG and 15 poles for the solar project. They did not understand that it was underground. He doesn't know if there were other sketches or other discussions at the time. They went into this knowing it would be done according to what the utility prescribes. They do have underground trenches on the other side of the creek where they can do it. This is a typical trench that you do in a solar plant and put your conduits underground. They saw this plan when they were buying the project as a very schematic picture. It really does not show that there is any equipment. However, what this implies is that behind the roadside connection there are 15 poles for NYSEG and another 15 for the solar plant. They did not understand this to be underground. They were not aware of any other sketches or any other discussions. They went into it understanding that it would be done according to what the utility prescribes. This is also what happened in the previous two projects they did in Dryden, the Ellis Hollow and Carpenter projects.

M Robertson said they were disappointed with those. They weren't built as promised either.

I Garitas – They were all built on the same premise. He understands that people thought they would be underground, but he doesn't know how he would have seen that this would be underground.

C Schutt – How did True Green go into this project knowing what was expected and assuming that they would get what they want?

I Garitas – They didn't know what was expected.

C Schutt – The public shouldn't have to suffer because True Green didn't know what it was buying.

D Weinstein – He isn't sure why it wouldn't be less of a visual impact to do what was on the other sketch of underground lines to the 5 connection points. He understands the stream crossing has to be overhead, but is worried about the buffer that will be maintained there. It doesn't look like trees have to be removed for the line to George Road. He'd like specifics about what is going to happen at the creek to protect the creek and make sure that there isn't damage to the creek.

I Garitas – There will be no poles in the creek. Clearing to the road has already happened.

M Robertson – Understanding that what True Green bought (the 7/7/17 rendering), it indicates everything across the creek is underground?

I Garitas – No. It only indicates there are five points of interconnection on the road. It is a very schematic diagram that says there are five points of common coupling. That doesn't mean five poles.

M Robertson – So this is so schematic that it doesn't give information as to whether the poles are above or whether the connections are underground? This is agnostic on that issue to someone in the business.

I Garitas – Correct. They will go with what the utility prescribes for that.

M Robertson – When you bought the project, did you read what was approved by the town?

I Garitas – He assumes someone did.

M Robertson – It was approved underground?

Supv Leifer – He thinks so. He remembers them talking about underground and then saying NYSEG was responsible for the interconnect portion, but Bharath kept talking about underground going to George Road.

M Robertson – Bharath isn't here. The buyer is responsible for all the covenants and agreements that were negotiated and worked out. On the Ellis Tract it was too late. No one was going to force True Green to take down 18 or 24 poles. This is not done yet. This is bizarre. She is really disappointed that NYSEG doesn't want to do something that other utilities do. She will add that to the list of things she has to go to the PSC about. The state is in the middle of just starting to deal with siting of large scale renewable projects and they are looking for feedback from local municipalities. They are going to get a fair amount of feedback from local municipalities and this is part of that.

Supv Leifer – The town is going to change its law because of this. There is no question about that. We know another project Sun 8 did, Snyder Road near the airport. There is not an interconnection there that uses a pole array and it goes into NYSEG circuits. What is different about that one?

J Rusin – That came up previously. It had to do with the megawatts and the configuration of what's there.

T Lynch – The difference is the smaller systems don't require the recloser, the protective device. Some can get away with fuses or a less sophisticated device. That's entirely just dependent on the size of the development.

M Robertson – What's the maximum size of a project that doesn't require a recloser?

T Lynch – Typically 300 KW.

J Osmeloski – If you want to use NYSEG as the scapegoat, go right ahead. But the problem is Distributed Sun and True Green LLC.

L Sparling – He just did a quick search on the back story and it did say approximately 14,500’ of underground electric lines will be installed by open trenching in the SWPPP dated June 2017 and revised 2018 (on the website).

I Garitas – There is a lot of underground trenching on the site in the arrays and going to Virgil Creek.

Cl Skaley – The state should be imposing a general process so we don’t have these confusing situations. If underground is not allowed because of this being in a flood plain, then that’s one question. In looking forward, there will be other solar arrays put in and he hopes that we don’t have to confront this on a continuous basis. NYSEG has replaced a lot of the poles on most of the roadways in the town with higher poles. We need to have the PSC standardize a process for this. He doesn’t accept the fact that NYSEG needs to standardize on one way or the other. Perhaps they could standardize on underground. Certainly other utilities are doing that. It makes for a lot of issues with regard to visual concerns and also impediments in this case for agriculture. He is frustrated by this process. We need the solar arrays and need to go forward with solar arrays, but it seems this came to us after the fact and that is very unfortunate.

