

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF TOMPKINS

ANSCHUTZ EXPLORATION CORPORATION,

*Petitioner-Plaintiff,*

*-against-*

For a Judgment Pursuant to Articles 78 and 3001 of the  
Civil Practice Law and Rules,

TOWN OF DRYDEN and TOWN OF DRYDEN TOWN  
BOARD,

*Respondent-Defendants.*

Index No. 2011-0902

RJI No. 2011-0499-M

Hon. Phillip R. Rumsey

VOLUME III

APPENDIX II – D – Pre-Hearing Written Comments

RECEIVED/FILED  
TOMPKINS COUNTY CLERK  
2011 OCT 21 PM 3:43

## Appendix II –D

### Pre-Hearing Written Comments were received from:

|                              |  |
|------------------------------|--|
| Edwards, Jane                | Barnett, William   |
| Mittler, Dan                 | Phillips, Ellen  |
| Ferger, Martha               | Engst, Adam & Tonya  |
| Meador, Amari                | Wood, Mary Jo  |
| Vought, Al                   | Harvey, Jay  |
| Miller, Nancy                | Kiefer, John & Patti   |
| Shay, Jan                    | Sholtys, Katherine   |
| Payne, Holly                 | Mermin, David  |
| Koschmann, Nancy Lee         | Katzenstein, Mary  |
| Katzenstein, Mary            | Raimondo, Louise   |
| McMahon, Elizabeth           | Gregory, Peter   |
| Mistry, Nari                 | Gill, Bradley o/b/o Independent Oil & Gas Association of<br>New York |
| Schmidt, Oskar               | Anderson, Craig  |
| Schmidt, Ellen               | Scutt, Craig   |
| Engst, Tonya                 | Terwilliger, Fred  |
| Hemmer-Goodreau, Sueane      | Ryan, Carlton & Jean   |
| Balluffi, Robert             |  |
| Morgenroth, Joyce            |  |
| Russ, Karl                   |  |
| Bradbury, Jack               |  |
| Behler, J H                  |  |
| Korinek, Terezka             |  |
| Vrana, Norman                |  |
| LeCain, Ron                  |  |
| Wrege, Peter                 |  |
| Heist, Greg                  |  |
| Bonney, Julia                |  |
| Davies, Peter                |  |
| Farmer, Ginny                |  |
| Clougherty, Linda            |  |
| Gutchess, Elizabeth          |  |
| Schwartzott, Peter           |  |
| Hanson, Jim                  |  |
| Robertson, Martha            |  |
| Wilson, Joseph               |  |
| Cipolla-Dennis, Deborah      |  |
| Quede, Nathalie              |  |
| Peter, Paula                 |  |
| Bittner, Todd                |  |
| Kelly, Jenifer & Christopher | (see attached copies)  |

**Emails**  
**Received**  
**6/9/11 – 7/20/11**

**Mary Ann Sumner**

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**From:** Jane Edwards [jedwards1@frontiernet.net]  
**Sent:** Thursday, June 09, 2011 10:51 AM  
**To:** Mary Ann Sumner  
**Subject:** Zoning ordinance

Dear Supervisor:

Please pass a no frack zoning ordinance NOW. We need to act quickly to protect our environment and quality of life.

Thank you for all your work for the Town of Dryden.

Jane Edwards  
1 Foothill Road  
Freeville, NY 13068

**Mary Ann Sumner**

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**From:** Dan Mittler [dm68@cornell.edu]  
**Sent:** Tuesday, June 14, 2011 11:47 AM  
**To:** Mary Ann Sumner  
**Subject:** Fracking

Tues. 6.14.2011

Good Morning Dryden Supervisor,

I am in favor of a strong defensible NO Fracking ordinance, as per the template prepared by attorneys Helen and David Slottje passed NOW.

Thank you.....Dan.

--  
Dan Mittler  
Cornell University  
Mechanical & Aerospace Engineering  
218 Kimball Hall  
Ithaca, New York 14850

Work: 607 255-9172  
Cell: 607 227-7393

Email: [dm68@cornell.edu](mailto:dm68@cornell.edu)  
Fax: 607 255-2011

**Mary Ann Sumner**

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**From:** Martha Ferger [jhferger@pol.net]  
**Sent:** Tuesday, June 14, 2011 10:47 AM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stelick; Jason Leifer  
**Subject:** Heavy Industrial uses ban

To Ms. Sumner and all the Town Board members:

I'd like to add another thought to the discussion of the fracking ban proposal for Wednesday night.

When we go out to buy auto or homeowners or any other kind of insurance, we have to balance added layers of protection against increasing costs. In our case, however, addition of the heavy industry ban language does not cost anything extra, so why not do it? In all the discussions I have read, I have not seen any reason given for NOT adding that language. Very competent lawyers whose devotion to the welfare of our town is unquestioned have preferred different approaches. Since they are not mutually exclusive, as I understand it, why not take them all and be grateful?

With gratitude also for the enormous amount of time and effort you have all put into finding solutions to these unwelcome problems, Sincerely, Martha Ferger

**Mary Ann Sumner**

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**From:** Amari meader [ameader8@gmail.com]  
**Sent:** Monday, June 13, 2011 11:03 PM  
**To:** Mary Ann Sumner  
**Cc:** David Makar; Joseph Solomon; Stephen Stelick; Jason Lelfer  
**Subject:** no fracking ordlnance - NOW!

Hello Mary Ann and fellow Dryden Town Board Members - I am writing in support of our board passing a strict No Fracking ordinance as soon as possible - especially before the coming election. I do not trust Bruno Schickel (whether he's married to Ask Amy, or not) as far as I could throw him, and believe we must have something significant in place BEFORE any possibility arises that might put him in power. I think he's the kind of man who would sell the town right out from under us and then try to make us believe it was inevitable. A future devastated by ubiquitous drilling is not inevitable, but we have to take action and move this effort ahead, NOW. Many thanks for the forward thinking work you all have done to date. You have made me proud of our town! Jane Meader/ 59 Palmear Rd/ Freeville

**Mary Ann Sumner**

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**From:** Al Vought [alatdryden@gmail.com]  
**Sent:** Monday, June 13, 2011 10:26 PM  
**To:** David Makar; Jason Leifer; Joseph Solomon; Mary Ann Sumner; Stephen Stelick  
**Cc:** Martha Ferger; Betsy  
**Subject:** Comprehensive Ban of High Impact Industrial Uses Including Hydro-fracking  
**Attachments:** Dryden Zoning DRAC\_HIU\_Proposal[2].docx

Dear Dryden Board Members,

I recently witnessed first hand industrial hydro-fracking in northern Pennsylvania when my brother-in-law, who lives there, took me on a tour of drilling sites near his home. If what I saw was allowed in the town of Dryden it would destroy our beautiful community.

I am concerned that the narrow focus of the simple ban before the board creates a risk of being overturned by New York courts. Therefore I strongly support the attached language to strengthen the simple ban by addressing the full range of negative effects and noxious uses which industrial hydro-fracking brings to communities where it is practiced.

Sincerely,

Al Vought

*7 page  
attachment*



## **The Rationale for Adding a Prohibition Against High Impact Industrial Use**

There are three major reasons why it is very important and beneficial to add a prohibition against High Impact Industrial Uses. Two have to do with the Town's position in regard to defending the legality of the new prohibitions. The other has to do with comprehensiveness of the protection that will be afforded by these new Section 2104 prohibitions.

### **1. Due Process Violation**

The numbers (1) and (2) prohibitions in the proposed new Section 2104 are, by their nature, prohibitions with respect to a particular industry, the gas industry. By focusing on a particular industry, the prohibition runs the risk of being ruled invalid as a due process violation. Being ruled a due process violation is probably the biggest fear of potential invalidity of the Town's new proposed amendment.

To avoid a court ruling of a due process violation, any outright prohibition must be narrowly tailored to the harm perceived. Although the Town's new proposal makes every attempt to do just that, it remains open to court interpretation if ever so challenged by the well funded lawyers for the gas industry. In contrast, by its very definition, the prohibition of high impact industrial uses focuses only on the harms, or impacts. Indeed those harms are the very test of whether a use is considered a high impact industrial use. By focusing on those harms instead of focusing on a particular industry, this prohibition avoids the whole issue of a due process violation. Thus even if the number (1) and (2) prohibitions were ruled invalid as due process violations, the high impact industrial use prohibition would stand.

### **2. Authority Violation**

The numbers (1) and (2) prohibitions in the proposed new Section 2104 could be ruled a prohibition of a business, the business of gas drilling. If so, the new section is open to a challenge that the Town has no statutory authority over that business. Unlike the business of mining, which NYS Town Law {section 130(23)} specifically allows towns to regulate, there is no such statutory authority for towns to regulate a drilling business. And unlike NYS General City Law {section 20(13) (McKinney)}, which grants cities the authority to regulate businesses, there is no corresponding NYS Town law.

So if gas drilling is identified as a business, as opposed to a land use, then there is a legal question as to the Town's authority to prohibit the business. Here again the high impact industrial use approach prohibits land use impacts, as opposed to prohibiting the gas business. By doing so, this prohibition avoids the whole issue of the town's authority to regulate the gas drilling business. Thus even if the number (1) and (2) prohibitions were ruled invalid as an authority violation, the high impact industrial use prohibition would stand.

### **3. Comprehensive Protection for the Town**

In addition to prohibiting gas drilling itself, the Town's new prohibitions proposal makes every attempt to protect Dryden residents from each of the accessory processes of the gas drilling industry. That is, the wording is crafted specifically to apply to compressor stations, pipe yards, storage facilities, waste disposal activities, and several other such accessory processes.

However, there's always the possibility that we may have missed anticipating some accessory processes. Furthermore, as gas industry technology changes in the future, there may be new accessory processes that no one has considered yet. By its nature, this approach to prohibiting gas drilling must anticipate each such accessory process and craft wording to protect against it.

