



## Northeast Sustainable Communities Workshop

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**New Jersey Institute of Technology Campus, Newark, NJ**  
**Thursday - June 17, 2010**

**Introduction to Conference & Welcome to NJIT:** Sue Boyle, GEI Consultants & Collette Santasieri, NJIT Technical Assistance to Brownfield (TAB) Communities Program

**Introduction to Conference Theme:** Michael Taylor, Program Chair and President of Vita Nuova, LLC

### **Morning Plenary Session: Partnership for Sustainable Communities**

#### **Introduction of**

**Keynote:** Lee Ilan, NYC Mayor's Office of Environmental Remediation

**Keynote Speaker:** Mathy Stanislaus, Assistant Administrator, US EPA OSWER

**Moderators:** Chelsea Albucher, City of Newark sustainability Office & Barry Hersh, New York University

**Panelists:** Regina Grey, US HUD  
Mathy Stanislaus, Assistant Administrator, US EPA OSWER

Keynote Speaker Mathy Stanislaus, Assistant Administrator, US EPA OSWER, discussed several of President Obama's strategies for promoting sustainable communities. They include; taking action on climate change, promoting more efficient use of fossil fuels, improving air quality, cleaning up communities, protecting water resources and an urban water initiative that improves water quality.

The President's strategies also include improving the quality of life in environmental justice impacted communities by encouraging sustainable practices from the bottom up. Federal partners will identify and work with local community leadership. We must build strong federal, state, local and tribal partnerships to reach these goals.

Mr. Stanislaus discussed parts of the upcoming federal budget that support sustainable communities, including; \$43 million for the greenhouse gas reduction program, \$55 million for the Energy Star program, \$215 million for the federal brownfield grants program, \$8 million for Environmental Justice issues, and \$3.3 billion for a clean water revolving loan fund.

One of the most recent US EPA efforts to promote sustainable communities is to encourage communities to become more involved in local planning, particularly area-wide planning. Area-wide planning efforts include a strong role for local communities. Mr. Stanislaus stressed the need for federal inter-agency cooperation to assist local planning efforts.

Mr. Stanislaus also reported that, last year, President Obama issued an Executive Order to evaluate current community impacts associated with federal properties and to apply recently developed guidelines for siting new facilities that minimize harmful community impacts and encourage beneficial community impacts. Last year, US EPA and US HUD were directed to coordinate senior housing policies and procedures. US EPA, US HUD and US DOT were directed to work in close coordination on several issues, including; transportation projects, transportation-oriented development (TOD), affordable housing, and the establishment of a brownfield sustainability pilot program.

Mr. Stanislaus closed his remarks with comments on local EPA sustainability concerns, such as the Lower Passaic River Study and Remediation project. EPA is evaluating the use of green energy and local hiring in the remediation of this study area. The local community must play a leadership role in addressing community sustainability issues. Sustainability has to be “self-defined” by local communities.

Next, Ms. Regina Grey of HUD discussed her department’s sustainability initiatives, including the creation of the Office of Sustainable Housing and Communities. The purpose of this office is to create strong, sustainable communities by connecting housing to jobs, fostering local innovation, and helping to build a clean energy economy. She discussed the HUD role in the partnership with US EPA & US DOT. This partnership will work towards the development of strong sustainable communities with access to transit and other amenities.

Ms. Grey described five sustainable development goals for her department, including; the strengthening of the US housing market, meeting the need for quality affordable housing, using housing as a platform to improve a community’s quality of life, building inclusive and sustainable communities free from discrimination and to transform how HUD conducts business. HUD is evaluating their business practices to streamline these processes and to identify and eliminate regulatory barriers that do not support sustainable communities.

Sometime between the end of June and early July, HUD will be announcing a Notice of Funding Availability (Super NOFA) that will include \$100 million for a sustainable community regional planning grant program and \$40 million for community challenge grants. The regional planning grants will be made available to local Metropolitan Planning Organizations, such as the NJTPA in north New Jersey. The community challenge grants will be available to local government units for land use planning and will be managed in coordination with the US DOT TIGER program.

