

# Land Use and Local Government Advisory Panel

## Local Officials Roundtable

March 2, 2020 | 2:00-4:30pm

### At a Glance

- Brad Tito presented on the Clean Energy subgroup's strategies.
- Paul Beyer presented on the Land Use subgroup's strategies.
- Laura Heady presented on the Carbon Sequestration subgroup's strategies.
- Mark Lowery presented the Adaptation and Resilience subgroup's initiatives.

### Members in Attendance

- **Chair**, Sarah Crowell – Director, Office of Planning, Development, & Community, Department of State
- Gita Nandan – Board Chair, RETI (Resilience, Education, Training, and Innovation) Center
- Juan Camilo Osorio – Assistant Professor, Pratt Institute School of Architecture
- Kathy Moser – Senior Vice President, Open Space Institute
- Mark Lowery – Assistant Director, Office of Climate Change, Department of Environmental Conservation

### Members Not in Attendance

- Jessica Bacher – Managing Director, Pace University School of Law, Land Use Law Center
- Jayme Breschard-Thomann – Senior Project Manager, Bergmann PC
- Kevin Law – President & CEO, Long Island Association
- Ed Marx – Former Commissioner of Planning, Tomkins County
- Katie Malinowski – Executive Director, NYS Tug Hill Commission
- Priya Mulgaonkar – Project Manager, Hester Street Collaborative
- Eric Walker – Climate and Clean Energy Strategist

### Roundtable Participants

- Jason West, Energy Manager, City of Albany
- Sage Gerling, City Manager, City of Geneva
- Steve Noble, Mayor, City of Kingston
- Eric Wilson, Deputy Director for Land Use and Buildings, New York City Mayor's Office of Resiliency
- Susanne DesRoches, Deputy Director, Infrastructure and Energy, New York City Mayor's Office of Resiliency and Mayor's Office of Sustainability
- Tuona Batchelor, Director of Business Assistance, Erie County
- Casandra Buelle, Director of Planning, Lewis County
- William Roehr, Director of Program Development, Montgomery County
- Lisa Broughton, Suffolk County, Energy Director
- Martha Robertson, Thompson County Legislator
- Brian Kulpa, Supervisor, Town of Amherst

- Katherine Borgella, Commissioner of Planning and Sustainability, Tompkins County
- Daniel Barusch, Director of Planning and Zoning, Town and Village of Lake George
- Michael Cashman, Supervisor, Town of Plattsburgh
- Evelyn Wright, Deputy County Executive, Ulster County
- Hal McCabe, Mayor, Village of Homer
- James Ryan, Mayor, Montour Falls
- Tim Rogers, Mayor, Village of New Paltz

### Staff Who Participated in the Call

- Paul Beyer –Department of State
- Laura Heady – Department of Environmental Conservation, Hudson River Estuary Program
- Josh Hunn – Department of State
- Brad Tito – Communities & Local Government, NYSERDA

### Notes

#### Welcome and Meeting Overview

- Sarah Crowell, the Advisory Panel chair, gave welcoming remarks, conducted the roll call, and thanked local officials for joining.
- She went over the agenda for the meeting (see ‘Meeting Agenda’ slide), reviewed the panel’s goals which have guided recommendations and strategies (see ‘Panel Goals’ slide), and shared the guidance for discussion (see ‘Guidance for Discussion’ slide).

#### Procedures for Discussion

- Catherine Morris reviewed the procedures for discussion and the questions guiding discussion today. Discussion questions included:
  - Which initiatives/components do you strongly support? Do you have any refinements?
  - Do these initiatives fit with your local needs and priorities?
  - What else should the Panel consider?

#### Clean Energy Subgroup

- Brad Tito provided an overview of the clean energy strategies (see ‘Clean Energy Strategy Summary’ slides).
- Discussion:
  - Martha Robertson: In regard to GHG Inventories, she really appreciates the attention on other fuels as it is impossible to get information on anything but gas and electricity. Requiring other fuels to be reported is important. Is the panel recommending a standardized template that all counties and communities use to report? It would be helpful to have one tool that all of New York State uses. Is the panel planning for a dual analysis for county government operation and one for community? This is how they usually do it.
  - Brad Tito: The panel is planning on community inventories as local government inventories and emissions are too varied across the state. Their goal is to have communities be able look up their information and see their community’s footprint.

