

SEAN NOLON

802-831-1376 snolon@vermontlaw.edu

PROFESSIONAL EXPERIENCE

VERMONT LAW SCHOOL

South Royalton, Vermont

Associate Dean for Academic Affairs, 2017-Present

Associate Dean for Research and Faculty Development, 2016-2017

Professor of Law, 2013-Present

Director, Dispute Resolution Program, 2008-Present

Faculty Fellow, Land Use Institute, 2008-2011

Associate Professor of Law, 2008-2013

Committee Assignments:

Assessment Working Group, Chair, 2017-Present

Sexual Misconduct Review Panel, 2017-Present

Tenure and Retention Committee, 2013-Present

Faculty Development Committee, 2014-2017 (Chair 2016-2017)

Experiential Committee, 2010-2015

Dean's Advisory Committee, 2012-2015

Board of Trustees, Faculty Representative (elected by faculty), 2014-2015

Faculty Budget Advisory Committee, 2012-2015

Curriculum Innovation Working Group, 2013

Strategic Initiatives Committee, 2013

Curriculum Committee, 2008-2009, 2010-2013

Library Advisory Committee, 2012

Faculty Governance Committee, 2011-2012

Distance Learning Director Search Committee, 2010, 2016

DARTMOUTH COLLEGE

Hanover, New Hampshire

Ombudsman, 2015-2017

PACE UNIVERSITY SCHOOL OF LAW

White Plains, New York

Founding Executive Director, Theodore W. Kheel Center on the Resolution of
Environmental Interest Disputes, 2007-2008

Director, Land Use Law Center, 2003-2008

Director of Clinical and Training Programs, Land Use Law Center, 1999-2003

Adjunct Professor, 2001-2008

As the Director of the Land Use Law Center and the founding Director of the Theodore W. Kheel Center on the Resolution of Environmental Interest Disputes, I supervised at our staff and students, managed a \$750,000+ budget, and raised over \$2 million dollars from a range of public and private funders including a \$1 million dollar donation.

MELITO & ADOLFSSEN, PC
New York, New York
Litigation Associate, 1997-1999

PACE ENVIRONMENTAL LITIGATION CLINIC
White Plains, New York
Student Attorney, 1996-1997

UNITED STATES DEPARTMENT OF JUSTICE, ENVIRONMENTAL ENFORCEMENT SECTION
Washington D.C.
Summer Associate, 1996

EDUCATION

PACE UNIVERSITY SCHOOL OF LAW
Juris Doctor, *cum laude* May 1997
Environmental Law Certificate
Executive Editor, Pace Law Review

CORNELL UNIVERSITY
Bachelor of Science, 1992

TEACHING EXPERIENCE

VERMONT LAW SCHOOL
Civil Procedure; Negotiation; Alternative Dispute Resolution; Environmental Dispute Resolution.

UNIVERSITY OF VERMONT, SCHOOL OF BUSINESS ADMINISTRATION
Negotiation (2015)

NORTHEASTERN UNIVERSITY SCHOOL OF LAW
Designed and taught Negotiation online (2014-2016)

UNIVERSITY OF NEVADA LAS VEGAS, BOYD SCHOOL OF LAW
Public Policy and Environmental Dispute Resolution (2014)

FEDERAL DEPOSIT INSURANCE CORPORATION, CORPORATE UNIVERSITY
Advanced Negotiation Skills for Lawyers (2014-Present)

PEPPERDINE UNIVERSITY, SCHOOL OF LAW
Environmental Dispute Resolution; Transforming Distressed Systems (2009-2015)

YALE SCHOOL OF FORESTRY AND ENVIRONMENTAL STUDIES
Land Use Planning and Practice at the Local and Regional Level (with John Nolon) (2007)

PACE UNIVERSITY SCHOOL OF LAW
Environmental Regulation of Real Estate; Environmental Dispute Resolution; Land Use
Conflicts Externship (2001-2008)

ARTICLES

The Challenges and Opportunities Confronting Modern Public Policy Mediators, DISPUTE RESOLUTION MAGAZINE Vol. 22 Issue 2. (2016).

