

# Sean F. Nolon

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## PROFESSIONAL EXPERIENCE

**Vermont Law School**, Professor of Law and Director of the Dispute Resolution Program, South Royalton, Vermont (2008-Present)

- Granted tenure by the faculty and trustees (2013)
- U.S. News ranked the Dispute Resolution Program 16<sup>th</sup> (2012)
- In 2012, designed and taught several sections of Environmental Dispute Resolution in the distance learning format for masters and masters of law students
- Committee Assignments
  - Tenure and Retention Committee (2013-Present)
  - Instructional Innovation Committee (2013)
  - Academic Cabinet (2013-Present)
  - Strategic Initiatives Committee (2013)
  - Curriculum Committee (2008-2009, 2010-Present)
  - Dean's Advisory Committee (2012-Present)
  - Faculty Budget Advisory Committee (2012-Present)
  - Library Advisory Committee (2012)
  - Faculty Governance Committee (2011-2012)
  - Experiential Committee (2010-Present)
  - Distance Learning Director Search Committee (2010)
  - Dispute Resolution Society, Faculty Advisor (2008-Present)

**Pace University School of Law**, White Plains, New York (1999-2008)

- Theodore W. Kheel Center on Environmental Solutions, Founding Executive Director (2007-2008)
- Land Use Law Center, Director and Adjunct Professor (2003-2008)
- Land Use Law Center, Director of Clinical and Training Programs (1999-2003)

**Melito & Adolfsen**, Litigation Associate, New York, New York (1997-1999)

**Pace Environmental Litigation Clinic**, Practicing Attorney, White Plains, New York (1996-1997)

**United States Department of Justice, Environmental Enforcement Section**, Summer Associate, Washington D.C. (1996)

## EDUCATION

**Pace University School of Law**, White Plains, New York  
Juris Doctor, *cum laude* May 1997.

Environmental Law Certificate, Executive Editor, Pace Law Review, 1996-1997

**Cornell University, College of Agriculture and Life Sciences**, Ithaca, New York  
Bachelor of Science, 1992.

## TEACHING EXPERIENCE

**Vermont Law School:** Negotiations; Alternative Dispute Resolution; Environmental Dispute Resolution. (2008 – Present)

- Student evaluations for the 2011-2012 academic year.
  - Negotiation (Sp. 2013) 4.72/5.00 (21 students)
  - Environmental Dispute Resolution (Sp. 2013) 4.51/5.00 (22 students)
  - Negotiation (Sp. 2012) 4.90/5.00 (30 students)
  - Dispute Resolution Writing Sem. (Sp. 2012) 4.87/5.00 (5 students)
  - Environmental Dispute Resolution (Sp. 2012) 4.53/5.00 (35 students)
  - Negotiation (Fall 2011) 4.98/5.00 (20 students)
  
- In 2011, designed an online, distance learning version of Environmental Dispute Resolution, taught this course four times through 2013, and supervised five other faculty
  
- Since 2008, worked in partnership with first year professors to design and implement one credit worth of dispute resolution instruction to be integrated into several courses throughout the required JD curriculum

**Pepperdine Law School, Straus Institute for Dispute Resolution:** Environmental Dispute Resolution; Transforming Distressed Systems. (2009-2012)

**Dartmouth College:** Conducted a day-long negotiation workshop for the Dickey Center for Understanding and Dartmouth Ethics Institute for over 70 undergraduates in the War and Peace Program. (2010)

**Yale School of Forestry and Environmental Studies:** Land Use Planning and Practice at the Local and Regional Level (co-taught with John Nolon). (2007)

**Pace University School of Law:** Environmental Regulation of Real Estate; Environmental Dispute Resolution; Land Use Conflicts Externship. (2001-2008)

## PUBLICATIONS

LAND IN CONFLICT: MANAGING AND RESOLVING LAND USE DISPUTES (with Ona Ferguson and Patrick Field) Lincoln Institute for Land Policy, Cambridge, MA (2013).