- Martha Robertson: We have so much more influence on government inventory, so she urged the panel to look at government inventories.
- Hal McCabe: When it comes to NYPA, they have fantastic offerings but our experience with them is that they are deep in the weeds. The demand for services, such as street light conversion to LEDs, far exceeded capacity and they missed deadlines. They need an influx of capital and staff to keep up with need.
- William Roehr: Liked what he saw here. There are three salient themes that are very important (1) local capacity, technical support, organizing and coordinating role for county; (2) job training in green technologies for economic development; (3) strategies should include incentives. Local government is willing to put skin in the game, but needs support.
- Evelyn Wright: Agrees that she likes what was presented. She agreed with the comments on government inventories. They do a ton of work to downscale data and mapping. Having information on a consistent basis is super helpful. There are a few things missing or needing more emphasis:
  - Strategy 4 - Utilities need to be a key stakeholder on siting. There is unpredictability in connection costs so proximity to infrastructure is not a good proxy. Utilities need to help inform that mapping.
  - Strategy 5 - County Community Choice Aggregation (CCA) is important. Workforce development issue is so important. They have good clean energy, clean building training programs at SUNY Ulster but need to work harder at making opportunities attractive to potential trainees and get projects going on in the communities with jobs for trainees. When they talk to unions about green jobs, there is a lot of skepticism that jobs don't pay good wages and they will go on supporting fossil fuel projects as long as they can because it pays to support a family unlike solar (less than \$20/hr). They need to reach high school students because two generations of emphasizing college as the only pathway to successful career has drained the trades. Green jobs can be pitched as a way to mix high tech education with work you do with your hands and to serve communities, which can change the image of the trades.
  - Strategy 6: Appreciates focus on helping local government clean up their own operations, such as electrifying fleets. There is a shocking role of demand charges on bus fleet.
- Susanne DesRoches: Interconnection and utility role is critical. It will widen the discussion on demand charges to include rate restructuring and how they ensure that operations of new, clean technologies are not cost prohibitive on the operation side. These are missing: resiliency. What we've just seen happen in the South is a bit far from local perspective, but important that local jurisdictions with control over their building codes ensure resiliency in their community. She didn't see mention of transmission. 100% clean energy x 2040 goal will require new transmission, which will impact local communities. Need to figure how to encourage transmission but ensure it is developed in a manner sensitive to local communities, including OSW. Storage should also be considered. The panel should take a look at some of these strategies with and consider

coupling permitting, siting, and streamlining to make them more successful. She will be submitting written comments

- Martha Robertson: Agrees with interconnection points and would like to see it broadened from local projects to all projects. Since projects are driven by access to grid, they might be on prime agricultural soil or opposed by community. The state should amortize costs across the entire state because it's a statewide benefit. Workforce development with community colleges is a great set up. She agrees with comment on education. She would like to see legislation that bans fossil fuels in new construction coupled with IDA incentives rather than just new construction codes that support energy efficiency.
- Katherine Borgella: These are lot of great ideas but she is concerned about a couple things. For example, the dashboard would be great to see what people are up to but what we need is some sort of simplified GHG inventory tool. A ridiculous amount of staff time goes into developing this individually (30% of a person's job for a year). There needs to be a tool or boiled down metric to work towards the same goal. Similarly with benchmarking, it is a complex tool to use. It is not user friendly and gets complicated quickly for buildings. Developing a simpler tool or offering Climate Smart Communities (CSC) coordinators would be helpful. For CCAs, we've looked into forming those and it would be impactful, but a daunting prospect for a small community. State advisors or support would be helpful. The State needs to empower local governments but give them tools to be successful.
- Sage Gerling: Continuing on this, she would love to have a comprehensive way where a community is not applying for fragmented grants across different agencies with different requirements. It would be great to opt into one program and have the state support local governments in developing long term commitment of what they're going to do. This is helpful to prevent fatigue of municipal governments and give the State a picture of where communities are going
- Tuona Batchelor: This made her think of the Consolidated Funding Application (CFA) and some programs in that that change year to year.
- Sarah Crowell: Understands there is a patchwork of programs and we need to make it simpler. Keep an eye out as that may be an overarching theme throughout the strategies of this panel
- Michael Cashman: A couple things could be very easily streamlined by taking advantage of NY State Services model. For county governments, there are two models: boards of supervisors and legislator models. Best practices should consider these two models.

