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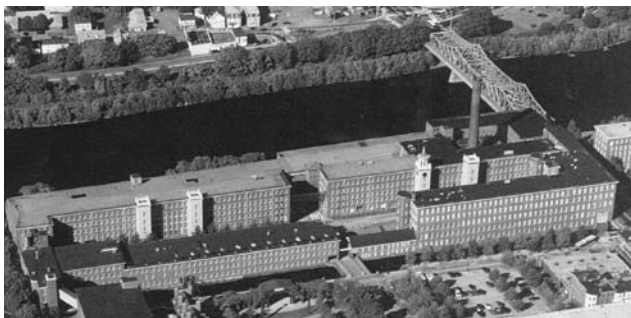


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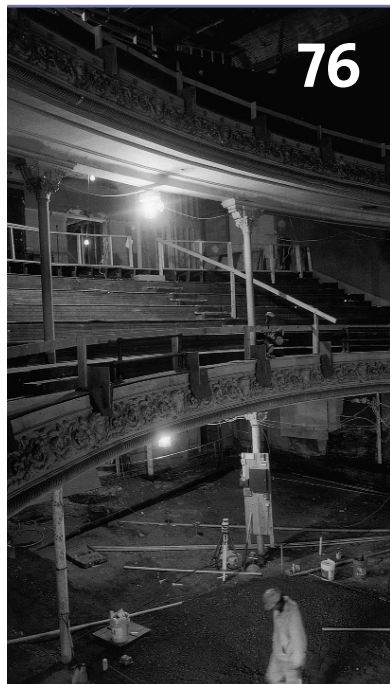


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## NOTHING NARROW ABOUT IN-STATE TUITION RATES

The issue of immigration is one of complicated policies and high-strung emotions. Ian Bowles's Publisher's Note ("Counting on new pilgrims," *CW*, Fall '05) brought to light the complicated and emotional nature of the debate. In his essay, Bowles says that the debate over in-state college tuition "troubles" him because of its "narrowness." However, for a community that resembles the past, present, and future of Massachusetts, and is the target of hatred and vitriol locally and nationally, no debate is too narrow and no victory is too small.

Bowles asserts that allowing these students to pay the same rate of tuition as their neighbors would raise "issues of equity," while he asks, "what good does it do" to give young people "skills attractive to companies who cannot hire them?" But this overlooks the fact that many immigrant students living

among us have been Massachusetts residents for several years and are perfectly legal immigrants, yet are still unable to qualify for in-state tuitions.

We find families across Massachusetts who are in the midst of the naturalization process and are waiting for their legal permanent residence, or green card. Others have been here years under Temporary Protected Status, a legal status granted by the federal government to those fleeing political, economic, or natural disasters. Under this status, and many others, students and their families are legally authorized to work—an authorization that would remain true upon their graduation with a college degree.

In addition, the economic benefit of granting these young people in-state tuition rates would be immediate, as hundreds of students would be paying over \$1.2 million dollars in tuition and fees to our public higher education system. And the social ben-

efit would be long lasting, as these are the students who will lead us forward into the future.

Working toward this goal elicits the very hopefulness of the American Dream with which Bowles begins his essay. In the meantime, keep in mind that these students have exceeded every one of our academic and social expectations, and represent a home-grown workforce that seeks to make Massachusetts a better place.

*Ali Noorani  
Massachusetts Immigrant and  
Refugee Advocacy Coalition  
Boston*

## CORRECTIONS

In "Setting an Agenda" (*CW*, Fall '05), only the Lawrence *Eagle-Tribune*, among regional daily newspapers, has won a Pulitzer Prize. And a member of the 495/MetroWest Partnership was misidentified. She is Kris Allen, and she is a former co-chair of the partnership.

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# Growing together, or apart?

**T**oday, Massachusetts is fast becoming not one state but two—and our sense of commonwealth is the worse for it. Some residents are enjoying the bounty provided by a resilient economy driven by innovation, entrepreneurship, and capital formation. Their home values have soared while their quality of life—starting with the liberty to live in the town of their choosing—has made them happy to be Bay Staters. For them, Massachusetts is a place of beauty, history, and opportunity.

For others, notably those of a younger generation, things are different. For many of those who were born here, buying a home in the town where they grew up has become impossible. For those drawn here by our incomparable institutions of higher education and medicine, staying here and building a career is, at best, a challenge. Indeed, middle-income families seeking the American Dream—a nice house, a yard, quality public schools, a reasonable commute, and low crime rates—face difficult choices. Most communities within Route 128, and many within I-495, are not affordable. For these families, the Commonwealth has become a place of high costs and endless commutes. For the rest of us, we risk losing the very thing that has always been Massachusetts's advantage: the ability to attract and retain the most skilled and talented workforce in the nation.

Over the past two years MassINC research has painted a picture of demographic upheaval, with three forces coming to bear. First, outmigration: We are losing our native-born population to other states—and won the dubious distinction in 2004 of being the only state to lose in overall population numbers. Second, immigration: Our workforce growth, even our ability to stay even in number of workers, comes exclusively from the arrival of new residents from other countries. Third, aging and retirement: We have the 12th-oldest population in the country, and a large number of Bay Staters approaching that time say they plan

to retire elsewhere.

What does all this mean for the Commonwealth's future? Will middle-income families have a shot at the American Dream in Massachusetts? Will new incentives for housing amount to anything, or are we congratulating ourselves for what amounts to tinkering at the margins? Will we make choices that preserve the rich natural and historic heritage of our state? Will the older cities of Massachusetts—the “gateway cities” for many immigrants—make a return to vitality?

These are among the questions that motivate this special issue of *CommonWealth*. It is only the third extra edition in the magazine's 10-year history, and the topic—growth and development—takes its rightful place along health care and education reform as a subject deserving the attention of a full issue unto itself.

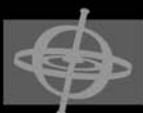
This special issue of *CommonWealth*—the biggest ever published—is made possible by an eclectic consortium of civic-minded organizations. The 38 sponsors of this issue represent the full spectrum of interests involved in growth and development: developers and property owners, real estate firms and construction companies, environmentalists, housing advocates, labor unions, homebuilders, public agencies, and foundations. That all these groups, with their varied viewpoints and interests, have made such an investment in independent journalism in their sphere of influence—with no promise of editorial control—is a testament to their commitment to our community. We thank them for their support, and for their faith in *CommonWealth* to do justice to the topic they care so much about, letting the chips fall where they may.



Ian Bowles



Foley Hoag is proud to support the work and mission of **MassINC**, and congratulates them on 10 years of helping to put the American Dream within reach of every citizen of the Commonwealth.



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# Is the state saving, or sitting on, its open space funds?

BY JENNIFER WEEKS

Conservation advocates and the Romney administration agree on one fact: Development is consuming too much open space in Massachusetts. The Massachusetts Audubon Society estimates that, on average, 40 acres of undeveloped land are lost per day. But when it comes to doing something about that situation, a rift has opened where previous administrations and environmentalists formerly saw eye-to-eye. State officials contend that buying up land—a core strategy under previous governors—is too costly to be the main way of protecting open space from development. But land protection advocates say the administration’s alternative of steering new projects toward already-developed areas is insufficient. If land is not permanently protected, they argue, it remains vulnerable to future development.

“It’s not enough to just create growth policies or just do land purchasing. The state needs a strategy that does both,” says Nancy Goodman, vice president of the Environmental League of Massachusetts and chairman of the Massachusetts Smart Growth Alliance.

As of 2000, of the 5.2 million acres of land in Massachusetts, 1.1 million acres had been developed and about 1.1 million acres had been permanently protected as open space. According to Mass Audubon’s 2003 report *Losing Ground*, half of the protected lands are state-owned, and another quarter are controlled by cities and towns. Private owners and nonprofit organizations, such as conservation organizations and land trusts, hold just under 10 percent each, and federal agencies control about 5 percent. About 350,000 acres of protected lands are managed mainly for conservation, as opposed to functions such as recreation, agriculture, and maintaining water supplies; nonprofits and private owners play a larger role in this sphere, controlling 22 percent and 12 percent, respectively, of Massachusetts conservation lands. Roughly 60 percent of the state—3 million acres—remains up for grabs.

In 1998, a panel appointed by then-Gov. Paul Cellucci called for increasing protected lands in Massachusetts by 200,000 acres by 2010. Within two years, the state was halfway to this goal, and is now up to 188,000 additional acres in land

protected since this declaration, according to the Executive Office of Environmental Affairs. But since then, the conservation objective has gotten more ambitious. A statewide open space plan developed by a public/private task force under acting Gov. Jane Swift set a goal of protecting 1 million acres of the remaining undeveloped land within the next decade, and it identified key areas to target across the state.

Officially, the Romney administration is continuing the state’s commitment to open space preservation. The Office of Commonwealth Development’s “Sustainable Development Principles” call for increasing “the quantity, quality, and accessibility of open space.” However, state capital investments for land protection, which averaged nearly \$50 million annually from 1992 through 2002, have dropped to \$27 million per year since 2003, even though the Legislature approved an environmental bond in 2002 that included \$220 million for land and water conservation over three to five years. This has environmental groups crying foul.

“Governors Weld, Cellucci, and Swift made conservation of our irreplaceable natural heritage part of their legacies, but Gov. Romney has viewed land protection as an obstacle to achieving his campaign pledge to double housing production,” says Christopher Hardy, director of legislative affairs for Mass Audubon. “This administration has directed the Executive Office of Environmental Affairs to move away from acreage goals and use land policy to target conservation as a reward for communities that increase housing.”

The Romney administration says it is still preserving land, just by different, and more affordable, means. “The old

## ‘BUYING UP AS MUCH LAND AS POSSIBLE AND LOCKING IT UP...IS NO LONGER FEASIBLE.’

strategy of buying up as much land as possible and locking it up for conservation is no longer feasible,” says Anthony Flint, director of smart-growth education in the Office of Commonwealth Development. Rather, the administration’s “smart growth” policies are trying to take pressure off the countryside by pushing development toward areas that are already developed. “With OCD looking at development much more comprehensively and by steering capital dollars toward smart-growth projects, we can inhibit sprawling projects that might otherwise bleed into open spaces,” says Flint.

Environmental organizations are not sold on this proposition. “Massachusetts must invest equally in appropriate development and appropriate conservation,” says Craig



*Bernie McHugh says the state is squeezing land trust groups.*

MacDonnell, state director of the Trust for Public Land. “As the state fiscal situation improves, the administration should proportionately increase land conservation spending.”

Flint maintains that total spending in Massachusetts for land protection has not declined but increased, because Executive Office of Environmental Affairs grants have leveraged federal, local, and private investments. “Private groups can do the job just as effectively, if not more so,” says Flint.

Some environmental groups see this explanation as a shell game. “Their so-called leveraging is just cost-shifting to municipalities and nonprofits,” says Hardy. “Private conservation groups are reaching deeper into their pockets, but partnerships are not an excuse for the state to walk away.”

In addition, weakened state support is making it harder for private organizations to preserve open space, according to Bernie McHugh, coordinator of the Massachusetts Land Trust Coalition. While land trusts own some 20 percent of the land restricted from development in Massachusetts for conservation, they also make bridge loans and purchases of land threatened by development, holding these properties until towns or the state—or, occasionally, federal agencies

—can secure funds to buy them. For example, the Sudbury Valley Trustees bought land for the Great Meadows National Wildlife Refuge, then resold it to the US Fish and Wildlife Service.

Trusts can’t always raise funds privately to broker these deals, so in many cases they need the state to help buy the land, either directly or by making conservation grants to cities and towns. But with land protection budgets falling, it’s not a sure bet that the state will step in. “Any real estate deal has to have a level of certainty to it, or it isn’t going to happen,” says McHugh.

Ironically, environmental groups see one of the state’s key smart-growth programs as undermining, rather than promoting, open space protection. Commonwealth Capital evaluates municipal applications to 22 state spending programs (including open space protection funds) based on whether towns’ zoning, development, conservation, and planning commitments square with the administration’s policies. While intended to give municipalities an incentive to bring their land-use policies into line with smart-growth principles, Commonwealth Capital downgrades the role of state environmental agencies in selecting lands for protection, environmental groups charge.

“I have great faith in decisions from the Department of Conservation and Recreation and the Department of Fish and Game, so I disagree with taking that authority out of their hands,” says McHugh. “I don’t see how we’re going to be able to identify and protect lands that are of statewide significance based solely on whether a municipality has made the cut under Commonwealth Capital.”

Mass Audubon’s Hardy predicts that space-gobbling low-density development will occur regardless of Commonwealth Capital’s focus on guiding investment into downtown areas. “Commonwealth Capital is a wonderful tool for things like transit-oriented development, but it has no impact whatsoever on forest protection,” says Hardy.

Robert O’Connor, director of EOE’s Office of Land and Forest Conservation Services, maintains that the administration is doing its best to preserve open space—stretching dollars by putting a growing share of investments into buying conservation easements (which leaves land in private hands but compensates owners for agreeing to permanently forfeit development rights) and less into purchasing lands outright.

“We’re not counting acres as much as we did in past administrations,” says O’Connor. “The focus is more on quality investments.” ■

*Jennifer Weeks is a writer living in Watertown.*

# No post-Dig slump in construction jobs

BY PHIL PRIMACK

**W**ith the Big Dig winding down, Boston Harbor (mostly) cleaned up, and the new convention center built, where have all the hardhat jobs gone? Not as far as you might think. In fact, construction workers are likely to be toiling at a college, hospital, or residential development near you. If there's a concern in the construction industry, it's about where some of those workers are coming from.

For all its history of volatility, the Bay State construction industry has been a steadfast source of employment in recent years. As the state's economy slumped at the start of this decade, recovering only slowly since, building continued to boom. "Construction has done well and has been pretty insulated from the economic downturn," says Elliot Winer, chief economist for the Department of Workforce Development. In September, 142,900 people were working in construction in Massachusetts, down 600 from August but still well above the recent low of 135,300 recorded in March 2003. The sector's current employment level is even close to the all-time high of 144,900 workers recorded during the peak of the previous boom, in 1988.

It's not just the head count that tells the construction worker story. "We measure work by hours rather than by members," says John Laughlin, communications director of the International Union of Painters and Allied Trades, District 35. "For more than three years now, we've held steady at about 3 million hours a year." And those hours mean a big boost to both union members and the economy. According to Laughlin, painters working on new construction projects in downtown Boston last year received a wage-and-benefits package worth \$50.82 an hour. Those 3 million hours thus translate into more than \$152 million of direct economic activity.

A slump in construction employment was widely expected when the mega-projects of the past decade approached completion, but Joe Dart, president of the Massachusetts Building Trades Council, says it hasn't happened. "We have not experienced the sharp drop-off in work that everyone thinks we have," says Dart. That's because the Central Artery/Tunnel, Deer Island sewage treatment plant, and Boston convention center were never the only games in town. While the Big Dig employed as many as 5,000 union tradesmen at one time, Dart points out that the combination of seven



*Both public and private projects are keeping hardhats busy.*

power plant construction projects in the region puts even more union members to work.

Now, a mix of public- and private-sector work is keeping union hardhats busy, says Dart, though busier in some places than in others. The mega-projects drew construction workers from weaker labor markets to Boston, but most of those non-local hardhats have now left, says Dart. He estimates that the unemployment rate for union construction workers is between 5 and 10 percent in the Boston area but as high as 20 percent in some regions beyond Route 128.

Non-union construction workers may be even busier, according to Nathan Little, spokesman for Associated Builders & Contractors of Massachusetts, which represents more than 400 non-union contractors. "While organized labor was busy on the mega-projects, it left a vacuum in the rest of the state for open shop and merit shop firms to compete on a level playing field," he says. "What's happened is that 15 years of relationships that have been built between ABC contractors and clients have allowed our firms to grow."

Dart and Little both see plenty of work ahead, in road, bridge, and other infrastructure projects that have been deferred as federal transportation dollars have flowed to the Big Dig. They also agree that, in the meantime, one of construction's most fertile territories—for union and non-union firms alike—is the college campus.

"For the construction industry, the baton of the Big Dig has been passed off to higher education," says Evan Dobelle, president and CEO of the New England Board of Higher Education. "In 2004 alone, \$800 million was spent on capital projects on 28 colleges just in the Boston area." Much of

that has been in private institutions, but the public colleges and university are in building mode as well, he says. “An extraordinary amount of money is being spent by the Commonwealth, in either cash or bonds, on campuses across the state,” says Dobelle. “I hope that continues, because it would mean a continuing investment in public higher education, which, along with health care, is driving the New England economy.”

But all that work has drawn into the Bay State a source of construction labor that has labor and industry leaders worried. “The biggest threat facing the industry—union and non-union alike—is not a downturn in the economy, but the extraordinary influx of a new, undocumented labor force that is being exploited by contractors who are driving down not only wages, but safety and other standards,” says Mark Erlich, executive secretary-treasurer of the 26,000-member New England Regional Council of Carpenters. “The challenge is to resurrect a level playing field, where everyone has to play by the rules.”

In November, Attorney General Thomas Reilly announced that he was probing a Peabody contractor for allegedly paying construction workers—some of them illegal immigrants—as subcontractors, rather than as regular employees for whom the company would have to pay benefits and employer’s taxes.

Union and non-union builders agree on the seriousness of the undocumented worker issue. “An underground economy distorts the free market,” says Little. “You can run a strong, legitimate business, but if you hire lousy subcontractors, your reputation is quickly tarnished. And that’s not good for business.” ■

## Minor-league fever spreads to Boston as well as Plymouth

BY MARK MURPHY

**B**oston City Councilor John Tobin’s dream comes with a name, and it’s not of a higher political office. “The Boston Nine—what do you think?” he asks. Tobin has hopes of owning a minor-league baseball team, and putting it right here in the major-league city of Boston at that. Tobin and his brother-in-law

and partner, commercial real estate executive J.P. Plunkett, have a backup name—the Commonwealth Nine—if they are forced to live out their minor-league dream outside their hometown. But Boston is the target, and a unique one at that.

The area surrounding Boston has quickly become a hotbed of the independent Can-Am League, with four teams within a 45-mile radius of the city: the Brockton Rox, the North Shore Spirit in Lynn, the Worcester Tornados, and the latest entry (from the Atlantic League), the Nashua, NH, Pride. These ball clubs, along with Red Sox affiliates Pawtucket Red Sox, Lowell Spinners, and Portland, Maine, Sea Dogs, have become key attractions, as well as sources of civic pride, for small cities, many of them struggling, on the fringes of the metropolitan area (See “Rooting for the Home Team,” *CW*, Fall ’05).

### BUT SOME WORRY ABOUT A GLUT IN THE MARKET.

But the notion of minor-league baseball of any kind inside a major city is almost unprecedented. Dan Moushon, the Can-Am League’s president, says that the Brooklyn and Staten Island franchises of the Major League Baseball-affiliated New York/Penn League come the closest. There are also independent-league teams in secondary cities within large metro areas—such as in Newark and Camden, NJ; St. Paul, Minn.; and Fort Worth, Texas. An independent-league team in the capital of Red Sox Nation, however, would be novel, to say the least.

Plunkett had his first discussion with Can-Am commissioner Miles Wolff during the summer. Since then, according to Moushon, support for a Boston team has broken out like wild fire.

“The interesting thing is that we got two other calls from two separate groups this week about putting a team in Boston,” says Moushon, reached in early December.

Indeed, the entire region seems to have caught baseball fever. There is also a prospective ownership group in Plymouth that is hoping to land a Can-Am or other independent-league franchise—they’ve already come up with the name River Eels and plan to start playing in 2007. According to Democratic state Rep. Tom O’Brien of Kingston, who is president of Bay Colony Baseball and Athletics LLC, a private organization representing the ownership group for the purposes of pursuing the franchise, the owners group has already picked out a 28-acre site off the new connection of Route 3 and Route 44 for a ballpark. “This will all be done

with private funding,” says O’Brien.

Moushon, who is based in Durham, NC, has taken note of his league’s northward drift. “We’ve kind of shifted and become a New England–based league, which is fine,” he says. But Mouton has his doubts about Boston as a minor-league venue; the big city could be just too expensive to provide a low-cost alternative to a night at Fenway Park, he says. And he also worries about a glut in the market.

“There are four teams right there already, and we would have to consider those teams,” says Moushon. “Would we rule out Boston? No. But it’s not as much of a slam dunk as people might think.”

The Can-Am League is expected to have two franchise openings available in 2007, but that may be too soon for Boston, with Tobin and Plunkett both aware that things take time in the city. As for a stadium, Tobin is enough of a political veteran to know what not to ask for.

“This would not be something that would have us going to a municipality with our hands out,” he points out. “As big a lover as I am of sports, I’m not into municipalities spending money on this sort of thing. There are too many other needs. We have enough trouble finding funding for potholes and schools.”

Though Plunkett, a Boston College alumnus, hasn’t contacted his alma mater, the college’s athletic program is about to upgrade its baseball facility, Shea Field, to meet the standard of its new affiliation with the Atlantic Coast Conference—one of the nation’s largest collegiate baseball conferences. And Plunkett is well aware that the Worcester Tornados forged a partnership with the College of the Holy Cross to make a 3,500-seat ballpark out of Fitton Field, without public funding.

Then there are the Red Sox, which have territorial stakes in Pawtucket, Lowell, and Portland as well as Boston, who might frown on unaffiliated competition in their own backyard. But Tobin, a season ticket holder, sees reason for hope. He was in the audience November 4 when Dr. Charles Steinberg, the team’s vice president of public affairs, kicked off a Commonwealth Forum on baseball and urban renewal by speaking of his love for the minor-league game. (A detailed summary of the forum provided by State House News Service can be found at [www.massinc.org](http://www.massinc.org).)

“Some people with the Red Sox might not be happy,” says Tobin. “But I was encouraged by Dr. Charles Steinberg’s comments, [about] how he grew up watching minor-league baseball. I would think the Red Sox would want to enhance this experience, with a fan base they’ll eventually inherit.” ■

*Mark Murphy is a sportswriter for the Boston Herald.*

## Buddy, can you spare a few million gallons of water?

BY CATHERINE WILLIAMS

**D**espite the 10th-wettest spring on record in Massachusetts, the 24,000 residents of Reading were required to shut off their lawn irrigation systems from mid-August through October. Watering was restricted to early mornings and evenings, every other day—and then only with hoses. Those who live at odd-numbered addresses could water only on odd-numbered calendar days, while those across the street watered on even-numbered days. Violators faced a \$300 fine.

Reading is one of 15 communities north of Boston that draw from the Ipswich River basin. The town’s nine wells pump the groundwater that feeds the river, which frequently runs dry during the summer. To relieve its water shortage, Reading recently received permission from the Massachusetts Water Resources Commission to buy Quabbin Reservoir water during the summer. But conservation groups are appealing the decision to grant the permit, arguing that buying water elsewhere will not solve Reading’s problems, or the Ipswich River’s.

“Reading’s wells will still run dry, just not as frequently,” says Kerry Mackin, executive director of the Ipswich River Watershed Association, which filed the suit in August along with the Conservation Law Foundation.

Conservationists say the Ipswich River is a poster child for water problems that are surprisingly common in the verdant Bay State, at least outside of the Quabbin-fed Massachusetts Water Resources Authority (MWRA) district, which includes much of metropolitan Boston (See “Tapped Out,” *CW*, Fall 2000). State water officials call the river the most stressed waterway in the Commonwealth. In 2002, the US Geological Survey reported that up to half of the river went dry during four seasons between 1995 and 2002, and that native fish species were dying. In 2003, the Ipswich was named the third most endangered river in the US by American Rivers, a national conservation group.

“The Ipswich River is wounded and suffers severe injury almost every year,” said Hunt Durey, president of the Ipswich watershed association’s board of directors, at a conference in November. “This is not a doom-and-gloom exaggeration. This is the reality of the here and now. It’s the same reality



looming on the horizon for many other river systems across the state.”

The 155-mile Ipswich River extends east from headwaters in Burlington and Wilmington and weaves through a dozen other communities before spilling into the Atlantic Ocean at Plum Island Sound; the river’s basin, or watershed, contains 22 communities, in whole or in part. Water pumped from the river serves 330,000 consumers, of whom 220,000 are located outside of the watershed. For example, Beverly, Danvers, and Salem are not completely inside the basin but rely on it for water, according to Duane LeVangie, a water management official for the state’s Department of Environmental Protection.

Watershed association director Mackin says that the river’s plight is due to the suburban sprawl that has dotted this growing region with thirsty lawns and wide swaths of impervious pavement, which keep rainwater from replenishing the groundwater. Between 1980 and 2000 the population of the watershed increased by 9 percent, but land taken up by residential property increased by 35 percent, according to the Department of Environmental Protection.

At the November conference hosted by the Ipswich group—which drew conservationists, scientists, and public officials—participants charged that development and mismanagement of the water supply are to blame for the river’s dire condition.

“It’s deficit spending,” declared Mackin, likening the water supply to an unbalanced budget. “It’s like taking huge amounts of money out of your account just when you’ve received a notice that there’s no money left.”

Office of Commonwealth Development Secretary Doug Foy told the conference that smart-growth policies, combined with better water management, are the solution to the Ipswich’s problems. “We can get much more intelligent about the way we are growing this particular region,” said Foy. “We’re opposed to dumb growth. In the case of the Ipswich, dumb growth is deciding to export most of your wastewater somewhere else and drain your watershed.”

In November 2004 the Executive Office of Environmental Affairs published its first ever full-blown water policy, which stresses more effective management of existing resources. “The state’s water policy originated from two concerns: ensuring that communities have adequate water supplies for growth and protecting our streams and rivers,” says Kathy Baskin, water policy director for the state’s Executive Office of Environmental Affairs.

Baskin says the water policy helps communities to protect and restore resources, increase conservation efforts, and work within their water “budgets.” It includes recommen-

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dations to replenish groundwater by trapping and recycling rainwater, and to reduce water usage through “low-impact” housing and commercial development strategies.

The latter may get its first test here soon. In 2004, the EPA granted \$1.05 million in federal money to the Ipswich watershed for nine study projects, according to Sara Cohen, a water resources specialist at the Massachusetts Department of Conservation and Recreation. An additional \$90,000 was dangled in front of developers, promising assistance for a project involving a mixed-use subdivision that incorporates water conservation in its design. But there were few takers. Applications closed last September 19 with just two bidders, whose proposals are now under review.

In the meantime, an increasing number of communities in the Ipswich watershed are, like Reading, seeking permits to augment supply from outside sources. Reading’s permit makes the town permanently eligible to buy up to 219 million gallons of MWRA water per year between May 1 and October 31.

The Reading request was unusual, water commission officials say, because the town plans to use the MWRA water to limit the amount it taps from its main water supply. By contrast, the town of Bedford received a permit from the MWRA in 1992 because its existing water supply had been contaminated. And Stoughton received permission to use Quabbin water in 2002 to supply an assisted-care housing complex that was partially in neighboring Canton, which was already in the MWRA district. Neither of these permits was challenged, officials said.

“We are buying water from the MWRA for the sole purpose [of reducing] the amount of water we take out of the Ipswich River,” says Peter Hechenbleikner, Reading’s town manager for the past 19 years. “It is not to expand the total water available to the community.”

But environmentalists object to water transfers like Reading’s, seeing them as attempts by municipalities to buy their way out of proper water management. The Reading permit was applied for in 2001 under the 1983 Inter-basin Transfer Act, which allows sale of water between watersheds only as a last resort, if there is no viable existing water source and all conservation efforts had been exhausted. Once approved, says Mackin, the permit becomes permanent and would never have to be reviewed again. With its water supply supplemented by the MWRA, she says, Reading would be off the hook—and setting a bad precedent.

“The town of Reading ought to be demonstrating they are good as a steward of its own resources before it’s entitled to other water,” says Peter Shelley, vice president of the Conservation Law Foundation.

But Hechenbleikner says the town is not letting up on any of its conservation efforts, which include rebates for low-flow toilets and washing machines and the relentless pursuit of leaks in the water distribution system. “Reading is working very hard to be the best stewards of the water supply that we can,” he says.

It will have to. According to the National Climatic Data Center, last year’s wet spring was followed by a relatively dry summer, then an October that was the state’s wettest month in the 105 years records have been kept. All the while, Reading was operating under water restrictions.

That, says Shelley, is because nature’s abundance, or lack thereof, will not determine the fate of the Ipswich River, and that of the communities that draw water from its source. “It’s a challenge for developers and municipalities to come to grips with living within a seemingly ample water budget,” he says. “We haven’t gotten it right between balancing demands and natural water availability.” ■

## Red Line pulls in peds and parkers

BY GABRIELLE GURLEY

**W**hat’s mass transit worth to you? It depends on how close you are to it. “Proximity matters,” says Matthew Kahn, a Tufts University economist and co-author, with Brown University economist Nathaniel Baum-Snow, of a new study of urban rail transit expansion and its impact in 16 cities, including Boston, from 1970 to 2000.

“When commuters live and work near the central business district, they tend to use public transit,” says Kahn, who came to speak at Harvard’s Kennedy School of Government in a forum sponsored by the Rappaport Institute for Greater Boston December 7. But as people live and work farther out, transit usage plummets, he says. Commuters living four to seven miles outside city centers showed the largest decline in usage over the 30-year period. People living more than 18 miles out didn’t use public transportation in 1970 and they don’t use it now, he reports.

So who gets the most out of rapid transit? “Rail transit expansion is really good when you go from one dense area to another dense area, especially [if] at one end at least you

can walk,” says Richard Voith, a transportation and urban economics expert at Econsult, a Philadelphia-based economic consulting firm, who teaches economic development at the University of Pennsylvania’s Wharton School.

In Greater Boston, mass transit riders declined from 18 percent of all commuters in 1970 to 14 percent in 1990, then inched back up to 15 percent in 2000. Over the long term, Boston’s public transportation usage is contracting, though more slowly than in other major metro areas, Kahn says.

Baum-Snow and Khan also conducted research into the differences between subways that primarily serve commuters who walk to stations and those who drive to them. The usage of both types of stations increases with additional service, but park-and-ride stations show a greater ridership increase than walk-and-ride stations do. Comparing census tracts within one kilometer of the walk-and-ride Davis and Porter stations on Red Line stations in 1990 to those same census tracts in 1980 (before the Red Line expansion in 1985), this research found a 5.5 percentage point increase in public transit usage after expansion. At the park-and-ride Alewife Station, there was a 7.8 percentage point increase in ridership.

Transit expansion produces certain benefits, however, that are greater for communities near walk-and-ride stations. The number of college graduates increased by 14.2 percentage points near Red Line walk-and-ride stations. Walk-and-ride stations were associated with much more gentrification, says Kahn, while there was “no yuppie effect” at park-and-ride stops. Home prices increased by 23 percent in areas that gained a Red Line walk-and-ride station. But housing prices near Alewife Station actually declined slightly — consistent, Kahn says, with complaints about noise and congestion from residents near park-and-ride stations.

But these are just the first steps in thinking through the costs and benefits of rail transit expansion, according to Kahn. “We need to know, how does ridership change and how does the composition of communities change,” he says,

If the goal of new stations is to increase ridership, park-and-rides are achieving that, says Kahn, but other goals, such as making the neighborhoods around them desirable, remain elusive. He suggests that communities accepting park-and-ride stations might be compensated for quality-of-life disruptions, such as traffic congestion. ■



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# FROM LEADER TO LAST

## Parks & Recreation Spending Per Capita

- 1 Colorado
- 2 Hawaii
- 3 Illinois
- 4 Nevada
- 5 Wyoming
- 6 Alaska
- 7 North Dakota
- 8 Minnesota
- 9 Washington
- 10 Utah
- 11 South Dakota
- 12 Maryland
- 13 Wisconsin
- 14 California
- 15 Arizona
- 16 New Jersey
- 17 New Mexico
- 18 Florida
- 19 Michigan
- 20 New York
- 21 Iowa
- 22 Delaware
- 23 Texas
- 24 Louisiana
- 25 Ohio
- 26 Oregon
- 27 Georgia
- 28 Connecticut
- 29 Virginia
- 30 Oklahoma
- 31 Nebraska
- 32 Idaho
- 33 North Carolina
- 34 Indiana
- 35 Tennessee
- 36 Alabama
- 37 Missouri
- 38 Kansas
- 39 South Carolina
- 40 Kentucky
- 41 West Virginia
- 42 Arkansas
- 43 Rhode Island
- 44 Mississippi
- 45 Pennsylvania
- 46 Vermont
- 47 New Hampshire
- 48 Montana

**49 Massachusetts**

50 Maine

## Parks & Recreation Spending Per Income

- 1 Hawaii
- 2 Colorado
- 3 Illinois
- 4 Nevada
- 5 Utah
- 6 North Dakota
- 7 South Dakota
- 8 Wyoming
- 9 Alaska
- 10 Arizona
- 11 New Mexico
- 12 Minnesota
- 13 Washington
- 14 Wisconsin
- 15 Florida
- 16 Louisiana
- 17 California
- 18 Iowa
- 19 Michigan
- 20 Maryland
- 21 Oklahoma
- 22 Texas
- 23 Idaho
- 24 Oregon
- 25 Ohio
- 26 Georgia
- 27 Alabama
- 28 Delaware
- 29 New York
- 30 Nebraska
- 31 New Jersey
- 32 North Carolina
- 33 Tennessee
- 34 Indiana
- 35 Missouri
- 36 Virginia
- 37 West Virginia
- 38 Arkansas
- 39 South Carolina
- 40 Kansas
- 41 Kentucky
- 42 Mississippi
- 43 Connecticut
- 44 Rhode Island
- 45 Montana
- 46 Pennsylvania
- 47 Vermont
- 48 Maine
- 49 New Hampshire

**50 Massachusetts**

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# Home, sweet home

BY ROBERT KEOUGH

There is quite possibly no word in the English language more evocative than “home.” The very sound of it is rich, warm, comforting; the word lends itself to no end of aphorisms that are, well, homely: There’s no place like home. Home is where the heart is. My home is my castle. Home is where, when you need to go there, they’ve got to take you in. In baseball, home plate is where you start off, and where you try to get to. Home is a refuge, a haven, a sanctuary of protection and nurturance. Home is also the Earth itself: Go to Google, enter “home” and click on “I’m feeling lucky,” and you find yourself on the “Experience NASA” page, where you can click through images of our planetary home from outer space. E.T., phone home.

“Home,” above all, is what this issue of *CommonWealth* is about—what home is going to be like, for ourselves and for our neighbors, now and in the future. It’s about affordability and livability. It’s about the means of life and the quality of life. Is the home we long for within our reach, or beyond it? Are we protecting our homes, or keeping others from obtaining their own? Are we feathering our nests or fouling them?

Unfortunately, people—indeed, localities—have differing views about what constitutes home improvement. Broadly speaking, the state’s large and mid-sized cities view development and growth as desirable, while suburbs and small towns view them as dangers. That differential can be traced to recent experience, both where growth has been happening (suburbia) and where it hasn’t (the city). There are exceptions: Boston is booming, in physical development and in property values, if not necessarily in population; Cambridge is the same. Not only that, but developers will tell you that the gauntlet of abutter opposition they run in the Hub is every bit as daunting as what they encounter in any development-phobic suburb.

But most Massachusetts cities, still struggling to find their place in an increasingly suburban landscape, continue to long for a level of investment and activity by homeowners and businesses that they haven’t enjoyed in years, if not generations. This issue reports promising signs from Lowell, Worcester, and Pittsfield, which are discovering the marketability of downtown living, commuter rail, and the arts economy. More than ever, Lowell and Worcester are finding themselves tethered, by railroad tracks and

by homebuyers migrating north- and westward, to the Boston economy, even as the economy itself continues its march past Route 128, past I-495. It’s turning out to be possible for urban environments with their own distinctive characters to survive, perhaps even thrive, in a satellite relationship with the capital city. Pittsfield is far outside the Boston orbit, but it is betting its post-General Electric future on becoming the urban hub of a Berkshire arts economy whose principal patrons are exiles and vacationers from a far bigger metropolis, New York City. It could be that, in the 21st century, what matters most for cities is their relationships with one another.

These hopeful examples notwithstanding, urban revival continues to be a challenge, especially in places like Lawrence, Holyoke, and Springfield, which have yet to find their post-industrial niche. But it is hard not to think that the central dilemmas of growth and development in Massachusetts lie in suburbia and beyond. That is where the growth—in population and jobs—has been concentrated over the past 25 years, and where the resistance to growth is centered now. If the good news is that cities, at least some of them, have gotten better at realizing their dreams of growth and development, the bad news is that the suburbs have, in many cases, gotten all too good at controlling growth in their communities, to the detriment of middle-class families who yearn for their own little piece of Americana.

## The dilemmas of growth lie in suburbia and beyond.

Urban flight may not be what it once was—to the relief of places like Boston—but there is something elemental about the steady trickle of middle-class families, white and non-white and, increasingly, immigrant, from city to suburb, and now to more-distant suburb. Some, perhaps much, of that has to do with schools, crime, and quality of life—matters to which city officials should not be indifferent, and neither should we as a Commonwealth. Cities need to be livable places for families of all incomes, at every stage of their lives, not just playgrounds for the young and rootless who abandon urban neighborhoods when they have the means and imperative to settle down.

But no urban renaissance will be enough to counteract

the lure of suburbia altogether, nor should anyone expect it to be. On this, urban/suburban analyst Joel Kotkin (“The New Suburbanite,” page 86) is fond of quoting Edgardo Contini, an Italian immigrant and prominent Los Angeles structural engineer in the 1940s and ’50s. “The suburban house is the idealization of every immigrant’s dream—the vassal’s dream of his own castle,” observed Contini. “It is a universal aspiration to own your own home.”

Not every home worth owning is outside the city, but in the latter half of the 20th century the yearning for a home in the suburbs became something like a universal aspiration, and it remains so today. Now, however, that aspiration is driving families farther and farther from Boston, deeper and deeper into the Massachusetts countryside, chewing up land and putting stress on natural resources in a way that alarms environmentalists and public officials alike. The mutually reinforcing phenomena of restricted supply and rising price have turned aspiring middle-class homeowners into frontiersmen. The real estate brokers say: “Drive ’til you qualify.” But we could just as well go back to Horace Greeley: “Go west, young man.”

How has housing supply been restricted, and prices inflated? In this issue, we present two scholarly answers, one historical, the other economic, both courtesy of Harvard’s

Rappaport Institute for Greater Boston. Urban historian Alexander von Hoffman gives us the tale of Arlington, a town he singles out only for being typical, to show how the suburbs turned sour on growth post-1970, and learned to use such municipal management tools as zoning, permitting, and “design review” to keep the market for multi-family housing, in particular, from responding to demand (The Long View, page 103). And economist Edward Glaeser, director of the Rappaport Institute, crunches the numbers—drawn in part from brand-new data on local land-use regulations in eastern Massachusetts compiled in partnership with the Pioneer Institute—and quantifies for the first time how increases in minimum lot sizes, especially, result in less housing production and higher prices for homes throughout the area (Considered Opinion, page 99).

There’s certainly an element of pulling up the drawbridge in the suburban resistance to new housing, especially for moderate-income families, who are seen as costing in services (especially schools) more than they contribute in property taxes. But we also ought to recognize that the reluctance to accept additional growth, especially in places that have been growing rapidly in recent

## WHO, WHAT, WHERE, WHEN, WHY...

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years, is perfectly reasonable, if not necessarily admirable. As Kotkin argues, for those already ensconced in suburbia, there's nothing in it for them except more traffic and higher municipal costs. So towns slam the doors shut, forcing suburb-seekers into ever-more-distant territories. This, says Kotkin, is why "the anti-sprawl sentiment is the very thing that accelerates sprawl."

