



# 2015 Planning and Zoning School Agenda

## Town of Hyde Park (Dutchess County) Wednesday, July 15, 2015

Wallace Center @ FDR Library and Museum  
4079 Albany Post Road, Hyde Park, NY 12538

8:30 a.m. – 9:00 a.m.	<b>Registration &amp; Continental Breakfast</b>
9:00 a.m. – 9:15 a.m.	<b>Welcome and Introductions</b>
9:15 a.m. – 10:30 a.m.	<p style="text-align: center;"><b>Case Law Update</b> <i>Terresa Bakner, Esq. – Whiteman Osterman &amp; Hanna LLP</i></p> <p>Land uses continue to be litigated throughout New York, demonstrating that this form of public participation is alive and well. Few areas of the law involve greater numbers of people, all claiming to do what is best for their community. This presentation will highlight key court decisions relevant to land use.</p>
10:30 a.m. – 10:45 a.m.	<b>Break</b>
10:45 a.m. – 12:00 noon	<p style="text-align: center;"><b>How to Control Junk</b> <i>David Everett, Esq. &amp; Genevieve Trigg, Esq. – Whiteman Osterman &amp; Hanna LLP</i></p> <p>This session will discuss both state and local laws related to junk control, including licensing dealers, household junk, and the NYS Uniform Fire Prevention and Building Code, and provide examples of local municipal programs designed to recycle and dispose of junk.</p>

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12:00 noon – 1:00 p.m.	<b>LUNCH</b>	
<b>1:00 p.m. – 2:15 p.m.</b>	<p style="text-align: center;"><b><u>Planning Session:</u></b>  <b>Navigating SEQR</b>  <i>Sarah Yackel, AICP – BFJ Planning</i></p> <p>This practical session will give an introduction to the basic purpose and role of the State Environmental Quality Review Act (SEQR) in the approvals process, provide an overview of the required steps in the SEQR process, explain recent changes to the Short and Full Environmental Assessment Forms (EAF), and review such important terms as Type I, Type II and Unlisted Actions, Negative and Positive Declaration, and SEQR Findings. A review of the new EAF mapper will be provided, and proposed SEQR amendments will be discussed.</p>	<p style="text-align: center;"><b><u>Zoning Session:</u></b>  <b>Introduction to ZBA Duties</b>  <i>Frank Fish, FAICP – BFJ Planning</i></p> <p>This session will deal with the basic functions of the Zoning Board of Appeals, which include hearing appeals and granting relief from the strict application of municipal zoning regulations. Also explained will be criteria used by the ZBA in reviewing appeals, and a discussion of interpretations.</p>
<b>2:15 p.m. – 2:30 p.m.</b>	<b>Break</b>	
<b>2:30 p.m. – 3:45 p.m.</b>	<p style="text-align: center;"><b><u>Planning Session:</u></b>  <b>Site Plan Review &amp; Special Use Permits</b>  <i>Matthew Rogers, AICP – NYPF</i></p> <p>While appearing similar in process, site plan and special use permit regulations serve two very important and distinct roles in community project review. This session will explore their differences, how each can be used more effectively to improve the process and resulting projects; options for running the reviews concurrently; how to integrate area variance reviews; when to initiate the State Environmental Quality Review Act; and how best to assemble a complete record, determine approvability and craft a defensible decision. This session will provide a good introduction for new planning and zoning board members and offer more advanced techniques and insights for seasoned board members.</p>	<p style="text-align: center;"><b><u>Zoning Session:</u></b>  <b>Navigating SEQR - Repeated</b>  <i>Sarah Yackel, AICP – BFJ Planning</i></p> <p>SEQR introduction, review of the process, recent changes to assessment forms, and review of Type I &amp; II; Unlisted Actions; Negative &amp; Positive Declaration; Findings; &amp; EAF mapper. Proposed changes to SEQR will be discussed.</p>

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# 2015 Planning and Zoning School Agenda

