
8:00 – 10:00 AM Registration and Continental Breakfast

8:15 – 9:45 AM Ethics Sessions

Session 1**Ethics in Planning: Guiding Principles for Professional Planners**

Join in this session and learn about the AICP Code of Ethics and how it affects planners and the planning profession. Participate in an engaging discussion as the speakers address the implications of the Code through the use of sample ethical scenarios. Examine underlying questions of ethics that frequently pose dilemmas for practicing planners in the political context in which they operate and the impacts that may have on the “public interest”.

Peter Feroe, AICP, *Vice President, Planning and Land Development, AKRF, Inc.*

Jill Gallant, AICP, *Senior Planner, VHB*

Gina Martini, AICP, ENV SP, *Senior Project Manager, VHB*

Valerie Monastra, AICP, *Principal Planner, Nelson, Pope & Voorhis, LLC*

Session 2**Ethics in Land Use: Guiding Principles for Attorneys and Land Use Board Members**

This program will focus on how to recognize and resolve ethical issues and avoid conflicts of interest in the land use context.

Steven G. Leventhal, Esq., *Partner, Leventhal, Mullaney & Blinkoff, LLP*

10:00 – 10:15 AM Welcome

Jessica Bacher, Esq., *Executive Director* and **Tiffany B. Zezula**, Esq., *Deputy Director, Land Use Law Center*

10:15 – 10:45 AM Opening Keynote Session

Planning the New York Metropolitan Region

Tom Wright of the 101-year old Regional Plan Association, will share RPA’s perspective on the growth and development of the tri-state metropolitan region surrounding New York City, including RPA’s landmark plans for the 20th century (published in 1929, 1969 and 1996); the research and recommendations that underpin its Fourth Regional Plan (released in 2017); and current trends and challenges as the region emerges from Covid. Mr. Wright will present RPA’s latest research on housing production, infrastructure priorities and the economic ties of the metropolitan region.

Tom Wright, *President & CEO, Regional Plan Association*

10:45 – 11:00 AM Morning Break

11:00–12:20 PM Breakout Sessions

Session 1

Green and Resilient Affordable Housing

This session will explore ways that the housing field can adopt environmental strategies to achieve sustainable development goals. With the worsening effects of climate change, housing is becoming vulnerable, and it must be designed, built, and located to avoid these vulnerabilities. Oftentimes, climate-resilient housing also includes aspects of green housing like energy efficiency. Both green housing and resilient housing are imperative environmental strategies that can help mitigate and adapt to climate change while meeting the demand for new housing.

Andrew Germansky, *Senior Vice President, Real Estate, Westhab, Inc.*

Shelby D. Green, Esq., *Professor of Law, Elisabeth Haub School of Law, Pace University*

Joseph Schilling, Esq., *Senior Research Associate, Metropolitan Housing and Communities Policy Center and Research to Action Lab, Urban Institute*

Jennifer Li, Esq., *Staff Attorney & Adjunct Professor of Law, Harrison Institute for Public Law, Georgetown Law*

Session 2

Hundredth Anniversary of Pennsylvania Coal vs. Mahon: How the Takings Clause Became the Primary Check on Government Power When SCOTUS Abandoned Review Under the Due Process and Contracts Clauses During the New Deal

The Takings Clause and 100 years of the Pennsylvania Coal v. Mahon doctrine have become the primary check on governmental power that the Due Process and Contracts Clause used to serve, before the Supreme Court finally and formally abandoned judicial review under those doctrines during the New Deal. Mahon transcended its primary relevance as to compensation for the taking of private property to become the fundamental means by which the Rule of Law determines of the individual's relation with the government.

This session will survey the evolution of takings law and assess its impact on federal, state and local government authority, including not only the limits of that power over private property, but how the law as created by Mahon reconciles the essential issue of an individual's private rights as they relate to the government's exercise of authority in the public interest. This ambitious session will predict where these trends are taking us and what constitutional, legislative, and executive initiatives should be considered.

