



CAPITAL DISTRICT
**Regional
 Planning
 Commission**

Fall Planning & Zoning Workshop

Friday, October 28, 2022
 HVCC Bulmer Telecommunications Center
 8:30 am – 3:30 pm

Breakfast Sponsor



Lunch Sponsor



Coffee Sponsor



Speaker Sponsors



Workshop Agenda At-A-Glance

- 8:30 am** Registration and Networking
- 9:15 am** Plenary: Recreational Marijuana Implications for Planning and Zoning in NYS (1.5 CM)
- 10:45 am** Coffee Break (sponsored by Harris Beach)
- 11:00 am** Concurrent Session #1

Auditorium	Meeting Room 1	Meeting Room 2
Ethical Considerations for Boards (1 CM Ethics)	Short-Term Rentals - Balancing Local Impacts and Economic Benefits (presented by Speaker Sponsor the Laberge Group) (1 CM)	Climate Resiliency in Albany County: Data, Strategies, & Funding Sources (presented by our Lunch Sponsor, Colliers Engineering & Design (1 CM Climate & Resilience)

12:00pm Lunch (Sponsored by Colliers Engineering & Design)

12:45pm Concurrent Session #2

Auditorium	Meeting Room 1	Meeting Room 2
Adapting Planning Board Procedures for the Digital Age (presented by Speaker Sponsor Delaware Engineering) (CM 1)	Hot Topics and Comprehensive Planning for Small Towns (presented by Speaker Sponsor Planning Better Places) (1 CM)	Climate Action Planning (1 CM Climate & Resiliency)

1:45 pm Coffee Break (sponsored by Harris Beach)

2:00pm Concurrent Session #3

Auditorium	Meeting Room 1	Meeting Room 2
Planning and Case Law Update (1 CM Law)	Next Generation Transportation Planning Resources (1 CM)	SWMP Review, Regulatory & Implementation (presented by Speaker Sponsor Barton & Loguidice) (1 CM)

3:00 pm End of Program

Thank you to our member counties:



AICP members can earn Certification Maintenance (CM) credits for this activity [or many activities at 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

Creating Great Communities for All



Session Details

9:00 am Plenary Session

Plenary - Recreational Marijuana Implications for Planning and Zoning in NYS (1.5cm):

CM | 1.5

This session will provide an overview of the provisions of the law that will impact planning and zoning decision making, highlight discretion communities have implementing the law, foreshadow the regulatory landscape and explore lessons learned from other states that have initiated recreational cannabis.

Presented by: Wade Beltramo, Esq., General Counsel, NY Conference of Mayors,
David O'Brien, President and CEO, Massachusetts Cannabis Business Association

11:00am Concurrent Session #1

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.

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Presented by: Mark Schachner, Esq. Miller, Mannix, Schachner & Hafner, LLC

Short-Term Rentals - Balancing Local Impacts and Economic Benefits: Short-term housing rentals (STR) continue to gain in popularity as a convenient option for vacationers, business travelers and people seeking a weekend gateway. Unfortunately, perceived and actual impacts on neighborhoods, community character and the availability of affordable housing continues to grow as well. While STR may have reinvigorated local tourism markets throughout the state, more and more communities are facing an important choice - should we take a hands-off approach for the benefit of our economy, or should we more strictly regulate STR to preserve local community character and keep local residents from being priced out? This session will offer a snapshot of local and regional STR markets, positive and negative impacts to local communities, and how various municipalities haven chosen to address the issue. The session will conclude with a set of workable suggestions to strike a balance between an out-right ban and reasonable regulations to preserve local housing markets, limit neighborhood impacts, boost tourism economies, and provide opportunities for homeowners to supplement their income.

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Presented by: Kevin Schwenzfeier, Senior Planner, David Gilmour, AICP, Senior Planner & Nicole Allen, AICP, Director of Planning & Community Development, Laberge Group.

Climate Resiliency in Albany County: Data, Strategies, and Funding Sources: This session will provide an overview of the Albany County Climate Resiliency Plan. The presentation will describe the datasets developed as part of this project to map flood risk, heat vulnerability, and social vulnerability down to the parcel-level for all of Albany County. The presentation will describe how these datasets can be used by municipalities to inform future decision-making, proactively identify projects and policies that reduce risks related to climate change and apply for future funding. To illustrate how the data can be used, several proposed projects identified as part of the planning process will be described and used to convey best practices related to climate resiliency (e.g., green infrastructure, open space acquisition and preservation in flood prone areas). The presentation will also highlight the disproportionate impacts socially vulnerable populations will face as the climate changes as well as several state and federal funding sources available to support climate resiliency work.

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Presented by: Elizabeth Podowski King, Landscape Architect + Planner, Colliers

12:45 pm Concurrent Session #2

Adapting Planning Board Procedures for the Digital Age: With the switch to virtual meetings during the COVID-19 pandemic, Planning Boards throughout the state have been bridging the digital divide and finding creative ways to use digital technology to streamline reviews and improve transparency. For this session, the speakers will present a case study from the Town of Thompson (Sullivan County). In early 2021, Building Department staff and the Town's planning consultant worked collaboratively to streamline Planning Board policies and review procedures, make the review process more understandable and transparent, and transition Planning Board members to an all-digital format for application review and meeting prep.

