

CONSERVATION BOARD

05/25/2021

Members Present: Gian Dodici (Chair), Bob Beck, Anne Clark, Nancy Munkenbeck, Craig Schutt, Jeanne Grace, Andrew Miller

Town Staff: Ray Burger (Planning Director)

Absent: Tim Woods, David Wilson

Liaisons: Loren Sparling (Town Board)

Guest(s): David Weinstein, Steve Bissen

The meeting was called to order at 7:03 PM

Review and approval of minutes dated April 27, 2021

On motion made by C. Schutt, seconded by A. Miller, minutes were unanimously approved as written.

Agriculture Advisory Committee Update:

The Committee discussed the proposed Energy Stretch Code. They are still looking for answers about how this may impact agriculture. The Committee also discussed possible blurbs for the town newsletter.

Environmental Management Control (EMC):

The following is a report sent via email from S Bissen- "The Unique Natural Areas (UNA) Subcommittee gave a presentation about the border changes to UNAs over the last 20 years and criteria to designating a UNA and remaining on the list. In the last 4 years, funding allowed for the 2 contractors, Robert Wesley, a Cornell botanist and Karen Edelstein, a GIS professional, to revise the boundaries of the UNA using aerial images and ground truthing. Initial boundaries done 30+ years ago used low resolution aerial images and a big black marker to draw the boundaries. Boundaries were changed to match mature vegetation or wetlands, eliminate people's yards, follow slope contours, or snapped to parcels where appropriate. The first batch were of high quality UNAs. All UNAs boundaries changes are now complete, and each town was given a CD with the UNAs for their town. Note that the UNA designation is a non-regulatory delineation. UNA designation is provided to help the municipalities in land develop decisions."

Planning Board Update- Borger Station:

Special use permit was granted to Dominion Energy transmission on Sept 17th, 2020, with condition that there be an annual update on operations. The new owner of Borger station, Eastern Gas Transmission and Storage, will present this update at the town board meeting on June 17th. As work has

yet to begin on borger upgrades this report should provide baseline date to which all future reports to the Town Board can be compared.

Dryden Lake Dam:

Last week Craig talked about his call to DEC regarding the Dryden Lake Dam. L Sparling followed up with Jason and says the town requested to the DEC that they put a whole new dam in. The DEC is getting estimates for a new dam. Whether they follow through with that is to be determined.

C Schutt: I contacted Scott Prindle again and they are still looking at the plans and trying to come up with estimates, but his comment was it's going to be very expensive and where they are going to get the money from is a good question.

D Weinstein saw highway guys looking at the dam so he went over to talk to them and they said if they could divert the water they could put in a new dam in a week. They didn't think it was a big deal as long as they could successfully dry it out for a little bit.

C Schutt and B Beck attended a rally held for Peter Oberacker, State Senator, and they say he's very supportive of keeping Dryden Lake how it is and rebuilding the dam.

Town Board Update:

At last Thursday's meeting the Town Board adopted the 2020 NY Stretch Energy Code. This is a more energy efficient building code than the 2020 energy conservation construction code of NYS standard. This local law amendment will modify the Town of Dryden code to adopt the NY stretch code and to enact more restrictive regulations as they relate to new or substantially renovated buildings. This local law will take effect on September 1st, 2021.

SEQR:

The town received a grant last year of about \$700,000 to do work on Mineah Road, Lower Creek Road, and if funds were still available to work on Fall Creek where the creek comes in. The SEQR that was supposed to begin a month ago, was put on hold. G Dodici pointed out that there was not enough detail to do a proper SEQR so that will be on hold for the next couple months. R Burger talked to Dandhi at TG Miller who is the lead designer on this project. He is meeting in early June with DEC and Army Corps of Engineers to get their feedback on this project. Dandhi assured R Burger he will be reaching out to G Dodici at some point. They are hopeful in the next two months to have a better, more detailed plan. Maybe by the end of the summer the town can start some of this work.

- Mineah Road project has to be addressed sooner than later.
- Have you reached out to any of the folks on Mineah Road? Many don't know about this. A reach out should happen.
- This end of Mineah road is across from Kirk Road.
- There's a couple properties where this creek runs right through and there is significant scouring around coverts and under driveways.

