**Statement of**

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**Director of Land Use Advocacy**

**Scenic Hudson, Inc.**

**Local Law A of the Year 2019**

**Town of Lloyd, Town Board**

**January 16, 2019**

My name is Jeff Anzevino, Director of Land Use Advocacy for Scenic Hudson. Scenic Hudson helps citizens and communities preserve land and farms and create parks where people experience the outdoors and enjoy the Hudson River.

Scenic Hudson commends the Town of Lloyd for considering Local Law A of the Year 2019. This local law would enact a moratorium to temporarily suspend the review and approval of applications for fossil fuel power plants. We believe that given the projected increase in relatively small fast-ramping “peaker” gas power plants, which are not subject to Article 10 State review, the Town is wise to be proactive in amending its zoning to regulate these facilities. Without such regulation air quality, treasured views, adjacent properties and residents’ quality of life could be at risk. Importantly, it’s critical to ensure that protective zoning is in place before an application is submitted for a peaker plant.

In order to ensure that Local Law A is as clear and defensible as possible, we offer two recommendations:

* Section 2, Purpose, includes a line that reads *”The overall purpose of this local law is to promote community planning values by properly regulating the use, construction or installation of Fossil Fuel Power plants by enacting a carefully considered plan.*” Since a zoning amendment is necessary to regulate land use, we recommend that “*carefully considered plan*” be replaced by “*carefully considered zoning*;” and
* Scenic Hudson also strongly recommends that the proposed local law include a clear definition of “Fossil Fuel Power Plants.” Scenic Hudson suggests the following as a definition: “A facility whose primary purpose is for the generation of electric power (in excess of one megawatt) powered by fossil fuel for offsite use.”

For a variety reasons peaker plants are coming to the Hudson Valley and Lloyd is not alone. We believe that the Town Board’s action on this issue will serve as a model that will encourage other communities to adopt protective zoning before applications are submitted. Again, Scenic Hudson commends the Town Board for taking this important step to protect its residents against the potential impacts of peaker plants.

Thank you for the opportunity to provide these comments this evening.