Ms. Grey described coordination between US HUD and the US Department of Energy on issues related to the federal weatherization program and improving energy efficiencies in federal buildings and public residential buildings. She described the HUD efforts to streamline the brownfield remediation and reuse process. These efforts will also include improved alignment with US EPA brownfield processes and a review of the HUD Brownfield Economic Development Initiative (BEDI).

Her closing remarks addressed sustainability and neighborhood development, the promotion of green building practices in HUD neighborhood development projects, planning to mitigate suburban sprawl and working with the Department of Agriculture and the Department of Health and Human Service to assess health impacts of the built environment.

The presentations by Mr. Stanislaus & Ms. Grey were followed by a question and answer period that included all four panelists and the audience. This lively discussion included comments on how best to break down any coordination barriers between different federal agencies, the need for over-arching planning, better waste policies regarding materials used in HUD projects and drawing on the local workforce for remediation and development projects. The final issue discussed at the morning plenary session, with no real resolution reached, was how to best establish the sustainable initiatives of the Obama administration so they will survive an administration change, whenever that should occur.

### **Workshop # 1: Real Time Challenges facing Key Stakeholders in Sustainable Development: New Twists or Same Old?**

**Moderator:** Beth Barton, Day Pitney LLP

**Panelists:** Michael Freimuth, City of New Rochelle  
Thomas Stilley, DuPont  
George Vallone, Hoboken Brownstone Company

Workshop #1 offered three different perspectives on Sustainability. The property owner perspective, as delivered by Thomas Stilley of the city of DuPont, emphasized how all sectors - landowners, municipalities, developers and communities - must work together to achieve a sustainable community. He talked about how the evolution of Sustainability has relied on a separation and re-focalization of programs and ideas. What was once "Waste Minimization" are now many separate programs working together as one coordinated program called "Sustainability." He also thinks that true Sustainability can only be achieved through individual action. Thomas talked about how Sustainability provides common ground for all institutions who otherwise wouldn't relate to sustainability. Thomas, as a property owner being concerned with sustainability, is just one example (along with Greg Vallone as a property developer). From a property

owner's perspective, we should be more concerned with "vertical construction" rather than "horizontal occupation." He would rather work to improve a manageable space rather than occupy something they might not profit from. If we can retrofit our buildings, allowing potential property buyers to eventually save money on energy costs, it will provide greater purchasing incentives and increase the chance that buyer will stick with their property for a longer period of time. Michael Freimuth of New Rochelle offered a less optimistic view of sustainability from a municipal perspective, where as we move forward and attempt to evolve as a sustainable community, there are many obstacles that can slow and even stop progress. The question arose, can everything really be sustainable? Michael said that it is about balancing Sustainability with smart development and would cite some of the main issues, including budgetary problems and regulatory strain (the process being too bureaucratic as one complaint can haul all progress.) He noted that sewer plants can't handle growth and doesn't see New Rochelle's plan to build 95% of new homes near a train station possible. Another problem is one of investing vs. spending, where investing (long term) gets cut when Sustainability does and should rely on the long term. Also, he thinks sustainability incentives are decreasing and public tolerance for incentives is decreasing as well. George Vallone of the Hoboken Brownstone Company made light of his success as a property developer and thinks that sustainable development is the cutting edge, "we are the future." Like Thomas Stilley emphasized, interdependence of landowners, municipalities, developers and communities will determine a sustainable future. George highlights the concept of "Ignition," a trust between the four constituencies where trust with the land owner and trust with the community is imperative. Interdependence leads to trust, trust leads to ignition and ignition leads to Sustainability. George cites an example of this interdependence as they turned, by working with the community, what was formerly property of the Maxwell Coffee House into an open public waterway as opposed to office buildings as demanded by the Port Authority. As many people think that sustainable development is expensive, George claims that it is actually cheaper than traditional development and notes that buildings can be 50% more efficient with "Mass Wall Building Enclosures" and use of alternative energy.

