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Thank You Message

Thank you for your support of the Gallivan Fund, which has allowed me to expand UConn's strong reputation in the areas of property and real estate law. According to the documents that created the Gallivan Fund, the goal of the Fund is to provide "practical utility to practicing real property lawyers" and to "strengthen the intellectual and professional resources of the state." As the Gallivan chair, I have pursued research, outreach, and teaching opportunities that fulfill this goal.

For me, the Gallivan Fund has provided the most impact through its direct funding for research and administrative support. With the support of the Fund, I have in the last year published a leading treatise on zoning and planning law, secured publication contracts for two law review articles, and begun to finalize the Land Use volume of the Restatement of Property Law. I would never be able to make those scholarly contributions without the support of the Fund.

In addition to this scholarly research, I have been able to continue to work in the public interest at the local, state, and federal levels. Among other responsibilities, I serve as chair of the Hartford Planning and Zoning Commission and chair of the Connecticut Trust for Historic Preservation.

Through both organizations, I organize communities to advocate for and adopt strong planning and preservation laws that serve as national models. I serve on the board of the Sustainable Development Code, which is developing model land use provisions that provide a more environmentally friendly future for our cities, and the Advisory Council to the National Trust for Historic Preservation.

Students taking my Property, Land Use, and Historic Preservation Law classes benefit from my external involvements, as I am able to connect students to a wide array of opportunities that help them apply their classroom learning to the real world.



A photograph (credit to CT Post) of my remarks as chair of the Connecticut Trust for Historic Preservation at the announcement of a major grant from the National Trust for Historic Preservation for an African American cultural site in Bridgeport, which the Connecticut Trust had long supported.

It is truly an honor and a privilege to hold the Gallivan Chair. Thank you again for your support.

Research and Teaching

My research focuses in part on creating work that offers "practical utility to practicing real property lawyers," as envisioned by those who established the Gallivan Fund. Currently, I serve as co-author of Rathkopf's *The Law of Zoning & Planning*, as well as the forthcoming Restatement (Fourth) of Property. These works have been used by professionals—attorneys, judges, developers, and planners—for many years and are held in high regard. The treatise is the preeminent treatise on planning and zoning law. Every six

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months, it is supplemented with recent cases, and each year six chapters are updated/rewritten by my co-author and me. The Restatement (Fourth) of Property Law will be published by the American Law Institute and, as a comprehensive update to and rethinking of three prior Restatements on property law, will be considered the definitive guide to the common law of property. As we write it, we seek to bring coherence to American property law by stating what the law is as supported by judicial opinions –and by pushing the law modestly in new directions.

In addition to these two works, I have secured publication contracts for two scholarly articles. The first article, “Comprehensive Rezoning,” slated for the *BYU Law Review*, examines the comprehensive rezoning process and identifies lessons for other cities from Hartford. (I helped lead Hartford’s rezoning effort as Chair of Hartford’s planning & zoning commission.) One of the major motivations of the rezoning process was to encourage both economic and environmental sustainability. The second article, “Zoning for Families,” placed in the *Indiana Law Journal*, will address the way zoning defines family, which can be a contentious issue at times.

I have also published a short article in the national-distributed *Planning Magazine* about minimum parking requirements in zoning codes, and a book chapter on U.S. historic preservation law for *Architectural Heritage, Sites, & Landscapes Seized by Urban Law*. This year also saw the publication of my second edition of *Historic Preservation Law in a Nutshell*, co-authored by Professor Ryan M. Rowberry.

With respect to teaching, I always supplement traditional doctrinal lectures with practical assignments. In Property Law (a required course for first-year students), students learn all about property law and are tested by an exam. But they also must perform a title search at a land records office and attend a public meeting of a land use board. These exercises provide students necessary exposure to law outside of the academic classroom setting. In Land Use this year, my students also learned zoning and planning law. But then they applied it by developing model land use provisions on renewable energy and sustainable food production, which will be incorporated into the Sustainable Development Code. For Historic Preservation Law, my students wrote reports on local historic buildings, attended a historic district commission meeting, and gave oral presentations. The goal of all of these exercises is to bridge theory and practice – while still teaching the substantive law.



My fall 2018 Historic Preservation Law class at the construction site for the North Army of Colt Gateway project, one of the most significant historic preservation rehabilitations in the state. Each of my students picked a Hartford historic site and wrote a paper on it; one of the students wrote about the application of historic tax credit law to the first phases of the Colt rehabilitation.

Publications, Conferences, and Awards

My publications are noted above in the “Research Highlights” section, so I won’t repeat that list here. I will add here, however, that I joined other law professors and the International Municipal Lawyers Association in submitting an amicus curiae brief to the First Circuit to support the rights of cities to zone out environmental hazards in the case of *Portland Pipe Line Corp. et al. v. City of South Portland*.

On the speaking engagement front, I have been very busy, presenting to a total of about 3,000 people this year. For example, I have given keynote lectures on land use at the Hawaii State Bar Association and on historic preservation at the University of Kentucky School of Architecture. I have participated (or will shortly participate) on panels at national meetings of the American Bar Association Section of Real Property, Trust, and Estate Annual Meeting; the International Downtowns Association “Retropolitan” conference; the Northeast Energy & Commerce Association Conference; and FarmAid (the annual musical event highlighting the importance of policies that protect agricultural land). I have also given scholarly presentations at the University of Virginia, the American Law Institute, the University of Kentucky Law School, and Fordham Law School.