On top of that, for suburbs and small towns, growth means change, and there will always be a sizeable contingent that simply would rather not. And not just among old-timers. If people buy a home—especially at today's astronomical prices—in a place they like the way it is, why would they want it to change?

Almost by definition, change means risk. Dartmouth College economist William Fischel makes the case that homeowners, who are influential in all local politics but decisive in bedroom communities, are inherently risk averse, for the simple reason that the biggest investment of their lives—their homes—is unsecured against loss of value. You can insure your home against fire, but you can't insure it against changes in the neighborhood that make your home worth less, or less than it could be. To Fischel, there's nothing irrational about the fears typically ascribed to NIMBYism. It's not the predictable consequences of development that make homeowners lie awake at night, it's the impacts that they can't predict. Better simply to avoid them altogether. Call it the Nancy Reagan Doctrine of Land Use: Just say no.

Fischel, for one, doesn't think this is altogether a bad thing. Protecting the value of one's home is what gets homeowners to care about local services that they don't benefit from directly. Property values give the childless and the empty nesters a reason to support the public schools, for instance. But what homeowners have to protect is not just the resale price of their property. A big new development next door might even raise the value of my home, but I might not like living here as much. Why take the chance? Just say no.

**T**hat brings us to one final, and similarly sacrosanct, usage of the word "home"—home rule. This is, of course, a misnomer in Massachusetts. As Harvard legal scholars David Barron, Gerald Frug, and Rick Su have argued in these pages ("Overruling Home Rule," *CW*, Winter '04), home rule in Massachusetts is more myth than fact. The Legislature holds all the legal cards, determining how municipalities will govern themselves, fund their operations, even hold elections. With municipalities required to take home rule petitions to the Legislature for approval of all sorts of minor affairs, they are particularly jealous of the few powers deemed to them—chief among them, land use.

But the mythology of home rule can be powerful in and of itself. The state may be, legally speaking, all powerful, but on land-use issues, in particular, the state is deferential to a fault. The one exception is Chapter 40B, but that itself is a historical anomaly. In 1969, urban Democrats resentful of the state's Racial Imbalance Act teamed up with suburban liberals to do some social engineering of their own, imposing on suburban communities affordable housing requirements that trumped local zoning ("Anti-'snob zoning' law turns developer's tool," *CW*, Spring '02).

It's hard to imagine what it would take for the state to be as assertive today. On even big initiatives like the new

## The two-thirds rule helps the just-say-no contingent.

Smart Growth Zoning Districts, or Chapter 40R, the state bows to local authority: Adopting dense zoning for affordable and transit-oriented housing—the most ambitious zoning reform in a generation—is left to local discretion, a purely voluntary option. Now, state planners are left waiting by the phone, looking for all the world like Maytag repairmen, the loneliest guys in town (see "House Rules," page 38).

One way that state overbearingness and local timidity combine to defy good sense is in the statutory requirement of a two-thirds vote of local authorities—town meeting or city council—for zoning changes. This requirement gives the just-say-no contingent of any locality an almost automatic veto over significant change in development patterns. The consequences are particularly evident in the case of Kingston town meeting rejecting the development of a new suburban village surrounding the MBTA commuter rail station despite majority support ("Growth smarts," *CW*, Winter '03), but they can be found lurking in the shadows of many another development project ground to dust or compromised away.

In imposing the two-thirds requirement, the state has stacked the deck in favor of the status quo, in apparent mistrust of the locals (or, as I heard one lawmaker suggest at a State House hearing, to guard against the stacking of town meeting—a legitimate concern, but hardly a reason to empower local naysayers). So here's a modest proposal: unstack the deck by allowing majority rule on zoning matters, which would at least give change a chance. (The proposed Land Use Reform Act would allow municipalities to substitute majority rule for supermajority approval of zoning changes, but, like most state land-use initiatives, only if they choose to do so. See *Argument & Counterpoints*, page 109.) Cooler heads can hardly be expected to prevail if hotheads are given veto power. If there is to be home rule, in any form, let it at least be majority rule. ■

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# The heat is on

*In response to energy costs, there's more action in Caracas than in Congress*

BY SHAWN ZELLER

The scene, which took place just before Thanksgiving, was hardly the picture of energy independence that US policymakers have long held as a goal. Standing in the front yard of a Quincy family selected as the first beneficiary of an unusual home-heating oil discount program was US Rep. William Delahunt, whose office brokered the deal; Joseph Kennedy, the former congressman whose nonprofit Citizens Energy will help distribute the heating oil; and Bernardo Alvarez Herrera, an envoy from the government of Venezuela, whose national oil company directed its US subsidiary to ship some 12 million gallons of fuel to low-income Massachusetts residents and social service providers, for 40 percent off prevailing prices.

With Bay State residents shivering over the price of heating oil and natural gas—projected to be up 32 percent and 48 percent, respectively, over last winter, according to the Energy Department—the state's congressional delegation has been making a lot of noise about energy prices. One problem: There isn't much, if anything, Washington can do about them.

"In the short term, government can do very little," says Henry Lee, director of the environmental and natural resource program at Harvard's Kennedy School of Government. "You have a market, and the way you affect the market is by either increasing supply or reducing demand."

That is, unless you can get a special deal, like the one Delahunt struck

with Hugo Chavez, the Venezuelan president. Delahunt took some flak for his dealings with Chavez, a sharp critic of the Bush administration who some said was making political hay out of a Latin American leader extending humanitarian assistance to needy Americans. But the Quincy Democrat, who has made Latin America a specialty, seems willing to take the heat if it means low-income Massachusetts residents will have an easier time staying warm this winter.

The sledding has been tougher for the Bay State delegation's other energy efforts. The state's representatives in Congress have urged the Bush administration to release oil from the Strategic Petroleum Reserve, a short-term method for boosting supply. However, President Bush has been unwilling to open the reserve for anything short of a threat to national security. Bay State lawmakers have also backed legislation to combat price gouging. Studies following Hurricane



ing costs nationwide will be \$1,666 this winter for families that use heating oil. For those using natural gas, the price is expected to hit \$1,568. In chilly New England, where forecasters predict a colder-than-average winter, heating bills may well be higher. Last October, senators John Kerry and Edward Kennedy led an unsuccessful effort to pass emergency legislation that would have more than doubled the federal government's funding for the Low Income Home Energy Assistance Program. Kerry and Kennedy wanted to more than double (or increase to more than \$5 billion) fiscal 2006 funding for a program that spent \$2.2 billion in fiscal 2005.

Lee predicts that higher heating bills may be with us for the next few

## Chavez could make political hay from his deal with Delahunt.

Katrina found little evidence of such price manipulation, but that hasn't stopped a bipartisan group of legislators, including some of our own, to consider tapping record oil company profits through a windfall profit tax. So far, these efforts have come to naught.

The same is true for assistance in paying fuel bills. The National Energy Assistance Directors' Association reports that average season-long heat-

years, but he's hopeful that energy innovations and conservation efforts could reduce the pain in the years ahead. Rep. Edward Markey, the state's lone voice on the House Energy and Commerce Committee, has been especially active on this front, last year amending an energy bill to extend daylight savings time for an additional four weeks, starting in 2007. Markey believes the change will help

conserve energy, since people will need to use less electricity, and perhaps heating oil or natural gas, in the evenings. (He initially proposed a two-month extension, but that was shot down by groups ranging from airlines, which said the change would cause havoc with the scheduling of overseas flights, to the US Conference of Catholic Bishops, which said the proposal would endanger children by making them walk to school in the dark.)

Markey, like most Democrats, has focused on conservation. He argues, for example, that Congress should set more stringent fuel efficiency standards for new automobiles and provide financial incentives for the use of renewable solar and wind power.

The Republican focus, on the other hand, has been on boosting energy supplies, an approach Markey calls a “historic failure” that amounts to “bad energy policy, bad fiscal policy, and

bad environmental policy.” Nonetheless, Republicans passed two energy bills last year, providing incentives and tax breaks to promote natural gas drilling on public lands, oil and gas pipeline construction, and expanded refinery capacity. The GOP is still seeking to open the Arctic National Wildlife Refuge and the waters off the Gulf Coast to oil drilling in the face

over who got bigger slices of pie, instead of creating a bigger pie.”

Meanwhile, parochial concerns have stood in the way of increased energy supply in Massachusetts, for better or worse. Local politicians and environmentalists are fighting efforts to build liquefied natural gas storage facilities in Fall River and on Outer Brewster Island (See “Congressional

## Markey, like most Democrats, has focused on conservation.

of stiff opposition from Democrats and environmentalists.

Lee says that neither party has what amounts to a comprehensive energy policy. “I don’t sense that either party has a long-term agenda,” he says, arguing that this year’s bills devolved into mechanisms for distributing pork barrel projects. “They were fighting

club,” *CW*, Fall ’05). Wind power might also help winter electricity costs, but Kennedy has been a leading opponent of a proposed wind farm off the coast of Cape Cod (a stance that puts him on the same page as Republican Gov. Mitt Romney). Wind supporter Alan Noguee, the Boston-based clean energy program director for the



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Union of Concerned Scientists, says that local concerns about the siting of wind facilities “should be weighed against the environmental impacts of the alternatives,” including oil and coal, which he argues are far worse.

Perhaps New Englanders will be more willing to face difficult choices after this winter of heating-bill discontent.

### HOMING IN ON THEIR TURF

The Bay State’s red-hot housing market is, at long last, cooling down, driven by inventory and interest rates that are both on the rise. But it’s hard to feel too badly for anyone selling property in the Boston area, where the median sale price of single-family homes hit \$515,000 in the third quarter of 2005.

Still, bankers, consumer groups, and discount brokers say that sellers are getting a raw deal because of laws that limit whom they can hire to sell their homes. Only licensed brokers or salespersons acting under the supervision of a broker are allowed to represent sellers in real estate transactions in Massachusetts. And those brokers, for the most part members of the National Association of Realtors, have zealously guarded their standard commission of 6 percent of sales price—which means commissions have grown as fast as home prices.

But now, the financial services industry is crying foul over the arrangement, and they have found a key ally in Rep. Barney Frank. The Newton Democrat, together with House Financial Services Committee Chairman Michael Oxley, an Ohio Republican, has introduced legislation that would allow federally chartered banks to enter the real estate brokerage business and compete directly with real estate firms. (Massachusetts is one of a handful of states that already allows state-chartered banks to offer such services.)

In 2001, the Federal Reserve and Treasury Department issued a ruling that would have allowed the federal

banks into the action, but so far real estate agents have fended off the challenge, persuading Congress to include language in Treasury’s annual appropriations bill prohibiting implementation of the rule.

Frank says he has nothing against the established real estate brokers. “In my particular case, sponsoring this bill is not any indication of dissatisfaction with or unhappiness with Realtors and the service they perform, but one very specific disagreement,” Frank said in a June hearing on the bill. “I have generally taken the position that competition is a good thing.”

What bankers have to say is more harsh. The industry “is acting like an old-fashioned guild,” says Wayne Abernathy, executive director for financial institutions policy and regulatory affairs of the American Bankers Association and a former top Treasury official. “They want to make sure all the rules are designed to benefit their industry, not the customers.”

But crossing the real estate agents’ lobby is no easy play on Capitol Hill. The Realtors Political Action Committee is the nation’s most generous PAC, giving \$3.8 million to candidates in the 2004 elections. National Association of Realtors spokesman Steve Cook shrugs off the Frank-Oxley bill, noting it has no other sponsors.

Meanwhile, real estate agents have, in the past six months, gotten new laws passed in several states—Alabama, Illinois, Iowa, Texas, Missouri, Oklahoma, and Utah—that require agents to provide clients with a minimum threshold of service, a move designed to fend off discounters. This, in turn, has attracted the attention of the US Justice Department, which considers the state laws anti-competitive. And in September, Justice sued the National Association of Realtors in an effort to force them to open up their Multiple Listing Service to discounters.

Before long, the battle over who can sell homes could get as hot as the real estate market in its heyday. ■

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# STATISTICALLY SIGNIFICANT

BY ROBERT DAVID SULLIVAN

## BIGGER, TALLER, COOLER

Calling them McMansions may be an exaggeration in most cases, but as a rule, single-family homes were indeed built on a larger scale in 2004 than they were three decades earlier. Since the early '70s, the Census Bureau has been reporting on the characteristics of new housing units on an annual basis. Here are some differences between single-family homes built in 1974 and those completed in 2004.

**HEIGHT Then:** Only 25 percent of all new houses in the US had more than two stories (not counting split-levels), compared with 45 percent in the more crowded Northeast. **Now:** A slight majority (52 percent) of new houses nationwide have two or more stories, while 79 percent of those in the Northeast have upper floors.

**PARKING Then:** Though 62 percent of all new houses nationwide had a garage that could hold two or more cars, only 39 percent of new homeowners in the Northeast could boast the same, and 29 percent had no garage at all. **Now:** Covered parking for at least two cars is nearly universal nationally (82 percent), and the Northeast has almost caught up (73 percent).

**EXTERIOR WALLS Then:** Most new homes were sheathed in brick (35 percent nationally, 8 percent in the Northeast) or wood (32 percent nationally, 46 percent in the Northeast). **Now:** Vinyl siding is overwhelmingly the material of choice in the Northeast (81 percent); it's also the number one choice nationally (38 percent), but stucco is a strong second (22 percent).

**SIZE Then:** Twenty-four percent of all new homes (and 33 percent in the Northeast) had less than 1,200 square feet in floor space, while only 13 percent (11 percent in the Northeast) topped 2,400 square feet. **Now:** A mere 4 percent of new homeowners, both nationally and regionally, make do with less than 1,200 square feet. Almost half of all homes nationally (48 percent) and more than a third regionally (39 percent) boast more than twice as much space.

**BEDROOMS Then:** Three bedrooms was the norm, accounting for 64 percent of all new homes nationally and 58 percent of homes in the Northeast. **Now:** The percentage of new homes with fewer than three bedrooms is pretty much the same, going from 13 percent to 11 percent nationally and rising a bit from 15 percent to 17 percent in the Northeast. But bigger houses are getting bigger: Those with more than three bedrooms rose from 23 percent to 37 percent of the total nationally and from 27 percent to 39 percent in the Northeast.

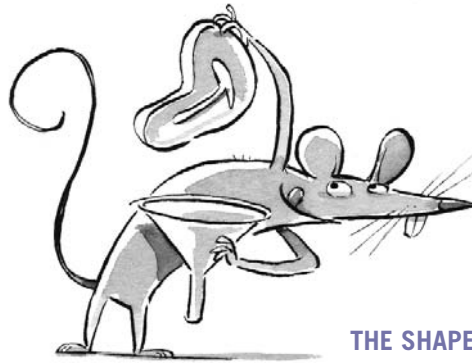


**BATHROOMS Then:** This is one of the few areas where houses in the Northeast are more extravagant than those elsewhere. In 1974, only 19 percent of the new homes nationwide, but 24 percent of those in the Northeast, had more than two bathrooms. **Now:** Fifty-seven percent of new homes in the US have more than two bathrooms, but in the Northeast that figure is up to 74 percent.

**AIR CONDITIONING Then:** Still a regional phenomenon, central A/C was in 48 percent of new homes in the US but in only 16 percent in the Northeast. **Now:** Freon (and, increasingly, the more environmentally friendly Puron) flows in almost all new homes—90 percent of those in the US and 82 percent of those in the Northeast.

**HEATING SYSTEMS Then:** Nationally, electric heat was on the rise, warming 49 percent of all new homes. While electricity was also the most common form of heat in new Northeastern homes (38 percent), good old oil wasn't too far behind (32 percent, vs. 9 percent nationally). **Now:** Gas heat reigns supreme, fueling 69 percent of all new homes in the US and 73 percent of new homes in the Northeast.

**FIREPLACES Then:** Despite a reputation for harsh winters, fireplaces were actually less common in new homes in the Northeast (47 percent) than at the national level (49 percent). **Now:** Hearths are making a comeback here. Sixty percent of new homes in the Northeast have at least one fireplace, compared with 55 percent nationally.



## THE SHAPE OF HOMES TO COME

You can now visit one Web site to find out just how complicated it is to build in the Boston area. The Pioneer Institute and Harvard's Rappaport Institute for Greater Boston have jointly compiled a Housing Regulation Database ([www.pioneerinstitute.org](http://www.pioneerinstitute.org)), which catalogues all the zoning, wetlands, and septic regulations in 187 Bay State communities within 50 miles of Boston (but not the Hub itself). "I had no idea just how gargantuan the task would be," says project manager Amy Dain. "Not only do the same terms mean dramatically different things in different communities, but also many regulations lack sufficient definitions or include frustratingly vague wording."

Among other findings, Dain and her fellow researchers discovered 10 communities that do not allow any multifamily housing (Bridgewater being the largest), and nine more that allow multifamily units only if they are limited to residents over a certain age (Marshfield being the largest). Accessory apartments are explicitly allowed in 107 communities, but 57 of them have restrictions on who can live in such homes (hence their nickname, "in-law apartments"). Developers may complain about state regulations that affect homebuilding, but on some matters the suburbs are even tougher. More than two-thirds (131 cities and towns) have local wetlands laws that regulate activities or areas not covered by the state's Wetlands Protection Act, and 109 communities have local septic regulations that are more restrictive than the state's Title 5 rules.

Perhaps the most vertiginous section of the report accompanying the database is on "Lot and Structure Dimensions," which include prohibitions on oddly shaped lots. Some towns require lots to conform to mathematical equations, such as Carlisle's " $16a/(p^2) \geq .4$ ," where  $a$  is the total lot area and  $p$  is the perimeter. Boxford deems a lot to be irregular if its area is "less than 50 percent of the area of a square lot of the same perimeter." Other towns are less confusing, if more ambiguous. For example, Millbury does not allow "pork chop, rattail, or excessively funnel-shape or otherwise unusually gerrymandered lots."

## UPS AND DOWNS FROM 9 TO 5

It's a law of science that all elements expand when exposed to heat. Cities and towns, however, each have their own reaction to the rising sun on a workday. Lowell and Lynn get smaller and sleepier as the morning progresses, while Waltham and Woburn get a jolt from an influx of commuters.

By tracking the movement of working adults in and out of communities, the US Census Bureau recently came up with daytime populations for 124 places in the Bay State, based on data from 2000. ("Places" include all incorporated cities, plus the urban sections of larger towns.) The daytime population change due to commuting was highest in the resort district of Orleans (up 105 percent, from 1,700 to 3,500), the shopping mecca of Burlington (up 95 percent, from 23,000 to 45,000), and the business district of Falmouth (up 75 percent, from 4,100 to 7,200). In raw numbers, however, the biggest magnets for commuters were still Boston (up 41 percent to 830,000) and Cambridge (up 58 percent to 160,000), which passed Lowell to become the state's fourth biggest city during working hours.

As for places that clear out the most during the day, North Amherst (down 40 percent), Hull (down 37 percent), and Arlington (down 36 percent) were among the leaders. But the biggest loss numerically was in Somerville, which fell from 77,000 to 55,000 during the day.

The most perfectly balanced place was, appropriately, Middleborough Center, whose daytime population (6,910) was almost exactly the same as its evening population (6,913). But there was still plenty of traffic in and out of the area, as 83 percent of the residents with jobs worked elsewhere. Outside of the island of Nantucket, the most self-contained community seemed to be Pittsfield, where 69 percent of the residents with jobs worked within the city limits.



## Cellar dweller

Which comes first, people or houses? Massachusetts ranked a pitiful 48th in the increase of its housing supply from 2000 to 2004, but since the state ranked 44th in population growth, it can be argued that supply isn't that far behind demand. Nationally, there were 6.8 million additional units for a population growth of 12.2 million, or one new house for every 1.8 new citizens. Here, there were 50,000 additional units for a population growth of 67,000, or one new house for every 1.4 new residents. The idea of a housing crunch may seem all the more puzzling when one looks at population change among 25- to 44-year-olds. (Over the course of this age category, homeownership rates rise from roughly one-third of the population to more than two-thirds.) All but four states recorded a loss of residents in this prime homebuying cohort, as members of the baby boom generation have moved into middle age; in Massachusetts, the decrease amounted to 215,000 people. Considering that the nation's under-25 population rose by only 1.6 percent over the same period and actually fell by 0.8 percent in Massachusetts, will housing construction eventually lead to a housing glut?

Not necessarily. Housing demand is partially fuelled by an increase in single-person and childless households, the result of people marrying later and living longer. In Massachusetts, we must also ask whether a tight housing market is a self-fulfilling prophecy. In other words, is the small number of new homes a cause, rather than a symptom, of our stagnant population? The paucity of new homes in Massachusetts, along with Connecticut, New York, and Rhode Island, may keep property values high, but they may also make it tougher to attract people who are hoping to own a home. It's notable that Michigan, New Jersey, Ohio, and Pennsylvania all saw their 25-44 populations drop by more than 10 percent and are still building houses at a much faster pace than we are. But job growth has been sluggish in almost every state during the first half of this decade, so it's hard to tell whether more—and presumably more affordable—housing can boost a state's economy. If the Rust Belt's economy surpasses that of the Northeast over the next few years, we'll have an answer.

—ROBERT DAVID SULLIVAN

### INCREASE IN TOTAL HOUSING STOCK, 2000-04

RANK/STATE	INCREASE IN HOUSING UNITS	% CHANGE IN HOUSING UNITS	% POPULATION CHANGE	% CHANGE, AGE 25-44
1. Nevada	148,989	18.0	16.8	9.2
2. Arizona	269,042	12.3	12.0	2.2
3. Georgia	390,811	11.9	7.8	0.3
4. Colorado	202,448	11.2	7.0	-2.2
5. Utah	80,134	10.4	7.0	6.1
6. Florida	706,319	9.7	8.8	-6.1
7. Idaho	50,949	9.7	7.7	-2.3
8. North Carolina	337,744	9.6	6.1	-3.6
9. Texas	689,171	8.4	7.9	-0.9
10. South Carolina	137,096	7.8	4.6	-5.6
11. Virginia	212,395	7.3	5.4	-6.8
12. Delaware	24,376	7.1	6.0	-4.9
13. Minnesota	146,749	7.1	3.7	-8.3
14. Tennessee	155,627	6.4	3.7	-5.1
15. Washington	155,541	6.3	5.3	-5.8
16. Indiana	158,292	6.3	2.6	-9.1
17. Wisconsin	142,645	6.1	2.7	-10.0
18. South Dakota	19,413	6.0	2.1	-12.3
19. New Mexico	44,961	5.8	4.6	-8.0
20. Oregon	82,657	5.7	5.1	-5.1
21. Kentucky	91,853	5.2	2.6	-6.6
22. New Hampshire	28,647	5.2	5.2	-10.0
23. Arkansas	60,161	5.1	3.0	-7.2
24. Mississippi	59,288	5.1	2.0	-6.3
25. Missouri	122,337	5.0	2.8	-8.0
26. Iowa	60,446	4.9	1.0	-11.6
27. Maryland	105,050	4.9	4.9	-8.5
28. Nebraska	35,074	4.9	2.1	-10.1
29. Hawaii	22,331	4.8	4.2	-12.8
30. Alabama	95,117	4.8	1.9	-7.8
31. California	590,152	4.8	6.0	-4.1
32. Kansas	53,719	4.7	1.7	-10.1
33. Michigan	198,766	4.7	1.8	-10.7
34. Illinois	208,442	4.3	2.4	-8.2
35. Alaska	10,570	4.1	4.5	-11.8
36. Louisiana	72,685	3.9	1.0	-8.9
37. Wyoming	8,783	3.9	2.6	-11.2
38. Oklahoma	58,356	3.9	2.1	-7.3
39. North Dakota	11,136	3.8	-1.2	-14.6
40. Ohio	183,680	3.8	0.9	-11.6
41. Maine	24,766	3.8	3.3	-12.2
42. Vermont	9,909	3.4	2.1	-13.2
43. New Jersey	104,465	3.2	3.4	-10.1
44. West Virginia	22,318	2.6	0.4	-11.1
45. Pennsylvania	135,978	2.6	1.0	-14.4
46. Montana	10,629	2.6	2.7	-11.8
47. Connecticut	28,436	2.1	2.9	-13.6
<b>48. Massachusetts</b>	<b>50,068</b>	<b>1.9</b>	<b>1.1</b>	<b>-10.8</b>
49. New York	140,052	1.8	1.3	-9.6
50. Rhode Island	6,468	1.5	3.1	-10.2
US total	6,766,796	5.8	4.3	-7.9

# Flat growth

Whether because of “smart growth” policies or market forces, multifamily housing seems to be making a comeback in the Bay State. By 2004, Massachusetts had almost caught up to the rest of the US in granting permits for new housing units, but the construction recovery was almost entirely due to condos and apartments rather than single-family homes. A total of 22,477 new residences were given the green light by local governments in the Bay State in 2004, up from an even 18,000 four years earlier. But the increase in the number of new single-family homes was only a blip, from 14,199 to 14,842. Meanwhile, attached units more than doubled, from 3,801 to 7,635, and the increase in units in buildings with at least four other flats was even more dramatic, from 2,771 to 6,195.

During this period, single-family homes dropped from 79 percent to 66 percent of all new housing units in Massachusetts—the opposite of the national trend, where single-family homes rose from 75 percent to 78 percent. As a result, the Bay State’s middling rank overall can be separated into a strong 9th in terms of adding multi-unit housing and a poor 46th in terms of producing single-family homes. New Hampshire and Vermont posted even more dramatic gains in new apartments alongside weak gains in single-family houses, but in 2004 single-family homes still made up 81 percent of all new housing in New Hampshire and 75 percent in Vermont. (New York was the only state where multi-unit housing actually made up a majority of new construction.)

The numbers change depending on what year 2004 is compared with, but the story is essentially the same. The modest gain in permits for single-family homes shown on the chart here turns into a decrease of 4 percent if we look at the numbers from 1999 through 2004, against an increase of 118 percent for attached units. And from 1994 through 2004, the number of new single-family units in Massachusetts went down by 10 percent (for a ranking of 48th), but the number of attached units soared by 383 percent—easily the highest jump in the nation.

—ROBERT DAVID SULLIVAN

## ANNUAL PERMITS FOR NEW HOUSING, 2000-04

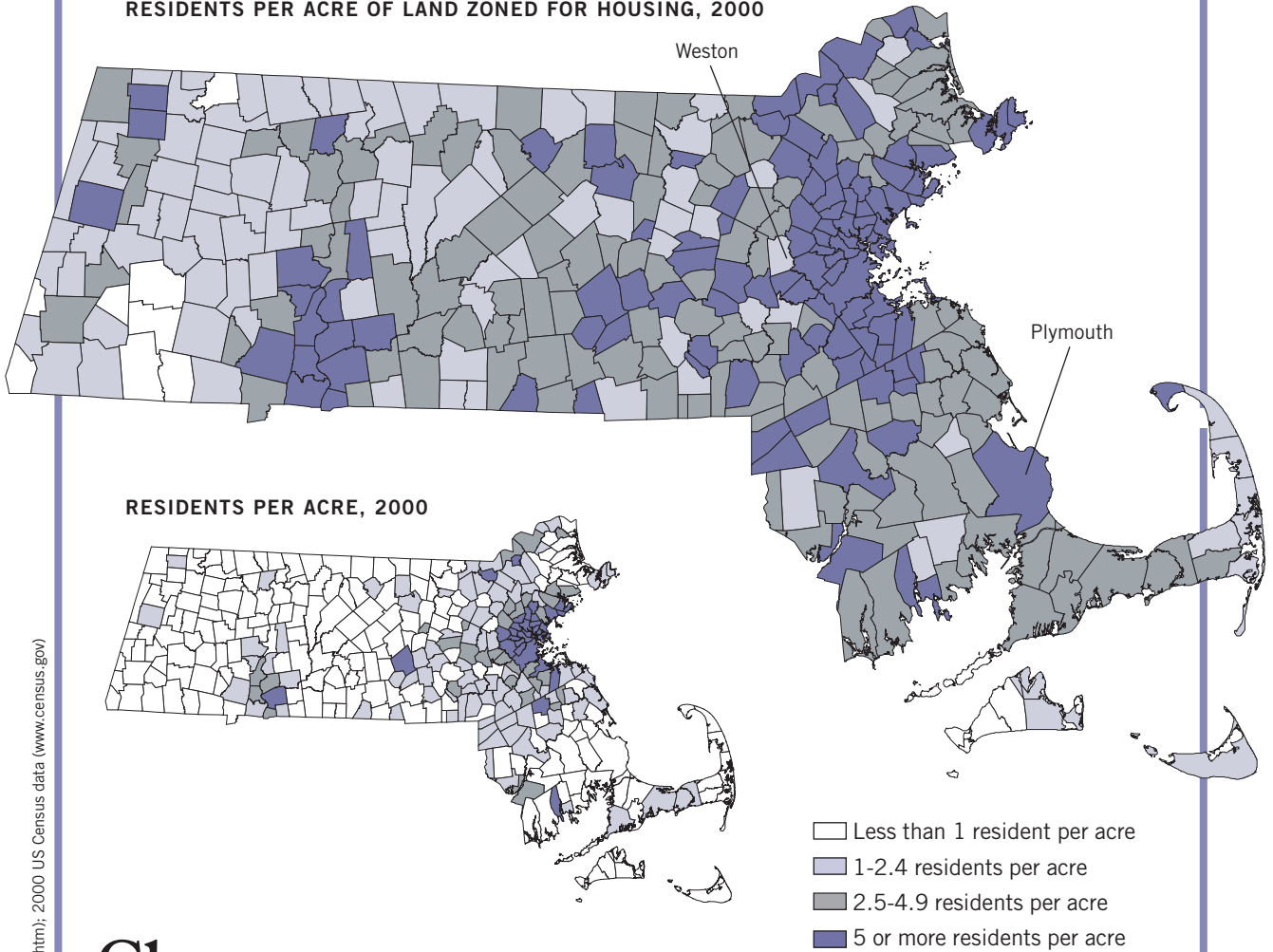
RANK/STATE	% CHANGE IN TOTAL PERMITS*	% CHANGE FOR SEPARATE UNITS** (RANK)	% CHANGE FOR ATTACHED UNITS (RANK)
1. Wyoming	104.1	90.8 (4)	228.8 (2)
2. Montana	93.4	118.7 (1)	53.9 (15)
3. North Dakota	88.4	98.7 (2)	73.6 (11)
4. Hawaii	84.2	31.7 (28)	427.9 (1)
5. Arkansas	71.3	51.3 (10)	132.3 (6)
6. Delaware	70.4	92.4 (3)	-53.2 (49)
7. Florida	64.8	76.1 (5)	40.2 (19)
8. Idaho	63.6	56.0 (7)	122.5 (7)
9. Louisiana	53.5	54.8 (8)	43.0 (18)
10. Arizona	47.4	65.4 (6)	-22.0 (45)
11. Oklahoma	47.1	54.1 (9)	21.6 (27)
12. Alaska	45.9	10.2 (41)	152.2 (5)
13. Alabama	43.2	46.0 (14)	32.8 (22)
14. Vermont	42.5	21.5 (36)	200.3 (3)
15. California	42.5	44.3 (16)	37.6 (20)
16. New Mexico	41.6	42.5 (19)	29.8 (23)
17. West Virginia	39.7	46.7 (13)	-9.6 (39)
18. Maine	39.1	37.2 (23)	63.6 (13)
19. Nevada	37.6	50.9 (11)	-14.8 (43)
20. Oregon	37.4	32.7 (27)	54.6 (14)
21. Utah	36.1	35.8 (25)	38.0 (21)
22. South Dakota	35.8	43.8 (18)	11.8 (29)
23. Tennessee	34.4	48.8 (12)	-10.8 (42)
24. South Carolina	31.6	44.9 (15)	-10.1 (40)
25. Texas	30.6	33.3 (26)	21.6 (26)
26. Virginia	30.6	23.2 (33)	64.6 (12)
27. Iowa	29.5	44.3 (17)	-1.6 (34)
28. New Hampshire	29.0	14.2 (39)	183.2 (4)
29. Missouri	28.4	38.4 (22)	0.4 (32)
30. Washington	26.9	41.9 (20)	-1.4 (33)
31. Minnesota	26.8	26.6 (30)	27.4 (24)
32. Connecticut	26.3	13.5 (40)	111.3 (8)
<b>33. Massachusetts</b>	<b>24.9</b>	<b>4.5 (46)</b>	<b>100.9 (9)</b>
34. Mississippi	23.7	39.4 (21)	-9.0 (38)
35. Kentucky	21.8	23.7 (32)	13.8 (28)
36. New York	21.0	0.5 (47)	45.2 (16)
37. Pennsylvania	20.8	20.1 (38)	24.2 (25)
38. North Carolina	18.8	30.6 (29)	-17.5 (44)
39. Nebraska	18.4	36.8 (24)	-27.9 (47)
40. Georgia	17.2	26.4 (31)	-10.2 (41)
41. Wisconsin	16.0	22.1 (35)	1.3 (31)
42. Illinois	14.2	21.1 (37)	-4.2 (35)
43. Kansas	5.2	23.1 (34)	-46.1 (48)
44. Michigan	4.3	6.8 (43)	-7.2 (37)
45. New Jersey	3.9	-11.2 (48)	44.9 (17)
46. Indiana	2.7	4.9 (45)	-6.0 (36)
47. Ohio	0.7	7.8 (42)	-22.1 (46)
48. Rhode Island	-2.5	-15.7 (50)	85.0 (10)
49. Maryland	-9.8	-14.2 (49)	11.5 (30)
50. Colorado	-15.0	5.3 (44)	-64.1 (50)
US total	28.9	33.3	15.6

\*Statistics are based on the responses of local permit officials to mail surveys conducted by the Census Bureau. Figures do not include construction outside of incorporated areas with permit requirements. (Such activity accounts for less than 3 percent of all construction nationally and is nonexistent in Massachusetts.)

\*\*Includes most townhouses and all attached units that are “separated from the adjacent units by a ground-to-roof wall” and that have independent heating and plumbing systems.

# HEAD COUNT

RESIDENTS PER ACRE OF LAND ZONED FOR HOUSING, 2000



## Close quarters

Population density is a standard yardstick of development, but assessing it is trickier than it seems. According to the standard measure of density, communities in southeastern Massachusetts seem to have a lot of elbow room (see smaller map). For example, as of early 2000, fast-growing Plymouth was still more sparsely populated than the MetroWest suburb of Weston, with 0.84 people per acre vs. 1.06 people per acre, making it seem like a textbook case of land-gobbling sprawl. When considering only the parts of communities where people could live, however, the South Shore was no different than the rest of metropolitan Boston, with only a few towns standing out for large gaps between houses. As shown in the larger map, if you count only land that is zoned for residential use—ignoring such things as office parks, retail districts, recreation areas, and cranberry bogs—Plymouth, which covers more land area than any other city or town in the state, was more than twice as crowded

as Weston. Under the switch to “real” density, America’s Hometown rose from 172nd to 113th in population density among the state’s 351 communities, with almost exactly 5.0 people per acre. Weston, with only 2.4 people per acre, fell from 148th to 253th.

While 29-people-per-acre Somerville was the most densely populated community in Massachusetts overall, Chelsea took that title, with 67 people per acre, after subtracting the 33 percent of the land area zoned for industrial use (the highest such percentage in the state). Taking out the part of Provincetown that falls within the Cape Cod National Seashore, that community rose from 208th to 66th in density. Conversely, Arlington, a suburb west of Boston, falls from 12th to 20th because it ranked first in the share of its area zoned for residential use (75 percent) and had little land to exclude when figuring real density.

—ROBERT DAVID SULLIVAN



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# Playing it smart

*Fear of 40B hastens approval of a condo project at the Natick Mall*

BY NOAH SCHAFFER

NATICK—Where Wonder Bread was once baked, 220 luxury condominiums will soon rise, just steps from an expanded Natick Mall. Town meeting members approved the necessary zoning changes with unusual speed in October, undoubtedly with an eye toward the millions of dollars that Natick will reap from tax revenues and mitigation payments. But fear may have also been a factor. Some voters are haunted by South Natick Hills, where a proposal for a country club and over-55 housing was blocked by town meeting only to be replaced by one of several ambitious housing proposals that may be impossible to fight because of the state's anti-“snob zoning” law, Chapter 40B.

“People had the NIMBY mindset,” says town meeting member Ken Goldman. “They thought that if they pushed hard enough, nothing would get developed. The reality is that, of course, it will be developed by someone.”

Part of the NIMBY mindset can be attributed to the fear that new housing could mean new burdens on the town's public school system, a risk that Goldman says is associated with just about any residential development. “But it's a slight risk with this one,” he says, referring to the Natick Mall condos, “as opposed to 220 single-family homes. I think the town meeting members thought that this met the balance between developing enough to keep things vibrant [and] making the town wall-to-wall people.”

As for increased traffic? “Two hundred and twenty cars? That's not even

a sale at Filene's,” he says.

Referring to the dense area around Routes 9 and 30 that encompasses the Natick Mall and Shopper's World in Framingham, planning board chairman George Richards III says the proposed condo would be “the first time that housing has been allowed in what is called the ‘golden triangle.’” Besides the new homes, the town has also approved a plan for more retail space on a parcel of land occupied by a Wonder Bread factory from 1964 until its closing in 1997.

In many ways, the condo development, still unnamed at press time, fits the definition of “smart growth,” a concept that has strong state support but has been a tough sell to many Bay State communities. (For one example in Kingston, see “Growth Smarts,” Town Meeting Monitor, CW, Winter '03.) General Growth Properties, the development company that owns the

existing Natick Mall, points to the large number of units that it will build on just two acres, calling the project an anti-sprawl measure.

Smart Growth Alliance president Kristina Egan isn't ready to give that, or any other project, her seal of approval, but she says that “building compactly is one element” of sprawl fighting. “The location of the development is the main indicator of whether a project is smart growth,” she says. In terms of the site they would occupy, the Natick Mall condos would seem to pass muster, as they will be built on industrial land that has been empty since Wonder Bread's departure. Access to public transportation, however, is not one of the project's strong points. The nearest commuter-rail stops, at Natick and West Natick, are each more than a mile away, and the MBTA does not provide bus service to the town. A town-operated bus seems geared toward retail workers and daytime shoppers, as the last bus to the mall leaves the Natick train station at 4:25 p.m.

Smart growth or not, one of the reasons town meeting members give for supporting the condo project, and allowing 120-foot buildings in an area zoned with a height limit of 80 feet, is that it is not likely to lead to growth in public school enrollment. (In November, Gov. Mitt Romney signed legislation directing the state to reimburse communities for increased education costs associated with housing development, but only in formally designated smart-growth districts.)

But Aaron Bartels, senior director

of development for General Growth Properties, says the new units will be marketed to empty nesters and childless professionals who want to live in Natick without the expense of a single-family house. According to Bartels, 95 percent of those who have placed deposits for the condos have no children living at home.

And General Growth doesn't seem to have any problem finding prospective buyers for the units, even though they won't be completed until after the addition to the mall is opened for business in late 2007. Bartels says that 250 people have already put down \$1,000 refundable deposits for the condos, which will cost "from the high \$300,000s to over \$1 million for a penthouse." The heart of the \$100 million project will be two 120-foot residential towers; project spokesman Ernie Corrigan says some units may also be placed above a parking lot. Each condo owner is slated to get two parking spots.

Some town meeting members say they trusted that the planning board had gotten the town a good deal after months of negotiation with the mall's owners. "The revenue helps our tax base," says town meeting member Jeanne Williamson Ostroff. Indeed, thanks to the new condos and retail space, the mall's current \$2.2 million annual municipal tax bill is expected to double.