In contrast, the high impact industrial use prohibition protects against the impacts of the industry, thereby avoiding the need to anticipate each and every accessory process. (In fact, even if oil or some other currently unanticipated natural resource were discovered in a local geologic formation, this approach has the advantage that it would protect us from the harms that may be introduced by that natural resource extraction industry as well.) Thus the addition of the high impact industrial use prohibition acts as a catch-all, to be sure that we're providing more comprehensive protection.

## **Proposed Addition to Section 2104 – Prohibited Uses**

“Section 2104. Prohibited Uses.

- (1) – *as already proposed by Town Board*
- (2) - *as already proposed by Town Board*
- (3) Prohibition against all High Impact Industrial Uses

High Impact Industrial uses are incompatible with the Town of Dryden’s Comprehensive Plan.

### **Defined Terms / Additions to Definitions Relating to Prohibited Uses Listed in proposed § 2104**

**Below-regulatory Concern Radioactive Material.** Radioactive material in a quantity or of a level that is distinguishable from background (as that phrase is defined at 10 CFR §20.1003), but which is below the regulation threshold established by any regulatory agency otherwise having jurisdiction over such material in the Town.

**Deleterious substance.** Any of the following in any form, and whether or not such items have been excepted or exempted from the coverage of any federal or state environmental protection laws, or have been excepted from statutory or regulatory definitions of “industrial waste,” “hazardous,” “toxic,” and whether or not such substances are generally characterized as waste:

- a. below-regulatory concern radioactive material, or any radioactive material which is not below-regulatory concern, but which is in fact not being regulated by the regulatory agency otherwise having jurisdiction over such material in the Town;
- b. crude oil or natural gas drilling fluids;
- c. crude oil or natural gas exploration, drilling, production or processing wastes;
- d. crude oil or natural gas drilling treatment wastes (such as oils, frac fluids, produced water, brine, flowback, sediment and/or any other liquid or semi-liquid material);
- e. solution mining brine or mineral brines;
- f. any chemical, waste oil, waste emulsified oil, mud, or sediment that was used or produced in the drilling, development, transportation, processing or refining of crude oil or natural gas;
- g. soil contaminated in the drilling, transportation, processing or refining of crude oil or natural gas;
- h. drill cuttings from crude oil or natural gas wells;
- i. any wastes associated with the exploration, drilling, production or treatment of crude oil or natural gas;
- j. waste from the extraction or processing of ores and minerals, including slag, mud, ash, and process waste water and waste solids; and/or
- k. cement kiln dust waste.

This definition specifically intends to include some wastes that may otherwise be classified as “solid wastes which are not hazardous wastes” under 40 C.F.R. § 261.4(b). This definition does not include (i) animal manure and/or recognizable and non-recognizable food wastes, or (ii) storage of farm generated waste.

**Development Project.** Development projects include but are not limited to:

- a. the erection, construction, enlargement, alteration, or improvement of any building or structure;
- b. installation of heating equipment;
- c. surface disturbance, land filling, excavation, grading, parking lot construction or other disturbances to the natural or existing topography or vegetation of the site results from any of the following: (i) the placement of one thousand (1000) square feet or more of impervious surface, or (ii) alteration of the site's ground coverage by a volume of more than five thousand (5000) square feet;
- d. exploration, mining, or extraction of materials;
- e. demolition of structures or buildings; or
- f. change in use or intensity of use.

A project shall not be considered a development project if it is one or a combination of the following:

- a. surface disturbance resulting from an agricultural activity;
- b. Replacement in kind only;
- c. Interior construction, which does not change the intensity or the type of existing usage;
- d. Infrastructure maintenance only.

**Exempted Vehicle.** Any of the following: (a) vehicles for agricultural use, (b) school buses or other mass transit buses, (c) emergency vehicles and vehicles otherwise used in connection with public safety uses, (d) military vehicles driven by active duty military personnel, or (e) vehicles used in the construction, repair or maintenance of state, county, or Town roads, other municipal facilities or property.

**Explosive Materials.** Substances capable of undergoing decomposition or combustion with great rapidity, involving much heat and producing a large volume of gas. The reaction products fill a much greater volume than that occupied by the original material and exert an enormous pressure, which can be used for blasting and for propelling. Examples include TNT, dynamite, nitroglycerin, and ammonium nitrate.

**Flammable.** A solid, liquid or gas that will ignite easily and burn rapidly.

**Gross Vehicle Weight Rating.** The weight specified by the manufacturer as the maximum load weight (truck plus cargo) of a vehicle.

**Heavy Truck.** A truck having a gross vehicle weight rating of twenty six thousand (26,000) pounds or more.

**High-Impact Truck.** Any of the following criteria:

- (a) any truck whose width, inclusive of load, is more than ninety-six (96) inches; or
- (c) a heavy truck, whether or not loaded with cargo.

Examples of high-impact trucks include, but are not limited to, vehicles or machines capable of lifting, altering or transporting large quantities of materials, earth or stone or otherwise capable of performing large-scale work. loaders, backhoes, bulldozers, concrete mixing and pumping trucks, dump trucks, well drillers, well servicing rigs, earth scrapers, pile drivers, earth moving equipment and cranes. High-impact truck does not include exempted vehicles.

**High Impact Industrial Use.** A development project for an industrial use or industrial operations that are more likely than not to generate or involve any four (4) or more of the following impacts in the Town at any time during such use or operation:

- a. combined total surface disturbance of more than two (2) acres of land;
- b. the presence, production, collection, handling, manufacture, use, storage, transfer or disposal of any deleterious substance;
- c. high-impact truck traffic;
- d. an operation that, whether due to its nature or to a desire or need by the operator to employ financial resources most efficiently, or otherwise, is usually not limited to typical work days and morning to early evening hours, but rather instead is often conducted at any and all times of the day and night, and with either truck traffic entering or leaving the development project site, or other noise, vibrations or light that extends beyond the property boundaries between the hours of 11:00 p.m. and 6:00 a.m.;
- e. open air industrial use;
- f. open air storage;
- g. flammable or explosive materials are present, used, produced, stored or disposed of;
- h. a private electric power generation facility;
- i. the sequestering water use of five hundred thousand (500,000) or more gallons of water;
- j. construction or use of more than forty five thousand (45,000) square feet of impervious surface;
- k. construction or use of a staging facility; or
- l. construction of pipelines, roadways and other infrastructure to move product and materials to and from the proposed project site.

**High-Impact Truck Traffic.** Any one of the following:

- a. more than one hundred (100) one-way trips by high-impact trucks to or from the proposed development project site that travels over any public highway within the Town between the hours of eleven p.m. and six a.m. (other than trips solely confined to State Route 13 between the Town of Dryden line where Route 13 enters the Town and the intersection of State Route 13 with Lower Creek Road) ; or
- b. more than one thousand (1000) one-way high-impact truck trips to or from the proposed development project site during any three hundred sixty five (365) day period during the duration of the proposed use.

**Industrial Use.** Development project, or production, assembly, harvesting, or manufacturing operation, requiring machinery and equipment. Does not include: (a) agricultural use, (b) residential use, (c) commercial use, (d) telecommunication facilities or communication transmission towers, (e) wind turbines, windmills or similar structures that do not release dust, dirt, fly ash, odors, fumes, or vapors or gases that could be injurious to human health or to the environment, (f) gasoline station or (g) public safety use.

**Intensity.** The combination of factors such as any construction, reconstruction, use of a building, structure or other land use activity which results in an increase in the volume of traffic, the amount of required off-street parking, the hours of operation, the size of the use, noise, dust, odor, vibration, glare, smoke, waste, the need for municipal or other facilities serving the site, or the effect of soils on the site associated with a particular use that determines the potential impact of the proposed use.

**Impervious Surface.** Any material or surface that substantially reduces or prevents the infiltration of water into the ground, including areas covered by buildings, conventionally surfaced roads and highways, driveways and parking lots, and sidewalks.

**Non-regulated Pipeline.** Those pipelines that are exempt or otherwise excluded from regulation under federal and state laws regarding pipeline construction standards or reporting requirements. Specifically includes production lines and gathering lines.

**Open Air Industrial Use.** An industrial use that is not conducted in an enclosed structure and poses the potential for release of pollution via groundwater, surface water, and air exposure pathways.

**Open Air Storage.** An industrial use that includes storage outside of an enclosed structure of raw materials, components, equipment, products, by-products, waste, deleterious substances, chemicals or other materials, either as a primary activity, or as an accessory use to an industrial use or incidental to another industrial activity or use.

**Pipeline.** All parts of those physical facilities through which oil, gas, liquids in transportation (including pipes, valves and other equipment and appurtenances attached to pipes and other equipment such as drip stations, vent stations, pigging facilities, valve box, transfer pump stations, measuring and regulating equipment, yard and station piping, and cathodic protection equipment) pass whether or not laid in public or private easement or private right of way within the Town. This includes, without limitation, gathering lines, production lines, and transmission lines.

**Private Electric Power Generation Facility.** One or more power generators of more than one thousand (1,000) horsepower in the aggregate, fueled by diesel, oil, gas, propane or other fossil fuel, the primary function of which is the provision of electricity to an industrial use.

**Production Line, or Gathering Line.** Any system of pipelines (and other equipment such as drip stations, vent stations, pigging facilities, valve box, transfer pump station, measuring and regulating equipment, yard and station piping, and cathodic protection equipment), used to move oil, gas, or liquids from a point of production, treatment facility or storage area to a transmission line, which is exempt from the Federal Energy Regulatory Commission's jurisdiction under section 1(b) of the Natural Gas Act, and which does not meet the definition of a "Major utility transmission facility" under the Public Service Law of New York, Article 7, §120(2)(b).

**Pollution.** The contamination or other diminution of the physical, chemical or biological properties of land, water, or air, including a change in taste, color, turbidity or odor, and including a discharge of any liquid, gaseous, solid, radioactive material or other substance on land, water or air, that will, or is likely to, create a nuisance or render such land, water or air harmful, detrimental or injurious to humans, animal life, vegetation, or property, or to the public health, safety or welfare.

