



CAPITAL DISTRICT
**Regional
Planning
Commission**

CDRPC Local Government Workshop

Wednesday, May 29, 2019
HVCC Bulmer Telecommunications Center
8:30 am – 4:30 pm

Thank you to our Sponsors



Thank you to our Partners:

- Carter Conboy, PC
- NYS Department of Environmental Conservation
- Aztech Geothermal
- Hudson Valley Community College
- Capital District Transportation Committee
- NYS Energy Research and Development Authority
- AARP New York
- Capital Roots
- CT Male
- The Law Offices of M. Elizabeth Coreno
- NYS Department of Agriculture Indian Ladder Farms
- American Association of Retired Persons
- Office of the New York State Comptroller
- American Planning Association NY Upstate Chapter

Workshop Agenda At-A-Glance

- 8:30 am Registration and Networking
- 9:00 am **Plenary Planning for Density (CM 1)**
- 10:15 am Break
- 10:30 am Concurrent Session #1

Auditorium	Meeting Room 1	Meeting Room 2
What you need to know about the 2018 Amendments to the Statewide SEQR Regulations (CM 1.5)	Infrastructure and the Grants Game: Playing to Win for your Community (CM 1.5)	Model Solar Law and Battery Energy Storage System Resources (CM 1.5)

12:00pm Lunch

1:00pm Concurrent Session #2

Auditorium	Meeting Room 1	Meeting Room 2	Meeting Room 3
Planning and Case Law Update (CM Law 1.5)	Draft NYSDEC MS4 SPDES Permits (CM 1.5)	Climate Smart Communities Grant Opportunities (CM 1.5)	Is Your Community Ready for Agriculture? (CM 1.5)

2:30 pm Break

3:00pm Concurrent Session #3

Auditorium	Meeting Room 1	Meeting Room 2
Ethics for Public Officials (CM Ethics 1.5)	Site Plan Review - Stormwater and Planning Boards (CM 1.5)	Clean Heating and Cooling – Geothermal (CM 1.5)

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

Planning for Density: This session will feature a panel discussion in which the speakers will share insight on development trends towards density. Panelists will bring their perspectives on development, planning, transit and housing for the elderly. By the end of the session, attendees will have a broader understanding of industry trends and development pressure towards density, community planning and best practices for apartment development and transportation considerations for these developments. **Presented by:** Ross Farrell, CDTA, Randy Hoak, AARP New York, and David Bruns, Bruns Realty Group, Rob Leslie, AICP, Town of Bethlehem

CM | 1.5

10:30am Concurrent Session #1

What you need to know about the 2018 Amendments to the Statewide SEQR Regulations:

On January 1, 2019, DEC's amendments to the Statewide State Environmental Quality Review Act regulations became effective. DEC staff will present those changes and the rationale for the most important changes followed by a question and answer period. Presented by: Lawrence H. Weintraub, Esq., General Counsel, NYS DEC, Thomas J. King, General Counsel, NYS DEC and James J. Eldred, Environmental Analyst 2, NYS DEC

CM | 1.5

Infrastructure and the Grants Game: Playing to Win for your Community:

When it comes to municipal infrastructure and public facilities, there is no need to sit on the Grant sidelines or wait for the best loan deal! This session will serve as a primer for communities seeking to join the Grants Game and those looking to enhance their grants performance in order to secure creative funding for their infrastructure and public facility priorities. Topics include identifying suitable projects, matching state and local grants that best fit those projects, tips for navigating complex application procedures including the 2019 Consolidated Funding Application (CFA), and avoiding common pitfalls so you can make your proposals stand out in the crowded funding field. C.T. Male Associates will provide an "insider's guide" to help maximize your infrastructure proposals to keep you in the Great Grants Game! **Presented by:** Jim Thatcher, C.T. Male

CM | 1.5

Solar Zoning: This course will review the Model Solar Energy Law developed by NYSERDA as a best practice guidance. This model law was developed by reviewing solar laws statewide and nationally to develop an all-inclusive model for municipalities to use to adopt a solar law.