J Rusin spoke about poles along the road that NYSEG has been replacing. NYSEG has a make-ready program. The Governor has an initiative for broadband for everybody and they are replacing smaller poles with taller poles so that they can accommodate those communications lines that will be put on. In addition, there is new technology for different things like recloser devices that they would use that would be put on the poles for outages. Instead of 4000 people being out it would be condensed to 300 or 400 people. So those taller poles will be needed for those types of things. Those poles need a clearance of 15’7” and that helped to determine what size poles are being purchased and installed along the roadways.

Joe Wilson – Agrees with what M Robertson and J Skaley have said. This seems like another chapter with the recalcitrance and backwardness of NYSEG. They simply are refusing to do what other utilities can already do. We’ve had lots of local experience with NYSEG being recalcitrant, slow to move forward in a positive direction. In this case it seems like they’ve put both the town and the new developer between a rock and hard place. It just rubs him the wrong way because it is really NYSEG saying we don’t do it that way even though everybody else apparently can and does. It’s just disgusting for a monopoly that has state sanctions to do what they want to do their way. He hopes whatever the outcome of this issue over the site plan change turns out to be, that the Town Board and County Legislature will go again to PSC and point the finger at NYSEG and say they need to be told what to do because they apparently can’t do it on their own.

J Osmeloski commented again that NYSEG is being used a scapegoat and that Bharath Srinivasan knew that NYSEG couldn’t put it underground. NYSEG is not the bad guy.

Cl Skaley – If there are going to be more solar farms it would be advisable to have the process where we don’t have the disability issues that everybody is complaining about and some standardization across the state. We need to have one standard for the state, not utility by utility.

M Robertson – The developer and the utility should have an interest in trying to come up with a better solution. This project and the ones on the Cornell land were hard-fought. They will and are still contentious. They need to be the beginning of a solution. We need a lot more solar. Is NYSEG going to be a partner in this? Is NYSEG going to join the 21st century? Is NYSEG going to try to find a way to work with communities instead of saying this is the way we do it and to hell with you? This developer wants to have a project that people aren’t angry about. There’s got to be a way to do this. Other utilities can do this.

J Rusin – Developers come into different towns in New York State and different towns have different regulations for what they may want. The developer is paying for the project. If every developer is forced to go underground, there may be less solar that the state could have because the margin is so tight that they cannot afford to do that. For every developer to have to go underground would be unfair because in some cases it is not an issue and they should have that option. Right now, NYSEG does not have any solar development that they've worked on in the entire state of New York that has pad mount. They don't have the specifications for it and it is not something that they do. There would need to be RPF created, what kind of pad mount transformer is needed, a study done, specifications written for it, train linemen what to do with it when they have it because it would be different, make sure they are safe, come up with protocols. All that would have to be done first.

M Robertson – This is done in other places. She is lobbying with the state that the cost of the interconnection should be born on the rate case entirely instead of by individual projects. We all will benefit from a greener grid. We all desperately need a greener grid. We should all be willing to support interconnecting and supporting the grid to be strengthened and get these projects put in appropriate places. To have the placement of solar be driven by the cost to interconnect is destined to create these kinds of conflicts over and over again. This is one of the things she promotes in meetings; that is something we need to do as a state. It would be really helpful to have a partner in the utility that actually saw beyond what they did 30 years ago.

Evan Carpenter – We've talked about the ag land that may not be available because of the poles going in that field. He is all for saving every acre of ag land that we can, but also understands that we do not control everybody's land. The individual who owns it has a right to do with it as they see fit. He wanted to put a solar field on their property and they did. Others have done the same. If someone were to put a house in that field, would we be having the same conversation about taking ag land out of ag production? Probably not. He finds that a rather moot point. He isn't for looking at a bunch of poles. He understands that is the way it is being done, the way it has been done. He's not thrilled about it, but thinks this is one of the least-seen pole sites and interconnections than any that have been done because the location is down in a hole around the back of trees. Very little of it will be noticed. 75% of people driving by on the road won't know it was there even if they were looking for it. We're talking about washing True Green's mouth out because someone else lied to us. He doesn't think True Green has done anything severely wrong and finds them a good outfit to work with. He has worked with them on the project on his property and will support them as being a reputable company, for what his word is worth.