**Radioactive Material.** Material in any form that emits radiation, but only if such material has been moved from its naturally occurring location through an industrial process. Such material is "radioactive material" for purposes hereof, whether or not it is otherwise exempt from licensing and regulatory control pursuant to the NYS Department of Labor, the US Nuclear Regulatory Commission, the US Environmental Protection Agency, the US Department of Energy, the US Department of Transportation, or any other regulatory agency and whether or not such radioactive material or is considered below-regulatory concern radioactive material.

**Radiation.** The spontaneous emission of particles (alpha, beta, neutrons) or photons (gamma) from the nucleus of unstable atoms as a result of radioactive decay.

**Sequestering Water Use.** Water that is sequestered from the natural hydrologic cycle. Sequestering water use does not include water that has evaporated, transpired, been consumed by humans or livestock, used for irrigating crops, or otherwise returned to the atmosphere or incorporated into food products.

**Surface Disturbance.** Any man-made change in improved or unimproved land sub-surface and surface, including but not limited to: construction, external repair, land disturbing activity, grading, road building, pipe laying, clearing, grubbing, dredging, grading, excavating, extracting, exploration, stockpiling, paving, berming, soil disturbance, placement of fill, or storage of equipment or materials in pits, ponds or detention facilities. The scope of surface disturbance includes all activities that are necessary or convenient for the development project that is being undertaken, such as associated infrastructure developments including pipelines , access roads, utility transmission facilities, drainage ditches and the like. For determining the area or extent of surface disturbance, a proposed development project may not be segmented into smaller components, but rather the entire scope and larger common plan of development of a development project shall be taken into account even though multiple separate and distinct land development activities may take place at different times on different schedules.

**Transmission Line.** A pipeline that transports oil, gas, or water to end users as a public utility and which is subject to regulation either by: (a) the Federal Energy Regulatory Commission's jurisdiction under section 1(b) of the Natural Gas Act, or (b) as a "Major utility transmission facility" under the Public Service Law of New York, Article 7, §120(2)(b).

**Truck.** A motor vehicle designed, uses or maintained primarily for the transportation of property, including tankers and/or tractors, together with any trailers, semitrailers, combinations thereof, and/or any equipment being transported, hauled, towed or otherwise transported by such motor vehicle.

**Mary Ann Sumner**

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**From:** Nancy Miller [ananda7733@gmail.com]  
**Sent:** Monday, June 13, 2011 12:24 PM  
**To:** Mary Ann Sumner  
**Subject:** Oil and Gas Drilling Ban  
**Attachments:** Dryden Zoning DRAC\_HIIU\_Proposal[2].odt

As a member of DRAC (Dryden Resource Awareness Coalition), I want to thank you and the Town Board for embracing this issue and proposing an ordinance.

Unfortunately, the simple ban leaves out language which would fully address the full range of negative effects and noxious uses which industrial hydro fracking brings to every community where it is practiced. In addition, the narrow focus of the simple ban creates an unnecessary risk of being rejected by New York courts.

To fix these problems and so we can give our full support, we are requesting the addition of the attached language to the simple ban.

Thank you for your consideration,

Nancy Miller, 501 Midline Road, Freeville



**Mary Ann Sumner**

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**From:** JWShay@aol.com  
**Sent:** Monday, June 13, 2011 12:08 PM  
**To:** Mary Ann Sumner  
**Subject:** Re: Additions to simple ban on hydrofracking

I am urging you to add the more inclusive language from the comprehensive ban to the simple oil and gas drilling ban that will be considered by the Board at Wednesday night's meeting.

It is wise and sensible to explicitly speak to the full range of negative impacts and to the usage of toxins that have been employed in industrial hydrofracking in order to provide as much strength to our ban as possible in the NY legal system. We know that that these impacts have happened. We know that poisonous chemicals are used in the process. This is truly a case for being better off safe than sorry in coverage and in timing.

Sincerely,

Jan Shay  
738 Ringwood Rd.  
Ithaca, NY 14850  
[jwshay@aol.com](mailto:jwshay@aol.com)

**Mary Ann Sumner**

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**From:** Holly Payne [hollymomma@gmail.com]  
**Sent:** Sunday, June 12, 2011 9:21 PM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stelick; Jason Leifer  
**Subject:** ADD STRONGER LANGUAGE to Fracking Ban - Pls!

Dear Town Board,

I am a resident of the Town of Dryden and wish to THANK YOU for considering a simple oil and gas drilling ban at Wednesday's Town Meeting. I understand that if approved, this simple ban will be treated as an amendment to the current zoning law and set for public hearing in mid-July.

PLEASE! Unfortunately, the simple ban leaves out language which would fully address the full range of negative effects and noxious uses which industrial hydro fracking brings to every community where it is practiced. In addition, the narrow focus of the simple ban creates an unnecessary risk of being rejected by New York courts.

To fix these problems and so we can give our full support, WE REQUEST THE ADDITION OF DRAC (Dryden Residents Awareness Coalition) LANGUAGE TO BE ADDED TO STRENGTHEN THE SIMPLE BAN.

Sincerely,  
Holly Payne  
398 Ellis Hollow Creek Rd  
Ithaca (Town of Dryden)

## Mary Ann Sumner

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**From:** Nancy Lee Koschmann [nancykoschmann@me.com]  
**Sent:** Sunday, June 12, 2011 12:21 PM  
**To:** Mary Ann Sumner  
**Subject:** fracking...

I do not want the process delayed. We have already done the discussing. If the Republican challenger doesn't know what is going on by now, he should do his own research. He's a little too late. I'll be out of town on the 15th, but I do want my voice to be heard: no more delays. Thank you, Nancy Koschmann

**Mary Ann Sumner**

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**From:** Mary Fainsod Katzenstein [mfk2@cornell.edu]  
**Sent:** Saturday, June 11, 2011 8:27 PM  
**To:** Mary Ann Sumner; David Makar; Jason Lelfer; Joseph Solomon; Stephen Stelick  
**Subject:** Town board regulations

Dear Members of the Town Board,

We are grateful for your efforts in working hard to put in place regulations and ordinances to protect the infrastructure and the well-being of us residents of the Town.

We urge you in the strongest possible terms to work towards completing the process before NYS-DEC considers issuing any gas-drilling permits. We need strong legal protection for our water wells and aquifers, road use regulations and restrictions on excavation access, zoning restrictions on industrial use sites, and other proactive rules, including a Town ban on gas-drilling as allowed by law.

We thank you for your efforts on our behalf.

Sincerely, Mary and Peter Katzenstein  
Mary Fainsod Katzenstein  
Stephen and Evalyn Millman Professor  
of American Studies  
Director, American Studies Program  
White Hall, Department of Government  
Cornell University, Ithaca NY 14853  
[mfk2@cornell.edu](mailto:mfk2@cornell.edu)

**Mary Ann Sumner**

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**From:** Elizabeth McMahon [mrmcp1@gmail.com]  
**Sent:** Saturday, June 11, 2011 4:52 PM  
**To:** Mary Ann Sumner  
**Subject:** No frack zoning ordinance

Please support a no frack zoning ordinance to protect our beautiful countryside.

Sincerely,  
Elizabeth McMahon

## Mary Ann Sumner

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**From:** Nari Mistry [nbm2@cornell.edu]  
**Sent:** Tuesday, July 19, 2011 3:29 PM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stelick; Jason Leifer  
**Subject:** We support a BAN on drilling in the Town of Dryden

**Importance:** High

To:  
Mary Ann Sumner, Dryden Town supervisor: [supervisor@dryden.ny.us](mailto:supervisor@dryden.ny.us)  
David Makar, Town Board member: [dmakar@dryden.ny.us](mailto:dmakar@dryden.ny.us)  
Joe Solomon, Town Board member: [jsolomon@dryden.ny.us](mailto:jsolomon@dryden.ny.us)  
Steve Stelick, Town Board Member: [sstelick@dryden.ny.us](mailto:sstelick@dryden.ny.us)  
Jason Leifer, Town Board member: [jleifer@dryden.ny.us](mailto:jleifer@dryden.ny.us)

We appreciate very much the efforts of the Dryden Town Board to enact regulations and ordinances to protect the infrastructure and the well-being of us residents of the Town of Dryden.

We support a BAN on drilling in the Town of Dryden for the following reasons:

- The consequences of allowing deep-well horizontal gas-drilling ('Fracking') in our Town will be devastating to our future lives for many decades to come.
- In spite of rules & regulations attempting to ensure safety and environmental protections, it is amply evident that the drilling companies cannot be trusted and have disregarded and tried to circumvent existing rules wherever they have operated.
- The NYS DEC does not & will not have the manpower to enforce enhanced SGEIS regulations, and further the DEC has not adequately considered the cumulative impact of many wells drilled in one location.
- The contamination of water supplies in RURAL areas like Dryden with mainly private water wells has not been addressed adequately by the DEC. On the contrary, DEC has made a complete restriction on drilling in the NYCity and Syracuse watersheds while allowing drilling alarmingly close to private wells elsewhere.
- Road use and environmental zoning restrictions may help, but will at best be used *after the fact* to extract compensation after our neighborhoods have been ruined!

We feel that for these reasons we should fight strongly for a complete ban on drilling, including through the courts if necessary.

We urge you in the strongest possible terms to work towards enacting an effective ban before NYS-DEC considers issuing any gas-drilling permits. We need strong legal protection for our water wells and aquifers, road use regulations and restrictions on excavation access, zoning restrictions on industrial use sites, and other proactive rules, including a Town ban on gas-drilling as allowed by law.

We thank you for your efforts on our behalf.

Sincerely,

Nariman B. Mistry  
Virginia A. Mistry  
1159 Ellis Hollow Rd.,  
Town of Dryden.

**Mary Ann Sumner**

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**From:** oner\_schmidt@juno.com  
**Sent:** Friday, June 10, 2011 6:02 PM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stelick; Jason Leifer  
**Subject:** Pass Ordinance Against Fracking Now

To Supervisor Sumner and Dryden Town Board Members Makar, Solomon, Selick, and Leifer,

I am opposed to the "slow deliberate inclusive process regarding fracking-related ordinances" that has been proposed recently because this has already taken place in a very thorough manner over the last one and a half years!  
What we do need now is a strong, legally defensible zoning ordinance that opposes hydro fracking in our town.

