



PLANNING NEWS

County Planners' Survey: What are the Top Issues Facing Your County?

By Lael M. Locke

At the beginning of November, the NYPF queried each of the 62 New York State county planning departments, asking them what they saw as the top three issues facing their county. To date we have heard back from 14 counties, and anticipate publishing a second set of additional responses later in 2013.

Regardless of location, certain themes were repeated by those who responded – protecting agriculture, how to deal with needed infrastructure improvements in these budget-conscious times, providing adequate workforce housing, and creating opportunities for economic development.

The Lewis County Planning Department (northwest NY) noted “The dairy industry is the basis for our economy. Alternative agriculture is slowly coming to this area. The mix of future potential development and its impact on agriculture – and vice versa – is a concern.” This sentiment was echoed by Schuyler County (western NY), whose planner responded “Agriculture is our Number One industry. How do we protect it from residential and other forms of development?” And the Cayuga County (west central NY) Planning Department added “Promoting agriculture and protecting farmland” are important concerns.

From Dutchess County (southeastern NY) came this response to the survey: “There is an increased need for infrastructure improvements to maintain a ‘state of good repair’ for critical bridges, roads, water and wastewater and other infrastructure, and to create Complete Streets, all in a time of severe budget

constraints for both county and municipal governments.” Broome County (south central NY) cited “Inadequate resources to maintain our infrastructure,” noting further “We’re in the midst of updating our comprehensive plan and, surprisingly, this is the top priority of residents taking the survey.” A county in the State’s southeastern region also felt that infrastructure was a critical concern, “including preservation for roads and bridges and adding expansion for water and sewer, particularly in the era of tax caps.”

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NEW YORK PLANNING FEDERATION

is a non-profit membership organization established in 1937. Our mission is to promote sound planning and zoning practice throughout New York State. Membership, which currently includes nearly 10,000 individuals, is open and welcome to anyone supporting this mission. Membership categories include municipalities, counties, public organizations, private businesses, individuals and libraries.

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PLANNING NEWS

welcomes comments from its readers. Manuscripts may be submitted for possible publication. Call the newsletter editor, Lael Locke, to discuss your ideas. If published, such articles may be edited to conform with format requirements and become the property of Planning News. The opinions and views expressed in Planning News are those of the authors and do not necessarily represent the views of the NYPF.

From the Executive Director



Seven years ago, residents of New York State watched from afar the horrors of Hurricane Katrina as it devastated the Gulf Coast. Today, NYPF members from lower New York State and Long Island are cleaning up from the disaster of Hurricane Sandy. Our hearts go out to those communities that are now faced with rebuilding both their lives, towns and villages. We hope that our planning board members in these communities will be involved in taking a hard look at safety issues as their municipalities rebuild.

We ask that any of our consulting firms working on projects either in the Hurricane Sandy communities or within the state let us know about the work you have done or are doing. We would like to feature these endeavors in our next newsletter in hopes that other communities may look to your examples for sound planning.

On December 5th, the NYPF conducted a planning and zoning board training program at the Wallace Center at the FDR Presidential Library and Home in Hyde Park. Approximately 100 of our members attended the full day of training, and we received excellent reviews from them. For those who were unable to attend, please visit our website (www.nypf.org) to see the live presentations on SEQR Changes, Case Law Updates and Planning/Zoning Board issues.

We would like to remind you that the NYPF can come to your own community for a training session. The fee is minimal, and these one-on-one visits allow us to have more of a “hands-on” approach in training member communities.

As previously mentioned, the NYPF is celebrating its 75th year as the organization created solely to train planning board and ZBA members. In our newsletters during the past year, we have been running articles from the early days of “Planning News” and I am sure you will see that many issues and concerns of our communities have not changed much over the years.

We have had the pleasure of two interns working with us over the past semester, Dan Carroll and Dan Sexton. They have been working on developing new publications and web-based trainings that I am sure you will find helpful.