J Osmeloski – Respects Evan's comments, but this is a special use permit, not a house going there. This is a project that needs a special use permit to be allowed and that is why the neighbors have every right to comment and disagree or agree. He wouldn't have a problem with a house. He has a problem with 16 or 18 poles that weren't supposed to be there. He has become cynical and doesn't trust any utility company. We got burned by Distributed Sun and he isn't trusting anybody right now. True Green may be a reputable company, but they bought this project knowing the plan they bought from Distributed Sun showed everything underground.

Supv Leifer – The issue that has come up in different ways from different people is trust. People on the board now are different than the people on the board when it was approved. The board relied on what the applicant was telling us and months of hearings telling us how it was going to look. NYSEG didn't have a great reputation in the town before this. It started with the West Dryden Road pipeline when landsmen were going around and making things up to our residents. We've been almost burned by energy companies all the time. This does not help. Apparently, the Public Service Commission will be of little help to push back on

this. If this pole mount is their standard and we want something that is non-standard, we've been told it would be on the town's dime because they will not approve something the rate payers will have to pay for. Right now we're not in a spot to afford this. We will be changing our permitting law because this can't happen again. It may be that there are no other projects like this happening in Dryden. If you can't get the interconnect study before or at the same time as the site plan reviews, it shouldn't happen. The PSC knows that they have a process that causes these problems because people are rushing too fast and the utilities are playing under different rules in different areas. We know there are utilities in the state that don't use overhead reclosers. We know the technology is there. The interconnect stuff should be part of the site plan.

Cl Lamb – In 2017 our site plan contained some guesses because we didn't have the CESIR study done and we didn't know what this interconnection would look like. In the view of the PSC and their ombudsman who we spoke with, that was a guess. The design had to come in and we don't have a trigger in our solar law to have a final site plan review. That is what we are looking to add to our solar law. We'll do the initial site plan, but once the CESIR study is done we'll do the final site plan approval. With that we would have a little more influence on this process. Right now we are between a rock and a hard place because PSC is telling us if we insist on this more non-standard equipment going in, the cost has to be picked up by the town because they won't approve NYSEG paying the cost of it.

C Schutt – When there was a big rush to approve these projects some people said slow down, let's find out what we're getting into, let's even have a moratorium for six months and study it further. But they had to be approved right then and there. The board has kind of put itself between a rock and a hard place. There was a good outcry to slow things down, but you didn't want to hear it.

M Robertson – It's sad, but we need these projects. All the people on the call, including NYSEG, who want these projects to happen, can you commit yourselves to figuring out how to fix this? This community would like to be able to trust the partners here, but we don't hear anything except this is standard and it costs too much. (It was pointed out that the interconnect site is in a flood plain.)

C Schutt – If the flood plain is such a big worry, then find an alternative.

J Osmeloski – Can we change the way the poles are in that field, so they don't disturb the field as much? Can we move them so the whole field is accessible for agriculture? Can we change it so where it crosses the creek it doesn't involve such massive tree cutting and brush removal on such a sensitive ecosystem? There's got to be a way to fix this where we can put the poles in but not affect the whole environmental ecosystem of Virgil Creek and not basically take a field out of agriculture production and lessening the view scape.

C Schutt – If the poles were moved to the north side of the field, it would make accessibility a lot better.

J Wilson – The Planning Board made recommendations with regard to moving the interconnect location in the field.

After further discussion about location of the interconnect, accessibility for farm equipment and placement of poles, a meeting was scheduled on site tomorrow, October 16, at 4:00 p.m.

The public hearing was left open and will be continued on October 22, 2020 at 5:00 p.m.

BROADBAND

Supv Leifer explained the town will have to do a SEQR on the broadband project and needs to declare lead agency. Hunt Engineers will do a full environmental assessment.