## **Workshop # 2: Impact of Multi-Site Brownfield Programs**

**Moderator:** Brian Clark, Buchanan, Ingersoll and Rooney

**Panelists:** Colleen Kokas, NJDEP  
Denise Brinley, PADEP  
Shira Gidding, SoBRO

The theme of this workshop was the differences in brownfield redevelopment efforts in Pennsylvania, New Jersey and New York. Shira Gidding explained New York's Brownfield Opportunity Areas as high impact sites that are approached in a developmental way to achieve the highest and best end use with a particular focus on planning. Colleen Kokas explained New Jersey's Brownfield Development Areas as many

brownfield sites that are put together with common goals to clean up, remediate, and redevelop not only the land but the community as well. Denise Brinley explained the efforts of Pennsylvania to redevelop first and also work with existing governments and organizations that are already involved in the sites. Questions about the major differences between each of the state and their brownfield efforts arose. It was discussed how the availability of funding for different phases varied and how planning, clean up, redevelopment, and implementation are all very important phases that need to be supported fundamentally and financially in each state.

### **Workshop #3: Growing Green Cities: Sustainable Models of Urban Agriculture**

**Moderator:** Jeanne Mroczko, NSCW

**Panelists:** Matt Brener, Brownfield Redevelopment Solutions  
David Specca, Rutgers University EcoComplex  
Edie Stone, Green Thumb Program  
Melissa Spear, Common Ground School

This workshop focused on urban agriculture: an up-and-coming form of food production, a source of fresh produce for disadvantaged communities, and a proven method of community building and obesity prevention. Various methods of urban agriculture from around the Northeast were discussed, including community supported agriculture (CSA) as a form of Brownfield revitalization, urban agriculture as a educational method in charter schools, urban agriculture as a form of community organizing and increased access to fresh and healthy produce, and greenhouse technologies and their practical applications in urban settings. Discussions focused on the importance of financial stability in urban agriculture and grant possibilities, space concerns when planning sites, and the “food deserts” that often surround disadvantaged neighborhoods. Urban beekeeping and its potentials were also discussed. Questions revolved heavily on funding, and the idea of viewing every aspect of urban agriculture “worthy of funding” was an integral model stressed by all panelists. Questions also focused on entrepreneurship and community outreach, citing community engagement as key.

**Luncheon Topic:** Renewable Energy Options in New Jersey

**Luncheon Speaker:** Nancy Wittenberg, Assistant Commissioner for Climate and Environmental Management, NJ DEP

As the liaison for New Jersey’s Department of Environmental Protection, Nancy’s discussion centered on the need for seamless cooperation between State and Federal environmental initiatives. She urged the group of 150 individuals to take a proactive approach to interacting with the Federal Department of Energy and to not wait for the DOE to pass down energy policy. Nancy was quick to note that while talk of increased

cooperation is not new, the present situation is different for several reasons. First, politicians, the scientific community, and consumers alike are now taking climate change seriously. Awareness of our impact on the world signifies that we can no longer turn a blind eye to the consequences of our actions. Second, the tone of the conversation on environmentally sustainable products has begun to change. Consumers are beginning to accept that “green is cool” and are making such statements via the Prius’ that they drive and the reusable grocery bags with which they shop. Lastly, Nancy called on the DOE to reassess its own internal policies and seek means to reinvent itself in an effort to decrease inefficiencies stemming from government bureaucracy.