Enclosed in this newsletter is a registration form for our spring 2013 conference, April 23-23. The conference will be held at the Gideon Putnam Hotel in Saratoga Springs, and we have managed to be able to offer you hotel rooms for just \$99.00. Please register early, as there is a limited number of these rooms available. ■

Second Circuit Upholds RLUIPA Claims

By Patricia E. Salkin

(Author's Note: Last year, we reported on the federal district court opinion ruling against the Town of Greenburgh. The federal circuit court of appeals recently upheld that decision.)

Case History: In the late 1990s, Fortress Bible Church purchased a 6 ½ acre parcel within the Town of Greenburgh, NY for the purpose of constructing a facility that could adequately house its growing congregation and school. Fortress submitted a proposal, met the Town's traffic and environmental concerns, and the Planning Commissioner advised that the Town Board could issue a Conditioned Negative Declaration and that an Environmental Impact Statement (EIS) would not be required. Later, the Town Supervisor stated he was troubled by the tax exempt status of Fortress and sought the donation of a fire truck or payment in lieu of taxes. Fortress refused and the Board issued a Positive Declaration, triggering the full SEQRA review process.

Fortress complied with the SEQRA review process and the NYS DOT approved Fortress' traffic study, yet the process stalled. Town officials indicated they wished to "kill" the project, which would only be saved by yearly financial contributions to the fire department. The Town continued to add new issues to the SEQRA process and Fortress provided the necessary information. The Town stopped the process altogether when it claimed that Fortress failed to reimburse the Town for related expenses. Later, "the Town took the unusual step of taking over preparation of the (Final Environmental Impact Study). It did not notify the Church that it had done so..." The Town then added more issues. Fortress responded by filing this action. The Town then denied the Fortress application, finding that it violated the "recently enacted 'steep slope' zoning ordinance," that it would stress police and fire services, that the site's retaining walls would constitute an attractive nuisance, and that there would be traffic and parking issues.

The District Court found the Town violated Fortress' rights under the Religious Land Use and

Institutionalized Persons Act (RLUIPA), the Federal and New York Free Exercise Clauses and Equal Protection Clauses. The District Court found the Town used SEQRA in bad faith, creating a substantial burden in violation of RLUIPA and the Free Exercise Clauses. The court also found a violation of Fortress' Equal Protection rights under a class-of-one theory. In addition, the Court found that a Town Board member "destroyed discoverable evidence despite specific instructions not to do so." The District Court granted broad relief, amounting to a complete approval of the project, with the necessary permits and variances, and a monetary sanction.

Case Update: The Second Circuit addressed and upheld all these claims; the remainder of this review focuses only on the RLUIPA claim. RLUIPA requires that land use regulations not impose a substantial burden on the exercise of religion unless the regulation is the least restrictive means to further a compelling governmental interest. The Second Circuit found that, although SEQRA itself is not a land use regulation, its application by officials in this case was, and thus the use of SEQRA invoked RLUIPA protections.

RLUIPA applied because SEQRA was used to address zoning concerns, the Town code has "intertwined" SEQRA with its zoning regulations, and Town officials used the SEQRA process to address zoning issues, as opposed to environmental ones. Furthermore, the court found it would be bad policy to exempt SEQRA review from RLUIPA protections, as localities could insulate their decisions from RLUIPA by cloaking their acts under the SEQRA banner. This determination creates precedent, as no federal Court of Appeals had addressed whether environmental review statutes can be considered land use regulations under SEQRA.

Once the court found that RLUIPA applied, it had no difficulty finding a violation thereof. The court found the Town's use of SEQRA was "disingenuous." The court determined it was only

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Hydrofracking and windpower were listed as concerns of several counties in the central, southern and western parts of the state. For example, the Lewis County Planning Department cited renewable energy production as a major planning issue: “We are home to the Maple Ridge Wind Farm of 195 1.6 MW turbines. Yet exploring other types of renewable energy is at a standstill here. We have the natural resources to facilitate alternative energy production, but how will this play out in our future?” Schuyler County also named “Energy development, namely natural gas, but consideration needs to be given to solar and wind” as one of its top three concerns; while Cortland County (central NY) named both “windpower and natural gas extraction.”

