

# ADVISORY WORKGROUP REPORT

## Livable New York

Sustainable Communities for **all ages**



**Office for  
the Aging**

future-based planning ★ livable communities ★ aging-in-place ★ sustainable neighborhoods



*Livable New York* is a New York State initiative meant to help foster livable communities across the State. The name for this initiative, *Livable New York*, was provided by Patricia Baron Pollak, PhD, of Cornell University. *Liveable New York* was the original title of a closely related community evaluation manual/tool created by Dr. Pollak, and we appreciate her permission to use that title for the State's initiative. Future editions of Dr. Pollak's community evaluation manual, as well as any other related materials, will be published under the title *Liveable Communities—New York*.



# Livable New York

## Sustainable Communities for **all ages**

October, 2010

Michael J. Burgess, Director  
New York State Office for the Aging  
2 Empire State Plaza  
Albany, New York 12223

Dear Mr. Burgess:

We are pleased to present the attached recommendations, which have been developed by an Advisory Workgroup established under New York State's *Livable New York* initiative. In response to New York's dramatically changing resident profile, the goal of this initiative is to help communities across the State better plan for the housing and community development needs of the State's older adults, younger-aged people with disabilities, families, and caregivers. The intent of the recommendations is to advance the goals of this initiative.

*Livable New York* is being implemented by the State Office for the Aging together with assistance from professionals from both inside and outside of government, community leaders, and consumers from across the State and the initiative's affiliate partners: New York State Energy Research and Development Authority, New York State Department of State, USDA Rural Development—State Office, Dormitory Authority of the State of New York, New York State Office for Persons with Developmental Disabilities, New York State Division of Housing and Community Renewal, and the New York State Commission on Quality of Care and Advocacy for Persons with Disabilities.

The Advisory Workgroup is composed of 86 individuals from across the State with expertise in one or more of the initiative's focus areas: housing options, housing development, universal design, planning, zoning and land-use, green building, energy alternatives, mobility, and transportation. The Workgroup's recommendations suggest actions that can be taken to assist communities in overcoming common challenges and barriers encountered when engaging in planning, housing, and development activities.

We ask that you will consider steps to implement these recommendations—as a means of facilitating the ability of all community members to collaborate in making New York the best place to live, work, grow up, and grow old.

Sincerely,

Advisory Workgroup Co-Chairs

*Corey Auerbach*  
*Deborah Damm O'Brien*  
*Craig Duncan*  
*Tracie Hall*

*Linda King*  
*Frank Mace*  
*Patricia Matson*

*Vera Prosper*  
*Jennifer Rosenbaum*  
*John Serio*  
*Melanie Shaw*

# ***Livable New York*** **Advisory Workgroup Report**

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# ***Livable New York*** **Advisory Workgroup Report**

## ***INTRODUCTION***

### ***Statewide initiative—Livable New York:***

*Livable New York* is being implemented by the New York State Office for the Aging with assistance from professionals, community leaders, and consumers from across the State and the initiative's affiliate partners: New York State Energy Research and Development Authority, New York State Department of State, USDA Rural Development—State Office, Dormitory Authority of the State of New York, New York State Office for Persons with Developmental Disabilities, New York State Division of Housing and Community Renewal, and New York State Commission on Quality of Care and Advocacy for Persons with Disabilities.

The directive for the *Livable New York* initiative comes from Section 202 (subsection 24-d, subdivision 14) of New York State Elder Law. A copy of the subdivision is available in Appendix 2 of this *Advisory Workgroup Report*, page 40. This directive requires that planning and zoning guidelines be prepared that foster mixed-use, age-integrated communities and that an advisory workgroup be formed for the initiative. The recommendations that make up the body of this *Report* stem from the activities of that advisory workgroup.

### ***Livable New York:***

Significant demographic, public policy, economic, environmental, and social changes are transforming both the resident profiles of our communities and the circumstances and conditions under which communities are planning and conducting their tasks and activities. In response to these "change drivers," the goal of *Livable New York* is to help municipalities better plan for the housing and community needs of the State's older people, younger people with disabilities, families, and caregivers. Under this initiative to create *livable communities*, municipalities will be provided with education, technical assistance, and training on understanding the impact of change, using community evaluation as a basis for resident-centered planning, and implementing successful and innovative models, strategies, and approaches related to the initiative's focus areas:

- Housing options
- Housing development
- Planning
- Zoning
- Land use
- Universal design and accessibility
- Green building
- Energy efficiency and alternatives
- Mobility
- Transportation

Three major activities are being used to carry out the intent of the new initiative:  
(1) Development of a set of guidelines and recommendations related to the initiative's focus areas;

- (2) Development of a *Livable New York* technical assistance *Resource Manual*, for use by all members of the community;
- (3) Implementation of the *Livable New York* Academy, a set of community-based education, training, and technical assistance activities to support the planning, design, evaluation, and project-implementation efforts of communities that are striving to improve the *livability* of their neighborhoods.

Products and activities provided and supported under the initiative will adhere to the following *Livable New York* principles, which are meant to promote a *sustainable* framework for community planning and development:

- (a) *Future-oriented planning*, based on the projected demographic, social, and public policy changes that are transforming our communities' resident profiles and living environments—in order that the definition of issues and the design of solutions accurately reflect the continuing evolution of the community's resident profiles and circumstances;
- (b) An *inclusive, collaborative planning and implementation approach*, which brings all sectors of the community to the discussion and decision-making table—in order to take maximum advantage of the knowledge, expertise, resources, and varying perspectives residing within a community's multiple professions and disciplines, as well as to deepen all members' investment in the successful outcome of community efforts;
- (c) A *cross-community approach* for defining issues and identifying solutions, which includes all ages, all cultures, and all abilities—in order to fully capitalize on the creativity, capacity, and innovative perspectives inherent in diversity;
- (d) *Broad resident participation*—in order to gain the benefits that derive from greater community empowerment, strengthen a "sense of community," and stabilize a community's population base; and
- (e) *Community-driven planning and development*—in order to provide greater assurance that community efforts truly reflect the expressed needs, preferences, and expectations of the community's members.

### ***Trends underscoring the timeliness of the initiative's activities and the recommendations:***

Across our country, among the several major "change-drivers" that are having a significant impact on our communities and on the quality of life of residents of all ages, cultures, and abilities, two such forces are demographic change and shifting public policies. In the face of these two forces, a third major trend is the growing nationwide movement to transform cities, towns, and neighborhoods into *sustainable, livable communities*.

- ***New York's evolving demographic profile*** – New York's communities are changing significantly . . . due to the aging of the baby boomers; increasing longevity of all population groups and subgroups; the shifting proportional balance between the elderly and non-elderly populations; loss of specific population groups to other states; and the increasing diversity of our residents—stemming from our robust immigration and migration patterns, increasing numbers of people with disabilities, growth of cultural and ethnic groups, a

decrease in the proportion of "nuclear family" households, and an expansion of the number and variety of other types of households.

- ***New York's evolving housing, services, and care policies*** – Housing, supportive services, health, and long-term care policies in New York promote the ability of *all* people, regardless of age or ability, to live independently in the setting of their choice with appropriate services that are designed around the needs and desires of the individual. For example, New York stresses:
  - The provision of in-home and community-based care and services for everyone, including frail older adults and younger-aged individuals with disabilities . . . supporting the ability of all residents to successfully and safely "*age-in- place*" in the community.
  - The provision of conventional housing options for individuals who traditionally resided in specialized, more institutional settings—including those with age-related frailties, developmental disabilities, physical or mental impairments, addictions, chronic health conditions, homelessness, and other situations.
  - The provision of affordable and accessible housing options for all individuals.
  - As an alternative to the State's costly formal institutional care system, the availability of housing, support services, and community-design options that ensure that people of all ages with disabilities are afforded the choice and empowerment to live in the most community-integrated setting that meets their individual needs and preferences.
  - As a means of supplementing the State's costly formal services system, the availability of housing, care, and community-design options that will support the caregiving efforts provided by over 2.2 million New York State residents, whose preferences are to sustain their frail or impaired family members in conventional housing alternatives and who provide substantial, on-going unpaid care (valued at over \$24B annually) for their elderly family members and their younger-aged family members with various types of disabilities.

These policies have a major impact on the profile of a community's "housing" residents and, therefore, on:

- The needs, preferences, expectations, and responsibilities of all residents, and
  - The responsibilities of all professionals who make decisions about planning, zoning, housing design, transportation, and service delivery.
- ***Livable communities*** – Across the country, communities are actively taking steps to employ proven, successful, often innovative housing and mobility models, design elements, planning and zoning approaches, and energy and green building strategies as a means to create more usable, economically and environmentally sustainable environments. This movement is often couched under the term, *livability*—that is, creating communities that all residents say are good places to live, work, grow up, and grow old.

A scan of livable community efforts across the nation finds that a community defined as *livable* encompasses both tangible and intangible aspects that affect the quality of life of individual residents and the quality of the community as a whole, and that serve as catalysts for strengthening community life. For example:

*Tangible aspects:* the livable communities movement underlies a growing call to:

- Create choices in housing alternatives, including housing-and-services models that promote safe, successful aging in place for all residents.
- Provide access to safe, decent, affordable, integrated, and accessible housing that meets individual needs.
- Design homes, housing developments, public buildings, and public spaces that accommodate the varied physical sizes and abilities typically seen among residents in every household and in every neighborhood.
- Make homes and buildings "visitable"; that is, include a no-step entrance, doorways that accommodate wheelchairs, a bathroom on the first floor that is negotiable by mobility-impaired individuals, and other features that allow residents with disabilities to easily enter a home or building and comfortably use necessary facilities.
- Make communities "walkable"; that is, include sidewalks, street crossings, and other design features that allow residents to safely walk to stores and amenities, in residential neighborhoods, and in downtown areas.
- Develop innovative, affordable, accessible mobility and transportation models.
- Design downtown and residential areas with "complete streets"; that is, design streets to accommodate all modes of transportation, including walking, bicycling, wheelchair use, etc., as well as conventional transit modes.
- Make homes and communities sustainable and healthy—that is, make energy usage more efficient and affordable, and emphasize the greening of homes, public buildings, and the environment.
- Capitalize on the benefits of technology in health care and housing;
- Ensure access to sufficient, coordinated, appropriate preventive care, health care, education, and social services.
- Build upon the social and cost-saving advantages inherent in using the willingness, skills, and creativity of residents to engage in volunteer and other civic engagement activities in the community's voluntary, not-for-profit, education, local government, and service sectors.
- Maximize the advantages of innovative planning and land-use strategies and tools that promote smart growth, smart building, and sustainability.

*Intangible aspects:* In addition, the movement also underlies the increasing attention on intangible elements that have a remarkable influence on the quality of residents' living environments and the quality of their lives:

- Sense of community: Leaders and residents are examining the extent to which community members (residents, organizations, and business owners) feel there is a "sense of community." For example, do members say there is a community identity, social cohesiveness, and a shared feeling of belonging? Do members feel a shared sense of interconnectedness among residents and among business owners, of relating to each other on a variety of levels? Do community members believe that they matter to one another, believe that their opinions have value and are counted, and believe that members' needs will be met through a commitment to act together as a cohesive community?



