

WAINSCOTT CITIZENS ADVISORY COMMITTEE



Wainscott Citizens Advisory Committee (WCAC)
Meeting of January 5, 2019

Member Attendance:

Lori Anne Czepiel
Frank Dalene
Dennis D'Andrea, WCAC Chair Emeritus
Rick Del Mastro, WCAC Chair Emeritus
Barry Frankel, WCAC Co-Chair Emeritus
Carolyn Logan Gluck, Co-Chair
Michael Hansen
Anthony Liberatore
Susan Macy, Co-Chair
Bruce Solomon
Sally Sunshine
Phil Young

Excused Absences:

Jose Arandia, WCAC Co-Chair Emeritus
Cindy Herbst

Elected Officials:

Jeff Bragman, Town Councilman, Liaison to WCAC

Peter Van Scoyoc, Town Supervisor

Appointed Town Officials:

Sam Kramer, Chairman, Town Planning Board. Member, Town Zoning Board of Appeals.

Richard Myers, Chairman, Architectural Review Board (ARB), WCAC Chair Emeritus

Members of the Public:

Lisa Babinski
Kyle Ballou

Tom Bjurlof
Julie Burmeister, Bridgehampton CAC
John Buttrick
Lance Coeglio or Coetleo (?)
Sara Davison, Friends of Georgica Pond
Cynthia Del Mastro
David Fink
Jennifer Garvey, Deepwater Wind Orsted
Marshall Gluck
Susan McGraw Keber, East Hampton Town Trustee
Si Kinsella
Brook Knodel, Deepwater Wind Orsted
Dominic LaPierre
Michael Mahoney
Pamela Ingraham Mahoney
Jordy Mark
Kevin McAllister
Bonnie Newman-Myers
Marguerite Nougue-Sans
Kathryn O'Neill
Michael O'Neill
Daniel Osborn
Mary Petrie
Julia Prince, Deepwater Wind Orsted
Lisa Solomon
Mitch Solomon
Jennifer Tanzman
Reine Turner
Elizabeth Vespe, East Hampton Press
Mary Vorpahl
Susan Vorpahl
Richard Whalen
Michael Wootton

Minutes

The December 1, 2018 minutes were seconded and approved.

Announcements

Co-Chair Emeritus Frankel was awarded 2018 VIP for his service to the committee as Co-chair over the past 3 years.

Councilman Bragman was awarded 2018 Rookie Of The Year for his service as liaison to the WCAC.

Chair Emeritus D'Andrea passed out the 2019 Antique Tractors Almanac Calendar, honoring Wainscott's tractor heritage.

Anthony Liberatore and Lori Anne Czepiel were welcomed as WCAC members.

Pit (Sam Kramer, Chairman, Town Planning Board)

Wainscott Commercial Center is under SEQRA review. Scoping requires public comments, scheduled to expire Tuesday, January 8. The requested extension was denied, and as a result, there will be a public scoping of the applicants DEIS (attachment 1) and initial comments from the Town Planning Department (attachment 2).

CALENDAR: Public Scoping Session on Wainscott Commercial Center, January 7, 2019, 5PM, Town Hall.

The Planning Board is the lead agency, with Suffolk County as an involved agency in the environmental review.

Member Dalene expressed his concern that the 3 new Planning Board members be brought up to date given the scope of the EIS becoming broader and broader. Chairman Kramer ensured that everything has been circulated to the new members. Chair Emeritus Del Mastro believes it imperative that the new members be brought up to date, and will send prior correspondence to skramer@ehamptonny.gov to share with the new members. The EIS will include as much historical data as possible.

Member of the public Kinsella asked how the DEC investigation will affect the planning process. Chairman Kramer stated that the EIS will be guided by DEC regulations.

Liaison Report: Jeff Bragman

Water

The SCWA project is complete. The Town received full funding of almost 10 million dollars, and will continue looking at ways to offset the cost of water connection to homes. A member of the public voiced her concern that the Town will not continue water delivery once a home has the ability to connect but has not yet been connected to public water. Councilman Bragman disagrees with this approach, and will address this issue at the next meeting.

The Pit has been designated as a "P" (potential source of contamination) site. The DEC will now reach out to the owners in an attempt to obtain consent to enter the property to carry out necessary testing. The owner's self testing has received pushback from elected officials who have asked the DEC to be wary of the same. The Town has been assured that the DEC will not rely on these results, and that the site will be re-tested.

Governor Cuomo appointed a commission to study the appropriate limits of PFCs. The commission came back recommending reducing limits to 10 ppt.

The Osborn litigation has moved from State to Federal court.