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Presented by: Helen Budrock, AICP, Delaware Engineering and Jim Carnell, Director, Department of Building, Planning & Zoning, Town of Thompson, NY

Climate Action Planning: Communities, municipalities, and planning and zoning boards, are becoming increasingly interested in coordinating a response to climate change. They develop Climate Action Plans to mitigate emissions of Greenhouse Gases (GHGs) and to prepare for expected changes to the climate. Interest is growing fast. New York's Climate Smart Communities program, a technical resource and grant program coordinated by NY's Department of Environmental Conservation has roughly 150 municipalities participating. It is also supported by CDRPC.



Presented by: Jim Yienger, Principal of Climate Action Associates LLC

Hot Topics and Comprehensive Planning for Small Towns (presented by Speaker Sponsor Planning Better Places): This session will overview hot topics that many small and rural communities are grappling with and how to include them in comprehensive planning efforts. Topics such as solar farms, short term rentals, climate change, and affordable housing are significant issues facing many communities and this session will introduce participants to the planning toolboxes available to address them. The session will also introduce APA's Sustaining Places: Best Practices for Comprehensive Plans and offer tips on creating or updating a small town comprehensive plan. Participants will have time for Q and A on these and other small town planning topics.



Presented by: Nan Stolzenburg, FAICP CEP, Principal Planner at Community Planning & Environmental Associates

2:00 pm Concurrent Session #3

Case law update 2020 to Present: The goal of this session is to provide guidance on how to prepare an administrative record to withstand an Article 78 challenge to a decision by a legislative body or by a land use board. Recent notable cases will be reviewed and discussed in detail to evaluate how judges are examining administrative records of decisions on basic types of approvals such as adoption of changes to zoning codes, compliance with SEQRA, decisions to grant or deny site plan, subdivision and special use permits and decisions to grant or deny requests for use and/or area variances. Principals will be drawn from these cases to assist these Boards in future decision-making.



Presented by: Teresa M. Bakner, Partner, Whiteman, Osterman & Hanna LLP

Next Generation Transportation Planning Resources: The Bipartisan Infrastructure Law introduced numerous grant programs for transportation planning and project development. Learn about the new Law and how the Capital District Transportation Committee (CDTC) can help communities plan for the next generation transportation system.



Presented by: Sandra Misiewicz, Capital District Transportation Committee

Stormwater Management Plan Review, Regulatory and Implementation: This presentation is geared for Municipal officials and DPW personnel and intended to broaden understanding of what engineers look for when reviewing development plans submitted for approval. Also included are discussions recognizing the importance of planning with resiliency and smart goals when developing sites. Other areas of discussion include SEQRA and resources available to assist involved parties in the field of planning stormwater management.



Presented by: Brad Grant, P.E., and Nadine Medina, P.E., Barton and Loguidice

Speaker Bios

Nicole Allen, AICP, Director of Planning and Community Development, directs all planning, zoning, grants and community development projects and staff at Laberge Group. With almost 20 years of experience, she has expertise in zoning, land use, and design guideline review and development. Ms. Allen has utilized her zoning knowledge to assist client communities throughout New York State with code revisions to include best practices and address issues ranging from alternative energy installations to short-term housing rentals.

Terresa Bakner is a land use attorney who represents developers, municipalities and citizen's groups in environmental permitting and land use proceedings since 1987. Terresa focuses on the procedural and substantive requirements of land use and development in New York State including SEQRA, wetlands, historic preservation, brownfields, threatened and endangered species, among many other substantive areas. She is a former chair of the NYS Bar Association Environment and Energy Committee and lectures frequently for organizations such as the Association of Towns, the Planning Federation and the CDRPC. A partner at Whiteman Osterman & Hanna, she graduated from Penn State and Albany Law School.

Wade Beltramo is General Counsel to the New York State Conference of Mayors and Municipal Officials (NYCOM), where he is responsible for general municipal legal matters as well as building code, property maintenance, community and economic development, and local government consolidation and dissolution issues. Prior to joining NYCOM in 2002, he served as Assistant Corporation Counsel in the New York City Law Department, where he litigated both civil and criminal cases on behalf of the City's Department of Buildings, Department of Health, Department of Environmental Protection, and Fire and Police Departments. Mr. Beltramo graduated from Grinnell College, with a Bachelor of Arts degree in Political Science. He received his Juris Doctorate from Brooklyn Law School.

Jim Carnell has served as Director of the Town of Thompson's Building, Planning and Zoning Department since 2015. Jim has been a certified building inspector for over 25 years and as a Department Head he currently supervises a staff of 3 code inspectors, zoning enforcement officers and clerical staff.