- **Social capital:** Leaders and residents are searching for effective ways to build upon their community's social capital— that is, how to support intergenerational-interdependence; how to promote communication among their community's various population groups; and how to capitalize on the creativity, skills, and opportunities inherent in involving all age groups, all household types, and all cultural, ethnic, and ability groups in defining and resolving crucial community issues and engaging in volunteer, civic engagement, and other activities.
- **Community empowerment:** Leaders and residents are seeking avenues to strengthen community empowerment—that is, how to promote the ability and stimulate the desire of all residents, including older adults and persons with disabilities, to actively engage in community planning and decision-making.
- **Common vision:** Community members find that a common vision with clear objectives—one that speaks to the strength of citizens and the quality of their lives, as well as addresses the challenges ahead—will help advance a cohesive public policy agenda that promotes livable communities.



### ***Livable New York advisory workgroup:***

The initiative's advisory workgroup comprises 86 individuals from across New York State, including representatives of state and local governments, professionals from businesses and not-for-profit organizations and community groups, community leaders and providers, retired individuals, and individuals with disabilities—all with expertise and/or significant experience in the initiative's focus areas. A list of advisory workgroup members is available in Appendix 1, page 35.

New York began embracing the livable communities movement through its "smart growth" initiative, community empowerment initiative, energy programs, transportation programs, and others. Nevertheless, across New York, community leaders, planners, providers, professionals in a variety of disciplines, and consumers encounter a variety of barriers and challenges at the local, county, and state levels when seeking to develop various housing types, engage in community development, employ flexible planning or zoning approaches, institute innovative design elements and energy methods, replicate nontraditional mobility or service models, and other practices.

The *Livable New York* advisory workgroup was convened on October 1, 2009; and the results of their work, which is presented in this *Report*, are meant to advance the goals of *Livable New York* by overcoming such barriers and challenges, thereby helping New York's localities to create *livable* communities that more closely reflect the changing needs and preferences of the State's older people, younger people with disabilities, families, and caregivers, as well as to better plan for housing and community needs in the face of fluid, rapidly evolving economic, environmental, and other change-driving circumstances.

## ***RECOMMENDATIONS***

The 86 members of the advisory workgroup were divided into working subgroups, and their output resulted in 210 recommendations, which have been consolidated and organized into eight categories:

- I. Livable Communities
- II. Housing Options
- III. Universal Design and Accessibility
- IV. Housing Development
- V. Energy and Green Building
- VI. Planning and Land Use
- VII. Mobility and Transportation
- VIII. Economic Issues

Each category includes a synopsis of potential barriers or issues identified by workgroup members, followed by recommendations for overcoming those barriers and addressing those issues.

**Common themes and mutual objectives**—A review of the 210 recommendations finds several common themes and mutual objectives reflected among multiple categories:

- Desire for greater consistency in the use of definitions and interpretations of terms, rules, and regulations.
- Desire for increased education and awareness of concepts, topics, and issues among policymakers, officials, professionals across all disciplines, providers, and consumers.
- Need for increased flexibility in order to respond appropriately to the State's changing population profile and evolving community circumstances.
- Desire for greater support for the elements and characteristics that promote a community's livability.
- Encouragement of collaboration among sectors and disciplines for defining problems and designing solutions—including government entities, social and health agencies, community groups and organizations, not-for-profit agencies, businesses, and residents.
- The strong emergence of several preferences, which were common across all categories, including:
  - Support for successful aging-in-place in the community;
  - Design of housing, buildings, and public spaces that accommodate the normal variations in age, size, and ability seen among all residents; and
  - Maximized choice in housing, mobility, and other elements of a livable community.

Thus, when action steps are considered to implement any of the recommendations, readers will find that many recommendations listed in one category are also applicable to other categories; and collaborative actions can be more beneficial.

## **I. LIVABLE COMMUNITIES**

***Consistency in understanding the definition and interpretation of terms used in discussing livable communities, as well as increased awareness of the many elements that contribute to a livable community, will help residents, officials, professionals, and leaders advance their community's "livability" planning and implementation efforts.***

### ***Issues:***

- Among providers, policymakers, professionals across disciplines, and consumers, definitions, interpretation, and usage varies for terms such as green building, energy-efficiency, sustainability, livable communities, community empowerment, smart growth, inclusive planning, universal design, walkable communities, visitability, accessibility, and others.

- There are no consistent criteria available to help people understand the elements or characteristics included in defining these terms, or at what point sufficient or appropriate elements have been included or achieved to adequately meet the definition of each of these concepts.
- Neither professionals nor consumers have sufficient access to information about successful models and strategies or about "best practice" resources. While both consumers and professionals wish to employ these concepts, the lack of uniform understanding can result in inconsistent advice or information, confusion, inadequate planning, or a reluctance to implement these models, strategies, and practices.

**Recommendations – increased education:**

1. A coalition of New York State agencies, in collaboration with local leaders, social and health agencies, community groups and organizations, residents, businesses, and not-for-profit agencies, should develop educational, training, and technical assistance tools and activities—in multiple languages, in written and web format, and in a form that is easily accessible by all individuals, including those with disparate abilities and literacy skills. This information should be a centrally located resource for the public and for professionals across all disciplines and community sectors, including:
  - A clearinghouse of "livable communities" information and resources.
  - A glossary of definitional terms.
  - Information and links to training opportunities and available tools, courses, materials, and technical assistance resources for successful community-building, community evaluation, assessment of needs and preferences, coalition-building, and inclusive planning—as a foundation for stimulating a sustainable community-wide planning approach and for taking active steps in creating livable communities.
  - Showcased examples of successful "best practices" of:
    - Housing, planning, design, service-coordination, land use, energy, green building, transportation, and mobility models.
    - Approaches that integrate frail older people and people with disabilities into residential-based housing options that meet individual needs and preferences.
2. Achievement of a community that is *livable* relies upon all sectors of the community understanding that concept and acknowledging the critical role of all sectors in achieving livability. The coalition should reach out and educate **all** stakeholders—including consumers of all ages and abilities, practitioners, aging and disability providers, investors, bankers, appraisers, municipalities, service agencies, not-for-profit and business communities, the philanthropic community, schools, faith-based organizations, advocates, developers, planners, local decision-makers and elected officials, code and other officials, professionals across disciplines, and others—by:
  - Coordinating the development and dissemination of a statewide multi-media public awareness/education campaign and effective publicity, targeting all

age groups, all cultures, and all community sectors, to strengthen the consistency of use, understanding, and interpretation of the relevant terms and concepts, and as a means of stimulating actions to achieve the benefits of livable communities.

- Expanding and clarifying a consistent, comprehensive understanding of what constitutes a *livable* community . . . and include awareness of elements that are not always considered when describing the concept of livability; for example:
  - Livability also includes: an intergenerational, age-integrated approach; mixed-use housing and mixed-use communities; accessibility in mobility options, housing alternatives, and community aspects; variety of mobility alternatives; opportunities for shared services; and maximizing the "power of place"—that is, communities having the power of ordinary landscapes to nurture citizens' public memories through shared time in the form of shared territory.
  - Livability also includes greater recognition of the role of food security and safety, and awareness of this aspect should be increased among community planners, leaders, and officials. For example:
    - Residents should have increased access to local, healthy, affordable food—through natural food hubs, farmers markets on public property, and other proven strategies.
    - Zoning and development regulations should be made more flexible in order to ease the process of converting vacant or public lands into food hubs.
  - Livability also includes communication access for all persons, including those with hearing and vision loss or other physical impairments, who face barriers when using conventional means of communication.
  - Livability also includes choices in appropriate living environments for the large number of individuals whose health and comfort are significantly affected by single or multiple chemical sensitivities, severe allergies to toxins, migraines due to strobing fluorescents, etc., that are triggered by building materials and products in their living environments.
- Educating all members of the public about the physical, social, mental health, and economic benefits of employing the elements of a livable community, such as visitable housing, walkable neighborhoods, complete streets, volunteer and civic engagement activities, and universally designed housing.
- Setting both short-term and long-term goals for the different elements of sustainability and livable communities (such as housing, universal design, green building, energy alternatives, mobility) as a means of conveying a policy direction for actions and decisions and as a foundation for communities to measure achievements and their scale of success.
- Encouraging and assisting municipalities to do periodic evaluations of community conditions, buildings, residential facilities, and public spaces for livability and age-integration.

3. New York State government should support community-located, hands-on, experiential centers, such as an "Aging-In-Place Learning Laboratory," where consumers and professionals can learn first-hand about universal design features, visitability, technology, energy-efficiency, and other strategies and models for livable communities. Such centers should also include a mobile unit.
4. A partnership among New York State's university system, stakeholder government agencies, and the State's philanthropic community network should establish an academic program, course, or studio to train architecture, planning, and business students about universal design and other aspects of livable communities.

***Recommendations – incentives:***

1. The New York State Office for the Aging and other state government agencies should collaborate with the New York State Builders Association, other relevant trade associations, AARP, and other organizations to:
  - Establish a New York State award program for well-designed homes and well-designed communities—adapting one of several existing national award programs.
  - Publicize all entries to raise awareness of excellent design elements.
  - Provide incentives to implement plans for pilot projects in different areas of the State.
2. As a means of increasing awareness of the concept of "livability" and to encourage communities to voluntarily assess their livability and develop an improvement strategy, consideration should be given to establishing a public/private partnership to create a competitive strategy for rating communities for their livability status.
3. As resources are available, grants and other incentives should be provided to municipalities to plan and implement a livable community policy.

***Provision of technical assistance and proven practical tools can heighten community stakeholders' skills in successfully involving members from across all community sectors in defining issues, designing solutions, and planning projects/activities—thereby advancing application of the principles of livable communities.***

***Issues:***

- Communities consist of numerous sectors or disciplines—for example, education, business, not-for-profit, health, faith, development, youth, aging, disabilities, transit, housing, government, and others. Often, professionals within these different sectors are unaware of the common, overlapping impact of community issues across sectors, or of the cross-sector impact of decisions made in isolation by an individual community sector.

- Leaders from different community sectors often fear the loss of resources, autonomy, control, or identity if they engage in collaborations with other sectors.
- Community leaders and members often do not possess the skills and tools to successfully convene, organize, implement, and sustain collaborative cross-sector efforts, and many are unaware of existing tools that can guide them through the process.

***Recommendations—inclusive planning:***

1. In each community, there should be integration of planning across sectors and networks (an inclusive planning approach)—for example, youth, aging, disabilities, planning, zoning, human resources, business, transportation, development, government, education, and other sectors—as a means of understanding the common impacts of an issue on all sectors, to take advantage of different perspectives and creative approaches inherent in the different disciplines, to maximize assets and resources, and to create a framework for ensuring more sustainable solutions.
2. Local service providers should come together to learn about the community's overall network of resources, understand the needs of diverse population groups, explore the benefits and savings of joint actions, build upon the strengths of each sector, better understand the issues and challenges of local governments, and plan together how to most effectively match the community's resources to the community's residents.

