



Featuring Speakers From:

- Cowdrey Thompson PC
- Critical Area Commission
- Geppert, McMullen, Paye & Getty, P.A.
- Gordon Feinblatt Rothman Hoffberger & Hollander, LLC
- Linowes and Blocher LLP
- Maryland Department of Planning
- Shipley, Horne & Hewlett, P.A.
- Whiteford Taylor Preston, LLP

Who Should Attend:

Attorneys, real estate professionals, corporate managers, landowners, governmental officials, planners and consultants

An Advanced One-Day Workshop on

Land Use and Critical Areas in Maryland

Navigating evolving regulatory processes
Featuring Secretary Richard E. Hall
of the Maryland Department of Planning

January 12, 2009

Baltimore, Maryland

Sheraton Baltimore City Center Hotel

Credits: DE CLE pending | DC RE pending | PA CLE 6.5 | VA CLE 6.5 | VA RE pending | AICP pending (call about others)

Quick when/where: 8:30 a.m., 101 W. Fayette St.

Land Use and Critical Areas Workshop

January 12, 2009 | Baltimore, Maryland
Sheraton Baltimore City Center Hotel

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8:00 Registration and Continental Breakfast
8:30 Introduction and Overview
John B. Gontrum, Esq., Program Co-Chair
Whiteford Taylor Preston, LLP ~ Towson, MD

Michael C. Powell, Esq., Program Co-Chair
Gordon Feinblatt Rothman Hoffberger & Hollander, LLC
Baltimore, MD

8:45 State Regulatory Authority Over Local Land Use Decisions
Nature of state authority; areas traditionally delegated and not delegated authority to local governments; evolutionary trends; differences in the relationships between the planning office and different types of municipalities

John B. Gontrum, Esq., Program Co-Chair

9:30 Perspectives on Terrapin Run Case and its Impact on Land Use Planning in Maryland
Should it be regarded as a routine application of the traditional special exception standard, as an aberration, or as a landmark case exploring the nexus between comprehensive plans and local land use decisions?

Robert S. Paye, Esq.
Geppert, McMullen, Paye & Getty, P.A. ~ Cumberland, MD

10:30 Break

10:45 Other Recent Land Use Cases

Linda M. Schuett, Esq.
Linowes and Blocher LLP ~ Annapolis, MD

David R. Thompson, Esq.
Cowdrey Thompson, P.C. ~ Easton, MD

11:30 Special Address: Maryland's Sustainable Communities Initiative
Implementation goals for planned growth and Priority Funding Areas programs; target areas for priority funding

The Hon. Richard E. Hall, Secretary
Maryland Department of Planning ~ Baltimore, MD

12:00 Lunch (on your own)

1:15 Update on Maryland's Revised Critical Areas Statute
Historical perspective on the evolution of critical areas regulation in Maryland; 2008 legislative changes; integration with the state's smart growth initiatives

Margaret Witherup Tindall, Esq.
Gordon Feinblatt Rothman Hoffberger & Hollander, LLC
Baltimore, MD

State implementation policy priorities

Ren Serey, Esq., Executive Director
Critical Area Commission ~ Annapolis, MD

Practice tips for developers: The importance of picking a good site expert early in the process to ensure collection of the right data

David M. Plott, Esq.
Linowes and Blocher LLP ~ Annapolis, MD

3:15 Break

3:30 Perspectives on Critical Areas Regulation as a Model for State/Local Collaboration and Interaction

Addressing the various challenges for rural areas undergoing new development vs. urban areas undergoing redevelopment and the special issues for areas subject to critical areas regulations

Michael C. Powell, Esq., Moderator, Program-Co-Chair
State perspective

Todd R. Chason, Esq.
Gordon, Feinblatt, Rothman, Hoffberger & Hollander LLC
Baltimore, MD

Local government perspective

Dennis Whitley, Esq.
Shipley, Horne & Hewlett, P.A. ~ Largo, MD

5:00 Evaluations and Adjourn



About the Workshop

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Land use governance in Maryland, and the resulting interplay between Maryland's state and local governments, continues to be a significant source for debate and litigation. This conference broadly explores recent developments in land use statewide, and then employs, as a case study, the recently amended Chesapeake Bay Critical Area Act and the interchange between Critical Area Commission and local governments. There is perhaps no other area of regulation in Maryland that more sharply focuses the tensions between state and local government and creates greater regulatory challenges for practitioners, than the Critical Area Act.

To explore significant and evolving legal and policy issues and initiatives related to land use in Maryland, we have assembled key governmental officials and leading legal and business professionals who will not only explain recent developments but also share their insights on what the future holds in this hotly contested area.

~ Program Co-Chairs: John B. Gontrum, Esq. and Michael C. Powell, Esq.