Carole N. Brown, Esq. *Professor of Law, University of Richmond School of Law*

Dwight H. Merriam, Esq., *FAICP, Attorney at Law*

Robert H. Thomas, Esq., *Joseph T. Waldo Visiting Chair in Property Rights Law, William & Mary Law School and Director, Property Rights Litigation, Pacific Legal Foundation*

Gregor I. McGregor, Esq., *Founding Partner, McGregor Legere & Stevens PC*

Moderator: **Carolynne C. White**, Esq., *LEED AP, Brownstein Hyatt Farber Schreck, LLP*

12:20 – 1:00 PM Lunch

1:00 – 1:45 Keynote and Award Presentations

Christian Dorsey, *Chair, Arlington County Board*

2:00 – 3:20 PM Breakout Sessions

Session 1

Integrating Sustainability and Resiliency with Local Land Use and Environmental Planning

This session will discuss what sustainability means in the context of issue land use leaders are trying to solve. Panelists will present options for provisions to include in local codes, including incentives for incorporating sustainable features, and will discuss incorporating sustainability into Comprehensive Plans. Discussion will also include how to balance sustainability features against the impacts – what are the tradeoffs?

Sabrina D. Charney Hull, AICP, *Director of Planning, Town of New Castle*

Patrick Cleary, AICP, CEP, PP, LEED AP, CNU-A, *Principal, Cleary Consulting*

Leslie Snyder, Esq., *Managing Partner, Snyder & Snyder LLP*

John Fry, AIA, LEED AP, *Principal, Nexus Creative - Architecture Planning & Design*

Linda B. Whitehead, Esq., *Partner, McCullough, Goldberger & Staudt, LLP*

Session 2

Resilient and Sustainable Energy Technologies and Systems

Local governments face the challenges of planning for and reviewing projects that include physical energy infrastructure that's required to deliver on multiple performance criteria. Resiliency, decarbonization, equity and affordability are all attributes that must be addressed and balanced in the development process. Panelists will describe best practices and exemplary case studies across small (multi-family), medium (industry) and large scale (premier hospital campus) capital investments. Special attention will be paid to pros and cons associated with each of these energy technologies and systems.

Robert Berninger, *Director - Plant Operations, Energy and Engineering, Sloan Kettering Hospital System*

Garrett Duquesne, AICP, *Commissioner of Planning and Development, Town of Greenburgh*

Kristen Motel, Esq., *Partner, Cuddy & Feder LLP*

Moderator: **Thomas G. Bourgeois**, *Director of Distributed Energy Resource Policies, Land Use Law Center and Director, U.S. DOE's New York / New Jersey Combined Heat and Power Technical Assistance Partnership, Elisabeth Haub School of Law*

3:20 – 3:30 PM Afternoon Break

3:30 – 4:50 PM Law Update Session

Lessons from Luminaries of Land Law: Latest and Greatest Decisions

Once again, the shamans of land use law, some who have wandered in from the far corners of the world, like Florida, to divine the future by inspecting entrails, reading palms, poking at tealeaves, thumbing through Tarot cards, and sometimes actually reading all those boring cases. They will tell you what happened, what they as pontificators extraordinaire think it all means (these people are big thinkers), and what you need to watch out for! To top it off, this blatant bunkum and balderdash will be more entertaining than watching some fast food restaurant applicant seeking a sign variance completely making up bogus claims of "practical difficulty and unnecessary hardship."

Carole N. Brown, Esq., *Professor of Law, University of Richmond School of Law*

Donald L. Elliott, Esq., FAICP, *Director, Clarion Associates, LLC*

Dwight H. Merriam, Esq., FAICP, *Attorney at Law*

Michael Allan Wolf, Esq., *Professor of Law & Richard E. Nelson Chair in Local Government Law, University of Florida Levin College of Law*

Moderator: **Michael D. Zarin**, Esq., *Partner, Zarin & Steinmetz*

5:00 – 6:00 PM Land Use Law Center 30th Anniversary Celebration Reception