



CAPITAL DISTRICT
**Regional
Planning
Commission**



CDRPC and NYPF Local Government Workshop

Wednesday, October 23, 2019
HVCC Bulmer Telecommunications Center
8:30 am - 4:30 pm

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- Hudson Valley Community College
- Capital District Transportation Committee
- NYS Energy Research and Development Authority
- American Planning Association NY Upstate Chapter
- Whiteman Osterman & Hanna

Workshop Agenda At-A-Glance

- 8:30 am Registration and Networking
- 9:00 am Plenary Mock Planning Board (CM 1)
- 10:15 am Coffee Break sponsored by Bergmann & Associates

10:30 am Concurrent Session #1

Auditorium	Meeting Room 1	Meeting Room 2	Meeting Room 3
Planning and Case Law Update (CM Law 1.5)	The Power of Aggregation: Group Residential Electricity Purchasing (CM 1.5)	New DEC Online Interactive Mappers (CM 1.5)	Active Transportation (CM 1.5)

(12:00pm Lunch)

1:00pm Concurrent Session #2

Auditorium	Meeting Room 1	Meeting Room 2	Meeting Room 3
Ethical Considerations in Planning and Zoning Decision-Making (CM 1.5)	NYStretch Energy Code: A Tool for Meeting Your Community's Climate Goals (CM 1.5)	NYSDEC Drinking Water Source Water Protection Program (CM 1.5)	"You lost now what.... How to Make Your Grant Fundable!" (CM 1.5)

(2:30 pm Break)

3:00pm Concurrent Session #3

Auditorium	Meeting Room 1	Meeting Room 2	Meeting Room 3
State Environmental Quality Review (SEQRA) Overview (CM 1.5)	Electric Vehicle Readiness in the Capital District (CM 1.5)	MS4101 Clean Water Basics and all those Stormwater Permits - Where do YOU fit in? (CM 1.5)	Land Use*

Thank you to our member counties:



AICP members can earn Certification Maintenance (CM) credits for this event. When CM credits are available, they are noted at the end of an activity description. More information about AICP's CM program can be found at www.planning.org/cm.

AICP members must be in attendance for the duration of the event in order to receive CM Credit.



American Planning Association
New York Upstate Chapter

Making Great Communities Happen



Session Details

9:00 am Plenary Session

Mock Planning Board: TBD **Presented by:** TBD

CM | 1.5

10:30am Concurrent Session #1

Case Law Update: This workshop will focus on recent judicial decisions that are relevant and useful to Planning and Zoning Boards and professional planners in deciding to approve or disapprove projects. In addition, it will provide up-to-date information on how the state and federal courts are ruling on land use issues. **Presented by:** Genevieve M. Trigg, Esq. and Charles J. Gottlieb, Esq., Whiteman Ostermann & Hanna

CM | 1.5 | Ethics

The Power of Aggregation: Group Residential Electricity Purchasing: In April of 2016 New York State authorized Community Choice Aggregation (CCA), a program that allows municipal governments to facilitate the group purchase of energy for their constituents. With two large and two small existing CCA Programs, the CCA market in NYS continues to grow. Motivated by better rates, consumer protections and access to renewable electricity, a group of municipalities in the Capital Region are currently exploring CCA. Come and learn about the "Power of Aggregation" and what happens when CCA creates a community-wide conversation about electricity. **Presented by:** Louise Gava, CCA Project Leader, MEGA (Municipal Electric & Gas Alliance)

CM | 1.5

New DEC Online Interactive Mappers: This session will introduce two new online interactive mappers available from the NYS Department of Environmental Conservation (DEC): DECinfo Locator and the Hudson Valley Natural Resource Mapper. Launched to the public in July, DECinfo Locator is an interactive mapper with more than 50 interactive data layers, allowing users to download permits, view former industrial site cleanup plans, see water quality reports and much more, based on where they live, work, or play. The Hudson Valley Natural Resource Mapper was launched in 2018 and contains over 30 interactive data layers identifying important habitats, water resources, and scenic and recreation areas in the 10-county Hudson River Estuary watershed. Presenters will provide live demos of both mappers highlighting layout and functions, as well as applications for local planning. Come learn all the capabilities of these new tools and how DEC is increasing access to its public information. **Presented by:** Scott Donnelly, Public Information Specialist, NYSDEC Office of Communication Services and Ingrid Haeckel, Conservation and Land Use Specialist, NYSDEC Hudson River Estuary Program/Cornell

CM | 1.5

Active Transportation: TBD. **Presented by:** TBD.

