

C.T. MALE ASSOCIATES

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February 20, 2024

Mr. Ray Burger, Director of Planning
Town of Dryden
Planning and Zoning Department
93 East Main Street
Dryden, NY 13053
Email: rburger@dryden.ny.us

Re: *Building Permit Application
Palisade Fence Project, Borger Station
219 Ellis Hollow Creek Road, Town of Dryden, Tompkins County, NY
C.T. Male Project No: 19.9727*

Dear Mr. Burger:

On behalf of **BHE Eastern Gas Transmission and Storage Inc.** (BHE EGT&S or Applicant), please accept the enclosed materials that represent an application for a building permit for a security fencing upgrade project at the Borger Station located at 219 Ellis Hollow Creek Road in the Town of Dryden. If needed, this submission also serves as an application for a special use permit (SUP)/site plan amendment. In addition to the attachments, a project narrative is also provided after this cover letter:

List of Attachments	
Building Permit Application Form (Signed)	Attachment 1
General Permit Application Form w/ Attachments (Signed)	Attachment 2
Site Plans and Proposed Fencing Layout, February 2024	Attachment 3
Borger Replacement Project Site Development Plans, July 2023	Attachment 4
Fencing Specifications: AMICO Series 4740 Palisade Fence w/Chameleon 7700 Series Mesh Backer	Attachment 5
Data Sheets: AMICO AMIGUARD 9105 Cable System	Attachment 6
Data Sheets: AMICO 4 ft. x 8 ft. Pedestrian Gate	Attachment 7
Data Sheets: Basteel Super Heavy Crash Gates (22 ft. & 18 ft.)	Attachment 8
Part 1 Short Environmental Assessment Form (EAF)	Attachment 9
GP-0-20-001 SPDES Coverage	Attachment 10

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With this submission, we request a determination on whether a site plan and SUP amendment is required, or if that's not required, please commence with building permit review so that the Palisade Fencing Project at the Borger Station can move forward to enhance the security of this critical public utility infrastructure at the property.

Respectfully Submitted,

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Project Manager

Cc:

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Jeremy Ross, BHE GT&S [REDACTED]

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BHE EGT&S Project Narrative

In 2022 the industry experienced a concerning pattern of attacks and threats to electric substations through physical damage and destruction. These attacks, along with robust media coverage, highlighted the vulnerability of the power grid against physical threats. Media attention and proliferation of extremist content on the internet exacerbates the threat, emboldens the attackers, and inspires copycats.

Although attacks to date have centered on electric grid assets, it's unrealistic to believe individuals with bad intent will not target gas infrastructure to create energy disruption. BHE deemed it necessary to take action to protect all critical assets and its customer base. BHE GT&S will work to complete enhanced security measures at numerous facilities across its 10 states. The proposed Borger Station Palisade Fence Project includes the following scope:

- Implement high-security perimeter fencing, to include cut/climb resistant access points and cut-resistant hinges and locks. The proposed fencing will be nine (9) feet tall and will be an AMICO Series 4740 Palisade Fence with Chameleon 7700 Series Mesh Backer.
- Implement dual-layer fence lines that constitute two (2) perimeters with a gap between. The dual fence will allow for compliance with the 10-minute breach time requirement set forth by the BHE Pipeline Group. The new dual fencing will follow the existing fence line where feasible.
- Install crash-resistant vehicle gates and access-points that meet the ASTM F2656 standard for an M-class vehicle and a P2 penetration rating.
- In and around the vehicular gates and along fencing where highways exist, the fencing will have cabling installed that comply with ASTM F2656 and have a minimum vehicular crash rating of M40 P2. The cabling will require concrete deadman anchors where the cables will be attached to, along with pre-tensioning of the cables and tension. In addition to the cabling, auxiliary barriers such as berms, bollards, jersey barriers and/or guard rails may be installed accordingly.

Permitting

This project was last before the Dryden Town Board in September 2020, when BHE EGT&S was issued site plan approval and a special use permit to make equipment upgrades at the facility. It has been established that the facility is public utility infrastructure that existed prior to any zoning in the Town of Dryden. The Applicant requests a determination from the Planning & Zoning Department as to whether an amendment to the site plan and special use permit is warranted for the proposed fencing upgrade.