## **II. HOUSING OPTIONS**

***A community will more effectively and efficiently meet the needs and preferences of its diverse population groups if there is increased awareness by consumers, professionals, and providers of the various possible housing alternatives, as well as their increased understanding of: (1) the common benefits that many housing options can provide for different resident groups (including older individuals, younger adults, persons with special needs, families, and caregivers), and (2) who will most realistically constitute the market for each type. In addition, streamlined information about housing development programs can facilitate a greater understanding of available resources at the local level.***

***Issues:***

- A large array of housing types is available in New York for the State's residents. "Choice" in one's housing environment is a primary preference of all these residents, and the array of types has the potential of successfully addressing this preference. However, confusion about these options reigns among consumers and professionals alike as it is difficult to understand or recognize the differences among the many options. For example: A variety of names defines each of the various housing options, and there are many versions within each option. Some options are licensed by a State regulatory agency, and some

require no such licensure. Some provide only the living unit, while others provide the living unit and one or more of many different levels of amenities, supportive services, personal care, and health services. Some have rental oversight by a government agency, and some do not. Some are provided at market rates, while others are available only to people whose household incomes meet the housing program's eligibility guidelines. Some developments consist of a single type of housing option, and others consist of several housing types under one roof or on one campus. Some housing types consist of a single unit, while others are multiunit developments. Some have age- or health-eligibility criteria, and others do not. In addition, the type and pricing of housing resources vary by community and by market demand.

- Families and individuals often must make complex housing decisions in times of crisis (for example, hospitalizations, family deaths, loss of a home or job, etc.) and find it difficult to negotiate the maze of options, which can lead to making choices that are not the most appropriate. There is insufficient definitional information or counseling assistance available to help individuals and families through the decision-making process of understanding and finding the most appropriate housing choice—particularly when affordability, functional ability, or health status compromises the ability to continue living independently, or when such circumstances require immediate decisions.
- Insufficient understanding of the differences among housing types or of the nuances of consumer preferences can often lead to a developer's misjudgment of market demand, as well as who will most realistically constitute the market for each type.
- Community leaders, planners, professionals, officials, and residents often may not understand the common/shared benefits (for individuals, families, caregivers, and the overall community) inherent in providing a variety of nontraditional housing types and do not take sufficient advantage of these successful, but little-used, housing models—such as elder cottages, cluster cottage communities, accessory apartments, co-housing, shared living residences, match-up home sharing, micro homes, grandfamilies housing, and others.
- An appropriate range of support (through various housing alternatives and service-coordination/integration models and programs) for the enormous efforts of family caregivers is not widely available.
- All housing options are not consistently available across the State, so older people, people with disabilities, families, and caregivers are often unable to find a housing type that meets their own unique needs and preferences in their own community, often requiring a move to unfamiliar locations or away from supportive family members.
- Many people are negotiating the complex decision-making process involved in choosing an appropriate living environment without the necessary information and knowledge.



- Communities sometimes need better education on the benefits of providing *affordable* housing. Land use and building regulations in local communities may discourage multi-unit housing development, and the public may bring opposition to building new housing or converting older buildings into housing suitable for a range of incomes and abilities.
- In some communities, different resident groups experience the impact of discriminatory attitudes and behaviors by fellow residents and by housing providers.

***Recommendations – education and increased awareness:***

1. A coalition of State agencies, together with relevant stakeholders, should:
  - Create a centralized glossary of housing options, including a matrix of elements characterizing each type.
  - Develop consistent information and definitions about housing options and services, including educational materials and training events to educate consumers, professionals, and leaders alike about:
    - Both conventional and nontraditional housing options,
    - The service and amenity components of each option,
    - The home and community-based services available in the community—to support continued living in one's own single-family home or rental apartment, and
    - Landlord/tenant rights.
  - Provide additional resources for the State's on-line affordable, accessible housing registry (<http://www.NYHousingSearch.gov>) to:
    - Expand outreach and promote awareness of the site;
    - Promote greater visibility, education, and publicity about the web site to encourage more listings;
    - Foster greater collaboration among State agencies to expand the universe of housing developments listed to include those financed by service agencies.
  - Focus greater efforts on alleviating discriminatory fears and overcoming barriers to fair housing choice—through education and other resources that address attitudinal values and behaviors among consumers, providers, and community leaders and that ensure that residents' rights are upheld.

***A livable community provides choices in housing options in order to meet the diverse needs and preferences of both frail and healthy older people, people with disabilities, caregivers, conventional families, families in special circumstances, and nontraditional households.***

**Issues:**

- Many communities do not have sufficient choices in housing alternatives when frailty or disability compromises a resident's capacity to live independently:
  - Often, the only living environments available inhibit personal autonomy, lack privacy, and are not home-like—which are major preferences affecting the

mental and physical health and well-being of older people and younger people with disabilities.

- Living environment options that support safe, successful aging-in-place in the community are often limited or are prohibited by land-use or zoning regulations.
  - Land use and zoning rules can often discourage or prevent the use of innovative or proven, but little-used, housing options.
  - Preferred housing options that support the substantial efforts of family caregivers are very often in short supply or not available because of regulatory prohibitions.
  - Developments that integrate housing with supportive and health services are too often unaffordable for low-income and middle-income households.
  - Developers, community leaders, and consumers are often unaware of different housing models or of the benefits of such models for residents and for achieving community planning goals.
  - Policymakers and providers may be unaware of innovative strategies that can support aging-in-place and that address affordability issues for both homeowners and renters.
  - It is difficult to use many of the current funding mechanisms for housing to develop a mix of housing types for a mix of income groups.
- New York State's communities are characterized by rapidly evolving demographic, social, and policy trends, which has resulted in major shifts in residents' current-day housing needs. However, availability of housing options that reflect these shifting needs are often prohibited by out-dated or inflexible housing, planning, or zoning regulations and policies.

***Recommendations – person-centered, de-institutionalized approach:***

1. Policymakers, planners, and community leaders should 're-think' the provision of housing in order to de-institutionalize all available living environments by:
  - Developing, designing, and promoting more options that are on a smaller, more personal scale, including:
    - Shared Living Residences, which provide a family-like environment for eight to ten individuals; Elder Cottages and Accessory Apartments, which provide a private home environment together with the supportive assistance of close-by family members; "Green Houses" or "small houses" for eight to ten residents in place of large nursing homes; duplexes and quadplexes that provide private apartments for residents who need supportive assistance and an apartment for a home health aide who provides that assistance; match-up-home-sharing programs, which provide mutual support, companionship and socialization, and assistance; Family Type Homes, which provide supportive services in a familial environment for one-to-four frail individuals; and others.
    - Coordinated service-delivery or community-building strategies that allow residents to successfully and safely remain living in their own homes—for example, Naturally Occurring Retirement Community (NORC) Services Programs, Village Movement models, co-housing models, and others.

- Using "person-centered" principles as a framework underlying housing development, housing design, provision of human services, and local planning efforts. Such a framework:
    - Acknowledges that the desire for empowerment is shared by all people, while recognizing the distinctions characterizing all persons,
    - Strives to match housing and services to both the needs *and* the preferences of individuals, and
    - Supports personal choice in selecting living environments and the delivery of assistance and care.
  - Planning should assure that supportive assistance and health services are in place for frail older people and younger-aged people with disabilities, including:
    - "Housing" models that integrate housing and supportive services, and
    - Conventional housing models, together with facilitated access to in-home and community-based services provided through traditional agencies and programs.
  - As the State's communities become increasingly diverse (race, culture, household make-up, age, physical and mental ability), community leaders, providers, and planners should carefully consider the preferences of diverse population groups.
  - Policymakers, planners, professionals, and community leaders should understand that housing is more than a "place," and planning efforts should recognize housing's role in having a "sense of place."
  - When planning efforts are undertaken for housing and community development, greater thought and acknowledgement should be given to the potential outcomes of planning decisions. For example, do decisions result in biases against certain options, prohibit the matching of people's needs with available alternatives, or limit the implementation of innovative strategies?
2. Funders in the public and private sectors and in the philanthropic community should consider all housing types:
- Recognize and support *all* types of housing and housing-and-care models, including strategies for staying in your own home and multi-unit housing options, as well as nontraditional models such as grandfamilies housing, a variety of intergenerational options, shared living apartments and residences, both age-integrated co-housing and senior co-housing complexes, elder cottages, accessory apartments, cottage communities, and other innovative and successful alternatives.
  - Provide various incentives, and remove disincentives, for developing innovative housing options.

***Aspects of housing programs' policies, development guidelines, and zoning and land use regulations that are burdensome, inflexible, or outdated affect housing development, housing design, and home modifications,***

***which, in turn, have a negative impact on older adults, persons with disabilities, caregivers, and families.***

**Issues:**

- In some communities, rules and regulations for housing and community development and for planning and zoning/land use are not keeping pace with shifting health and long-term care policies, changing population profiles, fluctuating community and family circumstances, and residents' desires.
- In some communities, existing policies and regulations do not allow development of a variety of successful housing models that are desired by residents and that will address the diverse needs and preferences of these residents.

***Recommendations— update outmoded or burdensome policies:***

1. Policymakers, leaders, and officials at the federal, state, and local levels should review and modify housing-program and zoning/land use regulations/rules/policies governing all types of housing to allow greater flexibility and eligibility for use in order to better respond to shifting community and household needs. For example:
  - There should be increased flexibility in housing programs that stipulate rigid age or household-size eligibility requirements for specific units, as that can have the unintended effect of narrowing housing options for otherwise qualified individuals. For example, increasing numbers of grandparents have assumed custodial responsibility for their grandchildren, which can eliminate their eligibility for some senior housing; medical or health conditions may require a household couple to use separate bedrooms, but may deny their eligibility for a two-bedroom apartment; a single person with physical disabilities may require round-the-clock aide assistance, but may only be eligible for a studio apartment.
  - Communities across the State should:
    - Learn about the economic, social, and health benefits communities derive from a range of housing options, including non-traditional and innovative models;
    - Re-evaluate their zoning and land use regulations in light of these benefits; and
    - Modify these regulations to enable more flexibility for the use of a variety of proven, nontraditional supportive housing alternatives that assist both residents and caregivers by supporting successful aging-in-place in the community— including elder cottages, accessory apartments, duplexes and quadplexes that include housing for an aide, shared living apartments and residences, match-up home sharing, cottage neighborhood with community building, and others— all of which successfully address the needs and preferences of frail elderly persons, younger-aged individuals with physical impairments or developmental disabilities, and both adult and aging family caregivers.