*Using Distance Learning to Teach Environmental Problem Solving Skills and Theory.* \_\_ J. ENVTL L. & LIT. \_\_ (2013).

*Second Best Practices?: Addressing Mediation's Definitional Problems in Environmental Siting Disputes.* 49 IDAHO L. REV. 69 (2012).

*Environmental Dispute Resolution*, In Klaus Bosselmann, Daniel Fogel, and J.B. Ruhl (Eds.), THE ENCYCLOPEDIA OF SUSTAINABILITY, VOL. 3: THE LAW AND POLITICS OF SUSTAINABILITY, at 170. Berkshire Publishing (2011).

*Negotiating The Wind: A Framework to Engage Citizens in Siting Wind Turbines.* 12 CARDOZO J. CONF. RES. 327 (2011).

*Advocating for Process: A Framework for Land Use Lawyers, Zoning and Planning Law Report* (West) Vol. 33, No. 8, September 2010.

*Lawyer as Process Advocate: The Use of Consensus Committees in Local Land Use Decisions.* 27 PACE ENV'TL L. REV. 103 (2009-2010).

*Moving Collaboration Upstream*, ACResolution: Expanding the Frontiers of Environmental and Public Policy Conflict Resolution, Summer 2007.

*Collaborative Developments: A Report on Development Approvals Achieved through Collaboration*, with Emily Beck. Land Use Law Center, September 2003.

LAND USE MEDIATION (Editor), Land Use Law Center, August 2003.

*The Rise of Collaboration: Reaching Consensus through Concept Committees*, New York Zoning Law and Practice Report (West), Vol. 4, No.1, July/August 2003.

*How Military Strategy Argues for the Increased Use of Mediators in Land Use Approvals*, Mediate.com Newsletter (<http://www.mediate.com/articles/nolon.cfm>) (January 2002).

*Before Going to Court, Consider Using Mediators to Negotiate*, 26 NEW YORK LAW JOURNAL 94 (November 14, 2001).

*Conducting Conflict Assessments in the Land Use Context: A Manual*, with Lawrence Susskind, Merrick Hoben, and Jennifer Thomas-Larmer. Consensus Building Institute and Land Use Law Center (2000). Translated into Japanese.

*Preserving Our Heritage: Tools to Cultivate Agricultural Preservation in New York State.* (with Cozata Solloway) 17 PACE L. REV. 591 (1997). (Cited by the Supreme Court of Massachusetts in *Zuckerman v. Town of Hadley*, 442 Mass. 511, 813 N.E.2d 843 (2004).)

*The State of the Argentine Environment: An Overview*, 13 PACE ENV'TL L. REV. 615 (1996).

## AWARDS

Pace University School of Law, Land Use Law Center, Groundbreaker's Award (2008)

NYS Bar Association, Environmental Law Section, Honors Award (2007)

Public Interest Law Scholarship, Pace Law School (1996)

## GRANTS

|      |  |             |
|------|--|-------------|
| 2008 | Theodore W. Kheel                            | \$1,000,000 |
|      | NYS Hudson River Estuary Program             | \$40,000    |
|      | Dyson Foundation                             | \$50,000    |
| 2007 | Surdna Foundation                            | \$200,000   |
|      | Dyson Foundation                             | \$65,000    |
| 2006 | Surdna Foundation                            | \$40,000    |
|      | Westchester Community Foundation             | \$30,000    |
|      | NYS Hudson River Estuary Program             | \$14,000    |
|      | Westchester Community Foundation             | \$35,000    |
| 2005 | NYS Hudson River Estuary Program             | \$120,000   |
| 2004 | USDA, Natural Resources Conservation Service | \$150,000   |
| 2003 | NYS Environmental Protection Fund            | \$20,000    |
| 2002 | The Max and Victoria Dreyfus Foundation      | \$20,000    |
|      | William and Flora Hewlett Foundation         | \$200,000   |
| 2001 | Max and Victoria Dreyfus Foundation          | \$20,000    |
| 2000 | Westchester Community Foundation             | \$50,000    |
|      | Max and Victoria Dreyfus Foundation          | \$25,000    |

