



NEW YORK STATE SENATOR

Velmanette Montgomery

Senator Montgomery's "Smart Growth Public Infrastructure Policy Act" Passes Senate & Assembly

VELMANETTE MONTGOMERY June 21, 2010

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Albany, NY (June 18, 2010): The Senate gave final legislative approval today to State Senator Velmanette Montgomery's (D-Brooklyn) *Smart Growth Public Infrastructure Policy Act* (S.5560-B/A.8011-B), which encourages environmentally sound, safe and responsible development in New York State.

"Smart growth planning promotes economic development while preserving natural lands, protecting water and air quality and reusing already-developed land," said Senator Montgomery. "It is a blueprint for reinvesting in existing infrastructure, reclaiming historic buildings and revitalizing New York's communities."

The *Smart Growth Public Infrastructure Policy Act* outlines requirements for various state agencies to fund infrastructure projects in accordance with smart growth criteria. These agencies will have to ensure that public funding is granted for construction projects which use, maintain or improve existing infrastructures and protect natural resources. New construction projects will also have to adhere to smart growth principles.

The Senator's bill requires projects reviewed and approved by the designated state agencies to:

- * Advance the use, maintenance or improvement of existing infrastructure;
- * Be located in a municipal center;
- * Be located in developed areas or areas designated for development in a municipally approved land use plan, local waterfront revitalization effort or Brownfield Opportunity Area Plan;
- * Provide and enhance New York's natural resources, including agricultural land, forests, water, air and open space;
- * Encourage mixed-land uses and compact development, including the revitalization of downtown areas, brownfield development, diversity and affordability of housing located near employment centers, recreational and commercial development;
- * Encourage and allow for greater public transportation options with the goal of reducing automobile usage;
- * Coordinate between state and local government and inter-municipal and regional planning; and
- * Encourage sustainability and reduces greenhouse gas emissions.

This legislation recognizes the State's necessary role in developing smart-growth principles and requiring adherence to the criteria as a condition of approving building projects. "As development increases, shortsighted and poorly planned suburban and urban sprawl continue to threaten the well-being and quality of life for my constituents and residents statewide," Montgomery said.

Under the new *Smart Growth Public Infrastructure Policy Act*, state infrastructure agencies are also tasked with establishing a smart growth advisory committee comprised of existing agency personnel that must solicit the input and consult with representatives and

environmental interests of the communities affected by infrastructure projects.

The bill is also sponsored by Senators Suzi Oppenheimer (D-Westchester), Tom Duane (D-Manhattan), Jeff Klein (D-Bronx), Liz Krueger (D-Manhattan), Carl Marcellino (R-Long Island), Kevin Parker (Brooklyn) and Antoine Thompson (D-Buffalo).

The legislation is supported by more than 70 organizations statewide including, Empire State Future, NYS League of Women Voters, Smart Growth America, NYS Public Health Association, NYS Bicycling Coalition, American Association of Retired People, Audubon Society, Adirondack Council, Catskill Center, New York Conference of Mayors, and Sierra Club among many others.

Having passed both the Assembly and the Senate, the bill now goes to the Governor for consideration and enactment into law.

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