

Putnam Valley Commission for the Conservation of the Environment Meeting Minutes
February 16, 2021

Meeting began at 6:03pm

In Attendance: Eileen Reilly, Chair, Mia Azcue, Julie Ruben, Glenn Sapir, Mike Usai, Wendy Whetsel, Town Board Liaison.

Guests: Bianca Garcia, prospective CCE member

Ralph Smith, Putnam Valley Town Board

Nate Nardi-Cyrus, New York State Department of Environmental Conservation

Bianca Garcia, a junior at Putnam Valley High School and prospective student member, was introduced and the CCE members introduced themselves to Ms. Garcia.

Guest Speakers

Two guest speakers attended the CCE meeting tonight – Ralph Smith, Town Board member and Chair of the PV Climate Smart Task Force and Nate Nardi-Cyrus, New York State Department of Environmental Conservation (DEC).

Ralph Smith provided an update on the Climate Smart TF's work on Community Choice Aggregation - Community Choice Aggregation (CCA) allows customers to purchase electricity from 100% clean sources in NYS at a lower cost to town residents with terms guaranteed by contract

There are steps that are required to take:

Step 1 – PV is required to pass an enabling law to allow us to use a supplier other than NYSEG to supply the electricity - supplier would be community choice company (Joule). NYSEG is the supplier by default. Switching to Joule would supply clean and cheap energy from clean sources - PV passed the enabling law

Step 2 – Requires an education program to explain the program to the residents. The Town Board (TB) will vote tomorrow night whether to proceed with the education program. This program is required to run at least two months with the primary message being cheaper electricity from green sources

Mr. Smith noted that CCAs are joined with other communities that allows for the cheaper price due to volume. Residents always have the option to opt-out and stay with NYSEG, and there is no cost for opting out. This information will be part of the educational program. There will also be no cost to the town for this project - costs are paid for by the providing company. Philipstown and 10-12 other communities are thinking about joining with PV.

Mr. Smith discussed that the Climate Smart Task Force is also working on obtaining credits required to apply for NYSERDA grants. These grants are not matching grants.

A CCE member asked how the CCA defines “100% green energy”, what constitutes green energy, and what the education program would entail.

Mr. Smith responded that Joule would be the administrator of the CCA for PV and they would do the education, and plan and execute the education program including the education materials and social media presence.

Joule has given a breakdown of the proportion of energy sourced by solar, wind and hydroelectric, but Mr. Smith did not have those numbers readily available. This would be the mix of sources.

A CCE member mentioned that at a Sustainable Putnam meeting they discussed Ampian Co. (*PLEASE CHECK SPELLING*) and that if we signed up with this company Sustainable Putnam would get \$100 and we get 10% off bills, asked whether PV selected a company?

Mr. Smith responded that he hadn't heard of Ampian. Four companies have been approved by Public Service Commission and assigned to regions. Joule and Good Energy are in this area. Joule has been very responsive to PV's requests and has more of a presence in the Hudson Valley region. This led PV to Joule. Another CCE member mentioned that Ampian is an individual and not a company.

Mr. Smith mentioned that PV is researching the companies and where they source their energy and this is a very well supervised process. The Town attorney is lead on vetting contracts.

A CCE member asked whether other towns would be joining with us and Mr. Smith replied that there is a list of towns who want to start the program in May, June, and July. He did not have the town names readily available. Some towns will restart the program to get a better price.

The resolution to begin the education program, if approved, will start getting the information out and have questions answered.

Nate Nardi-Cyrus (DEC) then discussed the Critical Environmental Area (CEA) designation process and responded to an email with questions about the process sent to him by Wendy Whetsel on behalf of the CCE.

Mr. Nardi-Cyrus gave a little background on himself and said he helps communities set up CEAs. He went on to say that CEAs are a tool of the State Environmental Quality Review Act (SEQRA) process and have no regulatory authority, unlike overlays or zoning designations.