Bargaining for Development Post-Koontz: How the Supreme Court Invaded Local Government. 67 FLA L. REV. 171 (2015).

Development Negotiation Post-Koontz: What's a Board to Do? Zoning and Planning Law Report (West) Vol. 37, No. 8, September 2014.

Call and Response: Dealing with Resistance to Collaborative Decision Making in Land Use Disputes, Zoning and Planning Law Report (West) Vol. 36, No. 7, July 2013.

Using Distance Learning to Teach Environmental Problem Solving Skills and Theory. 28 J. ENVTL L. & LIT. 211 (2013).

Towards Engaged Scholarship. (with John Nolon & Keith Hirokawa) 33 Pace L. Rev. 821 (2013).

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

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.

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).

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).

BOOKS, MONOGRAPHS & CHAPTERS

Arbitration and the Olympic Athlete, In Michael McCann (Ed.), HANDBOOK OF AMERICAN SPORTS LAW. Oxford University Press (2018).

The Role of Local Government, In Robert Glicksman & Lee Paddock (Eds.), DECISION MAKING IN ENVIRONMENTAL LAW: ELGAR ENCYCLOPEDIA OF ENVIRONMENTAL LAW SERIES. Edward Elgar Press (2016).

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

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).

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

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

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.

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	\$40,00
	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

Speaker, ***Environmental Decision Making***, Arctic Science & Diplomacy workshop, Dickey Center for Understanding, Dartmouth College, 2017.

Speaker, ***Negotiating the Unexpected: Using Improvisation to Overcome Barriers to Agreement***, Young African Leaders Initiative, Nelson A. Rockefeller Center at Dartmouth College, 2016 & 2017.

Speaker, ***Land Use Negotiation Post-Koontz: How the Supreme Court Invaded Local Government***, Yale-Quinnipiac Dispute Resolution Workshop, January 2014.

Speaker, ***Private Environmental Governance: Accountability in Certification Regimes***, Cardozo Law School, Association of American Law Schools, Work-In-Progress Workshop, November 2013.

Presentation, ***Land Use Negotiation Post-Koontz***, Colloquium on Environmental Scholarship at Vermont Law School, October 2013.

Panel Presentation, ***Teaching Negotiation Online: Better Than Face-to-Face?*** Legal Educator's Colloquium, ABA Section of Dispute Resolution, Washington, D.C., April 2013.

Panel Presentation, ***Environmental Conflict Resolution: A Report Card***, Association of American Law Schools, Annual Meeting, New Orleans, 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.

Presentation, *Negotiating the Wind*, 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.

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*, Association of American Law Schools, 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

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

Workshop speaker, *Managing and Resolving Land Use Disputes*, American Planning Association Annual Conference, April 2014.

Koontz v. St. Johns River Management District: How SCOTUS Changed Land Use Negotiation, New York Upstate APA/ASLA Annual Conference, Schenectady, New York, October 2013.

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, *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.

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.

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 New York. (2007-2008)

Facilitated a dialog among the land use planning and approval boards of the Village of Ossining, New York, 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. (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 (2010-2012)
Institute for Environmental Diplomacy, University of Vermont, Advisory Board (2010-2014)
American Bar Association, ADR Section, Environment and Natural Resources Committee, Co-Chair (2008-2012)
Kheel Center for Environmental Interest Disputes, Board of Advisors (2008-Present)
Consensus Building Institute, Faculty Consultant (2008-2015)
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)
Vermont Bar, Member (2015-Present)

VOLUNTEER EXPERIENCE

Lightning Soccer, Norwich, Vermont, Assistant Coach (2015-2016)
Crossroads Academy, Lyme, New Hampshire, Annual Fund Co-Chair (2012-2014)
Election Monitor, Grantham, New Hampshire (2012)
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)