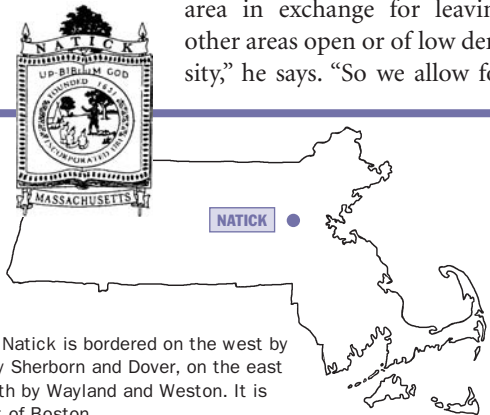
The deal worked out by the planning board also calls for the developer to pay almost \$12 million for mitigation of the condos' effects. The first \$1 million will help beef up police and fire protection for the area's new residents. Between \$8.8 million and \$9.3 million will go toward 35 and 48 affordable housing units, with prices ranging from \$150,000 to \$190,000, depending on whether General Growth puts them onsite or elsewhere in town. The planning board is pro-

viding a financial incentive for the developer to build them off-site—ideally, downtown, where residents would have more transportation options. (There's also a \$1 million payment to next-door Framingham, which sued to stop the retail expansion. The town backed off when General Growth agreed to pay the money for traffic and sewer improvements. One person involved with the negotiations quips that the terms were, "if you mitigate, we won't litigate.") The final \$1.8 million will go to the Natick Open Space Fund, which

without the payments. "Natick is relatively built out," says planning board member Julian Munnich. "We're only 16 square miles, and much of that is taken up by lakes, streams, and things like the Mass Turnpike. We need the growth, but we have nowhere to put it."

Munnich says directing payments to the Open Space Fund is a variant of transferable development rights, a concept that is rarely applied in Metro-West towns. "It's a planning concept by which we allow development in one area in exchange for leaving other areas open or of low density," he says. "So we allow for

**NATICK**  
**Incorporated:** 1781  
**Population:** 3,170  
**Town Meeting:** Representative



**FACTS:**

- ◆ Covering 16.1 square miles, Natick is bordered on the west by Framingham, on the south by Sherborn and Dover, on the east by Wellesley, and on the north by Wayland and Weston. It is approximately 18 miles west of Boston.
- ◆ The median sale price for a single-family home in 2005 (through October) was \$440,000, up from \$298,000 in 2000, according to the Warren Group. The median sale price for a condo was \$240,000, up from \$131,000. In 2000, the median household income was \$69,755.
- ◆ The hometown of Boston College football hero Doug Flutie, Natick has one of the more unusual street names in the Commonwealth: Flutie Pass.

is used to buy land and protect it from development.

The payment to the Open Space Fund came up late in the negotiations, and such a contribution had never been demanded from a residential developer in Natick before. Retail developers have paid \$20 per square foot into the fund, and the town initially asked the same rate for the condo development, much to Bartels's surprise. General Growth had been expecting the demand for affordable housing, but Bartels says, "We felt strongly that we couldn't support the full [Open Space] payments and still make the project viable."

But the town's planning board was insistent, and threatened to recommend a "no" vote on zoning changes

higher density in areas like Route 9 in exchange for these payments, which will fund keeping open space in other areas of the town."

The two sides eventually reached a compromise of \$10 per square foot for the condo project, along with the \$20 rate for the retail expansion. "It seemed like a reasonable discount," says planning board chairman Richards. (The payment resulting from the addition to the mall will total \$4.4 million.)

Some may marvel at the ability of the town to squeeze more money from the developer, but Bartels puts the best face on the agreement, saying, "What we came up with was a mutual compromise for both sides." Of course, the fact that General

Growth was already accepting deposits for the unbuilt condos may have made the developer more willing to negotiate.

When the article of zoning changes came up at town meeting on October 27, it was quickly, and nearly unanimously, approved. (A November 17 planning board meeting, when components of the Natick Mall project were approved, didn't attract a single resident.) Instead, much of the October meeting was spent talking about another project—one that never got off the ground, but may have been a precursor to a host of developments that may be, from the local perspective, even less savory.

Goldman was one of several town meeting members who rose to remind people of South Natick Hills, and the

lesson he thinks should be drawn from it. Four Seasons, the would-be developer of an age-restricted housing community and country club on that site, gave up after the project became deadlocked in town meeting. But neither that nor the approval of the Natick Mall condos was sufficient to keep the development wolves from Natick's door. "Now we have something far worse going there," said Goldman, referring to a 300-unit housing complex now being proposed for the site.

By promising to include affordable housing, the new developer, Pulte Homes Co., is taking advantage of Chapter 40B, the state law that overrides most zoning restrictions in towns where less than 10 percent of the housing stock is deemed affordable. In Natick, only about 5 percent of housing units meets that criterion. (At press time, a dispute over whether

hearings on the South Natick Hills project were properly scheduled by the town was pending before the state Housing Appeals Committee. The developer claimed that the town's failure to schedule timely hearings means that the project can go ahead without local approval.) At the same time, the town was in court trying to stop or reduce the size of two other proposed 40B projects: the Cloverleaf Apartments, a 183-unit complex to be built on the other side of Speen Street from the Natick Mall; and a Grant Street project that would cover 55,000 square feet. As if this weren't enough activity, the Trask development company proposed yet another 40B project in November. Hunters Hill would include 300 units on South Main Street, less than a mile from South Natick Hills.

"There is nobody who likes the 40B project at South Natick Hills because

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while we understand the need for affordable housing, the density is so high and the risks are so high for increasing the school load," says Goldman. "People are just looking at it, saying this is the worst of all bad alternatives." In contrast, he says, the Four Seasons proposal was "the least offensive" way of developing the site.

Not everyone in town agrees. "What is being offered isn't necessarily worse at all," says Munnich. "What had been first proposed is exactly what 'smart growth' is supposed to oppose: sprawl. It was 50 acres being chewed up with what was purported to be high-end housing, but was really a hodgepodge of townhouses spread across a countryside. The proponents

## By adding residents without kids, the town may be planting a civic time bomb.

called it a country club and sports facility, but really it was a large commercial banquet and event facility masquerading as a sports club. The traffic generation numbers absolutely overwhelmed what this current proposal is putting forth."

While the current South Natick Hills proposal still draws some grumbles, the Natick Mall condos were more widely supported, in part as a way to chip away at Natick's 40B deficit—and perhaps head off more projects like South Natick Hills. Ironically, the relative lack of controversy may be due to its location at a sprawling, upscale retail center with little public transportation, rather than in the center of town.

Still, some town meeting members are now wondering whether some issues didn't get enough discussion. "The mall is addressing some of the traffic issues in the area, but not the Oak Street intersection with Route 9, which is near where I live," says Ostroff. Similarly, no questions were asked in October about what the condos will mean for the school sys-

tem. Bartels says the impact will be negligible: "There have been several studies that have shown these kinds of condos attract people who are not going to add children to a school system." But Goldman is not totally sold on this reasoning.

"The question could have been raised whether people who live in traditional detached housing in Natick would move into these condos, meaning that their houses would turn over, causing an increase in the school load," says Goldman. "That would have been a more important thing to talk about than the traffic. It's something that Natick is nervous about, because the schools have a capacity issue."

Munnich worries more that, by attracting new residents who have no children to send to the Natick schools, the town has planted a ticking civic time bomb in its midst. "They will not be putting their kids through the schools," says Munnich. "They are less likely to think that parks and recreation is an important part of the budget, or to turn out for a town election unless it is a straight tax vote. They are less likely to support a Proposition 2½ override to build a new high school. If we built four or five more of these, we might have to start asking about the less comfortable social issues of the town, and have some conversations that could be very awkward."

So it appears that condos are coming to the Natick Mall. What they will mean for the town as a whole remains an open question. But for the empty nester looking to live within steps of Nordstrom, they could be a dream come true. ■

*Noah Schaffer is news editor of Worcester Magazine.*

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# House RULES

Can the state's new smart-growth plans give would-be homebuyers a fighting chance? Maybe. But don't bet on it.

BY MICHAEL JONAS

PHOTOGRAPHS BY MARK OSTOW

Talk long enough to anyone about the high cost of housing in Massachusetts and the conversation usually gets around to the same illustration of just how tough things have gotten: In more and more places, not just the priciest ones, police officers, teachers, and other mainstays of municipal life can no longer afford to buy a home in the communities they serve.

That makes Jeff Convery the poster child for a housing market gone awry. The 37-year-old father of three grew up in Framingham and today teaches history at Framingham High School, from which he graduated in 1986. With two children still preschoolers at home, Convery's wife, Barbie, is working only part-time, at night. On Convery's teaching salary of about \$50,000, plus his wife's modest earnings, "prices are just far too high to afford a mortgage," he says. The median sale price of a single-family house in Framingham over the first nine months of last year was \$380,000, up nearly \$18,000 from 2004. The Converys are now looking into a state-assisted program designed to address precisely their predicament. The Municipal Mortgage Program helps municipal workers buy homes with little or no down payment. For now, though, they're stuck paying \$1,400 a month in rent for a house in Framingham billed as a three-bedroom but which Jeff Convery says is closer to "two and a half."

"It's frustrating, but I don't want it to sound like bellyaching, either," says Convery. "I made a choice to start a family. I chose a profession, coming from a family of educators, that I knew wouldn't be making a lot of money." But Convery knows things are far different for him than they were for his father, a retired Framingham school principal who started out as a classroom teacher, was able to buy a comfortable home in the town where he taught, and raised six children there.

"People who play by the rules and get an education and get a job ought to be able to have a decent place to live," says Clark Ziegler, executive director of the Massachusetts Housing Partnership, the statewide affordable housing agency that runs the mortgage program for municipal workers.



*A condo development rises in Wakefield, two blocks from the commuter rail station.*



But many of those playing by the rules now find the door closed to the bedrock definition of the American dream. Four years ago, Nicolas Retsinas, director of Harvard's Joint Center for Housing Studies, told *CommonWealth* that the inability of those like Convery to translate education and hard work into homeownership "threatens a fundamental social contract" (See "Anti-family values," *CW*, Spring '02).

Greater Boston home prices rose by roughly 10 percent or more each year for seven consecutive years to 2004, when the median price of a single-family home sold in the area was \$376,000. In only 27 of the 161 cities and towns in Greater Boston could a family earning the median income in that community afford a house at the median price of homes sold there in 2004, down from 59 communities only a year earlier. The red-hot real estate market shows some signs of cooling, but the 3 percent price drop in the coming year predicted by some analysts won't be enough to put many teachers and firefighters into homes.

"What's fundamentally awry is the disconnect between housing markets and labor markets," says Retsinas. It's important to correct the mismatch between salaries and home prices, he says, "not just because it's the right thing to do in terms of social equity, although I think it is, but [because] it relates to the larger functioning of our society and our economic competitiveness."

Indeed, business leaders point to the high cost of housing as perhaps the single greatest threat to the Massachusetts economy, which depends heavily on human capital to drive its knowledge-based industries. "You try to recruit somebody from St. Louis—they can't afford to live here," says Stanley Lukowski, CEO of Eastern Bank, who chairs a housing task force for the Greater Boston Chamber of Commerce. "We clearly have a marketplace in Massachusetts in which it has become very difficult for the people who [already] work for us to find reasonably affordable housing, let alone to find people to recruit from outside the area."

And it hasn't gotten that way by accident. Across the Greater Boston region, communities have used nearly every tool at their disposal to resist the pressure to build more housing, putting a squeeze on the supply pipeline that has helped drive the run-up in home prices (see "The price is (not) right," page 99). Communities have markedly increased their lot-size requirements, so that new houses can only be built on one-, two-, even three-acre parcels of land in some communities. Many municipalities have used their regulatory powers to impose rules governing septic systems and wetlands that are far more stringent than those in state law. And 53 communities in Greater Boston now have some type of growth-control bylaw that simply caps the number of housing permits given out annually.

"We have a situation here not of market failure, but of regulatory failure," says Greg Peterson, a Boston land-use attorney.

In recent years, consensus has been growing that in order to address the crisis of high-cost housing the state needs to address that regulatory failure in a way that will dramatically alter the pace and pattern of development. Voices from government, business, and the advocacy world all say that Massachusetts needs to produce far more housing in order to satisfy demand and temper torrid price appreciation. And in trying to meet that demand, they say, the state must reverse the development pattern produced by large-lot zoning, which is gobbling up land at a fierce rate and threatening the classic New England character of our cities and towns.

To hear state leaders tell it, they have such a plan, one that addresses the housing squeeze and the squeeze on open space all in one fell swoop. The only catch: It's not clear that anybody is listening.

### **CATTLE RANCHER GOES GREEN**

In out-of-state speeches, one of Mitt Romney's leading laugh lines has been telling Republican crowds that, as the GOP governor of overwhelmingly Democratic Massachusetts, he sometimes feels like a cattle rancher at a vegetarian convention. But when it comes to growth and development, cattleman Romney has practically gone vegan.

On these issues, "smart growth" has emerged as the driving philosophy of the Romney administration. At practically every turn, administration officials tout the central tenets of the planning community's answer to sprawl: concentrating development near transit stops, bringing residential development to city and town centers to mix with commercial uses, and building housing at greater density—a back-to-the-future embrace of the look and feel of older neighborhoods, which also spares from development land farther from city and town centers.

In mid-September, addressing a state-sponsored smart-growth conference in Worcester, Romney said that, while he's "a big believer in the private sector," it's important to

appreciate how the rules government sets for the market can have a dramatic impact, for good or bad, on the shape of private-sector development. To illustrate his point, Romney took the audience on mini-tour of US cities, with a running commentary he's unlikely to be repeating on the out-of-state Republican fund-raising circuit.

Of downtown Salt Lake City, where he spent several years overseeing plans for the 2002 Winter Olympics, Romney said that with its highway-wide eight-lane roadways (designed, he said, to be able to turn around a covered wagon), the "sense of community" one might desire is "very hard to achieve." The sprawling Houston area he described as "one strip mall after another"—a good place to shop, but not so much to live.

On the other hand, Romney said, Palo Alto, Calif., which was built under stringent zoning and design rules, right down to signage, has an allure—and a high-value commercial district—that businesses there surely appreciate today, even if they grumbled about the hoops they had to jump through to site their enterprises there. And Romney waxed almost poetic about the charm of Massachusetts city and town centers, sharing how he marvels each Monday morning at the elegant but tightly packed brownstones on Beacon Hill as he heads to the State House to start the work week.

Embracing that 19th-century image of Boston as a model of the way things should be, Romney has signed on to the newfangled smart-growth movement as the way to recapture that ideal and reverse the newer development patterns that threaten it. "I think there's a growing consensus among legislators and community leaders that the vision which we call smart growth is the right vision for the Commonwealth," Romney says in an interview.

The administration's smart-growth vision took hold even before Romney took office, when he tapped Doug Foy, at the time head of the Conservation Law Foundation, to lead a new "super secretariat," the Office for Commonwealth Development (See "The Sprawl Doctor," *CW*, Spring '03). The office oversees—and tries to integrate the actions of—three big arms of state government: the Executive Office of Transportation and Construction, the Executive Office of Environmental Affairs, and the Department of Housing and Community Development. Foy, who spent years advocating and litigating for smart growth through CLF, has seemed like a kid in a candy shop, using his sweeping authority to shape state policy, with Romney right behind him, ostensibly imposing parental restraint, but just as often, it seems, whispering to Foy to grab another fistful of sweets.

### **GETTING SMART**

What exactly would this smart-growth ideal look like on a grand scale? Economist Edward Moscovitch recently set out to answer that question.

Moscovitch, who runs a Gloucester-based economic



*Jeff Convery (left) teaches in Framingham but can't afford a house there.*

## By doubling production, average home prices could be reduced over the decade from \$400,000 to \$314,000 in current dollars.

consulting firm, sought to quantify the impact of a sharp increase in housing production coupled with a dramatic reduction in the amount of land used per unit of housing. By roughly doubling production levels in the corridor between Route 128 and I-495, where much of the growth pressure in Massachusetts has occurred, Moscovitch projected that average home prices could be reduced over the next decade from roughly \$400,000 to \$314,000, in current dollars. Such a ramping up of production, according to Moscovitch, would not lead to an actual drop in prices. Rather, it would temper the rate of appreciation over time to a modest level, so that a \$400,000 house, which would be expected to rise in value to approximately \$600,000 by 2014 at current production levels, would instead be worth about \$450,000 in 2014 in a market with a significantly larger supply of housing.

As for land use, Moscovitch said this doubling of housing production, if done with a return to the roughly quarter-acre lot sizes that characterize older neighborhoods, could be achieved using half the land that would be consumed even by today's sluggish rate of production on the one-acre

parcels typically used for new construction in these towns.

Perhaps his most surprising finding was that, despite the push toward greater lot-size requirements by many communities, there was very little premium paid by homebuyers for that added land. In Ipswich, for example, his analysis of home sales since 2000 showed that for houses outside the town center, with lot sizes averaging about one acre, buyers paid only slightly more (\$199 per square foot of finished space) for houses than in the densely built center (\$191 per square foot), where lots average just one-quarter of an acre. In Andover, buyers

actually paid a premium for houses near the center of town, where lots were less than half the size of those in the rest of town. Even in Ipswich, with its slight premium paid for more land, Moscovitch calculated that an additional acre on an already large lot adds only \$9,600 to the price of a home.

"Why are we building homes on football fields if people aren't actually paying more for the added acreage?" Moscovitch asked at a November forum where he presented the findings from the study, which was commissioned by the Massachusetts Housing Partnership and the Boston Foundation. The inescapable conclusion, he says, is that these are not market-driven patterns of development, but rather the products of regulations aimed at curtailing housing growth in general, and more modest-sized housing in particular.

"We're achieving exactly the results we'd expect, given the policies we're following," he says.

### NUMBERS GAME

Dramatically reducing land consumption while building enough more homes to tame the rapid run-up in prices may be worthy aims, but getting to them is another matter. When he took office in January 2003, Romney set a goal of doubling the number of housing permits issued annually in the state. The results so far fall well short of that mark. Total housing permits rose from 17,465 in 2002 to 22,477 in 2004.

Administration officials have touted a much more dramatic increase in the subset of permits for multi-family housing, which indeed doubled, from 3,829 units in 2002 to 7,635 in 2004.

While certainly an improvement, these numbers hardly represent a rush of new housing, especially for families. Twenty-five percent of the housing units permitted in the in the Boston area during the three years from 2002 through 2004 came through the state's anti-"snob zoning" law, known as Chapter 40B, or as part of age-restricted developments where occupancy will be limited to residents age 55 or older. In the region's towns, as opposed to cities, that figure is 42 percent.

The 40B law has become one of the principal avenues for generating affordable housing in Massachusetts—and a flashpoint for suburban resistance to it. Under 40B, in cities and towns where less than 10 percent of the housing stock is deemed affordable by state standards, developers may skirt many of the zoning hurdles that communities use to review or restrict housing development. In exchange for streamlined approvals, the projects must set aside 25 percent of units as affordable for people earning not more than 80 percent of the median area income.

Local leaders across the region decry the law's impact on municipalities that are ill-equipped to absorb large-scale developments, at the same time complaining that 40B projects can throw a wrench into efforts to plan rationally for growth. State officials counter that communities can avoid 40B projects if they provide for affordable housing voluntarily, since cities and towns below the 10 percent affordable housing threshold are now allowed to reject any unwanted 40B proposal if they are adding at least 0.75 percent annually toward the 10 percent goal.

Meanwhile, the rise of age-restricted housing has set off alarms among housing advocates who worry that communities are favoring projects for young singles and empty-nesters at the expense of housing for families. Last summer, the Citizens' Housing and Planning Association, a statewide housing advocacy group, reported that more than 24,000 units of age-restricted housing had been built or permitted over the past five years, and that 30 communities had adopted specific zoning bylaws giving special consideration, such as added density, to age-restricted housing.

"It's not just about increasing the supply. The question

has to be asked, increasing the supply for whom, and where is the need greatest?" says Aaron Gornstein, executive director of CHAPA. "We're still seeing a tremendous gap in meeting the housing needs of low- and middle-income families in this state."

At the root of the resistance to housing development is



*Jeff Rhuda got to build condos in Wakefield by promising "no schoolchildren."*

a web of factors, ranging from concerns over the loss of open space to worries about clogged roadways. Perhaps the biggest concern expressed by local officials, however, relates to schoolchildren and the drain they can cause on already strapped municipal budgets. Local officials say the added property tax from a new house—particularly anything short of the supersized "McMansions" that are currently in favor with many zoning boards—does not cover the added education costs that come with children in those homes. That claim lies at the root of the endless maneuvers by Massachusetts communities to keep out new residential

development in general, but homes that could house schoolchildren in particular, moves that former state senator David Magnani once dubbed “vasectomy zoning.”

“Our housing policies, if you can call them policies, have become very anti-child,” says John Clifford, town administrator of Marshfield. “The general consensus is, any subdivision that could bring children to town will negatively impact the town’s finances. For a state that is losing population and losing younger population, that is a pretty damaging view.”

Says Kathy Bartolini, town planner in Framingham, “I joke that China at least has a one-child policy, because we don’t want any.”

Communities are acting in ways that are sound when it comes to the interests—and pocketbooks—of their own residents. But when bundled together, these prudent town-by-town decisions are making for a regional mess, say state officials, housing advocates, and conservation activists.

“There needs to be a system devised to steer them away from making those decisions,” says John Hamill, the chairman of Sovereign Bank New England, who chaired a recent commission examining the state of municipal finances in Massachusetts. “They’re making rational decisions that are hurting the Commonwealth.”

### TOO SMART FOR THEIR OWN GOOD?

Whether it’s changing the equation to make families with schoolchildren seem like potential assets to a community, not liabilities, or promoting the expansion of downtown business districts instead of more strip malls on the periphery of town, state officials say the choices we make in the coming years will have enormous consequences for the state’s economic vitality and the preservation of the attractive qualities of Massachusetts communities. Doug Foy likens the task of changing behavior and development patterns that have set in over several decades to “turning a supertanker.” But he says communities have nonetheless begun nudging the ship’s nose in the right direction.

Apart from Chapter 40B, the state has little direct power over development decisions in Massachusetts communities. But those same communities look to state government to fund a wide array of local needs, and Foy is determined to get something in return for the goodies state government hands out. The centerpiece of that effort is a program called Commonwealth Capital. Under the initiative, now in its second year, communities that have made progress on various measures of smart-growth planning and development receive points in a scoring system used to determine the awarding of approximately \$500 million in annual discretionary state funds for capital spending. These funds cover everything from municipal road and sewer projects to the acquisition and redevelopment of recreation or conservation lands. Points are awarded for changes such as allowing

mixed-use residential and commercial development in downtown areas, as well as “inclusionary zoning” bylaws that require a portion of all new housing to be set aside as affordable.

“Short of having a legislative mandate that changes local home rule powers, this is an effort to say, well, you know the Commonwealth does have an agenda here,” says Foy. “We’d like to partner with you, but here is what you need to do to carry your load of the burden.”

**‘The general consensus is, any subdivision that could bring children to town will negatively impact the town’s finances.’**

Skeptics say the idea is right, but the scale is wrong. “It’s good to try to use the leverage,” says Gornstein, of the housing group CHAPA. “The question is, is it enough? We haven’t seen evidence of it. What’s missing from Doug’s pots of money is the big highway and road repair and bridge repair money. It’s missing local aid. It’s missing education funding.”

David Luberoff, executive director of Harvard’s Rapport Institute for Greater Boston, is even more blunt. “There’s just no evidence that it will have a tinker’s bit of influence on sprawl,” he says, adding that “the forces driving sprawl generally are so much greater” than the incentives available to entice communities to pursue less land-intensive development. “If you want to stop sprawl, sooner or later, you’ve got to regulate land use. And that’s been the third-rail issue that, for better or worse, no one has been willing to touch.”

While there has been no such move to regulate land use directly, the state is ratcheting up its oversight of land-use decisions involving 40B projects. Under new guidelines issued by the Department of Housing and Community Development, all 40B projects that do not involve the reuse of a building must be in a town center or near a transit stop, school, library, or retail or business center. Projects not meeting this criterion must satisfy at least five of nine “sustainable development principles,” which address such issues as density and environmental friendliness.

A central question in the debate over smart growth is whether the effort to steer development in this way will undercut the goal of increasing affordable housing production. A group of business leaders and housing advocates worry that the new guidelines could do just that, and they sent Romney a letter in the fall to make their point. “It is our strong belief that these new guidelines will significantly curtail the production of market rate and affordable housing, and therefore, will thwart your goal of substantially increasing housing production,” stated the letter.

“The smart-growth principles are spreading through

every agency in the administration,” says David Begelfer, executive director of the New England Association of Industrial and Office Properties and one of the signers of the letter. “I think it’s a cancer. Central planning just didn’t quite work out for Russia, and I don’t think it’s going to work for Massachusetts. Smart growth is going to be no growth in some cases.”

State leaders insist that growing smart and promoting housing development is not an either-or proposition. The clamor from Begelfer and others, they say, is much ado about not much. “All this sky-is-falling stuff is nonsense,” says Foy. “These are very modest tweaks of the 40B criteria, which are essentially saying, ‘we’re not going to put the Commonwealth’s dollars in bad locations.’”

State officials say the vast majority of the 40B projects done in recent years would pass muster under the new guidelines, which will only weed out “sites that we probably shouldn’t have housing built on anyway,” says Thomas Gleason, executive director of MassHousing, the quasi-public state agency through which most 40B projects receive state financing.

“If it’s handled flexibly by the state, it should not penalize affordable housing developments,” acknowledges CHAPA’s Gornstein, who also signed the letter to Romney. “However, our concern is that you can interpret these guidelines in many different ways. One person’s smart-growth project is another person’s project that contributes to sprawl.”

#### ‘GOLD STANDARD’

In Doug Foy’s mind the answer to sprawl and the housing crisis lies in getting back to the way things were, with a rebirth of “great town centers.” Foy insists that his Norman Rockwell-like vision, which he often defines by the yardstick of having new housing within walking distance of a local public library, is not misty-eyed nostalgia but a sensible vision for the state’s future.

In 2004, the Legislature jumped on the smart-growth bandwagon by passing a new zoning statute, Chapter 40R of the state’s General Laws, that promotes precisely the vision that Foy has been selling. Under 40R, which was modeled on the recommendations of the Commonwealth Housing Task Force (an ad hoc group of academic experts, business leaders, and housing advocates), communities receive incentive payments from the state in exchange for creating zoning districts that allow denser, mixed-use development near town centers and transit stations.

The task force set a goal of 33,000 new housing units to

be built in smart-growth districts over the next decade. Task force members say the new districts don’t have to spur the creation of many new residential units in any one community to bring the state’s housing market back into balance, putting prices on track to appreciate at the rate of inflation, not the double-digit increases of recent years.

“It’s like musical chairs,” says Boston developer Ted Carman, a member of the housing task force who was instrumental in drafting the 40R legislation. “You’ve got 100 people looking to sit down and there are only 99 chairs.

**In Doug Foy’s mind the answer to the housing crisis lies in getting back to the way things were, with a rebirth of ‘great town centers.’**



Foy: “We’re not going to put the Commonwealth’s dollars in bad locations.”

Everyone knows it, so the value gets pushed way up. If there are 101 chairs, it’s easy.”

To conform to 40R—and qualify for state incentive monies—districts must allow single-family homes to be built at a density of at least eight homes per acre, or apartment or condominium complexes at a density of at least 20

units per acre. In addition, 20 percent of all units must be set aside as affordable housing. Communities are eligible to receive incentive payments ranging from \$10,000 to \$600,000, depending on the number of new housing units projected for the smart-growth district, plus an additional one-time bonus payment of \$3,000 per unit at the time a building permit is issued.

In an interview with *CommonWealth* a year ago, Romney called 40R the “quintessential smart-growth strategy.”

“We are applying it. We are adopting it. And I think it’s going to be a huge benefit for generations,” said Romney (See “Meeting him halfway,” *CW*, Winter ’05). At about the same time, in December 2004, Foy, who calls 40R the “gold standard” for density in development of town centers, told *The Boston Globe* that it would be a good start if 20 to 50 communities adopted 40R over the next year.

A year later, however, it appears to be a standard that Massachusetts communities are hardly rushing forward to meet. As of December 2005, a year and half after 40R was signed into law, not a single city or town had yet approved a smart-growth district.

In fairness, regulations for 40R were only promulgated in March, and the process of adopting the new zoning districts, which will require the approval of town meeting in most cases, is arduous and time-consuming. But it’s not too soon to wonder whether 40R expects too much of municipalities, in terms of what they would have to accept—and what they would have to give up.

Kathy Bartolini, the planning director for Framingham, has been a champion of affordable housing for the large MetroWest town. Framingham has also been a leader in the movement to reclaim town centers as places not just to shop, but also to live, approving new zoning several years ago to allow residential development in the downtown business district. With all that, Framingham would seem a perfect candidate for the new 40R zoning. But Bartolini wants no part of it.

Her biggest objection is that once a smart-growth district is approved, any development proposal that conforms to 40R’s guidelines on density and affordable housing can be done “by right,” with the local community given very little say over what happens within the district’s boundaries. “It’s either their way or the highway,” says Bartolini. “I don’t know of too many communities that will even contemplate this.”

Daniel Fortier, the town planner in Dennis, has a similar reaction to the new zoning districts. Dennisport, one of the

town’s five villages, is embarking on a major redevelopment effort that reflects many smart-growth principles. But Fortier worries that adopting 40R in Dennis could actually jeopardize the principles of good planning that the town is trying to follow.

Fortier says that under 40R’s density rules, for example, two commercial buildings on a main road near the Harwich town line could be replaced by up to 40 residential units, as of right, with no say on the part of the town. With residential rents in Dennis at about \$1,200 for 1,000 square feet compared with about \$700 for the same amount of commercial space, “if you could put 40 housing units in there, those two commercial buildings will be gone tomorrow,” he says. The town wants to bring more residential units into the Dennisport business district but wants to put them where they make the most sense, while preserving desirable commercial locations for business uses. “I want someone to come in and do it right, not just swoop in and make a quick buck,” says Fortier.

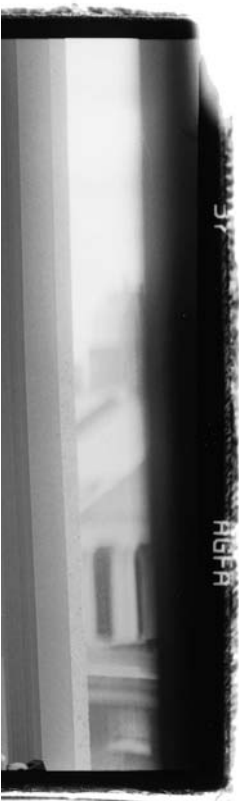
#### BIRD IN THE HAND

Because of the municipal apprehension over what would take shape in a 40R district, it seems likely that the first communities to adopt smart-growth districts will be those that already have a specific development on the table that fits 40R’s tight specifications. That’s exactly the case in the half-dozen or so communities that are actively weighing the adoption of 40R districts.

Plymouth’s Cordage Park, a one-and-a-half-million-square-foot waterfront industrial complex that was once home to the world’s largest rope manufacturer, is being redeveloped as a mixed-used site, with up to 500 residential units planned, along with commercial uses and a small amount of retail. The Plymouth commuter-rail stop is also located next to the property. Last summer, the town received a grant of \$50,000 from the state’s Smart Growth Technical Assistance Program to hire a consultant to help map the potential benefits of designating the area as a smart-growth district.

In North Andover, officials are weighing a 40R district for the 160-acre site of the former Lucent Technologies facility there. In addition to leasing commercial space in the 1.8 million-square-foot Lucent building, Ozzy Properties, the local developer that acquired the site in 2003, wants to build 650 housing units on land abutting the former manufacturing plant. The town has formed a working group that is exploring the costs and benefits such a project would have on North Andover under the 40R zoning designation.

Not far from town leaders’ minds is the reality that housing could be proposed on the site under the anti-snob-zoning 40B statute, which would return to municipal coffers none of the incentive payments available for adoption of the new smart-growth zones. “It is a great idea that takes a lot of



the sting of 40B away,” says Mark Coggiano, a North Andover selectman. The town stands to gain between \$2 million and \$2.5 million in incentive payments for full build-out of the 650 units. “It’s a one-time payment, but it’s \$2 million that we wouldn’t have if this were a 40B,” says Coggiano.

But even Coggiano admits to a worry widely shared by municipal leaders: What if North Andover approves a smart-growth district and allows the new housing to be built, but the incentive payment isn’t there? Municipal leaders say they have come to be wary of promises from the state after watching the Legislature cut previously promised expenditures during tight budget times or simply because of a change in funding priorities. Communities view the promise of state payments with “justifiable skepticism,” says Clifford, the Marshfield town administrator.

That skepticism may be even more justified than local leaders think. The incentive payments for adopting 40R districts are to come from proceeds of the sale of surplus state property, deposited into a Smart Growth Trust Fund. However, as of mid-November, there was not yet any money in the fund. “In a totally technical sense, the funds are not in an account,” says Sarah Young, deputy director of the state Department of Housing and Community Development. But she says there will be money available as soon as pending real estate deals close. She calls the empty account “unfortunate, because it feeds the skepticism that municipalities are predisposed to have.”

State officials concede that the program has gotten off to a slower start than they had hoped. And Foy acknowledges that the number of housing units per acre required by the law is “probably a little too dense for some settings.” Even so, state leaders say that, with time, smart-growth zones will take hold. “Every day I hear about another community that’s interested and is calling our staff to get more information,” says Young. “Once the first community gets done, once they pass the zoning and it gets implemented, I think we’ll see a lot more interest.”

In October, Foy’s office announced a new resource to help communities along the smart-growth path. Anthony Flint, a longtime *Boston Globe* reporter who covered the growth-and-development beat, was brought on board as the state’s first “smart growth education director.” Flint says his job is primarily to “get the message out about what smart growth is” and help communities “if they want to move in these directions.”

## GROWING MY WAY

Even if there hasn’t been quite the rush on the new smart-growth zones that Romney and Foy anticipated, more communities do seem to be gravitating toward smart growth on their own. In Natick, after developers sought a zoning variance for a small complex of townhouses along Route 27, “we discovered that smart growth was sort of happening with-

out us,” Robert Foster, a member of the town’s planning board, declared at the September state conference on smart growth. “We decided we should run to the head of this parade and declare ourselves leaders.” (For more on development issues in Natick, see *Town Meeting Monitor*, page 33.)

In Westwood, the Boston real estate firm Cabot, Cabot, and Forbes is laying plans to develop a small village on 150 acres of land adjacent to the town’s commuter rail station. The project, which Cabot has dubbed Westwood Station to emphasize its transit-friendly location, will have a mix of housing, retail, and office space, and could ultimately include as many as 1,000 new residential units.

In Wakefield, a 136-unit condominium complex has sprouted two blocks from the town’s commuter rail station, with the town fully behind the project.

Still, not every community is embracing the call to “grow smart.” In Marshfield, residents have opposed the idea of rezoning the downtown area to allow residential development there. “I don’t think people want to live in a store over the pizza joint and smell cheese steak all night,” says anti-growth activist Joe Pecevich, who adds that downtown Marshfield suits him just fine as is. “I like it. It’s low-profile. It quiets down at night.”

Marshfield has been the scene of particularly bitter battles over development. The town spent four years and more than \$300,000 unsuccessfully fighting a 40B project that will bring a 98-unit apartment complex to the site of a former drive-in theater. Despite the state urging for communities to take the initiative in planning and siting affordable housing so that they can fend off unwanted 40B projects, the idea hasn’t exactly taken hold in Marshfield. At town meeting last spring, residents voted to cut funds for a town housing coordinator whose job was to do just that sort of planning. In October, town meeting approved reinstatement of the \$65,000-a-year position, but only by the slimmest of margins, 229 to 212, in a chaotic scene in the high school gymnasium, with opponents protesting that “yes” votes were being double-counted.

“Anyone who thinks you can block 40Bs from coming and don’t have to provide affordable housing—they’re nuts,” says Michael Maresco, a Marshfield selectman who supported reinstatement of the housing coordinator position. Of those who have battled against housing plans in town, he says, “They want to pull the drawbridge up and say, ‘I got mine.’ They didn’t come over on the *Mayflower*.”

Marshfield has gotten so expensive that only “CEO types” can afford the housing being built there, not “the teachers, fishermen, and guys banging nails,” says Jim Fitzgerald, a former selectman who gave up his seat last spring, in part because he was worn down by the housing battles. “We want people in the middle, but it’s not going to happen unless the town takes a proactive stance.”

Even in the places where towns are embracing smart-



growth development, it's not so much because communities are suddenly keen on more households with children moving in, but rather because they've been assured that such families won't be part of the mix.

"When we were selling it at town meeting and at the planning board, a big point was that it's definitely revenue-positive," says Jeff Rhuda, business manager for Symes Associates, the developer of the Wakefield condo project. "It's all one- and two-bedroom units, so no schoolchildren."

Similarly, in a panel discussion titled "Selling Smart Growth" at the September statewide conference on smart growth, Joyce Moss, Westwood's economic development director, said town officials have been able to sell residents on Westwood Station because the housing will consist largely of one- and two-bedroom units, targeting younger professionals without children and older empty-nesters. "Communities are not too crazy about families with children these days," she said.

Perhaps the biggest smart-growth build-out being planned in the state—and one that will include housing for families—is the Tri-Town development now taking shape on the site of the former South Weymouth Naval Air Station. The 1,450-acre redevelopment, which extends across municipal boundaries to include not only Weymouth but also

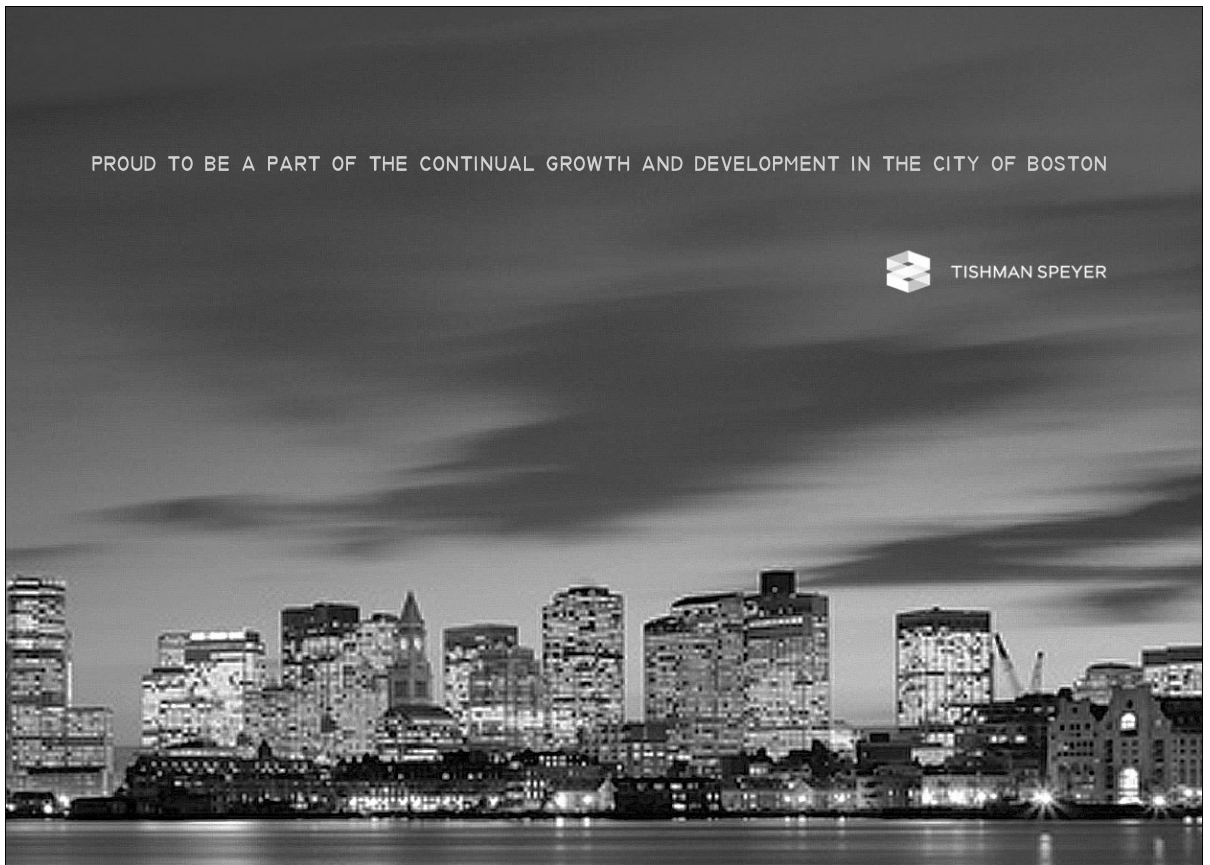
chunks of neighboring Abington and Rockland, will eventually include 2,855 housing units, 250 to 400 of which are slated to be single-family homes on modest-sized parcels.