East Hampton Town has sued two local fire departments, the sand pit owner, and chemical companies.

View Shed Protection

Draft amendments to the code have been made, Planning Director Marguerite Wolffsohn made minor adjustments, and now the Town Attorney's office will review.

Agriculture Committee

Residents and business owners have complained of wind driven soil from farms neighboring Main Street in Amagansett. The Town Board proposed requiring farmers to plant cover crops by a certain date.

Wind Farm

The Town and attorneys for the trustees are in ongoing negotiations. Councilman Bragman noted that the Town and trustees are acting in concert, and that neither are racing to grant the easement. In order to ensure the Town is getting real community benefits, the attorneys for the trustees who are familiar with Article 7 review are looking to differentiate community benefits from what is simply mitigation. No studies have been found dealing with the striped bass industry, therefore the Town has asked for additional studies into the same.

Airport

Councilman Bragman opposed a proposed yacht company display case at the airport. The Town is exploring installing electric car chargers.

CDCH

The old CDCH property will be used as a community building. There will be a work session in the near future to explore what the community would like to see there. Councilman Bragman invited anyone who has suggestions to attend the work session.

Affordable Housing

East Hampton is in contract to purchase land off Route 114 near Sag Harbor Village from the congregation of the Triune Baptist Church. The Town is looking into affordable housing for the property, while taking into consideration school district concerns.

CALENDAR: Public hearing on proposed purchase of property. January 17, 2019, 6:30PM, Town Hall.

Moratorium

The moratorium has been extended to March 15, 2019.

Guest Speakers: Deepwater Wind Orsted

Jen Garvey, Development Manager, Long Island
Brook Knodel, Vice President, Transmission
Julia Prince, Montauk Manager and Fisheries Liaison

Deepwater Wind Orsted is currently in its permitting phase. NYS's permitting process is driven by Article VII led by NYS Public Service Commission (NYSPSC) onshore to 3 miles offshore. The Federal Review under the National Environmental Policy Act (NEPA) led by the Bureau of Ocean Energy Management (BOEM) is focused 3 miles offshore and beyond.

The Construction and Operation Plan (COP) was filed with the BOEM in June 2018. This application allows for an envelope approach where you can lay out different options/considerations. BOEM considers a more holistic approach where you may need wiggle room in your specifications to account for differing construction approaches. However, the binding application is Article VII which sets forth a review process of consideration of any application to construct and operate a major utility transmission facility. Article VII is filed after, refines and optimizes the COP.

Work is slated to begin in 2021, with operations beginning by the end of 2022.

As a follow-up to Deepwater Wind's last visit on August 5, 2017, Deepwater Wind Orsted has returned to address concerns and misconceptions, enumerated below and in the attached PowerPoint presentation (attachment 3).

1. 40 MW Upgrade. Impacts to Wainscott have not changed and the footprint remains the same. 15 turbines, no more.
2. Potential Connection to Future Wind Farms. This project is limited to 15 turbines and 1 cable to accommodate the South Form Wind Farm (SFWF) only, not future wind farms.
3. Construction Impacts. Must preserve access to homes, and leave community better than it was found. Deepwater Wind Orsted will work with the local community (ex. Babinski Farm Stand) on timing of work to ensure business is not disrupted.
3. Environmental Review/Timing of Real Estate Rights. The easements are subject to receipt of permits, which require successful completion of environmental review.
4. Erosion/Cable Exposure. The entire project is designed so there is NO impact to the beach. Deepwater Wind Orsted emphasized that what happened on Block Island with its recent cable exposure will not occur here. They are using Horizontal Directional Drilling (HDD) a completely different approach than that used on Block Island.
5. EMF and Public Safety. No electric field as it is blocked by cable sheathing and the ground. Burying the cable lines will reduce EMF.

Q&A

Member Hansen inquired as to the diameter of the cable under Beach Lane and Wainscott Stone Road. Though the final diameter of the cable has not been determined yet, there will be 1 circuit, which will break down into 3 (or 6) cables upon landfall, which will carry 138 kV. Knodel believes that approximately 160 MW of power can go through the 138 kV cable given its distance. Despite that, this cable will be used for this project only. There is no possibility down the road of adding another turbine or two. Even though there are only 20,000 customers in EH, the project is designed to power 70,000 typical households, as it is designed to complement the existing grid of the South Fork during peak times.

Chair Emeritus Del Mastro is concerned about the method by which Deepwater Wind intends on burying the cable, particularly in light of the Block Island cable exposure. Garvey stated that if Block Island had to do it over again, they would have chosen a different method to bury the cable, specifically the method they intend to use at Beach Lane. Though this committee and hamlet supports alternative energy/wind power, many do not support using Beach Lane. Chair Emeritus Del Mastro emphasized that risks over benefits should be the main concern.