CM | 1.5

Additionally, we will introduce resources to support local governments in responsible adoption of Battery Energy Storage.

Presented by: Houtan Moaveni, Senior Advisor to the President for Strategy and Clean Energy Siting, NYSERDA

1:00 pm Concurrent Session #2

Case Law Update: Get the latest information on a dynamic year for New

York courts as they reviewed and issued decisions on a wide variety of land use approvals and denials. If you are looking for insight into how courts

thought about and assessed local planning and zoning decisions in 2017 and 2018, this session will provide you a close look at the laws and standards that are applied to both approvals and denials issued by your board. The class will highlight teachable cases from across the state which aim to provide a framework of land use law that can become useable by a planning or zoning board members in the coming year. **Presented by:** Libby Coreno, Esq., The Law Offices of M. Elizabeth Coreno

CM | 1.5 | Law

Updates to the NYS MS4 General Permit: The 2016 draft New York State Municipal Separate Storm Sewer Systems (MS4) General Permit was released for public comment by the Department of Environmental Conservation (NYSDEC) in October of 2016. The draft document received over 1,200

CM | 1.5

comments from permittees, environmental groups, and the EPA, and in August 2018. The NYSDEC re-initiated a stormwater stakeholder workgroup series comprised of over 20 stormwater representatives from across New York State with various affiliations. The NYSDEC incorporated the feedback from the public comment period and the stakeholder workgroup series into a revised draft document anticipated for release later this year. In this presentation, the NYSDEC will review the requirements of the 2016 draft permit, changes to anticipate in the next draft later this year, and ways to improve your MS4 program moving forward. **Presented by:** Ethan Sullivan, NYSDEC and Christina Chiappetta, NYSDEC

Climate Smart Communities Grant Opportunities: Overview of the Climate Smart Communities Program Grants that are available through the NYS Consolidated Funding Application Process. **Presented by:** Dazzle Ekblad, Climate Policy Analyst, NYS DEC

CM | 1.5

Is Your Community Ready for Agriculture? Farming is a deeply held tradition within our region. While modern farming is known to be filled with challenges like development pressures, family succession, and making enough money to stay in business, there are also active, economically successful stories within our region to learn about. Hear about farming today in the Capital Region, emerging trends and opportunities, innovative community programs that seek to get people connected with local produce, and specific economic benefits and opportunities for farmers in your community. A case of a regional farm that has evolved and adapted to current conditions through a variety of ways will be discussed. Funding opportunities and local community support for agriculture will also be covered. The speakers will walk attendees through a Planning Grant Program. Following the presentation there will be a discussion about local actions to protect and accommodate agriculture. Attendees will be encouraged to share local success stories. **Presented by:** Jeff Kehoe, Agricultural Protection Planner, NYS Dept. of Agriculture and Markets and Marissa Peck Food Assessment Coordinator, Capital Roots, Laurie ten Eyck, Indian Ladder Farms

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3:00 pm Concurrent Session #3

Ethics for Public Officials: Ethics for Local Government Officials and Volunteers, including the Code of Ethics as defined by Public Officers Law section 74. It will also include Public Officers Law section 73 as it relates to Outside Activities, Restrictions on Political Activities, Nepotism, Gifts, Honorarium, Official Activity Expenses, and Post-Employment Restrictions. **Presented by:** Thomas A. Capezza, Esq. Director – Carter | Conboy Attorneys at Law

CM | 1.5 | Ethics

Site Plan Review - Stormwater and Planning Boards: Stormwater Management and the Stormwater Pollution Prevention Plan (aka SWPPP or "swip") are accepted integral parts of the urbanization and development process. For Planning and Zoning Board members and staff it critical to understand the regulations and their objectives. This workshop will provide a comprehensive overview of stormwater management planning and regulations relative to Site Plan Review.