**RESOLUTION #128 (2020 – WITH REFERENCE TO THE PROPOSED
TOWN OF DRYDEN, NY
MUNICIPAL INTERNET ACCESS NETWORK
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
LEAD AGENCY ESTABLISHMENT**

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

WHEREAS, the Town of Dryden (hereinafter the “Town”) proposes to undertake a Municipal Internet Access Network; and

WHEREAS, Engineering Report for Municipal Internet Access Network, Town of Dryden prepared by Hunt Engineers identifies Town of Dryden owned essential elements to provide internet service as an access level provider including bandwidth wholesale purchase, facilities to store equipment, network equipment, fiber optic cabling, optical splitters, and appurtenances thereof; and

WHEREAS, the proposed new improvements consists of installation of telecommunication cables in existing utility rights of way utilizing trenchless burial, trenched burial, or aerial placement on existing or new poles, and network equipment nodes placed within existing buildings or on existing or new poles; and

WHEREAS, cable burial and new pole placement may comprise a new Town owned non-agricultural use in one or more Agricultural Districts formed under provisions of NYS Agriculture and Markets law; and

WHEREAS, various regulatory, funding and public approvals will be needed in the planning and development of the proposed improvement projects:

NOW, THEREFORE, LET IT BE RESOLVED THAT:

1. The Town Board of the Town of Dryden determines pursuant to Article 8 of the Environmental Conservation Law and the regulations contained in 6 NYCRR Part 617, hereafter called SEQRA, that the proposed project is a Type I action under SEQRA, and therefore a Full Environment Assessment Form (FEAF) must be prepared.
2. The Town Board declares its intent to establish itself as lead agency in the coordinated review of this action;
3. The Town of Dryden Town Supervisor or agent of the Town shall notify all Involved Agencies of the Town’s intention to designate itself lead agency.
4. A coordinated review will be performed.
5. This resolution shall take effect immediately.

2nd Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes

Supv Leifer Yes

Supv Leifer presented two proposals from Hunt. One is for SEQR Engineering Services for \$6,080 plus reimbursable expenses and one is for consulting and design services for Phase 1 of the fiber to the home deployment for \$83,740 plus reimbursable expenses estimated at \$10,000. The design won't occur until next year. Some of the costs for design will be paid from grant proceeds should we be awarded funding. These agreements are accounted for in the budget.

RESOLUTION #129 (2020) – APPROVE AGREEMENTS WITH HUNT ENGINEERS RELATIVE TO MUNICIPAL BROADBAND PROJECT

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

RESOLVED, that this Town Board hereby approves the following proposals from Hunt Engineers and authorizes the Town Supervisor to execute the associated agreements, subject to town attorney approval as to form:

Consulting Services & Design Services associated Phase 1 of the Town of Dryden's FTTH Deployment in the amount of \$83,740 and reimbursable expenses estimated at \$10,000.00, and

SEQR Engineering Services not to exceed \$6,080 and reimbursable disbursements.
2nd Cl Lamb

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

COUNTY BRIEFING

Martha Robertson reported that Turkey Hill Road is on the plan to be repaved next year. They received a good report from the Route 13 corridor study and there will be another presentation November 17 to the full legislature. If the Town Board would like a presentation, that could be arranged as most of the roadway that was studied is in Dryden. One of the areas talked about a lot is the intersection of Route 13 and 366 by NYSEG and she asked that before they go into a more detailed study of roadway changes there, because it has such potential for a new node for housing and commercial development, that there be an in-depth study of that from a land use point of view and economic development/housing point of view.

The legislature's expanded budget committee has had six meetings. Voting starts on Monday night. There will be a couple of voting meetings and then there is a public hearing on November 10 and the final vote will be on November 17.

Request for Relief of Sewer Bill

The board discussed a request from a customer that their sewer bill be reduced because they had used an increased amount of water for their garden this summer. They understood the charge for increased water usage but asked that the sewer portion of the bill be reduced because the water did not enter the sewage system. After discussion the board declined to grant the request because the town pays the entire amount to the sewer facility, it could be considered an unconstitutional gift, and it would be unfair to other users in the district.

HISTORIAN

See annual report attached.

PLANNING DEPARTMENT

R Burger said the Planning Board is reviewing the results of the survey for the comp plan update. They meet again in November and will discuss a virtual public meeting in December.

With respect to the Route 13 corridor study, the committee reviewed the early draft last week and asked for more substance. The revised draft has some firmer recommendations in it. He will provide that to board members. They would like to get this to the legislature in mid-November. R Burger said he will try to get a presentation for the board's November 19 meeting.

ADVISORY BOARD UPDATES

Ag Committee – Met and passed a resolution in support of the Planning Board and Conservation Board resolutions regarding the 2150 Dryden Road site plan amendment application. They are also looking into filling vacancies.

Broadband Committee – Update given earlier. They will meet again next week and go over the business plan. Supv Leifer said he will get information out to the news media more frequently.