***Recommendations— expand availability and appropriateness:***

1. Ways should be identified to expand the availability of housing options to more people, as well as sustain the appropriateness of housing environments for *all* residents, including:
  - The State Office for the Aging should engage more actively in the U. S. Department of Housing and Urban Development's *Continuum of Care* grant program (which provides emergency, temporary, and permanent housing for low-income and homeless individuals and families, including older people), and should encourage the State's 59 Area Agencies on Aging to learn more about the program's goals and funding and to actively participate in program meetings in order to include a presence by the aging network in the implementation of the program. This is especially important because of the increasing numbers of older people among the homeless population.
  - The State Office for the Aging should extend its advocacy for alternatives to nursing homes and other institutional settings to *all* community sectors in order to help create a consistent, community-wide understanding of consumer preferences and public policies related to housing and long-term care.
  - Section 8 administrators should maintain a tracking system of local housing authorities to ensure that housing subsidy vouchers that are targeted to people with disabilities are actually being used to serve that population.
  - A range of housing alternatives should be designed to assure that maximum provisions for privacy, security, safety, accessibility, affordability, and community integration are equally available to all residents, regardless of age, ability, or culture.
  - Assisted Living—New York State should:
    - Explore and implement strategies for making Assisted Living Residences and other housing-and-services options affordable for moderate- and middle-income individuals who cannot afford current private-pay options.
    - As a means of creating affordable assisted living models, revise program regulations to designate the Medicaid Program as an accepted payer for assisted living services.
    - Review program regulations as they relate to various senior housing models.
    - Review program regulations as they relate to the role of Resident Advisors/Service Coordinators in senior and age-integrated housing developments in order to support the ability of Resident Advisors to link residents to approved community-based supportive and other services as a means of supporting aging-in-place.
    - Review the process for surveying and overseeing Assisted Living Residences in order to assure sufficient flexibility in the application and interpretation of the program's regulations and, thereby, sustain the intent of the program to promote aging-in-place.
    - Increase the number of beds allowed under the State's Assisted Living Program (ALP).

- New York State should:
  - Consider advocating at the federal level to create more flexibility in the Section 8 Housing Choice Voucher Program.
  - Assess housing programs to improve access to available affordable/accessible units by individuals qualifying for State housing subsidies, thus improving affordability for extremely low-income households.
  - Continue to prioritize the Weatherization needs of older adults and individuals with disabilities.
  
- In order to meet the overwhelming program demand, expand the State's *Access to Home Program*, which provides funds to not-for-profit organizations and municipalities to make the homes and apartments of low- and moderate-income persons with disabilities accessible.
  
- Incentives should be provided to encourage community organizations to coordinate the group-purchase or cooperative-purchase of home maintenance services, supportive assistance such as housekeeping and homemaking, and other hard-to-find services for neighborhood-based or multiunit-building-based groups of residents.
  
- Continuing Care Retirement Communities (CCRCs):
  - The State's regulatory structure for CCRCs should be reviewed to consider:
    - Limiting the turn-around time of the Health Department's and Insurance Department's review of CCRC application and other processes.
    - Using the "best practices" laws and regulations of other states as a means of encouraging CCRC development in New York—for example, Pennsylvania's law, which provides for CCRC development without compromising consumer protection.
    - Reviewing the level of financial oversight of CCRCs and the role of the Insurance Department in providing this financial oversight—including exploring the practice of all other states, which accept the guidance and recommendations of CCRC actuaries for financial projections and investments regarding CCRC development and operation.
  - Land use/zoning laws should be amended to allow the building of CCRCs.
  - Article 46 of the Public Health Law should be changed to give the Department of Health authority to allow CCRC sponsors to access bond anticipation notes through their local Industrial Development Agency (IDA)—as a means of promoting the development of the CCRC option and encouraging affluent older people to choose a CCRC in New York State rather than going to other states for this option.
  - As a means of encouraging sponsors to build CCRCs in New York State rather than going to other states, New York should allow CCRCs continuing access to tax-free bonds by not allowing IDA bonding authority to sunset on a regular basis.
  
- New York State should promote the development of successful alternative, but little-used, housing alternatives, including:

- Co-housing: Promote both intergenerational and senior co-housing complexes—including new development, as well as adaptation of existing neighborhoods and multi-unit complexes.
- Accessory Apartments and Elder Cottages: Promote the use of both these models as affordable, supportive housing options for various populations, including older people, people with various disabilities, their companions and/or their aides, young adults starting careers who cannot afford traditional housing, and to assist the efforts of family caregivers, including:
  - Amending local zoning laws to allow their use;
  - Providing a mechanism for tax abatements or tax deferrals;
  - Providing uses beyond the traditional model—for example, temporary Accessory Apartments, an Elder Cottage Community, and an Elder Cottage cluster with a community building.
- The State's Human Rights law should be reviewed to assure that its provisions prevent discrimination against older people and people with disabilities who pay for housing with public subsidies.
- New York State statutes should be changed to allow the development of senior housing as one of the authorized/eligible activities of Industrial Development Agencies and Local Development Corporations.

### **III. UNIVERSAL DESIGN and ACCESSIBILITY**

*Universal design— designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of age, ability, or status in life."*

**— Ron Mace**

***Universal design stresses equitable, accommodating, and accessible use of all elements of everyday living—including homes, buildings, transportation, communication venues, recreational areas, public spaces, streets, and many others—by people of all ages and abilities.***

***Greater understanding of the concept of universal design, the numerous universal design features available, commonalities between universal design and accessibility, and applicability of universal design in all sectors and disciplines in a community: promotes the role of such design as a strategy for improving community livability, supports the ability of all residents to live well and successfully age-in-place, and helps contain the costs of long-term care by extending the ability of frail and impaired individuals to remain self-managing and independent for longer periods of time.***

***Issues:***

- Consumers, policymakers, and professionals across all disciplines can benefit from clarification and education about the concept of universal design and of accessibility:

- While there are many lists of universal design and accessibility features/elements, there is no consistent definition of what features, or how many features, must be included in order to characterize or market a home or building as *universally designed* or as *accessible*.
  - There is no centralized, widely publicized, comprehensive listing of universal design features that is available as a resource for public use.
  - Consumers, developers, providers, architects, and other professionals often do not distinguish between accessibility features and universal design features.
  - Consumers, developers, and professionals are often unaware of the role of "adaptive housing" in implementing a universally designed home.
- Guidelines or requirements for universal design, adaptive design, or accessibility features vary significantly among federal, state, and private housing and community development programs, across the 50 states, and across all community sectors/disciplines.
  - Requirements for accessibility and universal design features are not consistently enforced, nor are sanctions consistently applied when requirements are not met.
  - Developers and builders are often reluctant to plan for universal design because their lack of knowledge about the features or about their cost causes them to fear that a project will be financially unfeasible. However, many universal design features add no additional cost to initial construction (such as widened doorways, locating electrical outlets 15-27 inches above the floor, designing counters to include sit-to-work space, adding reinforcements inside bathroom walls to support the later addition of grab bars, windows that open in, no-slip floors and sidewalks), but may be costly when modifying an existing home/building to include the features. In addition, many universal design features are considered "low-cost" or "no-cost" regardless of when they are installed (such as handrails on both sides of a staircase, painting walls and doors in contrasting colors, locating the medicine cabinet on the side wall of the sink, adjustable closet rods, full-spectrum florescent lighting, etc.), while some (such as a walk-in bathtub, a custom ramp, or a re-landscaped front entrance) can be costly during new construction or as a modification.

***Recommendation—accessibility:***

1. All housing, regardless of type, must be physically accessible in order to promote visitability, support aging-in-place in the community for all residents, and accommodate the normal variations in size and ability that characterize residents of all households and communities.

***Recommendations—awareness and consistency:***

1. A variety of actions should be initiated that will increase widespread awareness and knowledge of the concept of universal design; of the various elements and features that will result in universally designed housing, buildings, and public spaces; and of the benefits of such features for individuals, families, and communities, including:
  - A coalition of state agencies and professionals from across the state should collaborate to develop and disseminate:



- Consistent definitions, principles, and guidelines for universal design—including design features, accessibility, walkability, visitability, adaptive housing, inclusive housing, and livable communities, referencing the American National Standards Institute (ANSI), the Global Universal Design Commission, and the work of experienced universal design professionals such as the Center for Universal Design in North Carolina and the Center for Human Centered Design in Boston, MA.
  - An "across-state-agency" guidebook regarding the concepts and features that comprise universal design.
2. Through public/private partnerships, consider funding a study and provide research incentives to:
    - Demonstrate/measure the physical, social, mental health, and economic benefits and outcomes of universally designed housing, visitable housing, walkable communities, complete streets, and other features of livable communities—including outcomes such as changes in behavior, health status, car use, economic well-being, etc.
    - Conduct research on the scale and cost of rehabilitating existing housing developments in order to make them accessible and/or universally designed.
  3. New York State's codes and policies should be reviewed and updated to encourage or require the concept of universal design; for example:
    - Visitability features in housing (referencing the ANSI guidelines for Type C units, which are designed to achieve visitability).
    - Development requirements that include universal design elements in all new and rehabilitated affordable housing.
    - Program regulations to require universal design elements in licensed housing and care facilities.
    - Continued training and compliance efforts related to applicable requirements of the various Federal disability rights and housing laws/regulations that require non-discrimination and accessibility in new construction and renovation.
    - Review and strengthening of state laws, where necessary, to facilitate enforcement capabilities under Federal and State non-discrimination and accessibility laws.
    - Improved enforcement capacity of code and regulatory requirements and incorporation of fines and other appropriate actions into existing and new building codes, as well as resources made available for greater enforcement of these codes and for enforcement of the remedial actions taken to address past violations of accessibility standards under both State and Federal laws.
    - A "walkability" provision added to the Comprehensive Plan sections of Town, Village, and General City Laws.

- A "complete streets" policy required for all roadways being built, existing roads being repaired, and in all new subdivisions—to increase street connectivity between stores, buildings, and other entities as a means of encouraging walking in place of car-use and to increase pedestrian access to destinations, including consideration of:
  - Allowing no more than four lanes for surface arterials, and
  - Large type and good color contrast used for all street signs.

#### **IV. HOUSING DEVELOPMENT**

***Streamlined housing development processes promote seamless access to housing. Greater use of technology and coordination among multiple development agencies help ensure a more customer-friendly development environment. Innovative and flexible policies support the availability of a mix of housing types and increase opportunities for older adults, younger individuals, persons with disabilities, families, and caregivers to find housing alternatives that meet diverse needs and preferences.***

***Issue:***

- Development delays, which can be costly in time and money, can occur if developers or community members do not fully understand the requirements of various housing programs, funding sources, and application protocols, or the relationships among multiple programs and processes.

***Recommendations:***

1. To streamline and eliminate costly duplicative efforts among agencies that can hinder the development process, New York State should:
  - Unify the leadership of its State housing agencies to merge and consolidate policy-making and administrative functions under a single leadership structure.
  - Streamline, modernize, and simplify operations to reduce costs for the State and its partners.
  - Continue to make technical assistance resources available in communities for developers, municipalities, and community-based organizations.
  - Create a "one-stop-shop" directory of State agencies that have available funding, and include how that funding can be used.

