

## **May 8- Land Use: From the Bench: A Judge's View of How Local Government Lawyers Can Best Handle their Land Use Cases**

### **SPEAKERS:**

**The Honorable Peter A. Buchsbaum**, J.S.C., Ret., is now of counsel to the Flemington, NJ firm of Lanza and Lanza, L.L.P., doing primarily Mt. Laurel court master work. He retired as Superior Court Judge in June 2013 but was designated to return as a recall judge on a part time basis working primarily on probate, land use and zoning cases. He sat in Flemington, New Jersey. Appointed in July, 2004, he had been assigned to the Civil Part of the Law Division and also served in the Family Part. He had also served as Mt. Laurel Judge for Vicinage 13, which includes Somerset, Warren and Hunterdon Counties. While on the bench, he served on committees dealing with Children in Court, Minority Concerns, and Technology. He also was on the Executive Committee of the National Conference of State Trial Judges, a part of the American Bar Association's Judicial Division, whose Technology committee he chaired. He is a Fellow of the American Bar Foundation.

Judge Buchsbaum was formerly a Partner in Greenbaum, Rowe, Smith, Ravin, Davis, and Himmel, LLP in Woodbridge, New Jersey where he represented both public and private sector clients and concentrated on zoning and land use planning, Mt. Laurel housing, municipal law, state regulatory processes and environmental regulation. His prior experience from 1972 to 1979 included two and half years as the first staff counsel for the American Civil Liberties Union of New Jersey, and five years with the New Jersey Department of the Public Advocate where he worked on a number of civil and human rights issues, especially involving affordable housing. He has been involved in reported Mt. Laurel cases since 1973.

Judge Buchsbaum is Past Chair of the American Bar Association Land Use, Planning and Zoning Committee, and a current member of the Council of the State and Local Government Law Section. In that capacity he participated in commentary on proposed land use legislation in Romania and Uzbekistan. He is Past Chair of the New Jersey State Bar Association Land Use Law Section and has been a member of the Hunterdon County Bar Association. He served on the Ad Hoc Committee on State Planning, which drafted the N.J. State Planning Act and Fair Housing Act. He served previously as the Mayor of West Amwell Township and on the West Amwell Township Committee and Planning Board.

Judge Buchsbaum was retained by the New Jersey League of Municipalities to draft model legislation for regional land use law and procedures in the state and drafted a model regional center ordinance for a project funded by the National Endowment for the Arts. He also served as a consultant to the American Planning Association's Growing Smart Project which drafted revised model land use and affordable housing statutes for the states and undertook a study of permit coordination for the Lincoln Institute, the results of which were published in the Urban Lawyer. He has continued to lecture or moderate ABA and American Planning Association programs which have included the A.P.A.'s prestigious Bettman Lectures, and has recently lectured in Haifa, Israel and Volos, Greece, on judicial decisionmaking in land use cases, a subject about which he has also written frequently.

Judge Buchsbaum received the Media Award from the New Jersey State Bar Association in 1987 for his columns on the New Jersey Court system. His extensive publications include co-editing State and Regional Comprehensive Planning, published by the ABA, contributing to The Trial of a Land Use Case and other

ABA publications, and authorship of many articles in the *Urban Lawyer* including its lead article on the Mt. Laurel I case. He has also been an Adjunct Professor of Law at Rutgers School of Law-Camden.

For ten years, he served on the New Jersey Law Revision Commission as an appointee of the President of the Senate. This Commission addressed pending uniform legislation. Judge Buchsbaum has also served as an ABA Advisor on Uniform Legislation and participated on the committee which revised the Model City Charter for municipalities in the United States. He has just been named to the North American Advisory Board of the World Union for Progressive Judaism.

Due to the disability of his oldest son, Judge Buchsbaum served as president of the ARC of Hunterdon County, NJ and Vice-President of the ARC of New Jersey, heading the latter's governmental affairs committee for four years. He also chaired a similar committee for Autism New Jersey, then known as COSAC.

Judge Buchsbaum received his A.B. from Cornell University in 1967 and his J.D. from Harvard Law School in 1970. He began his legal career in 1970 as Law Secretary to Joseph Weintraub, Chief Justice of the New Jersey Supreme Court. He is listed in *Who's Who in America*. He is married to the former Elaine Frey with whom he has three adult children. He was honorably discharged from the United States Army Reserves in 1976.

**Dwight H. Merriam** founded Robinson & Cole's Land Use Group in 1978. He represents land owners, developers, governments and individuals in land use matters. Dwight is a Fellow and Past President and of the American Institute of Certified Planners, a former Director of the American Planning Association, a former chair of APA's Planning and Law Division, and a former chair of the American Bar Association's national Section of State and Local Government Law. He teaches land use law at the University of Connecticut School of Law and at the Quinnipiac University Law School and has published over 200 articles and nine books and including *Inclusionary Zoning Moves Downtown*, *The Takings Issue*, *The Complete Guide to Zoning*, and *Eminent Domain Use and Abuse: Kelo in Context*. He is the co-editor of Rathkopf's *The Law of Zoning and Planning* and a co-author of the leading casebook in the field, *Planning and Control of Land Development*.

**Daniel R. Mandelker**, Stamper Professor of Law, Washington University in Saint Louis, is a leading scholar and teacher in land use law, environmental law, and state and local government law. He was the principal consultant and contributor to the American Planning Association's model planning and zoning legislation project. He was also the principal consultant to a joint American Bar Association committee that prepared a model law for land use procedures that was adopted by the ABA House of Delegates. He recently published a handbook on free speech law for on premise signs, a coauthored fourth edition of his APA report on *Street Graphics and the Law*, and a coauthored new edition of his law school casebook in *State and Local Government*. Additionally, he received the ABA's State and Local Government Section Daniel J. Curtin Lifetime Achievement Award.