## ACADEMIC PRESENTATIONS

- Panel Presentation, *Teaching Negotiation Online: Better Than Face-to-Face?* ABA Section of Dispute Resolution, April 2013.
- Panel Presentation, *Environmental Conflict Resolution: A Report Card*, Association of American Law Schools, January 2013.
- Panel Presentation, *Practically Grounded: Symposium on Engaged Scholarship*, Pace University School of Law, May 2012.
- Speaker, *Connecting Doctrinal and Practical Problem-Solving Instruction to Enhance Legal Education*, The Association of American Law Schools, January 2011.
- Speaker, *Integrating Practical Problem Solving into Legal Education*, American Bar Association, Legal Educator's Colloquium, April 2011.
- Panel Presentation, *Cardozo Journal of Conflict Resolution Symposium*, Cardozo Law School, November 2010.
- Presentation, *Citizen Involvement in Wind Turbine Siting*, Colloquium on Environmental Scholarship at Vermont Law School, October 2010.
- Panel Presentation, *Citizen Involvement in Wind Turbine Siting*, Cardozo Law School, Journal of Conflict Resolution Symposium, New York, New York, November 2010.
- Co-Presenter (with Professor Jackie Gardina), *Rethinking Civil Procedure*, Faculty

- Development Workshop, Vermont Law School, November 2010.
- Panel Presentation, *Rethinking Civil Procedure: Moving Beyond the Litigation Model* Society of American Law Teachers, Bi-Annual Teaching Conference, Honolulu, Hawaii, December 2010.
  - Panel Presentation, *Connecting Doctrinal and Practical Problem Solving Instruction to Enhance Legal Education*, AALS Annual Meeting, San Francisco, California, January 2011.
  - Panel Presentation, *Connecting Doctrinal and Practical Problem Solving Instruction to Enhance Legal Education*, ABA Dispute Resolution Section, Legal Educator's Plenary, Denver, Colorado, April 2011.
  - Speaker, *Integrating Dispute Resolution into the Legal Curriculum*, Harvard Law School, Association of American Law Schools, Work-In-Progress Workshop. November, 2009
  - Panel Presentation, *The Resolution of Environmental Disputes*, Association of the Bar of the City of New York, Manhattan, New York, November 2008
  - Panelist, *Problem-Solving Mechanisms to Achieve Consensus: How Do We Ensure Successful Resolution?*, Fordham Law School ADR Symposium, October 2007.
  - Moderator/Panelist, *Building Capacity for Collaborative Decision-Making at the Local Level*, Massachusetts Institute of Technology, June 2006.
  - Keynote, Hudsonia Center of Bard College, Biodiversity Leaders' Summit, SUNY New Paltz, New Paltz, New York, April 2005.

### **SELECTED PRESENTATIONS**

- Keynote, *How Local Government Can Save the World*, American Planning Association, Southern New England Chapter Annual Conference, November 2011.
- Keynote, *Consensus Building in Land Use Disputes*, American Bar Association State and Local Government Section, October 2010.
- Keynote, *Dealing with Barriers to Collaborative Decision-Making*, Vermont Development Review Board Retreat, June 2010.
- Workshop, *The Elements of Collaborative Decision Making*, Vermont Development Review Board Retreat, June 2010.
- Lecture, *Successes and Failures of Collaborative Management*, Hot Topics Series, Vermont Law School, July 2010
- Keynote, *Preventing, Managing and Resolving Land Use Disputes*, ABA Local and State Government Section Annual Meeting, Providence, Rhode Island, October 2010.
- Co-Presenter (with Professor Michael McCann), *The NFL Labor Negotiation*, Boston Alumni Event, April 2011.
- Keynote, *Democratic Renewal Through Land Use Innovation*, Vermont Law School Land Use Institute, Summer Retreat for Vermont Planning Commissioners, June 2009
- Workshop, *Collaborative Governance Techniques in Land Use Decisions*, Vermont Law School Land Use Institute, Summer Retreat for Vermont Planning Commissioners, June 2009
- Panel Presentation, *Senator Leahy's Commission on Inquiry*, Norwich Congregational Church, Norwich, Vermont, May 7, 2009
- Speaker, *Land Use Techniques to Protect Riparian Resources*, Hudson River Watershed