According to the 2010 census, Wainscott has 630 residents, leaving many committee members, and members of the public questioning, why Wainscott? Deepwater Wind Orsted is in contract with LIPA to deliver power to the EH substation off of Cove Hollow Road. When originally exploring Peconic Bay locations, they received pushback from the Trustees, therefore they began to look at South Shore ocean locations. Wainscott happens to have lightly traveled roads, where the route simply dips under 27, giving it the approach with the least destruction. Hither Hills has been listed as an alternative site, however Supervisor Van Scoyoc identifies 12 miles of disruption in using this site. Members of the committee and public would like Deepwater Wind to revisit using Hither Hills.

Member Young questioned what happens if the sheath protecting the cable breaks exposing EMF. Deepwater Wind Orsted does not routinely check for EMF, however, if there is a fault in the cable, they would have the responsibility to replace and/or repair it.

Member of the public Fink asks how Deepwater Wind Orsted can assure no Beach Lane shutdown. The most intensive work window will be from November 1 through March 31. During this time, there will be no equipment in the parking lot or on the beach. A lane must be preserved down Beach Lane at all times. Drilling below the beach will take place a third of a mile offshore. From Memorial Day through Labor Day there will be no work done on Beach Lane.

Member Solomon asked that a legible map be provided of the actual cable route.

Overhead cable lines will be buried on Beach Lane, and along Wainscott Main from Wainscott Hollow to its intersection with Sayers Path. Co-Chair Emeritus Frankel

questions why Deepwater Wind Orsted would limit burying the cable lines only along the route, and believes it should be done throughout Wainscott to reduce the risk of power outages during storms.

What is being done to fix the cable that was exposed on Block Island? National Grid installed the cables. Deepwater Wind Orsted is working with National Grid to bring in European experts to bury the cable deeper.

Member of the public Kinsella questioned the cost to the community, and the First Coastal report references made during this presentation.

Member of the public Davison reported that Beach Lane is the most highly eroding beach of this type in East Hampton. She makes clear that if this design is going to work, additional sand nourishment must happen. She notes that there is real erosion that we are dealing with and the proposed design is not going to stand up.

Member of the public Babinski wonders where the vaults will be positioned. Knodel estimates approximately every 1500 feet. He assures her that if any power lines are cut during digging, Deepwater Wind Orsted will be liable to take care of it.

Plastic pipes will be trenched in between vaults. Once the cable arrives to the Beach Lane manhole, the sheathing will be removed, and the cable will be converted into 3 (or 6) individual transmission cables. Once the design is done, DWW Orsted will have to figure out how much tension each transmission cable can handle. Once that tension is reached, another vault will be installed.

Member of the public Marc inquired as to whether the HDD removes or displaces the sand. HDD removes sand, which a cofferdam collects. Marc also wondered what DWW Orsted's responsibility is in terms of beach restoration and maintenance. DWW Orsted has committed to burying the cable a minimum of 30 feet under the beach. They have not discussed sand replenishment yet.

Co-Chair Emeritus Frankel moved that concerned citizens should provide to the committee feedback, which it will pass along to DWW with the promise that they address all inquiries.

Co-Chair Gluck reiterated that as a committee, we continue to stand by our letter to the Town Board. The WCAC would like to continue discussions regarding this issue and act as intermediary between members of the public and DWW.

Supervisor Van Scoyoc is open to the alternative route in Hither Hills, and is here to listen to and address specific concerns of Wainscott citizens. The result of the Article VII review could put Hither Hills in play. Councilman Bragman makes clear that the town is not negotiating the alternative route, as why would a utility stop a project that the municipality has already signed off on. Member Dalene makes clear that this agreement is conditional upon the Article VII review, and urges that everyone trust the process as things will be clarified as further information is garnered.

Co-chair Gluck hopes that Supervisor Van Scoyoc has learned some of the concerns of the Wainscott community (such as member of the public Davison's statements regarding beach erosion). The community hopes to see more work done in raising confidence in protecting the beach and local businesses. The committee reiterated its grave concerns about when the easement will be granted apropos to Article VII completion. The committee hopes that Supervisor Van Scoyoc will continue to listen to Wainscott residents, while carrying out a constructive dialogue.

Other Business

Potential speakers for upcoming meetings:

Fred Thiele - February

PSEG/LIPA - March

Motion to table the remainder of the agenda until the February meeting seconded and approved.

Motion to adjourn seconded and approved.