CEAs help to flag important areas during the SEQRA process, and for Type 1 and Unlisted actions the planning board (PB) would be obligated to address the specific environmental concerns identified in the CEA for that area. It informs the applicant and PB that there may impacts to resources of value. He mentioned that there should be minimal controversy since CEAs do not direct the PB to act in any way

CEA designations are recommended after a town NRI is completed with the justifications linked to the NRI. CEAs can be mapped out free-handed or using the GIS mapping from the NRI.

Mr. Nardi-Cyrus said CEAs have to meet the criteria listed below:

- Feature that's a benefit or threat to human health - i.e. toxic waste dumps
- Exceptional or unique natural setting
- Contain social, historic, archeological resources
- Inherent ecological, hydrological resources of importance

Once CEAs are mapped the town board (TB) would then pass law accepting these CEAs officially, after which they would be submitted to DEC and approval to be made official.

A CCE member asked whether the DEC can reject a town's acceptance of CEA. Mr. Nardi-Cyrus replied that they may have a reserved right to reject a proposed CEA but probably would not.

Wendy Whetsel asked whether CEAs can be incorporated into an overlay and Mr. Nardi-Cyrus answered that CEAs have no bearing on zoning.

Mr. Nardi-Cyrus then responded to the list of questions in the above-mentioned email:

Question: Could state parks be included?

Response – CEAs can include state parks but may not impart much added protection. May not add value. It was suggested that we would want to use the NRI and push it forward through the CEAs. Westchester has created lots of CEAs including all the County Parks but having a CEA on unprotected lands increases the chances of a project being Type I or unlisted and subject to SEQRA.

There was then a discussion of the value of designating CEAs adjacent to parks and protected lands to preserve corridors and large habitat blocks. It was generally agreed that was a good approach.

Question: Do CEAs have to be contiguous or can they be piecemeal?

Response – CEAs can be both depending on purpose. Mr. Nardi-Cyrus will send examples from other towns.

Question: Can the Greenbelt on Taconic Parkway included?

Response – Yes and it doesn't have to be just the Taconic but also adjacent area. The CCE would need to decide how far out from Taconic to designate the CEA.

Question: Can all the Town's lakes and streams be included?

Response – Other towns have done similar things but would be challenging and difficult due to volume. Mr. Nardi-Cyrus said he wanted to look into it more and did not want to commit to an answer just yet.

Question: Can the CEA include all wetlands?

Response – Similar response to the question above. Suggested that we designate important wetlands but designating all wetlands may not confer much additional protection since the Town has wetland regulations.

Question: Should properties identified through the Green Corridors Program be included?

Response – Green Corridors is a great tool to use. Come up with a number of resources and corridor would be value added

Question: What types of justifications?

Response - Lean heavily on the NRI and lift text from there. Make use of the Natural Resource Mapper.

Question: Can all of town be included in CEA?

Response - New Paltz's CCE did a CEA proposal and suggested 6-7 different areas in town that encompassed a large percentage of the town. It is currently bogged down due to political pushback since NP already has many environmental regulations. New Paltz's PB is less supportive than the TB. A large area of town covered set up resistance from some TB members. Having one or two is best. Supposed to be targeted. Recommends starting with one or two. Good for political stand point. NNC will send email with links and resources

Question: Is there anything that should be included but isn't?

Response - Aquifer protection. Wellhead protection areas designated is by DOH but can include aquifer areas that are not designated by DOH as wellhead protection areas. Mr. Nardi-Cyrus also mentioned Piano Mt. ridge and Granite Mt as critical local wildlife corridors and good spots.

Question: What are the next steps?

Response - Look at NRI and have a subgroup propose a number of targeted locations. Make use of the Natural Resources Mapper.

A CCE member asked whether a CEA is a fragmented or a continuous designation. Mr. Nardi-Cyrus responded that as long as the resources are thematic and protecting the same resources it can be discontinuous. The same logic can apply to wetlands, though he questioned the utility. Justifications may change.

A CCE member asked whether the CCE can choose an area and justify that area with multiple resources. Mr. Nardi-Cyrus responded that it would help with the justification and is a good approach. He cited the Tow of Hyde Park and said he would send examples. The CEA can be one thing or many. Depends on us.