#### **Workshop #4:** The Way for Sustainable Redevelopment: Regional Regulatory Innovation

**Moderator:** Sue Boyle, Dennis Unites, GEI Consultants

**Panelists:** Dan Walsh, NYC Mayor’s Office of Environmental Remediation  
Robert Bell, CTDEP  
Kelly Race, Weston & Sampson  
Bill Ahlert, HDR

This workshop focused on the differences in New Jersey, Connecticut, Massachusetts, Pennsylvania, and New York City’s site remediation programs and the differences in certifications, funding and oversight for brownfield projects. Massachusetts is the forerunner with the Licensed Site Professional program and representative, Kelly Race, explained some issues that MA has experienced with complaint and conflict resolution among LSPs and the potential fears associated with the LSP responsibilities. State representatives discussed issues of funding LSP Boards and intercommunications between LSPs (also called Licensed Environmental Professionals and Licensed Site Remediation Professionals) and the Departments of Environmental Protection. The recent and increasing popularity of new cleanup processes and approvals was addressed as an area for improvement in order to keep brownfield redevelopment projects efficient. Dan Walsh from the NYC Mayor’s Office of Environmental Remediation explained NYC’s recent municipal approaches to increase brownfield redevelopment through the launch of awareness and incentive programs as well as the SPEED Program, Searchable Property Environmental e-Database. Bill Ahlert further discussed how LSRP programs can push forward toward brownfield redevelopment by focusing on transportation oriented development, planning and funding for planning, and LEED certifications. He also spoke about the PA Brownfields Action Team Process and how that has been successful in the efficiency of approvals and remediation processes for the state of Pennsylvania. A question about ongoing engineering controls arose and the panelists explained that obligatory maintenance and the inability to interfere with long term engineering controls are passed on through property deeds to new property owners.

## **Workshop #5: Transit Oriented Development, LEED Neighborhood Development, Sustainable Community Design**

**Moderator:** Gary Rozmus, Gannett Fleming

**Panelists:** Vivian E. Baker, NJ Transit  
Vahak Khajekian, MTA Metro North Railroad  
Anastasia Harrison, Gannett Fleming/Board of Directors, USGBC- NJ  
Shawn Rairigh, Gannett Fleming

This workshop revolved around the growing popularity and demand for transit-oriented development, LEED neighborhood development, and sustainable community design. The ability of these ideas to act as a catalyst for economic revitalization and sustainability was a main point of foci within the workshop. The presentations outlined the looming “end of suburbia”, ever-growing demand for more walkable, livable, and “urban” neighborhoods, and how sustainable development can meet this demand while creating healthy and environmentally-friendly cities and towns. Various topics were discussed, including neighborhood development directly around transit stations and the ability of green buildings to make cities more environmentally sustainable. Examples of current transit-oriented and sustainable development projects were cited, such as the current FTA New Starts program in South Florida and the LEED-ND initiative from USGBC. Representatives from NJ Transit and MTA Metro North gave presentations on current initiatives that both organizations are taking to spur sustainable and transit-oriented development while helping cut down on automobile use and creating livable spaces. Sustainable growth, an end to urban sprawl, and acceptance of transit by the community were highlighted as must-haves by the panelists. Time did not allow for discussion, but questions revolved around garnering funding and community support for these initiatives.

The purpose of this workshop was to outline – via panelists representing three different organizations – the opportunities for aligning transit with economic development. Each panelist began his/her presentation with a summary of economic development trends: increased relocation to urban centers, construction of smaller homes, fewer cars on the road, and increased transit ridership. All panelists agreed on the need to introduce sustainability into architectural and construction practices while also reinforcing the link between developing centers where communities can live, work and play, and creating avenues for economic prosperity. To that end, the panelists offered several recommendations: transit authorities should engage community planners to understand the current and future economic potential of a location; community planners should focus on building developments that create walkable neighborhoods, support self-sustaining community life, and minimize the heat island effect; and consumers should undertake efforts to minimize their carbon footprints by taking public transportation.