John B. Gontrum, *Program Co-Chair*, partner at Whiteford Taylor Preston, LLP in their Land Use Group, focuses on zoning and development approval for industrial and commercial development and residential subdivisions including waterfront developments. He was named a "Maryland Super Lawyer".

Michael C. Powell, *Program Co-Chair*, is member and chair of the Environmental and Energy Law Practice Group at Gordon Feinblatt Rothman Hoffberger & Hollander, LLC. Previously he was Principal Counsel to the Maryland Department of the Environment. He was listed in *The Best Lawyers in America* and named a "Maryland Super Lawyer".

The Hon. Richard E. Hall, *Special Address*, Secretary for Maryland Department of Planning, has experience in private consulting and planning at the municipal, county and state levels and focuses his time in coordinating with local governments and other planning interests on important growth issues. He was President of the Maryland Chapter of the American Planning Association and previous Director of Land Use Planning with MDP.

Todd R. Chason of Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC, focuses on representing clients in all aspects of energy and environmental law. He is a registered lobbyist in the State of Maryland, representing the Maryland Energy Group and the Maryland Industrial and Technology Alliance on energy and environmental issues before the General Assembly.

Robert S. Paye, partner with Geppert, McMullen, Paye & Getty, P.A., focuses on zoning, land use and development, real property and mining law, hospital and health care law and general civil litigation. He is familiar with the Terrapin Run decision having argued the case for the Developer from the Board of Zoning Appeals.

David M. Plott, partner and head of Linowes and Blocher LLP's Annapolis Practice Group, focuses on land use, environmental and administrative law. He is experienced in the laws and regulations relating to Chesapeake Bay and riparian rights. Previously, he worked as a natural resources planner for the State of Maryland.

Linda M. Schuett, partner with Linowes and Blocher LLP, focuses on land use and business litigation, including zoning and subdivision matters and complex commercial, property and banking issues. She was

appointed County Attorney for Anne Arundel County, where she represented the County Executive, the County Council, and all branches of county government.

Ren Serey is Executive Director of Maryland's Critical Area Commission for the Chesapeake and Atlantic Coastal Bays. He has worked as a professional land use and environmental planner and is a member of the American Institute of Certified Planners.

David R. Thompson, partner with Cowdrey Thompson, P.C, focuses on zoning, land use, real estate, property rights, administrative law, municipal law, civil practice, and litigation in state and federal courts. He has been a county attorney, and represents a number of Eastern Shore towns and has been named in *The Best Lawyers in America*.

Margaret Witherup Tindall, a member at Gordon Feinblatt Rothman Hoffberger & Hollander, LLC's Environmental and Energy and Litigation Practice Groups, focuses on environmental law and general business litigation and previously was an Assistant Attorney General for the Maryland Port Administration.

Dennis Whitley III of Shipley, Horne & Hewlett, P.A., focuses his practice in the area of general civil and appellate litigation, administrative law, land use and zoning. He served as a court-appointed trustee in the Circuit Court for Prince George's County and as a mediator in the District Court for Prince George's County.



Registration & Other Workshop Information

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Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for this program is \$695 with a group rate of \$595 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$495. For students and people in their job for less than a year, our rate is \$347.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Tuesday, January 6, 2009. After

that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The workshop will be held at the Sheraton Baltimore City Center Hotel at 101 W. Fayette St. in Baltimore, MD 21201. Call the hotel reservation desk directly at (410) 385-6722 for reservations at the special negotiated rate of \$159 and mention that you are attending a Law Seminars International workshop. Rooms are on a first come, first served basis.

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You Will Learn About:

- State regulatory authority over local land use decisions
- Perspectives on Terrapin Run Case and its impact on land use planning in Maryland
- Other recent land use cases
- Maryland Sustainable Communities Initiative
- Maryland's Revised Critical Areas Statute: Implementation and practice tips
- State/Local collaboration and interaction; rural vs. urban areas; waterfront and inland county issues

Watch for our teletbriefings on major legal developments.

Members of our distinguished faculties will present analyses of major decisions and other developments as soon as they happen in a one-hour telephone conference.

If you wish to receive announcements for teletbriefings that affect you, please make sure we have your email address—send it to me, H. Kate Johnson, President:

kate@lawseminars.com

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Upcoming Seminars:

Land Use in Southwest Washington	February 2 & 3, 2009	Vancouver, WA
Marine Shoreline Development	February 4, 2009	Seattle, WA
Land Use	April 20 & 21, 2009	Seattle, WA
New York Land Use 2009	May 11 & 12, 2009	White Plains, NY
Impact Fees	May 18, 2009	Tampa, FL
Connecticut Land Use 2009	June 8 & 9, 2009	Hartford, CT
North Carolina Land Use 2009	July 23 & 24, 2009	Durham, NC

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