Rail Trail:

B Beck- The Spur Trail from the Rail Bed down to Fall Creek to the walkway under the bridge is on hold again. Margaret Sullivan from Army Corps of Engineers and I had a really good conversation and

then I met with wetlands delineation expert at the site of the wetlands at the upper portion of the Spur Trail. It turns out that the wetland issue is a bigger problem than we anticipated. We were going to do the Army Corps Nationwide Linear Transportation Permit which would have made it easy but that probably won't work. Dryden DPW & Highway, under Rick Youngs guidance, is starting work at the Game farm with full approval. They will be doing the trail surfacing and the renovation of the two trestles. They've cleared up to the trestles from Stevenson Road to Game Farm Road and cleaned off the deck on each trestle. Then you look over the side at the view of the creek from both directions on each trestle is really nice. It was the right decision to go through the rail bed to fix the trestles. Rick is getting estimates on the costs of pressure treated lumber. The cost of lumber has gone way up but we will see in a week or so what the price will be. The Town board last week voted to have a public hearing on June 17th concerning DOT's agreement to start the process of property acquisition of the two small pieces of property that we need east of route 13 for a route 13 bridge. At the end of June, a open house at the Neptune fire hall for the public to come and learn the details for the route 13 project. We will present what we're doing and let the public ask questions.

G Dodici asked when the expected opening date for the new part of the Game Place.

B Beck: We can't put a firm date on that yet. We are still waiting for the plan for the game farm road crossing which needs approval from county highway. That's a three way agreement between Dryden, Ithaca and the county. John Lampman is working on a plan for that crossing and is hoping to have that to us in a week or so so we can send it off to the county for review. It's possible that we will have this open in a month or so but it depends and the price of lumber and how much work we can get done on it. This will be partially paid for by our state parks grants and by the Triad Foundation \$15,000 grant we got a few years ago. So it will be paid for mostly by grant money.

Bluebird:

The Bluebird conservation easement. Last month we sent a resolution to the Town Board about the lack of enforcement of storm water laws. David noticed several potential violations. The Bluebird subdivision that David was observation were two properties that were on existing lots. The owners of the Bluebird

D Weinstein and C Schutt disagrees that one of those houses are in fact in the Bluebird subdivision. The first house in Bluebird are mowing all the way to lake.

D Weinstein suggests that the town addresses these homeowners and tell them that mowing in the buffer zone is potentially affecting the lake in a negative way. R Burger says they can try to contact both homeowners and educate them. Whether the take the advice or not will be determined,

What is the threshold that triggers the need for a SWPPP? It can be any disturbance that in the eyes of a storm water officer needs some kind of SWPPP. In less than an acre cases, Dave has a lot of discretion and will do simple SWPPP's. As far as half acre thresholds there was an educational opportunity around 97 Southworth Road. Originally, since they had half an acre of connected pervious that is one of the threshold pieces local stormwater law to be invoked, that's why Dave was pushing them to do a full SWPPP. Stormwater district and TG Miller where the actual criteria is a half-acre of connected impervious but the connection means its connected to the MS4. That's why we had to change 97 Southworth Road. They had connected impervious but most of it was sheet flow on adjoining

fields what triggers it is half an acre connected imperious which feeds into the ditches. It didn't reach that threshold it's a much higher threshold and that why we didn't do a full SWPPP on that site.

Is logging and ditching exempt? Ditching is, but logging is not.

Cayuga Lake:

The rules have been drafted so G Dodici encourages everyone to comment back to DEC. July 8th is the deadline to submit comments. If you think of something that's worth diving into, we can talk about as a board at our next meeting.

D Weinstein: This is important because it could cost the town a lot of money. The town has responsibly to reduce phosphorus by close to 20%. That's not trivial. I think disconnecting ditches from the streams is key.

G Dodici: Do we have data to know what base levels are and what that reduction would look like and what the source of all this phosphorus is? We know how much phosphorus is coming from the lands in Dryden. If you compare what's coming in as fall creek enters Dryden and what is exiting fall creek. We know how much is coming but I think what you're asking is do we know what measures would have a substantially reduction on the input. I haven't read the whole report so hopefully somewhere in there it will tell us.

In the study they did model how much phosphorus is coming from each kind of land use. We know the quantity of different land uses in Dryden so we know based on their modeling how much phosphorus is coming from each land use. To reduce that by 20% we have to attack those land uses and trap the phosphorus before it gets to the creek. We need to take this seriously. My first impression is there not specific enforcement but that could change very easily. This matter will be tabled until next month's meeting.

Drinking Water Source Protection Plan:

Comments are due by the end of May but R Burger is willing to push back the due date if the board plans to make comments.

On motion made by B Beck, seconded by N Munkenbeck, the meeting was adjourned at 8:15 PM.

Respectfully submitted,

Emily Banwell

Deputy Town Clerk