## Town of Islip (Suffolk County) Thursday, July 23, 2015

Touro Law Center  
225 Eastview Drive, Central Islip, NY 11722

8:30 a.m. – 9:00 a.m.	<b>Registration &amp; Continental Breakfast</b>
9:00 a.m. – 9:15 a.m.	<b>Welcome and Introductions</b>
9:15 a.m. – 10:45 a.m.	<p style="text-align: center;"><b>Ethics</b> <i>Patricia Salkin, Esq. – Touro Law Center</i></p> <p>This interactive session will review New York State statutes, ethics guidelines, reported decisions, opinions of ethics committees, reported cases, and the AICP Code to address myriad ethical dilemmas that arise in the land use context. Members of planning boards and zoning boards, local legislative bodies, professional planners and lawyers will all find valuable take-home information. 1.5 APA certification maintenance credits will be available for this course.</p>
10:45 a.m. – 12:00 noon	<p style="text-align: center;"><b>Make Your Case Article 78-Proof</b> <i>Mark Schachner, Esq. – Miller, Mannix, Schachner &amp; Hafner, LLC</i></p> <p>No board wants to have its decisions reviewed in court but, regardless of the efforts of planning boards and/or ZBAs, Article 78 challenges are being made with increased frequency. This presentation will focus on guidelines and efforts to ensure that these challenges will be unsuccessful.</p>
12:00 noon – 1:00 p.m.	<b>LUNCH</b>

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<p><b>1:00 p.m. – 2:15 p.m.</b></p>	<p style="text-align: center;"><b><u>Planning Session:</u></b>  <b>Planning &amp; Zoning for Climate Resilience</b>  <i>Sarah Adams-Schoen, Director, Institute on Land Use &amp; Sustainable Development Law, Touro Law Center and Paul Beyer, NYS DOS Director of Smart Growth Planning</i></p> <p>Local land use laws offer powerful tools for climate change adaptation and mitigation. However, these laws are not yet being utilized sufficiently to create disaster-resilient or disaster-adaptive communities, and failure to do so will continue to be costly in terms of property and public health. This session will address ways in which communities can develop plans for climate resilience.</p>	
<p><b>2:15 p.m. – 2:30 p.m.</b></p>	<p style="text-align: center;"><b>Break</b></p>	
<p><b>2:30 p.m. – 3:45 p.m.</b></p>	<p style="text-align: center;"><b><u>Planning Session:</u></b>  <b>Navigating SEQR</b>  <i>Sarah Yackel, AICP – BFJ Planning</i></p> <p>This practical session will give an introduction to the basic purpose and role of the State Environmental Quality Review Act (SEQR) in the approvals process, provide an overview of the required steps in the SEQR process, explain recent changes to the Short and Full Environmental Assessment Forms (EAF), and review such important terms as Type I, Type II and Unlisted Actions, Negative and Positive Declaration, and SEQR Findings. A review of the new EAF mapper will be provided, and proposed SEQR amendments will be discussed.</p>	<p style="text-align: center;"><b><u>Zoning Session:</u></b>  <b>Introduction to ZBA Duties</b>  <i>Frank Fish, FAICP – BFJ Planning</i></p> <p>This session will deal with the basic functions of the Zoning Board of Appeals, which include hearing appeals and granting relief from the strict application of municipal zoning regulations. Also explained will be criteria used by the ZBA in reviewing appeals, and a discussion of interpretations.</p>

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# 2015 Planning and Zoning School Agenda

## City of Syracuse (Onondaga County) Monday, July 27, 2015

Comfort Inn & Suites Syracuse Airport  
6701 Buckley Road, Syracuse, NY 13212

8:30 a.m. – 9:00 a.m.	<b>Registration &amp; Continental Breakfast</b>
9:00 a.m. – 9:15 a.m.	<b>Welcome and Introductions</b>
9:15 a.m. – 10:30 a.m.	<p><b>Case Law Update</b> <i>Donald Young, Esq. – Boylan Code</i></p> <p>An experienced land use attorney will discuss recent legal cases and new legislation that impact planning and zoning matters in New York State.</p>
10:30 a.m. – 10:45 a.m.	<b>Break</b>
10:45 a.m. – 12:00 noon	<p><b>Record Keeping: Creating a Defendable Position</b> <i>Patricia Burke &amp; Erin Thomas, Land Use Training Specialists, NYSDOS</i></p> <p>Discusses why planning board and ZBA members &amp; staff should strive to make minutes, findings, &amp; decisions that are of value to enforcement officers, applicants, municipal attorneys &amp; future boards. Code Officers may receive 1 hour of In-Service Credit.</p>
12:00 noon – 1:00 p.m.	<b>LUNCH</b>