Both Broome County and Allegany County (southwest NY) responded to the survey with heartfelt comments re: hydrofracking, each of which captured the divisive nature of this issue. Broome County’s chief planner wrote of the potential impact of high-volume hydrofracking (HVHF): “Residents are drawing two completely different lessons from the HVHF that is taking place in Pennsylvania. Some see it as an economic boon, others view it as an irreversible ecological catastrophe. What will the impacts be here, and how do we prepare for them?” The Allegany County planner wrote: “We are not in the official sweet spot, but we have had oil and gas drilling in our county for 140 years, so it is very likely that if this comes to reality, we will see an impact. The population is very split in its opinion. We have towns next to each other that don’t agree – one passes a moratorium and the next has a large outpouring against a moratorium.”

Some issues were definitely county-specific: In Broome County, for example, flood mitigation was a major concern. “This community was devastated by catastrophic floods in 2006 and another in 2011. Some residents have unrealistic expectations about our ability to mitigate flooding,” their planner wrote. Allegany County noted a need “to increase the recreational infrastructure – we have not had a state park and are now heavily involved in working on official access points along the Genesee River for

canoe/kayak launch points.” And the flip side of the recreational discussion came from a county in the north central part of the state, whose planner cited issues with the Adirondack Park Agency (APA): “There is limited room for commercial development or housing of any kind in our hamlets, where the APA allows intensive development, because 70% of the county is state-owned forest preserve and another 25% is forestry land under restrictive easement.” This same county noted that “not all communities have a plan or planning board because they believe the APA is sufficiently restrictive.”

A frustrated plea from Fulton County addressed “the need to overhaul the State’s archaic laws dealing with allowing municipalities owning water and sewer systems to extend their services outside their corporate boundaries. Creating water and sewer districts is cumbersome and often doesn’t provide a logical and efficient means to extend water and sewer services. Municipalities need a simpler system that affords them flexibility. Here in Fulton County, the cities of Gloversville and Johnstown own water and sewer systems. However, they have little land remaining to develop. The developable land in our County lies in the towns surrounding the two cities. However, the current processes for creating water and sewer districts to allow for these services to be extended into the towns have been a major detriment. Change is needed.”

One of the most thoughtful and thought-provoking responses was given by Cayuga County (west central NY), whose planner wrote: “In answering the question, one complication is distinguishing the most important issues facing the county from the issues that we spend the most time on. Ideally, these would be the same, but in practice there may be other organizations already adequately addressing the issue, or it may be practically more important to address a smaller, but more pressing, issue before a larger, but more long-term, issue.

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Incomplete Streets?

By Daniel P. Carroll

It's been more than a year since New York State signed the "Complete Streets" bill into law, but how much has been done in that time?

Complete Streets was passed to give all New Yorkers more choices in mobility and make sure that they feel safe, regardless of their mode of travel. The main idea of the law was that all users deserve to be considered when a street is constructed with public funds – this includes, among others, the young and elderly, those who drive cars and those who ride bikes, as well as anyone with a disability. The hope of the law was that if streets in the State were designed with better crosswalks, sidewalks, bike lanes and handicapped accessibility, a person might think twice about taking the car for short trips and instead choose to walk, bike or ride the bus.

Busy main streets filled with svelte pedestrians breathing air untainted by car emissions was the dream of those who fought to get the bill passed, but so far that hasn't really happened in communities around New York. Some of this can be attributed to the fact that the Complete Streets law is new, some to the fact that money still isn't flowing for new transportation projects (simple resurfacing and maintenance don't trigger Complete Streets action). Still, the biggest reason that the law hasn't made a big splash is probably due to the way it was written.

The Complete Streets law states "...projects shall consider the convenient access and mobility on the road network by all users..." (emphasis added). But we all know that a consideration is a far cry from a requirement and can result in two very different projects. The loose language of the legislation was no doubt included because of the unique nature of transportation planning and planning in general. All communities and all roads are different, so a blanket requirement for, say, bike lanes on every street just isn't realistic, nor is it necessary. The advocates who pushed for

Complete Streets and the legislators who signed it into law were both aware that rural county roads don't necessarily need separated bike paths or sidewalks. This need for flexibility produced the word "consider," rather than "require," and a hope that planning and zoning board members and project applicants would follow the spirit of the law and not go straight for the glaring loophole.