A CCE member asked whether biodiversity and habitat in and of themselves are unusual as justifications. Mr. Nardi-Cyrus said CEAs were originally used to prevent development on areas that are toxic or in need of remediation. Current usage is different, and biodiversity and habitat are suitable justification.

A CCE member asked whether globally important forests can be used as a justification. He responded that the definition does allow it and fragmentation for a globally rare forest is good justification.

The CCE discussion ended and the CCE continued to the other agenda items.

Putnam Valley Community Solar Farm

This topic was discussed by Mr. Smith during his update on the Climate Smart Community Task Force and there was no further discussion

NRI Adoption by Town

Wendy Whetsel reached out to Nate Nardi-Cyrus received similar resolutions from other towns as templates. Councilwoman Whetsel used the resolution from the Town of Pound Ridge and adapted it for Putnam Valley and sent it to Sam Oliverio (Town Supervisor), who liked it, and sent it to the Town Attorney and Town Planner. Ms. Whetsel will reach out to the Town Planner for a status update.

The CCE discussed that it is important that it becomes part of zoning code but not in a restrictive way. It will become part of SEQRA process before the PB. The resolution will need to be presented to TB, go through public comment, approved, and voted on.

A CCE member mentioned that the last time it was before the TB, the TB received many responses supporting adoption of the NRI and asked whether those comments can be put forward and used to support this resolution. Ms. Whetsel responded that verbiage in the updated resolution would make it part of the law but does not have language that is highly restrictive. The TB never voted it to become part of the zoning code. Ms. Whetsel will check with Sam as to whether comments submitted last time can be used this time.

A CCE member mentioned that Poughkeepsie and towns in Columbia County accepted the NRI with PB support, and the PB will be the one to use it. We need to get them involved to accept this and should be run by PB. Since Bruce Barber is the Town Planner, and advises the PB, the CCE would need to get Bruce's support.

PV Open space inventory

Julie Rubin updated the CCE and mentioned that there is a seminar on February 23. There is no further update at this time.

CCE Lower Hudson Partnership for Regional Invasive Species Management (PRISM)

The CCE is becoming a member of the Lower Hudson PRISM and Eileen Reilly printed out the lengthy application. Ms. Ruben spoke with PRISM's Director - we need to participate including meeting attendance, provide documentations of work done.

Ms. Reilly will fill out the application.

Update on Proposed Solar Farm Project Adjacent to PV Middle and High School Property

Ms. Reilly reported that Yorktown's review of the project proposal is continuing and Yorktown's CCE does not support the project and many people also oppose it.

Wendy Whetsel reported that Putnam Valley submitted a letter to Yorktown in opposition to the project.

PV Planning Board

Eileen Reilly reported that the PB is now meeting twice a month and updated the CCE on the last PB meeting. She mentioned a project on Peekskill Hollow Road the CCE should become involved with. Ms. Reilly will reach out to PB.

A CCE member that the soccer field at the corner of Bryant Pond Road and Peekskill Hollow Road is almost done but is now proposing modifications.

CCE Facebook page

Mia made post on plastic and had good following and comments.

Other updates:

Eileen Reilly received a call from Bill Gouldman regarding recycling bottles with no deposit. Ms. Reilly reached out to Mr. Gouldman about bottles with no deposit that can't be recycled and ending up in landfills. Mr. Gouldman mentioned that Putnam County started a commission to investigate a policy on solid waste management and Ms. Reilly was asked to join commission. She will go to first meeting and maybe others can go as well. The meeting has not occurred yet.

Ms. Reilly informed the CCE that there will be an Open Space Inventory webinar on the February 23.

The CCE discussed how to resolve three months of meeting minutes that are not available and not posted to the CCE website. It was decided that for those months there will be a notation on the website that states "Meeting was held but minutes not available".

Eileen Reilly reported that she sent the questionnaire to the CCE to two perspective members for them to complete.

Commission Member Mike Usai updated the CCE on progress on the PB's request that the CCE make suggestions regarding standards for ridgeline protection. Mr. Usai will send an outline of proposed standards to the CCE for discussion, and will also schedule a CEA meeting in the next couple of weeks.

Adjourned 8:03pm