### **Land Use Subgroup**

- Paul Beyer provided an overview of the land use strategies (see 'Land Use Strategy Summary' slides).
- Discussion
  - Martha Robertson: For the link between smart growth and infrastructure, look to Regional Economic Development Councils and coordinating with regional sustainability plans. Before spending 2-3 years updating plans, it would be great to should implement the plans they did 7-8 years ago. REDCs can look at CLCPA goals and integrate those into

their plans.. She supports concern about gentrification, which is a delicate and difficult problem. She raised issue of infill development. Infill development great way of revitalizing communities we already have and increase density within those existing communities, but it raises questions as to whether some of our conversations should go to other panels. Can someone coordinate with those panels and have them host local government roundtables so we can provide comment there too?

- Sarah Crowell: Yes, local government has a role in everything across the board. The panel is constantly sharing comment with the other panels to coordinate on comments received and they're doing their best to play that role.
- Martha Robertson: She appreciates that, but the local government representatives are not looking at their output and their comments.
- Paul Beyer: Infill is what we mean by priority development areas. The panel can emphasize that more in descriptions.
- Brian Kulpa: Attorneys and planners have looked at 20-year comprehensive plans, but with the state of industry they need to change the mindset to a decade or shorter. The frequency needs to be shortened. On strategy 1, assume that municipal organizations are considered community based, but it doesn't list municipalities, just counties. It should be explicit, for those of us without strong municipal planning. For strategy 2, when talking about mini comprehensive plans, should governments be amending with really strong area plans and Generic Environmental Impact Statement (GEIS)? We may not need to touch R1 and R2 districts but may need to focus on commercial districts relative to universities. GEIS is the guts of it and is so important. This is where we talk about the infrastructure changes we need to support redevelopment efforts but without GEIS, it's an uphill climb. A revolving grant fund makes sense and funds are easy to collect on assessed property growth. For strategy 4, they should review and refine smart growth criteria. For the sake of this document, the panel should say priority redevelopment area. One thing missing is NYSDOT should have a mandate that any time it touches a project to look at each of their arterials in an area and select arterials to downsize roads and use the infrastructure to turn them into complete streets. DOT is omitting their own criteria by saying project is limited to maintenance project (i.e. repave maintenance, repaint lines).
- William Roehr: Acknowledged Paul Beyer and all the work in the region. Overall, the comprehensive planning process is too elongated. Compressing the time cycle of comprehensive plans would be enormously helpful as it takes way too long. It would be great to secure process assistance for GEIS. The problem with section 239 referrals is that the law is ambiguous. Time cycles should be compressed, not stretched out over 2-5 years. When the planning process lasts that long, there are new sets of issues by the end of it.
- Eric Wilson: Climate risks should be informing planning strategies at the local level and there needs to be technical assistance from state to local level to address climate risk in land use plans to know where should we not be developing, where should we be developing at greater density, which is relevant to the program to assist in permanent buy out programs in areas of recurring flood risk

- Evelyn Wright: This aligns with what her county is thinking. There is a critical housing shortage, they're planning around priority growth and conservation areas and aligning with economic development priorities. The Regional Economic Development Council team has been doing it on a shoestring. She sees a connection between planning at state level and implementation at local level as a strong component of the process. Give the REDCs funding so they can devote time and attention to planning. While developing new programs and funding streams, make sure to support and align those. As we see projects going on and considered, institutionalize the links.
- Paul Beyer: The core LULG staff team has been working with Hudson Valley group and they hit these points exactly.
- Tuona Batchelor: She worked on transit-oriented development in Buffalo, which is great in theory but need to make sure it is mixed income and mixed generational for better results.
- Katherine Borgella: Suggested trying to figure out regional solutions. There is room for enhanced collaboration.
- Martha Robertson: Is there a way to facilitate condo development outside New York City for those that want to downsize but don't want to be renters?

