



HalfMoon LLC
PO Box 268
Eau Claire, WI 54702-0268
www.halfmoonseminars.com



PRESORTED
STANDARD
U.S. POSTAGE PAID
EAU CLAIRE, WI
PERMIT NO. 2016

5 REASONS... You Won't Want To Miss This Seminar!

1. You'll learn about evaluating boundary evidence and resolving boundary disputes.
2. You'll learn to participate in land use litigation and zoning administrative appeals.
3. You'll learn about public and private easements.
4. You'll understand rules and regulations that apply to contaminated property.
5. You'll learn to participate in eminent domain and condemnation as an engineer or surveyor.

New York Civil Engineering and Surveying Land Law

A practical, one-day program where you'll:

- ▶ **Learn** about the resolution of boundary disputes during land development
- ▶ **Examine** land use laws and land development projects
- ▶ **Evaluate** the effect of easements on land and construction projects
- ▶ **Understand** the rules and regulations that apply to contaminated sites
- ▶ **Explore** eminent domain and the condemnation process

White Plains, NY
Thursday, February 18, 2010

**6.0 Contact Hours for New York Civil
Engineers and Land Surveyors**
(See inside for details)



Seminar Agenda

Identifying and Resolving Boundary Disputes during Land Development

P. Klose

- ▶ Understanding basic principles of boundary law
 - Determine the intent of the grantor
 - Follow the steps of the original surveyor
- ▶ Evaluating boundary evidence
 - Legal descriptions, natural monuments, artificial monuments, adjoining boundaries, surveys and maps, statements and testimony
- ▶ Resolving boundary disputes

Participating in Eminent Domain and Condemnation Process

S. Silverberg

- ▶ Understanding eminent domain powers
 - Source of eminent domain powers
 - History of the exercise of eminent domain powers
 - Types of eminent domain "takings"
- ▶ Participating in the condemnation process as an engineer or surveyor
- ▶ Appealing a condemnation decision
- ▶ Understanding regulatory "takings" and inverse condemnation

Understanding the Effect of Easements on Land and Construction Projects

J. Kirkpatrick

- ▶ Understanding the legal concept of easements
- ▶ Types of easements public and private
 - Easements appurtenant and easements in gross
- ▶ Creating easements
 - Implied easements, easements by necessity, easements by prescription, government easements
- ▶ Terminating easements
- ▶ Understanding conservation easements

Land Use Laws and Land Development Projects

B. Shapiro

- ▶ Understanding land use law
 - Governmental power and authority to zone
 - Governmental bodies with the power to zone
 - Comprehensive land use planning
- ▶ Finding existing land use laws and regulations
- ▶ Seeking zoning variances or rezoning
- ▶ Participating in zoning administrative appeals
- ▶ Participating in land use litigation

State and Federal Site Contamination Law

J. Sachs

- ▶ Discovering existing soil and/or groundwater contamination
- ▶ Understanding applicable rules and regulations
- ▶ Brownfield development

Seminar Faculty

Peter Klose practices real estate, land use, and litigation from his offices in Rockland (Nyack), Westchester (White Plains), and Dutchess County (Red Hook). In addition to sitting on the Village of Nyack Planning Board, he is a graduate of Leadership Rockland and is a director of the River Rowing Association, Inc. Having graduated from Cornell University and having earned his law degree from New England School of Law, his general practice includes business planning and transactions, insurance coverage and defense, wills and probate, intellectual property law, litigation and appeals.

Steven M. Silverberg is a partner in Silverberg Zalantis LLP in Tarrytown. Mr. Silverberg has extensive experience representing developers and municipalities in land use, zoning, and environmental law matters. He is a planning and zoning attorney for the Town of Haverstraw and zoning attorney for the Village of Mamaroneck. He co-authored the book *Wetlands and Coastal Zone Regulation and Compliance* (John Wiley & Sons, 1993) and wrote the chapter in *American Jurisprudence Proof of Facts 3d*, Vol. 31, "Zoning Proof of Inverse Condemnation From Excessive Land Use Regulation" (Lawyers Cooperative Publishing, 1995). Mr. Silverberg blogs about related issues at <http://blog.szlawfirm.net> or he can be followed on Twitter at <http://twitter.com/SMSilverbergEsq>.

John B. Kirkpatrick is both an attorney and a city planner, and is a principal in the White Plains law firm of Oxman Tulis Kirkpatrick Wyatt & Geiger LLP. Mr. Kirkpatrick concentrates his practice in the areas of land use and environmental law. He is counsel to the American Society of Consulting Planners, and has over 35 years of experience in land use planning and development. Mr. Kirkpatrick's experience includes matters of land use; environmental impact; zoning; housing; development of commercial; office and industrial parcels; traffic; parking; recreation; open space preservation and natural resource protection.