***Issue:***

- The changing characteristics of New York's residents and communities require that housing policies, regulations, and programs be continually reviewed and updated in order to remain relevant and appropriately responsive to evolving community and resident characteristics.

***Recommendations:***

1. New York State should use various strategies to preserve and expand the supply of safe, decent, affordable, accessible, community-integrated housing options, including:
  - Partnerships and incentives should be created to:
    - Explore new opportunities for financing housing alternatives and increasing the availability of housing-and-supportive services, rental subsidies, and home modifications.
    - Facilitate the involvement of banks, lenders, and private investors through incentives to encourage private investment in affordable housing.
    - Explore new senior housing models, such as "patio homes" (see models in Florida) or "cottage communities" (see models in Washington State), which are single-family homeownership options that are integrated with the wider community and that promote a greater sense of community through the design of common areas for gathering (such as a pool, senior center, etc.).
    - Encourage communities to donate land for senior and other housing.
  - Continue to encourage applications for affordable housing that include units for a variety of special needs populations, including frail older adults and individuals of all ages with disabilities.
  - Continue to support a "set-aside pool" of funds for supportive housing through the State's Qualified Allocation Plan, which governs the use of 9 per cent Low Income Housing Tax Credits (LIHC).
  - Advocate with the U. S. Department of Housing and Urban Development (HUD) to fully fund the Federal Section 202 Supportive Housing for the Elderly Program and the Federal Section 811 Housing for Persons with Disabilities Program—both of which fund new construction of housing.
  - Advocate with Congress that new Section 811 funding be used in community-integrated settings.
  - Develop more opportunities to finance the preservation and development of affordable, accessible housing; for example:
    - Use the USDA Section 515 Multifamily Program as a model for creating public/private partnerships that include state agencies, banks, and other lenders.
    - Adapt the USDA Section 515 Multifamily Program to create a "single-family homeownership community" model for older adults and people with disabilities.
    - Create a non-tax shelter option (such as direct public financing of subsidized loans) for those who do not have funds.
    - Utilize affordable housing mortgage products (such as the USDA's Section 502 Direct and Guaranteed Housing Program) for financing the purchase of individuals' homes.
    - Provide:
      - Rental assistance to make rents affordable;
      - Operating subsidies;
      - Increased public subsidies for low-income housing;

- Using North Carolina's and Pennsylvania's models, devise deeper subsidies for people in poverty to address the lack of housing available for people at or below 18 per cent of the poverty level.
2. In order to define the need for housing in New York State, as well as the need for a continuum of housing and supportive services and health care, State agencies should work collaboratively to analyze *existing* housing data and to explore non-governmental opportunities to collect/analyze *comprehensive* housing data. This information will provide a basis for: (1) identifying unmet need, (2) supporting the ability of individuals to live in the living environment of their choice, (3) facilitating long-term care and housing planning, and (4) advocating for continued resources.
  3. The State's Environmental Quality Review Act (SEQR):
    - Review, refine, and simplify the Act to assist applicants in negotiating the environmental review process and, thereby, accelerate the development process.
    - Explore the extent to which the SEQR process is used to achieve outcomes other than its intended environmental aims, and review and reform the Act to address these activities.
    - Review the Act's definition of "environment" to put more emphasis on encompassing human and community resources. State and local public entities should be educated to more fully recognize such resources in their implementation regulations.

## **V. ENERGY and GREEN BUILDING**

***Energy-efficiency, energy alternatives, and green building practices are elements of a livable community, and many advances have been made in these areas across the country. Greater education about these alternatives, practices, and elements increases awareness of their health advantages, environmental and community-sustainability benefits, and both the short- and long-term cost implications of various energy and green building features and strategies. Increased awareness promotes more widespread use of these features and greater gains from their benefits.***

### ***Issue:***

- Among providers, community leaders, consumers, and professionals and policymakers across disciplines, there is inconsistent definition, interpretation, and usage for terms such as: green, sustainability, energy-efficiency, smart growth, and other terms related to the fields of energy and green building.

### ***Recommendations:***

1. A coalition of New York State agencies and professionals in the fields of energy and green building should:

- Conduct a statewide multi-media, multi-language educational campaign, targeting all age groups, all cultures, and all community sectors, to provide information and definitions of "green," "sustainability," and "energy-efficiency," as well as criteria for meeting those definitions—in order to (1) increase understanding of these concepts; (2) bring consistency in the meaning and use of these terms by policymakers, professionals, and the general public; and (3) create more-informed consumers as a means of countering the deceptive or fraudulent use of green and energy-efficiency language, labels, logos, guarantees, and promises.
- Make a written and web-based data base available for public use that would: (1) provide a glossary of definitional terms to strengthen uniformity of use, understanding, and interpretation; (2) provide examples of green, sustainable, and energy-alternatives best practices, design techniques, public policies, etc., as a resource for information, replication, and adaptation; and (3) provide information on how to access various plans, resources, and incentives, etc., that would facilitate replication and adaptation.
- Set short- and long-term sustainability goals—as a means of conveying a direction for actions and decisions and as a foundation for measuring achievements and a scale of success.

***Issue:***

- The use and inherent benefits of green building and energy-related features and practices are not being maximized across the State.

***Recommendations:***

1. Various incentives should continue to be provided to encourage greater and quicker implementation of green building and energy-related features and practices, including:
  - Both State government and the private sector should provide financial and other incentives for the development of demonstration programs and prototype models: (1) as a resource for replication, and (2) as a basis for developing green and energy-efficiency guidelines.
  - Funding programs should:
    - Target the State's existing residential and commercial buildings as a strategy for maximizing green practices and the use of energy alternatives.
    - Consider incentives for the development of green and energy-efficient housing, including housing for various special needs population groups.
    - Streamline the process for consumers and developers to access green and energy programs in order to minimize bottlenecks in program-delivery and expedite meeting the needs of all consumers.
    - Provide bonus points for development projects that use green and energy-efficient practices and features (smart-site criteria).

2. All publicly funded new construction or substantial renovation of homes, as well as health care facilities, schools, public buildings, and establishments providing services for community residents, should meet a set of established green building criteria, such as: (1) United States Green Building Council's Leadership in Energy and Environmental Design (LEED) standards, (2) New York State Division of Housing and Community Renewal's Green Building Manual; (3) Enterprise Green Communities Criteria; or (4) others as applicable.
3. A "whole-building fuel-neutral" approach should be taken to energy efficiency in order to achieve the largest energy savings.
4. A coalition of State and local government agencies, in collaboration with non-governmental professionals, should review existing building and development codes, assess aspects that inhibit or prevent implementation of green building and alternative energy features and practices, recommend changes to facilitate greater and easier usage of these features and practices, and act quickly to adopt code changes/amendments in order to keep pace with the new, growing green movement.

## **VI. PLANNING and LAND USE**

***Traditional, inflexible zoning regulations focus on separating land uses and make the creation of walkable and livable communities more difficult.***

### ***Issues:***

- New York State consists of over 4,200 local governments (cities, towns, villages, and special districts). Across all municipalities, training and professional standards are inconsistent, often resulting in conflicting or inadequate information and guidance being provided about codes, rules, and regulations.
- Too often, communities and regions do not take advantage of the benefits derived from engaging in collaborative actions, or in creating comprehensive plans, or in understanding the elements of current planning trends.
- In many communities, planning, zoning, and land use approaches were instituted at a time prior to when the value of mixed-use, walkable communities was rediscovered. This often prevents the use of alternative housing types, design strategies, or planning models and methods that are now known and preferred by residents and community leaders—models and strategies that better respond to our communities' rapidly changing populations, that better reflect emerging trends in various community sectors, and that can benefit the community's economic and social well-being in a variety of ways.

### ***Recommendations—education/training; uniform standards:***

1. State and local government agencies and education and other non-government organizations should collaborate to increase understanding of the planning process among the general public, planning and zoning officials, and local leaders, as well as their understanding of what should be included in the planning process and the implications of planning decisions, including:

- Educate all stakeholders to understand that long-term planning has an impact not just on baby boomers, but on everyone and on all sectors; and that each of the various stakeholder sectors should be enlisted to provide its perception of these impacts as a means of broadening the perspectives and understanding by all sectors.
- Educate all stakeholders, including the general public, about the positive fiscal impacts of long-range planning.
- Provide municipal planning, zoning, and other officials with increased training and technical advice for planning and land-use issues, laws, procedures, and impacts, as a means of bringing greater consistency to the information and guidance they provide.
- Explore the feasibility of establishing statewide standards for local planning, zoning, and land use officials.
- Encourage placement of university urban planning interns on planning boards to assist board members with researching information on different subjects or for visioning what a project will eventually look like. (For example, explore the Manhattan Borough President's model of supplementing the staffing of community boards with urban planning student interns.)

***Recommendations—update land-use regulations; increase collaboration:***

1. New York State, local leaders, and non-governmental funders should continue to provide incentives, resources, and technical assistance to:
  - Provide incentives and conduct various activities that encourage communities to update or amend local zoning and land-use regulations as a means of allowing more creative approaches to housing and community development, including:
    - Placing greater emphasis on future demographic and social trends when making planning and funding decisions for state policy and for community actions.
    - Developing *walkable* neighborhoods, downtowns, and public spaces.
    - Including housing for older people within walkable communities.
    - Increasing mixed-use development.
    - Increasing age-integrated housing.
    - Providing incentives to plan and promote more creative and innovative strategies for addressing community issues.
  - Promote the use of collaborative planning and development approaches as a means for more creative, innovative, and sustainable methods of defining problems and designing solutions, including:
    - Encouraging the formation of local coalitions and engaging in an *inclusive* approach to community planning and problem-solving—building upon the creativity and assets inherent in a variety of perspectives and resources—by involving a cross sector of critical stakeholders, including consumers, planners, human service providers, members of the finance sector, builders and developers, transportation, faith community, library system, philanthropic community, education, elected officials, zoning and land-use

officials, business community, not-for-profit sector, energy, architects, professional organizations, health care, and others—all of whom will feel the impact of community decisions.

- Encouraging interagency collaborations among state-level agencies, among community agencies, and between state and community agencies—to ensure that all resources work together effectively and efficiently and that duplication and waste are avoided.
- Supporting the exploration of a regional planning approach and a regional plan in order to have housing, transportation, energy-efficiency, green building and other community elements reflect a comprehensive approach to planning, development, and land-use.
- Exploring the feasibility of establishing regional support offices to provide technical advice and to facilitate local implementation of planning, zoning, and transportation models and strategies.
- Continuing to provide incentives to local governments to share resources/services and to consider various consolidations as a method of freeing up monies and other resources that could then be dedicated to planning, zoning, and transportation issues.