"If you had said five years ago that a plan that included 2,800 housing units would be put forward, I'd say it wouldn't have a chance," says Weymouth Mayor David Madden. But the equation changed when with the project developer, California-based LNR Property Corp., agreed to assume the full share of municipal costs for educating all children in the new housing.

#### FINANCIAL EDUCATION

LNR's decision to pick up the tab for educating children living in Tri-Town underscores the belief of many that the biggest obstacle to the new smart-growth districts relates to school costs. Communities already worried about the school costs associated with standard large-lot zoning would likely be more leery of zoning that allows more units per acre—and potentially more schoolchildren. The 40R legislation originally included a provision to address this by committing state funds to cover new education costs a community incurs in a smart-growth district, but the school-funding component was removed before final passage of the law in June 2004 as part of the fiscal 2005 state budget.

PROUD TO BE A PART OF THE CONTINUAL GROWTH AND DEVELOPMENT IN THE CITY OF BOSTON



The school-funding adjunct to the smart-growth zoning law was reintroduced last year as a separate bill and, after winning unanimous approval in the House and Senate, signed into law by Romney in November. "We think this will remove one of the biggest barriers we have to getting zoning passed to permit higher-density housing," says Sen. Harriette Chandler, a Worcester Democrat, who was the chief sponsor of new Chapter 40S law—which follows 40R in the alphabet soup line of state statutes governing zoning. (It could also prove to be something of a windfall for those who recently approved high-density development outside of the 40R label. The Tri-Town development, for example, is now exploring the rezoning of some of the project as a 40R district, something allowed under the law if it has been less than 12 months since a community made its zoning change. Tri-Town could be eligible for the one-time 40R bonus payments in addition to reimbursements under Chapter 40S.)

Ted Carman, the Commonwealth Housing Task force member and a principal architect of the 40S statute, says the school-cost payments are crucial if smart-growth districts are to be widely adopted and successful in producing significant new housing. He says the revenue-raising limits imposed by Proposition 2½, combined with a school-funding formula that puts suburban communities on the hook for

most of their own school costs, create an "extraordinarily perverse" set of financial incentives against new modest-priced housing in most Massachusetts communities. "And guess what?" he says. "They've all figured it out."

With local school costs often consuming as much as half of a suburban community's municipal budget, he says a \$300,000 house that pays \$4,500 in taxes, about \$2,250 of which goes toward school funding, is a money loser for communities as soon as it has even one student living in it. With average per-pupil school costs in many suburban communities in the range of \$8,000 to \$9,000, only a fraction of which is picked up by the state, Carman says such towns would lose about \$5,000 per child in the type of modest-priced housing envisioned for smart-growth zones.

Under the 40S statute, the state will make up the difference in additional net school costs in smart-growth zones, beyond the contribution of property taxes from those housing units. The Commonwealth Housing Task Force estimates that the annual school-cost subsidy would total about \$35 million by 2014, an amount that the group emphasizes would total less than 1 percent of the projected total state education aid by that year.

Foy and others have suggested that the school-cost burden from new housing may not actually be nearly as great



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*Makepeace's Mike Hogan: New housing projects are "islands of success in a sea of failures."*

as the task force suggests. An analysis by the Executive Office of Administration and Finance of tax revenues from single-family homes built in 2000 showed that, in 170 of 215 Massachusetts communities studied, such revenue exceeded the incremental school-cost increase, while just 45 municipalities were net fiscal losers (See "Can housing plans pass inspection?" *CW*, Winter '04).

It seems possible, however, that most towns came out ahead precisely because they have been following the sort of development policies that the state is fighting hard to change—those that generate only expensive homes built on large lots (which, in turn, generate property tax bills much higher than the \$4,500 used in the example above). Denser development of modestly priced homes could well tip the financial equation against communities. For that reason, Chandler calls 40S "an insurance policy" that should give cities and towns the confidence to adopt smart-growth zoning.

But Michael Hogan is one would-be developer who thinks the 40S insurance policy doesn't provide enough coverage.

Hogan, a former mayor of Marlborough and director of the quasi-public state agency MassDevelopment, was hired two years ago as CEO of Wareham-based A.D. Makepeace. Makepeace, the world's largest cranberry grower, is also the largest private landowner in eastern Massachusetts, controlling some 12,000 acres. Looking to diversify its holdings by developing housing, the company originally rolled out plans to build up to 6,000 homes on its land in Wareham, Plymouth, and Carver. Hogan was brought on board after the company's aggressive development posture soured relations with the three communities. He is taking a slower, more diplomatic tack, a strategy he describes as "good

theory applied in small doses."

So far, it seems to be working. Plymouth recently gave the go-ahead for 65 houses, the initial phase of a 1,000-home plan employing a conservation-minded transfer-of-development rights approach. Under the scheme, Makepeace will agree to preserve as open space some of its land in the more remote sections of Plymouth bordering the Myles Standish State Forest in exchange for the right to build at greater densities than allowed by current zon-

ing on land closer to the Cape Cod Canal.

But Hogan says any victories in getting housing built in eastern Massachusetts amount to "islands of success in a sea of failures." And that, he says, is because of the way we fund our schools.

Makepeace recently commissioned research by a Denver-based consulting firm specializing in school finance issues. The report compared Massachusetts with 17 states, 15 of them regarded as "competitor" states with a significant presence of knowledge-based industries. Massachusetts relied more heavily on local funding of schools than 14 of the 17, with only New York and Pennsylvania in the same range as

## With suburbs paying for most of their own school costs, there is a 'perverse' set of incentives against modest-priced housing.

the Bay State, where local taxes account for nearly half (49.8 percent) of all dollars spent on public K-12 education. What's more, that statewide average masks the far greater local share of school costs in suburban communities, which get much less state aid than high-poverty cities. In Plymouth, local taxes pay for 76 percent of school costs, making new housing with children an expensive proposition.

Because 40S only covers added school costs from housing built in new smart-growth districts, which many towns may not adopt and which are not necessarily the place where all new housing in the state should go anyway, Hogan says it is hardly the cure-all for resistance to new housing.

“Local government pays the majority of the freight for public education,” says Hogan. “Until we fix that, we’re never going to fix the housing situation.”

For different reasons, the assurances of school-cost reimbursement still leave Ziegler, head of the Massachusetts Housing Partnership, “kind of agnostic” about the state’s smart-growth zoning law. “I don’t think it’s a magic bullet, even with the education funding piece. It’s good to take it off the table,” he says of the school-cost issue. “But my experience is that the resistance [to new housing] comes from a much deeper place. You address one issue and people move on to another. You solve a traffic issue and it becomes schools. You solve schools and it becomes groundwater.”

### HOME (OVER)RULE

So, Chapters 40R and 40S and other smart-growth policies notwithstanding, is there any real hope of spurring construction of reasonably priced housing for middle-class families?

“We just do not have the ability to build housing in Massachusetts, at least east of Worcester, that fits the median income buyer,” says Rhuda, the development manager for Beverly-based Symes Associates. “If we have 180 communities inside [I-]495 and 160 of them have decided they’re going to have two-acre zoning, who’s watching them? Who’s

## ‘The best tradition of New England — home rule — is also our worst enemy.’

saying, ‘If you do that, this is the effect you’re going to have on the Commonwealth?’ That’s how we got into this mess.”

At the state smart-growth conference in September, which featured a considerable amount of preaching to the choir, Ziegler sounded a similarly discordant note. If we don’t “fundamentally rethink” the relationship between municipalities and the state “all the smart-growth policies in the world won’t make a difference,” said Ziegler. “The whole idea of local autonomy, which is as basic as it gets about Massachusetts government and New England, is almost fundamentally unsuited for making good housing decisions. The best tradition of New England — home rule — is also our worst enemy.”

Geoffrey Beckwith, executive director of the Massachusetts Municipal Association, says cities and towns have been scapegoated in the housing story, made to look like skinflinty NIMBYs when they are being pushed to accept more housing by the same leaders who have pulled back state support for local services.

“The simplistic answer is to say that communities need to change their zoning and create more housing,” says Beckwith. “They need to know they’re going to have the resources

to do that, and they have no expectation that that will happen. The state is not a fiscal partner to cities and towns anymore,” he says, pointing to cuts in local aid that communities have had to absorb.

In November, the Massachusetts Taxpayers Foundation, a business-funded watchdog group, called for the restoration of that partnership by dedicating 40 percent of all annual state tax revenue to local aid payments. Such a scheme, a report from the group stated, would remove cities and towns from “the roller coaster of the state budget process” by ensuring that they don’t bear a disproportionate burden of cuts during tough fiscal times.

But a partnership cuts both ways. Perhaps what’s also needed is a new agreement that sets firm expectations of all communities in exchange for a more reliable stream of state funding. “We have to figure out a different social compact,” says Ziegler, raising the idea of a mandate, perhaps at least in the eastern half of the state, that communities allow for a certain percentage of housing growth each year, some of it affordable housing.

The politics of the situation do not seem particularly favorable to dramatic steps that would shake up the status quo, however. “People see home values going up 10 or 15 percent a year and they say, ‘I can live with this crisis,’” says David Begelfer, of the state’s industrial and commercial property owners association. “But they’re not looking down the road. No one is speaking from the bully pulpit saying, ‘this cannot go on because it’s going to affect our economy and all of our futures.’”

Even Romney wonders whether we may get to a point where some of the basic, time-honored structures of land-use control in Massachusetts will have to be put on the table. “There’s no question but that, if the 40R and 40S school financing proposals fail to stimulate adequate housing in the right places, people will begin to look at a more fundamental evaluation of local control,” he says.

It is, however, not a fight that he or any other state leader seems itching to have. “That’s been sacrosanct in our state for so long that starting there would be taking a giant leap,” says Romney.

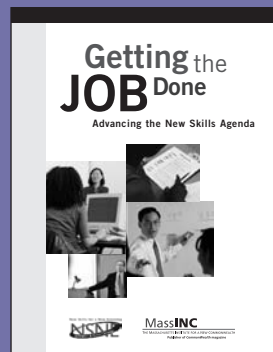
Perhaps the patchwork of state smart-growth initiatives, designed to promote more housing production while reining in sprawl, will help patch back together the social contract that has taken such a beating during the last decade. If that happens, maybe high school history teacher Jeff Convery, an important part of the fabric of the Framingham community, could become a homeowner there, too. In the meantime, it’s hard to blame Convery for hoping that the rules of the game that have been so kind to the housing haves — and which the haves have fought so fiercely to protect — turn sharply in favor of the have-nots.

“We’re actually kind of hoping the bottom will drop out of this housing market,” he says. ■

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# Mr. Nice Guy

Everybody loves Dan Grabauskas.  
But can he keep the  
MBTA's customers satisfied?

BY GABRIELLE GURLEY

PHOTOGRAPHS BY MARK OSTOW



When Dan Grabauskas left the Registry of Motor Vehicles in 2002 to run, unsuccessfully, for state treasurer, Stephen Doody, his chief of staff, signed on as campaign manager, living on a \$500-per-week stipend and no health insurance. Now a business development consultant, Doody has no regrets. “I believed in Grabauskas, lock, stock, and barrel,” he says.

He’s not the only one. Boston Mayor Thomas Menino lauds Grabauskas’s professionalism. Sen. Susan Tucker, an Andover Democrat, who worked with Grabauskas on Registry reform, says, “I believe that he is one of those rare public managers who blends bipartisanship, good leadership,

and management skills to get results.”

Now, as general manager of the MBTA since May 2005, Grabauskas even gets praise from an unlikely source: the often-combative Boston Carmen’s Union. Steve MacDougall, president and business agent for the T’s largest labor group, and other union leaders sat down with the general manager shortly after his arrival. Grabauskas heard employee complaints about dilapidated facilities with leaking roofs—and restrooms with broken toilets, sinks, and a shortage of hand towels—and he immediately ordered repairs. The unions aren’t accustomed to that kind of responsiveness from management, says MacDougall.



*If Grabauskas can turn around the RMV, perhaps he can revolutionize the MBTA.*

But it isn't his ability to make friends that got Grabauskas the T's top job, one that he stepped down from an even bigger job (state secretary of transportation) to take. It was his transformation of the Registry, once the state's most notorious outpost of bureaucratic Neanderthalism. If Grabauskas could turn the RMV into a public sector exemplar, he can revolutionize the MBTA. Or so his fans are hoping. Behind the accolades are great expectations—and, for Grabauskas, plenty of risks.

"The RMV was triple-A," says Doody, referring to baseball's hierarchy of leagues. "The MBTA is the big leagues."

Indeed, Grabauskas has his hands full at the nation's

fifth busiest transit authority. He must balance restoring fiscal stability at a debt-racked agency with political pressures to expand the network of trains, subways, and buses in every direction. Then there is the matter Grabauskas himself considers job one: getting the system into a "state of good repair," transit-speak for addressing maintenance, repair, and replacement issues that have long been neglected.

And not a moment too soon. Many riders are mad as hell about problems ranging from service snafus to employee rudeness. Some of them say they aren't going to take it—or the MBTA—any more.

Will the miracle worker of the Registry be able to trans-

form the T into a model transit agency—one that is efficient, customer-friendly, and able to satisfy demands from all quarters? Or has Dan Grabauskas, public sector fix-it man, finally met his match?

### TAKING CHARGE

“Millions of people interact with the Registry each year—not by choice—but because it is required by law,” Grabauskas said in statement shortly after his September 1999 arrival at the troubled agency. That people had to do business with the Registry whether they liked it or not gave the agency no reason to reduce long lines and improve gruff service. The RMV had become a political liability for then-Gov. Paul Cellucci, and a Lawrence *Eagle-Tribune* series, based on a six-month investigation, detailing the interminable waits at the Registry (originally denied by RMV officials) helped prompt the resignation of then-Registrar Richard Lyons. The governor “needed somebody to fix it, and Dan Grabauskas’s name kept coming up,” says Doody.

Grabauskas was named head of the Registry the same week the Legislature’s Joint Committee on Public Safety recommended a slate of reforms, including longer office hours and improved staffing, following its own investigation of RMV excesses. Declaring zero tolerance for business as usual, Grabauskas worked with customers at RMV offices, listened to complaints on a radio call-in program, spearheaded computer network upgrades, and replaced senior administrators many employees thought were untouchable—a move Doody calls “the shot heard round the Registry.” By February 2001, most customers were served within 20 minutes, down from an hour or longer.

But using the MBTA is a choice, not a legal obligation, and riders are voting with their feet. Current weekday ridership is between 1.1 million and 1.2 million, but *The Boston Globe* reported in August that about 100,000 fewer people are now riding the T on a typical weekday than in 2000. Grabauskas blames the still-sluggish economy and other factors, but transit advocates say the hemorrhaging will continue if system improvements do not materialize.

“If the MBTA continues down the track that they’ve been going of increased fares, decreased service, [and] failing maintenance, people are going to continue to flee the system,” says Jeremy Marin, an associate regional representative of the Sierra Club.

And many transit riders are skeptical that Grabauskas,



Steve MacDougall: “You cannot intimidate your employees into being nice.”

or anyone else, can tame the T. In September, the MBTA held a public meeting regarding transportation services for seniors and people with disabilities, as part of an 18-month service assessment by transit accessibility consultants. At the meeting, transit officials give a rundown of the good news: 180 of 280 rail stations are accessible to the disabled; older buses will be replaced with nearly 770 state-of-the-art vehicles; and a new computer scheduling system for The Ride, a door-to-door service for more than 65,000 riders with disabilities, is online. But most of the nearly 70 attendees pile on with complaints about rude drivers, transportation arriving too early or too late, and out-of-service elevators forcing some riders with disabilities to re-board trains, find an accessible stop, and backtrack to their original destinations.

“This is hogwash,” says 74-year-old Somerville resident Marjorie Francis as she strides to the podium, ignoring a microphone held by a T official. “Mr. Grabauskas may be doing well, but talk is cheap. [He] is new, [but put] a good apple in a barrel with rotten apples and what happens?”



The T officials put on their best game faces, jot notes, but do not respond to her comments or any other individual comments. Afterward, Francis says she doesn't expect any changes. "Mr. Grabauskas needs to clean house," she says.

And the housecleaning has begun.

The general manager is sitting in his office, dutifully answering questions about himself and where he wants to take the transit authority, when an aide hands him a sheet of paper. He briefly studies the words and gives his approval. He says nothing at the time, but the contents of that paper, the aide later confirms, are reflected in a small item in *The Boston Globe* the next day announcing the firing of chief operating officer Anne Herzenberg, a 21-year MBTA veteran. Herzenberg, who declined to comment for this story, is the first senior manager dismissed by Grabauskas. Later, asked if other personnel changes are in the offing, Grabauskas responds, "Oh yeah," and nods his head.

"I don't care how you got here or who your patron is. If you are willing to work and take on the responsibility of the new way we are trying to do things, then we are happy to have you aboard," says Grabauskas. "But if you aren't cutting it or working hard, then you'll be gone."

The general manager's admirers say that behind his affable demeanor is a demanding taskmaster, one who is unlikely to put up with the MBTA status quo. "His absence of institutional knowledge, in my view, can be a huge plus to turn this organization around," says union chief MacDougall.

"Broken," "dysfunctional," and "rife with cronyism"—these are words typically used to describe the MBTA's organizational culture, where many employees expect to outlast general managers. The T is a "punishment-centered bureaucracy," steeped in penalties, not solutions, says former employee Ellin Reisner, a sociologist by training, who worked as an assistant to former general manager John Haley and in various other positions. There are many talented people at the agency who do not feel able to contribute, says Reisner, now with the Somerville Transporta-

## ANGRY RIDERS AND DRIVERS 'TAKE THEIR FRUSTRATIONS OUT ON EACH OTHER.'

tion Equity Partnership. "I had an operator say to me once, 'I come to work; I drive a bus. I have a brain, but nobody is interested.'"

Grabauskas concedes that "there is not a lot of trust from one level of bureaucracy to the next." He says he aims to decentralize authority among his nearly 6,000 employees.

Front-line morale is poor, confirms MacDougall, and

that contributes to problems between riders and employees in stressful situations. From January to June 2005, employee rudeness consistently outranked late service in complaints directed to MBTA Customer Relations.

"You cannot intimidate your employees into being nice," says MacDougall. "[But] that has been the philosophy of the MBTA for a thousand years."

MBTA employees, especially bus drivers, are in situations that are impossible to begin with, says Khalida Smalls, program director for the T Riders Union, a group formed by Alternatives for Community & Environment (ACE) that claims more than 500 members. Smalls says that riders and drivers "take their frustrations out on each other when they are angry about something that neither of them have any control over, because they are not the ones [determining] how often the bus should run or how many buses should be on that particular route."

Grabauskas understands that it is management's responsibility to equip MBTA employees with the skills to interact with "everybody from paupers to princes," he says. He sees a window of opportunity to provide improved customer service training with the new automated CharlieTicket/CharlieCard fare collection system, currently in use on the Silver and Blue lines and scheduled for expanded systemwide deployment in 2006. So far, not all has gone smoothly. There has been a spate of assaults on newly trained Blue Line customer service agents by would-be fare evaders, problems with malfunctioning gates, and complaints about difficulties in depositing currency and bills in the new bus fareboxes. But Grabauskas is convinced that moving the former fare collectors out of their stuffy, unfriendly, bulletproof boxes to help riders navigate the new system will improve customer relations.

### STATE OF DISREPAIR

Still, more face time with customers will mean nothing if breakdowns and delays thwart the best-laid travel plans—and if the T mishandles the bottlenecks that do occur.

During rush hour on a late September morning, a homeless man survives being hit by an outbound Red Line train at Park Street Station in downtown Boston, halting service on the system's busiest subway line. Four stops away in Cambridge at Harvard Station, inbound passengers whisper about what they've been told is a "medical emergency" downtown and continue to pack the platform despite hazy, blue smoke wafting through the tunnel—later found to be caused by a small trash fire along the rails. No T official appears to take charge of an inbound platform jammed with people waiting for trains that are not coming, but a fare collector continues to sell tokens to newcomers, including parents pushing children in strollers.

Some commuters exit the station in search of fresher air and some other way to get where they're going. At a bus stop

in front of Harvard Yard, another crowd waits for the Red Line replacement shuttle buses that are now rumored to be coming. But with no shuttles in sight, getting to Park Street Station boils down to a choice between two scheduled bus routes to gain access to the Green Line.

Grabauskas says reliability, or the lack thereof, is the number one complaint he personally hears from T passengers. Achieving reliability is fundamentally a matter of getting the 100-plus-year-old transit system into a state of good repair, and that's a topic that animates Grabauskas. He darts from his chair to point out a section of track displayed on a nearby table. It is engraved with a purchase date of 1913. Installed on the Green Line's C branch two years later, it was removed in October 2005, when the T replaced three miles of track along the 4.6-mile-line.

In fiscal 2006, the authority will spend \$352.5 million on total maintenance needs. But the MBTA's backlog of deferred maintenance, repair, and replacement projects totals \$2.7 billion; the transit authority would have to spend an estimated \$450 million each year just to keep from falling further behind, according to MBTA data cited in a March 2005

report of the Transit Subcommittee of the state's Transportation Finance Commission—a 13-member body created by a 2004 state law to develop long-range financing plans for all modes of transportation.

Over the next five years, the T will spend millions of dollars replacing elevators and escalators, upgrading signals and switches between JFK/UMass and Park Street stations on the Red Line, and renovating numerous stations. Then there is the “abysmal” public address system—Grabauskas likens it to “Charlie Brown’s teacher”—that is slated for overhaul. Told by his staff that PA upgrades in major subway stations would take four years, Grabauskas says he has “beaten them down” to 17 months. “Other [improvements] you’ll see little by little,” he says.

But Mark Richards, editor of *Badtransit.com*, an MBTA watchdog Web site, argues that years of mismanagement have compromised the authority's ability to address its repair needs or any other problems. “You can't pour money into something that has incompetence at its core,” he says.

Former governor and longtime Green Line rider Michael Dukakis has noticed cosmetic changes at his Longwood

## A TRANSIT AUTHORITY OF THEIR OWN?

What's the worst transportation nightmare in MetroWest? Not the I-290/I-495 interchange in Marlborough, which routinely backs up traffic into Hudson and Berlin, though that came in second in the 2004 495/MetroWest Corridor Partnership—*MetroWest Daily News* study. The winner: public transportation.

It's not that the region suffers from lack of attention. MBTA general manager Dan Grabauskas recently launched an advertising campaign and a \$300,000 commuter rail station cleanup to lure suburban riders. The MBTA Board of Directors has also approved funds to overhaul coaches and replace windows, primarily on northern and western commuter rail lines. The problem, for many MetroWest commuters, is that the largely Boston-bound trains and express buses don't take them where they want to go.

A shift in regional travel patterns is to blame. In 2000, 57 percent of MetroWest residents lived and worked in the region, up from 40 percent in 1990, while only 17 percent traveled to jobs in the Boston metropolitan area, down from 25 percent. Unfortunately, MBTA service within MetroWest looks like a scrap quilt made up of leftovers, says Susan Tordella, director of the MetroWest/495 Transportation Management Association.

What this large collection of western suburbs needs, according to political and business leaders, is a regional transit authority to move commuters and shoppers around communities as far-flung as Franklin, Marlborough, and Littleton,

complementing MBTA service into Boston.

“The state, I believe, will not have a full and true economic recovery unless and until MetroWest does,” Sen. Karen Spilka, an Ashland Democrat, says. “We will not have one until we get an RTA [regional transit authority].”

To get one will require an act of the Legislature. Most of the communities in MetroWest are, by law, part of the MBTA system. That means they are required to pay assessments that keep the T afloat — and are prohibited from operating their own transit services in competition with the T.

MetroWest is sandwiched between the MBTA and the Worcester Regional Transit Authority, two hub-and-spoke networks designed to move people between central urban cores and outlying areas. The region has three MBTA commuter rail lines running from Fitchburg, Worcester, and Franklin into Boston. But Framingham's LIFT, managed by the town since 1984 and partially funded by the MBTA, is the only fixed-route bus service principally connecting MetroWest communities. LIFT carried nearly 159,000 passengers in fiscal 2005, up from about 147,000 in fiscal 2004. A new Route 9 service, LIFT 9, is scheduled to debut in early 2006.

Workers in the job centers of Marlborough, Southborough, and Westborough have only a few bus options, and reverse commuters, traveling out from Boston, fare even worse on commuter rail, with only one train arriving in Worcester before 9 a.m. Proposals to double commuter rail service to 20 trips per day between the state's largest and second-largest cities

stop, recently painted for the first time in years, he says. But chronic problems, such as escalator breakdowns, still rankle him. “If you are not repairing escalators on the weekends, then what are you doing?” he says.

## TOUGH CUSTOMERS

The T’s frequently out-of-order elevators and escalators were among the problems targeted by the new general manager on his first day on the job, as he called them “a disgrace” and vowed to create a new position—“director of vertical transportation”—to keep tabs on their operation. But in November, the MBTA board gave Kone, the embattled maintenance contractor, another five-year, \$33 million contract. Not only was the company the low bidder, says Grabauskas, but its performance is getting better.

He leafs through a stack of daily reports he receives on elevators and escalators, showing, for example, the number of elevators in service systemwide as 98.7 percent one day



*Grabauskas: “If you aren’t cutting it or working hard, then you’ll be gone.”*

and 97.6 percent on another. “The numbers are bearing out that there has been a tremendous improvement,” says Grabauskas. “But that’s not an excuse for us to sit back on our hindquarters and not do more.”

Escalator and elevator problems have contributed to the

are dependent on negotiations now underway between the state and railroad freight operator CSX, which owns part of the track and controls traffic. Transportation Secretary John Cogliano recently underlined the state’s commitment to stepping up service, but he established no specific timetable.

Paul Matthews, executive director of the 495/MetroWest Corridor Partnership, says a MetroWest RTA would fulfill unmet needs, rather than duplicate MBTA service. Since it would link the trains with retail and employment centers, “an RTA can only serve to strengthen commuter rail long-term, [by] having an existing system of shuttles that meets flexible needs,” says Matthews, who adds that while communities in the region’s core may establish their own RTA, others along the southern tier of the area may want to join an existing RTA.

But communities are hindered by statutory and financial obstacles. State law prohibits municipalities served by the MBTA from establishing their own RTA or joining an existing authority. Bills introduced by Spilka and other MetroWest lawmakers that would remove the prohibition are pending consideration on Beacon Hill.

MetroWest RTA advocates say the statutory constraint presents an equity issue, since some communities currently receive transit services from both an RTA and the MBTA. Seven of the existing 15 RTAs, including the Worcester and the Brockton area transit authorities, provide transportation in MBTA-serviced areas, and communities such as Worcester, Brockton, and Lowell get services from both an RTA and the

MBTA. But after the institution of forward funding for the MBTA, RTA member municipalities could receive credit against their MBTA assessment. Franklin, Upton, Northbridge, and Wrentham then sought permission to join RTAs. Then-transportation Secretary Kevin Sullivan gave his approval, but his successor, James Scanlon, rescinded it, ruling that the towns had not joined an RTA before the July 2001 deadline set by the forward funding legislation.

There is also the matter of how a MetroWest RTA would affect the MBTA’s budget. Currently, communities can deduct all of their RTA costs from the MBTA contribution, up to their full assessment. Lawmakers also are exploring how possible RTA statute changes would affect MBTA assessment calculations, and how any gaps could be bridged. Total MBTA assessment for MetroWest communities this year is \$4.5 million.

To document MetroWest’s needs, state transportation planners are conducting an I-495 Circumferential Transit Study, targeted for completion in April. Also underway is a multiphase “Suburban Transit Opportunities” study to analyze more general needs outside of Boston and its immediate vicinity.

“There could very easily be some solutions that can improve regional transit that exist now,” says Paul Regan, executive director of the MBTA Advisory Board. “Maybe [MetroWest] does need a whole new RTA. But I’m not sure that question has been answered yet.”

—GABRIELLE GURLEY

T's legal woes. In 2002 the Greater Boston Legal Services filed a class action lawsuit against the MBTA alleging deficiencies in services for people with disabilities. As this story goes to press, the lawsuit is nearing settlement, according to Todd Kaplan, a staff attorney in the GBLS Cambridge office. Grabauskas is the first general manager who believes the system should be 100 percent accessible, according to the attorney.

"He totally gets it. He understands what it takes," says Kaplan. "Whether he can do it is a big question."

Grabauskas has a better sense of the level of frustration among riders than his predecessors, says Jodi Sugerman-Brozan, a spokesman for the 24-member MBTA Rider Oversight Committee, an advisory group of transit advocates, members of the general riding public, and T officials. Grabauskas insists he reads his e-mails (at gm@mbta.org), which average six or seven per day, and responds personally to about one out of 10. But Smalls, of the T Riders Union, complains that Grabauskas is growing more distant by the day. When he first came on board, she says, the general manager told her that his "door was open." No more, she says. "You call him now, and you don't get a return phone call." Smalls is disappointed. "I'm really hoping that we can work together to get through some of these things, but it is not looking too promising right now," she laments.

Much will be riding on how Grabauskas handles adjustments associated with the new automated fare collection system. The MBTA expects to increase revenue as a result of curbing fare evasion. But the automated-fare system could also accommodate other changes now under consideration, such as reduced fares when transferring between trains and buses. The T is soliciting input from the rider committee, but it wants the new fare structure to be "revenue neutral," meaning it would have to generate the same amount of money as the current one. That could mean an increase in the base fare, last increased in 2004, in order to offset possible price breaks with transfers.

"It's going to look like a fare increase [imposed] with new technology," says Sugerman-Brozan, who also coordinates

On the Move, a "transportation justice coalition" that, like the T Riders Union, is under the umbrella of ACE. And with Grabauskas already hinting at an overall fare hike in the offing, riders could get hit with a double whammy. "What it's going to feel like is two back-to-back fare increases," she says.

It will be even worse if riders feel they're getting nothing for the higher fares, says Smalls. "They are not going to be happy about a fare increase," she says, "but they might be OK with it if the level of service is actually being improved as well."

"The riders are going to be tough," says former MBTA general manager Michael Mulhern, Grabauskas's predeces-



*Maintaining reliability means keeping ahead of disrepair on a 100-year-old system.*

sor. "They are going to expect that the MBTA is going to be kept affordable, they want good, reliable service, and they want constant improvements in service."

#### **'THE ELLIOT RICHARDSON OF STATE GOVERNMENT'**

Pleasing everyone may be impossible, but if anyone has shown he can make people happy, it's Dan Grabauskas.

He was born in Worcester, in 1963. Grabauskas's grandparents and his father, then a toddler, had fled their native Lithuania for Germany during World War II, spending two years in a work camp. In 1949, the family emigrated to Boston, settling finally in central Massachusetts.

"We spent a lot of time thanking God we were Americans, not liking communists very much, and taking our liberty

and what-have-you pretty seriously,” says Grabauskas, who is the oldest of four children. After Lithuania achieved independence, he returned to his ancestral homeland, working with the country’s democratic reformers, and later served stints as an election observer in Bulgaria and Nigeria.

Former Lunenburg Republican state senator Mary Padula hired the College of the Holy Cross graduate as her chief of staff in 1986. He later became her deputy secretary when she assumed the Executive Office of Communities and Development secretariat.

“You could tell he was into government,” says Padula. “He cared about it. He was constructively critical of it.” From there, Grabauskas went on to positions in Health and Human Services, Economic Development, and the top slot at Consumer Affairs and Business Regulation, before being dispatched to the Registry by then-Gov. Cellucci.

Grabauskas is the “Elliot Richardson of state government,” having excelled in so many agencies, says David Tibbetts, the former state director of economic development, who tapped Grabauskas to lead his staff.

In 2002, Grabauskas tried to convert his acclaim as government jack-of-all-trades into votes, becoming the Republican nominee for state treasurer, a post vacated by Shannon O’Brien in her bid for governor. But he was beaten handily

by Democrat Tim Cahill. Grabauskas says that campaign taught him that pursuing statewide office is “incredibly difficult” without personal wealth. “I’m not willing to sell my soul,” he says.

When Mitt Romney took office as governor at the start of 2003, he named Grabauskas secretary of the Executive Office of Transportation. Sen. Steven Baddour, a Methuen Democrat who took over as Senate chairman of the Joint Committee on Transportation at roughly the same time, says they both had “huge” learning curves, but that it wasn’t long before Grabauskas got up to speed. “He just got it so quickly,” the senator says.

As transportation secretary, Grabauskas managed an agency with \$1.4 billion in operating expenditures, a \$1.4 billion capital budget, and more than 8,600 employees. Of his principal accomplishments at EOT, Grabauskas points to the start of construction on the Sagamore Rotary Flyover project, intended to reduce congestion at Route 3 and the Sagamore Bridge; improvement of communication among the transportation secretariat’s four agencies; and his work on Gov. Romney’s 20-year, \$31 billion draft transportation plan, the first comprehensive examination of statewide transportation needs. (The last large-scale transportation study, completed in the 1970s, covered only the region in-



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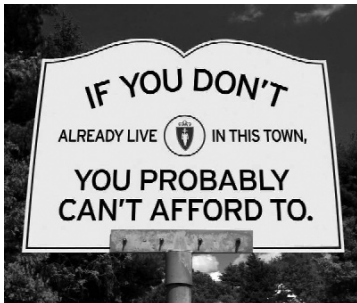
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However, with the balance of power in transportation decision-making shifting to the Office for Commonwealth Development, which oversees transportation, housing, and environmental agencies, the EOT has followed rather than led on transportation initiatives. In addition, Grabauskas missed being a hands-on manager. "I enjoyed the Registry, being hands-on, trying to make a difference in reducing the aggravation in people's lives," he says.

As secretary of transportation, Grabauskas was also chairman of the MBTA board of directors. When Mulhern announced that he was giving up the general manager's post, Grabauskas resigned his cabinet position to become a candidate for the job. There was no indication at the time that anyone else was seriously considered, and in a unanimous vote, the board of directors appointed Grabauskas to the post. Gov. Romney tapped MassHighway commissioner John Cogliano to move into the secretary's slot.

Grabauskas rides the T to get around town for meetings and events, but it's not how he gets to work. He drives every morning to the Transportation Building, in Park Square, from the home in Ipswich he shares with his partner, Paul Keenan, a Harvard University associate dean. "I live about as far from the Ipswich [commuter rail] station as you can get," Grabauskas says. In addition, his 12-to-13-hour workdays don't fit well with a train schedule, he says. But before moving to the North Shore in 1997, he says, he commuted to Boston from Arlington by bus and Red Line for about 10 years.

### T-ORIENTED DEVELOPMENT

Rail station projects keep Grabauskas on the move. An Orange Line trip to Jackson Square in Jamaica Plain finds the general manager joining a group of young artists to mark the completion of a two-year mural project. The station and the neighborhood around it were both neglected during the 1980s, but today the area is on the verge of a development boom. The MBTA, the state, and the city of Boston have designated Jackson Square Partners as the developer of parcels adjacent to the station. The project includes 430 units of mixed-income housing, a youth and family center, retail, and office space for local nonprofit groups.

Rep. Jeffrey Sanchez, a Boston Democrat who represents the neighborhood, says Grabauskas's ability to deliver on earlier T commitments gives him hope that improvements will continue apace. "Grabauskas wants to keep taking about Jackson Square," he says.

He could have many Jackson Squares to talk about. "Transit-oriented development" is a linchpin of the "smart growth" policy being pursued by the state's Office for Commonwealth Development and its secretary, Doug Foy. From the state's point of view, subway stops and commuter-rail stations should be hubs of activity, with a mix of residential



*Khalida Smalls (right) complains that Grabauskas is increasingly inaccessible.*

and commercial uses within walking distance of public transportation. Such an approach is intended to spur development in a less sprawling, car-oriented fashion. To facilitate the development of surplus land around transit stations, the MBTA and Foy's office plan to make available \$30 million in grants to communities and other organizations to stimulate mixed-use project development.

But in transit-oriented development, as in other state policies, the devil is in the details, and advocates of this approach are leaving nothing to chance. Take the Urban Land Institute Boston's Transportation Priorities Task Force, established last March to influence the state's transportation

## LOOMING LARGE ARE COMMITMENTS FROM THE BIG DIG.

agenda in a way that reflects transit-oriented development goals. Preliminary studies by the task force found that, in the city of Boston alone, there are 78 development projects of 100,000 square feet or greater with the potential to affect T ridership, with 55 situated within a quarter mile of mass transit. Yet the impact of this transit-oriented development on the transit system itself has not been taken sufficiently into account, task force members say.

"If you put 430 units of housing in Jackson Square, will that exceed the Orange Line's capacity? Will the trains have

to run more often? Will the trains have to be longer?" asks Mossik Hacobian, the task force's co-chairman, who participated in the initial Boston Redevelopment Authority-facilitated Jackson Square planning discussions. While Hacobian doesn't fault the process, he argues that planners did not ask key questions about how transit-oriented development would affect the T's bottom line, especially its operating deficit.

"Not once did it occur to anyone that the transit system might actually have an impact on the amount of development" or vice versa, says Hacobian, who is also executive director of

Urban Edge, a community development corporation. According to BRA spokesman Meredith Baumann, the MBTA was "at the table" during the plan's planning phase; now that a developer has been designated, its proposal will undergo more extensive consideration of its impacts on the Orange Line and other issues and will include additional community review.

### WHERE THE T GOES, CONTROVERSY FOLLOWS

In a sense, transit-oriented development simply compounds the controversy that attends any MBTA expansion plan. Recent transit projects, including the Silver Line and the \$497 million Greenbush commuter-rail extension, have been hamstrung by community wrangling.

And there's plenty more expansion to come. Looming large on the MBTA's agenda are commitments surrounding the Big Dig. The estimated \$770 million revised package of projects includes the Green Line extension to Somerville and West Medford; additional stations and other improvements on the underused Fairmount Line; and at least 1,000 new parking spaces at commuter-rail stations. State officials have dropped plans to restore the Arborway Line in Jamaica Plain and to build a Red Line-Blue Line connector downtown, but that decision has resulted in two lawsuits. Conservation Law Foundation is suing to force the state to uphold the original 1990 Big Dig transit agreement, which CLF negotiated. Recently, Partners HealthCare and its downtown hospital, Massachusetts General, also filed suit over the Red-Blue connector. In addition, CLF intends to

push for projects that the state Department of Environmental Protection has added to the T's plate as mitigation for the delays in completing the original transit commitments, such as adding 18 new Orange Line cars and improving signals on that line.