## **Workshop #6: Where is the Money?**

**Moderator:** Barry Hersh, NYU

**Panelists:** Dan Marsh, National Development Council  
Larry Schnapf, Schnapf Environmental Law Office  
Paul Ceppi, NJEDA  
John Nelson, Wall Street Without Walls

This workshop explored various ways to finance brownfield redevelopment in today's capital-scarce marketplace. The panelists discussed tactics to fill in the current gap between what banks are willing to lend and what borrowers/developers are able to put up. The consensus reached: while there is no simple solution, today's market necessitates creative approaches, structured financing and a willingness to explore any and all potential sources of funding. Whereas brownfield remediation traditionally has been market-based, panelists stressed the influence of policy on current opportunities, citing government programs like the New Markets Tax Credit and Community Reinvestment Acts as well as state and local programs as critical ways to bridge the funding gap. Increasingly Socially Responsible Investors (SRIs) and pension plans are interested in investing in sustainability efforts in low-income communities, making brownfield redevelopment a potentially attractive option. Questions involved the availability of funding for community group involvement in brownfield redevelopment and the lingering reticence of lenders to invest in sustainable building and infrastructure projects.

## **Workshop #7: Growing Green: Community Efforts to Become Sustainable**

**Moderator:** Michael Taylor, Vita Nuova, LLC & Chelsea Albucher, City of Newark Sustainability Office

**Panelists:** David Kooris, Regional Plan Association  
Franco Montalto, Drexel University  
Judith A. Shaw, Rutgers University  
Cecel Corbin-Mark, WE ACT

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### **Workshop #8: Renewable Energy: Powering Your Brownfields**

**Moderator:** Pamela Elkow, Robinson & Cole LLP

**Panelists:** Charles Gallub, Develcom  
Dennis Jones, US Steel  
Kirstin Etela, Robinson & Cole LLP

The dilemma addressed by this workshop was how to incorporate renewable energy into brownfield redevelopment projects—specifically how to negotiate the legal, bureaucratic and economic hurdles to doing so. The recommended approach that emerged was to ensure the project is carefully planned, and to actively pitch (*or sell it*) it not only to investors but to appropriate government agencies, who might be project allies rather than regulatory impeters. A detailed timeline for investigation, approval, remediation, and funding will go a long way toward reassuring regulators and investors. Panelists stressed the importance of policy, particularly the ability to leverage multiple government programs such as the New Market Tax Credit and state and federal funding for renewable energy installation as an enormous financing opportunity. Above all, it was agreed that renewable energy is a lucrative investment that couples well with brownfield redevelopment if done in the right way, and that other forms of renewable energy, in addition to solar, will soon hold some of the same funding opportunities currently restricted to solar. Questions further explored ways of “selling” the inclusion of renewables as creating a more competitive and sustainable project, and taking advantage of a deregulated energy market to increasingly incorporate renewables into brownfield redevelopment projects.

### **Workshop #9: Green Standard- Green and Sustainable Remediation**

**Moderator:** Zach Schreiber, NYC Mayor’s Office of Environmental Remediation

**Panelists:** John Simon, WSP Environment & Energy / Remediation Journal  
Stephanie Vaughn, US EPA Region 2  
Stephanie Fiorenza, BP America

This workshop focused on the approach to develop guidelines for green and sustainable remediation (GSR) which is in the nascent stage and their application to the public and private sector through voluntary and mandatory means. The essence of the

discussion was the necessity for GSR standards to incorporate environmental, social and economic issues which have a tiered approach that will act as a guide to industries. Discussions also included the core elements of GSR and the effects of GSR while minimizing the environmental footprint. The panelists highlighted how the future of green standards is tied to regulatory framework as well as government, state and business drivers. They also discussed reasons why organizations are driven by GSR by taking into account the triple bottom line and showcased the ease of implementing GSR through success stories. Questions initiated a dialogue on the approach to deal with toxic and hazardous substances with the help of GSR guidelines and how GSR guidelines can be used alongside current standards and policy.