***Recommendations—comprehensive plans:***

1. A comprehensive plan should be required as a pre-requisite for applying for government funding.
2. When developing and implementing a comprehensive plan, strategies should be explored, and encouraged, for gaining much greater *active* participation by residents and community groups and organizations.
3. Municipalities should include language in their comprehensive plans that provide for aging-in-place for older adults and people with disabilities, and should amend their zoning language to allow implementation of the plan's strategies.

***Recommendations—smart growth:***

1. In its mission to promote smart growth as an official policy for State programs, New York State should:
  - Be sure that *all* the impacts of implementing this policy are understood.
  - Employ marketing techniques (such as public service announcements) to increase public support for smart growth principles such as the creation of a range of housing opportunities and choices and walkable neighborhoods.
  - Provide incentives to private developers to implement smart growth principles, because few smart growth projects will come to fruition if investors, developers, and builders do not earn a profit.
  - Redirect various funding allocations to support the Smart Growth Recovery Infrastructure Act.



## VII. MOBILITY and TRANSPORTATION

***A greater variety of innovative, affordable, and accessible mobility and transportation alternatives, as well as improved coordination of transit services, will provide a more appropriate and effective response to the varying needs of our increasingly diverse resident population. Promoting alternative transit and mobility strategies will also reduce reliance on the use of personal cars and on the use of fossil fuels.***

***Elements of community design have a direct effect on the availability of alternative transit and mobility options and, therefore, on residents' quality of life and the vitality of the business sector. For example, "walkable communities" promote alternative mobility forms (walking, biking, wheelchair use, use of small-motor vehicles, and others) that are increasingly acknowledged as a significant, desired component of a community's transportation network. Also, the design concept of "complete streets" supports choice in mobility options by accommodating all modes of transit, including conventional transportation (public buses, cars, motor bikes, taxis, trucks, elevated rapid transit systems, etc.), as well as walkers, trolleys, bicycles, small-motor vehicles, and others.***

### ***Issues:***

- There is a greater need for safe, appropriate, affordable mobility and transit options for frail older adults and people with disabilities because of two major trends: (1) public policies stress keeping both population groups out of institutions and living in their own homes and apartments with community-based long-term care services; and (2) longevity continues to increase for both groups, and there is a direct relationship between advancing age and vulnerability to frailty and impairment.
- In areas of the State where *conventional* transportation modes are available, the growing numbers of frail or mobility-impaired residents continue to be unable to use these options, making the promotion and use of *non-conventional* and *innovative* options increasingly important.
- There is a substantial lack of public transportation, as well as alternative transit options, available in New York State's many rural areas, leaving many people without access to transit and community services. This increases: (1) community agencies' service-delivery costs, as people live far from needed services and health care, and (2) a continued almost total reliance on the use of personal cars.
- A variety of issues, such as program regulations, county borders, parochial concerns, and rules governing the use of resources, inhibit or prevent collaboration among agencies and the development of community-based coordinated transportation services.

- While a livable community includes the concepts of walkable neighborhoods, downtowns, public spaces, and complete streets, too few neighborhoods, communities, towns, and cities include sufficient, appropriate, easily accessible travel-ways, pathways, walkways, and roadway designs to allow residents to safely and comfortably use non-conventional mobility modes (walking, biking, and a variety of slower-wheeled vehicles) to conduct the routine activities of daily life.
- Both the general public and professionals across all disciplines are not sufficiently aware of—and require greater education about—how the concepts of walkable communities and complete streets can be used as strategies to address:
  - The growing attention on fighting obesity among residents of all ages;
  - The increasing public preference for walking and biking—to achieve health and fitness benefits and to increase social interactions among residents, which improves overall community well-being by strengthening a "sense of community."
  - The increasing concern about environmental degradation and depletion of fossil fuels—to reduce reliance on personal cars and support innovative mobility options that use no fossil fuels or use alternative renewable sources of energy.

***Recommendations—expand programs and options:***

1. New York State should:
  - Explore the efficacy of devoting a specified proportion of federal Highway Safety Improvement Program (HSIP) funds and ten per cent of federal Congestion Mitigation and Air Quality funding for pedestrian safety programs.
  - Planners and policymakers should survey existing successful or innovative programs and policies that expand transit options, that support increased mobility or safety of consumers, and that tie economic incentives to creative approaches—and should (1) replicate or expand successful programs, and (2) promote and publicize replication or adaptation of such models and approaches in communities across the State; for example:
    - Expand funding for the "Safe Routes to School" program for children and adapt this program for older adults and people with disabilities.
    - Expand funding for the "Bus Buddies" program, which teams an experienced bus rider with a person who is unused to riding the bus, to help them become comfortable with all aspects of a bus trip, such as reading a bus schedule, trip-planning, getting on and off, requesting stops, and even the use of bicycle racks.
    - Expand funding for the State Department of Transportation's "Safe Seniors Program," which addresses unsafe intersections.
    - Promote the "Share the Road" program, the American Trucking Association's highway safety program.
    - Create a statewide "Safe Routes to Transit" program.
    - Promote "Dollar-a-Ride" taxi programs, a public/private strategy.
    - Support "Independent Transportation Network" programs, which employ both paid and volunteer drivers to provide flexible-route, on-demand, affordable transportation.

- Promote community-based ride-sharing programs.
  - Educate consumers about on-line trip planners.
2. The State's railroad infrastructure should be revitalized as a strategy for reducing the use of personal cars and increasing the use of trains as an alternative to other public transportation modes.
  3. Greater attention should be placed on: (1) addressing violations of the mobility standards of the Americans with Disabilities Act, and (2) enforcing sanctions.

***Recommendations—education about mobility options:***

1. Creative, more effective education and training programs are needed to:
  - Raise the comfort level for using public transportation by people who are unfamiliar with using these modes—understanding schedules, routes, stops and pick-up points, transfers, fares, ridership and payment protocols, reservations, web sites, etc.
  - Raise awareness among consumers of the accessibility and design features available on specific transportation options—to alleviate fears about an inability to board or exit the transit option, inability to act quickly enough to safely get to a seat, inability to adequately hear or understand the driver's announcements or directions, etc.
  - Raise awareness and understanding among conductors, drivers, and other transit personnel who interact directly with the public about the various needs, frailties, limitations, and concerns that characterize different riding population groups, such as parents with small children, pregnant women, frail older adults, people with mobility impairments, people with hearing or vision loss, people with health issues, and others.
  - Raise awareness among consumers, planners, and community leaders of the many and varied benefits derived from increased numbers and types of transit and mobility options and more accessible and universally designed options. For example:
    - Greater numbers and types of options:
      - Increase the ability of retired persons to take advantage of second careers or to continue working.
      - Increase business activity in commercial sectors of the community.
      - Support both the ability of service providers to more efficiently deliver services, and the ability of consumers to be self-reliant in accessing amenities and services.
      - Support the efforts of the State's 2.2M caregivers of frail older adults and younger-aged people with disabilities.
      - Increase availability and accessibility of mobility and transit alternatives in the State's rural areas.
    - Accessible and universally designed options promote the ability of people with disabilities or frailties to easily access and use public parks and other amenities.
    - For many frail or impaired individuals, as well as those who are unfamiliar with using different transportation options, increased education and

awareness alleviates fears about an inability to act quickly enough to board or exit the transit option, to understand the fee-payment protocols or transit schedules, to safely get to a seat, to adequately hear or understand the driver's announcements or directions, etc.

***Recommendations—promote complete streets and walkable communities:***

1. New York State should enact legislation, with funding provided, to implement a complete streets policy:
  - For all new roads being built and for existing roads being retrofitted, requiring engineers to design roads that accommodate the needs of all users.
  - As a means of supporting *all* manner of motorized, non-motorized, and pedestrian mobility alternatives.
2. In both the public and the private sectors, much greater attention should be placed on making *all* transportation modes (taxis, buses, street cars, trains, etc.) accessible, universally designed, and easily useable by frail older adults, younger people with disabilities, young children, and others who have a health or mobility impairment.

***Recommendations—education about complete streets and walkable communities:***

1. Education to stress the design concepts of *walkable communities* and *complete streets* should be included as a component of community planning in order to maximize the benefits inherent in these concepts for residents of all ages and abilities, businesses, and all other sectors of the community, by:
  - Increasing awareness and understanding by planners, professionals across all disciplines, providers, officials, consumers, and policymakers of the numerous elements comprising complete streets and walkable communities—for example, streets and roadways, parks, downtowns, neighborhoods, and other areas should include sidewalks, walkways, and other transit travel-ways to allow the safe use of slower-wheeled vehicles (such as Segways, tricycles, bicycles, golf carts, wheelchairs, etc.) and safe walking by people of all ages and abilities.
  - Increasing understanding of the impact and the benefits of complete streets and walkable communities for the overall well-being of a community.
  - Assuring implementation of appropriate infrastructure to carry out these concepts in order to encourage and support walking, biking, and other non-auto and nontraditional mobility modes.

***Recommendations—collaboration between planning and development:***

1. New York State and community leaders should take active steps to increase availability of transit options and access to these options through collaboration and coordination of "development" and "transportation," including:
  - Promote "transit-oriented development":
    - Buildings and transportation infrastructure should be near each other to increase access by individuals and families, in order to:
      - Save fossil fuels and other energy sources by all individuals.

- Save both formal and informal caregiver expenses for those who care for frail older adults and younger people with disabilities.
- Provide greater independence and self-management for older adults and people of all ages with mobility impairments.
- Include stakeholders in housing, stakeholders in community development, and stakeholders in mobility and transportation in community planning efforts in order to assure that activities and plans in any of these disciplines is coordinated with those of the others.
- Remove program and funding regulations that inhibit or prevent the ability of agencies to collaborate and coordinate transportation resources at the community and the regional levels.
- Address the transportation needs of older adults, people with disabilities, and others with mobility limitations at the Metropolitan Planning Organization level.
- Promote across-sector and across-discipline planning for transit and mobility as a means of identifying fresh, often-inventive ideas that can help fill out a community's response to transit and mobility needs; for example:
  - Encourage the use of technology as a substitute for transit-use, such as shopping on line in place of driving to a store.
  - Include an "emergency service" as a component of public transportation—for example, in cases where an electric wheelchair breaks down.
  - Develop/expand "feeder transit services," which take people from their homes to bus and train stations, as a component of public transportation systems.

## **VIII. ECONOMIC ISSUES**

***Economic issues have a major impact on a community's quality of life and, therefore, on its "livability."***

### ***Recommendations:***

#### **1. Property taxes:**

- Assessors and community development officers should be educated about subsidized housing, and Real Property Tax Law 581-A should be reviewed to ensure enforcement. ("State Legislature in 2005 [Chapter 714] added Section 581-a to the Real Property Tax Law to give the owners of residential rental properties, subject to regulatory agreements restricting occupancy in accordance with an income test, the right to have their properties valued, for real property taxation purposes, by the "capitalization of income" method." Citation: [http://www.orps.state.ny.us/legal/Q&A\\_581a.pdf](http://www.orps.state.ny.us/legal/Q&A_581a.pdf)).
- Property tax reform:
  - Address property tax reform at both the State and community levels.
  - Encourage a "split tax" strategy (greater tax on land than on buildings).
  - Review and modify the tax framework for not-for-profit agencies.