OTHER BUSINESS

Town Attorney – Atty Sokoni will not be working with the town after this month. She said it has been an honor to work with Dryden and thanked the board and staff that she has worked closely with. Peter Walsh will be the True Walsh contact for the town going forward.

Housing – J Skaley reported that he met with David Weston and there is a project in the Village of Dryden for Second Wind that proposes a four-unit development for homeless women. He wondered if the town is interested in using any of the funds previously allocated toward this project. Supv Leifer said he believes this would be a good use of those funds.

Varna Water/Sewer – J Skaley reported the letters to people in the consolidated district for the income survey have gone out. Information gathered is for the last piece for the application to EFC. He hasn't heard back from the Department of Health on the last piece for that application but should shortly. There are also funding possibilities with CDBG and Rural Development. There should be some funding forthcoming in the next fiscal year.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk

RELEASE OF EASEMENT AND RESTRICTION

THIS AGREEMENT made this ___ day of _____ 2020, by **Carl H. Snyder and Christine Snyder**, residing at 145 Hillcrest Road, Ithaca, NY 14850 (“Snyder”); **Bluebird Golf Inc.**, 430 Lake Road, Dryden, NY 13053, (“Bluebird Golf”); **Rohn E. Brown**, residing at 1 Quarry Ridge Rd, Sandy Hook, CT 06482, (“Brown”); **Eva Oxford and Charles Danko**, residing at 69 Turkey Hill Rd, Ithaca, NY 14850 (“Oxford and Danko”), **Kevin J. Cummings and Jodi Korich**, residing at 418 Lake Road, Dryden, NY 13053 (“Cummings and Korich”) and **Carolyn Anna Chow and Lori Ann Hill**, residing at 438 Lake Road, Dryden, NY 14850 (“Chow and Hill”).

WHEREAS, the Town of Dryden Planning Board (“Planning Board”) on June 22, 2017 reviewed and approved a final subdivision plat (“Bluebird Subdivision”) pursuant to the conservation subdivision provisions outlined in the Town’s Zoning Law which plat was recorded with the Tompkins County Clerk as Instrument Number 2017-09729 on August 22, 2017;

WHEREAS, the Planning Board’s approval of the Bluebird Subdivision was conditioned upon the inclusion of fourteen (14) specific deed restrictions governing the Bluebird Subdivision;

WHEREAS, Bluebird Golf conveyed to Chow and Hill a parcel of land in the Bluebird Subdivision, identified as Tompkins County Tax ID Number 49.-1-30.24 also known as 438 Lake Road, Dryden, New York, as more fully described in the Warranty Deed dated December 21, 2017 and recorded in the Tompkins County Clerk’s Office on December 22, 2017 with instrument number 2017-14696, a copy of which is attached as Exhibit A (“Premises”);

WHEREAS, the said conveyance by Bluebird Golf included a deed restriction certain protective covenants, easements and restrictions a copy of which is attached as Exhibit A. (“Restrictions”) as required by the Planning Board.

WHEREAS, Snyder, Brown, Oxford and Danko and Cummings and Korich are current owners of properties in the same subdivision in which the Premises are located and are subject to said Restrictions and attached hereto as Exhibit B is the property and ownership information of the parties herein;

WHEREAS, the Restriction number 11 restricts “any house construction on the designated conservation easement shown on the survey maps along Lake Road”;

WHEREAS, Chow and Hill have constructed a house and made other improvements on the Premises and a survey of the Premises with the improvements was made of the premises by Paul B. Koerts, L.S. dated August 29, 2019 (“Survey”);

WHEREAS, according to the Survey, the said improvements are located in the designated conservation easement along Lake Road (“Improvements”);

WHEREAS, the parties agree that said Improvements should remain on the Premises and desire that the Premises be released from the Restrictions Number 11;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained within this Agreement, the parties hereto agree as follows:

1. The Restrictions Number 11 set forth in the deed to the Premises stating "The designated conservation easement shown on the survey maps along Lake Road is restricted against any house construction. The area allows for agricultural purposes including fencing and run-in sheds not to exceed 10' in height and 800 sft in area" is hereby and forever released and terminated effective immediately upon the execution of this Agreement by all parties as they affect the Premises.

2. Future conveyances of the Premises shall not contain the aforementioned deed Restriction that is hereby released and terminated.

3. No further encroachment be permitted into the conservation easement area ("CEA") as shown on the said Survey.

4. No future structures can be placed within 40 feet of the side lot lines within 350 feet of the centerline of Lake Road (this additional area beyond the current CEA mitigation for the change of the view that was caused by the Improvements encroaching into the easement area).