### **Carbon Sequestration Subgroup**

- Laura Heady provided an overview on carbon sequestration strategies (see 'Carbon Sequestration Strategy Summary' slides). She explained that the subgroup formed 5 weeks ago and is not as far along as other groups. There's been a preliminary focus on wetlands and they will add related strategies to the list.
- Discussion
  - Laura Heady: The subgroup is working with the carbon sequestration subgroups of the Agriculture and Forestry Panel. The subgroup is also thinking about other natural areas, such as upland meadows, and general capacity building strategies to sequester carbon statewide.
  - William Roehr: That's a great idea. It allows focus on smaller wetlands. Methane is a bit different. What are the panel's thoughts on methane?
  - Laura Heady: Her less-than-expert understanding is, if undisturbed, the emissions of methane are less significant than wetlands' ability to sequester carbon. The priority is to keep wetlands conserved. They are looking to develop a list of research needs to understand the carbon sequestration opportunities and rates to prioritize where to preserve and conserve. Thanks for pointing out small isolated wetland importance. They need incentives for land owners to preserve those.
  - Martha Robertson: Suggest thinking about forests and area between other panel and this one. Is there any thought about sequestration in building materials? Municipalities build and if there was state support for building materials that sequester carbon they would be looking to use that. There should be research and investment in those ideas.
  - Laura Heady: The Agriculture and Forestry Panel is thinking about working forestry materials. She made note about Martha's comment.
  - Katherine Borgella: Explained she left a comment in chat to develop small forest land owners to be able to participate in carbon markets.

- Catherine Morris: Noted this overlaps with the Agriculture and Forestry Panel.
- Laura Heady: They are looking at some of the models employed.

### **Adaptation and Resilience Subgroup**

- Catherine Morris introduced the Adaptation and Resilience Subgroup, noting it is a cross panel effort
- Mark Lowery elaborated that it comprises interested members from this panel, supporting staff working group and representatives from each of the other advisory panels. The Land Use and Local Government Advisory Panel is leading on the recommendations for adaptation and resilience at the request of the Climate Action Council.
- The group is working to identify adaptation and resilience needs independent of mitigation strategies and to identify adaptation and resilience considerations identified in the mitigation strategies (see 'Adaptation and Resilience Strategy Summary' slides).
- Discussion:
  - Martha Robertson: Glad the insurance industry was mentioned. They have a real stake in long term planning and need to be thoroughly involved as they have a financial interest in getting it right. Thinking of extreme heat, when you move from fossil fuel heating and cooling of buildings, you get 2 for 1 with AC. She was surprised that NYS was listed as most weather vulnerable, in fact there is reason to believe we may receive climate migrants from hotter and wetter states. We ought to be thinking about what that would look like. There is a [NYTimes Magazine Propublica piece from October 2020](#) that discusses how there may be a lot of people looking for new places to live
  - Mark Lowery: The group thought about climate migrants in immediate steps. NYSERDA is funding a small research study to look at migration patterns in New York. It is likely to be covered in a more comprehensive plan. The heat pumps point was made recently, as it is often recommended to provide AC for vulnerable folks, why aren't we giving them heat pumps?
  - Eric Wilson: These are exciting strategies and he is anxious to learn more. Land stewardship is going to be challenging for municipalities. There needs to be community voice in land use, Innovative land management, community stewardship, and land trust are interesting ideas.
  - Mark Lowery: They will be reviewing research on role of land trusts.
  - Lisa Broughton: Having plans that are timely is of interest on LI. They did post-sandy review about 2012 storm in 2019. They would love to see New York State help the regions do an after action in 1-2 years
  - Mark Lowery: Pre-event long-term recovery planning is important so that when something happens, we know how to build back.
  - Catherine Morris: How can people continue to talk and engage on this?
  - Mark Lowery: The panel will make a CAC slide deck in the coming weeks, and that will be public in mid to late March as part of materials released for next Advisory Panel meeting. They will host a public comment meeting on April 8, all info will be at [climate.ny.gov](http://climate.ny.gov).

### **Next Steps and Meeting Close**

- Sarah Crowell thanked attendees, discussed next steps, and closed the meeting.
- The next meeting will be a public meeting on March 8, 2021 at 1:00 PM.