"The Commonwealth has made an immense investment in our auto traffic through construction of the Big Dig, and a complementary transit investment is needed to protect air quality as well as promote mobility for transit and roadway users," says CLF staff attorney Carrie Russell.

In a sense, the MBTA faces flak whether it wants to build a project or drop one. But Grabauskas says major public works projects will always cause a ruckus. "You can't put a curb cut in or a sidewalk, or [put up] a telephone pole without getting dozens of people coming out to a community meeting," he says. "Well, now, imagine if you're doing a massive restoration of a rail line or a tunnel that is a couple miles long."

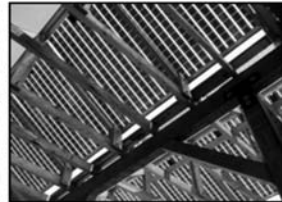
Stephanie Pollack, coordinator of the Urban Land Institute transportation-priorities task force and a senior research associate at Northeastern University's Center for Urban and Regional Policy, contends that transit projects do more than rip up streets. The former CLF staffer says they transform neighborhoods, affecting traffic patterns, housing prices,

and other aspects of community life. "You don't build local support by sort of explaining to people over and over again why they should like a project," she says. "You build support by convincing them that you've heard their concerns and you actually have a way of addressing them."

But one person's mass transit lifeline is another's boondoggle. The \$670 million New Bedford/Fall River extension of the Stoughton commuter rail line is a project that polit-

## THE MBTA FACES FLAK WHETHER IT WANTS TO BUILD A PROJECT OR DROP ONE.

ical and business leaders from that region have sought for years ("South Coast railing gets commuter line on track — sort of" *CW*, Summer '04). But that plan is destined for a court battle if the state pursues a route through the Hockomock Swamp, the largest freshwater vegetated wetland in Massachusetts, insists Kyla Bennett, director of Public Employees for Environmental Responsibility's New



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England chapter.

Former governor Dukakis says that targeting old urban communities is the best smart-growth strategy. "You're not going to turn Fall River, New Bedford, Lawrence, Worcester, and Fitchburg into thriving, vibrant communities that accommodate growth, both residential and business, unless they have first-rate commuter rail connections to the capital city," he says.

Still, others complain that transportation needs in and around the capital city have suffered as a result of rail expansion principally serving suburban commuters, pushing to the back burner projects like the Urban Ring bus rapid transit plan, which would provide crosstown connections linking Boston, Brookline, Cambridge, Chelsea, Everett, Medford, and Somerville that the present network lacks.

As much as people badmouth the T, Grabauskas says, everywhere he goes people want it. Who sets the priorities? The MBTA, the Boston Metropolitan Planning Organization, and the Executive Office of Transportation's planning office evaluate projects on criteria in seven categories, including rider utilization, cost-effectiveness, and air quality, as specified in the 2004 Program for Mass Transportation, the MBTA's 25-year capital plan. The PMT ranks more than 80 projects from low to high priority. The Urban Ring and New Bedford/Fall River projects are "big, difficult choices," according to Jason Roeder, a deputy secretary in the Office for Commonwealth Development.

### FUNDING, BACKWARD AND FORWARD

After the choices are made, and the service provided, the T is left paying the bill. That's because farebox revenues don't cover the full cost of any MBTA service. The more the T expands, the more pressure builds on its budget.

"Unless we can address the operating deficit, the expansion projects are going to be controversial at best and possibly impractical and infeasible at worst," says Hacobian, the Urban Land Institute task force co-chairman.

Some observers go further, arguing that the T should put system expansion aside and devote finite resources to the existing network. But that would mean saying no, something many political leaders are loath to do.

"No one is willing to put the kibosh on these projects," says Charles Chieppo, a former policy director of the state Executive Office of Administration and Finance who served on the MBTA Blue Ribbon Committee on Forward Funding and a sharp critic of system expansion. "No one is saying, this has got to end."

According to Paul Regan, executive director of the MBTA Advisory Board, the transit authority has no flexibility in either its capital or operating budgets. There is broad consensus among key state lawmakers and transportation finance analysts that the authority cannot pay both for system maintenance and future expansion projects without

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crippling its core operations.

The system expansion of the past has come back to haunt the MBTA budget in two ways. First, the capital costs of new stations and equipment live on in debt service, which now eats up roughly one third of the T's annual budget—\$345 million out of \$1.2 billion in fiscal 2006. And then there is the operating cost of expanded service. With fares covering only a third of the T budget, more service simply means more of a shortfall.

For decades, the deficits were absorbed by the state at the end of each fiscal year, a process that gave T managers no incentive to get costs under control. But in 2000, the Legislature instituted "forward funding," dedicating 20 percent of the state sales tax to MBTA operations as the sole state subsidy. In addition to farebox and revenue from other sources, such as advertising and parking lot fees, the authority also relies on assessments levied on the 175 municipalities in the T network, which will bring in \$136 million this fiscal year. Now on a fixed budget, the MBTA can no longer be expected to fund all the expansion everyone wants it to undertake. So under Gov. Mitt Romney's transportation plan, the state would cover the capital costs of future system expansion, after the completion of the Silver Line.

This pledge is "an important recognition of that reality and a positive step," says Massachusetts Taxpayers Foundation president Michael Widmer, who chairs the Transportation Finance Commission's Transit Subcommittee. But critics like Sen. Robert Hedlund, a Weymouth Republican who is a member of the Joint Committee on Transportation, say the state cannot afford to pay for expansion projects. Hedlund says the MBTA created its own problems by ignoring the recommendations of the Blue Ribbon Committee on Forward Funding and pursuing expansion projects such as the Greenbush commuter rail line—a project Hedlund opposed—based on political criteria rather than transportation merit. The debt service generated by Greenbush severely crimps the T's ability to pursue projects such as New Bedford/ Fall River commuter rail, which he calls "financially impossible." Even if the state were to bail out the T on the capital end of expansion—and central and western Massachusetts lawmakers' support for such a scenario is by no means assured, he adds—the question remains whether the MBTA can cover the operational and maintenance costs of running new lines.

"When you have problems maintaining elevators and maintaining the Green Line, explain to me, how are you going to maintain this...unprecedented expansion?" says Hedlund.

The T's operating budget remains problematic, with or without expansion. In part, that's because the promised sales-tax subsidy never lived up to expectations. Under forward funding, sales tax revenues were projected to grow at least 3 percent per year. Lawmakers also set a \$645 million

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floor for fiscal 2001, according to the Massachusetts Taxpayers Foundation/ Pioneer Institute report *MBTA Capital Spending: Derailed by Expansion?* But shortly after the forward funding plan was approved, sales tax revenues plummeted as a result of the recession.

In fiscal years 2002 to 2005, actual sales tax receipts were too low to generate the minimum guaranteed to the MBTA. After peaking at \$654.6 million in 2001, the T's 20 percent share of the sales tax dropped to \$638.8 million, \$26 million below its guarantee of \$664.4 million for that year. Since then, sales tax receipts have inched up slowly, by 0.1 percent and 0.5 percent in 2003 and 2004, respectively, reaching the projected growth rate only in 2005, at 3.7 percent. The Legislature has made good on its guarantees of minimum funding, appropriating funds where necessary to make up the difference. But that still leaves the authority \$77 million short compared with the projections forward funding was based on, according to the MBTA.

## 'DAN IS SAYING THINGS THAT A LOT OF PEOPLE DON'T WANT TO HEAR.'

"If I had \$77 million more right now, I'd have no deficit," says Grabauskas. Compounding the T's budget woes this year is the record-setting hurricane season, which spiked fuel costs. Partly as a result, the authority is grappling with a budget deficit approaching \$27 million, though Grabauskas calls that a "moving target."

When asked if forward funding should be tweaked, Grabauskas says yes. Roeder, of the Office for Commonwealth Development, says that's not in the cards. The state's assumption of expansion costs, as well as internal management reforms, should allow the MBTA to make do with forward funding, he says.

But Baddour, the Senate transportation committee chairman, would be willing "to make a pitch" to get the T more financial help from the state, and Grabauskas's credibility on Beacon Hill could help, he says. "Dan is saying things that a lot of people don't really want to hear, but need to hear," Baddour says. "The T is in rough financial shape." (Fiscal 2006 marked the first year since the introduction of forward funding that the MBTA plans to dip into its deficiency fund, to the tune of about \$10 million, to address budget shortages.)

What shape that help would come in is unclear, however. One idea, increasing the gas tax, is seen as a political non-starter, and few other alternatives have gained traction. For its part, the Transportation Finance Commission, which will publish its report on the state's transportation funding needs in the first quarter of 2006, has suggested a number

of options, including using highway toll revenues to subsidize mass transit, other user fees, real estate development on MBTA-owned property, and tax increment financing.

In the meantime, the general manager says he is looking at scaling back overtime pay, the use of consultants, and nonessential staff, as well as other cuts. The T has some of the highest payroll costs among US transit agencies, according to the Massachusetts Taxpayer Foundation/Pioneer Institute report. Pension contributions for fiscal 2006 are up nearly 40 percent over 2005, with health care costs up about 10 percent. But MacDougall says labor costs are not the problem.

"They're an excuse by some to try to point to a place where you can gain efficiency," says the union chief. Health care and wages are major issues in negotiations currently underway between the MBTA and the Carmen's Union, whose contract, along with most of the other 27 T unions, expires at the end of June.

Unless Grabauskas can do something about the T's chronic budget woes, his promises of improved services may come to naught. Faced with a \$10 million deficit going into fiscal 2006, Mulhern discontinued Night Owl service and cut back subsidies to private suburban bus lines in his last year as general manager.

### LAST STOP

The job of MBTA general manager is not for the faint of heart. None of the last three occupants of that post—Michael Mulhern, Robert Prince, or Patrick Moynihan—lasted five years. Grabauskas's enthusiasm for his mission is obvious, but he hasn't thought beyond a five-year window. "You also have to be realistic," he says. "The burnout rate is pretty high."

For Grabauskas, the MBTA could be a career-making, or derailing, proposition. While the general manager doesn't explicitly rule out a future run for public office—it is "not totally impossible, but it's a tough one" is how he puts it—he won't be able to rest on his Registry laurels much longer. Though it's rare to hear a discouraging word about Grabauskas, an uncanny state of affairs for any public official, at some point, the MBTA's deficiencies will become Grabauskas's. While some improved directional signage has sprung up in recent weeks, so far advocates and riders have little to point to in the way of concrete changes, in contrast to the quick fixes instituted at the Registry, though most concede it's too early to pass judgment. Still, the stakes are high: If he succeeds in reinvigorating the T, he'll be able to write his own CharlieTicket. If he fails, or even makes scant progress, his reformer's mantle will begin to unravel. Among Grabauskas enthusiasts, the prediction is unanimous, if in some ways also ominous.

"He will whip the MBTA into shape," says Doody, Grabauskas's former RMV deputy. "He will get it done. And if he doesn't, I don't know who will." ■

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# URBAN re-renewal

No longer the  
mothballed commercial  
and industrial districts  
of a time gone by,  
downtowns in Lowell  
and Worcester are  
emerging as places  
to live and play

BY SHAUN SUTNER

PHOTOGRAPHS  
BY MARK OSTOW

**AT NIGHT, WORCESTER'S** Shrewsbury Street is alive with restaurant-goers and revelers, frequently including residents of a former biscuit factory that has been transformed into upscale lofts with 12-foot ceilings, exposed ductwork, and refurbished red brick walls. A decade ago, when the state's second-largest city was in the economic doldrums, this main drag of the city's Italian-American neighborhood on the East Side stayed remarkably vibrant, considering it is cut off from downtown by railroad tracks, a wide, urban renewal-era traffic artery, and a mostly empty parking garage. Today, the strip is booming and, for the first time in decades, there's reason to think the same can soon be said about the rest of this regional hub, which is pinning its hopes on an ambitious makeover of its downtown and other large-scale redevelopment projects around the city.

Though Worcester has long been seen as an economic backwater with ineffective and fractious political leadership, the city's leaders are more unified than at any time in memory, focused on the repopulation of downtown.

"This is the most optimism I've seen in the city in years," says David Forsberg, president of the Worcester Business Development Corp., which shepherded some big downtown projects in the 1990s, such as a new convention center and a new hospital, that helped lay the groundwork for current comeback attempts.

Young Park, the Boston architect and developer who is poised to invest \$470 million in the city with his massive CitySquare downtown redevelopment project, is convinced that Worcester has reached a critical stage. Park thinks an influx of new residents and capital has created a higher energy level in the city. Worcester is now ready to shed the decades-old inferiority complex that has kept it in the shadow of Boston, Park says. He sees his project as the catalyst that will push the city over the finish line.

"CitySquare will be the ultimate tipping point in something that is already happening," he says. "People are rediscovering Worcester as a place to make some money, to be entertained, to live. The money is there. What's missing is

the magnet.”

If Worcester is on its way back, 44 miles northeast on I-495 there is Lowell, which is already well along the road to recovery, probably three or four years ahead of Worcester.

Claimed to be the birthplace of the industrial revolution in the US and home to famously well-preserved mill buildings, Lowell is reinventing itself with a vengeance. In the last four years, the state’s fourth largest city has exploded with new loft apartments in formerly vacant or under-used red brick warehouses and factories clustered downtown. The condo boom has turned this old industrial center into an artsy, Soho-style neighborhood practically overnight.

The US Census Bureau estimated Lowell’s 2004 population at 103,000, down slightly from the 2000 count of 105,000, which was a 2 percent increase from 1990. But that estimate may quickly become obsolete, thanks to a spurt of growth downtown. By the end of this year, that area is expected to have more than 2,000 new residents in renovated lofts, eager to patronize the two dozen cafes and shops that have sprung up nearby. And just blocks away, Cambodian and Vietnamese entrepreneurs and homeowners are revitalizing the Acre neighborhood, once the city’s most depressed section.

“It’s been far more successful than we could have expected,” says James Cook, executive director of the Lowell Economic Development Fund, a bank and city government consortium that has fed the downtown rebirth with low-cost loans for risky startup businesses.

Brian Connors, Lowell’s economic development director, is a living advertisement for the lifestyle that he and the other young people running the city these days are promoting. It takes him about 10 minutes to stroll from his canal-side condominium across town to his office. Along the way, he picks up a latte at the Brew’d Awakening Coffeehaus, an Internet-ready cafe that turns into an intimate performance space once the sun goes down.

In the evening, Connors likes to walk to LeLacheur Park to take in a minor-league baseball game, or to the new Tsongas Arena or Lowell Memorial Auditorium for a concert, or the Merrimack Repertory Theater for a play. If he feels like a trip to the big city, the commuter rail station is a



Developer Young Park calls Worcester’s CitySquare “the ultimate tipping point.”

shuttle bus hop away. The train to Boston takes 40 minutes.

“People want to be able to walk to work, go out to eat at night near where they live, and then go to the theater, a concert or a ballgame,” Connors says. “They can do all that now. It’s an exciting time to be here.”

**COMEBACK CITIES**

For both Worcester and Lowell, these are only the latest in a long string of comebacks, made at least a bit easier by the fact that these two urban centers on the periphery of the Boston megalopolis never hit bottom. As Springfield, Lawrence, New Bedford, and Fall River descended into nearly hopeless abysses of poverty, crime, and white flight during the economic upheavals of the last few decades, Worcester and Lowell managed to hold onto a good chunk of their middle class. They are still confronting serious, if not intractable, urban problems, such as gang violence, homelessness, and drug trafficking. But municipal officials are banking on

growth in commercial tax revenues from new development to upgrade their police departments and schools.

Questions also persist about how enduring the current rebound will be. While Lowell has succeeded in re-seeding its core with residents and with places for them to spend money, efforts to bring office workers downtown have not been as successful. And its canals, while scenic from a distance, are still grimy upon closer inspection; cleanup has been hampered by the complexity of who owns what along the riverbanks and waterways.

Still, in Lowell's white-hot real estate market, two-bedroom lofts have broken the \$400,000 barrier, and a few exclusive penthouses are expected to go for more than \$1 million this year. Developers, who have taken advantage of historic preservation tax breaks, can't keep up with the demand. After the conversion of nearly 1,000 units, living space in the old mill buildings is almost gone.

**'Worcester has a new mentality. They're starting to become very proud, and a lot of people are coming in at just the right time.'**

John DeAngelis, a developer who has artfully renovated four buildings in Lowell since 2002—creating 51 custom residential units and a dozen commercial spaces—says the dream of a Lowell renaissance is already a reality. Now it's time to bring a major supermarket or upscale grocer such as Trader Joe's downtown, he says.

"There are only a handful of buildings left," says DeAngelis. "Now the turn is going to be on commercial and retail. We need it so badly." With downtown facing build-out, the city now is looking to a once-contaminated industrial site close to the train station, where planners envision the Hamilton Canal District rising over the next decade. As a "transit-oriented-development" project, the \$300 million complex is seen as likely to attract state funding.

Meanwhile, in Worcester, property values have more than doubled in the past decade, driven by migration from eastern Massachusetts that picked up steam in the last few years. The influx of newcomers has helped drive up Worcester's population more than 2 percent since 2000, to 176,000, while Boston lost 3.6 percent of its residents during the same period, according to the Census Bureau.

As the Boston-area affluents have moved in, they have brought with them service businesses ranging from

Starbucks and Home Depot and Lowe's to grocery chains that have sprouted half a dozen new supermarkets around the city in the last five years. Developers have feverishly built new private homes and converted old three-deckers into condos. They have turned old brick industrial edifices into urbane but (relatively) affordable loft homes, Lowell-style—although, unlike Lowell, these factory-building condos are not concentrated downtown, but rather scattered in outlying neighborhoods, which are also showing new signs of life. The Worcester land rush has even attracted speculators, who are buying up properties in places like Main South, one of the city's poorest neighborhoods.

"What is going on is a demographic shift from eastern Massachusetts," Boston businessman Park says. "And central Massachusetts is in a very good position to capitalize on this shift."

The designers of Park's mostly privately financed \$563 million CitySquare project are promising to restore the heart of the city, which was ripped apart by the disastrous urban renewal schemes of the 1960s and '70s. New and restored streets will reattach downtown with Shrewsbury Street's restaurant row and the commuter rail station.

Work is expected to begin soon on the first part of the eight-year undertaking to create a pedestrian-friendly, Harvard Square-like complex, with 150 market rate condos, two new office towers, and shops and restaurants to be done within three years.

Executives of Park's Berkeley Investments say they are placing a bet on Worcester in part because they were convinced that city leaders truly want change. They were also attracted by the 21-acre parcel's location, a five-minute walk from the city's transit hub, Union Station—a white Beaux Arts landmark renovated in the '90s with \$32 million in federal money.

"Worcester has a new mentality. They're starting to become very proud, and a lot of people are coming in at just the right time," says Barbara Smith-Bacon, a Berkeley vice president and project manager for CitySquare. "It's a big city. It should have its own identity."

To be sure, Worcester faces considerable challenges in making its urban-revival dream come true. CitySquare, which will be built in three phases, is somewhat speculative. Each part depends on the success of the phase that comes before it. If the economy tanks, the project could stall—or fall apart, critics warn. And commuter rail service to Boston, reinstated in the 1990s, has ramped up only from minimal to fitful: The CSX freight conglomerate owns the tracks between Worcester and Framingham and has blocked attempts to expand passenger service, now 10 round trips a day. But Worcester city manager Michael O'Brien says he is confident the city can overcome this obstacle, and state transportation officials have recently expressed a commitment to expanding the city's commuter rail service.



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Meanwhile, Worcester's regional airport, operated by the Massachusetts Port Authority, has struggled badly, with airlines coming and going, but it, too, is showing signs of recovery. One airline just set up shop with flights to Orlando, and city officials say others are seriously considering Worcester service.

The 39-year-old O'Brien sees the CitySquare project as the beneficiary of the previous decade's rounds of public investment. While the city, state, and federal governments provided most of the financing for the infrastructure mega-projects of the '90s, taxpayers are largely off the hook this time around, he points out. (The CitySquare development is promised \$93 million in city and state funds, with the city hoping to recoup its money from new tax revenue.) O'Brien also views CitySquare as one of many projects that will spur job creation and economic growth in the neighborhoods around them, in the process reconnecting parts of the city that have been cut off from one another.

"It does represent a bold vision," says O'Brien. "It is a catalyst project, but we can't look at any project as a silver bullet."

What's the best mix of residential, retail, and office space downtown? No one knows for sure, but O'Brien cites an August 2004 report by Sasaki Associates that provided the analytical underpinning for CitySquare. The Boston- and San Francisco-based architecture and planning firm says that, between now and 2010, downtown could likely support 60,000 to 127,000 square feet of new office space, in addition to 223,000 square feet coming from the redevelopment of the defunct Worcester Common mall at the center of downtown. (That site already includes 486,000 square feet of office space in two existing office towers.) In addition, the area could sustain development of nearly 1 million square feet for residential use; 257,000 square feet for retail; 66,000 for entertainment; and 30,000 for a downtown branch of Quinsigamond Community College, according to Sasaki.

### **ANGELS AND ARTISTS**

Compared with other small and mid-sized cities around the Commonwealth that suffered industrial decline and urban decay in the latter half of the 20th century, Lowell and Worcester survived to prosper another day in part because they had people in high places looking out for them.

When Lowell fell on hard times in the 1970s, it turned to the late US senator Paul Tsongas. He hauled in federal money for the national park in his hometown, sparking the keen interest in preserving the city's industrial heritage that has served it so well in its current makeover. In the late '70s and '80s, Chinese immigrant entrepreneur An Wang was another savior. Wang Laboratories made Lowell the unlikely center of a high-tech revolution and spun off technology companies that still proliferate in the Merrimack Valley. After Wang



dissolved, a casualty of the high-tech shake-out, Lowell languished in the 1990s but still managed, with state help, to build \$240 million worth of new schools, which helped retain middle-class homeowners.

While it hasn't enjoyed the luxury of a homegrown US senator for a hundred years, Worcester had a friend in the State House, Hudson native Paul Cellucci, who got to know

creation of St. Vincent Hospital at Worcester Medical Center on a once-contaminated 24-acre industrial parcel was a near-textbook example of productive reuse of an urban brown-field. The project had its share of controversy, especially when the hospital, built by what was then Fallon Healthcare System, a network made up of the region's dominant health maintenance organization and a leading physician group

practice, was turned over to Tenet Healthcare Corp., a for-profit hospital operator. (Early in 2005 it changed hands again and is now owned by Nashville-based Vanguard Health Systems.)

Now, each city is moving along different paths toward the same goal of economic revitalization. Each is following the imperatives of its own unique population and civic culture.

Lowell was a beacon for immigrants in the '80s and '90s, and Southeast Asians eventually made up one third of the city's population. But the latest renaissance was touched off by artists, who were the first to move into lofts in the old mill buildings. By most estimates there are at least 200 working artists in the city, with the fear now that they are being priced out by high real estate prices and rising property taxes.

Jerry Beck, who fled Boston four years ago to re-establish his innovative Revolving Museum in the heart of Lowell's newly fashionable downtown, is on a political crusade of sorts to win tax incentives for his fellow arts workers. Standing in the lobby of his contemporary arts center, which is undergoing a \$200,000 overhaul this winter, Beck notes the red brick warehouses and factories that surround it. They have survived to be re-occupied by office workers, commuters, and artists because they have been protected by the city's strict historic preservation regulations, he says. The same, he says, should be done for the artists who

helped bring them back to life.

"Hopefully, we can preserve and sustain the arts community just as the buildings are protected," says Beck. "What happens if they're selling this city as an arts community and we're not here any more?"

Capitalizing on its smaller scale and largely intact stock of industrial-revolution edifices, Lowell is pursuing an organic, building-by-building route to revival that began in the



*Developer John DeAngelis: Lowell's rebirth is a reality, save for a supermarket.*

the city when he practiced law at the start of his career. As lieutenant governor and then governor in the 1990s, Cellucci helped funnel state dollars for a new convention center attached to the former Worcester Centrum (now the DCU Center), a heavily booked arena that was the city's calling card in the '80s. Among \$1 billion worth of other development projects in the past decade was a sprawling 299-bed downtown hospital. Originally called Medical City, the

1970s when it became the first city in the United States to be named a national historic park. But Worcester's approach, consistent with its history, depends on large-scale projects associated with such institutions as universities and hospitals.

Both ways can work, say advocates of the New Urbanism school of regeneration. "These are two different approaches, but there's merit in both of them," says Daniel Emerine, a spokesman for the Smart Growth Network in Washington, DC. Lowell could bring itself back to life block by block, says Emerine, but in Worcester's case, "You have these massive dead zones that require a massive intervention."

In addition to the first phase of CitySquare, Worcester will see the completion of the Massachusetts Turnpike—Route 146 connector before the decade is out. The Little Dig, as it's called in Worcester, will finally give the city a direct link to the main interstate highway network. A \$90 million vocational high school, which will train workers for the biotechnology companies housed in the flourishing biotech park nearby, is set to open in the fall. In September, ground was broken for the 55-acre, \$250 million Gateway Park biomedical complex, a joint venture between the city and Worcester Polytechnic Institute that will include housing units, office space, and laboratories. The \$180 million courthouse now going up on Main Street will be the biggest local courthouse in the state when it is done in 2007.

## MANAGERIAL CONTROL

It may be no coincidence that both Worcester and Lowell operate under the city manager—city council form of government, a framework whose advocates are convinced yields more rational decision-making and less backroom political maneuvering. But if the manager-council system takes some of the politics out of local government, Lowell's decision to eliminate district council seats carries the concept one step further. Worcester still has five district seats, and the district councilors have tended to favor their own constituents' parochial interests. Still, the usually quarrelsome council has gone along for the ride, at least for now. Along with the city manager, Mayor Timothy Murray—who is a city councilor, though he is directly elected by the voters, not his fellow councilors—has been one of the biggest cheerleaders for CitySquare. Indeed, Murray was credited with the idea for the project after releasing a white paper advocating the sale of the moribund mall.

In the past, Worcester's mayors have feuded with the managers, in the process encouraging advocates of the strong-mayor alternative to lead periodic uprisings against the manager-council system (see "Whither Worcester?" *CW*, Fall '04), only to be beaten back. But with the dynamic young O'Brien at the helm, and Murray—long whispered to be coveting the powers of a strong mayor—behind him, the cause is dead, at least for now. The city has fallen back

into comfort, if not love, with the managerial system, and the fruits of it seem to be at hand.

Does the form of municipal governance matter? Not according to the Worcester Regional Research Bureau, which considered that question in a 2004 report titled *Mayor vs. Manager*. Surveying 22 like-sized cities, the bureau found that manager-led cities such as Portland, Maine, and Fort Lauderdale have prospered, but so, too, have mayor-run Stamford and Providence. On the other hand, city managers haven't saved Hartford. The conclusion: What counts is the quality of leadership itself.

"It really does depend on who's in charge," says bureau executive director Roberta Schaeffer.

Lowell could bring itself back block by block, says one smart-growth advocate, but Worcester has 'these massive dead zones.'

Lowell seems to have had no such tension over its governance system. Even in the darkest days, the city's business establishment and political class stuck with the managerial government it adopted in 1944, five years before Worcester.

"There's a real sense that it's the best way to run a city, even in bad times," says Kendall Wallace, chairman of the board of the Lowell *Sun* newspaper, who has observed the city's ups and downs over five decades. "The managers have been strong and have been allowed to function without a lot of political interference."

## NEW URBAN VILLAGE

CitySquare's designers and architects are purveyors of the New Urbanism. But unlike the salesmen of urban renewal, the new urbanists have shown that their model works. In places such as Atlanta and Lakeville, Colo. (in suburban Denver), they have replaced brownfields and failing malls with large-scale, mixed-use communities where people live, work, shop, and play.

Berkeley Investments, also the developer of the 121 High St. project in Boston's Financial District, is building CitySquare on the footprint, or grave, of the old Worcester Galleria and its gargantuan, if little used, parking lot. The defunct mall, which morphed into the short-lived and unlamented Worcester Common Fashion Outlets in the early '90s, was one of a species of nearly extinct urban malls that

still haunts the downtowns of Springfield, Hartford, and New Haven.

When the Galleria opened in 1971 in the heart of the city, it was hailed as the way of the future, a bit of suburban shopping nirvana in downtown Worcester. But encased in windowless concrete and shut off from city streets, the mall lurched toward failure even as it swallowed up the urban landscape. A barren multi-lane thoroughfare, Worcester Center Boulevard, disrupted the downtown roadway grid and supplanted Main Street, whose businesses withered.

Now, CitySquare is aiming to reknit the urban fabric by erecting a city within a city, its architects say. New streets will reconnect the old as downtown gets pulled together with Washington Square, the chaotic rotary in front of Union Station, and Shrewsbury Street. But the project is also intended to open up to the city around it with plazas, two theaters, street-level restaurants and shops, and 600 upscale condos in three new buildings to go with three new office towers.

“In Lowell, the city infrastructure is still in place. We have to re-create that here,” says David Bois, a senior associate at Somerville-based Arrowstreet, Berkeley’s architecture firm. “Our goal is to reintroduce the city scale that’s lost right now.”

Bois and his colleagues aren’t looking to fabricate a red

brick wonderland for Worcester. Their vision is for buildings “of this time,” as Bois puts it. Lowell-style loft living, with its long narrow spaces and limited storage, isn’t for everybody, Bois points out. CitySquare will be marketed to people who want a modern urban experience with the kind of amenities associated with market-rate apartments in downtown Boston or New York, he says.

Paul Giorgio—cafe owner, loft builder, and publisher of a new entertainment magazine in Worcester—houses his ventures in the middle of a budding entertainment district off downtown that has attracted gay- and lesbian-owned businesses and their customers. He likes Worcester’s new dynamism, but he cautions that the city should be mindful of nurturing its own talent. “It’s good to bring in fresh capital, but you also need to look at local people and encourage them,” Giorgio says.

Indeed, there are some concerns in both Worcester and Lowell about turning once-proud industrial cities into Boston bedroom communities. Sure, the newcomers love their lofts, condos, and cafes, and they might prefer commuter rail to highways, but will they have any attachment to their new communities? Whether they will participate in civic life, schools, and government, or even read the local newspaper, is yet to be seen.

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## AS LOWELL GOES, SO GOES WORCESTER?

While downtown Lowell's physical plant is still intact and Worcester's has been ripped apart, the two cities still share a host of resemblances. Both are old manufacturing centers that have been cut off from Boston by their perches off the main roadway networks. Lowell is tethered awkwardly to I-93 by the desolate Lowell Connector. Worcester has never had its own exit on the Massachusetts Turnpike. Keeping to the main highways, drivers from Boston have to get off the Pike in Auburn, past the city, and travel east on I-290 to get to downtown Worcester.

And neither has completely shed the persistent image each shares with other smaller Bay State cities as dangerous places with shoddy schools, few jobs, and bleak futures. A 1995 HBO documentary on Lowell's crack cocaine problem didn't help. Both cities struggle to control gang violence.

Though about half Worcester's size, Lowell is the business, education, culture, and media hub of its region, the Merrimack Valley, just as Worcester dominates central Massachusetts. With nine colleges and universities, Worcester outdoes Lowell in sheer number of schools. But the bustling downtown campus of Lowell's Middlesex Community College contributes more to the life of the city than Holy Cross, Assumption, and many of the other Worcester colleges that, located in residential neighborhoods, have largely stayed aloof from the city center over the years. (Clark University has been an exception, becoming a linchpin of development in the beleaguered Main South neighborhood, but it still has no presence in the traditional central business district.) One sign of academic life downtown is the new Massachusetts College of Pharmacy and Health Sciences complex, where 300 students now live and study.

In Lowell, the professionals, teachers, and municipal employees who have stuck with the city live in comfortable tree-lined neighborhoods such as Belvedere and Lowell Highlands that look remarkably like sections of Newton or



*James Cook: Loans to Lowell start-ups were "far more successful" than expected.*

Brookline—and like Worcester's expansive, middle-class West Side. Worcester has the Worcester Art Museum, one of the best small museums in the country, to compete with the Lowell National Historical Park, the Lowell Art Museum, and Beck's modern art museum and the new wave of galleries. Not to be outdone by Lowell's minor league baseball team, the Boston Red Sox-affiliated Spinners, last spring Worcester brought to a refurbished Fitton Field at Holy Cross its first professional baseball team in a century, the independent league Worcester Tornadoes. (See "Rooting for the Home Team," CW, Fall '05.)

Both cities also have well-read newspapers that cover daily developments in their hometowns with an intensity that the Boston papers don't try to match. Both the Lowell *Sun* and the Worcester *Telegram & Gazette* have been bought

up by outside chains and have gone through downsizing, but they remain influential voices in their communities. The *Telegram & Gazette* has opted to stay in its old downtown building, sections of which have been renovated by its corporate parent, The New York Times Co. The *Sun*, meanwhile, will soon play its part in Lowell's downtown transformation by swapping its headquarters in a not-yet-redeveloped corner of downtown to developer DeAngelis for one third of the American Textile History Museum, which is downsizing because of weak attendance. DeAngelis will renovate both buildings.

While things may be happening on a bigger scale in their city, members of a group of Worcester business, university, and municipal leaders that formed in September are looking to Lowell as a model for their own efforts. The new economic development partnership has based itself on the venerable Lowell Plan, a public-private nonprofit corporation that was born in the 1970s to guide Lowell's growth. Paul Tsongas and then-city manager Joe Tully sketched out the idea for the Lowell Plan on a napkin. Today it carries on in the form of the Lowell Plan Commission, with James Cook, head of the Lowell Development Finance Corp., serving as executive director. Like the Lowell Plan, the Worcester entity will have its own staff and funding.

Despite the gains of Worcester's biotech and medical sectors over the last 20 years, the city's employment and wage growth has lagged well behind Lowell's, and the country's, since 1990, according to a McKinsey & Co. report commissioned by the new Worcester group. The McKinsey report noted the success of the Lowell Plan's current three-year, \$1 million marketing campaign, with its slogan: "There's a lot to like about Lowell." The consultants also highlighted Lowell's markedly lower business tax rates and embarrassingly higher commercial tax base.

Michael Angelini, a prominent Worcester lawyer who is a leader of the new group, says Lowell's experience "gave us a kick in the pants to get things moving." One thing Angelini and others, including city manager O'Brien, want to do right away is mimic Lowell's Downtown Venture Fund and start funneling cash to small-business startups. Heeding another McKinsey recommendation, O'Brien reeled in his economic development agencies, which were scattered in various departments, and made them into a single, unified group—something Lowell did years ago.

People in both communities say they can learn, and take inspiration, from each other's example. Developer DeAngelis says that he's sure Lowell, in its success, is paving the way for its bigger cousin to the south and west. "Lowell is small, Worcester is vast," he says. "It's going to expand to Worcester within three or four years. It will come to Worcester." ■

*Shaun Sutner is a reporter for the Worcester Telegram & Gazette.*



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# Second ACT

## Can the arts bring Pittsfield back to life?

BY B.J. ROCHE

PHOTOGRAPHS BY MARK OSTOW

It took a year, back in the early part of the 20th century, to build the four-story, half-million-square-foot headquarters of the General Electric transformer division on the outskirts of downtown Pittsfield; now it's expected to take a year to tear it down. GE chief Jack Welch earned the nickname "Neutron Jack" back in the 1980s for laying off workers and leaving buildings intact. Now, the buildings are going, too.

One day last fall, a giant claw was slowly working its way through concrete flooring and steel reinforcement bars, left dangling like so many split ends. Across the street stood Pittsfield police officer Christopher Kennedy, watching the factory come down.

"These were more than good-paying jobs," says Kennedy, over the din of heavy machinery. "They kept the city going. My father worked here for 35 years, so it's one last chance to see the inside of this place."

Across town, another 100-year-old building is being treated with a good deal more kindness. After years of false

starts, the once-regal Colonial Theatre is nearing completion of a \$21 million restoration. Donning a hard hat, Colonial's acting executive director, Sharon Harrison, leads a visitor up into the balcony to get a look at a recent milestone: the gilding of the scrolls atop one of the theater's columns. It's taken years of effort, and even forensic research, to get the right color gold, to make it just the way it was back when the place opened in 1903.

The two buildings serve as metaphors for a change in economic direction for Pittsfield. Manufacturing still plays a role—General Dynamics is still here, and a new industrial

*A renovated Colonial Theatre  
is seen as a linchpin of the  
cultural economy.*



park is planned for the GE site—but city leaders are counting more on the Colonial, and projects like it, for the city's future. They believe so strongly that they have committed more than \$1 million in public money toward the Colonial restoration project.

The Colonial is just one component of the city's "cultural economy" strategy for economic development. Mayor James Ruberto recently named a new director of the Office of Cultural Development, whose charge includes helping to attract new arts-based businesses. Tax breaks and zoning regulations are being used with an eye toward diversifying the economy and directing growth downtown.

"The story of Pittsfield is the story of a city that's in transition," says Ruberto, who was recently elected to a second two-year term. "There are less manufacturing jobs today than yesterday. But the value of crisis is that it forces people to accept that the status quo is no longer acceptable. It's through urgency that you create a condition that says, 'We must change.'"

Pittsfield's future is as the "Brooklyn of the Berkshires," says cultural development director Megan Whilden. "I don't

think anyone wants to see Pittsfield become a one-industry town like it was before," she says. "Where it's going is [toward becoming] a healthy, vibrant city with a downtown that's lively, active, and diverse."

It's a story you see a lot these days, from Maine to Muncie, as former industrial towns try to bail themselves out with a museum or a performing arts center, the public policy equivalent of a Mickey Rooney movie. ("Let's put on a show!") The theory goes like this: Clean up the downtown; bring in theaters, restaurants, galleries, and shops; create a buzz; and the people will come—and bring their wallets.

There's debate among economists and urban development specialists about whether tax breaks and public investment in these efforts really result in job growth. (See "Putting a Price Tag on the Arts," next page.) But proponents of the cultural economy say its chances in Pittsfield are good, because of the city's proximity to established arts landmarks, including Tanglewood, the Mount (Edith Wharton's former home), and the Francine and Sterling Clark Art Institute.

If perception has any value, the efforts are already

paying off.

“There’s this habitually negative thinking in Pittsfield that’s totally on the wane,” says Whilden. “People are thinking about Pittsfield in different ways.”

### WHAT TO DO FOR AN ENCORE?

That’s one change Pittsfield could use. Few Massachusetts cities have seen their fortunes fall as far, and as fast, as the gritty urban seat of bucolic Berkshire County. At its peak, 30 or 40 years ago, its political interests were represented in Washington by one of Congress’s most powerful and flamboyant leaders: Silvio Conte, a Republican who once wore a pig-snout on the House floor to protest pork-barrel spending but who never failed to bring home the finest cuts.

As the center of the transformer, plastics, and ordnance divisions of General Electric, Pittsfield was an industrial dynamo. In the mid 1970s, GE was the city’s largest taxpayer, employing 10,800 people. When the company largely departed for good, in the early 1980s, it left behind a broken community, burdened by double-digit unemployment, a shriveled tax base, and a PCB-pollution problem so bad that

the city nearly joined the ranks of Superfund sites.

The 20 years since have not been kind. Crime has increased in recent years, and drugs are a growing problem. Nearly 40 percent of Pittsfield’s housing stock is rated marginal or substandard, abandoned or neglected in the GE exodus. In 1970, about 57,000 people lived here; today about 44,000 do. Those who remain, including a small but growing minority population (4 percent black, 2 percent Latino, according to the 2000 US Census), worry about increasing property taxes, the lack of good-paying jobs and the city’s decline.

How bad have things gotten for once-proud Pittsfield? When *Yankee* magazine recently published a story about the pleasures of driving the Berkshires’ Route 7 from Connecticut to Vermont, the illustrator forgot—or declined—to put the city on the map.