Bernis E. Shapiro is of counsel to Silverberg Zalantis LLP in White Plains where she practices in zoning, land use, and municipal law. Most recently, Ms. Shapiro served as corporation counsel of the City of New Rochelle for 12 years. She provided general counsel to the city council, city manager and departments. Ms. Shapiro started her career with the City of Peekskill which involved planning, zoning, legislative, prosecution, and defense responsibilities. She also served in the private sector for 10 years, handling complex planning, zoning, landlord tenant, and estates matters. Ms. Shapiro is an active member of the Municipal Law sections of both the New York State and Westchester County bar associations.

Joel H. Sachs is an attorney with Keane & Beane P.C. in White Plains. Mr. Sachs represents private entities and governmental agencies in a wide variety of environmental and land use matters. He also serves as an adjunct professor at Pace University School of Law where he has taught courses on state and municipal environmental law, land use, and construction law. Mr. Sachs previously served as an assistant attorney general for New York State and as deputy chief of the Environmental Protection Bureau for five years. Mr. Sachs currently serves as special land use and environmental counsel to municipalities in Westchester, Putnam, Dutchess, Rockland, Orange, and Ulster Counties. He is chair of the Real Property Law section of the New York State Bar Association. Mr. Sachs has been designated a "SuperLawyer" in environmental law and as a top environmental attorney by *Best Lawyers*.

Additional Information

Tuition: \$259.00 for one, or \$239.00 each for 3 or more from the same company or firm registering at the same time. Please make check payable to **HalfMoon LLC**. Each registration includes one copy of *New York Civil Engineering and Surveying Land Law*. **Pre-registration is recommended.** *Walk-in registrations will be accepted at the program if space is available.*

Send Registrations to: HMS, P.O. Box 268, Eau Claire, WI 54702-0268. You may also register via fax at 715-835-6066, over the phone at 715-835-5900, or online at www.halfmoonseminars.com. **We do not send confirmations.** You will be contacted if any scheduling changes occur.

Date: Thursday, February 18, 2010

Location: Crowne Plaza White Plains • (914) 682-0050
66 Hale Avenue
White Plains, NY 10601
(Call the Crowne Plaza or HalfMoon LLC for directions.)

Schedule:

Registration	8:00 - 8:30 a.m.
Morning Session	8:30 a.m. - 12:15 p.m.
Lunch	12:15 - 1:30 p.m. <i>(On your own)</i>
Afternoon Session	1:30 - 4:15 p.m.

Continuing Education Credit: The New York Education Department/ Board for Engineering and Land Surveying has approved HalfMoon LLC as a sponsor of continuing education activities. This program offers 6.0 Contact Hours (PDHs) for New York civil engineers and land surveyors. *You may email inquiries to doug@halfmoonseminars.com or call HalfMoon at 715-835-5900.*

Cancellations: If your schedule changes and you contact us **at least 48 hours** before the start of the seminar (CST), we will offer you a full tuition refund, minus a \$10.00 service charge for each registrant. If you contact us after that time, we will offer you a credit toward another seminar, or a credit toward the CD/manual package. *If you desire, you may send another person to take your place at the seminar.*

CD/Manual Package: A full audio recording of this seminar is available for \$269.00, which includes shipping and handling. Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.



Visit our web site at
www.halfmoonseminars.com
for information on other upcoming seminars.

NEW YORK CIVIL ENGINEERING AND SURVEYING LAND LAW Thursday, February 18, 2010 — White Plains, NY • Crowne Plaza White Plains, 66 Hale Avenue

1. Yes, I will attend - **White Plains, NY** - Thursday, February 18, 2010
\$259.00 for a single registrant or \$239.00 each for 3 or more from the same firm registering at the same time.
(Manual Included)
 No, I am not attending. Please send me:
 CD/Manual Package - \$269.00
Price shown includes shipping and handling. Product will ship UPS; please include a physical address not PO Box.

2. **Please complete for each registrant:**
(Attach duplicate forms if necessary.)

Name: _____
Position: _____
Name: _____
Position: _____
Company/Firm: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone where we can reach you: (_____) _____ - _____

3. I am making payment by:

Check payable to HalfMoon LLC
(____ Yes, I was pre-registered by phone or fax.)

MC VISA AmEx Discover
Card No: _____ Expires: _____

Cardholder Name: _____
Signature: _____
E-mail Address *(for credit card receipt and program changes only)*: _____

4. Detach entire panel and send via fax to
715-835-6066 or by mail to
HMS, PO Box 268, Eau Claire, WI 54702-0268.

I need special accommodations. Please contact me.

Program #10037

Thank you