I do not want this process weakened or delayed, especially not till after the fall election.

I appreciate your attention to this urgent matter.

Sincerely, Oskar Schmidt  
8 Genung Circle  
Town of Dryden

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<http://thirdpartyoffers.juno.com/TGL3131/4df294b34c525343010st06vuc>

*also sent  
by Allen Schmidt  
same address  
follow up comment 7/12*

**Mary Ann Sumner**

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**From:** tonyaengst@gmail.com on behalf of Tonya Engst [tonya@tidbits.com]  
**Sent:** Friday, June 10, 2011 1:32 PM  
**To:** Joseph Solomon; Stephen Stellick; Jason Leifer; David Makar; Mary Ann Sumner  
**Subject:** My (brief) thoughts on hydrofracking legislation in Dryden

Dear Mary Ann, Joe, Steve, and Jason,

I am in favor of legislation that would slow down, eliminate, or (last choice but possibly more realistic) regulate hydrofracking in Dryden to make it more reasonable for people who don't want to deal with the noise, pollution, extraneous costs, etc. In fact, that's pretty much where I'll be voting in any future Dryden elections, because I care about it more than most (all?) other issues.

I've lived on and off (mostly on) in Dryden for my entire life. I have an asthmatic son, and it costs about \$1,500 per year to keep him breathing right, so the idea of more air pollution is concerning. I love to bike for transportation and pleasure, and I can often be seen on my bicycle on the back roads surrounding Dryden, so I am also esp. concerned about dealing with truck traffic. I work at home, and I value quietness while I work. Most of my savings is tied up in my house, so I am anxious about losing long-term property value if it becomes unpleasant to breathe, work, bike, run, ski and otherwise exist in this area. I have delayed significant, energy-saving home improvement projects because I worry that I'll be wanting to move, and at a loss. That delay, ironically, keeps money out of the local economy and keeps my household using more fossil fuels than it would otherwise.

Thanks for serving on the Dryden board,

-Tonya

PS. I do not expect a reply; you must be very busy.

PPS. I am shy about sharing my political opinion, and I never wrote letter to elected officials before hydrofracking came up.

--

Tonya Engst, TidBITS/Take Control Ebooks



**Mary Ann Sumner**

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**From:** Sueane Hemmer-Goodreau [sueane.goodreau@ppsfl.org]  
**Sent:** Friday, June 10, 2011 1:25 PM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; stellick@dryden.ny.us; Jason Lelfer  
**Subject:** Please pass ordinance

Hello --

I am writing to urge you to please pass the antifracking zoning ordinance. So much work and effort has already been put into motion to this effect and I strongly support the measure.

Thank you for your time and consideration of this matter;  
Sueane Hemmer Goodreau  
633 Ringwood Road  
Town of Dryden

**Mary Ann Sumner**

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**From:** robert balluffi [rballuffi@twcny.rr.com]  
**Sent:** Friday, June 10, 2011 1:05 PM  
**To:** Mary Ann Sumner  
**Subject:** fracking ordinance

It's time to move ahead on the fracking ordinance. I will not support anyone in town government giving in to delaying tactics. R. W. Balluffi

**Mary Ann Sumner**

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**From:** Joyce Morgenroth [jdm9@cornell.edu]  
**Sent:** Friday, June 10, 2011 10:24 AM  
**To:** Mary Ann Sumner  
**Subject:** fracking ordinance

Dear Town Board Supervisor,

The threats of fracking to our area far outweigh the value it might bring . This subject has been examined at length, including public forums over the last 18 months. It is time to pass a no fracking ordinance now--a strong, defensible ordinance as described in the template by Helen and David Slottje. It is crucial, if our elected officials are to be responsible to the public, that this process should not be delayed until late in the year.

Sincerley,  
Joyce Morgenroth  
474 Snyder Hill Rd.  
Dryden

**Mary Ann Sumner**

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**From:** Karl Russ [khruss@gmail.com]  
**Sent:** Friday, June 10, 2011 9:16 AM  
**To:** Mary Ann Sumner  
**Subject:** NO fracking

Hi Ann,

please do not delay the ordinance about fracking past elections in the fall, thanks!

Karl Russ  
137 Hunt Hill Rd

## Mary Ann Sumner

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**From:** Jack W. Bradbury [jbradbury@cornell.edu]  
**Sent:** Friday, June 10, 2011 8:35 AM  
**To:** Mary Ann Sumner  
**Cc:** Jason Leifer; Joseph Solomon; Stephen Stelick; David Makar  
**Subject:** Moving ahead on ordinance

Dear Dryden Town Board,

Those of us who have been dealing with the fracking threat to our water, public roads, and life style in Dryden for the last 3 years have heard and said it all. There really is no "new" information to be gleaned by waiting on passing an ordinance that is clearly supported by the majority of Dryden residents. The outside gas companies, some residents who need the money, and possibly the State's tax interests all want to keep local communities from acting. We are proud that Dryden has taken such a strong and early stand on this threat. Once we do, it will encourage other local communities to follow suit. Please do not delay moving ahead on the ordinance. We will be at the next town meeting to support you. Thanks.

Jack Bradbury & Sandra Vehrencamp

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Dr. Jack Bradbury- email: [jwb25@cornell.edu](mailto:jwb25@cornell.edu)  
Dr. Sandy Vehrencamp- email: [slv8@cornell.edu](mailto:slv8@cornell.edu)  
81 Besemer Hill Road  
Ithaca, NY 14850  
Phone: 607-539-7326

**Mary Ann Sumner**

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**From:** jhbehler@yahoo.com  
**Sent:** Friday, June 10, 2011 8:24 AM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stelick; Jason Lelfer  
**Subject:** Please pass a NO FRACK zoning ordinance NOW

Dear Supervisor and Town Board,

Please pass a NO FRACK zoning ordinance NOW. Drilling for natural gas with toxic fracking fluid is environmentally irresponsible and risks contaminating our ground and drinking water. The fact that fracking natural gas drilling with fracking fluid is not regulated has been a disaster for many communities as documented in Gasland (see <http://www.youtube.com/watch?v=dZe1AeH0Oz8>, and <http://www.gaslandthemovie.com/>)

**Don't let this happen here in Dryden.**

Thank you,

John Behler, Betty Behler, and Jerri Behler  
562 Ellis Hollow Creek Rd.  
Ithaca, NY 14850  
(607)330-2847

**Mary Ann Sumner**

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**From:** Terezka Korinek [markova66@hotmail.com]  
**Sent:** Friday, June 10, 2011 8:10 AM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stellick; Jason Lelfer  
**Subject:** Please pass NO FRACK zoning ordinance ASAP

Dear Dryden Town Board Members,

On behalf of my family, I would like to express our strong support for the passing of a NO FRACK zoning ordinance as soon as possible.

My family and I do not want the ordinance process weakened or delayed.

Dryden and its residents cannot afford to deal with the ill effects that come with fracking.

Thank you very much for all your efforts,  
Terezka Korinek  
Steve Anagnostos  
and children

378 Thomas Rd,  
Ithaca, NY 14850

## Mary Ann Sumner

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**From:** Norman Vrana [nmv3@cornell.edu]  
**Sent:** Friday, June 10, 2011 8:02 AM  
**To:** Mary Ann Sumner  
**Subject:** NO FRACK

It is important that we get a NO FRACK zoning ordinance now without delay of any kind. I and many people attended the public meeting which was well attended. The spirit for "NO FRACKING" was well expressed.

Norman Vrana  
1296 Ellis Hollow Road



**Mary Ann Sumner**

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**From:** rle Cain [rle Cain@envconsulting.biz]  
**Sent:** Friday, June 10, 2011 7:47 AM  
**To:** Mary Ann Sumner  
**Subject:** Fracking ban

Ms. Sumner,

Please endeavor to enact a ban on hydrofracking and other industrial activity as soon possible. This is going to be a precedent setting step that the residents of Dryden are highly supportive of. We must take charge of our local land and water and keep the multinational oil and gas companies out.

*Ron LeCain  
Wetland Specialist  
LeCain Environmental Services, Inc.  
607-319-0819*

**Mary Ann Sumner**

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**From:** p.wrege@gmail.com on behalf of Peter Wrege [p.wrege@cornell.edu]  
**Sent:** Friday, June 10, 2011 7:37 AM  
**To:** Mary Ann Sumner  
**Subject:** Ordinance on gas drilling

Dear Ms. Sumner,

I spend about half of my year away from my home in the Town of Dryden, most often in Africa these days. When I come back, I realize how important it is to have our quiet, rural, and scenically appealing landscape as a place to recharge and appreciate how good life can be. This will not continue if gas drilling, especially hydraulic fracturing methods, come to our Town.

The board has been quite good at holding meetings to discuss the issues, and I don't think that anyone can claim that the residents of our Town are unaware of the issues and have not had time to make their feelings known. We need to move forward now with changes to the zoning regulations - we can not wait and delay. Not only is this important for our quality of life, it is important to our pocketbook - I, and many others, can not afford the increased costs that are certain to come to the Town if this industrial scale activity takes hold here.

Thank you for your efforts on behalf of all residents in the Town.

Peter

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Peter H. Wrege  
452 Ringwood Road

**Mary Ann Sumner**

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**From:** Greg Heist [gheist@earthlink.net]  
**Sent:** Thursday, June 09, 2011 10:35 PM  
**To:** Mary Ann Sumner  
**Subject:** Fracking

Ms Sumner,

No fracking, no way, Please.

The onus has to be on the frackers to prove their safety for OUR WATER and they can't!

Greg heist

1667 Slaterville rd

## Mary Ann Sumner

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**From:** Julia Bonney [jcbonney@twcny.rr.com]  
**Sent:** Thursday, June 09, 2011 10:24 PM  
**To:** Mary Ann Sumner  
**Subject:** fracking related ordinance

Hi, Mary Ann --

First let me say that it was GREAT to see you in action at the last town board meeting we attended. You and the board did an excellent job with that big crowd; not an easy task.