5. Chow and Hill shall maintain the 20 arborvitae shrubs planted in the CEA as well as 10 flowering fruit trees.

6. This Agreement shall run with the land and shall be binding on all parties, their heirs or assigns and all persons claiming under them.

7. Chow and Hill agree to record this Instrument with the Tompkins County Clerk at their own expense.

IN WITNESS WHEREOF, the parties hereto have duly executed this Instrument.

Carl H. Snyder Date

Christine Snyder Date

Blue Bird Golf Inc.

By: Date

Rohn E. Brown Date

Eva Oxford Date

Charles Danko Date

Kevin J. Cummings Date

Jodi Korich Date

Carolyn Anna Chow Date

Lori Ann Hill Date

**Acknowledged and approved by
Town of Dryden**

By:_____

A LOCAL LAW REGULATING SHORT-TERM RENTALS AND AMENDING TOWN OF DRYDEN ZONING LAW ARTICLES III (DEFINITIONS); V (USE REGULATIONS); AND VII (VARNA) AND IX (GENERAL REGULATIONS)

SECTION 1. AUTHORITY. This Local Law is enacted pursuant to the statutory authority conferred on the Town of Dryden by Municipal Home Rule Law Section 10, and New York Town Law Section 264.

SECTION 2. Article III, Article IV, Article V, Article VII and Article IX of the Town of Dryden Zoning Law are hereby amended as follows:

“ARTICLE III: DEFINITIONS.

Add “Short Term Rental” Definition:

“SHORT-TERM RENTAL - Rental of a residence or a portion of a residence to the same natural person or family for fewer than thirty (30) consecutive days.”

In ARTICLE VII: VARNA

Section 702: Varna Use Regulations add Section 702 – E as follows:

“E. Short Term Rental provisions contained in section 912 shall also apply in Varna, and shall be subject to the short-term rental permit process outlined in that section.”

SECTION 3.

In ARTICLE IX: GENERAL REGULATIONS add Section 912 as follows:

“Section 912: Short Term Rentals

- A. Use of a dwelling unit or a portion of a dwelling unit for short term rental is permitted only when the residence containing the dwelling unit is contained in or adjacent to the primary residence of the property owner and only as an accessory use.
- B. Short term rental of a residence or a portion of a residence, meeting all of the following requirements:
 - a. Compliance with all Federal, State, County, and local laws, codes, rules and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code.
 - b. Permitted short term rental types:
 - i. Rental of a residence or a portion of the residence, such as a secondary self-contained accessory apartment or a room contained in a residence, for a maximum of thirty (30) days total in any calendar year where the owner is not present in the residence, provided that the owner of the residence or his/her agent is available locally in order to respond in a timely manner to complaints regarding the condition

of the residence or the property at which the residence is located or regarding the conduct of occupants of the residence.

ii. Rental of a secondary self-contained accessory apartment, provided that the owner of the residence is present in the residence during the term of the rental.

iii. Rental of a room, or portion contained in a residence, provided that the owner of the residence is present in the residence during the term of the rental.

A short-term rental may not be used by a total that exceeds 2 adults per bedroom.”

C. Short-term rental registration permit:

(a) Prior to use of a residence or any part thereof for short-term rental, the owner of the residence must obtain a registration permit from the Town.

(b) The owner shall complete a registration form and submit it with a bi-annual registration permit fee of \$90. The registration permit must be renewed every two years.

(c) Advertising of a property for short-term rental is prohibited absent a valid registration permit.

D. Presumption. In a court action or proceeding involving an alleged violation of this Article, the publication in an advertising medium including but not limited to print newspaper, an online forum such as Craigs List or a social media publication shall be deemed to create a rebuttable presumption that the owner of the property rented the property out as advertised.

SECTION 4.

The “Allowable Use Groups Chart” in Sections 501 and 702 (Varna) respectively are hereby amended to include “short-term rentals” as an allowed use in all zoning districts in the Town including Varna.

SECTION 5. SEVERABILITY. If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances. Any prior inconsistent Local Law is hereby repealed and superseded.