With all this being said, the law does have one very specific requirement: after two years, NYS DOT will produce a report on "how it has complied with (the) law and changed its procedures to institutionalize complete street design features into planning, project scoping, design and implementation of the required highway and road projects." The report will require the identification of best practices, gleaned by interviews with municipalities, MPOs, public transit operators, relevant state agencies and relevant stakeholders, including disability rights groups, aging groups, bicycle and pedestrian advocates and developers. As the report date approaches, it's likely that

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DOT will be looking to fund projects that have taken Complete Streets seriously and not only considered, but actually designed, projects from the bottom up with all users in mind.

As more money begins to trickle down from the new federal transportation bill, MAP-21, and projects get the green light to move forward, mindfulness of Complete Streets will become increasingly important. Any project using federal and state funds, which has oversight by NYS DOT (basically every large road project), is subject to compliance with Complete Streets. For a community to stay in good standing with DOT, it is advisable that all new transportation projects seriously plan for all users. Plus, the DOT has to fill the "Best Practice" section of their report with something – why not make it a project from your community? ■

The author is an intern with the New York Planning Federation and is completing his Masters in Regional Planning at SUNY Albany.

used after the Planning Commissioner found it was unnecessary, because the Town wanted to kill the project, due to its tax-exempt status and lack of willingness to "donate" equipment or money.

The Second Circuit affirmed the finding of a substantial burden on the basis that Fortress had outgrown its current facility (expansion is the church's God-given mission), the Town acted "in bad faith and in hostility," and would not permit Fortress to build on the proposed site. The court found the burden on Fortress was more than minimal and there was a close nexus between the denial of the application and Fortress' inability to construct an adequate building. Although the court agreed that where there is a "possibility of modification and resubmission," a substantial burden will likely not be found. That principal does not apply where the locality acts in bad faith or discriminates on the basis of religion, as was the case in Greenburgh. The court found that resubmission to the Town would be futile, given their refusal to accept Fortress' accommodations to Town concerns, as well as the Town's repeated attempts to derail the project. (Fortress Bible Church v. Feiner, No. 10-3634-cv, 2012 WL 4335158 (2nd Cir. September 24, 2012.) ■

The author is Dean of Touro College Jacob D. Fuchsberg Law Center in Central Islip, LI.

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"Another complication is distinguishing the most important planning issues from other organizational issues for the county, which of course affect our work. For example, the coordination and management of economic development activities – whether to consolidate and, if so, how – has been a major issue lately, but less as a town planning or regional planning issue than as an organizational planning issue."

We thank those who responded to the initial inquiry and look forward to continuing this discussion in upcoming newsletters. ■

NYPF Seeks Nominees for 2013 Awards

Consistent with its mission of promoting sound planning, zoning and land use practice, the New York Planning Federation presents a number of awards each year during our annual conference. Winners of these awards are nominated by their municipalities, counties and/or regions, and presented with certificates of achievement at a luncheon (in 2013, the date will be Monday, April 22nd) attended by approximately 250 people.

There are six award categories, listed alphabetically as follows:

The David Allee Award is for an outstanding Zoning Board of Appeals Chair;

The John O. Cross Award is given to an outstanding Planning Board Chair;

The Heissenbuttel Award for Planning Excellence is given to an individual, municipality or agency for outstanding accomplishment in the planning field;

The Levine Community Service Award is given to an appointed member of a municipal board or committee who has done an outstanding job for his/her community;

The NYPF Comprehensive Plan Award is given to a municipality or agency for an outstanding and/or innovative comprehensive plan or plan update adopted by a municipality's legislative body within the past three (3) years;

The Pomeroy Award for Zoning Achievement goes to an individual, municipality or agency for consistently high quality work and/or for an outstanding contribution to zoning in New York State through the development of a specific zoning law or legal agreement.