Peter Davies has sent me an e-mail in which he says that Bruno Schickel, who I understand is challenging you for Town Supervisor in the next election, wants to start all over again with the fracking issue. (Hello...where have you been, Bruno? We've been through this already...)

Anyway, I am writing to urge you and the board to forge ahead and get a zoning ordinance in place now, before the November election. I know you will defeat Mr. Schickel handily -- and it seems a waste of time to rehash this again, especially when the vast majority of Dryden folks are opposed to hydrofracking.

I had an impromptu conversation a couple of weekends ago with a woman from Pennsylvania who had driven up to Eddydale Farms for her bedding plants. We started talking about hydrofracking and she told me about what a disaster it has been down there. She says the trucks run 24 hours a day; they are noisy, polluting, and they have totally broken up the roads (which the tax payers have to pay for repairing, not the natural gas company). She says her house is filthy on the outside because of all the dust and dirt in the air. She also said that people were shocked to discover that they got no residual payments until pumping actually begins, which may not be for some time.

And finally she said she hopes that we are smarter than they were in PA, when they gave free reign to the natural gas company to do horizontal drilling. She says it has been a disaster and had a major impact on quality of life down there. She also said that most of the gas workers in the area around her came in from out of town.

Please urge your colleagues on the Town Board to move ahead with the ordinance. Many homes in Dryden are on well water and we can ill afford to have our wells polluted. These people who say hydrofracking is safe are simply not telling the truth -- there is too much evidence to the contrary.

Thanks for reading this, Mary Ann. (I got a bit longwinded :-))

Gratefully,  
Julie and Greg

Julia Bonney  
[jcbonney@twcny.rr.com](mailto:jcbonney@twcny.rr.com)

**Mary Ann Sumner**

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**From:** Peter J. Davies [peter.davies@cornell.edu]  
**Sent:** Thursday, June 09, 2011 10:03 PM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stelick; Jason Leifer  
**Subject:** Please pass fracking ban NOW

Dear Mary Ann, David, Joe, Steve and Jason,  
Slickwater horizontal hydrofracking poses a danger to the groundwater on which most of the Dryden residents depend and also promises to contaminate our air, disrupt our way of life and cause serious damage to town infrastructure.

We have already gone through a public process during the past year and a half -- and we need a no fracking zoning ordinance passed *now*, as per the template prepared by attorneys Helen and David Slottje. We do not want this process weakened or delayed until late in the year. Please pass it NOW.

I regret that I will not be at the town meeting on June 15<sup>th</sup> because I will be out of town at a conference. However please regard it as if I was at the town hall on that date urging you to proceed on this matter.

Thank you.

Peter

*Peter Davies  
755 Snyder Hill Road  
Ithaca, NY 14850  
e-mail: [pjd2@cornell.edu](mailto:pjd2@cornell.edu)  
Phone: 1-607-272-9417  
Mobile: 1-607-379-1062 (when on)*

**Mary Ann Sumner**

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**From:** Ginny Farmer [msginny.farmer@gmail.com]  
**Sent:** Tuesday, June 14, 2011 6:31 PM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stellick; Jason Leifer  
**Subject:** fracking ban

We would like to add our concern about the need for rewording on the proposed ordinance on the ban of hydrofracking. Please considering adding the wording suggested by the DRAC members regarding the Prohibition of High Impact Industrial Use. This issue is too important to our community to ignore all the aspects brought up by those dedicated people who have spent many hours researching it. Thank you for your support.

David and Ginny Farmer

**Mary Ann Sumner**

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**From:** Linda Clougherty [lindaclougherty@gmail.com]  
**Sent:** Tuesday, June 14, 2011 9:37 PM  
**To:** Jason Leifer; sstelicincorpork@dryden.ny.us; Joseph Solomon; David Makar; Mary Ann Sumner  
**Subject:** please add language to Dryden's laws to prevent all types of high impact Industrial use

I am writing to ask you to incorporate the concepts and suggested language proposed by DRAC into Dryden's laws in order to protect our town from ALL types of possible high impact industrial and peripheral uses. The new language will make Dryden's case stronger against potential challenges from gas companies and any other industries that would alter out town in a negative way.

Thank you,  
Linda Clougherty  
34 Hunt Hill Road  
Ithaca, NY

**Mary Ann Sumner**

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**From:** elizabeth [elizabeth@englishare.net]  
**Sent:** Wednesday, June 15, 2011 10:14 AM  
**To:** Mary Ann Sumner  
**Subject:** voicing support for the comprehensive ban

Dear Mary Ann,

Just to say—I'm a Dryden resident and a strong supporter of a *Comprehensive* Ban of High Impact Industrial Uses (including hydro-fracking).

Thank you for your wonderful service to our community!

Elizabeth Gutches



**Mary Ann Sumner**

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**From:** Art Patrol [zott2@frontlernet.net]  
**Sent:** Wednesday, June 15, 2011 12:21 PM  
**To:** Mary Ann Sumner  
**Cc:** David Makar  
**Subject:** NO FRACK ordinance

No frack ordinance now , Please! compromise is only acceptable when non toxic technology is developed . and guess what ? if the mining industry is required to spend the money in order to reap the profits ,it will happen .I have seen it time and time again Remember the no damage five mile per hour bumpers the auto manufacturers said were impossible to produced .shall i continue .  
Peter Schwartzott  
1000 irish settlement rd.

**Mary Ann Sumner**

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**From:** Jim Hanson [windjim20@yahoo.com]  
**Sent:** Wednesday, June 15, 2011 5:22 PM  
**To:** Mary Ann Sumner  
**Subject:** Dryden Residents Opposed to Fracking

Dear Maryann Sumner, Dryden Town Supervisor,

Please represent our thoughts in tonight's meeting relative to passing the anti-fracking ordinance. I do not want to see this process weakened or delayed until late this year. We all know what has happened in PA, and do not want to see this process repeated in a place as beautiful as the Town of Dryden. I am sure that you know that your local laws are the only thing that will protect the environment until DEC and EPA develop an appropriate procedure to protect the land and water resources.

I will be there tonight to support this position.

Thank you.

Jim Hanson

**Mary Ann Sumner**

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**From:** Martha Robertson [martha.o.robertson@gmail.com]  
**Sent:** Wednesday, June 15, 2011 11:13 PM  
**To:** Mary Ann Sumner; Mary Ann Sumner; Jason Leifer; Steve Stelick; David Makar; Joe Solomon; Mahlon Perkins  
**Cc:** Marie McRae; Joe Wilson; Hilary Lambert; Lavines  
**Subject:** THANK YOU!!!!

Dear Town Board and Attorney,

Thank you SO much for your strong voice tonight on behalf of Dryden's future! I so appreciated the things you had to say tonight. Jason, your role in spearheading this effort was fantastic, listening to all sides and working through the issues. Mahlon, your description of the town's authority and the clarity of the proposed language were compelling. Thank you for all the work you put in, with Jason and others, to pull that together.

It was a historic step.

All the best,  
Martha

**Mary Ann Sumner**

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**From:** Joseph Wilson [wilson.joe79@gmail.com]  
**Sent:** Thursday, June 16, 2011 11:53 AM  
**To:** Mary Ann Sumner  
**Cc:** DRAC; Irene Stein; James Gustafson; Martha Robertson; Jim Skaley; Simon St.Laurent; Martin Fellows Hatch; Joe Lalley; David Alan Weinstein  
**Subject:** Thanks, Mary Ann

Dear Mary Ann,

Thank you for your statement regarding the ban last night. I thought that you very clearly articulated the complexity of the thought process in which you have been engaged and how you came to the conclusion that right now a ban is in the best interests of the Town of Dryden.

I and the others who have pursued a ban for many months are grateful for the leadership you have shown in bringing this matter to a conclusion in a timely way. As you know, we will also continue to pursue improvements until we have the most protection and most defensible zoning possible.

I and I believe many others of us look forward to working with and supporting this and your efforts on behalf of the Town.

--

Regards,  
Joe Wilson  
75 Hunt Hill Road  
Ithaca, NY 14850-9674  
607-539-1159

## Mary Ann Sumner

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**From:** Deborah Cipolla-Dennis [dgd25@cornell.edu]  
**Sent:** Thursday, June 16, 2011 1:02 PM  
**To:** Joseph Solomon; Jason Leifer; Steve Stelick; Mary Ann Sumner; David Makar  
**Cc:** drydenrac@googlegroups.com  
**Subject:** Thank You

Dryden Town Board Members,

Thank you so much for your leadership in moving forward with setting the public hearing for the amendment to the current zoning law to clarify that natural gas exploration and related activities are not permitted within our town. The statements made last night by Mary Ann, David, Steve and Jason were heart-felt and strong. It was extremely valuable to hear your views on this issue.

As you know, I along with many members of the DRAC team, have been advocating for this type of protection for almost two years. It has been enlightening to attend town board meetings and build an understanding of the hard work that you do for our community. This is a special place and I can tell that you are all very sincere in your motives and actions with regards to preserving our unique and wonderful way of life.

Thank you again and I am excited to continue working with you on completing this action and looking forward towards how we ensure that we are also protected in the new zoning law that is quickly approaching.

Sincerely,

Deborah Cipolla-Dennis  
964 West Dryden Road  
Freeville, NY 13068

## Mary Ann Sumner

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**From:** Quede, Nathalie [NQuede@PKaufmann.com]  
**Sent:** Friday, July 08, 2011 11:21 AM  
**To:** Mary Ann Sumner

Dear Mary Ann Sumner,  
I own a small house on a 8 acres property on Ed Hill Road. I will not be able to attend the meeting on July 20th regarding gas drilling but I am just giving my vote.  
**Save our land, save our precious water. Ban hydraulic fracturing in Dryden.**  
With all my respect for your dedicated work to the town of Dryden,  
Regards,  
Nathalie Quede

**Mary Ann Sumner**

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**From:** Paula Peter [Paula@thesolsticegroup.com]  
**Sent:** Sunday, July 10, 2011 9:01 PM  
**To:** Mary Ann Sumner  
**Subject:** no fracking please

Hey MaryAnn –

Please know that I'm among the town residents who urge you to hold firm on keeping us free from Fracking! Should my neighborhood get a well – my retirement, water, and home investment will be in immediate jeopardy. Should our region become an industrial wasteland, there would be little reason to remain in a state that exacts the highest taxes in the union. I will be forced to move my small business elsewhere.