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The facility currently has a 7-foot tall chain link fence with barbed wire around its perimeter. The proposed exterior fence will follow the existing fence line, and then the interior fence will be built approximately 10 feet behind the exterior fence into the site so that the existing setbacks between boundary lines and the exterior fencing will be maintained. The area between the fences will contain a geoweb material filled with stone. The proposed project will provide security and safety upgrades to critical public utility infrastructure with no other modifications to the site layout or operations, no expansion of the site footprint within the perimeter fence, and no additional or different external environmental impacts to the Town that would be considered significant or warrant further study.

Ground disturbance associated with this project will occur under the existing SPDES GP-0-20-001 coverage that was associated with the Borger Replacement Project. The revised SWPPP was accepted by the Town Stormwater Official on 8/7/2023.

Special Use Permit Criteria

If the Town determines that an amendment to the site plan and special use permit is required for this project, then we have provided a completed General Permit Application and the required attachments. To supplement these forms, below is an evaluation of the special use permit in accordance with § 270-12.2 of the zoning code:

A. Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this chapter;

The proposed use has been existing at its location since prior to zoning was adopted in the Town of Dryden. The Conservation District allows for many residential and commercial uses, including public utility, which is most closely aligned with the Borger facility. The proposed fencing project will not change the use or the intensity of the use on the land and will not be incompatible with the other permitted uses in the district or on the surrounding properties.

B. Compatibility of the proposed use with adjoining properties and with the natural and man-made environment;

Since the use is existing and will not change, nor will the intensity of the use change, it will be consistent with its current compatibility to the adjoining properties and with the natural and man-made environment. The proposed fencing will be visually different to the existing fence line; however, the proposed exterior fence line will follow the existing fence line, which will preserve the existing boundary line setbacks. The facility will appear more secure and enclosed to those on the public road or adjoining properties, and the proposed fencing will further screen the facility from view. This fencing modification is not incompatible with the adjoining properties or the natural and man-made environment.

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C. Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police, and emergency vehicles;

Parking, vehicle circulation, and infrastructure will not change, nor will accessibility for fire, police, and emergency vehicles. The facility is currently a secure facility with limited access, so any logistical changes to access the facility in an emergency resulting from the fencing project will be coordinated with the emergency service providers. The addition of multiple secure pedestrian gates into the fencing gap and the facility proper will enhance access for authorized personnel, which could assist in a specific emergency response.

D. The overall impact on the site and its surroundings considering the environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances;

The proposed fencing project will not cause significant environmental, social, or economic impacts resulting from external nuisances such as traffic, dust, odors, air emissions, solid waste disposal, or glare. As previously stated, the fencing upgrade will be visually different than what is existing, but it does not present a sharply contrasting visual character to the existing conditions of the Borger station property, as the existing security fencing will be replaced in generally the same footprint. The proposed fencing will further screen the facility from view, and the recently planted landscaping along the site frontage will not be removed as part of this project.

E. Restrictions and/or conditions on design of structures or operation of the use (including hours of operation) necessary either to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town;

Restrictions or conditions are not warranted as this project is a critical fencing upgrade to an existing natural gas compression station that will occur in the same overall footprint as the existing fence line. All trees along the frontage except for one Oak tree on the southwest corner of the fence along Ellis Hollow Creek Road will need to be removed for security purposes, along with five (5) others in the rear portion of the property, but the remaining landscaping along the road will be preserved and maintained or trimmed. Natural or scenic resources of the Town will not be impacted by this fencing upgrade as the project site is an existing facility with an existing security fence that is not part of a significant scenic landscape or viewshed. The proposed project is necessary to ensure the ongoing safety and security of the facility and the people that work there.

F. Compliance with the requirements for site plan review, including conformity to the Town's Residential and Commercial Design Guidelines.

The facility was most recently issued a site plan approval and special use permit in September 2020 related to facility improvements. If required, the Applicant will comply

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with all site plan requirements as requested by the Town to approve the project. The Commercial Design Guidelines appear to provide best practices for site development projects, but don't really pertain to this type of commercial security fencing project for a public utility use, which is a unique case.