Though we received no nominations in 2012 for the David Allee Award, winners in the other categories were Ed Plotkin, Chair of the Village of Dobbs Ferry Planning Board (Cross Award); Thomas Dearing, Deputy Commissioner of the Erie County Department of Environment and Planning (Heissenbuttel Award, Individual); City of New Rochelle GreenNR Sustainability Plan (Heissenbuttel Award, Municipality); Paul Antonik, Town of Russia (Levine Award); Town of Clarkstown Municipal Plan (NYPF Comprehensive Plan Award, Municipality); Rockland Tomorrow (NYPF Comprehensive Plan Award, County); and Town of Pittsford RN Zoning District (Pomeroy Award).

Nominations for the 2013 awards are due by February 22nd. The nominating process is easy (visit www.nypf.org "Conference" to view the form and complete award information), and these awards are a wonderful way to recognize and honor achievement in your community. Please contact Lael Locke (llocke@nypf.org) with any questions, or for additional information. ■

Successful Training in Hyde Park

The New York Planning Federation held its first year-end regional training on December 5th at the Henry A. Wallace Center at the FDR Presidential Library and Home in Hyde Park.

Originally scheduled for November 8th, and rescheduled as the result of a snowstorm, nearly 100 people, mostly from the Hudson Valley, attended the day-long program. Sessions included “Changes to the EAF Forms;” “Case Law Update;” “Site Plan Review and Approval, and Special Use Permits;” and “Area Variances, Use Variances and Interpretations.”

The NYPF thanks the presenters, all of whom donated their time and expertise: David Everett, Mark Sweeney and Terresa Bakner, attorneys with the firm of Whiteman Osterman & Hanna; Susan Jainchill and Michelle Robbins from the planning firm, AKRF; and Frank Fish, FAICP, from BFJ Planning. Our thanks, too, to the staff at the Wallace Center, who included a free tour of the FDR Library for all workshop registrants.

Based on the positive feedback we received from attendees, the NYPF plans to begin offering more of these one-day sessions to supplement our Annual Planning & Zoning Conference. These smaller trainings will also be great ways to learn about current topics affecting New York communities, as well as to network with fellow planning board and ZBA members from neighboring municipalities. Each day-long training also fulfills the annual four-hour training requirement.

For those who were unable to attend the December 5th training, we videotaped three of the four sessions and will make them available on the Members Only section of our website (www.nypf.org) in the near future. ■

Save the Date!

Time to mark your calendars for the New York Planning Federation’s Annual Planning & Zoning Conference. This year’s dates are April 21st-23rd, and the location is the beautiful, historic Gideon Putnam Hotel in Saratoga Springs.

The agenda is still being set, and we’ll have much more to tell you in our next issue of “Planning News,” as well as on our website, www.nypf.org. However, we already know that the 2013 conference (our 75th, by the way!) will contain a mix of introductory and advanced training topics, as well as in-depth discussions and updates on the latest hot button issues. Every session at the conference qualifies toward the four-hour training requirement for planning board and ZBA members; we also anticipate that the 2013 conference will once again include continuing education sessions for both attorneys and professional planners.

Please note that a registration form for the conference is included in this issue of “Planning News.” Also note that to reserve a room at the Gideon Putnam, you need to contact the hotel directly and identify yourself as an attendee of the New York Planning Federation conference. If you need any assistance, please contact our office at 1-800-366-NYPF or email nypf@nypf.org.

The NYPF Annual Conference has been ranked one of the best in New York State by attendees. We encourage you to come and find out why for yourself this April! ■

April 21st – 23rd 2013 NYPF CONFERENCE REGISTRATION FORM

*NOTE: This form is for conference registration only.
Please contact the hotel directly at 866-890-1171 to make room reservations.*

Gideon Putnam Resort & Hotel
24 Gideon Putnam Road, Saratoga Springs, New York, 12866
*** (866) 890-1171* www.gideonputnam.com**

Full Registration (*includes Sunday Reception, Monday lunch and breaks, Tuesday break*)
NYPF Members \$159.00. Non-Members \$175.00 (After April 9th-\$175 members \$225 non-members)

Monday-Only Commuter Registration (*includes lunch and breaks*) NYPF Members \$110.00. Non-Members \$125.00

Tuesday-1/2 day Session Commuter Registration (*includes Tuesday break*) NYPF Members \$75.00. Non-Members \$100.00