And that may be one good reason to like the place. Pittsfield’s ethnic, blue-collar scrappiness serves as a real-world counterweight to its chintzed-up and chi-chi neighbors of Stockbridge, Lenox, and Williamstown. Wahconah Park, the town’s minor league ballpark, looks like something

## PUTTING A PRICE TAG ON THE ARTS

Advocates of the cultural economy, including Pittsfield Mayor James Ruberto, often cite the work of sociologist Richard Florida, whose 2002 book, *The Rise of the Creative Class: And How It’s Transforming Work, Leisure, Community and Everyday Life*, lays out the premise that, in order to attract businesses and workers, cities need to create an environment filled with cultural, commercial, and recreational amenities that appeal to the “creative class”—meaning the young, the educated, and the talented.

Florida’s ideas caught fire with governors ranging from Maine’s John Baldacci to Michigan’s Jennifer Granholm, who declared that her state needs “strong regional economies anchored by cool cities,” but even more so with the mayors of old Northern manufacturing cities desperate to re-ignite their local economies. Google the term “creative economy” and you’ll find references from Portland, Maine, to Portland, Ore., and headlines like CREATIVE ECONOMY: THE NEW SUCCESS TICKET?

Catering to the creative class also provides an economic justification for supporting arts organizations, with public money as well as private. In the past few years, a cottage industry of consultants has emerged to promote the economic benefits of the arts, and to advise communities on how to pursue those benefits.

Just as passionate, however, are Florida’s critics. These include author Joel Kotkin, a senior fellow with the New America Foundation; Joel Rogers of the Center on Wisconsin Strategy;

Fred Siegel, an urban historian at the Cooper Union in New York and a senior fellow at the Progressive Policy Institute; and Steven Malanga, who wrote an article in the Manhattan Institute’s *City Journal* titled “The Curse of the Creative Class.”

“A generation of leftist policy-makers and urban planners is rushing to implement Florida’s vision, while an admiring host of uncritical journalists touts it,” writes Malanga. “But there is just one problem: the basic economics behind his ideas don’t work.”

These critics argue that when communities stick to their traditional-but-unfashionable knitting—maintaining infrastructure and good schools, keeping taxes reasonable and housing affordable—economic development takes care of itself. Advocates of the cultural economy have it backward, says Kotkin, in an interview. The arts don’t create strong economies, he says, it’s the other way around.

“You have to understand what is fundamental and what is secondary. And since politicians have no idea of how to manage the fundamentals, they go to the secondary,” says Kotkin. “Generally speaking, it’s education, infrastructure, and public safety. If you get these things right, everything else will follow.”

Williams College economist Stephen Sheppard concedes that the cultural economy is no cure-all, and that it can be oversold by politicians. But, he says, detractors ignore the real, measurable economic value of the arts to local economies.

Sheppard runs the Center for Creative Community Development, based at the Massachusetts Museum of Contemporary



you'd find on a Hollywood backlot. And there are other, more positive, legacies of the GE era, including attractive middle-class neighborhoods with tree-lined streets, and schools children can walk to. There are mom-and-pop lunch counters, and supper-on-payday restaurants like the Highland and Over the Rainbow, places that don't charge you the equivalent of a car payment for a night out.

When several members of the American Institute of Architects came to Pittsfield in October to do some pro bono work on the city's Master Plan, they found a downtown with plenty of architectural train wrecks: the senior center made out of a movie theater; the juvenile court that used to be a store. But they also noted an abundance of buildings that could give a yuppie



Mayor James Ruberto is advocating a "cultural economy" strategy for redevelopment.

heart palpitations, including mistreated Victorians and ornate storefronts still standing because it cost too much to tear them down. This, they concluded, was a place that

Art (Mass MoCA) in North Adams, an institution whose *raison d'être* was to rejuvenate that city's economy. In a 2002 study, he found that 94,000 MoCA visitors from outside Berkshire County brought \$14.2 million to the local economy annually. He also found an increase in property values of between \$25 million and \$30 million, and 200 to 250 new jobs as a direct result of the museum.

Sheppard says both supporters and detractors of the cultural economy oversimplify the issue in part because of the scarcity of careful research documenting its impact. He's received funding from the Ford Foundation and Williams College to solve just that problem. Sheppard is now doing a study for the New England Foundation for the Arts, looking at the cultural economy in communities across the state, including Brockton, Concord, Holyoke, Lowell, Lenox, Lee, Provincetown, Sandwich, and Stockbridge.

"There wasn't a single community where it appeared to be having no effect whatsoever," he says. "In some places it was stronger, in some places weaker. But in every single place, the cultural economy appears to have had an impact."

And Sheppard is looking at the distribution of the cultural economy's benefits, another sore point between proponents and detractors.

"It appeals to a particular class, and not just the young, the hip, the cool," says Kotkin. "It's the wealthy lawyer who'd like to go to the museum. What astounds me is that this is what liberals are offering. I thought liberals were about the

working class and the middle class." Indeed, in his *City Journal* article, Malanga predicts battles between two groups of liberals: those who advocate funding for the arts, and those who support spending on social services and municipal labor contracts.

For Sheppard, the issue is how success in an arts-oriented economy can price out those who are not lifted up by it—as in Northampton, where the cultural economy has taken off, but affordable housing has become a problem.

"One thing that's unfortunate is that people have ignored the class issues," he says. "The reality is anything you do, whether in the cultural economy, or in the education system, that makes your community a more desirable place to live is going to increase property values. It's not honest to say that's not going to happen. We need to make sure that everyone gets to experience and realize the benefits of these public policies."

As he makes this point, Sheppard is speaking by phone from Sheffield, England, a former steel town that is reinventing itself as an arts center. Sheffield was the setting for *The Full Monty*, a film in which a group of unemployed steelworkers make their own transition into the cultural economy by becoming male strippers.

"In this city, they're pursuing these strategies, revitalizing the city center and totally expanding their performing arts center," says Sheppard. "They're doing tremendous things here."

—B.J. ROCHE

# Pittsfield has architectural train wrecks, but also lots of possibilities.

had possibilities.

Ruberto, a former plastics salesman with a University of Massachusetts MBA who grew up in Pittsfield—his father was a well known attorney, and his late brother, Anthony Ruberto Jr., a former district attorney and District Court judge—moved away and returned several years ago, thinks the city can turn these random sparks into a full-fledged revival. Besides the new industrial park, there are development proposals for more than 400 new units of housing over the next few years. The second-home market for New Yorkers seeking Berkshire retreats is taking off in Pittsfield for the first time; 112 units of such housing were permitted in the past year. A plan for a large time-share development is in the works.

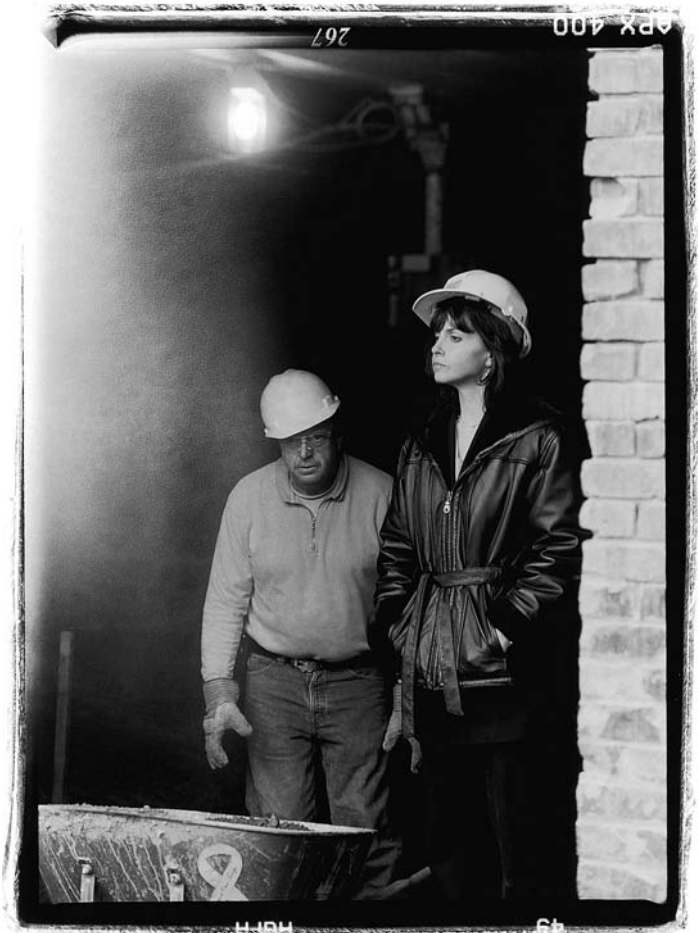
That cultural tourism is part of the Pittsfield strategy—and Ruberto cautions that it's only a part—is a function of location as much as it is fashion. The leafier parts of the county have long had an arts colony feel, but the Berkshires cultural economy has started to infiltrate the city, thanks to its central location, as well as old performance halls at the right price.

The Sheffield-based, Tony Award-winning Barrengton Stage Co. recently bought the 500-seat Berkshire Music Hall, which it's renovating for its season this summer. "We really needed our own theater," says Eric Shamie, marketing director of the company. "This is a little more convenient to Albany, Northampton, and Springfield. And there's an arts renaissance going on here, so it feels good." Nearby, there are plans for a multiplex cinema in the old Kresge-Kinell Building, financed in part by a \$1 million state grant and \$900,000 in tax credits.

## ANOTHER EVENING, ANOTHER SHOW

The capstone to it all is the Colonial Theatre, which sits at the south end of the downtown, next door to the Berkshire Museum. When it opened in 1903, the Colonial was a landmark on Pittsfield's main thoroughfare; one of those ornate jewel boxes designed by prominent theater architect J.B. McElfatrick. But the Colonial had more than good looks; one London critic called it "one of the greatest acoustical houses in the entire world." John and Ethel Barrymore performed there; so did Sarah Bernhardt, Al Jolson, and the Ziegfeld Follies.

Like most of New England's small theaters of the era, it was later converted to a movie theater, which closed its doors in 1949. Three years later, local businessman George Miller bought the building to use as an art supply store and



*Putting it together: Sharon Harrison at the Colonial Theatre.*

walled off the actual theater, inadvertently preserving its beautifully detailed balconies. Restoration efforts by the grass-roots Friends of the Colonial got a boost in 1998, when First Lady Hillary Clinton visited Pittsfield and officially dubbed the theater a National Historic Treasure. Along with the title came a \$400,000 grant toward its renovation.

In 2001, those efforts were taken over by the Colonial Theatre Association, a private, nonprofit group whose board includes Ruberto and his wife, along with local lawyers, bankers, and other professionals. The group has raised \$18.5 million toward the \$21 million needed to restore and run the theater for the first few years, according to acting executive director Harrison. These funds include \$2.5 million from the Massachusetts Historical Commission, \$2.5 million in convention center bonds approved in 1997, \$1 million from the Massachusetts Office of Travel and Tourism, \$56,000 from the Massachusetts Development Finance

Agency, and \$4 million in donations from individuals and foundations. The group is now in negotiations for a minimum of \$6 million in Historic and New Market Tax Credits to be sold by the Massachusetts Housing Incentive Corp.

In October, the roof on the Colonial was still open to the sky, and the rebuilt stage was just taking shape. But the renovation of the theater into an 810-seat venue is proceeding on time and on budget, according to Harrison, who expects the theater to open this summer. The programming will include plays, dance, comedy, and music ranging from jazz to country-and-western.

In a much-debated move last year, Ruberto and the City Council awarded \$1 million to the Colonial out of a \$10 million city economic development fund established by General Electric as part of its settlement over PCB pollution. Ruberto says the decision to use public money on the private, nonprofit theater was the easiest decision he's made since taking office.

"That 1 million [dollars] represented a collaboration with the financial community [and a sign] that the city's willing to put its money where its mouth is," he says. That, he says, made it "easy to go to the state and federal agencies and say, we believe this will be the core of our revitalization, and it can only happen if we collaborate."

Williams College economist Stephen Sheppard says investment in the arts economy will pay off for Pittsfield because of its location in the middle of one of the nation's best-known regions for culture, with an estimated 400,000 "cultural tourism" visits each year.

"With a little imagination," says Sheppard, "one can certainly see a revived Colonial Theatre, along with the Berkshire Museum and the Berkshire Music Hall and, with luck, a cinema complex...as a truly vibrant and interesting center for the county."

In 2002, Sheppard performed an economic impact study that found that a revived Colonial would inject more than \$2 million into the city's economy and increase property values by \$20 million to \$40 million. In addition to staff positions, the theater is projected to generate 100 new jobs in the city; by one estimate, 40 of the 100 construction jobs on the project so far have gone to Pittsfield residents. In a tax filing made in November, the Colonial Theatre Association estimated that the facility would provide 16 full-time and two part-time jobs.

And, Sheppard says, cultural economy wages are competitive with manufacturing, if in part because manufacturing wages have declined so steeply in the past decade. Those who wax nostalgic for the days of GE are "remem-

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*Restaurant owner Pasquale Arace says the arts aren't enough.*

bering a past when manufacturing wages were astonishingly high," he says. "And that's also a world that doesn't really exist anymore."

## **PATRONS OF THE ARTS**

Like Ruberto, Deanna Ruffer grew up in Pittsfield, and left in the early 1980s to pursue her career. Trained as a planner and engineer, she worked for the Southeastern Massachusetts Region Planning and Economic Development District before moving to Atlanta, where she became vice president of the international consulting firm Roy F. Weston. She returned to Pittsfield a few years ago to work for the mayor. Ruffer's father served as head of the Chamber of Commerce back in the 1960s, and she remembers a prosperous city with a downtown that was hopping on Saturday night. Now, as community development director for the city, she's trying to make that happen again.

"The cultural economy is not only a direct job-creation, economic engine, but it makes us an even more attractive place for other industries to come," she says. "If we don't have a vibrant community with lots of things to do, then people don't want to live here."

Indeed, the arts came to downtown Pittsfield in part because there wasn't anything to do there. The Storefront Artist Project, launched by painter Maggie Mailer three years ago, put more than 30 working artists into empty storefronts on North Street, the city's main thoroughfare. To

direct the arts business downtown, Pittsfield created the Downtown Arts Overlay District, which makes it easier for artisans to locate their distinctive businesses, which often mix uses that traditional zoning keeps separate, in the city center. One result: Sam Kasten Handweavers, a maker of high-end textiles, moved into a downtown building as “artists” rather than manufacturers.

The city is also awarding tax incentives to entrepreneurs who invest in downtown. Joyce Bernstein and Larry Rosenthal, who run Link to Life, a medical alert business in town, are renovating two North Street storefronts into Spice, a restaurant and gourmet food emporium. The upgrade is expected to increase that property’s value by as much as \$2 million. In exchange for the 68 jobs they have pledged to create over the next four years, the pair will have their property taxes frozen for 11 years.

While the daily *Berkshire Eagle* has generally supported Ruberto’s efforts to lure artists and restaurateurs downtown, Jonathan Levine, publisher of the weekly *Pittsfield Gazette*, opposes the use of tax-increment financing (TIF) for restaurants and retail. He argued that the Bernstein-Rosenthal deal was a misuse of the tax incentive, and in any case the terms and time frame were far more generous than incentives given to larger projects that are less likely to move

or shut down, like Interprint, a large manufacturing facility. These tax breaks, he says, essentially force existing downtown restaurants to subsidize their own competition.

“Why is their venture more worthy of massive subsidy than competing hospitality businesses?” asks Levine. “And how do taxpayers benefit by such an extraordinary tax write-off?”

Levine wonders whether the economic costs of these policies will result in a large enough economic payoff, but Ruffer says the rationale is straightforward.

“It’s simply saying, you’re making an investment that’s helping us in our community,” she argues. “In exchange for that, we’ll help you make that investment more economically viable. We benefit because our tax base has in fact gone up, at the end of the agreement. And, also, we have the jobs.”

#### FUTURE OR FROTH?

Ruberto has been credited with bringing new energy and an optimistic vision to the city, and he won reelection handily. Still, not everyone shares his faith in the economic power of the arts.

“Things are tough here, and you can put all the plastic sheep you want on North Street, hold hands, and sing

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'Kumbaya' all you want, but things are not good," Jim Arponte, organizer of a "Taxpayers Rally" in September, told the *Eagle*. Arponte was referring to "Sheeptacular," an event in which local artists decorated fiberglass sheep and displayed them throughout the downtown.

Residents like Arponte worry about property taxes that are expected to increase more than 4 percent this year, and about a spate of violent crime, much of it drug-related. (There have been five murders in the past three years.) There are still concerns about PCBs in the neighborhoods. In their minds, economic development funds and tax incentives should be used to attract industries that pay people a good wage to make things—and they don't mean artisanal goat cheese ravioli or Raku pottery.

Down the street from City Hall, the lunch crowd filters into the Highland, a 60-year-old family restaurant where people actually order "the usual" and the Friday special is "creamed cod, mashed and veg" for \$4.50. At the counter, owner Pasquale Arace banter with his customers about Georgia and the Carolinas, which, on this fall day, seem like a Promised Land of cheap houses, good jobs, low taxes, and balmy weather.

When pressed, though, Arace, who is 37 and in the second generation of his family to run the place, admits it's all talk

—he's not going anywhere. He loves Pittsfield. But many of the people he grew up with have left, he says, and he wonders whether, or how, the city is going to return to prosperity.

"The arts are great, but they're the froth," Arace says. "You have to have the other stuff, too, and you have to have the other stuff first." He worries that the city made a dubious investment in the Colonial, and could even end up subsidizing the theater's operations.

"It's not that people don't like the arts," he continues. "But there's a rift in the city. A lot of people felt that money should have been used to bring some industry to the city, something that would have created more jobs."

Ruberto bristles at the implication that the Colonial, and the let-me-entertain-you economy it represents, holds no promise of employment. "There are good jobs in hospitality, from hotels and restaurants [to] movie theaters and museums," he says. But for some residents, the Colonial remains a boondoggle.

"This was a product of the political community, not the economic development people," says Tom Sherman, a regular at the Highland counter who lives in Lenox.

Former Yankees pitcher Jim Bouton puts it more pun- gently. In his book *Foul Ball*, which recounts his experiences tangling with Pittsfield's powers-that-be over his plans to



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# ‘There’s also a contingent who thinks it’s an elitist thing, a bad fit for Pittsfield.’

renovate Wahconah Park and bring back minor-league baseball, Bouton calls the Colonial “Pittsfield’s largest welfare recipient.”

Jonathan Levine, the *Gazette* publisher, also serves as theater critic for his newspaper, and is a member of the American Theater Critics Association. A lover of the arts, he says he’ll be first in line when the Colonial opens. But Levine worries that the city has yet to see a business plan for the facility, and he thinks that it’s a mistake to mix art with politics.

“The more City Hall gets involved, the messier it gets,” he says. “Everything becomes political. That’s why the current situation is strange. The City Hall is involved and it’s almost all public funding, but it’s not a public project.

“The key concerns were whether this represented true economic development, whether it was appropriate use of public money, and whether we could believe the numbers being presented,” Levine says. “Some, including me, have questions about the management and leadership of the project. There’s a lack of a viable business plan. How does this thing operate? There’s also a contingent who thinks it’s an elitist thing, a bad fit for Pittsfield.”

That management suffered an embarrassing hiccup last summer when it was reported that the Colonial’s executive director, Susan Sperber, was romantically involved with Howell Palmer, the married president of Berkshire Life Insurance Co., who headed the Colonial board. No wrongdoing was alleged in her management of the theater association, but Sperber didn’t help her cause by requesting a three-year, \$100,000-per-year contract shortly thereafter. (She left her \$80,000-per-year job after the scandal broke; Harrison is minding the store while a national search for a new director is underway.) Sperber and Palmer have since formed the Palmer Westport Group, which, among other things, advises nonprofits and communities about the benefits of restoring old theaters, and where to find the money to do it.

## HEADING UPWARD?

Which brings us back to that old GE site. Once the transformer building is cleared away, this 52-acre site will return to productive use as the William Stanley Business Park of the Berkshires, named for the man who ran the precursor to GE, the Stanley Electric Works. The industrial park will house 350,000 square feet of light manufacturing, financial services, and a call center, and it’s expected to add between 800 and 1,000 jobs over the next 10 years. And other vestiges of the GE heyday remain: Between 400 and 500 people are still employed in GE Plastics in Pittsfield, which remains the

company’s world headquarters for research and development in plastics, and the General Dynamics group that took over the ordnance division still has a presence here.

Thomas Hickey Jr., executive director of the Pittsfield Economic Development Authority, wants to capitalize on the cluster of small plastics companies that spun off from GE and stayed in the area. He estimates there are about 60 molding and plastics firms in Berkshire County, though smaller and more specialized than what came before. Sinicon Plastics, for example, produces small biomedical devices and precision gears, products so precise in their manufacture that they can’t get sent offshore. “It’s real precision molding,” says Hickey, “so quality-intensive that it’s not worth it for the Chinese.”

Hickey, who used to work for GE and served on the city council for 12 years, also thinks there’s potential to draw back-office work for financial service companies. In Pittsfield, he feels, he has a lot to pitch: affordable housing, a solid school system, the Berkshires quality of life.

There are also tax incentives. These include the state’s brownfields tax credit; phased-in real estate taxes that run up to 15 years, depending on the number of employees; and personal property tax exemptions on anything used for manufacturing.

And then there’s that new downtown, soon to be bustling with arts, entertainment, maybe even swells from the Big Apple, here for the weekend and a show that’s way off Broadway. Or so city officials hope.

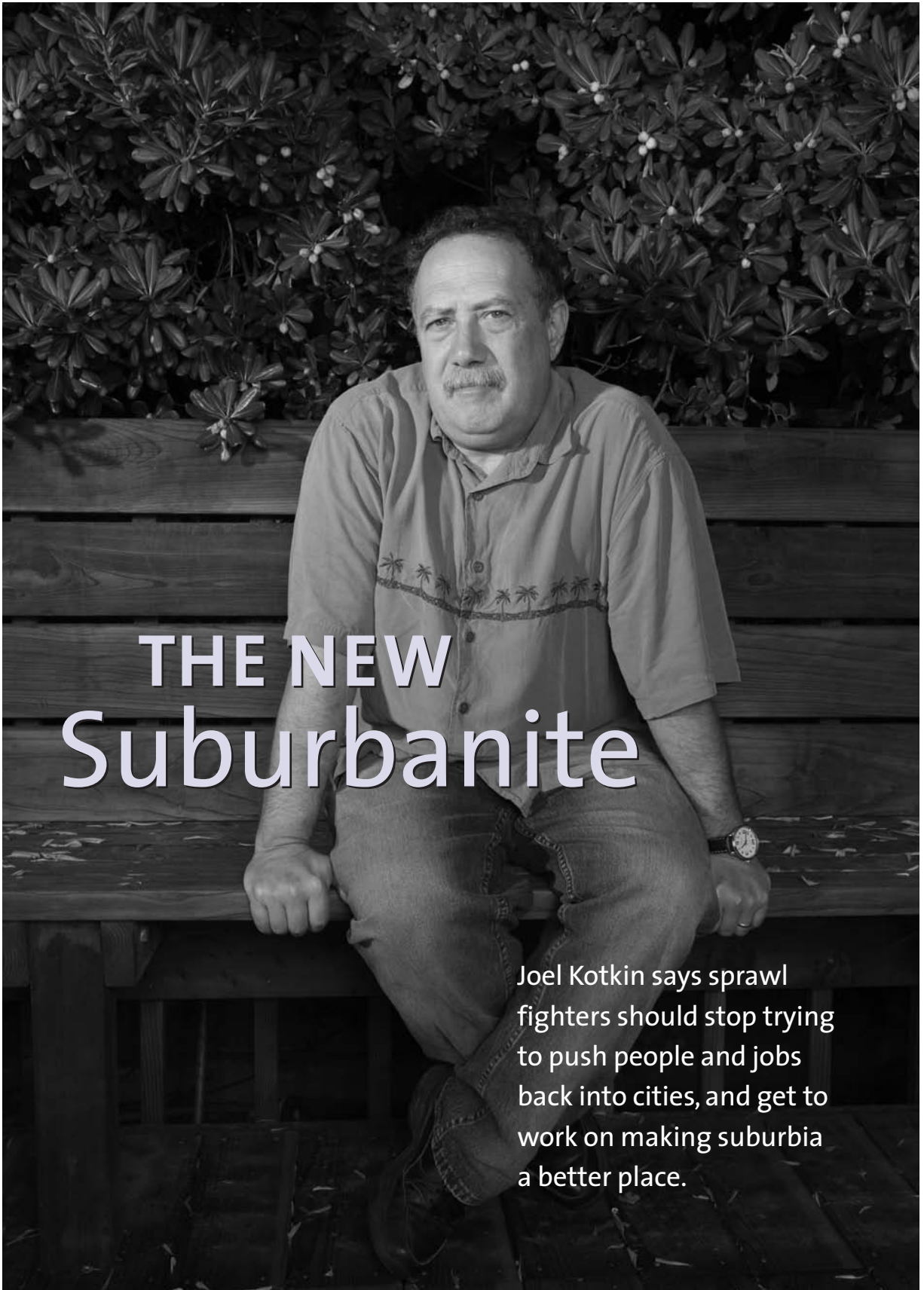
Already, as the transformer building comes down, the stretch along Tyler Street is beginning to perk up a little, whether in anticipation of the new industrial park or just in the natural cycle of things. There are some new shops, and old ones are getting spruced up; many houses are being painted or repaired.

“We bottomed out a few years ago and now we’re heading upward,” Hickey says.

For those who have returned to the city, as well as those who never left, the next few years will tell whether, in a global economy, a small New England city can actually reinvent, in a new way, the prosperity of the past—and whether those columns at the Colonial are gilded in fool’s gold.

“It’s my hometown and it’s hurt me to watch the community lose the vibrancy it had when I was growing up,” says Deanna Ruffer. “It was a great place to raise kids and a fabulous place to live.”

Whether the route to recovery is a new theater, a new industry, or something else altogether, there is one thing everybody in Pittsfield agrees on: They’d love to see it that way again. ■



# THE NEW Suburbanite

Joel Kotkin says sprawl fighters should stop trying to push people and jobs back into cities, and get to work on making suburbia a better place.



His latest book is *The City: A Global History*, but it is as America's leading defender of suburbia that Joel Kotkin has made a mark. On one level, it's hard to see why suburbia would need defending. As Kotkin regularly points out, more than 90 percent of the growth in US metropolitan areas since 1950 has taken place in the suburbs, and even as cities made their comeback, between 1990 and 2000, areas outside of cities grew faster. For hundreds of millions of Americans, the suburbs were and are where they choose to live. The only problem, for most people, is being able to afford a home in the suburb of their choice.

But suburbia has never gained respect, let alone approval, within the intelligentsia. At first—in the 1950s—the critique of suburbia was principally aesthetic. The suburbs were bland, conformist, lacking in character. At a somewhat later point—the '60s and '70s—they were also blamed for the demise of cities, the flight (largely white) from menacing metropolis to safe suburb explaining the decline of urban America into decay and ruin. Today, cities are no longer on the skids—in places like Boston, you're lucky if you can afford the price of entry—yet the brief against suburbia has gotten, if anything, more urgent.

This time around, the complaint is coming from the hinterlands: Sprawl—the most aggressive, and increasingly common, form of suburban development—is chewing up land at an alarming rate, depositing ever-larger homes on ever-bigger lots; clogging roadways with cars that, in these mass transit- and pedestrian-free zones, are necessary for every trip and transaction; and destroying community character and domestic tranquility in small towns across the nation. The suburbs, it seems, must be stopped before they kill again.

Enter Joel Kotkin—New Yorker turned Californian, fellow of the New America Foundation, lecturer at the Southern California Institute of Architecture, mainstay of op-ed pages from the *Washington Post* to the *Los Angeles Times*—to set the record straight, or at least set the suburban-haters back on their heels. The headline of his essay last year in *The American Enterprise* blared GET USED TO IT: SUBURBIA'S NOT GOING AWAY, NO MATTER WHAT CRITICS SAY OR DO. "The battle against sprawl is over," wrote Kotkin. "Sprawl won." In *Architecture* magazine, Kotkin pleaded with design professionals to give up their preoccupation with cities and turn their professional attention to the places most Americans call home: "Creating a better suburban future is a noble—and potentially very profitable—calling.... And it's a project worthy of the creative energies of architects,

environmentalists, and planners—not their contempt and condemnation."

(At the same time, Kotkin has become a vocal critic of "ephemeral" cities—Boston is one example—that he thinks run the risk of trying so hard to be cool that they fail their middle-class residents. "As long as the leaders indulge their fantasies about being 'hip' and neglect a firmer foundation, their cities will become little more than theme parks for the affluent—and symbols of lost opportunity for everyone else," Kotkin warned in the *Providence Journal* in 2004. This has made him an antagonist of Richard Florida and his "creative class" strategy for economic development. See "Putting a Price Tag on the Arts," page 78.)

When I spoke to him, by phone, at his home office in the San Fernando Valley, Kotkin had just put the finishing touches on *The New Suburbanism: A Realist's Guide to the American Future*, a report produced for the Planning Center, a private consulting firm for which he serves as a senior adviser. *The New Suburbanism* is full of the familiar Kotkin message of suburbia triumphant, but it contains another theme that would warm the heart of the Bay State's own sprawl-buster-in-chief, Office for Commonwealth Development Secretary Doug Foy: the village, with its density and mix of residential and commercial uses, as the center of suburban life, one that, anywhere it does not exist now, needs to be invented.

What follows is an edited transcript of my conversation with Joel Kotkin about cities, suburbs, his vision of America as an "archipelago of villages"—and why the New Urbanism ought to give way to a New Suburbanism.

—ROBERT KEOUGH

**CommonWealth:** It isn't that long ago—the late '90s to around 2000—that all the talk was about the comeback of cities. The population drain of the '70s and '80s was over. Cities were hot. The people were coming back. Property values were rising. But you say that the phenomenon was overstated, if not ephemeral, and that even if cities, particularly larger cities like Boston, are not in decline as they once were, that the suburbs are still the growth centers, and we should expect them to be growth centers in the future.

**Kotkin:** Particularly in cities like Boston, which have a lot of intrinsic appeal, we're not going back to the terrible conditions of the '70s and '80s. In fact, Boston's period of decline goes back much earlier than that. My father went to medical school there and he'd tell me what Boston was like.

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Coming from New York, Boston in the 1930s and the early '40s was like a dying city. There was a period of almost 40 or 50 years where there was not one single large, privately financed building built in Boston. Boston began to come back earlier than most American cities. In some ways, Boston is in the foreground of these trends. It was one of the first cities to really decline precipitously, in part because of political reasons. It was also one of the first cities to come back. I remember, as a kid growing up in New York in the '70s, Boston was considered a nice place to go, and people were shocked that it had not deteriorated the way New York had. And I think Boston is now ahead of the game in this ephemeralization phenomenon, in which the city loses population, or holds steady or grows much slower than the area around it but changes its role. But, as the country goes from 300 million people to 400 million people in the next 40, 45 years, there'll be room for Boston to grow modestly. The mistake was not to recognize that even when cities in the late '90s were getting better, the suburbs were still growing faster. I think there was one year that New York City grew faster than the suburbs. That's the one time *The New York Times* wanted to make the comparison. The numbers are so overwhelming even in the late '90s, and since then, of course, it's accelerated.

**CommonWealth:** So we should expect to see the pressures for growth, in both employment and housing, predominantly in the suburbs, and perhaps farther and farther away from the central city?

**Kotkin:** Right. In some cases it will be so far away that you will be in another city—like, you're in Providence. The hope for some of the more troubled smaller cities in Massachusetts may very well be that they become effectively satellite communities of this greater agglomeration of Boston—that knowledge workers who can no longer afford to live in Boston, and, particularly, those who want to have kids, are going to want to move to the old industrial towns, which are still, at least by Boston standards, affordable.

**CommonWealth:** Now, as you say, we've had most of our recent growth in the suburbs and we should expect continuing pressure to grow farther into the suburbs. But what we're also seeing increasingly is resistance to growth in the suburbs, and not just from those who would prefer to see that development steered toward the city. Rather, it's suburbanites themselves who are complaining about traffic congestion, about strains on local revenue and natural resources, and about how the character of their town is changing. Isn't the natural instinct just to call a halt to development?

**Kotkin:** Yes. And the odd thing is, the anti-sprawl sentiment is the very thing that accelerates sprawl. Look at Portland.

[The Oregon city has established “urban growth boundaries.”] Portland’s urban area has actually expanded faster than most. That’s because if you restrict development, let’s say, in the inner ring, then people go to the outer ring. I’ll tell you how I came to this conclusion. It’s a funny thing. I was talking to my brother, who’s very politically liberal—much more liberal than I am. He lives in northern Westchester [County, in New York], and he doesn’t want it to grow. He said, “Obviously, what’s going to happen is people are going to go to Putnam and Orange and all the counties further north, because people [here] are going to decide we’ve had enough, so the next group of people are going to

them to have another 50,000 people in their town?”

**CommonWealth:** Now, the response among planners and thinkers in this area, and also in state government here, to the twin problems of sprawl and resistance to growth of any sort is so-called smart growth.

**Kotkin:** Right.

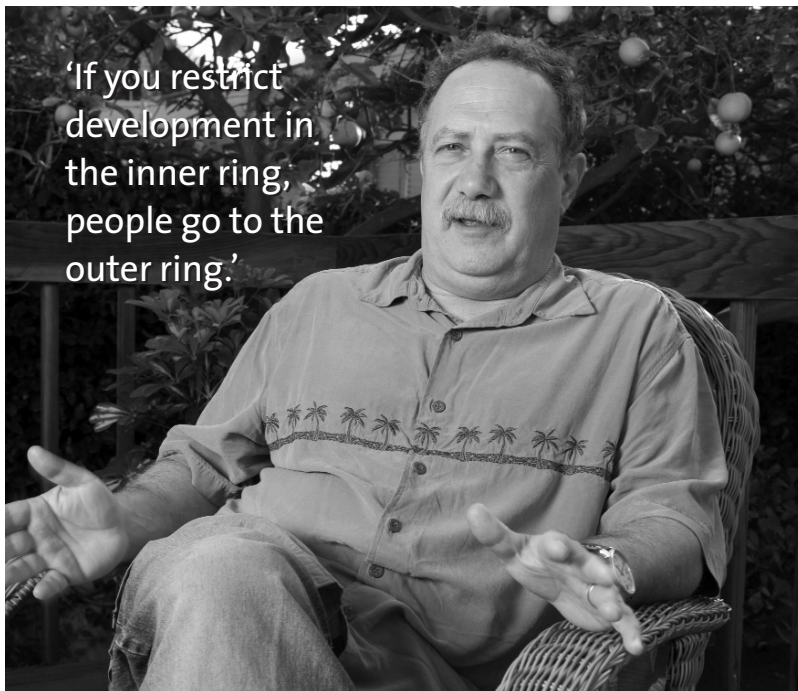
**CommonWealth:** On the level of symbolism, smart growth suggests that the negative impacts associated with growth are simply the result of dumb growth. Therefore, we can

have growth without the negative consequences if we just follow smart-growth principles. But does this neat turn of phrase really square the circle? Does it sufficiently respect what people are seeking when they go to suburbia? And does it also respect what it is those who have already settled in suburbia are trying to resist?

**Kotkin:** Part of the problem is sort of the body language. I mean, [take the] New Urbanists, for instance, with whom I have some sympathies and some antipathies—I’m sure they have antipathy for me sometimes. On the one hand, a lot of their solutions are very practical. If you’re going to invest, invest in the town centers that already exist, and certainly provide options for denser housing for those populations that might want them. I would look particularly at some of the aging baby

boomers as potential residents of a condominium in Northampton or Amherst. I think those things are probably acceptable and have good market bases. But the New Urbanists have several problems. One, they’ve allowed things to develop into kind of an orthodoxy, so that if you go to the suburbs of Washington, there are huge parts of it where everything has to look New Urbanist. Well, who is to say that 1910 architecture is the apogee of urban taste? We’ve done nothing since 1910 that’s worthwhile? The second thing is, militating against back yards—that’s a particular problem I have with them. You know what? If you have children, in particular, a back yard is great. And a lot of retired people are going to want a back yard. There is a Canadian demographer who has done a study that says, “What two activities grow most as people age? Gardening and birding.” Well, you can’t very well garden in a high-rise condominium.

**CommonWealth:** That’s true.



‘If you restrict development in the inner ring, people go to the outer ring.’

have to go somewhere else.”

What we’re headed toward is an archipelago of villages. What you may see in 40 years is a New England in which many small rural towns have doubled in population, and they are essentially no longer rural, except in appearance. I mean, you take a place like Northampton. I would imagine that when my father was going to school in Boston, Northampton was the countryside. Right? Smith was a college in the middle of the country. Now, it’s really part of this archipelago of urbanized communities that are scattered. I think that’s the form that growth will take, particularly in a place like New England. Of course, part of it is you’ve already got all these villages that have centers and all that, so you can build around that. But, can you really ask somebody who has finally gotten out of the city, gotten into the kind of suburban environment they were looking for and is plugged into some sort of business which is not dependent on local growth—for that person, what possible good does it do

**Kotkin:** But more to the point—and I think this is a problem for Massachusetts, and why some are saying it’s becoming a granny state—if you don’t build places with back yards, people who have children will go to places where they *can* have them. I mean, I have two young daughters. I don’t particularly want them playing in the front unless I’m there with them. And this notion that, well, we’ll have communal places that people will go to—yeah, you know what? You’ll do some of that, but fundamentally most people want to have something that’s their own. And they will go to extraordinary lengths to get it. So I think part of the problem is, the New Urbanists disrespect the suburbanites and are often indifferent to families. What you find, interestingly enough, is that many of the New Urbanists don’t have kids. And if they do have kids, they’re very wealthy and, you know, money can buy you out of almost any urban problem. But how many New Urbanists are people with children? I can tell you from my own school of architecture, virtually the entire upper echelon of that school has no kids. So when I start talking about suburbs, they say, “Oh, they’re horrible, horrible, horrible.” Besides the fact that most of them still live in single-family houses, I say, “Well, you don’t have kids.”

**CommonWealth:** So tell me about what you call the New Suburbanism and how that differs not only from the old suburbanism, which seems still to have considerable attraction, but also the anti-suburban, even anti-family, tendencies you associate with New Urbanism?

**Kotkin:** Well, the first thing is, New Suburbanism is an attempt to direct our attentions to the problems of suburbia and to the advantages of suburbia. I mean, one of the things that New Urbanists as a group will have to deal with, if you ally yourself with James Howard Kunstler [author of *Geography of Nowhere*], is that you’re basically telling suburbs that they deserve to die. You’re telling millions of people whose most important investment is a house in a suburb that they deserve to have their suburbs blow away and die. And New Suburbanism starts with the assumption that suburbs evolved not out of a conspiracy of oil companies and greedy developers or even fundamentally because of racism—suburbs in many cases are now becoming more diverse than cities—but out of a fundamental desire by human beings to have an environment that blended something of the

country with something of the city. This is a longstanding desire. So New Suburbanism starts with the idea that suburbs are, in some ways, intrinsically good and should not be campaigned against or vilified. A person who starts by vilifying suburbia is not the right person to solve its ills.

