



Thomas F. Puchner

Partner

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Mr. Puchner focuses his practice on State and Federal environmental law, including permitting and compliance matters under RCRA and other complex environmental regulatory programs, as well as Superfund clean-ups, brownfield projects and petroleum spills (under New York's Navigation Law). He has broad experience assisting clients with environmental regulatory issues with the New York State Department of Environmental Conservation and Federal Environmental Protection Agency. Mr. Puchner also regularly assists project developers, solar developers, as well as telecom carriers and tower companies with right-to-build approvals under land use and zoning laws and related environmental impact reviews, including SEQRA and NEPA. Mr. Puchner has worked extensively on environmental impact reviews for large scale infrastructure and private development projects.

In the energy sector, Mr. Puchner has assisted clients with regulatory matters before the New York State Public Service Commission and the Federal Energy Regulatory Commission. He regularly assists with all matters related to development of renewable energy projects, including power purchase agreements, solar leases, and project legal and regulatory issues (such as Public Service Commission regulations, utility tariffs and Energy Law Article 9), as well as local approvals and SEQRA reviews. Mr. Puchner and members of the Energy Team have successfully defended Energy Service Companies (ESCOs) with compliance investigations by the New York Public Service Commission and New York State Attorney General. In the telecom sector, Mr. Puchner regularly assists carriers and tower companies with land use and zoning approvals for new towers and modifications/upgrades to existing facilities. Mr. Puchner specializes in obtaining telecom approvals from the Adirondack Park Agency. Mr. Puchner's reputation with agency staff and knowledge of the Adirondack Park Agency's process often enables him to obtain quick approvals resulting in significant savings for the firm's clients. He also frequently assists telecom companies with obtaining Certificates of Public Convenience and Necessity from the New York State Public Service Commission. Mr. Puchner regularly assists clients with administrative-based litigation in his substantive areas of expertise, both before administrative agencies and in the courts.

PRACTICE AREAS

Commercial Litigation

Energy Law

Environmental Law

- Brownfields & Brownfield Redevelopment
- Contaminated Sediment Management
- Environment Litigation
- Land Use & Zoning
- Regulatory
- SEQRA/Environmental Impact Review

Real Estate

- Real Estate Development

Telecommunications Law

HONORS & AWARDS

- Honoree of the New York State Bar Association Empire State Counsel® Program for Pro Bono Work, 2016

EDUCATION

- Vermont Law School, J.D., *magna cum laude*, 2004
- Vermont Law School, M.S.E.L., *magna cum laude*, 2004
- University of Vermont, B.A., 1996

ADMITTED TO PRACTICE

- New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Western District of New York

PROFESSIONAL ASSOCIATIONS

- Air and Waste Management Association
 - Northeast New York Chapter, Director, 2013-2015
- Albany County Bar Association
- American Bar Association
 - Environment Section
 - Energy & Resources Section
- New York State Bar Association
 - Environmental Law Section
 - Municipal Law Section

SPEAKING ENGAGEMENTS

- Presenter, “How to Navigate Solar Energy Projects,” 2019 New York State Economic Development Conference, January 2019
- Presenter, “Distributed Energy Resources: How did we get here and where are we going?,” Air and Waste Management Association Eastern New York Chapter Lunch Meeting, October 2018
- Thomas F. Puchner and Dennis W. Elsenbeck to Speak at Air and Waste Management Association Eastern New York Chapter Lunch Meeting
- Speaker, “ESCOs: Is Your Company’s Cybersecurity Plan Ready to Be Examined?,” Phillips Lytle Webinar, May 2018
- Panelist, “Environmental Laws and Their Impact on Deployment of Wireless Facilities,” Second Annual Comprehensive Conference on Legal Developments for Deployment of Local Wireless Facilities, Law Seminars International, February 2015

ARTICLES

- Co-Author, “How New York State Is Making Energy Storage A Priority,” *Law360*, August 2017

PRESENT ACTIVITIES

- Village of Valatie Zoning Board of Appeals, Member