SECTION 6. EFFECTIVE DATE. This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

From: [Osmeloski](#)
To: [Alice W. Green](#); [Ray Burger](#); [Brad Perkins](#); [Steven Bissen](#); [Bambi Avery](#); [Craig Schutt](#); [Craig Anderson](#); [Charles R. Smith](#); [Deputy Clerk](#); [Evan Carpenter](#); [David Alan Weinstein](#); [Peter J. Davies](#); [Gian Dodici](#); [Joseph Wilson](#); [Janis Graham](#); [Hilary Lambert](#); [Tom Hatfield](#); [John Kiefer](#); [Dryden Town Supervisor Jason Leifer](#); [Timothy L. Woods](#); [Loren Sparling](#); [Nancy Munkenbeck](#); [Robert M. Beck](#); [Mike Richmond](#); [sports@fncn.org](#); [Craig Anderson](#)
Subject: Statement for Public Meeting: 10-22-2020, NOH True Green Capital Site Plan adjustment at 2150 Dryden Rd.
Date: Thursday, October 22, 2020 8:01:33 AM

Dear Dryden Town Supervisor and other interested parties,

I am writing this email to be entered into the record for the Dryden Town Board, Public Meeting dated 10-22-2020, to begin at 5pm pertaining to the site plan adjustment application for NOH, True Green Capital LLC, at 2150 Dryden Rd.

I have stated on numerous occasions during this process that I (like I'm sure many Dryden Citizens) do not like or appreciate being lied to and it saddens me that these Solar projects were approved based on lies and falsehoods. I would like to thank Mr. Andrew Sullivan of the Dryden Courier for beginning his October 21st article titled; NYSEG, True Green Under Scrutiny for Changes to Solar Project, with the most blatant of lies we received from Mr. Bhirath Srinivasan, in the April 20, 2017 TB meeting where he tells Shirley Price that the ONLY overhead line will be across Virgil Creek, for the NYSEG interconnections. Now I must point out another lie or false hood perpetrated by the current owners True Green Capital and its representative : Mr. Ilias Garidis. In the same Dryden Courier article above, on page 20, paragraph at the top of the 2nd column, Mr. Garidis is quoted as saying the following: "the sketches of the site plan did not clearly identify whether or not the interconnection would be under or above ground". I have looked at at numerous site plans and sketches and all clearly show the the interconnections UNDERGROUND. Please refer to map C-102 (2150 Dryden Rd, Site plan) dated 5-31-2017, prepared by LABELLA. This map clearly shows the lines coming to the pole crossing Virgil Creek, and then the lines on the other side of the creek after they have crossed over the 2nd pole labeled as UE (underground electric) and then in the legend, these lines are called: AC ELECTRICAL TRENCH PATH (EST). I dont know how much clearer it could have been, and if a Project Engineer for a multi-million dollar company could not discern this, then he is either a Liar or Incompetent or both.

Noah Siegel of True Green Capital on many occasions has said how he wants True Green Capital to be a good neighbor. Funny, Bhirath Srinivasan said the same thing. Do all Solar companies believe that being a good neighbor means that they lie to, and deceive the citizens of a community?

That brings us to the current plan, I believe labeled 1a on the website. Does being a good neighbor mean submitting a "new" plan that has so few changes, and completely ignores the suggestions of the Dryden Town Supervisor, to move the poles as far North as possible, and was so easy for Scott Doyle and Kathy Borgella to review that they returned the 239A review back in a matter of 24hours, for a process that normally, according to Scott, takes at least 2 weeks? When you make so few and ridiculously small changes to a plan, then of course, its easy to review as they basically had already reviewed this plan as the original.

Because True Green Capital, like Distributed Sun, has proven that they in fact could care less about being a good neighbor, my wife (Sarah) and I have now decided that we will not agree to ANY PLAN where the hideous pole arrays that will blight our viewscape, are above ground on the NORTH side of Virgil Creek. We will agree to these hideous Pole Arrays on the SOUTH side of Virgil Creek, and if this means sacrificing Solar Arrays in I believe Array Field #1, then so be it. Clearly, though, we would prefer ALL interconnections to be underground as originally agreed to by the Town of Dryden, so Pole Arrays like the ones at The Ellis Tract and Carpenter Farm are not blighting the landscape at Willow Glen.

Thank you,

Joseph Osmeloski

Memorandum

Date: October 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: A community survey was conducted this summer and the Planning Board is analyzing the results from 739 completed surveys. Go to Dryden2045.org to see the results and inform yourself about this Town project. You can also sign up for updates or leave a comment.

Route 13 Corridor Study: The study report is being drafted by Barton and Loguidice and will be presented to the Tompkins County Legislature in November. Check the Tompkins County website for updates.