Thanks for all that you and others have done to keep this disaster at bay.

-paula peter

## Mary Ann Sumner

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**From:** Todd Bittner [prairieguy@earthlink.net]  
**Sent:** Sunday, July 10, 2011 8:23 PM  
**To:** Mary Ann Sumner; David Makar; Jason Leifer; Stephen Stelick; Joseph Solomon  
**Subject:** Zoning Amendment Public Comment

Dear Town of Dryden Supervisor Sumner and Board Members Makar, Leifer, Stelick, and Solomon,

I am writing to provide a public comment with regard to the Town of Dryden Zoning Code Amendment to prohibit industrial activities, including hydrofracking, in the Town of Dryden. As a father of two children and an avid, life-long conservationist of our natural resources, I am very concerned about the negative consequences from hydrofracking and associated development to our environment, roads, and property values if this type of industrialization and pollution are allowed in our Town. There is no doubt that this type of industrial land use will significantly impact and damage our cherished landscapes, irreparably changing the character of our beautiful town forever. The risks from hydrofracking pollution to our drinking water sources and air is too great. I am also concerned about it's impact to organic farming businesses, local tourism, and public safety on our roadways from increased traffic.

I applaud you for your efforts to see this activity is not allowed - at least until proven safe and the industry is able to mitigate ALL negative impacts - and urge you to amend the Town's zoning code to ban industrial development, including hydrofracking. *Thank you* for your continued service to our community.

Sincerely,  
Todd Bittner  
533 Ringwood Road, Freeville, NY 13068



## Mary Ann Sumner

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**From:** jennifer@lunaseabooks.com  
**Sent:** Thursday, July 14, 2011 12:35 PM  
**To:** Mary Ann Sumner; David Makar; Jason Leifer; Stephen Stelick; Joseph Solomon  
**Cc:** Christopher J. Kelly  
**Subject:** Dryden fracking ban public hearing

Dear Town of Dryden Board Members,

Thank you for your willingness to hear public comments on the issue of hydrofracking in the Town of Dryden. I look forward to attending the meeting on July 20.

I am writing to explain my concerns about this process in advance of the meeting. My family and I believe this is the biggest issue facing New York and the Finger Lakes, where we chose to relocate over ten years ago to work, live, and raise our son. The news that hydrofracking could contaminate this beautiful area, as well as our health, has devastated us.

According to Environmental Advocates of New York, "Fracking endangers our drinking water and will turn parts of New York State into industrial drilling zones.

"Each time a new well is drilled, 2 to 8 million gallons of water laced with toxic chemicals are required. With thousands of wells proposed, that means billions of gallons of water will be used every year! Withdrawing this volume of water from local waterways and aquifers could devastate sensitive habitats and drinking water. Recent events in Pennsylvania show how dangerous fracking can be when it's not properly regulated."

And as a local activist and independent journalist so eloquently puts it:

"Fracking is the single most important issue facing New Yorkers. It will add water-pollution, air-pollution and food toxicity illnesses, generate injuries to workers and others, and thereby increase our health care costs. It contributes to greenhouse gases and global climate change and the increasingly commonplace wacky weather patterns we are seeing in New York and elsewhere. It will kill our tourism, outdoor adventuring, and agriculture and vineyards enterprises around the state—which would constitute economic suicide. Those industries combined bring in about \$2.2 billion annually and provide 515,000 jobs (and will likely grow as neighboring Pennsylvania's hunting, fishing, agriculture, and tourism sicken and die of fracking-related causes).

We must not allow the progress we have made these last few decades on the clean air/clean water/safe food to be wiped out via one destructive industry, nor allow our bucolic state to be turned into an industrial wasteland.

New York is "Fracking Ground Zero." People in fracked states are looking to us for leadership, begging New Yorkers to stop the madness before it takes hold here. They do not want us to be poisoned, and they also want us to help them stop the industrialization and maybe help reverse some of the damage to their communities.

(Alas, it is too late for many of these states, and huge swathes of land as well as people's health and properties are beyond reclamation.)"

Here are a few links to useful information about the dangers of hydrofracking:

Pennsylvania orders a halt:

<http://www.pressconnects.com/article/20090925/NEWS01/90925025/Pa.-orders-a-halt-to-Cabot-gas-drilling-in-Dimock&referrer=FRONTPAGECAROUSEL>

NY Times Drilling Down Series. Articles in the series examine the risks of natural-gas drilling and efforts to regulate it:  
[http://www.nytimes.com/interactive/us/DRILLING\\_DOWN\\_SERIES.html](http://www.nytimes.com/interactive/us/DRILLING_DOWN_SERIES.html)

We believe that our leaders, in all levels of government, have as their first priority the people's health and well-being. There is no money that can improve a community of unhealthy people. Our neighbors in Pennsylvania have seen their drinking water contaminated, their lands made impossible to farm, and their property values decline. Please consider the impact it could have on the Town of Dryden.

Respectfully yours,  
Jennifer Savran Kelly and Christopher Kelly  
7 Redwood Lane

## Mary Ann Sumner

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**From:** wbarnett@twcny.rr.com  
**Sent:** Tuesday, July 19, 2011 12:32 PM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Jason Leifer  
**Subject:** Gas-drilling ban in Dryden

To whom it may concern:

Please note that myself, William E. Barnett, and my wife, Andrea J.B. Barnett, residents of 40 Genung Circle in the Town of Dryden since 1995, are vigorously opposed to unregulated hydrofracturing for natural gas in our town. We are appalled that, without our knowledge, gas companies are permitted to swoop in and tie up land through leases that would permit our neighborhood's beautiful rural character to be transformed into a virtual industrial zone. We share the environmental concerns of many about the possible consequences of toxic chemicals, methane gas migration, etc., but what is most upsetting is that our neighborhood could be subjected to noise, light, and air pollution from drilling equipment and huge trucks that will certainly damage our narrow, nearly shoulderless roads. We understand a person's right to dispose of her land as she sees fit, but like all rights this right is constrained by the effects of exercising it on others. After all, one can be arrested for merely playing music loudly or otherwise causing a nuisance on one's own property, and what happens when hydrofracturing occurs is massively more annoying than that. And no one can simply build whatever she wants to on her property without observing local zoning laws and other state and even federal regulations. And yet the allure of big money has some folks believing they are entitled to change the lives of their neighbors radically forever. We urge everyone in Dryden Town government to resist industry pressure and preserve the beauty and character of our town (not to mention avoiding potentially devastating effects on local aquifers and private wells).

Thanks for reading our opinion.

Sincerely,  
Bill and Andrea Barnett  
40 Genung Circle  
277-3641  
[wbarnett@twcny.rr.com](mailto:wbarnett@twcny.rr.com)  
[ajb17@cornell.edu](mailto:ajb17@cornell.edu)

**Mary Ann Sumner**

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**From:** Ellen Phillips [ephillip@icsd.k12.ny.us]  
**Sent:** Tuesday, July 19, 2011 11:59 AM  
**To:** Mary Ann Sumner  
**Subject:** NO FRACK

Mary Ann Sumner, Dryden Town Supervisor:

Please consider our beautiful resources cannot be unpolluted once an accident occurs. "Oh Well", will not bring back our beautifully, clean and mighty fine tasting well water!

I beg and pray PLEASE Do Not Let Fracking come to Dryden.

Your fellow citizen of Dryden,  
Ellen Phillips  
4 Woodland Rd.  
Ithaca, NY 14850

607-539-7273

## Mary Ann Sumner

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**From:** acengst@gmail.com on behalf of Adam Engst [ace@tidbits.com]  
**Sent:** Tuesday, July 19, 2011 10:26 AM  
**To:** Mary Ann Sumner; David Makar; Jason Leifer; Stephen Stelick; Joseph Solomon  
**Cc:** Tonya Engst  
**Subject:** Strongly in favor of banning drilling in Dryden

Folks,

We certainly plan to be at the meeting on Wednesday night to express support for the proposed drilling ban in person, but I wanted to weigh in in advance, under the assumption that there will be only a limited amount of time for anyone to speak at the meeting.

As Dryden residents, my wife and son and I are strongly in favor of banning drilling in Dryden in pretty much any way that can be accomplished. I don't know if zoning is the most effective, but given both the media reports from places where there's intensive drilling in Pennsylvania and reports from friends who were shocked at the effects while just passing through, it seems extremely likely that drilling would significantly harm the quality of life in Dryden. We live here because it's a quiet, rather rural area, and it's a good place to raise children. Turning the township into a place with huge amounts of truck traffic (which is inevitable should drilling happen) would be awful; our family spends a lot of time running and biking on the roads around Dryden, and even something as minor as the temporary Ellis Hollow lane closure has noticeable impact. And, of course, there is the potential for significant environmental pollution; although there's no way to know if it would happen, it's clear that it can happen, and the fact that the industry won't even reveal what chemicals they're using creates what we feel is an unacceptable situation. For us, the agricultural nature of Dryden is merely a bonus, rather than our livelihood, but it seems like it too would be in danger if pollution were to overwhelm the local wells.

But I'm sure I'm not telling you anything you haven't heard a thousand times already. Just know that we do care, deeply, and we would hate to see Dryden ruined by the short-term interests of giant corporations with no stake in the local landscape.

cheers... -Adam & Tonya Engst

## Mary Ann Sumner

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**From:** Mary Jo Wood [maryjocwood@gmail.com]  
**Sent:** Tuesday, July 19, 2011 12:57 AM  
**To:** Mary Ann Sumner  
**Subject:** hydrofracking

Dear Mary Ann,

In addition to the obvious concerns over water quality, my husband and I are concerned about noise pollution. We choose to live outside the city of Ithaca, and tolerate the inconveniences associated with rural life (longer commutes to work, more wear and tear on our vehicles, well and septic issues) in order to enjoy an amazing level of peace and quiet. Are there noise ordinances on the books that will address the increased levels of noise that will assault us twenty-four hours a day? Is the solitude we value so much available to the highest bidder? Please take this negative effect of hydrofracking and the industry surrounding it into consideration.