Locally, I have also participated heavily in a variety of events addressing issues in property, land use, and historic preservation law. For example, I have given the keynote for a CoreNet real estate event (on preservation and economic development), as well as the 30th Anniversary Celebration for the Friends of Keney Park (the group supporting the

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Frederick Law Olmsted-designed park). I also gave a talk at the Mexican Flag-Raising Ceremony at the State Capitol. I have served on panels for Transport Hartford Multi-Modal Summit, the Connecticut Main Street Center's "Hidden in Plain Site" conference, the CCSU Sustainability Symposium, and a Connecticut Economic Development Association webinar. And I have given introductory remarks at the Southern New England American Planning Association annual conference; a UConn conference called "Putting Humans in the Autonomous Vehicles Driver's Seat"; and the 2018 State Historic Preservation Conference.

Finally, on the awards front, I am proud to announce that I was named the winner of a Pro Bene Meritis Award from the University of Texas College of Liberal Arts - my alma mater - for my contributions to property and land use. It was especially surprising because I did not apply for the award - nor do I know who nominated me!

Service and Public Engagement

My leading service to the Law School continues to be serving as Faculty Director for the Center for Energy and Environmental Law. In that role, I help the Center manage academic programs, develop a research agenda, collaborate with internal and external groups, write grants, and plan conferences and events, all in coordination with an executive director.

As chair of the Facilities Committee, one of a handful of UConn committees that involve students, faculty, and staff, I am working to improve the law school campus. In that Committee, we have overseen a successful Master Plan process, identified construction priorities, engaged architects to redesign key public spaces, and targeted fundraising goals for future work.



A November 2018 panel on redevelopment in Hartford featuring the chair of a local planning nonprofit, the director of the Capital Region Development Authority, and UConn Law graduate and economic development professional Kiley Gosselin (a student in my first historic preservation law class in 2006).

I continue to serve as faculty advisor to the Latino Law Students' Association, and I spoke on a professional development panel, attended by students, with fellow Latina attorneys about our shared experiences. And I serve in an ad hoc capacity in numerous ways, from helping to develop a grading curve for first-year students with a group of like-minded professors, to serving as an advisor to a law journal symposium on the Olympic Games.

On the University-wide level, I participate in a multi-disciplinary grant-funded working group on autonomous vehicles. We planned a well-attended conference on the topic this April. The Gallivan Fund also supported the area's inaugural Multimodal and Transit Summit, discussing the future of the state's transportation system, and I spoke at the summit.

Outside the UConn campus, I continue to serve as Chair of the City of Hartford's Planning and Zoning Commission. This role calls for ongoing public engagement as we continue to innovate with respect to Hartford's zoning code and undertake its ten-year comprehensive planning process. I was re-elected as Chair of the Connecticut Trust for Historic Preservation, an organization that promotes sound preservation policy and economic development statewide, and I have been cited in statewide media for my testimony and advocacy to protect Connecticut's great places. I continue my service as a member of the American Law Institute, the leading independent organization in the United States producing scholarly work to clarify, modernize, and otherwise improve the law, and as a James W. Cooper Fellow of the Connecticut Bar Foundation. Finally, I was named to serve on the Advisory Council of the National Trust for Historic Preservation, the foremost nonprofit organization addressing historic places in the country.

Academic Programs and Faculty Development

I am proud of the public-facing academic programs I have helped organize in the past year. I served as faculty advisor to

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the Connecticut International Law Journal for its symposium, “Behind the Games: The Impact of the Olympics on Host Cities” – including a land use panel highlighting the effect of the Olympics on land use plans and policies. In a few weeks, the Center for Energy and Environmental Law is also putting on a conference on “Food in a Changing Climate,” which will analyze how food production will change as the earth warms. These events contribute to improving the Law School’s reputation for high-quality, professionally-relevant programming.

As noted above, I am also chairing the Law School’s Facilities Committee. Reimagining spaces for students, staff, and faculty will help boost productivity and collaboration on campus.

Looking Ahead

As I look to the coming year, there are several exciting activities on the horizon. With respect to my writing projects, I expect to present a significant portion of the Land Use volume of the Fourth Restatement of Property this year to the American Law Institute for the initial formal approvals leading toward publication. I am currently revising the third edition of my Land Use textbook. Building on my prior work, I expect to start a “popular” book project while also using the Gallivan Fund to better publicize my research. In addition, I suspect that our cross-disciplinary UConn group, grant-funded Transportation, Technology & Society group will take off in exciting ways.

In the meantime, I will continue to contribute to public service by fulfilling my various roles with the National Trust for Historic Preservation, the Sustainable Development Code, the Connecticut Trust for Historic Preservation, and the City of Hartford Planning and Zoning Commission.

In general, I remain very enthusiastic to continue my work as Gallivan Chair as it affords me the opportunity to contribute to the Law School, the bar, the city of Hartford, and the state of Connecticut as a whole. I know the advancements we are making in academia contributing to the study of property law and in the real world with zoning reform will having lasting effects on both the legal community and the local.