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In the second portion of the program, the presenter share several case studies on application of stormwater controls and methods employed. Techniques used and the experience from negotiated design, stormwater pollution prevention plan development (SWPPP), and ultimately performance perspectives will be reviewed. Approaches to using the combination of site plans and SWPPPs to address flooding, wetland and stream protection and open space values will be presented. Shortcomings in wetland and hydrology data sets will be discussed along with suggestions on how to develop local scale data for incorporation in plans. Finally, cautions on seasonal performance of stormwater designs will be noted. **Presented by:** Tom Hart - Town of New Scotland Planning Board, GIS Instructor Skidmore College

Clean Heating and Cooling: Overview of geothermal technology by John Ciavacco, overview of Clean Heating & Cooling Campaign **Presented by:** Todd Fabozzi, Director of Sustainability, CDRPC and John Ciavacco, President, Aztech Geothermal

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Speaker Bios

Thomas A. Capezza, Esq. Director, Carter Conboy, P.C.

Thomas A. Capezza practices in the areas of White Collar Litigation and Investigations, Technology, Cyber and eDiscovery, Corporate Governance and Investigations, and Law Enforcement. Tom has nearly 20 years of criminal and civil investigatory and litigation experience, including eight years as an Assistant U.S. Attorney with the Criminal Division of the U.S. Attorney's Office, Northern District of New York (Albany); three years as an Assistant U.S. Attorney with the Civil Division of the U.S. Attorney's Office, Eastern District of Michigan (Detroit); three years as Enforcement Counsel with the U.S. Securities and Exchange Commission (NYC); and four years as an Assistant District Attorney with the Suffolk County District Attorney's Office.

Tom has broad experience with the investigation and litigation of matters involving financial and securities fraud, health care fraud, pharmaceutical and FDA violations, cross-border crimes and violations of numerous other federal and state laws.

John Ciovacco, President of Aztech Geothermal, LLC

As president of Aztech Geothermal, LLC an engineering driven, design-build contractor of innovative renewable heating & cooling systems, John often serves as a resource to building owners, construction companies, engineers, architects and investors regarding the latest renewable and energy efficiency technologies, government incentives and financing options. Presently spending much of his time sorting out ways to make geothermal heat pump systems more affordable by means of innovative technologies, improved installation efficiency and/or long-term financing or third-party ownership (TPO) models.

John is an IGSHPA Accredited Geothermal Installer, a Building Performance Institute (BPI) Certified Contractor, and a Certified Green Professional with the NAHB. He also serves on the Board of the New York Geothermal Energy Organization (NY-GEO), Capital Region Builders and Remodelers Association (CRBRA) where he co-chairs the Green Building Science Group. John received his B.S. in Mechanical Engineering from Union College.

Christina Chiappetta, NYSDEC

In 2009, while attending graduate school at SUNY Albany for her M.S. in Biodiversity, Conservation and Policy, Christina Chiappetta started an internship at the Stormwater Coalition of Albany County. What was meant to be a three-month internship turned into almost eight years of implementation of the NYSDEC MS4 General Permit for Coalition members; Christina was an intern, the GPS/GIS Technician, and then the Stormwater Program Technician. In May 2018, she was offered a position with the NYSDEC as an Environmental Program Specialist I to work on updating the draft MS4 permit, bringing to it her experience with the Coalition and work in the field.

Libby Coreno, Esq., The Law Offices of M. Elizabeth Coreno

M. Elizabeth "Libby" Coreno, Esq. is an attorney with a practice based in Saratoga Springs, NY. Her practice is concentrated in real estate development including acquisition, site selection, land use approval, finance and litigation for a wide variety of industries (hospitality, health care, industrial, etc.). Ms. Coreno often provides strategic guidance to private clients, and as special counsel to municipal clients, in the areas of environmental and land use law on a wide range of issues including the legal implications of board actions, the limits in municipal authority, and the application information necessary to enable a board to make proper determination.