1:00 pm Concurrent Session #2

Ethical Considerations in Planning and Zoning Decision-Making: An interactive discussion of the legal and ethical issues involved in the decision-making process of planning boards and ZBAs., **Presented by:** Mark Schachner Esq., Miller, Mannix, Schachner and Hafner, LLC

CM | 1.5

CM | 1.5 | Law

NYStretch Energy Code: A Tool for Meeting Your Community's Climate Goals: NYStretch is a model code for New York jurisdictions to use to meet their energy and climate goals by accelerating the savings obtained through their local building energy codes. Learn about this readily adoptable local energy code, its benefits and economics, and the tools and resources available to support your community through the adoption process. **Presented by:** Marilyn Dare, Senior Project Manager, Energy Codes - NYSERDA

CM | 1.5

NYSDEC Drinking Water Source Water Protection Program: New York State is launching an initiative to provide municipalities with resources and tools to proactively protect their drinking water sources. The New York State Department of Environmental Conservation (DEC) and Department of Health (DOH), in consultation with the Department of State (DOS) and Department of Agriculture and Markets (DAM), are building a comprehensive, statewide, sustainable Drinking Water Source Protection Program (DWSP2). The goal is to help municipalities develop and implement a drinking water source protection plan for the source of their drinking water. The State will assist municipalities with understanding the risks to their drinking water sources and what protection actions might be appropriate. **Presented by:** Kristin Martinez, Environmental Program Specialist, Department of Environmental Conservation and Ashley Inzerillo, Program Manager, Department of Health, Bureau of Water Supply Protection

CM | 1.5

“You lost now what.... How to Make Your Grant Fundable!”: Did you LOSE your last grant application? Are you frustrated that your community’s most pressing needs can’t secure funding? This presentation is packed with concrete advice that can put your community in contention to win funding in the next round. Laberge Group Vice President, Ben Syden, AICP, and Nicole T. Allen, AICP, Planning Services Manager drew on almost 45 years of grant application experience to provide actionable insights on how to:

CM | 1.5

- Develop a project that both meets the needs of your community AND provides the funding agency with
- an investment opportunity that will help them meet THEIR goals,
- Demonstrate project readiness to set your community’s application apart from the competition, and
- Thoroughly document project funding viability

Presented by: Ben Syden, VP, AICP, Laberge Group, Nicole Allen, Planning Services Manager, AICP, Laberge Group

Concurrent Session #3

State Environmental Quality Review (SEQRA) Overview: This session will provide an overview of the intent and application of the State Environmental Quality Review Act (SEQRA) covering both substance and procedure. We will discuss: classifying the action; lead agency determination; negative and positive declarations; EAs and EISs; significant adverse environmental impacts, and mitigation; public hearings; and preparation of environmental findings. The session will also review recent SEQRA updates and best practices for municipal boards. **Presented by:** Aaron Werner, AICP, Nina Peek, AICP, and Peter Feroe, AICP of AKRF, Inc.

CM | 1.5

Electric Vehicle Readiness in the Capital District: This presentation will demonstrate how electric vehicle planning efforts have made the Capital District one of the most EV-Ready regions in New York State. CDCC and CDTC’s 2019 Zero Emission Vehicle Plan will outline how communities and fleets can support existing and future EVs, what electrification of the transportation system could look like, and how the plan fits into the goals of the New York State Climate Leadership and Community Protection Act, as well as local greenhouse gas emission reduction goals.

CM | 1.5

Also discussed will be available opportunities for communities to install EV infrastructure, including grants and technical assistance through NYSERDA’s Clean Energy Communities Program. **Presented by:** Jennifer Ceponis, Coordinator/Sr Transportation Planner, Capital District Clean Communities/ Capital District Transportation Committee, Jacob Beeman, Co-Coordinator/Transportation Planner, Capital District Clean Communities / Capital District Transportation Committee, and Tara Donadio, NYSERDA Clean Energy Communities Outreach Coordinator, CDRPC

MS4101 Clean Water Basics and all those Stormwater Permits - Where do YOU fit in?: This session will explain the overall framework of the Clean Water Act as it relates to infrastructure and three Stormwater General SPDES Permits. The respective roles of municipal staff and officials, either elected or appointed will be explained along with suggested action steps MS4/municipalities can take to improve implementation. **Presented by:** Nancy Heinzen

CM | 1.5

Infill Development: TBD. **Presented by:** TBD.

Speaker Bios

Nicole Allen, Planning Services Manager, AICP, Laberge Group

Ms. Allen is a seasoned manager with 20 years of experience in developing and managing a wide range of planning projects and has overseen the successful procurement and administration of over \$65 million in grant funding for communities across New York State. In addition to overseeing the grant process from concept to completion, Ms. Allen is often looked upon for identifying funding sources and opportunities.

