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Community Support is Crucial to Smooth Development

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Massachusetts is almost universally known as one of the most difficult places in the country to do real estate development. This is both good and bad, even for developers.

The primary reason behind this difficult development climate is that the approval process usually requires a complex and uncertain navigation of approvals, both through regulatory agencies and the community. The sequence of those approvals is often unclear, outcomes unpredictable, and risks hard to evaluate (and thus expenses hard to estimate). It is not always clear who will be involved, what objections might surface and when, and what competing agendas other stakeholders might have.

Successful developers and their consultants have learned that it is unproductive to try to fight these facts, but know instead to focus on understanding what the local community interests are, and how to accommodate those concerns. Listening and responding, hard as that may be for those who feel that they should have the right to do what they want on their own land, is almost always the quickest and least expensive way to bring a project to fruition. In this state, a project that has neighborhood opposition is extremely hard to develop.

There are four categories of community concerns that are important to take into account: environmental, financial, aesthetic, and social.

Environmental

While many of the environmental controls are regulatory, an ever-more educated group of community-interest advocates are knowledgeable and involved in these environmental issues, too. The Massachusetts Environmental Policy Act (MEPA) is responsible for coordinating many of the components of the technical review by the responsible authorities, but is obligated to have public hearings as a part of the process. In some communities, Waltham for example, there is a ban on development that would increase the effluent output to the Massachusetts Water Resources Authority (MWRA). It requires, therefore, diligent efforts to locate and facilitate repair of existing off-site problems elsewhere in the community to prevent an increased burden to the city's sanitary sewer system.

Traffic is almost always a topic of heated discussion. Developers who are familiar with the advantages of transit-oriented objectives have a tremendous advantage in their discussion with neighbors concerned about congestion. There are a host of mitigation measures that can be offered, even in suburban projects: convenient bus shelters, handy bicycle parking, Zipcars, shuttle buses to alternative mass transit, and contributions to improved signalization are all worthwhile measures. In addition, developers must often pay for traffic studies, the results of which help solve even existing problems.

Infrastructure on most sites has an impact on the community. Concerns about storm water runoff/retention, ground water levels, noise pollution, landscaping/visual buffering, light spillage, and energy grid overtaxing can all be addressed by making the project “Green”, i.e., LEED certified. This has become a particularly appealing strategy to neighbors and the occupants of new buildings alike.

Finally, neighbors are nearly always interested in knowing what the practical impacts will be during the actual construction period. If they know that the project will be safely, efficiently, and quietly managed, with minimal disruption on their residential or business patterns, this is one less hurdle to overcome.

Financial

Community leaders want to know the real financial impact of any development. This is clearly one of the reasons behind the incredible shortage of housing in eastern Massachusetts – the reluctance to embrace development that will increase the financial burden on local school systems. This burden needs to be offset by wisely located commercial development, the property tax payments from which are an essential line item in any city budget, and the community needs to understand the value of those contributions relative to meaningful priorities, i.e., the number of additional teachers or programs, etc.

In addition, it is useful to clarify the opportunity that any development brings to local businesses. Building owners with a commitment to hiring local vendors, service providers, contractors, and employees can have a positive impact on the welfare and viability of the city or town.

Aesthetic

Visual concerns, while not perceived in a universally consistent way, are an important part of any discussion. Building height, property line setback, or density, if in excess of zoning regulations, are common visual concerns. They are difficult to defend except in the most extreme circumstances of “hardship”. Inevitably, the most favorably received proposals are those that recognize that a community has discussed and decided on a plan for its own future, as outlined in its planning and zoning guidelines. Respecting view corridors, shadow impacts, changes to wind patterns, heavily landscaped sideyard screening, and contextual architectural design are all favorably received.

Social

Neighbors are inevitably interested in the future uses of the property and who is going to be using any development. If there is a retail component, will it be complementary or competitive with existing businesses? Will it be a clean business that brings good jobs to the area? Will the building owners be a part of the city’s charitable outreach? Will they be a good neighbor?

Development in Massachusetts is difficult, slow, and expensive and developers must overcome many hurdles to develop new properties. Community relations and all that it entails is yet another potential obstacle facing developers. For those developers who do engage the neighbors and the town in the development process, however, their buildings stand better chance of fitting into the fabric of the community. Their buildings are better liked and more valuable as a result, and our cities and towns are a more attractive place to live.

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