Dazzle Ekblad, Climate Policy Analyst, NYS DEC

Dazzle Ekblad is a Climate Policy Analyst for the Office of Climate Change at the New York State Department of Environmental Conservation (DEC). Originally from Minnesota, Dazzle works out of DEC's central office in Albany. She holds a Master of Science in Natural Resources Policy from the SUNY College of Environmental Science and Forestry and a Master of Public Administration from the Maxwell School of Syracuse University. In her current role at the DEC, Dazzle

focuses on management of the Climate Smart Communities (CSC) program, including administering the CSC Grant Program and acting as the program lead for the CSC Certification Program. Dazzle also supports DEC's implementation of the Community Risk and Resiliency Act. She has a background in financial management and environmental science and has a passion for gardening and birds of prey.

James J. Eldred, Environmental Analyst 2, NYS DEC

James Eldred is an Environmental Analyst in the Division of Environmental Permits for the New York State Department of Environmental Conservation (DEC) where he provides training and assistance to regional DEC staff, other agencies and the public on the application of SEQR. Mr. Eldred graduated with a BA in Environmental Science from SUNY Plattsburgh.

Ross Farrell, Director of Planning, Capital District Transportation Authority

Ross manages projects and staff associated with strategic planning, service planning, and capital planning & design. Ross received his master's degree in Urban and Regional Planning from the University at Albany in 2007 and has been with CDTA for 12 years.

Todd Fabozzi, Director of Sustainability, CDRPC

Todd has been a professional urban planner since 1993 and has worked for the Capital District Regional Planning Commission since 1996. He has developed the Commission's Geographic Information System; has lectured extensively on regional growth; and has been involved in numerous smart growth, sustainability, and watershed protection studies and programs. He has a master's degree in Urban and Regional Planning from the University at Albany, where he teaches a course on GIS. He also teaches urban planning at Skidmore College and is a member of the Saratoga Springs Planning Board.

Tom Hart, Town of New Scotland Planning Board, GIS Instructor Skidmore College

Tom Hart is an environmental scientist with prior experience in coastal management planning, public drinking water protection and development of GIS in New York State such as the State's digital orthoimagery program. Failing retirement completely, he taught environmental planning, watershed planning and advanced remote sensing at SUNY Albany until 2015. Since then he has been teaching GIS full time at Skidmore College and consulting on environmental issues including: major bridge projects and related water quality issues, applications of GIS, and coastal shoreline erosion processes on Lake Ontario. He has also been a member of the Town of New Scotland's Planning Board and the Town's planning initiatives.

Randy Hoak, AARP New York

Randy Hoak has worked in Aging for over 20 years. After fifteen years of leadership roles in community services and long term care, Randy was tapped by Erie County Executive Mark Poloncarz to serve as Commissioner of the Department of Senior Services, the Area Agency on Aging in Erie County. One of Randy's first orders of business at Erie County was to bring Erie County to AARP's Network of Age Friendly Communities. As Associate State Director – Community Outreach at AARP New York since 2016, Randy, with the assistance and guidance of many dedicated volunteers, works in Western and Central Upstate New York on regional initiatives, advocacy, and community engagement.

Jeff Kehoe, Agricultural Protection Planner, NYS Dept. of Agriculture and Markets

Jeff received a Master's in Regional Planning from the University at Albany in 2000 and Master of Forestry from SUNY ESF in 2012. At the Department, Jeff manages the Agricultural Protection Planning Grants Program where he works with Towns and Counties to develop strategies to protect agriculture by making farm operations more profitable and local laws more farm friendly. Jeff also manages Land Trust Grants, the Ag. Districts Program and supports the Farmland Implementation Grants (PDR) program.

Thomas J. King, General Counsel, NYS DEC

Tom King is a senior attorney in the Office of General Counsel for the New York State Department of Environmental Conservation where he serves as SEQR co-counsel alongside Lawrence Weintraub. Mr. King holds a dual BA from SUNY Geneseo and a JD and MS in Environmental Law from Vermont Law School.

Rob Leslie, AICP, Director of Planning and Development, Town of Bethlehem

Mr. Leslie oversees the implementation of the Town's economic development strategy in coordination with the goals of the Town's Comprehensive Plan.