Then, New Suburbanism asks, what has been wrong with suburbia and what has been right? The right part of suburbia has been that it has created, for an extraordinary number of people around the country—and this is also true of Australia and Canada and to a lesser extent in the UK and parts of Europe—a quality of life, a degree of privacy, and



‘New Urbanists disrespect the suburbanites and are often indifferent to families.’

a degree of autonomy that is unprecedented. Now, I know that Europeanists, or traditional Jane Jacobs-type urban romantics, look at these things as horrors. But you know what? Densities that were developed during the Industrial Revolution were way greater than those of other urban areas beforehand. People did not want to live that way. And there is an intrinsic desire—I call it in the book “the universal aspiration,” quoting a 1960s urbanist—to have their own space, often a house, sometimes a condo or a townhouse, but something that’s their own. And we have succeeded beyond the capabilities of any civilization in history to provide that on a mass basis, to lots of people, and to those of an amazing variety of incomes and races and family forms. I mean, even gay people with kids want to move to the suburbs.

**CommonWealth:** So, where have the suburbs gone wrong?

**Kotkin:** On the private side, in many ways we’ve done a very

good thing. The fault, as I see it, is that on the public side, many suburbs, like where I live in the San Fernando Valley, were developed without adequate park space and open space, which we should have been able to do. Fortunately, some of the newer suburbs, if they have the foresight, can do that. At the same time, we did not preserve existing town centers or create new ones. And that is something that's lacking. Thirdly—and I think this is where we're going to go in the long term, moving toward this archipelago of villages—we've built suburbs without providing for the cultural and economic wherewithal so that people do not have to commute. Part of the urbanist strategy in some senses is to force people to live or work in the city. I have a one-word New York answer for that trend: Fuhgeddaboutit. People will inevitably look to work closer to where they live.

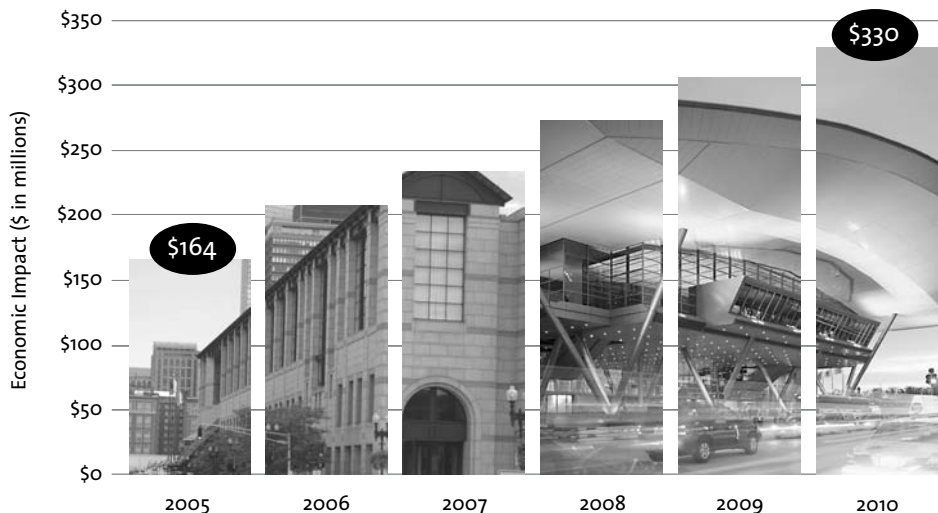
We've done a poor job on the planning level of bringing jobs to the suburbs. Now, where they've done that a lot, the commutes are much shorter, Houston being a good example. In places like LA, the commutes are not getting longer, because people are opting to work closer to where they live. With the advantages of the digital economy, you can do that more and more. So, in a funny way, I think we're heading toward post-industrial America looking like pre-industrial America, where many people work at home or work close

to home. In my neighborhood, which is very diverse, lots of people work in the entertainment industry. There are accountants, real estate agents, voice coaches, prop makers, and most of them work at least partially at home. And many of them live in this neighborhood because we happen to be close to three or four of the major studios.

I think we have a chance to, in a sense, go back to the garden city ideals of Ebenezer Howard. The notion of the bedroom suburb was not what Ebenezer Howard had in mind, or H.G. Wells or Thomas Carlyle or Friedrich Engels—all people who, for their own reasons, thought suburbia was the way to go. Suburbia had its Deadwood phase [referring to the 19th-century Dakota Territory gold-rush town, currently dramatized in the HBO series *Deadwood*], and the Deadwood phase was mass production suburbs. It did some very good things. We need to, in some ways, have respect for what Levittown did. But now we've got to get to another phase, and we have technology to make this possible. We have ways of dealing with the transportation needs, I think, that are more intelligent than the ones we're trying to impose, and we can get into that.

But fundamentally, we can make suburban communities more self-sufficient, and I think this is happening, culturally, with restaurants and other things. One of the biggest

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changes I notice in the country today is that you can go to a suburb and get a good meal. That was not the case 20 or 30 years ago. You know, my brother tells me, in the Hudson Valley now there are good art museums, there are good restaurants, good first-run movie theaters. When he moved there 20 years ago, they weren't there. Same thing's true here in the San Fernando Valley. Within 10 minutes of my house are some of the best sushi, Thai, and Middle Eastern restaurants in LA.

This is where I think the development community has an enormous opportunity, which is, if you will, the urbanization of suburbia. The rise of suburbia can be viewed by some as the death of cities. I see what's happening as the triumph of urbanism over an ever-expanding canvas. So urban life becomes possible in Fargo, North Dakota. When I first started going to Fargo about 10 years ago, and I go pretty regularly, I brought my own coffee. It was so bad [there] I'd bring a little bag of coffee from Pete's in Studio City. Today, there are numerous good places to get coffee. You can get a good Italian meal. You can get a good Indian meal. You can go to a play. You can see the Rolling Stones. Downtown they even have a clothing store that appeals to metrosexuals. So, in a funny way, it's both the eclipse of the traditional form of urbanism in its dominance and the expansion of urban-

ism to an ever-growing variety of geographies.

**CommonWealth:** The suburban village concept is central to your notion of a New Suburbanism, and also central to the smart growth mantra here in Massachusetts coming out of the Office for Commonwealth Development. To what extent does that satisfy what you referred to as the "universal aspiration" for a single-family home with a back yard? How do apartments over the stores and townhouses clustered around train stations, which we're getting the argument for here, satisfy that longing for the starter home with the yard that we have in such short supply—and at such high prices—today? Don't we need a smart-growth equivalent of Levittown?

**Kotkin:** The successful suburban villages thrive in large part because they're surrounded by communities of single-family homes. I mean, if you go to Fullerton, [Calif.], or Naperville, [Ill.], or Downers Grove, [Ill.], where you have thriving suburban villages, around them are fairly affluent but definitely long-term middle-class families who provide the customer base for the stores, who go to the restaurants, and in some cases are linked to the people who live in the townhouses—people who've sold their home or the grandma



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who is moving closer to the grandkids, or the kid who wants to be closer to the parents. The suburban village is both an adjunct to the single-family home, in the sense of being a preferred amenity or simply an alternative to the old-fashioned mall—in some cases the malls are being turned into suburban villages themselves—and [also] an option for the diversity of suburbia. As suburbia becomes ever more the center of the economic life of the country, you start getting different kinds of people moving in there. A friend of mine is a big developer in Houston, and he says their biggest growth in housing has been apartments for single people. If somebody's working in the energy corridor of Houston or in the Thousand Oaks area of California, where Amgen is, there's going to be a certain number of people who are single or don't have kids or are there temporarily or are in transition, or the dad who's divorced but the kids still live in the house and he figures that maybe in a complex there'll be other single people there, and maybe there's a couple of things to walk to. I think these things are not contradictory. I would see these things as complementary. If you take a place like Valencia or the Woodlands [planned communities outside Los Angeles and Houston, respectively], where you've developed the shopping and businesses near where people live, this is a tremendous opportunity for people to live a much more reasonable way. Whether you're commuting by train or by car, this notion of spending an hour, an hour and a half, to go from one computer screen to another makes absolutely no sense at all. I've worked at home for 25 years. I think I'd hang myself if I had to go to an office.

**CommonWealth:** I think if there is one big distinction between your New Suburbanism and the smart-growth agenda in Massachusetts it is in the state push for transit-oriented development. We have a large and ever-expanding public transportation system here, and the state is naturally looking to get the most out of that as growth goes forward. But you argue that new development has to be accommodating of the auto-oriented lifestyle that is already entrenched in suburbia. Should we be building and expanding roads here and not just building rail lines, all of which terminate in downtown Boston?

**Kotkin:** I would be pragmatic about it. Now, where you have existing transit systems, and Boston still is a relatively dense city, you certainly want to make it work well. But I don't think transit ridership over time has been growing. When oil prices go back down to \$2.50 or people trade in their SUVs for something more reasonable—this is what happened in the '70s—fundamentally, the automobile is going to [remain] the primary means of transportation. What you really want to do is figure out who is the transit-dependent population and how do we serve them better? What I think works in many cases is dedicated bus lines. They're much

cheaper than rail lines. You can build them to a much longer [distance]. And they can be relatively fast, with synchronized traffic lights. Why would you spend five times as much money on light rail except to enrich contractors? I like the approach they're taking in Houston, which is very flexible. They have put some light rail in their dense corridor between downtown and the Houston Medical Center. But in expansions, they're starting out with the [bus rapid transit] line, and on the toll roads, part of the deal is that buses go for free. So you can have very, very fast transportation and very flexible transportation, which can respond to what the market demands are. We all know that in many of the light rail systems in this country—go anywhere, Atlanta, St. Louis, Dallas—most of the time those trains are empty. And they're incredibly expensive. In some cases, you could buy each [transit rider] a car for less. I think bus lines are probably the best solution—again, dedicated bus lines, which have many of the nice [features] of rail transit. They have their own right of way, they have nice places to sit, they keep schedules. The problem with the urban bus system, as you know, is that it's awful. It's slow. It's unpredictable.

I think in some cases we might think about things like toll roads, with congestion pricing. Bob Galvin, who's financing one of the studies I'm working on for the Reason Foundation [a libertarian think tank], made a very good point. He said, "People think that cities will grow by choking the roads, but it's the cities that die in the end." If it takes an hour to get from a suburb to Boston, you start going to Boston less and less and you start looking for ways to work closer to home. This archipelago of villages will be expanded not just for good reasons, like family and environment, but it'll be expanded because the urbanists have decided to declare war on the road system, and oddly enough, it will accelerate the very trends they're trying to stop.

There's almost a lack of pragmatism. The planning schools are so addicted to a religion—we ought to call it the Church of the Jane Jacobs Latter-day Idealists or something. Look, when I was younger, I read Jane Jacobs. I thought some of her critique of the redevelopment of New York City was fantastically good. But the Jane Jacobs world doesn't exist anymore. The neighborhoods that she saw as these woven-in, multigenerational neighborhoods where you could leave your kids with the person next door—those neighborhoods don't exist. They're being replaced by a large percentage of people with second and third homes and people who are there for two years. I was just talking to a real estate investment trust guy, and he was talking about buildings in San Francisco that he says are empty two-thirds of the time. They're filled with people for whom, you know, it's a pied-à-terre. The problem of nostalgia, this desire to go back to a lost world—I mean, there are some good things to preserve, but trying to employ early 20th-century technology in a 21st-century economy has a lot of problems. ■

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# Envision this

*Across the US, business leaders are grappling with growth issues. Why not here?*

BY ERIN FLYNN AND STEPHEN MICHON

From the outside, Greater Boston's economic prospects look bright. Living up to its reputation as a scrappy, live-by-your-wits metropolitan area, the region survived globalization and deindustrialization to resurface as a world leader in advanced technology and knowledge-based industries. Nationally, Boston is heralded as a "comeback city" and often described as undergoing an economic "renaissance." All of these accolades are warranted. And yet those of us who make the region our home know there are pressing development challenges that can undermine our economic prosperity.

Several recent studies have brought attention to the region's skyrocketing housing costs that have priced out low- and middle-income families and contributed to suburban sprawl and longer commutes. Some reports express dismay at the untapped potential of our university-industry partnerships, the very relationships that seed the next generation of research, development, and entrepreneurship. Other analysis has highlighted the difficult demographics facing the region: Greater Boston's labor force has stopped growing, save for immigrants; younger, educated people are leaving the region at high rates; roughly one-third of the workforce is underskilled or unprepared for jobs in the New Economy; and income disparity is accelerating along the lines of race and class.

The recent panoply of research and analysis on growth and development invariably stresses the dire consequences of inaction for regional competitiveness. How will Boston-area businesses attract skilled employees when other regions offer comparable economic opportunity and quality of life at a lower cost of living? How will low-skill immigrants upgrade their skills and earnings if we can't align our workforce and higher education systems with industry demand? These questions aren't lost on business leaders. They recognize that the assets of their home region—be they financial, social, physical, or human—emerge as strengths or liabilities as they compete head to head in the marketplace of global competition. But business leaders often seem less alarmed than the research and advocacy organizations that raise these issues. Policy-makers and columnists bemoan the lack of inspired business leadership. They

lament the demise of the Vault and grumble about the fragmented, parochial nature of the region's business culture. Where is the vision from business, they say?

Business leaders in Greater Boston are not aloof from civic life. But their activity tends to be targeted to specific problems. Downtown business leaders, for example, organized the Artery Business Committee to manage the impact of the Big Dig. More recently, business leaders have engaged in the Commonwealth Housing Task Force, a civic effort aimed at addressing Boston's affordable housing crisis. Where the business voice seems to be lacking is in a long-term vision of regional growth and prosperity.

Does it have to be this way? Is Boston stuck with piecemeal business leadership? Is civic tribalism our destiny? Absolutely not. Greater Boston is known around the world for its capacity for innovation, and it has a rich tradition of business activism beyond the narrow needs of particular firms and industries. Furthermore, this is a region that has repeatedly recreated its economy and always come out on top. Surely a region that can accomplish that can find a way to engage the business community in making Greater Boston a place that serves us all in the century now underway. For models of how to do so, there are many places in the country to look.

## GETTING DOWN TO BUSINESS

Across the country, business leadership organizations in major metropolitan regions are reinventing themselves to drive sophisticated regional growth and development agendas in partnership with government and community groups. Through new organizations, new alliances, and new missions for established entities, business leaders are taking action out of recognition that today's pressing metropolitan challenges, including soaring housing costs, gridlocked transportation systems, urban sprawl, and growing social and economic disparity—all challenges that sound familiar in Massachusetts—are ones that directly impact a region's ability to compete. Furthermore, they cannot be solved at the local level or by a single sector.

In 2004, our organization, FutureWorks, conducted a study of business leadership groups in 29 metropolitan regions of North America to better understand how they

engaged in regional development issues. We examined three types of organizations: metropolitan chambers of commerce, CEO-only leadership groups, and multisector organizations led by business. Several patterns emerged.

In many instances, new business-backed organizations have been created specifically to deal with complex regional growth and development challenges. These entities go by a variety of names: Allegheny Conference, Toronto City Summit Alliance, Envision Utah. A good example is Chicago Metropolis 2020, a high-level business group that grew out of Chicago's version of the Vault. Top business leaders launched the group in 2000 to address the region's growth and development agenda. A major theme of Chicago Metropolis 2020 is that current regional growth patterns are inefficient for business and inequitable for residents. The organization promotes the idea that how the region grows affects quality of life and economic competitiveness.

At the policy level, Metropolis 2020 has used the heft of its business backing to wrestle an unwieldy mix of transportation and planning agencies to the mat. Working closely with the Metropolitan Mayors Caucus and other public officials, Metropolis 2020 played a key role crafting legislation for a new Regional Planning Board that will coordinate land-use and transportation planning in a single agency. Passed by the Illinois General Assembly in May 2005, the Regional Planning Board is designed to integrate and rationalize regional planning functions that have worked at odds for years. Leading up to the legislation, Metropolis 2020 released research quantifying the cost to business of time lost in traffic congestion due to uncoordinated planning. In addition, Metropolis 2020 issued a widely read report arguing that the separation of land-use and transportation planning inhibited the coordinated planning required to solve Chicago's worsening congestion problem.

According to the business and civic leaders we interviewed, Metropolis 2020's key success has been to advance regional thinking. "Nobody talked about the region before," says one prominent civic leader. "Before, they were all thinking about the city or their own municipalities."

In other places, traditional business leadership organizations are re-positioning themselves to provide leadership on regional issues affecting economic competitiveness. For example, the Metro Atlanta Chamber of Commerce has become an important catalyst for change. It has moved aggressively on regional development, transportation, air and water quality, and land use issues through the Chamber's Quality Growth Task Force. That group worked for almost two years to benchmark Metro Atlanta against other regions, look at changing regional demographics, and model alternative growth scenarios. Its work ultimately led to a "Livable Communities Compact," with a coalition of business, municipal, and environmental leaders

charged with carrying out recommendations to increase density, encourage growth along designated corridors, and preserve open space. Just as impressive is the Metro Atlanta Chamber's complementary relationship with a coalition of suburban and downtown chambers, the Regional Business Coalition. "We share the same goals of regional transportation, water, and land use," says Eric Meyer, former executive director of the coalition. "Ninety percent of the Regional Business Coalition and Chamber's roles are collaborative."

Strategic alliances are also emerging among formerly competing business organizations to better coordinate efforts at the regional level. Until recently, for instance, it

## Why is there no Boston Metropolis 2020?

was rare for business-led organizations in South Florida to work together. Historically, counties have competed for business development, leading to cool relations between business boosters within the region. Following a 2002 meeting of business groups representing Broward, Miami-Dade, and Palm Beach counties, however, leaders came together and formed the South Florida Regional Business Alliance, recognizing that competition facing the region is global, not municipal. The RBA has no dedicated staff but instead relies on the energy and commitment of its 24 board members—all chief executives of area companies—to get things done. The group has three priorities: regional transportation, regional cooperation, and net economic growth. An early success for the group was the creation of South Florida's first multi-county transportation authority, which affirmed South Florida as a single competitive region undivided by county lines. RBA wrote and lobbied for the legislation that was signed into law in June 2003.

In some other metropolitan regions, business leadership organizations have entered into long-term alliances with regional planning agencies and community advocacy groups to promote sustainable growth and development. This approach is best exemplified by the Bay Area Council, a northern California CEO leadership group composed of 250 executives from the nine-county Bay Area. Since 1997, the Bay Area Council has been a pivotal partner in the Bay Area Alliance for Sustainable Communities, working alongside the Sierra Club, the Association of Bay Area Governments, and Urban Habitat. According to Alliance executive director Peter Melhus, the biggest challenge in forming the Alliance was overcoming a history of mistrust between member organizations. "When these groups first came together, many of them had only seen each other in a courtroom," says Melhus. "Now many of

them work as partners on a regular basis.” Together, the strange bedfellows that comprise the Bay Area Alliance have developed the Compact for a Sustainable Bay Area, a framework for regional growth and development that specifies 10 commitments to action on land use, transportation, housing, workforce development, and urban revitalization, among other issues. After three years of review by city councils and county boards of supervisors, the Compact was ratified by all nine Bay Area counties in 2004.

Another example is the St. Louis Metropolitan Forum, a public-private vehicle formalized in 2003 through which government, civic, and business interests are forging consensus on critical issues facing the region. Forum partners include the St. Louis Regional Chamber and Growth Association, East-West Gateway (the regional planning agency), and Focus St. Louis (the region’s citizens’ league). According to business and civic leaders, the creation of the Forum was no small feat in a metropolitan area known for fractious civic life and institutional silos.

“St. Louis is a headquarters town,” observes one civic leader. “CEOs tend to want to solve problems quickly and ram things through. As a result, they have a hard time working in coalitions with the grass roots.” But business leaders recognized that the pressing challenges facing Greater

St. Louis—stagnant job growth, racial and economic disparity, and inequitable tax policy—could not be solved by business alone. They stuck through two uncomfortable years of planning and negotiation to form the St. Louis Metropolitan Forum in 2003. The Forum, which meets four times per year, consists of 36 members with equal representation from business, local government, and civic and community interests.

### MISSING IN ACTION

Why, in the Greater Boston area, do we see no equivalent business coalescence around development issues? There is, quite rightly, plenty of advocacy on broad “business climate” concerns, mostly focused on state issues (taxation, permitting, etc.) and energetic lobbying on specific industry issues by trade associations. But there is no equivalent to the kinds of organizations we found elsewhere across the country, namely business leadership groups or business-led coalitions working with planning entities and environmental groups on what the Greater Boston region will look like—for industry and residents—in the coming years. Where is Boston Metropolis 2020, the Greater Boston Regional Business Alliance, or Greater Boston Metropolitan Forum? Is there no need for such an entity?



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As part of a recent consulting assignment, we conducted a series of interviews with Boston-area business and civic leaders to better understand why the business community hasn't come together to spearhead an agenda for promoting and managing regional growth and prosperity. The answers come down to five key factors:

**Business leadership is split along the lines of industry and geography.** Greater Boston is characterized by three dominant industry sectors—high technology, educational and medical institutions, and financial services. High tech splits into computer technology and biotechnology, while the “eds and meds,” as they've been termed by the Citistates Group, include universities, medical schools, and hospitals. The region's dominant industry sectors also fragment along geographic lines, with financial services concentrated in the city of Boston, high-tech spread along Route 128 and I-495, and biotech anchored in Cambridge. A plethora of business organizations has developed over the years to service both specific industries and geographies. To date, however, no business-civic organization has emerged to represent the business community on a truly regional basis.

**Boston business leaders are more focused on global competition than on regional competitiveness and quality of life.** Area business leaders are increasingly focused on global competition and less and less concerned with place. Boston-based CEOs travel constantly and are strapped for time. For many, the Boston region is not “home” in any important sense, for themselves or their companies. This trend is exacerbated by shortened periods of tenure for CEOs.

**Mergers and acquisitions mean fewer executives have historic ties to the area.** As a result of ongoing consolidation, Boston is becoming a branch office region, rather than a headquarters location, for many important companies. This has led to a shallower pool of corporate leaders committed to the Boston area. “Business leadership in Boston is an oxymoron,” says one suburban Chamber of Commerce CEO. “Industry leaders used to be risk-takers; today we have branch managers.”

**Business leaders don't perceive a crisis of competitiveness.** In many areas of the country, business-civic engagement in the regional growth and development agenda has been precipitated by crisis—such as severe economic decline, heightened poverty and civil unrest, or noncompliance with federal pollution standards. There is no general sense of crisis in Greater Boston today. Business leaders feel that Greater Boston performs well in terms of innovation, wealth generation, and quality of life. Business leaders may be concerned about specific issues, such as the cost of housing or congested transportation systems, but they do not perceive a crisis in regional conditions

affecting the future of their enterprises.

**The urban/suburban divide.** Suburban chambers and civic leaders have a growing sense of identity that is distinct and separate from Boston proper. Our interviews reveal a strong consensus among suburban chamber executives that Boston business and civic institutions are “Boston-centric” and prioritize city issues over suburban concerns. As one of these executives told us, “There will always be a divide between the city and suburbs, but that divide has gotten even greater.” Consequently, efforts to convene city and suburban chambers on issues of regional concern have been limited.

**O**ur region can accomplish just about anything it sets its collective mind to. That includes pursuing a coordinated growth and development agenda cultivated and endorsed by the region's prominent business leaders.

There are promising signs in this regard. An impressive array of industry leaders has worked together since 2002 to develop and promote a comprehensive science-and-technology-based economic development agenda. Since 2003, university and health care leaders have come together through the Goldberg Seminar to better define their role in the region's civic life and economic development. Some business leaders are providing input into MetroFuture, a comprehensive planning effort led by the Metropolitan Area Planning Council, Boston's regional planning agency. And the Boston Foundation has initiated a series of meetings with high-level business leaders and economic development groups to address regional growth and development.

These may be the beginnings of a civic intervention that brings the clout and savvy of industry to bear on issues of housing, transportation, economic development, and environmental quality. Or they may be false starts, in which case the region will fall back once again on the pursuit of narrow interests.

How do we break the deadlock of muddled jurisdictions and competing constituencies? What role will our business leaders play in overcoming these divisions? That's for business leaders to figure out. They don't need blueprints from other regions. But they do need to recognize that other regions are getting their civic acts together to address 21st-century challenges in new and creative ways. If we don't do the same, Greater Boston may be left behind. ■

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*Erin Flynn is a vice president and Stephen Michon a senior associate at FutureWorks, a consulting and policy development firm based in Arlington.*

# The price is (not) right

*Large lots and other requirements drive up the cost of Bay State homes*

BY EDWARD GLAESER, JENNY SCHUETZ, AND BRYCE WARD

Over the past 25 years, housing prices in Boston have exploded. According to the National Association of Realtors, in the third quarter of 2005 the median sale price of single-family homes in the Boston metropolitan statistical area (which also includes southern New Hampshire) was \$430,900, higher than any other region of the continental US except for portions of California, the New York metropolitan area, and Washington, DC, and its suburbs. Between 1980 and 2004, housing prices in three of the Census Bureau's four divisions of the Boston metropolitan area (excluding the two counties in New Hampshire) grew between 179 and 210 percent, which made these areas—Boston-Quincy, Cambridge-Newton-Framingham, and Essex County—second through fourth in the nation, behind only the New York area's Nassau-Suffolk division (Long Island). This housing price explosion is partially a reflection of Boston's remarkable success in reinventing itself, but it is also a reflection of policy choices that have led almost inevitably to an affordable housing crisis.

The starting point for Boston's housing price boom is the city's economic reinvention as a capital of the information age, a development that boosts the economy of the entire region. To have high housing prices in any given area, demand must be high—people must want to live there. But in a well-functioning housing market, high demand doesn't necessarily lead to high prices. In Phoenix and Atlanta, both cities whose booms are even more striking than Boston's turnaround, rising demand has been met with flexible supply, and price increases have been muted. In eastern Massachusetts, the housing supply response to the region's reinvention has been anemic, and the growth of the region in the long run is surely threatened by a failure to build.

Indeed, over the past 40 years, supply has fallen, even as prices have climbed. In the 1960s, permits were issued for 172,459 units in the Boston area, and in the 1980s, 141,347 units. But in the 1990s, only 84,105 units were permitted, a drop of 40 percent from the decade before. The decline in the construction of multi-family buildings at the end of the 20th century was particularly sharp. In the 1960s, less than half of all permits in the Boston area were for single-family homes. In the 1990s, over 80 percent were for single-family

homes, although multi-family buildings have made a partial comeback recently, accounting for 39 percent of the 61,800 units permitted in the region since 2000.

In other regions of the country that have boomed without dramatic increases in house prices, the supply of new housing has been much greater. In 2004, local governments in the Houston area issued 45,103 permits for single-family homes; comparable numbers were 57,360 in the Phoenix area and 31,741 in the Las Vegas region. That same year, cities and towns in Greater Boston issued permits for 8,204 new single-family homes. Not surprisingly, the prices in boom towns that have been building more housing have remained reasonable: As recently as the first quarter of last year, median home prices in Las Vegas were less than \$300,000, and in Phoenix less than \$200,000; in Houston, the median sales price last fall was \$145,000.

There are two theories about why so little new housing is being built in Greater Boston. One is that the region has run out of land. The other is that restrictive regulations are impeding the development of new housing.

Even though the Boston metropolitan area is one of the country's densest, there is little evidence that the region lacks the land to build new homes. Within the urban core, it would be quite feasible to build taller buildings. In fact, with strong support from the city, a host of new high-rise residential housing is being built in the heart of Boston.

## Lack of land doesn't explain decline in construction.

Outside of the city, densities are high relative to the US as a whole, but there is still a lot of land. For example, in Middlesex County, there are 0.37 acres per person, or 0.9 acres per housing unit. When we consider 187 cities and towns in eastern Massachusetts, excluding the city of Boston, the average density is 1.4 acres per home. This does not suggest that there is no land available. Towns like Weston, Lincoln, and Concord have densities of less than one home for every two acres.

Another way to test the theory of land scarcity is to look at the price of land for extending an existing lot, rather

than building a new home. If land is scarce, it should be expensive whether there's a house on it or not. But on average, an extra acre of land under an existing house adds only \$16,600 to the value of the home. An additional acre under a new home is, by itself, worth \$450,000.

## UNTANGLING THE REGULATORY WEB

That leaves regulation as the reason for low levels of new construction and high housing prices in Greater Boston. To test this hypothesis, the Pioneer Institute for Public Policy Research and Harvard's Rappaport Institute for Greater Boston spent the past two years compiling a unique dataset on land-use regulation in 187 cities and towns in eastern Massachusetts. Working under the direction of Pioneer's Amy Dain, researchers answered more than 100 questions about each of these localities by reviewing documents from each community and interviewing local officials, who were subsequently given the opportunity to review the data about their community.

The most striking fact that emerges from this research is that, far from doing business in a unified market for housing construction, developers face an unbelievably heterogeneous set of conditions, varying town by town. The variation begins with minimum lot size, which remains the most powerful and widespread form of land-use control, and results in very different types of community. The 22 municipalities in the region with minimum lot sizes of less than a quarter of an acre contain more than one-quarter of the region's population. In contrast, the 14 municipalities where minimum lot size is greater than 70,000 square feet—nearly two acres—contain only 4 percent of the region's population but more than 10 percent of its land.

While minimum lot size is one way of managing development, communities have adopted a wide range of other controls that limit growth. The most direct approach is a growth cap, which limits the number of new units that can be built during a given year; a variant is a phasing schedule that limits the pace of construction within a single subdivision. Such regulations have become more common in the last decade. While 10 of the communities studied adopted these measures prior to 1994, 28 did so between 1995 and 2000, as did nine more since 2000. (We were unable to determine adoption dates for growth caps in another seven communities.) Another form of regulation prohibits irregularly shaped lots. Slightly more than half the communities with the largest minimum lot size requirements use this approach.

Almost two-thirds of the communities in the database also have wetlands bylaws or ordinances stricter than state regulations. Only a handful of these local environmental codes were adopted before 1980. More than 50 communities adopted the wetlands measures in the 1980s, and more than 50 others have imposed them since 1990. Similarly, 109 communities in our sample had septic-system regulations

stricter than the state's. All but six communities have rules governing subdivisions. Some adopted the regulations before 1950 and most did so by 1980. However, more than 70 amended their bylaws after 2000, almost always in ways that made it harder to build new subdivisions.

Not all local housing regulations impede high-density development. Some communities have adopted measures that allow construction on lots smaller than their zoning allows. Cluster provisions, for example, let developers build at higher densities if they set aside some amount of land for open space. In low-density communities, cluster zoning typically allows almost a two-thirds reduction in the minimum lot size required for each home. Still, many communities limit the units in a cluster development to the number that could be built on the entire parcel under conventional zoning, without the open space preserved.

Some communities also have inclusionary zoning provisions, which sometimes allow higher densities if builders keep some housing units affordable for low- or moderate-income households. While 99 municipalities—just over half of our sample—have some form of inclusionary zoning, with nearly half of them adopting the provision since 2000, in at least 43 of those communities the measures have never been used.

Many communities also offer a reduced lot size for developments open only to older adults. Almost 60 percent of communities with minimum lot sizes greater than 20,000 square feet have some provision for such age-restricted housing, including more than 40 percent of communities with minimum lot sizes of more than 35,000 square feet.

## HOLDING DOWN PRODUCTION

While these restrictions are dizzying in their number and variety, do any of them make a difference in housing production? To answer that question, we added to the regulation information data on permits by locality going back to 1980, *Banker and Tradesman* data on house sales in eastern Massachusetts, Census data going back to 1910, and data on lot sizes for all the state's localities, from the Massachusetts GIS system. Given that minimum lot sizes were imposed early in the century, we controlled for characteristics of the locality at the dawn of the zoning era (1915 or 1940). We then looked at differences in subsequent development.

Of the various forms of housing regulation imposed by municipal governments, minimum lot size has the clearest impact on pace of development. Larger minimum lot size is strongly associated with lesser amounts of housing stock and lower rates of permits issued for new homes. On average, for each increase of one-quarter acre in minimum lot size, there were approximately 10 percent fewer houses in place as of 1970, 9 percent fewer in 2000, and 10 percent fewer housing permits issued between 1980 and 2002. Conversely, if the average acres per lot fell one-tenth of an

acre, then permitting would increase by 4 percent and total housing stock by as much as 5 percent in the long run. These results are, perhaps, unsurprising, but they do confirm the impact zoning has on new development. Perhaps more surprisingly, the connection between minimum lot size and development is declining over time, as even places that permit smaller lots are also radically reducing the amount of new construction they allow.

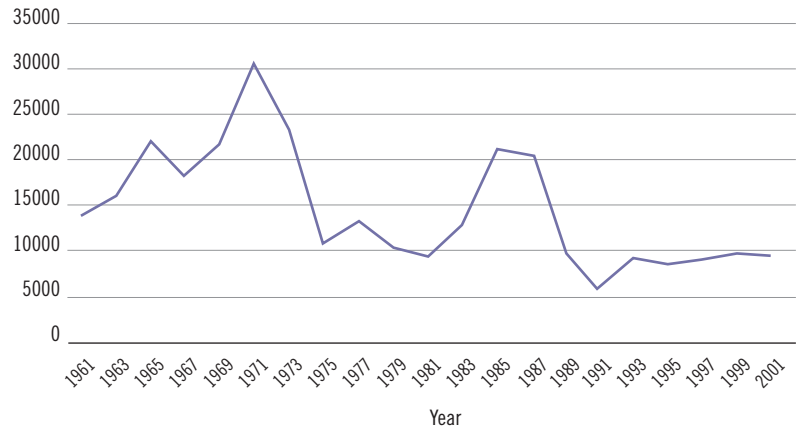
We then turned to rules that make new construction more difficult. Wetlands regulations, septic rules, and subdivision restrictions do appear to have negative impacts on new construction, although the results do not meet the highest standards for statistical significance. When localities impose wetlands regulations stricter than those imposed by the state, new construction appears to be reduced by 5 percent to 10 percent. Stricter septic rules reduce new construction by about 4 percent and restrictive subdivision rules appear to decrease production by about 10 percent. Putting all three together, it seems that each additional regulation reduces annual permits by about 10 percent.

What about measures intended to alleviate the burdens of zoning? Cluster zoning does appear to increase new development, but we were not able to discern any impact from inclusionary zoning. We were also unable to assess the impact of Chapter 40B, the state's anti-"snob zoning" law, which allows the state to overrule local land-use decisions for affordable-housing projects, because it impacts most municipalities. Nonetheless, considering the number of units constructed, it is clear that, in many areas, 40B is a significant part of new development.

### DRIVING UP PRICES

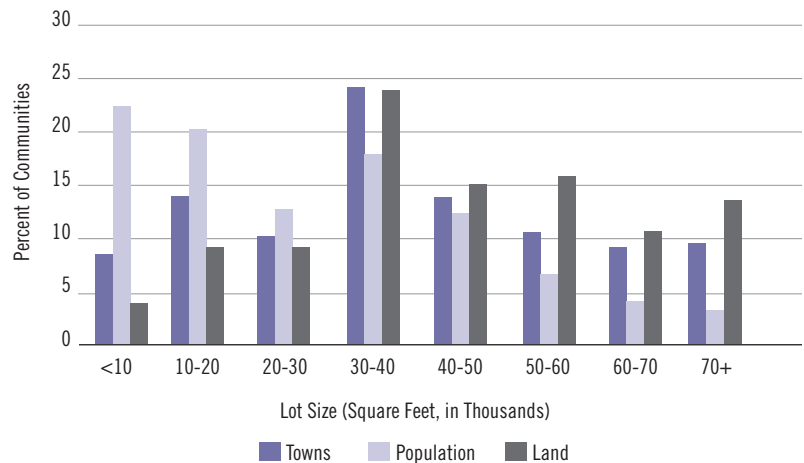
While regulations clearly affect permitting in each community, their impact on price is more diffuse, because housing markets are regional, not just local. Stringent land use restrictions in Wellesley, for example, would push up housing prices in Needham, even if Needham has less stringent land-use restrictions. Think of Needham and Wellesley as being two members of a cartel, like OPEC, that sells homes

### TOTAL HOUSING PERMITS ISSUED, BOSTON AREA



SOURCE: US CENSUS BUREAU. PERMITS ARE FOR BOSTON METROPOLITAN STATISTICAL AREA.

### DISTRIBUTION OF MINIMUM LOT SIZE REQUIREMENTS



SOURCE: MASSACHUSETTS GIS DATABASE

rather than oil. In OPEC, if Saudi Arabia restricts its crude production, this would raise the price of crude globally, but it wouldn't raise the price of Saudi crude relative to Kuwaiti crude. In the same way, if Wellesley restricts production, it wouldn't necessarily raise its prices relative to Newton (or at least not much), but it would likely push up prices in the entire region.

That makes it all the more remarkable that we do see a correlation between local land-use regulations and housing prices in individual communities. After controlling for community characteristics prior to recent changes in land-use regulations, each additional acre required per lot raised the median sales prices of homes by 15.8 percent in 1987, 11.3 percent in 1995, and 19.5 percent in 2001. The fact that the impacts were higher in 1987 and 2001 than in 1995 sug-

gests that more restrictive land-use regulations are more potent at the high point of the real estate cycle.

Median sales price, however, does not control for differences in housing characteristics. The housing in areas with larger lots could be more expensive because the homes are larger and have more land. But there continues to be an effect on price even holding constant such factors as number of rooms, square footage, age of home, and total acreage of lot. Further controlling for other important characteristics (including distance to downtown Boston and whether the locality is home to a major college or university—a major distinguishing characteristic associated with a number of amenities), a one-acre increase in minimum lot size is associated with a 13 percent increase in housing prices, even for comparable house types. These results do not hold, however, when you control for housing density in the locality as of 1940, because the high correlation between housing density then and minimum lot size today makes it difficult to disentangle the impact of these two variables.

Remember, though, that price effects spill over into neighboring communities and, as such, raise prices throughout the region. With a rough, back-of-the-envelope calculation we also can provide a basic estimate of the effects of regulation on regional housing prices. In the 1990s, for example, the housing stock in Greater Boston increased by only 9 percent. If it had increased by 27 percent, as it did from 1960 to 1975, the median price of a home in the region might be 23 to 36 percent lower than it is now. That is, instead of costing \$431,900, the median house price would have been as low as \$276,100.

**S**o, what have we learned from our analysis of land-use regulation, housing production, and home prices? First, while stringent land-use regulations may have advantages for an individual community, they clearly impose costs on the rest of the state. When a Boston suburb restricts production and pushes up prices, other people are prevented from buying homes in the restricted suburbs, and employers throughout the region end up paying higher wages. Indeed, there is little reason to expect that land-use regulations imposed on the local level will lead to the most socially desirable outcome without some form of state-level intervention, in the form of both carrots and sticks. As a carrot, the state could change local aid formulas to reward communities that allow their fair share of new housing growth. As a stick, the state could use 40B-type measures to override local zoning when necessary to meet housing production goals. The state could also set maximum standards for local environmental regulations that impose stricter limits than statewide environmental rules.

Second, property rights currently are diffuse and ill-defined, which results in a great deal of uncertainty in the

development of new housing. The current permitting process frequently takes years from start to finish and is fraught with potential litigation. As a result, it imposes vast costs on developers. Policy actions that clarify rights and limit the potential for litigation, while simultaneously providing protection to current homeowners in a clear and predictable fashion, could potentially help both homeowners and developers.

Finally, it must be recognized that new development involves a trade-off between the interests of developers and those of existing homeowners. Indeed, if more housing development would limit the rise of housing prices, current homeowners would be better off with strong limits on

## Stringent regulations have local benefits but wide costs.

development. The most natural way to resolve this conflict is through a system of cash payments between developers and existing homeowners. While some Massachusetts localities do, in fact, charge impact fees on new developments, the state's courts have set stringent limits on such fees. Courts in other states, such as California, have given localities more leeway on the use and extent of such fees. In practice, local officials and community groups often work with developers during the approval process to devise a package of amenities that developers "voluntarily" agree to as part of their project. In theory, such amenities could include direct payments to abutting homeowners. While appealing from an economic point of view, such an approach would have to be carefully crafted because federal and state courts have often struck down such policies.

