



SEQRA

James A. Boglioli, Esq.

Whiteman Osterman & Hanna

Michael G. Hayes, Esq.

Daniels & Porco LLP

William S. Helmer, Esq.

Green Seifter Attorneys PLLC

Kevin M. Young, Esq.

Young Sommer LLC

This seminar is designed for attorneys, engineers, city and county planners, environmental professionals, presidents, vice presidents, water resource specialists, public works directors, surveyors and project managers.

LATHAM, NY

MARCH 27, 2008

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Critical Issues on the Agenda

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Latham, NY • March 27, 2008**

8:30 AM – 9:00 AM **Registration**

9:00 AM – 10:55 AM **SEQRA Overview and Compliance**

— James A. Boglioli, Esq.

- Overview of the SEQRA Process
- A Review of the Environmental Regulations
- The Role of Municipal Boards in the Completion of SEQRA
- Determining Lead Agency Status
- How SEQRA Functions in a Typical Land Use Application

10:55 AM – 11:10 AM **Break**

11:10 AM – 12:10 PM **Pushing the SEQRA Envelope**

— William S. Helmer, Esq.

- Visual Impact
- Carbon Footprints
- Transboundary Issues

12:10 PM – 12:30 PM **Questions and Answers**

12:30 PM – 1:30 PM **Lunch (On Your Own)**

1:30 PM – 2:35 PM **SEQRA Litigation Issues**

— Michael G. Hayes, Esq.

- Statute of Limitations
- Standing to Sue
- Classifying Type II Actions
- Negative Declarations
- Procedural and Substantive Judicial Review
- Requiring Preparation of a SEIS
- Recent Case Law Developments

2:35 PM – 2:50 PM **Break**

2:50 PM – 4:10 PM **Benefits and Uses of a Generic Environmental Impact Statement**

— Kevin M. Young, Esq.

- Overview of GEIS
- Capital Improvement Plan
- Planning for Future Development
- Mitigation Fees (Show Us the Money!)

4:10 PM – 4:30 PM **Questions and Answers**

— James A. Boglioli, Esq., Michael G. Hayes, Esq.,
William S. Helmer, Esq., and Kevin M. Young, Esq.

Registration

SEQRA

Latham, NY - March 27, 2008



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Construction Contracting for Public Entities – Public Contract Documents – Selected General Provisions; Project Labor Agreements; Competitive Bidding; Article 78 Proceedings; Claims for Breach; Ethical Considerations.

Item: 367556 CD and Manual ___@ \$149 Manual ___@ \$69 E-Manual ___@ \$69

Advanced Zoning and Land Use – Religious Land Use; Adding Value to Property Outside the Entitlement Process: Conservation Easements, Forestry Plans, Farming Exemptions and Historic Tax Credits; The State Environmental Quality Review Act Decisions; Decisions Concerning the Constitutionality, Legality, Enactment and Interpretation of Zoning Ordinances and Provisions; Decisions Concerning Zoning Boards of Appeals; Special Permits and Variances, Standards and Practice Tips.

Item: 372957 CD and Manual ___@ \$209 Manual ___@ \$89 E-Manual ___@ \$89

Affordable Housing – The Effect of Market Forces on Local Housing Law; Tax Advantages and Strategies for Housing Construction; Tenants Rights; What Constitutes Good Cause for Eviction; Defenses Available to the Tenant.

Item: 374695 CD and Manual ___@ \$169 Manual ___@ \$79 E-Manual ___@ \$79

Subtotal From Above \$ _____
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Our Distinguished Faculty

James A. Boglioli, Esq., is an attorney with Whiteman Osterman & Hanna and practices in the firm's Environmental and Real Estate Development, Zoning and Land Use Practice Groups. His areas of expertise include land use law, zoning and planning, State Environmental Quality Review Act compliance and wetlands regulations. Prior to joining Whiteman Osterman & Hanna, Mr. Boglioli was employed as a land use associate for a Long Island law firm, where he concentrated his practice in the areas of land use, zoning law and litigation, representing clients from local developers to national corporations in all aspects of the land use approval process and in land use related litigation. His experience includes the representation of clients before municipal boards to obtain rezoning, variances, site plan approval and other land use approvals, as well as the preparation of documents examining the environmental impact of projects as required under SEQRA. Mr. Boglioli is the author of "Can Local Municipalities Regulate Hours of Operation by Utilizing Their Zoning Authority," *The Nassau Lawyer*, Vol 53, No.7, March 2004; and "A Final Blow to the 'Practical Difficulty' Standard for Area Variances," *The Nassau Lawyer*, January 2003. He has been actively involved with numerous organizations. Mr. Boglioli lectures on SEQRA, wetlands regulations and other land use and development topics. He was awarded a J.D. degree from Hofstra University School of Law, where he was a member of the *Hofstra Law Review*. While in law school, Mr. Boglioli served as a legal intern for the Department of Environmental Conservation, Region 1. He holds a B.S. degree in natural resources from Cornell University.