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<p><b>1:00 p.m. – 2:15 p.m.</b></p>	<p><b><u>Planning Session:</u></b>  <b>Planning for Energy Conservation and Sustainability</b>  <i>Barbara Johnston, LEED AP ND – LaBella Associates</i></p> <p>Overview of communitywide energy use in municipalities. Alternative approaches to address energy use in local comprehensive plans. Examples of how municipalities may plan for energy conservation and sustainability.</p>	<p><b><u>Zoning Session:</u></b>  <b>Zoning for Agritourism</b>  <i>Sarah Brancatella, Esq. - AOT</i></p> <p>Discussion of zoning laws that support agritourism, control of unwanted commercial activity, accessory use permits, site plan review, and variance and prior non-conforming use issues.</p>
<p><b>2:15 p.m. – 2:30 p.m.</b></p>	<p><b>Break</b></p>	
<p><b>2:30 p.m. – 3:45 p.m.</b></p>	<p><b><u>Planning Session:</u></b>  <b>Planning for Agritourism</b>  <i>George Frantz, AICP, ASLA – Cornell University</i></p> <p>This session will be a discussion of the intersection between agritourism and local government land use planning.</p>	<p><b><u>Zoning Session:</u></b>  <b>Variations and Limitations</b>  <i>Corey Auerbach, Esq. – Barclay Damon</i></p> <p>Variations allow property uses otherwise prohibited by local zoning. When poorly managed they undermine the intent of local zoning laws and threaten the quality of life for community residents. Framework for analysis of use and area variations and limits on ZBA authority will be examined.</p>

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# 2015 Planning and Zoning School Agenda

## Town of Ellicottville (Cattaraugus County)

Friday, August 7, 2015

The Lodge at Holiday Valley - 6557 Holiday Valley Road, Ellicottville, NY 14731

8:30 a.m. – 9:00 a.m.	Registration & Continental Breakfast	
9:00 a.m. – 9:15 a.m.	Welcome and Introductions	
9:15 a.m. – 10:30 a.m.	<p><b>Case Law Update</b>  <i>Donald Young, Esq. – Boylan Code</i>            An experienced land use attorney will discuss recent legal cases and new legislation that impact planning and zoning matters in New York State.</p>	
10:30 a.m. – 10:45 a.m.	Break	
10:45 a.m. – 12:00 noon	<p><b>Record Keeping: Creating a Defendable Position</b>  <i>Christopher Eastman, Manager, Local Government Training – NYSDOS</i>            Discusses why planning board and ZBA members &amp; staff should strive to make minutes, findings, &amp; decisions that are of value to enforcement officers, applicants, municipal attorneys &amp; future boards. Code Officers may receive 1 hour of In-Service Credit.</p>	
12:00 noon – 1:00 p.m.	LUNCH	
1:00 p.m. – 2:15 p.m.	<p><b>Planning Session:</b>  <b>SEQR: A Great Planning Tool</b>  <i>Andrew Reilly, PE, AICP &amp; Ellen Parker, MUP, AICP, LEED – Wendel Companies</i>            How SEQR can be used to make and plan projects that are more sustainable, address issues such as agricultural protection and community character, &amp; explain how this all fits within the planning &amp; approval process</p>	<p><b>Zoning Session:</b>  <b>Zoning for Agritourism</b>  <i>Sarah Brancatella, Esq. - AOT</i>            Discussion of zoning laws that support agritourism, control of unwanted commercial activity, accessory use permits, site plan review, and variance and prior non-conforming use issues.</p>
2:15 p.m. – 2:30 p.m.	Break	
2:30 p.m. – 3:45 p.m.	<p><b>Planning Session:</b>  <b>Planning for Agritourism</b>  <i>George Frantz, AICP, ASLA – Cornell University</i>            Discussion of the intersection between agritourism and local government land use planning.</p>	<p><b>Zoning Session:</b>  <b>Variations and Limitations</b>  <i>Corey Auerbach, Esq. – Barclay Damon</i>            Variations allow for uses otherwise prohibited by local zoning. When poorly managed they undermine the intent of local zoning laws &amp; threaten the quality of life for community residents. Framework for analysis of use and area variations and limits on ZBA authority will be examined.</p>