Return completed forms to NYPF, One Columbia Place, Albany, NY 12207-Fax 518 512 5274 – nypf@nypf.org. Please use a separate form for each registration. Any questions call NYPF-518-512-5270

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I will be attending (check one) FULL CONFERENCE____MONDAY ONLY____TUESDAY ONLY____

PLEASE NOTE: Registration fees are non-refundable unless cancellation is received by April 9, 2013

The Role of the Layman in Planning

By Carl J. Mays

***Editor's Note:** Since the New York Planning Federation turned 75 years old in 2012 and will be holding its 75th Annual Planning & Zoning Conference this year in Saratoga Springs; we have been digging through our archives and reprinting some early articles from "Planning News" as a way of commemorating the organization's prestigious history.*

The following originally appeared in the March-April 1957 issue of "Planning News." The author was then Director of Planning for Orange County.

It is my task to discuss the role of the layman in planning, or as the word 'role' is defined in Webster's Dictionary, the part performed by an actor in a drama. In this particular instance the drama is better known as the planning process and the actors are those who are not a part of the official governing body or planning board.

This large group, most of the time quite silent, are the beneficiaries of our planning efforts and so it does seem logical that they should be involved, somehow, in our plans. It has frequently been the practice of planning boards and planners alike to work quietly for months and then emerge with the all-knowing plan that meets with bitter opposition by the very same groups of people that they had hoped to aid. Is this the fault of the plan or the planners? The planners are obviously at fault, for if the same plan were handled, or should I say sold, in a more judicious manner, its chance of acceptance would be assured. After all, as we have heard so often, planning is for the people and so it follows that even the best plans will prove fruitless without the organized participation and support of the citizen.

Simply stated, the role of the layman in the planning process is to participate. We who are responsible for planning action must make every effort to draw the citizen into every phase of our operation. I believe that widespread participation will be to the

mutual benefit of both planner and citizen for the following reasons:

1. We will have created an auxiliary labor force to assist the planning board in its search for pertinent data;
2. We will then have the broadest expression of opinion for establishing the needs of the community;
3. We also will have created the means for an excellent public relations team that will spread the word among their own interest groups and who will, in turn, lend their support for planning measures that they can understand;
4. Once a citizens group feels that it has had a share in the planning thinking, it will take a watchdog attitude in protecting the integrity of the plan.

When I speak of citizen participation I mean a representation of community interest in the broadest terms, from the local Chamber of Commerce to the Ladies Garden Club. I have had the pleasure of discussing master plan proposals before the League of Women Voters as well as the YMCA; school site recommendations before the PTA as well as the official school body. And I have also discussed off-street parking needs with the Women's Monday Afternoon Club as well as the Chamber of Commerce.

Recently, in a community where I served as consultant to the Planning Board, our big project was the promulgation of a new zoning ordinance. The old ordinance was outdated and patched with amendments, making stringent new concepts necessary. The planning board was quite aware of this but faced the job with some doubts as to its ability to convince the community of the soundness of its solutions. Rather than weaken the zoning proposals with

compromises to what we might assume was the level of acceptance by the community at large, we embarked on a scheme that would enable us to gauge public opinion and at the same time enlist support for our goals.

A joint meeting of the governing body and planning board was held to discuss this dilemma, and out of the meeting a program of local citizen participation evolved. The Mayor and the six Councilmen would each appoint two citizens to form a fourteen member Citizens Advisory Committee on Zoning. This body would be responsible to the governing body and would file a report on its findings of the Planning Board's zoning recommendation. Members of this committee would represent all the major interest groups in town, including political parties as well as individual prominent citizens, better known as civic leaders.

It might seem that we had set the stage for the maximum of confusion as to who was to do what, but keep in mind that the Planning Board's work on zoning had just commenced. In this initial stage, while the board pondered over existing land use maps and population and economic studies, I was meeting every two weeks with the Citizens Advisory Committee and conducting what amounted to a planning seminar on why certain recommendations seemed necessary, based on the same research data the Planning Board had before it.