- Municipalities should develop policies regarding taxation of senior housing projects.
- Alleviate the property tax burden for homeowners for whom taxes are an affordability issue.
- Communities should review property taxes and consider the community benefits of tax relief through a sliding scale framework.

2. Education:

- There should be increased collaboration and linkages among aging services agencies and other community agencies and groups to provide more effective education and outreach to older adults and other population groups to increase their awareness of tax relief programs and savings programs.
- At both the State and municipal level, more effective education and public relations efforts are needed to communicate the positive economic role of older adults and people with disabilities in the overall well-being of the community.

3. Across the State, business-friendly environments should be encouraged.

## Sustainable Communities for all ages

*Appendix — 1*

### **Advisory Workgroup**

**October 1, 2009**

#### ***Housing Options***

**Co-chairs:** Deborah Damm O'Brien and Jennifer Rosenbaum

Joseph Agostine, Jr.  
Executive Director  
Neighborhood Preservation  
Coalition of NY State  
40 Colvin Avenue  
Albany, New York 12206

John A. Beale, Director  
Dutchess County Office  
for the Aging  
27 High Street  
Poughkeepsie, NY 12601

S. Jeanne Brendel  
Administrator  
Emmaus House Foundation  
d/b/a/ Harvest Houses  
235 Cold Spring Road  
Syosset, New York 11791

S. Mary Butler, Administrator  
Harvest Houses  
235 Cold Spring Road  
Syosset, New York 11791

Deborah Damm O'Brien  
Executive Director  
DePaul Housing Management  
Catholic Charities Housing  
41 North Main Avenue  
Albany, New York 12203

Lucinda Grant-Griffin, Director  
Housing Programs  
NY State Office of Mental  
Retardation and  
Development Disabilities  
44 Holland Avenue  
Albany, New York 12229

Deborah Greenfield  
Family Type Homes for Adults  
New York State Office of  
Children & Family Services  
52 Washington Street  
Rensselaer, New York 12144

L'eryn Jones  
Long Term Care Generalist  
Office of Long Term Care  
NYS Department of Health  
One Commerce Plaza, Suite 826  
Albany, New York 12210

Lisa Newcomb  
Executive Director  
Empire State Association of  
Assisted Living  
646 Plank Road  
Clifton Park, New York 12065

Richard Piche, Coordinator  
Family Type Homes for Adults  
New York State Office of  
Children & Family Services  
52 Washington Street  
Rensselaer, New York 12144

Jennifer Rosenbaum, Director  
Policy Analysis, Research, and  
Management  
NY State Office for the Aging  
2 Empire State Plaza  
Albany, New York 12223

Melvin Tanzman  
Executive Director  
Westchester Disabled on  
the Move, Inc.  
984 North Broadway, Suite 01  
Yonkers, New York 10701

S. Lauren Van Dermark  
Project Coordinator  
Shaker Pointe  
at Carondelet, Inc.  
42 Delatour Road  
Watervliet, New York 12189

Judith Wishnia, Chair  
Housing Committee  
Women's Advisory Committee  
Suffolk Legislature  
3 Quincy Court  
Setauket, New York 11733

## ***Housing Development; Financing, Fees, Taxes***

**Co-chairs:** Craig Duncan and John Serio

Bernard Carr  
Executive Director  
New York State Association  
for Affordable Housing  
5925 Broadway  
The Bronx, New York 10463

John Cochran  
Assistant Deputy Director  
Division of Policy, Research  
and Legislative Affairs  
New York State Office for the Aging  
2 Empire State Plaza  
Albany, New York 12223

Lewis Dubuque, Director  
Communications and  
Governmental Affairs  
NY State Builders Association  
99 Washington Ave., Suite 704  
Albany, New York 12210

Craig Duncan, President  
Clarion, LLC  
127 East Union Turnpike  
Averill Park, New York 12018

Peter Elkowitz, President  
Long Island Housing Partnership  
180 Oser Avenue  
Hauppauge, New York 11788

Ken Harris, Director  
Center for Senior Living  
and Community Services  
New York Association of Homes  
and Services for the Aging  
150 State Street, Suite 301  
Albany, New York 12207

Brett Hebner  
Homeless Housing and  
Assistance Corporation  
Bureau of Housing and Shelter  
Services  
NYS Office of Temporary and  
Disability Assistance  
40 North Pearl Street, 10<sup>th</sup> Floor  
Albany, New York 12243

Jennifer Jackson, Director  
Single Family Homes Program  
USDA Rural Development  
441 S. Salina Street, Suite 357  
Syracuse, New York 13202

John Kowalik, Consultant  
Continuing Care Retirement  
Communities  
188 Gold Street  
New Britain, Connecticut 06053

Lora K. Lefebvre  
Depart. of Health Care Finance  
NYS Department of Health  
Corning Tower, Room 910  
Empire State Plaza  
Albany, New York 12237

Friedhilde Milburn, Consultant  
Third Age Consultancy  
490 Bleeker Avenue, #6B  
Mamaroneck, New York 10543

Greg Olsen, Deputy Director  
Division of Policy, Research,  
and Legislative Affairs  
NY State Office for the Aging  
2 Empire State Plaza  
Albany, New York 12223

Marlene Papa  
Executive Director  
R.O.U.S.E., RPC  
99 Blooming Grove Drive  
Troy, New York 12180

Robert H. Scofield, Director  
Albany Field Office  
U. S. Department of Housing  
and Urban Development  
52 Corporate Circle  
Albany, New York 12203

Blair Sebastian  
Executive Director  
NYS Rural Housing Coalition  
79 North Pearl Street  
Albany, New York 12207

John Serio  
Deputy Regional Director  
Capital District Regional Office  
NY State Division of Housing  
and Community Renewal  
38-40 State Street  
Albany, New York 12207

Robert D. Signoracci  
Operations Specialist  
Albany Field Office  
U. S. Department of Housing  
and Urban Development  
52 Corporate Circle  
Albany, New York 12203

Jonathan Springer  
Vice President  
Real Estate & Project Finance  
Empire State Development  
Corporation  
633 Third Avenue  
New York, New York 10017



## ***Universal Design and Accessibility; Livable Communities***

**Co-chairs:** Melanie Shaw and Vera Prosper

Paul M. Bray  
Assistant Counsel  
New York State Department of  
Environmental Conservation  
625 Broadway  
Albany, New York 12233

Rocco Ferraro  
Executive Director  
Capital District Regional  
Planning Commission  
One Park Place, Suite 102  
Albany, New York 12205

Richard Iannello  
Executive Director  
Albany Guardian Society  
Suite 200  
12 Corporate Woods Boulevard  
Albany, New York 12211

Laurel Lei Kelley  
Executive Director  
Capital District Center for  
Independence  
875 Central Avenue, South 4  
Albany, New York 12206

Jordana Maisel  
Center for Inclusive Design and  
Environmental Access  
375 Hayes Hall  
University at Buffalo—SUNY  
3435 Main Street  
Buffalo, New York 14214

Philip Myrick  
Vice President and Director  
Parks, Plazas, & Campuses  
Project for Public Spaces  
700 Broadway  
New York, New York 10003

Terrence O'Neal, Principal  
Terrence O'Neal Architect LLC  
853 Broadway  
New York, New York 10003

Theresa Paeglow  
Disability and Health Program  
NY State Department of Health  
Riverview Center, Suite 350  
150 Broadway  
Albany, New York 12204

Michael Peluso, Manager  
Interagency, Legislative,  
Family & Community  
Relations Unit—VESID  
NY State Education Department  
99 Washington Avenue  
Albany, New York 12234

Patricia Baron Pollak  
Department of Policy Analysis  
and Management  
Cornell University  
81 South Main Street  
Homer, New York 13077

Vera Prosper  
Senior Policy Analyst  
NY State Office for the Aging  
2 Empire State Plaza  
Albany, New York 12223

Cinda Putman  
Housing Bureau  
NYS Office of Mental Retardation  
& Developmental Disabilities  
44 Holland Avenue  
Albany, New York 12229

S. Kay Ryan  
Project Coordinator  
Shaker Pointe at Carondelet, Inc.  
42 Delatour Road  
Watervliet, New York 12189

Martha Schunk, Coordinator  
Aging Services  
Policy & Enterprise Solutions Div.  
NYS Office of Mental Retardation  
& Developmental Disabilities  
44 Holland Avenue, 4<sup>th</sup> Floor  
Albany, New York 12229

Melanie Shaw  
Executive Director  
New York Association on  
Independent Living, Inc.  
1 Commerce Plaza, Suite 806A  
99 Washington Avenue  
Albany, New York 12210

William Stoner  
Associate State Director  
Livable Communities  
AARP  
780 Third Avenue, 33<sup>rd</sup> Floor  
New York, New York 10017

Karen Taylor  
Director of Programs  
Bureau of Senior Centers  
NY City Department for the Aging  
2 Lafayette Street, 7<sup>th</sup> Floor  
New York, New York 10007

Don White  
Quad Design  
14 Pheasant Run  
Ballston Spa, New York 12020

## ***Green Building; Energy Efficiency and Alternatives***

**Co-chairs:** Tracie Hall and Frank Mace

Edward Farrell  
Executive Director  
The American Institute of  
Architects—New York State  
52 South Pearl Street  
Albany, New York 12207

Tracie Hall, Executive Director  
New York Upstate Chapter  
U.S. Green Building Council  
5110 Velasko Rd., Suite 2000  
Syracuse, New York 13215

Guy Kempe, Director  
Community Development  
Rural Ulster Preservation Co.  
289 Fair Street  
Kingston, New York 12401

Frank Mace  
Residential Efficiency and  
Affordability Program  
NY State Energy Research  
& Development Authority  
17 Columbia Circle  
Albany, New York 12203

Donald Minnery, Principal  
Saratoga Associates  
443 Broadway  
Saratoga Springs, NY 12866

Meredith Oppenheim  
Senior Vice President  
Savills LLC  
Urban Land Institute Senior  
Housing Council  
599 Lexington Avenue, 36<sup>th</sup> Fl.  
New York, New York 10022

Dave Sadowsky, Principal  
Dave Sadowsky Architect, P.C.  
97 Maxon Road  
Petersburgh, New York 12138

Jodi Smits-Anderson, Director  
Environmental Programs  
Dormitory Authority of the  
State of New York  
515 Broadway  
Albany, New York 12207

John Stouffer  
Senior Policy Analyst  
New York State Office of  
the State Comptroller  
110 State Street  
Albany, New York 12236

Lydia Tom, Senior Advisor  
Enterprise Community  
Partners, Inc.  
One Whitehall Street, 11<sup>th</sup> Fl.  
New York, New York 10004

