



The Top Ten Land Use Law Decisions and Developments in the Past Year

Friday, January 8, 2016

5:30-6:30 PM

Dwight Merriam, FAICP

Robinson & Cole LLP

Resource Materials

Comprehensive Plan

John E. Myers v. Ocean City Zoning Board of Adjustment (NJ App Div 2015)

<http://law.justia.com/cases/new-jersey/appellate-division-published/2015/a2568-13.html>

Compliance with Administrative Procedures

Hartwell v. Town of Ogunquit (Me 2015)

http://www.courts.maine.gov/opinions_orders/supreme/lawcourt/2015/15me51ha.pdf

Conservation Restrictions/Tax

Mitchell v. Commissioner of Revenue (10th Cir 2105)
<https://www.ca10.uscourts.gov/opinions/13/13-9003.pdf>

Defamation

Schaecher v. Bouffault (Va 2015)
<http://cases.justia.com/virginia/supreme-court/2015-141480.pdf?ts=1433426616>

Eminent Domain

Kelo v. New London (US 2005)
<https://www.law.cornell.edu/supct/html/04-108.ZS.html>

Dana Berliner, Looking Back Ten Years After Kelo, 125 YALE L.J. F. 82 (2015)
<http://www.yalelawjournal.org/forum/looking-back-ten-years-after-kelo>

Environmental – Air Quality

Michigan v. Environmental Protection Agency (US 2015)
http://www.supremecourt.gov/opinions/14pdf/14-46_bqmc.pdf

Ethics

Grabowsky v. Township of Montclair (NJ 2015)
<http://law.justia.com/cases/new-jersey/supreme-court/2015/a-53-13.html>

Fair Housing

Texas Department of Health and Community Affairs v. Inclusive Communities Project (US 2015)
http://www.supremecourt.gov/opinions/14pdf/13-1371_m64o.pdf

Jurisdiction

Drummev v. Town of Falmouth (Mass App 2015)

http://scholar.google.com/scholar_case?case=4967178954299853776&q=drummev+v+town+of+falmouth&hl=en&as_sdt=4,22

Skawski v. Greenfield Investors Property Development, LLC (Mass App 2015)

http://scholar.google.com/scholar_case?case=13089700857987985329&q=skawski+v+greenfield+investors&hl=en&as_sdt=4,22

Noise

Devaney v. Kilmartin (USDC RI 2015)

http://www.rid.uscourts.gov/menu/judges/opinions/Sullivan/02122015_1-13CV0510L_MJS_DEVANEY_V._KILMARTIN_RR.pdf

Public Lands/Public Access

Glick v. Harvey (NY Sup Ct 2014)

http://www.courts.state.ny.us/reporter//pdfs/2014/2014_30008.pdf

In the Matter of Residents for Reasonable Development et al. v. City of New York et al. (NY App Div 2015)

<http://law.justia.com/cases/new-york/appellate-division-first-department/2015/15094-101624-13.html>

Ripeness

Brost v. City of Santa Barbara (CA Ct App 2015)

<http://www.courts.ca.gov/opinions/nonpub/B246153.PDF>

RLUIPA

Church of Our Savior v. The City of Jacksonville (M.D. Fla 2014)

<http://www.adfmedia.org/files/ChurchOfOurSaviorDecision.pdf>

See, generally and frequently: rluipa-defense@rc.com

Signs

Reed v. Town of Gilbert (US 2015)

http://www.supremecourt.gov/opinions/14pdf/13-502_9olb.pdf

Spot Zoning

Burton v. Glynn County (Ga 2015)

<http://scogblog.com/2015/07/14/released-opinions-69/>

Takings

Brost v. City of Santa Barbara (CA Ct App 2015)

<http://www.courts.ca.gov/opinions/nonpub/B246153.PDF>

Parker Avenue, L.P. v. City of Philadelphia (Pa Comm Ct 2015)

http://www.pacourts.us/assets/opinions/Commonwealth/out/1162CD14_7-30-15.pdf?cb=1

Variances

Matter of Gottlieb v. Board of Appeals of Incorporated Village of Lawrence
(NY App Div 2015)

<http://www.courts.state.ny.us/courts/ad2/calendar/webcal/decisions/2015/D46314.pdf>

See generally: <https://lawoftheland.wordpress.com/>

Vesting

Palitz v. Zoning Board of Appeals of Tisbury (Mass App 2015)

http://scholar.google.com/scholar_case?case=11900942898368718601&q=palitz+v+zoning+board+of+tisbury&hl=en&as_sdt=4,22