Sincerely,

Mary Jo and Jeff Wood  
33 Genung Circle  
Ithaca

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"Life is this simple: We are living in a world that is absolutely transparent and the divine is shining through it all the time. This is not just a nice story or a fable. It is true." ≈ Thomas Merton

**Mary Ann Sumner**

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**From:** Jay Harvey [hjh4@cornell.edu]  
**Sent:** Monday, July 18, 2011 2:00 PM  
**To:** Mary Ann Sumner  
**Subject:** Fracking Ban

Dear Ms. Sumner,

I and my family reside at 479 Midline Road in Freeville. We own 33 acres of beautiful land in the Six Mile Creek watershed where we have lived for the past 18 years. I am writing to let you know that we are adamantly opposed to hydrofracking and strongly support the proposed ban on the process in the Town of Dryden.

Thank you,

Jay Harvey

**Mary Ann Sumner**

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**From:** John Allison Klefer [jak14@cornell.edu]  
**Sent:** Friday, July 15, 2011 6:35 PM  
**To:** Mary Ann Sumner  
**Subject:** Hydraulic Fracturing

Dear Ms. Sumner,

As 30-year residents of the Town of Dryden, we appreciate your efforts to preserve our quality of living and the unique character of our community by banning fracking from the Town.

Sincerely,

John and Patti Klefer  
260 Irish Settlement Road  
Freeville, NY 13068  
844 9343



**Mary Ann Sumner**

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**From:** katherinesholtys@aim.com  
**Sent:** Wednesday, July 20, 2011 10:13 AM  
**To:** Mary Ann Sumner; David Makar; Jason Leifer; Stephen Stellick; Joseph Solomon  
**Subject:** proposed ban on drilling

As a town of Dryden resident, I am in favor of a proposal to ban the drilling for natural gas.

Kathy Sholtys  
9 Sparrow Crest  
Ithaca

## Mary Ann Sumner

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**From:** N. David Mermin [ndm4@cornell.edu]  
**Sent:** Tuesday, July 19, 2011 10:14 PM  
**To:** Mary Ann Sumner; stelick@dryden.ny.us; David Makar; Joseph Solomon; Jason Leifer  
**Subject:** July 20th town board meeting and thereafter

To:

Mary Ann Sumner, Dryden Town supervisor: [supervisor@dryden.ny.us](mailto:supervisor@dryden.ny.us) David Makar, Town Board member: [dmakar@dryden.ny.us](mailto:dmakar@dryden.ny.us) Joe Solomon, Town Board member: [jsolomon@dryden.ny.us](mailto:jsolomon@dryden.ny.us) Steve Stelick, Town Board Member: [sstelick@dryden.ny.us](mailto:sstelick@dryden.ny.us) Jason Leifer, Town Board member: [jleifer@dryden.ny.us](mailto:jleifer@dryden.ny.us)

We are residents of the Town of Dryden and urge you to enact zoning ordinances or any other regulations that will prohibit fracking in the town of Dryden.

Our only source of water is our private well. We are very concerned that horizontal drilling at the nearby sites allowed by the DEC may contaminate our private water supply, and are incensed at the action of DEC to ban such drilling in the NYC and Syracuse watersheds, while disregarding those of us who depend on our own "watersheds".

We are also distressed at the prospect of transforming our beautiful rural surroundings into a major industrial zone, with heavy, road-damaging water-truck traffic and large crews of workers from outside our area.

In this time of increasingly constrained state budgets, the state DEC is inadequately staffed and funded to police such drilling, even if they promulgated perfect regulations, which they presently seem unlikely to do.

Finally, although we believe the damage to our community is not worth even the high estimates of the economic benefits of extracting gas from the Marcellus Shale, we note the recent series in the NY Times, suggesting that the revenues to be produced by such drilling may have been grossly overestimated.

We realize that any action of the Town Board to prohibit fracking in the Town of Dryden may well be challenged and eventually overruled at a higher level, but the fight is still worth undertaking. If enough communities act together on this issue, it could well open some eyes to the damaging consequences of fracking, and change some minds in Albany.

So please do continue in your efforts to protect the citizens of our Town from this impending calamity.

Thank you very much.

David and Dorothy Mermin  
75 Hickory Road  
14850-9606

## Mary Ann Sumner

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**From:** Mary Fainsod Katzenstein [mfk2@cornell.edu]  
**Sent:** Tuesday, July 19, 2011 9:38 PM  
**To:** Mary Ann Sumner; David Makar; Joseph Solomon; Stephen Stelick; Jason Leifer  
**Cc:** Peter Joachim Katzenstein  
**Subject:** We support a BAN on drilling in the Town of Dryden

**To:**  
Mary Ann Sumner, Dryden Town supervisor: [supervisor@dryden.ny.us](mailto:supervisor@dryden.ny.us)  
David Makar, Town Board member: [dmakar@dryden.ny.us](mailto:dmakar@dryden.ny.us)  
Joe Solomon, Town Board member: [jsolomon@dryden.ny.us](mailto:jsolomon@dryden.ny.us)  
Steve Stelick, Town Board Member: [sstelick@dryden.ny.us](mailto:sstelick@dryden.ny.us)  
Jason Leifer, Town Board member: [jleifer@dryden.ny.us](mailto:jleifer@dryden.ny.us)

My husband, Peter Katzenstein, and I are out of town and can't attend tomorrow's Board meeting but I hope you will accept our gratitude for taking the issue of natural gas drilling seriously; Our neighbors, Ginny and Nari Mistry have said well what we would like to say ourselves, e.g that "we support a BAN on drilling in the Town of Dryden for the following reasons:

- The consequences of allowing deep-well horizontal gas-drilling ('Fracking') in our Town will be devastating to our future lives for many decades to come.
- In spite of rules & regulations attempting to ensure safety and environmental protections, it is amply evident that the drilling companies cannot be trusted and have disregarded and tried to circumvent existing rules wherever they have operated.
- The NYS DEC does not & will not have the manpower to enforce enhanced SGEIS regulations, and further the DEC has not adequately considered the cumulative impact of many wells drilled in one location.
- The contamination of water supplies in RURAL areas like Dryden with mainly private water wells has not been addressed adequately by the DEC. On the contrary, DEC has made a complete restriction on drilling in the NYCity and Syracuse watersheds while allowing drilling alarmingly close to private wells elsewhere.
- Road use and environmental zoning restrictions may help, but will at best be used *after the fact* to extract compensation after our neighborhoods have been ruined!

We feel that for these reasons we should fight strongly for a complete ban on drilling, including through the courts if necessary.

We urge you in the strongest possible terms to work towards enacting an effective ban before NYS-DEC considers issuing any gas-drilling permits. We need strong legal protection for our water wells and aquifers, road use regulations and restrictions on excavation access, zoning restrictions on industrial use sites, and other proactive rules, including a Town ban on gas-drilling as allowed by law."

We hope very much that these views can be given full consideration.

With thanks, Mary and Peter Katzenstein

Mary Fainsod Katzenstein  
Stephen and Evalyn Milman Professor of American Studies  
Department of Government

**Mary Ann Sumner**

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**From:** Louise Raimondo [sunsetsoncayuga@yahoo.com]  
**Sent:** Wednesday, July 20, 2011 3:12 PM  
**To:** Mary Ann Sumner  
**Cc:** dmaker@dryden.ny.us; Jason Lelfer; sstelck@dryden.ny.us; Joseph Solomon  
**Subject:** Hydrofracking Ban in Dryden

Dear Ms. Sumner,

My husband & I have lived in the Town of Dryden for the past 19 years and voted for you in the last election. We support regulations to ban hydrofracking within the town of Dryden, as this technology is unsafe and has the potential to have severe adverse effects on our Town's environment. This would include potentially ruining our bountiful natural resources where the wells are located, our roads & bridges, and polluting and/or blowing up our drinking water wells. To benefit whom? The energy companies and a few landowners who were willing to sacrifice their living environment for short term profit? This is your chance to act to save our Town from the plague that is wreaking havoc upon our neighboring state of Pennsylvania.

Please do all that is in your power to prevent this from happening here.

Sincerely,  
Louise Raimondo  
James Gaffney

## Mary Ann Sumner

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**From:** Peter Gregory [pg46@cornell.edu]  
**Sent:** Wednesday, July 20, 2011 3:43 PM  
**To:** Mary Ann Sumner; David Makar; Jason Leifer; Stephen Stelick; Joseph Solomon  
**Subject:** Proposed Drilling Ban

**Importance:** High

Dear folks,

We are deeply distressed by the prospect of fracking in the Town of Dryden and in the Finger Lakes in general. Please join our neighboring towns and ban this process from Dryden.

Fracking, because of the environmental pollution that can come with it (noise, contamination of our drinking water, etc.), truck congested roads, plus the drilling rig-related eye sores that would ruin our region's treasured scenery could have a serious adverse effect on this region. The effects would reach far beyond the purely aesthetic and destroy our valuable tourist industry forever.

At Finger Lakes. Com their opening statement is "The Finger Lakes are an ideal destination, drawing countless visitors to the natural, scenic beauty of the region." Add fracking to the equation and this statement could be re-written as follows: "Want to see the destruction of the most scenic, environmental treasures of the USA? Come to the Finger Lakes!"

Perhaps the most tragic aspect of this is the strong possibility – recognized by some companies in the fracking business – that they might not find the gas even having mutilated our landscape in their rush to extract it. This was illustrated in a recent NY Times article at [http://www.nytimes.com/2011/06/26/us/26gas.html?\\_r=1&emc=eta1](http://www.nytimes.com/2011/06/26/us/26gas.html?_r=1&emc=eta1) which stated that "Natural gas companies have been placing enormous bets on the wells they are drilling, saying they will deliver big profits and provide a vast new source of energy for the United States. But the gas may not be as easy and cheap to extract from shale formations deep underground as the companies are saying, according to hundreds of industry e-mails and internal documents and an analysis of data from thousands of wells. In the e-mails, energy executives, industry lawyers, state geologists and market analysts voice skepticism about lofty forecasts and question whether companies are intentionally, and even illegally, overstating the productivity of their wells and the size of their reserves."