Curtis Van Buren, CEO  
Van Buren Contractors, Inc.  
d/b/a VAN BUREN  
1780 Dunk Hill Road  
Walton, New York 13856

Wayne Willard, Director  
Project Management  
Multifamily Housing  
U.S. Department of Housing  
and Urban Development  
465 Main Street  
Buffalo, New York 14203

## ***Planning; Zoning; Land-Use; Mobility and Transportation***

**Co-chairs:** Linda King, Corey Auerbach, and Patricia Matson

Corey Auerbach  
Associate Counsel  
Association of Towns of the  
State of New York  
150 State Street  
Albany, New York 12207

Wade Beltramo  
General Counsel  
New York Conference of Mayors  
119 Washington Avenue, 2<sup>nd</sup> Fl.  
Albany, New York 12210

Paul Beyer, Director  
Smart Growth  
NYS Department of State  
99 Washington Avenue, 10<sup>th</sup> Fl.  
Albany, New York 12231

Robert Crowder  
Commerce Policy Analyst III  
Empire State Development  
Corporation  
30 South Pearl Street  
Albany, New York 12245

Justin Cunningham  
Executive Director  
New York Statewide Senior  
Action Council  
275 State Street  
Albany, New York 12210

James D'Agostino, Director  
Syracuse Metropolitan  
Transportation Council  
100 Clinton Square  
126 North Salina Street  
Syracuse, New York 13126

Christopher DeBolt  
Director of Planning  
Washington County  
Department of Planning  
& Community Development  
383 Broadway  
Fort Edward, New York 12828

Barbara Diesem-Zimmons  
Executive Director  
Consumer Directed Personal  
Assistance Association  
of New York State  
272 Broadway  
Albany, New York 12204

Jonathan Drapkin, CEO  
Pattern for Progress  
6 Albany Post Road  
Desmond Campus  
Mount St. Mary College  
Newburgh, New York 12550

Emily Everett-Franco  
Mobility Manager  
Capital District  
Transportation Authority  
Saratoga Springs Train Station  
26 Station Lane  
Saratoga Springs, NY 12866

Peter B. Fleischer  
Executive Director  
Empire State Future  
P.O. Box 365  
Nassau, New York 12123

Nancy Hansen, Ret. Director  
Cortland County Area Agency  
on Aging  
14 Yong Street  
Cortland, New York 13045

Linda King  
Land Use Training Manager  
NY State Department of State  
99 Washington Ave., 10<sup>th</sup> Floor  
Albany, New York 12231

Lael Locke  
Community Planner  
New York Planning Federation  
440 Third Avenue  
Watervliet, New York 12189

Kelly Brown Mateja, Director  
Programs and Services  
Colonie Senior Service Center  
The Beltrone Living Center  
6 Winners Circle  
Albany, New York 12205

Patricia Matson  
Land Use Training Specialist  
NY State Department of State  
99 Washington Ave., 10<sup>th</sup> Fl.  
Albany, New York 12231

Riele Morgiewicz  
Senior Attorney  
Counsel's Office  
NY State Department of State  
99 Washington Ave., 10<sup>th</sup> Fl.  
Albany, New York 12231

Edward Neary, Director  
Colonie Senior Service Center  
The Beltrone Living Center  
6 Winners Circle  
Albany, New York 12205

Linda Ostreicher  
Director of Public Policy  
Center for Independence of  
the Disabled, New York  
841 Broadway, #301  
New York, New York 10003

D. Jo Schaffer  
Ret. Commissioner  
Cortland Co. Planning Department  
Cortland Historic Review Board  
31 Pearl Street  
Cortland, New York 13045

Jean Shanahan  
Region 8 – NY State Department  
of Transportation  
4 Burnett Boulevard  
Poughkeepsie, New York 12603

Deborah Spicer  
Healthy Heart Program  
NY State Department of Health  
Riverview Center, Suite 350  
150 Broadway  
Albany, New York 12204

Shin-pei Tsay  
Deputy Director  
Transportation Alternatives  
127 West 26<sup>th</sup> Street, #1002  
New York, New York 10001

Mila Vega  
Capital District  
Transportation Authority  
110 Watervliet Avenue  
Albany, New York 12206

Appendix - 2

The following enabling legislation provides the basis  
for the State's *Livable New York* initiative

STATE OF NEW YORK S. 2108-C / A. 4308-C R.R. 24

SIGNED 04/09/07: CHAPTER 58

Adds a new subdivision 14 to Subsection 24-d of Section 202 of the New York State Elder Law

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§ 24-d. Subdivisions 11, 12 and 13 of section 202 of the elder law are

23 amended and a new subdivision 14 is added to read as follows:

24 11. to enter into contracts, within the amount available by appropri-  
25 ation therefor, with individuals, organizations and institutions, in the  
26 exercise of any of its powers or the performance of any of its  
27 duties[-];

28 12. to make recommendations to the governor for the presentation of an  
29 annual award to a senior citizen for outstanding and unusual contrib-  
30 ution to his or her community[-];

31 13. to conduct a program of education and information on age discrimi-  
32 nation and the preparation and filing of complaints relating to persons  
33 sixty years of age or older[-]; and

34 **14. to, in cooperation with the department of state:**

35 **(a) prepare or cause to be prepared and made available to cities,**  
36 **towns and villages model zoning and planning guidelines that foster**  
37 **age-integrated communities including mixed-use age-integrated communi-**  
38 **ties; and**

39 **(b) make recommendations, in consultation with the division of housing**  
40 **and community renewal, to the governor and legislature for assisting**  
41 **mixed-use age-integrated housing development or redevelopment demon-**  
42 **stration projects in urban, suburban and rural areas of the state. The**  
43 **director of the office for the aging and secretary of state shall estab-**  
44 **lish an advisory committee for purposes of this subdivision. Such**  
45 **committee shall include, but not be limited to, top representatives of**  
46 **local government, senior citizen organizations, developers, senior**  
47 **service providers and planners.**

Appendix – 3

**Livable New York - Summary**

**Innovative initiative** – The New York State Office for the Aging, together with its affiliate partners, are pleased to advance a new initiative to help municipalities better plan for the housing and community needs of the State's older people, younger people with disabilities, families, and caregivers. Municipalities will be provided with information, technical assistance, and examples of successful models and practices related to: housing, universal design, planning, land use, zoning, energy alternatives and efficiency, green-building, mobility, and transportation.

New York's Governor and the State Legislature have directed that these resources be widely disseminated as a means for supporting communities' efforts to develop a variety of housing alternatives, incorporate new and innovative building design and energy ideas, and institute creative planning approaches and zoning strategies.

*Population and policy trends in New York State underscore the importance and timeliness of this initiative—*

**New York's changing population** – The profile of New York's communities is changing significantly . . . due to the aging of the baby boomers; increasing longevity; the shifting proportional balance between the elderly and non-elderly populations; loss of specific population groups to other states; and the increasing diversity of our residents, which stems from our robust immigration and migration patterns, increasing numbers of people with disabilities, expansion of cultural and ethnic groups, and growth in the number and variety of non-traditional households.

**New York's changing housing and care policies** – Housing, health, and long-term care policies in New York discourage institutionalization and promote the ability of *all* people to live in their own homes and communities throughout their lifetimes. New York stresses the provision of in-home and community-based care and services for people of all ages . . . supporting the ability of all residents to successfully and safely age in place. In addition, housing, care, and educational programs support the momentous efforts of over 2.2 million New York State residents who provide substantial unpaid care for frail elderly members and younger-aged members with disabilities.

**Creating more livable communities** –The initiative's intent is to help communities better respond to their dramatically changing profiles and to help them create neighborhoods that reflect the evolving needs and preferences of all their residents . . . making New York the best place for all residents to live, work, grow up, and grow old.

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*Livable New York*

**New York State Office for the Aging**

*Affiliate Partners*

Dormitory Authority of the State of New York ★ New York State Division of Housing and Community Renewal  
New York State Energy Research and Development Authority ★ USDA Rural Development State Office  
New York State Office for Persons with Developmental Disabilities ★ New York State Department of State  
New York State Commission on Quality of Care and Advocacy for Persons with Disabilities

**Components of the Livable New York initiative** – Below is a summary of the major activities that will be implemented to achieve the intent and goals of the initiative.

## ***Livable New York***

**This innovative initiative will be implemented through three major activities—**

**1. Develop a Technical Assistance Tool Kit for communities:**

- **Manual** – to assist in replication or adaptation efforts in the areas of housing, planning, land-use, zoning, universal design, green-building, energy alternatives, mobility, and transportation:
  - Descriptions of models, strategies, and approaches
  - Benefits of innovative or successful models and strategies for:
    - Older people
    - People with disabilities
    - Families
    - Caregivers
    - The wider community
  - Barriers and challenges to development or implementation
  - Technical assistance:
    - Existing examples of successful models, practices, and strategies
    - Model language
    - Contact names
    - Written and web-based materials
- **DVD series** – highlighting successful examples of various housing options; planning, zoning, and land-use strategies; universal design, energy, and green-building features; and mobility and transportation models in New York State or in other states.

**2. Develop recommendations, which will be presented to the Governor, Legislature, and state agency commissioners:**

- In collaboration with the New York State Department of State and the New York State Division of Housing and Community Renewal
- In collaboration with the Initiative's Advisory Workgroup
- In consultation with experts, consumers, and decision-makers across the State

**3. Through a Livable New York Academy, provide communities with education, training, and facilitated technical assistance in their efforts to improve the livability of their communities:**

- **Audience:** local zoning and planning boards, elected officials, local leaders from a variety of sectors across communities, service providers from various networks, legislators, consumers, media, builders and developers, members of the real estate and finance industry, members of the nonprofit and business communities, faith community, consumers, etc.

- *Purpose of the Academy.* Stimulate the creation of more livable communities, which can encourage older people, young adults, and families to remain living in New York State.
  - Educate and train communities about demographic and policy trends; the implications of New York's changing profile; housing preferences of various population groups; alternative housing options; innovative and successful planning and land-use strategies; energy, green-building, and transportation and mobility approaches; universal design, visitability, and walkability; benefits of successful options and strategies for older people, younger people with disabilities, families, caregivers, and the overall community; model zoning language; and technical assistance resources for taking next steps.
  - Support community-based action through facilitated technical assistance and distribution of the Tool Kit.
  - Stimulate community action, resulting in planning and development that reflects the needs and preferences of older people, younger people with disabilities, families, and communities.
  
- *Three major steps in the Academy process:*
  - Training event for community leaders, officials, sectors
  - Cross-age, cross-culture, cross-ability community evaluation process
  - Implementation of projects, based upon the findings of the community evaluation

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***Livable New York Principles***

Future-based planning  
Inclusive, collaborative planning and  
implementation Community-driven decision-making  
Cross-age, cross-sector, cross-culture focus  
Broad resident participation

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For more information, please contact:

Livable New York  
New York State Office for the Aging  
2 Empire State Plaza  
Albany, New York 12223