



Diane W. Whitney

Member

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Diane W. Whitney, chair of the firm's Land Use section of the firm's Real Estate and Land Use department, practices in the areas of environmental, toxic torts and land use law.

Diane represents businesses, individuals and municipalities in all areas of environmental and land use planning and permitting. Her litigation experience includes trial and appellate work in environmental matters, toxic torts and land use, and representation before administrative agencies including siting of utilities and Superfund matters. She is involved in the defense of toxic tort claims throughout the country. Diane frequently counsels clients regarding the purchase, sale, remediation and development of brownfields properties. She is a contributing author to *Connecticut Civil Complaints for Business Litigation, Vol. 1*, published in 2010, and *Connecticut Civil Discovery Forms*, published in 2011.

Diane is the recipient of numerous awards, including the Connecticut Bar Association's Women In The Law 2015 Ladder Award; the 2015 Woman of FIRE (Finance, Insurance and Real Estate) award by *The Commercial Record*; and the 2014 Charles J. Parker Legal Services Award from the Connecticut Bar Association. She has been listed in *The Best Lawyers in America* in the areas of commercial litigation and environmental law since 2013; in *Chambers USA, America's Leading Lawyers to Businesses*, since 2007 in the area of environmental law; and has been selected to the *Connecticut Super Lawyers* list since 2006 in the areas of environmental law and land use/zoning, frequently recognized by *Super Lawyers* as one of the "Top 25 women attorneys in the State of Connecticut."

Practice Areas

Environmental Law and Litigation; Land Use

Experience

- Environmental and land use representation for major new urbanist development on 600+ acre brownfield site
- Toxic torts defense for an international manufacturer in matters in six different states

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BRIDGEPORT
203.330.2000

HARTFORD
860.424.4300

SPRINGFIELD
413.314.6160

STAMFORD
203.324.5000

WATERBURY
203.573.9700

WESTPORT
203.254.5000

WHITE PLAINS
914.705.5355

Diane W. Whitney

- Common counsel for five Vermont businesses in the defense of a Superfund action
- Special environmental counsel for regional wastewater treatment facility
- Successful litigation to recover from a prior owner the costs of remediating contaminated property for a major supermarket company
- Successful representation of group opposed to inappropriate industrial development in special zoning district
- Litigation concerning the interpretation of the Connecticut Transfer Act
- Tower siting, land use issues and related litigation for a major telecommunications company
- Defense of a municipality in stigma and personal injury cases arising from proximity to a landfill
- Defense of toxic tort matters involving solvents, mine waste, silica, lead and heavy metals
- Defense of a utility regarding the management of mercury issues
- Defense of a Connecticut manufacturer in a case alleging TCE contamination
- Land use approvals and appeals for developers and recreational facilities
- Successful defense of addiction services facility originally denied zoning approval
- Litigation regarding historic roads in Connecticut

Bar and Court Admissions

Connecticut

Mashantucket Pequot Tribal Court

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court, Eastern District of Michigan

U.S. District Court, District of Connecticut

U.S. District Court, District of Vermont

U.S. Supreme Court

Education

University of Connecticut, J.D., with honors, 1985

Colgate University, M.A.T.

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William Smith College, B.A

Publications

Science and Evidence: The Future Is Now
Connecticut Law Tribune, 07.20.2017

Land Use Regulation And The Railroads: Who's In Charge?
Connecticut Law Tribune, 01.12.2015

Marijuana Dispensaries Should Be Put On Main Street
Connecticut Law Tribune, 05.09.2014

Zoning for a Health Care Facility: A Few Things to Think About
Connecticut Law Tribune, 04.11.2014

Vapor Intrusion "Guidance" – What Now?
10.11.2013

Modern Communities Designed To Recreate Feel Of Traditional Villages
Connecticut Law Tribune, 04.08.2013

A Statute That Stymies Development
Connecticut Law Tribune, 03.21.2011

Danger Du Jour: PCBs in Caulk
Connecticut Law Tribune, 10.04.2010

EPA Proposes Tighter Standards on Lead Paint
Fairfield County Business Journal, 11.02.2009

With Polluted Property, There are Few Clean Answers
The Connecticut Law Tribune, 09.28.2009

Alerts and Newsletters

Connecticut Department of Energy and Environmental Protection Set to Re-Issue Lapsed Stormwater Permit for Construction Activities
10.20.2020

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The Connecticut General Assembly Puts the First Nail in the Transfer Act's Coffin: Connecticut to Adopt New Release-Based Remediation Program, but There is Still Much Work to be Done
10.04.2020

DEEP's Proposed Release Reporting Regulations Now Ready for Comment
09.17.2020

Connecticut Remediation Program Changes are Proposed
09.03.2020

All in on Al Fresco? What Municipalities Need to Consider as Connecticut Moves to Expand Outside Dining Under COVID-19 Executive Order 7MM
05.13.2020

Professional Affiliations

American Bar Association - Litigation Section; Environment, Energy and Resources Section; Tort Trial and Insurance Practice Section

Connecticut Bar Association - Litigation Section; Environmental Section; Planning and Zoning Section

Connecticut Bar Foundation - James W. Cooper Fellow

Community Involvement

Connecticut Women's Hall of Fame - board of trustees, chair 2014-2017
1892 Club

Connecticut Law Tribune - editorial board member

University of Connecticut Law School Foundation, Inc. - board member, 2001-2010; president, 2007-2008

Hartford Symphony Orchestra - board of directors, vice-chair

University of St. Joseph Women's Leadership Center - Steering Committee

The Hartford Club - board of governors 2013-2016

Greater Hartford Legal Aid - board president 2009-2012

Honors & Recognitions

Named the 2020 Individual Leader Honoree by the Greater Hartford Legal Aid Foundation

Recipient of the Connecticut Bar Association's Women In The Law 2015 Ladder Award

Named a 2015 Woman of FIRE (Finance, Insurance and Real Estate) by *The Commercial Record*

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Charles J. Parker Legal Services Award - Connecticut Bar Association, 2014

Listed in *The Best Lawyers in America* in the areas of commercial litigation and environmental law since 2013

Listed in *Chambers USA, America's Leading Lawyers to Businesses, 2007-2019* in the area of environmental law

Selected to the *Connecticut Super Lawyers* list since 2006 in the areas of environmental law and land use/zoning; recognized as one of the *Top 25 women attorneys in the State of Connecticut by Super Lawyers, 2010 - 2019*; named a "Top Ten" attorney in Connecticut, 2010 - 2016; and the highest-ranked Connecticut woman attorney in 2014.

Rated AV Preeminent by Martindale-Hubbell

*For more about the standards for inclusion in Best Lawyers in America, please see www.bestlawyers.com/news/news.aspx?event_id=47.

*For more about the standards for inclusion in Chambers USA, please see <http://www.chambersandpartners.com/>

**For more about the standards for inclusion in Connecticut Super Lawyers, please see www.superlawyers.com/connecticut/selection_details.html.