Michael G. Hayes, Esq., is a partner with the law firm of Daniels & Porco LLP. He practices primarily in the areas of litigation, land use and municipal law. Mr. Hayes regularly advises clients on matters relating to zoning and planning, including SEQRA, subdivision and site plan approval, special use permits, zoning amendments and land use litigation. These clients have included governing bodies that enact zoning and related land use laws, planning boards and zoning boards that implement these laws, and landowners and developers who seek municipal approval of development projects. Mr. Hayes is currently the attorney for the Town of Amenia and is also a deputy village attorney for the Village of Pawling. He is a member of the New York State Bar Association and is admitted to the U.S. District Courts for the Northern, Southern and Eastern Districts of New York. Prior to entering private practice, Mr. Hayes was a trial attorney in the

Manhattan District Attorney's Office. He is also a cum laude graduate of the Albany Law School of Union University.

William S. Helmer, Esq., is a member of Green Seifter Attorneys PLLC practicing in the areas of brownfields; energy; environment, land use and zoning; and litigation. During his career in government and private practice, Mr. Helmer has provided counsel in connection with a wide array of energy production facilities, including fossil-fueled plants, major hydroelectric dams, cogeneration projects, nuclear generating stations and municipal solid waste incinerators. He has practiced in virtually every area of environmental law, including the National Environmental Policy Act and the State Environmental Quality Review Act. Other areas in which Mr. Helmer has practiced extensively include mining and other extractive industries, wetlands regulation, forest preserve law and conservation easements. He has graduated with honors from the law school of the State University of New York at Buffalo, and he received a master's degree from Columbia University and a bachelor's degree from Hamilton College.

Kevin M. Young, Esq., is an attorney with Young Sommer LLC and has been practicing environmental law for over 25 years. Mr. Young advises clients on achieving their business objectives while complying with environmental regulations. He is currently lead environmental counsel to some of the most regulated facilities within the state of New York, including the only commercial hazardous waste incinerator in New York. Mr. Young is responsible for assisting these clients in all aspects of environmental permitting and compliance. He has been and continues to be lead counsel to numerous manufacturing plants in New York state, assisting their compliance staff in understanding and complying with environmental regulations. In addition, Mr. Young serves as counsel to several municipalities that are in the process or have recently constructed community sewer systems. He represents the Coalition of Watershed Towns in all issues relating to the NYC Watershed Rules and Regulations and partnership programs. He has been the lead litigator on numerous Superfund and brownfield sites. He represents developers of all types in assisting to obtain state, federal and local approvals. Mr. Young has lectured or written articles in numerous areas and is an adjunct professor at Rensselaer Polytechnic Institute. He earned his B.S. and M.S. degrees from Rensselaer Polytechnic Institute and his law degree from Harvard Law School.

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Seminar Highlights

SEQRA compliance is an uphill battle – do you know what you're up against?

Join us for this innovative seminar and get up to speed on SEQRA. Understand the intricacies of litigation issues. Get a handle on complicated issues surrounding a generic environmental impact statement. Avoid problems down the road by protecting yourself and your company – find out exactly what the critical issues are and how to best handle them. You'll gain the practical insight you need to deal with any challenges that come your way, including tips on SEQRA compliance. Don't wait – register today to make sure you stay on the cutting edge of your field.

Benefits for You

- Take the headaches out of complying with environmental regulations
- Find out how SEQRA functions in a typical land use application
- Get a handle on transboundary issues
- Avoid potholes on the road to success in SEQRA litigation
- Hear from seasoned professionals about the benefits and uses of GEIS



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IACET Learning Objectives

The attendee will be able to:

- review the SEQRA process
- identify SEQRA litigation issues
- discuss mitigation fees

Lorman Business Center, Inc. is registered with the AIA Continuing Education System (AIA/CES). This 6.00 hour program offers 6.00 Learning Unit hours, which will be reported directly to the AIA/CES for AIA members.

This seminar has been approved by the New York State Board for Architecture and qualifies for 6.0 hours for architects. If you have attended a "SEQRA" course previously,

you cannot acquire continuing education credit for this program within your registration period.

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This seminar has been reviewed and approved for inclusion in the Construction Compliance™

Certification Program and qualifies for 1.0 credit. It has been approved by an advisory board consisting of leading professionals from Duane Morris LLP, Kirkpatrick & Lockhart Nicholson Graham LLP, Exponent, Inc. and PinnacleOne, Inc. Please visit www.lorman.com/certification/cc for more information.

This course has been approved in accordance with the requirements of the New York Continuing Legal Education Board for a maximum of 7.0 credit hours, of which 7.0 credit hours may be applied toward the Areas of Professional Practice

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LATHAM, NY MARCH 27, 2008

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