- Alliance, Mohonk Mountain House, New York, November 16, 2007.
- Speaker, *The Relationship Between Land Use Law Reform and Mitigating Climate Change*, Land Use Law Center Annual Conference, November 15, 2007.
  - Moderator, *Regulating What's Important: Form-Based Codes and Other Tools to Create Livable Communities*, Orton Family Foundation Conference, Burlington, Vermont, October 24, 2007.
  - Moderator, *Meeting Local Housing Needs*, Mid-Hudson Pattern for Progress, New Paltz, New York, June 2007.
  - Speaker, *Innovative Land Use Cases Studies*, North Shore Land Alliance, Bethpage, New York, April 2007.
  - Speaker, *Collaborative Governance in the Hudson Valley*, American Farmland Trust, NY Chapter, Fort Edward, New York, March 2007.
  - Moderator/Panelist, *Engaging People in the Process*, American Farmland Trust Regional Conference, Hudson, New York, November, 2006.
  - Panelist, *Training Local Land Use Leaders*, American Planning Association, Southern New England Chapter, New Haven, Connecticut, September 2006.
  - Panelist, *The Valley We Will Leave Behind: Teaching with the Future in Mind*, Teaching the Hudson Valley Institute, Hyde Park, New York, July 2006.
  - *Designing Land Use Dispute Systems*, with Patrick Field, Matthew McKinney, and Ric Richardson, Lincoln Institute for Land Policy, Cambridge, MA September 2006.

#### **SELECTED LEADERSHIP TRAINING PROGRAMS**

- *Land Use Leadership Alliance: Keuka Lake Watershed Communities*, Jerusalem, New York, January-February 2008.
- *Identifying Intermunicipal Strategies to Protect Natural Resources*, North Castle, New York. March 24, 2006.
- *Assessing Land Use Conflicts*, Pace University School of Law, White Plains, New York, June 10, 2005.
- *Land Use Leadership Alliance: Protecting Natural Resources*, New Windsor, New York. April-May 2005.
- *Land Use Leadership Alliance: Growth Districts*, New Windsor, New York. April-May 2005.
- *Local Techniques to Meet Housing Needs*, New York State Rural Housing Coalition, Hyde Park, New York, March 30, 2005.
- *Quinnipiac Watershed Land Use Workshop*. North Haven, Connecticut. June 2003.
- *Dutchess County Land Use Training*, four days of training for local officials, Millbrook, New York, Fall 2002-2005.
- *An Advocate's Guide to Collaboration*, Scenic Hudson, Inc., Poughkeepsie, New York, January 18-19, 2002.
- *Land Use Mediation*. Conducted role-plays for Consensus Building Institute at the Lincoln Institute of Land Policy, Cambridge, Massachusetts. December 2001.
- *Conducting Conflict Assessments in the Land Use Context*, with Lawrence Susskind and Merrick Hoben. Glynwood Center, Phillipstown, New York. December 8-9, 2000.