Here then was the opportunity to lead a cross section of the community through the mass of data that should preclude any zoning ordinance and give these people a sound basis for criticism. The fourteen members of this committee, all who were unknown to me prior to our first meeting, brought with them all the fears and prejudices of the unknown as is not unusual to anyone unfamiliar with this business called planning. They did, however, bring an attitude of serious responsibility to their appointed job, and this is one of the more important requirements.

By the time the Planning Board's recommendations were finally completed, there was a thorough understanding by the citizens committee of what the problems were and how they might be solved. I had the chance to report to the Planning Board the thoughts raised by the citizens committee as a result of their concerns, and these ideas were weighed by the Planning Board in considering their own solutions.

Simultaneously, the various members of the Citizens Advisory Committee were reporting to their own individual organizations their progress and their understanding of the Town's problems and making many a friend for the Planning Board in the process. This serves to illustrate what I meant when I said citizen action can create a public relations team to aid the planner in his work.

When the Planning Board's zoning recommendations were submitted to the governing body for their consideration for ordinance preparation, the Mayor and Council also had a report from the Citizens Advisory Committee, a report that was quite favorable to the Planning Board's suggestions. The citizens report also gave an excellent insight into public acceptance of the proposals, as well as allaying fears of pressure that could be brought upon the elected officials.

This entire procedure took about eighteen months to complete. I probably could have written an ordinance in six months; the Planning Board perhaps a year. I sincerely doubt that either work would have been passed in ordinance form without the assistance of the citizens group. The planner's greatest opponent is ignorance, and what better way than through citizen action can we attack the stigma of suspicion and prejudice that appears to be the inevitable reaction to so many planning proposals?

In conclusion, I will repeat, the role of the layman is to participate. And for this participation to be effective it should be focused on specific projects and related to official governmental procedure. ■

New York Planning Federation Publications

Send request with a list of the books you want or call (800) 366-NYPF to order
Checks or vouchers accepted. Prepayment not required. (M) indicates member (NM) non-member.

■ **All You Ever Wanted to Know About Zoning**, 4th ed. (2005). Sheldon Damsky and James Coon. The latest version of our most popular book includes key legislation and case law through the 2004 legislative session. \$50.00 (M), \$60.00 (NM) + \$3.00 s/h. Bulk rates available for 5+ copies.

■ **A Practical Guide to Comprehensive Planning** David Church and Cori Traub, 1996, updated 2002 (82 pages). An overview of the importance of planning and the steps involved in preparing a comprehensive plan. Includes case studies. \$18.00 (M), \$20.00 (NM) + \$3.00 s/h. Bulk rates available for 5+ copies.

■ **The Short Course: A Basic Guide for Planning Boards and Zoning Boards of Appeal in NYS** by Harry J. Willis, David Church and James W. Hotaling. Updated in 2007 (71 pages). A review of the full range of knowledge and skills needed by planning or zoning officials. Recipient of the Public Education Award by the American Planning Association Upstate New York Chapter. \$18.00 (M), \$20.00 (NM) + \$3.00 s/h. Bulk rates available for 5+ copies.

■ **Land Use Training and Certification School**. Hard copy version (with CD) of the nine on-line training courses developed by Pace University Land Use Law Center. Recommended to fulfill the annual four-hour training requirements. \$50.00 + \$5.00 s/h. May also be downloaded at no charge from www.nypf.org.

■ **Municipal Official's Guide to Diesel Idling Reduction in NYS**. By Katherine H. Daniels, AICP, 2006 (45 pages). Published jointly by NYPF, US EPA and NYSERDA. Free with \$3.00 s/h.

■ **Municipal Official's Guide to Forestry in NYS** by Katherine H. Daniels, AICP. Published jointly by NYPF, NYS DEC and the Empire State Forest Products Assn. Free with \$3.00 s/h.

■ **Adult Entertainment Tech Memo** A 12-page brochure prepared by Lydia Marola, Esq. attorney for the Village of Scotia, and Rebecca Lubin, AICP. Free to member, \$5.00 NM. Free download at www.nypf.org.

■ **Model Cell Tower Ordinance** by NYPF staff. A short article and model ordinance. Free to members, \$5.00 NM. Free download at www.nypf.org.