Mark Castiglione, AICP is CDRPC's fifth Executive Director, having joined the Commission in 2016. Mark has worked with both public sector and nonprofit organizations to advance regional planning, economic development and environmental protection goals. His collaborative approach, focus on leveraging assets and finding common ground underpins his work at CDRPC. Mark is a certified planner by the American Institute of Certified Planners (AICP) and currently serves as the President of the American Planning Association (APA) – New York Upstate State Chapter. He holds a BA in U.S. History and a master's degree in Regional Planning from the University at Albany, State University of New York. Mark is a native of New York State, originally from the Kingston area. He, his wife Elizabeth and their family reside in the City of Albany.

David Gilmour, AICP is a Senior Planner at Laberge Group has more than 25 years of experience in community planning. He specializes in healthy and sustainable communities; long-range and capital planning; planning and zoning administration; and hazard mitigation. Mr. Gilmour has expertise in permit streamlining; development review for planning boards; and the development of zoning and land use regulations as well as design guidelines.

Brad Grant, P.E. has worked in the consulting business for 40 years and much of that has involved stormwater management, raw drinking water, water supply, low pressure sewer systems, land/site development and designated engineer reviews for many cities, towns and villages in NYS.

Liz Podowski King, PLA, AICP is a licensed landscape architect and certified planner with expertise in urban design, community engagement, and ecology. She currently works at Bergmann, where she leads the Albany office's planning and design group, which primarily focuses on public sector work. Liz has nearly 15 years of diverse experience – four years working in research and academia, three years with the New York Department of State, and seven years in the private sector serving municipal clients. Her experience includes area-wide planning, downtown revitalization initiatives, active transportation and complete streets, parks and trails design, climate resiliency, and creative public engagement strategies tailored to each community. Liz is driven by a passion for designing places that improve the quality of life for all and loves when she has the opportunity to work in her local community (Albany and the Capital District).

Nadine Medina, P.E. has a robust history in environmental remediation and sustainability, as well as stormwater design as well as site plan review. Her current role is assisting municipalities with MS4 program facilitation from the ground up, annual reporting and MS4 permit assistance.

Sandy Misiewicz, AICP has been with the Capital District Transportation Committee (CDTC), the MPO for the greater Albany-Saratoga Springs region, for over 23 years. She began her CDTC career as an intern, working for many years as a transportation planner and in August 2021 was appointed to serve as CDTC's Executive Director. She holds a master's degree in Urban and Regional Planning from the University at Albany and currently resides in the City of Albany.

David O'Brien, is the President and CEO of Massachusetts Cannabis Business Association <https://www.masscba.com> with a mission to convene, voice, and advocate for the Commonwealth's cannabis business community and ancillary services. David has spent his career providing public engagement, government relations and strategic communications counsel to the private, public and non-profit sectors at the state, national and international level. A pioneer in the Massachusetts Cannabis industry, David previously served as the director of East Coast government relations for Weedmaps where he led strategy for cannabis legalization, regulation and taxation. He also developed and provided municipal officials with data-driven research to inform effective adult-use cannabis zoning laws.

Nan Stolzenburg, FAICP CEP is Founder and Principal Planner at Community Planning & Environmental Associates. She specializes in planning for the unique needs of small and rural communities and provides planning consulting services related to comprehensive planning, zoning audits and land use regulations development, environmental planning, community revitalization, open space and agricultural planning, and other services. Nan has a BS in Wildlife Biology, and MS in Fisheries and Wildlife Biology, and a Masters in Regional Planning. Ms. Stolzenburg has been named to the American Institute of Certified Planners College of Fellows and is an award-winning planner recognized for her achievements in rural and environmental planning.

Mark Schachner 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, Herkimer, Saratoga, Warren and Washington Counties. He also serves as Counsel to the Saratoga County Water Authority, the Gloversville-Johnstown Joint Sewer Board, Fonda-Fultonville Joint Sewer Board, Glens Falls Open Door Mission and Saratoga County Economic Opportunity Council. 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. Mr. Schachner is a graduate of Brown University and Boston University School of Law. He is author of the chapter entitled "Environmental Law - New York State Environmental Quality Review Act ("SEQRA")" in the book Pitfalls of Practice published by the New York State Bar Association in 1993 and 2002. Mr. Schachner has lectured about municipal, environmental, planning and zoning law matters at numerous conferences throughout the State. He is a Vice President of the New York Planning Federation.

Kevin Schwenzfeier is a community planning specialist with more than 10 years of experience in regional and local planning and Geographic Information Systems (GIS) management. His project experience includes the development of comprehensive, economic development, special district, and infrastructure master plans. Mr. Schwenzfeier has provided many local and regional clients with land use regulation and permitting services; design guidelines; grant writing and administration; and concept plans for site development. In addition to being proficient in digital mapping and all stages of SEQR review, Mr. Schwenzfeier also has significant experience in public outreach, committee facilitation, and consensus building.

Jim Yienger is the Principal of Climate Action Associates LLC, a Capital District climate consulting firm. He has been working on climate policy and planning for two decades and is a recognized thought leader in New York on climate protocols and standards. He is a long-standing partner of CDRPC, NYSERDA, and NYSDEC. His firm developed a free-of-charge greenhouse gas (GHG) emissions accounting platform used by many New York communities.