Solar project at 2150 Dryden Road: The interconnect at George Road has now been designed and the revised site plan was the subject of a public hearing at the September 17th Town Board meeting. The Planning Board reviewed this site plan amendment at their September 24 meeting and made recommendations to the Town Board. The hearing before the Town Board will resume on October 15.

Maifly Development Townhomes at Freese and Dryden Roads: This proposal for 32 townhomes and 15 single family homes has been revised to include more recreation space. Review by the Planning Board will continue at their October 22nd meeting.

Planning Department activity for TOWN for September

Building permits:	32	(6 Single Family, 1 Duplex)
Zoning permits:	11	
Special Use Permit Reviews:	0	
Site Plan Reviews:	4	
Variance reviews:	4	

New businesses: 0
Fire safety inspections: 2
Building inspections: 39
Certificates of Occupancy/Compliance: 0
Subdivisions: 2
Violation notices: 3
Complaints: 10
Fire calls: 0
Training hours: 4

Planning Department activity for VILLAGE for September

Building permits: 1
Zoning permits: 2
Special Use Permit reviews: 0
Site Plan Reviews: 0
Variance reviews: 2
New businesses: 0
Fire safety inspections: 0
Building inspections: 7
Certificates of Occupancy/Compliance: 3
Subdivisions: 0
Violation notices: 0
Complaints: 9
Fire calls: 0

ANNUAL REPORT FOR 2019

Harry L.D. Weldon, Town Historian

(Appointed: July 8, 2009; Officially Sworn-in: July 31, 2009 --- *(former: Dryden Village Historian: Nov. 21, 1983 thru March 17, 1992)*)

Official Address: Town of Dryden, Tompkins County, NY; Town Hall, 93 East Main St., Dryden, NY 13053; Phone: 607.844.8888, ext. 244 --- email (Town): historian@dryden.ny.us (personal: ewhw57@frontier.com).

Monthly hours (generally): 12 @ Town Hall; 10 @ Home working (email replies, etc.); 2 @ In contact with County and/or State Historians; 20 (Occasional @ Elsewhere. — Totally approximately 44 +/- hours per month **(2019 totals 528 +/- Hours)**).

FINANCES: Stipend (\$500.00 for year) Other Financial Benefits - Operating Budget 2019 - *Amount, if any – unknown (Any expenses incurred taken out-of-pocket).*

RESEARCH and PUBLICATIONS: 1) A weekly column “Anecdotes and Brevities” published 52 out of 52 weeks in the “Finger Lakes Community Newspapers” (a consortium of nine weekly community newspapers). Columns are always about some historical event or incident in central New York history). 2) Compilation of 1831-2018) on site historical records of Dryden (NY) United Methodist Church (now the official Dryden UMC Historian, effective August 17, 2017).

CURRENT “work-in-progress” PROJECTS: 1) Preparation of a copy (in PDF format) for draft of meaningful listing of historical roadside markers in the Town of Dryden in anticipation of distribution (of PDF file) to three local municipalities in the Town for their in-house printing; 2) Joseph Chaplin’s (Dryden’s first settler) impact in 1794-1795 on the Town(ship) of Dryden. 3) History of Dryden United Methodist Church.

PRESENTATIONS: None during 2019

Goals and plans for 2020: To continue current schedule and make more readily available the history of the Town to the general public through public presentations and publications.

PUBLICATIONS: Weekly newspaper column in Finger Lakes Community Newspaper(s) (*a.k.a. Dryden Courier, Groton Courier, etc.,*)

ATTENDANCE (and/or Participant): 1) Regular weekly office hours at the Dryden Town Hall; 2) At all public meetings of the Dryden Town Historical Society (DTHS).

PROFESSIONAL DEVELOPMENT: 1) Charter (1981) Trustee / member of Dryden Town Historical Society; 2) Retired as Corresponding Secretary of Dryden Town Historical Society; 3) Senior member of Newark Valley, NY Historical Society; 4) Member of Williamsburg, VA Foundation; 5) Ten year member of Tompkins County Municipal Historians Association.

CONCLUSION: Every minute involved in the position as the Town of Dryden’s historian was a pleasure well spent; looking forward to another successful and worthwhile next year in 2020.

Respectfully submitted,
Harry L.D. Weldon, Official Town Historian

Submitted: September 21, 2020

[2020 stipend (600.00) not received to date; as of yet].