
New Yorks Environmental Laws and Court Decisions May Limit the States Ability To Transition to Clean Energy

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Flaster Greenberg attorneys **Daniel Markind** and **Terri Ackerman** co-authored an article, *New Yorks Environmental Laws and Court Decisions May Limit the States Ability To Transition to Clean Energy*, published in the *New York Law Journal (NYLJ)*. The article examines how evolving state energy policy goals are being shaped and sometimes constrained by existing local land-use and environmental review laws.

The piece highlights recent landmark New York cases including *Wallach v. Town of Dryden* and *Cooperstown Holstein Corp. v. Town of Middlefield* that expanded municipal authority in land-use decisions and environmental review, raising critical implications for permit approval, clean energy siting, and state climate goals.

Markind and Ackerman explain that while many states, including New York, have adopted ambitious climate mandates such as requiring renewable energy deployment and greenhouse gas emission reductions local zoning authority and environmental law procedures can create significant obstacles for developers and policymakers.

State policy on clean energy and emissions goals must be reconciled with long-standing local control frameworks, the authors note, arguing that the legal landscape requires careful navigation to avoid unintended delays or project roadblocks.

The article also addresses best practices for practitioners and stakeholders, including proactive regulatory engagement, early community outreach, and strategic permitting approaches that anticipate potential land-use objections.

Read the full NYLJ article [here](#) for a deeper look at how state energy objectives and local land-use authority intersect and what it means for the future of infrastructure development and environmental regulation.

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