This is not the only evidence of dishonesty in the industry. On the front page of July 16-17, 2011 edition of The Ithaca Journal an article entitled 'Landowners look for an escape after signing drilling contracts' highlighted the lies that are told to potential lessors. In one case, the company stated that the target lessor had no choice but to lease, citing the "forced integration" that could be imposed on her by the company. Such a circumstance, she was told, would give her zero control over her land. As it turned out, this was false.

Again, we strongly urge you to ban fracking from the Town of Dryden.

Thank you for considering these comments

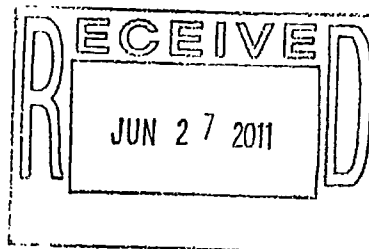
Sincerely,

Peter and Nerys Gregory,

14 Hunter Lane, Ithaca (Town of Dryden), NY 14850

# Independent Oil & Gas Association

of New York



20 June 2011

Ms. Mary Ann Sumner  
Supervisor, Town of Dryden  
93 E. Main St.  
Dryden, NY 13053

Dear Ms. Sumner:

I understand that the Town of Dryden is considering a ban on hydraulic fracturing. Please accept this letter into your dialogue before you vote, and let me assuage your fears by providing you with the facts you need to make a good decision.

The oil and gas industry has been safely operating in Tompkins County for more than 70 years. There are several wells drilled there, the vast majority of which have been completed using hydraulic fracturing, and are still actively producing natural gas. Consider this: based on current pricing and average production results in Pennsylvania, just one Marcellus Shale well drilled in the Town of Geneva, would have assessed property taxes exceeding \$250,000 per year. If this same well was drilled on Town property and the Town received both the royalties and the taxes, the total payments to the municipality would exceed \$900,000 annually.\*

An outright ban would jeopardize revenue for schools, libraries and essential services for the town from an industry which uses little or no government services.

Instead of listening to anecdotes and stories that aren't relevant or true, consider this: Hydraulic fracturing is a proven, trusted and highly scientific technology used to extract water, oil or natural gas from deep below the Earth's surface. It has been performed 1.1 million times nationwide over the past 60 years and not a single case has ever led to groundwater contamination. This is important enough to repeat: hydraulic fracturing does not lead to groundwater contamination. At a recent U.S. House Oversight Committee hearing, President Barack Obama's EPA administrator, Lisa Jackson, admitted the environmental risk of hydraulic fracturing is practically nonexistent. "I'm not aware of any proven case where the fracking process itself has affected water, although there are investigations ongoing," she said.

The economic benefits – to both our state coffers and to individual landowners – is also compelling:

- In 2005, approximately \$53 million was paid to primarily rural landowners in the form of royalties on oil and gas production;



*Page Two*

- Local taxes, collected annually on the state's oil and gas production, are estimated to be \$13 million, a nearly 10-fold increase over annual tax receipts a decade ago; and
- Since 1996, local governments have collected more than \$44 million in tax revenues from natural gas and oil production, mainly in Western New York and the Southern Tier.

When emotions, not reason, govern decision-making, misunderstandings occur. When the State Legislature last year was caught up in the issue of the safety of hydraulic fracturing, it passed legislation which, as written, would have barred existing safe drilling, jeopardized 5,000 existing industry jobs, and negatively impacted more than 300 employers across the state. Luckily former Governor Paterson vetoed the legislation.

Natural gas is the raw material of economic growth, and it presents one of the most important economic opportunities that New York has seen in a generation or more – one that will bring benefits to businesses of all kinds, as well as to our region.

This is an economic opportunity balanced by stringent environmental protection. Please consider this before voting to ban hydraulic fracturing in the town of Dryden and encourage neighboring townships to make informed decisions based on science and fact, and not hearsay.

Very truly yours,

Bradley R. Gill  
Executive Director  
Independent Oil & Gas Association of New York

*\*Estimated, using calculations from the Town of Worcester in Otsego County.*



## Mary Ann Sumner

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**From:** craig anderson [craiga@frontiernet.net]  
**Sent:** Wednesday, July 20, 2011 11:18 AM  
**To:** Mary Ann Sumner  
**Subject:** Town of Dryden Contact: Comment

To: Town Supervisor

From:  
craig anderson  
[craiga@frontiernet.net](mailto:craiga@frontiernet.net)

Message:

No to a complete ban on gas drilling. A total ban will completely take away land owners property rights, it will also place hundreds of leased properties into a lease prugatory when forced majeure is applied. Will a ban help ether of these land owners? No. Use the DEC regulations as a template for regulating gas drilling in Dryden.

Thanks, Craig

Sent from (ip address): 74.47.182.8  
(74-47-182-8.dsl2.nrw.ny.frontiernet.net)  
Date/Time: July 20, 2011 3:17 pm  
Coming from (referer): <http://dryden.ny.us/contact-us> Using (user agent): Mozilla/5.0  
(Windows NT 6.1; WOW64; rv:5.0)  
Gecko/20100101 Firefox/5.0

## Mary Ann Sumner

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**From:** Craig Schutt [craigschutt@tcswcd.org]  
**Sent:** Friday, June 17, 2011 4:04 PM  
**To:** Mary Ann Sumner  
**Subject:** gas drilling

Marianne,

I was unfortunately unable to attend the meeting last night but I have reviewed some of information sent out about it. I guess it's no surprise to you but I have very strong reservations about the proposed zoning changes to ban all gas drilling in the Town. To me it is short sighted and a reaction to a vocal group of residents. Where in the world are landowners rights being considered? I fear they are not and the Town is taking complete control over people's property rights. People who have paid taxes on this land for generations are now being told they can't benefit from it because a group of people who mainly don't own much land (and I bet most of them use natural gas as well) don't want drilling. Of course there are concerns and we should all look at this from every angle possible and take all precautions, but to simply say we are taking this right away from you and we don't care what you think. Well I have a serious problem with that, not to mention I still question the legality of the move. As I have said I do not want my tax dollars going to fund the defense of a law that I have grave reservations about its legality. I am no lawyer so I could easily be wrong. I guess I would ask you and the Board to please consider this long and hard before you impose it on all of us. Has anyone asked the landowners (I mean large landowners -farmers) their thoughts and taken those into consideration. As we move forward with the Ag Planning project and visit farms we are asking those questions to gauge farmers thoughts on the subject. I would ask that you and the Board at least give the Ag Protection Plan Committee time to complete these surveys and report back to you on the results. We are just beginning so I have no idea what we will find out but it just seems fair and logical, to hear from the people gas drilling has the potential to effect the most. I can assure I will give you the complete and unbiased results, whatever the results. Maybe we will find the same feelings as we are seeing from the residential population.

Another question, how would you and the Board feel if high volume fracking was no longer an issue, because what I am hearing that may very well be the future of the Marcellus and other shale layers? Would the feelings change or would the same group of naysayers still be as vocal. I guess if that were a reality we would then know if this is actually concerns as laid out or merely a NIMBY reaction. I am guessing probably some of both. Anyway let's keep our ears open and see what comes down the road, it is my understanding technology is changing fast and to do a wholesale no drilling, ever approach is short sighted and over reactive. And I'll say it again what do people want us to use for energy in this community? I don't hear that subject approached much and personally I would like to hear that discussion. You have heard this from me before also, I believe there is a degree of hypocrisy for those who benefit from natural gas (in reality we all do), but I mean through lower energy costs, and are fine with it being in someone else's back yard. I would like very much to have the opportunity to utilize natural gas and lower my utility bills, but I choose to live where that is not possible right now, and probably never will be. Yet I don't have a problem if one of the landowners around me has the opportunity to drill and benefit. It's their right as landowners, just as is for a landowner choosing not to allow it. Seems like trying to work on a plan for some local use of the resource so all of us might benefit would be a better strategy. I know some places in PA were talking about that, don't know how that has worked out, but seems reasonable if it could be made to work. Anyway enough rambling, I'm quite certain with the current mindset and makeup of the Board they are determined to do this so I may have wasted my time, but at least I got it off my chest. Thanks for your indulgence. Please consider my suggestion about the ag surveys.

Craig

JULY 19, 2011

TO - DRYDEN TOWN BOARD -

WE SUPPORT A BAN ON  
HYDROFRACKING. THE RISKS  
ARE TOO MANY,

*Fred Tennille*

557 FALL CREEK RD,  
FREEVILLE

JULY 19, 2011

DRYDEN TOWN BOARD -

WE SUPPORT A BAN ON HYDROFRACKING.

WE DO NOT WANT THE RISK OF FOULED WATER, OR THE COMMOTION, AND RISK OF SPILLS OF DEADLY CHEMICALS, OR THE DESTRUCTION OF GREENLANDS ..... AND HOW MANY OTHER RISKS OF 'FRACKING???

WHY SHOULD THE MANY SUFFER FOR THE BENEFIT OF A FEW?

Carlton + Jean Ryan

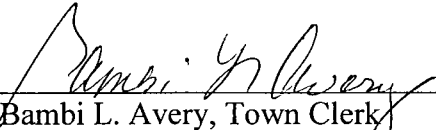
615 FALL CREEK RD.

FREEVILLE

IF 'FRACKING IS SAFE, WHY ARE THE CATSKILL AND SYRACUSE WATERSHEDS EXEMPTED? IF IT LOOKS LIKE A DUCK —

STATE OF NEW YORK     )  
COUNTY OF TOMPKINS   ) SS:

BAMBI L. AVERY, the Town Clerk of the Town of Dryden, a respondent in the above captioned matter, hereby certifies that the foregoing is a true and complete transcript of the record of the proceedings held before the Town Board on August 2, 2011.

  
\_\_\_\_\_  
Bambi L. Avery, Town Clerk