## **CONSENSUS BUILDING AND DISPUTE RESOLUTION EXPERIENCE**

- Coordinated Vermont Law School's Dispute Resolution Clinic (2008-Present)
- Served as a facilitator and public engagement advisor to a development team proposing a 150-acre solar-powered, mixed-use hamlet development in upstate New York. (2007-2008)
- Village of Ossining, New York - facilitated a dialog among the land use planning and approval boards to explore comprehensive plan and zoning amendments. (2008)
- New York State Bar Association, Task Force on Eminent Domain - facilitated a day-long dialog among the members to find areas of agreement for legislative reform of the Eminent Domain law. (2006)
- Facilitated trainings and workshops in the Village of Tarrytown to inform community leaders working on comprehensive plan and local zoning amendment. (2005-2006)
- Facilitated a dialog of the Dyson Foundation's Board of Directors to clarify funding priorities and discuss grant-making guidelines. (2006)
- Facilitated a series of interviews and meetings for citizens designed to analyze and assess the comprehensive planning documents for the Town of Red Hook. (Spring 2005)
- Coordinated the Land Use Conflicts Pre-assessment Program in the Hudson River Valley that connects trained local facilitators with disputants who are seeking to resolve land use conflicts collaboratively. Responsibilities include identifying conflicts, locating appropriate facilitators, speaking with local officials about the process, conducting assessments, drafting final reports, and conducting mediations. (2000-2006)
- Mediator and arbitrator of small claims cases in the Westchester County Court system. (2000-2004)
- Conducted a conflict assessment of a residential development on a contaminated site in the Village of Hastings, New York. The assessment process engaged more than fifteen parties in six meetings over the course of three months. (Spring 2003)
- Assisted in an intermunicipal transportation conflict assessment for the Eastern Putnam-Dutchess Planning Alliance in partnership with the Consensus Building Institute. (Spring 2003)
- Facilitated a planning charrette to address unresolved issues between the Town of Hyde Park, the National Archives, the National Park Service, the Department of Transportation, Dutchess County, and other stakeholders. (February 2002)
- Mediated a dispute among four municipalities concerning the allocation of a \$9.5 million bond issue. After three months, the deliberations produced an agreement that was officially adopted by each municipality. (2001)
- Facilitated a planning session for the Town of Pleasant Valley to identify important community resources and how land use laws can be used to protect them. (1999)
- Coordinated litigation activities as a trial attorney in environmental coverage cases and class actions including defending and taking depositions, drafting legal pleadings and motions, and representing clients before judges, magistrates and mediators. (1997-1999)
- Prepared Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Clean Water Act (CWA) cases for several clients of the Pace Environmental Litigation Clinic;

responsibilities included representing clients at local land use hearings, taking depositions, and preparing and arguing motions before the Southern District of New York. (1996-1997)

- Provided CERCLA, RCRA, CWA, and SDWA research and litigation support as a summer associate in the Environmental Enforcement Section of the United States Department of Justice. (1996)

### **PROFESSIONAL AFFILIATIONS AND BOARDS**

ABA Dispute Resolution Section Task Force on Legal Education, ADR, and Practical Problem Solving Skills, Executive Committee, 2010-Present

Institute for Environmental Diplomacy, University of Vermont, Advisory Board, 2010-Present

American Bar Association, ADR Section, Environment and Natural Resources Committee, Co-Chair, 2008-2012

Kheel Center on the Resolution of Environmental Interest Disputes, Board of Advisors, 2008-Present

Consensus Building Institute, Faculty Consultant, 2008-Present

Housing Action Council, Board of Directors, 2007-2010

Hudson River Clearwater Sloop, Board of Directors, 2007-2008

Climate Advisory Committee, Hudson River Estuary Program, NYSDEC, 2006 – 2008

New York Planning Federation, Board Member-at-Large, 2007-2008

Westchester County Soil and Water Conservation District, Associate Director, 2006

Heart and Mind of Environmental Leadership, Garrison Institute, Steering Committee Member, 2005-2007

Westchester County Municipal Planning Federation, Board Member-at-Large, 2004-2008

New York State Bar, Member, 1998-Present

### **VOLUNTEER EXPERIENCE**

Crossroads Academy, Lyme, New Hampshire, Annual Fund Co-Chair (2012-2013)

Westchester Mediation Center, Yonkers, New York (2000-2005)

Volunteer Lawyers for the Arts, Manhattan, New York (1999-2000)

Servicios Sociales de Iglesias Dominicanas, Program Coordinator, Buen Hombre, Dominican Republic (1996 and 1997)

Farm Worker Legal Services, Pesticide Program Coordinator, New Paltz, New York. (1993)