He also guides development project reviews for site plan, subdivision and other land use projects. He serves as staff to the Bethlehem Industrial Development Agency, Delaware Avenue Improvement Group, and Open Space Technical Advisory Work Group. Before joining the Town of Bethlehem in 2007, Mr. Leslie worked for five years at a consulting firm as a transportation planner. Mr. Leslie is a nationally-certified professional planner (American Institute of Certified Planners). He received a Master of Regional Planning from SUNY Albany in 2002, and a B.A. in Geography and Urban Planning from Binghamton University in 2000.

Houtan Moaveni, Senior Advisor to the President for Strategy and Clean Energy Siting, NYSERDA

Houtan Moaveni is currently serving the dual role of a senior advisor and the State's Distributed Generation Interconnection Ombudsman at New York State Energy Research and Development Authority. Mr. Moaveni is an accomplished energy professional with over 16 years of experience in solar from design, analysis and operation to policy, planning, program design, and implementation. He has a proven track record of successfully delivering a wide-range of solar initiatives, supporting the U.S. Department of Energy, states, utilities, and public service commissioners which has resulted in receiving several awards over the years.

Marissa Peck, Food Assessment Coordinator, Capital Roots

Marissa has been working at Capital Roots since 2014, first as an AmeriCorps VISTA Fellow and then as the Food Assessment Coordinator in 2016. She graduated from Union College with a BA in Anthropology and Spanish, with a focus on environmental studies. She is a resident of Troy, where she is a community gardener and serve on the Sustainability Committee of the Troy Waterfront Farmers Market.

Ethan Sullivan, NYSDEC

Ethan obtained his Bachelor of Science in Environmental Resources Engineering from the SUNY College of Environmental Science and Forestry with a background in sustainability, water resources engineering, and stormwater management. He has worked at the NYS Department of Environmental Conservation since November of 2016 and has since acted as the NYS Small MS4 General Permit Coordinator and permit writer. He has overseen changes to the next iteration of the MS4 permit, provided technical guidance on the NYS Stormwater Design Manual, and coordinated funding opportunities through the DEC Water Quality Improvement Program (WQIP).

Jim Thatcher, Manager, Community Development, C.T. Male Associates

As Manager for Community Development under the firm's Civil and Environmental Engineering Divisions, Jim is responsible for fostering relationships with municipal, non-profit, and private clients and coordinating the identification of funding opportunities and submission of financing applications that meet clients' diverse project needs.

Jim has nearly 20 years of experience in public financing programs and project implementation and compliance, and he has worked at C.T. Male Associates since 2015. Prior to that, Jim was an affordable housing Tax Policy Analyst with the National Council of State Housing Agencies in Washington, DC, and a Senior Associate with Avalon Associates in Glens Falls. He has a BA from Hamilton College and a Master of Public Administration from Cornell University. Jim lives with his wife and three boys in Queensbury, NY.

Laura Ten Eyck , Indian Ladder Farms

Laura owns and operates Helderberg Hop Farm and Indian Ladder Farmstead Brewery and Cidery with her husband, Dietrich Gehring. The two have been growing hops and brewing beer at home for more than twenty-five years and have been working to restore local hop production in the northeast. Helderberg Hop Farm is located on 60 acres of Indian Ladder Farms, an extensive pick-your-own orchard with a local foods grocery, bakery, café, and retail gift shop in upstate New York that Ten Eyck previously managed. The orchard has been in Ten Eyck's family for four generations, and she and Gehring have lived there for more than twenty-five years, growing fruits and vegetables for sale to restaurants, gardening extensively, and raising sheep for meat and wool, dairy goats for milk, and chickens for eggs and meat.

Laura lives on the Helderberg Hop Farm in Altamont, New York.

Lawrence H. Weintraub, Esq., General Counsel, NYS DEC

Since 2007, Lawrence H. Weintraub has worked in the Office of General Counsel of the New York State Department of Environmental Conservation (DEC). He is the program counsel for the Division of Environmental Permits which administers the State Environmental Quality Review Act and the Uniform Procedures Act. As such, he has counseled the agency with respect to many of its major permitting and environmental reviews since 2007.