Jacob Beeman, Co-Coordinator/Transportation Planner, Capital District Clean Communities / Capital District Transportation Committee

Jacob graduated from the University of Albany with a Masters in Regional Planning in 2016 and has been a Transportation Planner with the Capital District Transportation Committee since September 2017. Jacob manages CDTC's Performance Based Planning and Infrastructure programs and Co-Coordinates in Capital District Clean Communities Coalition activities.

Jennifer Ceponis, Coordinator/Sr Transportation Planner, Capital District Clean Communities/ Capital District Transportation Committee

Jennifer is a Senior Transportation Planner with the Capital District Transportation Committee, where she has worked since 2008. Jen is also the Coordinator of Capital District Clean Communities (CDCC), a government/industry partnership through the U.S. Department of Energy's Clean Cities program whose mission is to support local decisions to reduce the use of petroleum fuels in transportation, and the Chair of the NYS MPO Climate Change Working Group. Most recently she has been involved in the development of the Capital District Trails Plan, the Capital District EV Charging Station Plan, developing travel demand and bicycle/pedestrian safety initiatives and managing CDTC's Smart Communities program.

Marilyn Dare, Senior Project Manager, Energy Codes - NYSERDA

Marilyn Dare has worked at NYSERDA for 21 years promoting market transformation and energy efficiency in the commercial and industrial sectors. As a Senior Project Manager in the Codes team, Marilyn's responsibilities include program design and activities to encourage and facilitate the development and adoption of stretch energy and stretch-to-zero codes. She is a Certified Energy Manager and is Lighting Certified through the National Council on Qualifications for the Lighting Professions (NCQLP).

Tara Donadio, NYSERDA Clean Energy Communities Outreach Coordinator, CDRPC

Tara Donadio is a Sustainability Planner for the Capital District Regional Planning Commission. She is a coordinator for the Capital Region under the Clean Energy Communities Program (CECP) where she encourages local and regional adoption of energy efficiency and clean energy technologies and policy-making. Tara previously worked in the Southern Tier for the CECP, and as a program director at an environmental non-profit that helped businesses achieve their sustainability goals.

Scott Donnelly, Public Information Specialist, NYSDEC Office of Communication Services

Scott is a Public Information Specialist with the New York State Department of Environmental Conservation's Office of Communications. He was previously a journalist and came to the DEC in February, primarily to become project lead for DECinfo Locator.

Peter Feroe, AICP, Senior Technical Director - AKRF, Inc.

Mr. Feroe works for public and private clients on land-use planning, zoning, master planning, comprehensive planning, environmental reviews and GIS-based mapping. Peter manages some of the firm's most complex assignments involving multi-jurisdictional geographic boundaries, overseeing teams of consultants and multi-agency review. Through his diverse project portfolio, he has emerged as a skilled navigator of the SEQRA process from both the municipal and private sector perspectives. Peter is a member of the American Institute of Certified Planners (AICP) and serves as the Hudson Valley East representative for the American Planning Association's (APA) New York Metro Chapter.

Louise Gava, CCA Project Leader, MEGA (Municipal Electric & Gas Alliance)

Louise is the CCA Project Leader for the Municipal Electric & Gas Alliance (MEGA). In her four years with MEGA she has played a critical role in the development of New York State's Community Choice Aggregation (CCA) regulations and CCA Program implementation. Louise has experience educating and supporting municipalities, public and private educational institutions and residents in decisions related to energy procurement and renewable energy development. Before joining MEGA, Louise was the Sustainability Coordinator for St. Lawrence University for eight years.

Charles J. Gottlieb, Esq.

Charles Gottlieb is a member of Whiteman Osterman & Hanna's Real Estate Development, Zoning and Land Use; Environmental; Municipal; and Energy Telecommunications practice groups. His expertise is in representing residential and commercial developers, religious institutions, non-profit organizations and public utility infrastructure companies to obtain needed land use and environmental permits. Prior to joining the Firm, Charles was an associate attorney at Cuddy & Feder, LLP in Westchester County and previously served as a legal intern for the New York State Department of Environmental Conservation.

Ingrid Haeckel, Conservation and Land Use Specialist, NYSDEC Hudson River Estuary Program/Cornell

Ingrid is a Conservation and Land Use Specialist at the New York State Department of Environmental Conservation's Hudson River Estuary Program through a partnership with Cornell University Department of Natural Resources. Since 2013, she has provided training programs, tools, and technical assistance to Hudson Valley community leaders to promote conservation of important natural areas and habitat. She is project lead for the Hudson Valley Natural Resource Mapper.

Nancy Heinzen, Director, Stormwater Coalition of Albany County

The Stormwater Coalition of Albany County was formed in 2008 via an intermunicipal - memorandum of understanding signed by 12 regulated MS4/municipalities. Nancy has guided Coalition-type work for thirteen years and helped implement a variety of collaborative projects related to public education, public participation, outfall inspections, system mapping, Construction Activity Permit oversight, and facility self audits. She has participated in 10 NYSDEC and 4 EPA MS4 Permit Audits, plus applied for and managed multiple NYSDEC WQIP stormwater related grants. She has a Masters in Secondary Education and a Masters in Geography, both from the University at Albany-SUNY and an undergraduate Biology degree from Reed College in Portland, Oregon.

Ashley Inzerillo, Program Manager, Department of Health, Bureau of Water Supply Protection

Ashley Inzerillo works for the New England Interstate Water Pollution Control Commission (NEIWPCC) and is the Program Manager for the Drinking Water Source Protection Program at NYSDOH, Bureau of Water Supply Protection. She joined NEIWPCC/NYSDOH in March 2019. Ashley supervises central office and regional staff charged with developing and implementing the next generation of source water protection plans. Ashley holds an MS in Environmental Science & Policy from Plymouth State University and previously worked in New Hampshire's Drinking Water Program.

Kristin Martinez, Environmental Program Specialist, Department of Environmental Conservation

Kristin joined the Department in June 2018. Her responsibilities include assisting with: Development of the State's Drinking Water Source Protection Program (DWSPP); and Managing land acquisition grants for source water protection under DEC's Water Quality Improvement Project (WQIP) program.

Nina Peek, AICP, Vice President, Hudson Valley Office Director - AKRF, Inc.

Nina is a land use and environmental consultant specializing in community planning and public engagement. As a Vice President in AKRF's Environmental Services Group and Director of AKRF's Hudson Valley Office, Nina works with public and private sector clients, leading public engagement and community participation initiatives, preparing Master Plans and Comprehensive Plans; Recreation Plans and Farmland Protection Plans, and leading environmental impact review processes for small and large development, rehabilitation and reuse assignments. Over the course of her 25 year career, Ms. Peek has managed land planning, design, permitting, infrastructure and construction projects, which support the sustainable development of the Hudson Valley. Ms. Peek currently serves as the Immediate Past President of the New York Planning Federation, a non-for profit organization that promotes sound planning, land use and zoning practice in New York State and is a former Chairperson of the Town of Amenia Planning Board.

Mark Schachner Esq., Miller, Mannix, Schachner and Hafner, LLC

Mark Schachner, Esq. is the Senior Principal Attorney of Miller, Mannix, Schachner & Hafner, LLC in Glens Falls and Round Lake. While the firm maintains a general practice of law, Mr. Schachner's efforts are concentrated in the areas of municipal, environmental, land use and planning/zoning law. Mr. Schachner and his colleagues represent numerous municipalities in Essex, Franklin, Fulton, Hamilton, Saratoga, Warren and Washington Counties. He also serves as Counsel to the Saratoga County Water Authority, the Gloversville-Johnstown Joint Sewer Board, the Adirondack Association of Towns and Villages and Glens Falls Open Door Mission. His practice includes extensive participation in regulatory proceedings before the New York State Department of Environmental Conservation, Adirondack Park Agency and Lake George Park Commission.

Ben Syden, VP, AICP, Laberge Group

Mr. Syden has 25 years of experience with New York State municipalities in the areas of economic and community development, agri-business development and financing, government efficiency, land use regulations, downtown revitalization, comprehensive planning, corridor management, program development, and grant writing and management. Mr. Syden has overseen the development of over 140 community planning projects and has assisted clients in securing over \$240 million in funding.

Genevieve M. Trigg, Esq.

Ms. Trigg has been with Whiteman Osterman & Hanna since 2013. Since then, she has significant experience advising municipal boards on a variety of land use applications and procedure, procurement issues, SEQRA compliance, real estate transactions and board governance, among other matters. Ms. Trigg routinely assists clients in obtaining governmental permits and approvals from State and federal agencies and counsels clients subject to State and federal enforcement actions. In addition, she assists private sector clients on land use, real estate and environmental matters including, without limitation, zoning analysis, real property transactions, and preparing environmental institutional controls and negotiating enforcement proceedings with the NYSDEC.

Aaron Werner, AICP, Technical Director - AKRF, Inc.

Mr. Werner has more than 15 years of experience preparing and critically reviewing various planning documents, Environmental Impact Statements, Phase I Environmental Site Assessments for real estate transactions, and Phase II subsurface investigations. As a former Director of Environmental Planning at the NYC Department of Housing Preservation and Development (HPD), Aaron was responsible for ensuring compliance with city, state and federal environmental requirements for New York City's ambitious affordable housing pipeline. In addition to City and State Environmental Quality Review (CEQR/SEQRA), he has a thorough understanding of the U.S. Department of Housing and Urban Development's (HUD) environmental standards and requirements as they relate to both the rehabilitation and new construction of housing.