Each of these approaches would be controversial. But they would address the fact that the supply of housing is limited by regulation across the cities and towns of Greater Boston, and that this regulation is associated with more expensive housing. If policy-makers, leaders, and concerned citizens of the region and the state are serious about making housing more affordable, they must work together to lower the barriers to development. Doing so will be difficult, but the only way to effectively reduce the price of something is to produce more of it. ■

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# Bitter pill

*In Arlington, aversion to apartments turned the tide against growth*

BY ALEXANDER VON HOFFMAN

Local planning and building regulations that control new residential construction in Massachusetts have long had their critics. Zoning and related laws are seen as impeding the development of housing, particularly densely built multifamily housing, which low- and middle-income people can afford. By raising the cost of available homes, critics contend, residential building regulations contribute to economic and racial segregation in and between communities. In addition, they charge that restrictive local building regulations have been used to retard or reject projects that would allow the population to grow in areas closest to transportation nodes and employment centers. The result has been increased metropolitan sprawl, as homebuyers have been forced to seek new homes in ever more remote places.

But how did these restrictive zoning and building regulations come about? When did growth, which was once associated with prosperity and progress, become something to fear and suppress?

One way to answer these questions is to examine the history of housing regulation in one town, and there is perhaps no better candidate for such examination than Arlington. First, the way Arlington suddenly reversed its land-use planning and regulatory policies, in the 1970s, vividly illustrates a process that took place throughout the metropolitan area. Second, Arlington is significant because it is the kind of place that is pivotal to regional development. As an inner suburb of Boston, close to major centers of employment, Arlington is the type of locality that must accept high population density if the metropolitan area is to achieve efficient land use and settlement patterns. Its increasing unwillingness to do so illustrates the political obstacles that must be overcome if housing opportunities are to be expanded, sprawl is to be contained, and open space is to be preserved.

## ZONING FOR GROWTH

The 5.5 square miles northwest of Boston that is now Arlington was originally a section of Cambridge known as Menotomy. The town became independent in 1867 and changed its name to honor the Civil War soldiers buried

at Arlington National Cemetery. Originally a farming community, the town was home to the first gristmill in New England. In the 19th century, it added industries, such as manufacturing saws and harvesting the ice on Spy Pond. During the 20th century, Arlington evolved into a commuter suburb.

Like many changing communities, Arlington was quick to adopt a rudimentary and relatively unrestrictive zoning code. Instituting zoning on June 3, 1924, two days before the city of Boston adopted its first zoning ordinance, Arlington placed close to 90 percent of the town's land in two residential zones of approximately equal size. While both districts had a three-story (45-foot) height limit, the Single Residence District allowed only detached single-family houses (and institutional structures such as churches and schools), while the General Residence districts allowed two-family houses, row houses, and boarding houses. The rest of the town, mainly areas along its two transportation corridors—Massachusetts Avenue and the Boston & Maine Railroad line (now the Minuteman Bikeway)—was zoned for business uses, which included apartment buildings. Unlike later restrictions, however, Arlington's first zoning map essentially just described what already existed.

After World War II, demand for housing boomed, spurred in part by the GI Bill, which encouraged the development of new homes for veterans returning from World War II and the Korean War. Over the next two decades, Arlington responded by encouraging developers who met the zoning code's relatively simple requirements. The permitting and business arrangements were simple, even casual, and relied heavily on personal relationships. As Leon Lombard, a retired contractor who built 15 to 20 houses a year in the late 1950s and '60s, recalls, when he wanted to build a house, he would simply obtain a stock house design from an architect and go to Town Hall to ask the town engineer to draw him a plot plan. The town engineer would produce the plan on his own time, after work hours. Lombard would then take the plan and permit application to the building inspector, pay the required fee, and begin construction.

In addition to encouraging single-family houses, the

town created several new districts zoned especially for apartment buildings. Given Arlington's proximity to Boston and Cambridge and later to the growing computer industry on Route 128, these buildings were particularly attractive to young couples and professionals. Town leaders, moreover, viewed apartments as a particularly attractive way to generate property tax revenues. "If Arlington is to increase its assessed valuation," declared town manager Edward Monahan, shortly after his appointment in 1953, "apartment houses will have to paper Arlington." By 1968 Arlington contained 112 apartment buildings of various sizes, and six of the largest property taxpayers in town were apartment house owners.

Despite town leaders' support for growth, and for apartments in particular, by the early 1960s, some residents began to turn against development. In 1961, owners of a large unoccupied tract between the Boston & Maine railroad tracks and Spy Pond persuaded town meeting members to rezone the land so they could build three five-story apartment buildings on the site. Saying they had been caught by surprise, the project's neighbors, led by two physicians, fought to overturn the decision. They were unsuccessful, but in February 1962 a coalition of neighborhood associations and local residents formed the town-wide Save Arlington Association, which pledged to fight a host of rezoning requests that were scheduled to come before town meeting later that year.

## REFORMERS AND RESISTERS

The case made by the apartment rezoning opponents presaged the kinds of arguments that have been made to stop residential development in the Boston area and elsewhere in the United States ever since. On legal grounds, apartment opponents objected to "spot zoning," a violation of the postwar zoning principle that different land uses should be kept separate. (Both 19th-century development patterns and contemporary advocates of "smart growth" reject this notion.) Opponents worried about overpopulation, and attendant ills such as traffic congestion. They countered the rationale that apartment buildings reduced property tax rates by arguing that the added cost of services—such as road maintenance, sewers, water supply, police, and trash removal—offset any reduction in taxes. And, like the enemies of growth often do today, Arlington's rezoning opponents of the early 1960s charged that the construction of flats would add to the school-age population and therefore raise the costs of schools. Finally, they



*The 1960s brought an epidemic of bland "pillbox" apartments to Arlington.*

objected that the buildings next to Spy Pond would ruin the view and recreational space, an early version of the environmental and open space arguments often used today.

The opposition drew from two main groups of residents. Some were upper-middle-class professionals who feared that continued construction of apartments would destroy the town's suburban character, which was more pronounced in the western parts of town farther from Cambridge and Somerville and closer to Winchester and Lexington. Other apartment fighters were middle- and working-class residents, most of them from East Arlington, a relatively dense area of two- and three-family homes where many of the apartments were being built.

After the anti-apartment group emerged in early 1962, builders withdrew nine petitions for rezoning. Over the next decade, builders, town officials and other town leaders sought ways to encourage apartment buildings without arousing significant neighborhood opposition. The town's 1962 comprehensive plan expanded the areas where apartments were permitted but, in deference to local residents, also called for the preservation of historic homes and neighborhoods. Following national trends, reformers acted to preserve local features they considered desirable by persuading the town to establish the Arlington Conservation Commission in 1966 and the Arlington Historical Commission in 1970. The latter body had the power to veto construction and demolition permits that involved exterior changes to structures deemed historically or architecturally significant. In addition, a desire to spur and shape development also led the town to create its first professional planning department in 1969 and to

create the Arlington Redevelopment Board in 1972.

Initially, the new policies and bodies did little to slow down apartment construction in Arlington. Between 1962 and 1972, Arlington issued an average of 226 permits a year for units in multifamily structures. By 1970 more than a third of the town's housing units were in buildings of five or more. Moreover, the town's population had grown to 50,000, up from about 36,000 in 1930.

Many of the new apartments were in square- or rectangular-shaped, brick-clad, three-to-five-story buildings that contained 12 to 18 units. Because of the town's landscaping and setback regulations, which aimed to maintain open space and avoid congestion, the buildings were typically set back on their lots with a small lawn at the front and sides and sometimes a parking lot in the back. Built during the heyday of postwar modernism, the facades of these apartment blocks were devoid of ornament.

Much like the three-deckers constructed in the late 19th and early 20th centuries, these structures were inexpensive to build and maintain. And, just as the three-decker was disparaged as "Boston's weed" as it sprouted all over the region, these undistinguished buildings were looked down upon, their appearance likened to a "pillbox." In fact, opponents of denser development in neighboring

Cambridge and other locales often invoked the specter of the "Arlington pillbox" in their anti-growth campaigns.

### **RULES AND RED TAPE**

In 1973, apartment opponents finally gained the upper hand in town government. In March, pro-planning reformers Margaret Spengler and George Rugg waged successful sticker campaigns and replaced two old-line incumbent selectmen, who had maneuvered to keep Spengler and Rugg off the ballot. Spengler's political base was in the League of Women Voters, an upper-middle-class reform organization, while Rugg had the support of anti-apartment leaders in middle- and working-class East Arlington.

(The two wings of the Arlington planning reform coalition did not see eye to eye on all issues, however. Three years later, the two groups split in a bitter debate over a proposed extension of the MBTA's Red Line from Harvard Square to Arlington Heights. Progressive-minded leaders—including members of the Arlington Redevelopment Board and the board of selectmen, led by Spengler—envisioned the subway as a means to revitalize Arlington's moribund commercial strips. But many of the town's blue-collar and white-collar middle-class residents, galvanized by the pastor of a Catholic church who feared safety

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problems near his church and an adjacent parochial school, successfully fought the subway they thought would bring urban congestion and crime to Arlington.)

During the campaign, both Spengler and Rugg supported the new Arlington Redevelopment Board, which had moved to regulate new apartment construction more strictly and was asking for a two-year moratorium on apartment buildings while it developed a new comprehensive zoning plan. A month after the election, town meeting approved the moratorium.

The new zoning bylaw, which passed in 1975, had 17 districts (as compared to 10 in 1967). It divided the long business and apartment house zone that ran along Massachusetts Avenue into smaller one-to-four-block districts categorized as business, low-, medium-, or high-density apartment house areas. Within these districts, the planners imposed more demanding requirements for new multifamily development, such as larger minimum lot sizes, lower height limits, and a minimum number of parking spaces.

Even if a developer were willing to meet the new requirements, he still had to run a gauntlet of new procedures. Under a new provision in state law, the regulations now made construction of three-family houses, townhouses, and apartment buildings contingent on a special permit issued by the Zoning Board of Appeals. Also in keeping with new state guidelines, the bylaw created two new “overlay” districts: a floodplain district, comprised of lowlands subject to seasonal or periodic flooding; and wetlands, defined as all land within 25 feet of any of the town’s water bodies (including streams) or designated as having poor drainage. Before the Zoning Board of Appeals could grant a special permit in these areas, the town’s conservation commission, the state’s Department of Environmental Quality Engineering (now the Department of Environmental Protection), and the state Department of Public Works (now the Massachusetts Highway Department) had to approve the application. In addition, the town’s inspector of buildings, the board of health, the conservation commission, the town engineer, and the redevelopment board were required to submit their recommendations regarding the application.

Moreover, the new law obliged the developers of projects with eight or more dwellings in one or more buildings, along with developers of any project on the town’s main street, to undergo another new procedure, “environmental design review.” This process called on developers to address an elaborate set of goals, such as preserving the landscape, linking the new building to both built and natural environments, maximizing open space, draining surface water, placing utility services underground, promoting and respecting heritage, and curtailing any effect on the local “microclimate.” As originally written, the zoning board of appeals supervised environmental design

reviews, but within a few years the redevelopment board assumed control of environmental design review. In 1980 and again in 1998 the town added more thoroughfares to the list of places requiring environmental design review; in 1983, a public hearing was added to the process as well.

Not surprisingly, many developers stopped building homes, particularly multifamily homes, in Arlington. In the decade after the new zoning went into effect, in 1975, the town issued an average of 21 permits a year for units in multifamily structures, less than one-tenth of the 225 permits a year it averaged in the decade 1963 to 1973, when the moratorium took effect. In total, Arlington, which had issued permits for almost 3,000 dwelling units in the 1960s, issued only about 800 permits in the 1970s, roughly 600 in the 1980s, and only 66 permits in the 1990s.

### **NOT YOUR FATHER’S OLDSMOBILE**

The case of Time Oldsmobile illustrates how the byzantine regulatory framework that has evolved in Arlington since the 1970s stymies development—and why Richard Keshian, a local attorney who was involved in the latest rounds, now says, “many only develop in Arlington once.”

Located next to St. Athanasius Greek Orthodox Church, across the street from the historic Jason-Russell House and about a block from Arlington Town Hall, the site at the corner of Massachusetts Avenue and Mill Street housed automobile-related facilities throughout most of the 20th century. In the 1980s, David Friedland, who owned the Time Oldsmobile dealership, set out to modernize the facility. With St. Athanasius suing because a proposed new roof would block a view of the church and round after round of public hearings drawing out opposition to a parking garage (at first three levels, then two), it took Friedland four years to get the Arlington Redevelopment Board to approve a plan for the site.

In 1997, the car dealership went out of business. The Osco Drug chain purchased the site and, in 1998, sought permission to raze the building and build a drugstore in its place. In 1999, after five public hearings, the redevelopment board rejected this proposal because, among other problems, it would increase traffic congestion. Osco appealed the decision to the Massachusetts Land Court, but two years later the appeal was denied.

Meanwhile, so many letters had fallen off the building’s sign that it now read OLD BILE and the building itself was slowly deteriorating. In August 2001 the building was demolished and tall weeds and a “For Sale” sign was planted at this conspicuous location.

In 2002, Brooks Pharmacies, which had purchased Osco Drug, concluded that the redevelopment board would never approve a drugstore on the site and hired Michael Collins, a local developer, to devise a politically, financially, and legally viable development plan for the site. Collins

proceeded carefully. In June 2003, after extensive meetings with town officials and concerned neighbors and much work with financial consultants and architects, he put forward plans for a multi-building complex with 46 condominiums and underground parking. In keeping with a 2001 town bylaw requiring that 15 percent of new units in multifamily developments be affordable to moderate-income households, seven of the units were to be affordable.

The redevelopment board asked Collins to modify the plan to allow fire trucks onto the site, and in late August Collins showed the members a scaled-down proposal that reduced the number of total units to 32, with affordable dwellings down to five. Although zoning required an 18-foot setback, the architects fit the dwellings and the fire lane onto the site by setting the units nine feet from the sidewalk. To give first-floor residents privacy, they placed a low wall enclosing a small area of greenery around the houses. The plan also featured a courtyard with a gazebo, a landscape showpiece clearly visible from the Mass. Ave./Mill St. intersection. After meeting with the board, Collins further revised the plan, and in October 2003 he filed for a special permit to build 35 condominiums in three buildings.

In November 2003, there was yet another public hearing. Members of the redevelopment board, which had earlier blocked a drugstore at the site, now asked if Collins could include retail space on the street. Several neighbors, including attorney John Worden, the longtime moderator of town meeting, objected that the project was not compatible with the Jason-Russell House, site of the bloodiest battle of the first day of the American Revolution. Worden also warned that unless he was satisfied, he would oppose the project, which Collins interpreted as a threat to challenge the permit in court.

Worden and other opponents never explained why the design of the housing project was inappropriate, considering that the commercial block on the other side of the intersection included a pizza parlor, copy shop, and real estate office. Worden's objection, for example, that "we don't do walls in Arlington" disregarded the three-foot-high wall that has long surrounded the Jason-Russell House.

Worried about the cost a long legal fight would incur, Collins, who by that time had bought the parcel from the Brooks Co., decided in March 2004 to shelve the multifamily housing plan and instead build nine two-family houses and one single-family house on the site. Since this was a "by right" use of the site, he did not have to go through the environmental design review process. In addition, since each building would be a one- or two-family house, he did not have to include any affordable housing units in the 19-unit development. The town's planners and members of the redevelopment board were bitterly disappointed, but they could not convince Collins to revert to his previous plan and risk a court challenge.



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Arlington's shift from a casual pro-growth regime in the mid 20th century to a procedural and effectively anti-growth system in recent decades was hardly unique. During the late 20th century, municipalities throughout greater Boston turned strongly against development, adopting similar mechanisms—such as building moratoriums, special permits, environmental design reviews, and highly restrictive zoning laws—to control it.

These policies have had a profound impact upon the region's land-use and settlement patterns. If the development policies of the past had persisted, developers could have responded quickly to changes in demand for homes, and in particular for apartments. As was the case in the trolley era, developers could have produced multifamily housing close to employment centers and/or transportation to them, where the demand was highest. Freer rein on production would likely have increased supply and lowered prices of dwellings beyond the levels that prevail today. Greater Boston might have generated more efficient land uses, circulation patterns, and distribution of population than it did. Such gains would have had their own costs, in the form of demolition of Victorian-era homes, change in the character and functions of neighborhoods,

and perhaps the increased construction of certain types of buildings, such as pillbox or high-rise apartments, that many find unappealing.

Today, almost everyone believes we should respect the character of communities, protect the local environment, and save buildings considered historically significant. Yet the history of land-use regulation in Arlington shows that in pursuing these admirable goals, Massachusetts communities created a torturous process for approving new housing. Furthermore, local regulatory procedures have become vehicles for rampant parochialism, the opposite of the planning ideal of organizing metropolitan areas for the good of all. Given how far the regulatory pendulum has swung, it seems high time to craft and execute a public policy that restores the balance not only between communal controls and individual property rights but also between local and metropolitan interests. ■

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*Alexander von Hoffman is a senior research fellow at Harvard's Joint Center for Housing Studies. This article is based on a longer study of land-use regulation in Arlington that was funded and will be published by Harvard's Rappaport Institute for Greater Boston, Taubman Center for State and Local Government, and Real Estate Academic Initiative.*

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# It's time for zoning reform

BY STEPHEN KULIK, DOUGLAS PETERSEN, AND PAMELA RESOR

For years, Massachusetts has been struggling to control sprawl. The MBTA has been systematically expanding transit service as an alternative to the automobile. Cape Cod and Martha's Vineyard have used regional planning agencies to regulate new development. Since 1991, the state has spent over \$321 million to conserve 279,000 acres of open space. Gov. Mitt Romney and Commonwealth Development Secretary Doug Foy are using transportation investments and cash inducements for municipalities to encourage dense development, especially affordable housing, in downtowns and near transit stations.

Massachusetts should be on its way to achieving "smart growth," but it is not. The classic New England "town and country" landscape is fast disappearing as sprawl is on the march. Municipalities lack the capacity to plan effectively because the Commonwealth has some of the most outmoded zoning laws in America, according to the American Planning Association. The most recent revision of the state's zoning act, Chapter 40A of the General Laws, took place in the 1970s, years before "smart growth" was conceived. If Massachusetts is to control sprawl and create the communities its citizens want, the state needs to revamp its state zoning laws along the lines of the Massachusetts Land Use Reform Act (LURA), of which we are the legislative sponsors.

For several years we have worked with local and state officials, planners, and affordable housing advocates in a zoning reform working group to draft this legislation, which provides our cities and towns with better tools to achieve "smart growth," protect community character, build affordable housing, and preserve significant open space.

In Massachusetts, the responsibility for planning and regulating development is a local matter. Unfortunately, the state laws that set the framework for local zoning control contain unclear or restrictive provisions that effectively deprive municipalities of the authority to carry out their responsibilities. A recent study of home rule in Massachusetts by Harvard University's David Barron, Gerald Frug, and Rick Su, *Dispelling the Myth of Home Rule*, finds: "State law...makes it difficult for cities and towns to undertake meaningful planning efforts or to change current land use laws in ways that would promote a more

community-friendly environment."

The current planning, zoning, and subdivision control statutes actually work to subvert local planning by laying down a minefield of exemptions, prohibitions, and zoning freezes. So frustrated are local citizens at their lack of ability to plan proactively that many feel the only way to exert control over development is to delay and frustrate any proposed project—an unfortunate triumph of process over substance. This ends up thwarting the creation of reasonably priced housing, attractive town centers, and beneficial economic development projects.

The first thing the Commonwealth must do is make it necessary, and possible, for communities to implement master plans that reflect their conservation and development goals. Unlike two-thirds of other states, Massachusetts does not now require that zoning and other land use

## Municipalities lack the capacity to plan effectively.

regulations be made consistent with community master plans. Citizens may spend years developing a master plan for their town, but, because it is an advisory document, it often does not get translated into changes in the zoning code and subdivision regulations.

LURA would require that municipalities make their master plans and their land-use regulations consistent. Though it would be a burden for municipalities to achieve this consistency, it is one burden the Massachusetts Municipal Association believes is worthwhile within the overall context of this legislation.

One obstacle to effective planning is "grandfathering." Whenever a zoning change is proposed, a developer can submit a sketch of a subdivision plan that freezes zoning in place, enabling him or her to develop under current zoning regulations for almost a decade thereafter, the longest and broadest such provision of any state. Massachusetts vests the right of development early in the process, when a project is proposed, long before it has been fully designed or approved, tying the hands of local officials and developers alike.

"By allowing developers' rights to vest simply with the submission of a preliminary plan, current zoning law

increases the very kind of development that the municipality wants to regulate,” explain Barron, Frug, and Su. “In the end, not only are municipal planning attempts frustrated but the interest of developers may also be undermined. They are given an incentive to engage in defensive development even if they had no plans to develop anything beforehand.”

An even more unusual aspect of grandfathering, Massachusetts-style, is the right of a developer with an approved subdivision plan in hand to build something completely different, not even necessarily a subdivision, during the zoning freeze period. Instead of protecting legitimately approved projects, this provision merely serves as a loophole through which any property may be inoculated against a zoning change.

To remedy this situation, LURA would provide statutory zoning freezes only for approved subdivision plans, limited to three years, and applicable only to those subdivision plans.

Not only do zoning changes spur unwanted development because of grandfathering, but adopting new zoning of any kind is particularly difficult, because of the requirement that zoning amendments be approved by a two-thirds “supermajority” of town meeting or city council. Massachusetts is the only state that requires this level of approval. LURA would allow communities to reduce the two-thirds vote requirement to a simple majority.

Another problematic feature of current land-use laws is the approval-not-required (ANR) provision, which exempts from local review the subdivision of roadside properties into building lots—yet another exemption unique to Massachusetts. Unregulated roadside development leads to linear sprawl on substandard roads in remote locations, which creates costly drainage and road maintenance problems that the municipality must then cope with. If any one aspect of Massachusetts’s land use laws could be described as the antithesis of smart growth, the ANR provision would have to be it. LURA would eliminate this statutory exemption and allow communities to shape development along their roadways.

**I**t is vital that zoning reform not constrain the development of affordable housing, a critical need in Massachusetts. To that end, we have worked closely with housing advocates such as the Citizens’ Housing and Planning Association to craft LURA in a way that encourages affordability and diversity in housing. Our bill changes the subdivision law to allow communities to require that residential subdivisions integrate affordable units into new neighborhoods (equal to as much as 25 percent of the number of market-rate units) or provide resources for affordable units to be constructed off-site.

The ability to create affordable housing through zoning is also strengthened. Requirements for the housing element in master plans have been expanded to emphasize affordability and diversity in housing production. This much-improved housing element, coupled with the consistency requirement, is a strong incentive for communities to address their housing challenges. Finally, LURA exempts affordable housing projects from impact fees and rate-of-development limits.

LURA also helps communities deal more effectively with the fiscal impact of development. More than 60 percent of new developments in the United States are required to pay impact fees to help create or improve streets, sewers and water supplies, parks, police and fire facilities, affordable housing, schools, libraries, and similar capital facilities. But not here. Under LURA, however, Massachusetts communities would be able to levy impact fees, a growth accommodation tool that could lessen local resistance to new projects. Curtailing ANR subdivisions would also have a fiscal benefit, since road improvement costs could no longer be foisted upon municipalities by unregulated development.

Support for comprehensive zoning reform has been building, with 48 legislators cosponsoring LURA this session. Individuals representing dozens of communities and organizations spoke in favor of the bill at a legislative hearing last summer. Commonwealth Development Secretary Foy has made zoning reform and this bill one of the planks of his smart-growth platform.

Nevertheless, LURA has its opponents. Real estate development interests argue that the law would make it easier for communities to block development and make it more difficult to build affordable housing. But ANR subdivisions and excessive grandfathering protections—the two major development tactics LURA would curtail—do not produce significant affordable housing, only sprawl. In contrast, LURA’s affordable housing provisions would do much more to facilitate such production.

Perhaps the biggest change that zoning reform could produce would be a more positive, rational climate for development. If communities had real ways to control development on their fringes, they would be far more likely to support compact, mixed-use development in town and city centers, as well as affordable housing and economic development projects. To reach that point, our cities and towns need effective planning and zoning tools and the authority to implement them. This is the promise of the Massachusetts Land Use Reform Act. ■

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*Stephen Kulik and Douglas Petersen are state representatives from Worthington and Marblehead, respectively, and Pamela Resor is state senator from Acton. The full LURA bill, along with explanatory materials, is available online at [www.massmunilaw.org](http://www.massmunilaw.org).*



# Giving municipalities more ways to block development is not reform

BY DAVID BEGELFER AND BRIAN BLAESSER

**R**ecent research has given us a glimpse of the Commonwealth's economic future—and it's not a pretty picture. Boston has the highest cost of living of any major city in the nation. Fewer and fewer companies have their headquarters here. And for many young families, even those making up to \$100,000 per year, our high cost of housing makes homeownership an unreachable goal. As a result, it's no surprise that Massachusetts was the only state in the nation to lose population in 2004. Many business and civic leaders are wringing their hands, trying to determine how we can stop this exodus of talented workers. Housing that is affordable can and must be part of the solution.

The state's housing shortage threatens the ability of area businesses to attract and retain the workers who are needed to fuel our economic recovery. In order to prevent this housing crisis from further affecting our ability to compete with other states, we must substantially increase the production of a wide range of housing types. To do this, we need to seriously confront the lengthy local permitting process, promote denser and, therefore, more affordable development, and reduce the time it takes to get decisions from appeals that currently take two to four years or more—and that's after a project has been approved.

Unfortunately, the proposed Land Use Reform Act (LURA) would do just the opposite. LURA allows municipalities to block needed housing and commercial development while eliminating the few protections property owners currently enjoy. It is anti-growth, not smart-growth, legislation, and it will seriously hinder the economic development the Commonwealth so desperately needs.

Rather than solving the crisis in affordable housing production, the Land Use Reform Act would actually make this crisis worse by increasing the regulatory barriers to new development in Massachusetts. Among its many negative effects, the bill would make it more difficult to develop truly "smart growth" projects, such as infill development on vacant lots in established neighborhoods, as well as the renovation and reuse of existing buildings. It would eliminate the current approval-not-required (ANR) process that simplifies the creation of

lots with frontage on existing roads and would instead allow communities to require a full, lengthy, and costly subdivision review for the creation of even a single new building lot. By drastically cutting back on the zoning "freeze" provisions for subdivisions, the bill would make it harder to finance and more risky to develop residential and commercial projects that require large initial investments in site work and infrastructure and are phased for build-out over an extended time period. That's not reform.

We would like to believe that all Massachusetts communities are committed to addressing the Commonwealth's need for housing, but reality shows otherwise. Today, the vast majority of affordable housing can be completed only under the state's Chapter 40B anti-"snob zoning" law. Although there are some exceptions, many towns operate on an agenda fueled by fear—fear of increased school costs, fear of a changed town "character"—that is supported by complex local zoning requirements and development review processes. The end result in many communities is little or no new affordable housing development.

## LURA would increase the barriers to new development.

The Land Use Reform Act would further enhance the ability of cities and towns to fend off, delay, and impose costs on any new development, residential or commercial. Most of the "reforms" it proposes are one-sided and cut back on the limited protections that present law provides to landowners and developers. The bill's proponents say that LURA gives cities and towns the increased flexibility and better planning tools that they need in order to set their destiny and preserve their character. But there is no reason to believe that those municipalities that failed to plan for growth during the past 30 years will be any more likely to do so under a new set of rules.

If the Legislature is truly intent on addressing the Commonwealth's housing shortage and maintaining the state's competitiveness, it should take a different approach. We need to require municipalities to plan for anticipated

growth; mandate fair, predictable, timely, and efficient processes for development review; encourage streamlined approval processes; offer density bonuses and other incentives for housing development; and minimize the additional fees and costs attached to new development.

What's at stake in the LURA debate is not just whether growth in Massachusetts is "smart" or not, but whether growth is possible at all. We are facing an economic crisis. Rather than implementing policies that only build on our reputation as being unfriendly to business, we must actively work to attract businesses and eliminate the barriers that block economic growth.

No one wants sprawl, but there are more effective ways to accomplish this than by chasing businesses and talented workers out of Massachusetts. Economic growth, including the efficient production of housing at suitable loca-

tions in each municipality, benefits all of us. Unlike what is proposed in the Land Use Reform Act, zoning and subdivision regulations should establish clear, fair, efficient, and consistent rules by which such production can take place.

Action is needed now. We can no longer allow the widespread abuse of antiquated local zoning requirements and development review processes to prevent the development of needed housing, mixed-use, and commercial projects. The economic health and vitality of the Commonwealth are at stake. ■

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*David Begelfer is CEO of the Massachusetts chapter of the National Association of Industrial and Office Properties (NAIOP). Brian Blaesser is a partner at Robinson & Cole LLP and serves as co-chair of the NAIOP Growth Committee.*

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## LURA won't promote smart growth or build the housing we desperately need

BY FINLEY H. PERRY JR.

**T**he Home Builders Association of Massachusetts opposes the Land Use Reform Act because it is not about reform. It is about increasing regulation. LURA would do nothing to reform land-use planning. Instead, it would only strengthen the exclusionary housing practices already used by cities and towns throughout the Commonwealth. The fact is, we are not building enough housing in Massachusetts to meet the needs of our citizens, but most communities like it that way. Restrictive zoning, permit caps, and enhanced local wetland and septic regulations have all combined to slow the local permit process and drive up the cost of real estate—great for the NIMBYs who already have a nice house and yard in the suburbs, and “tough” for anyone who wants to get in.

No one disputes the fact that the Commonwealth has a housing crisis. We are not building enough housing, and what housing we are building is on lots that are unnecessarily large. Housing is too expensive, and we are wasting land. According to US Census Bureau permit data, Massachusetts saw yet another decline in the construction of single-family homes in 2004. While the rest of the country is dramatically increasing single-family home production (28 percent higher in 2004 than five

years earlier), Massachusetts produced 4 percent fewer single-family homes in 2004 than in 1999. Massachusetts currently ranks 45th in the nation in homeownership and has the second highest median home prices nationally.

How did we get so far behind in housing production at a time when approximately 40 acres a day were lost to development (according to the Massachusetts Audubon Society) between 1985 and 1999? It is not because cities and towns lack the tools to encourage thoughtful housing production consistent with broader goals regarding the environment, community building, and effective use of existing transportation infrastructure. What is lacking is the political will.

There is nothing in the current zoning enabling act that prevents us from accomplishing real reform. Homebuilders have long supported local efforts to develop comprehensive master plans that balance environmental protection, open space preservation, municipal infrastructure, community character, and housing supply. (And, yes, by all means tie local zoning to local master plans, as LURA suggests.)

We have also supported techniques and strategies that reduce sprawl while allowing for the construction of desperately needed housing affordable to a broad spectrum

of incomes. To achieve the not-mutually-exclusive goals of housing production and land preservation, the Home Builders Association of Massachusetts sponsored amendments to the zoning act that allowed communities to adopt zoning ordinances and bylaws permitting cluster developments as a matter of right and the use of transfer of land development rights (TDR). Endorsed by organizations ranging from the Massachusetts Audubon Society

## Self-interested residents block innovative projects.

and the American Farmland Trust to the Massachusetts Federation of Planning and Appeals Boards and the Metropolitan Area Planning Council, these amendments were enacted into law in 2000 and 2002. Clearly, it is not the lack of “tools” that keep real reform like cluster zoning and TDR from being used, but a lack of interest. To the best of our knowledge, only a single community has used either tool since the bills’ passage.

Transit-oriented development is another area where the good intentions of forward-thinking developers and master planners run up against self-interested residents,

fearful of change, who block innovative projects. The Villages at Kingston and Wakefield Crossing are two examples of developments that would maximize the benefits of existing transportation nodes, minimize street construction and vehicular traffic, preserve open space, promote neighborhoods, utilize existing infrastructure, and facilitate the production of both single-family and multifamily housing. Both are “smarter” developments that show us what can be achieved using the authority already available to communities under the existing zoning law. Yet the Kingston project, widely praised as smart growth, was twice rejected by town meeting, the second time by a bloc of members just big enough to deny the plan the two-thirds majority required to approve a zoning change. Why? Fear of change, fear of difference, fear of any development whatsoever.

That is the conundrum facing municipal planners, state officials, environmentalists, and builders. We are wasting land in Massachusetts. Yet voters continue to reject any effort to increase density, even though it is the only means by which a community can achieve the goals of smart growth. It is far easier to block innovation than it is to accomplish it. Tellingly, there is nothing in the Land Use Reform Act that requires towns to amend their



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zoning bylaws to provide for greater density.

In fact, LURA does nothing to stop cities and towns from adopting the kinds of zoning ordinances and bylaws and subdivision regulations that further the waste of land, and have directly contributed to the housing crisis currently threatening the well-being of the Commonwealth. By focusing on eliminating both zoning freeze protection for subdivisions and subdivision approval-not-required (ANR) lots, the Land Use Reform Act only

## LURA does nothing to stop bylaws that waste land.

adds to the regulatory quagmire we face. The provision that allows cities and towns to impose development impact fees for a broad variety of purposes will drive already high housing prices even higher. And the broad grant of authority given to municipalities to adopt rate-of-development zoning bylaws will dramatically choke off housing. None of this is “reform.”

The issue is a much larger one. By allowing individual towns to create their own patchwork of zoning, environmental, and other regulations, the Commonwealth has

effectively offered license for each community to foist their housing responsibility on neighboring towns. The Home Builders Association of Massachusetts believes that what is needed to promote smart growth, and make housing more available, is not reform of the zoning act, but reform of local zoning. Cities and towns must amend their local zoning ordinances and bylaws to provide for smaller lots, cluster zoning by right, inclusionary zoning with density bonuses, multifamily housing by right, the use of transfer of development rights with density bonuses, and the elimination of building permit moratoriums.

There are 5 million acres of land in Massachusetts; 1 million are developed, and 1 million are permanently protected. It is time to start thinking realistically—and collectively, across town borders—about what we want to do with the remaining 3 million acres. To be sure, a significant portion should be protected as recreational or wildlife habitat, but there is room and reason for an equally significant portion to be developed for housing and jobs. Let’s plan for what we want, not what we don’t want. That would be a real act of land use reform. ■

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*Finley H. Perry Jr. is president of the Home Builders Association of Massachusetts.*

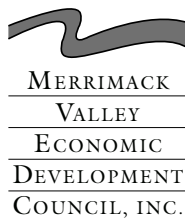
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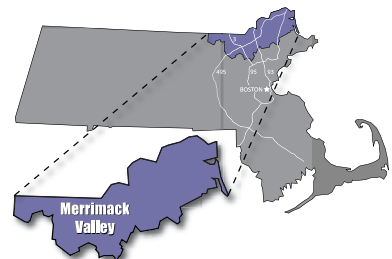
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# The people's choice

## **Sprawl: A Compact History**

By Robert Bruegmann

Chicago, University of Chicago Press, 301 pages

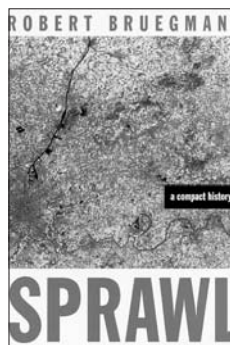
REVIEWED BY ALEX KRIEGER

**R**obert Bruegmann's *Sprawl: A Compact History* is a good and timely book, and I recommend it to anyone interested in cities or general patterns of human settlement. The book is meticulously researched, ambitious in scope, well reasoned, and enjoyable to read. It offers a carefully balanced, non-polemical overview of a subject much polemicized in recent times. I even enjoy the witty title.

Unfortunately, and for some of the same reasons, I predict that few will extol the book's virtues, because few today feel neutral about sprawl, or seek a balanced argument on behalf of sprawled America. *Sprawl's* legion of condemners will express outrage, and find Bruegmann irresponsible. They will ask: How can anyone in this day and age, especially an eminent historian of urbanization, defend the destructive impacts of sprawl? Whereas the defenders of sprawl, in the minority today but quite outspoken on the subject of protecting property rights, will regret that the book is not more of a manifesto on their side.

Bruegmann stops short of championing sprawl in all of its manifestations, though he enumerates the many social and economic benefits from low-density urbanization. Still, he acknowledges that decentralized growth also yields less positive consequences for society. His principal shots across the bow of the anti-sprawl movement are threefold: First, he rejects today's pervasive idea that sprawl has and continues to be forced upon Americans by some complicit combination of careless public policy, corporate marketing (namely the auto industry), and greedy land developers and homebuilders. He argues that the majority of Americans, and others across the world to whom similar choices are available, actually like the less dense environments they inhabit. People surely prefer the sprawl of their own making, though Bruegmann admits that those enjoying their own sprawl increasingly object to the sprawl being produced by newcomer neighbors.

Second, and as a partial rebuttal to the idea that sprawl is forced upon us, Bruegmann points to preferences for sprawl across cultures and across history. His command of urban history yields numerous examples of horizontal urban spread, from ancient Rome to the capitals of contemporary Europe. He makes a compelling case that in



many cultures it is affluence, with its resulting expansion of available dwelling choices, that leads to peripheral urban expansion. It is hard to deny that members of the traditional three “Ps”—the powerful, the privileged, and the pious (as in popes and cardinals)—consistently succumbed to the temptation of building villas

and estates out in the countryside. So why, he asks, is it so odd to assume that similar choices would not be taken advantage of in the modern era, once resources and technologies made it possible, first by members of the merchant and business classes and finally by you and me? Some anthropologists even theorize that humanity is biologically wired to thrive in, or be attracted to, smaller social groupings and natural settings, rather than enormous congregations of population. So Bruegmann intimates, as others have done, that the highly compact, dense, 19th-century industrial city—the city that aroused Charles Dickens's ire, not admiration—may have been an aberrant form of human settlement, rather than a model for contemporary urbanization, as some sentimentally assert.

Third, Bruegmann sets out to challenge some of today's near-hysterical claims about the destructive impacts of sprawl. He would like to detoxify the term, and in part does so by accounting for its various definitions, meanings that shift across time and across perspectives on suburbanization. He reminds us that for much of American history, from Jefferson's time on, decentralization was considered progressive, a social good, and a measure of citizens' economic advancement, the opposite of a major social problem. And he points out that such mental associations still exist, and continue to support the sprawling instinct.

**T**he book is organized into three parts. The first six chapters Bruegmann uses to establish his position, outlining the difficulties of defining sprawl exactly, reviewing its many causes, challenging some of the accusations made by opponents, and offering examples of its persistence across urban history. Thus, he methodically

defends sprawl against the common supposition that it is unique to our time. The next four chapters are dedicated to a series of anti-sprawl campaigns over time. These include the arguments against urban spread made in Britain during the 1920s, when London was one of the world's largest and most spread-out cities; reactions in America, largely from academics, planners, and other "elites," against the rapid suburbanization in the post-World War II period; and finally the current campaign, accelerating in intensity since the late 1970s and maturing today under labels such as New Urbanism and "smart growth," the campaign that surely motivated him to write this book. But all these he sees as merely recurring arguments: "[V]irtually every argument leveled against sprawl today can be found in [the] description of London and other European industrial cities in the nineteenth century." Later, he refers further back in history still—for example, to Queen Elizabeth's effort in the 16th century to prohibit building at the edges of London, a prohibition that, of course, had little long-term effect.

The final three chapters are devoted to what he terms remedies for sprawl, and he points out their very limited success. On these pages he rightly notes the inevitability of winners and losers from any substantial efforts to control land use and urbanization. He acknowledges that centralized government authority can control urban expansion, citing the success of Soviet Moscow's efforts to control peripheral growth, but questions whether such success outweighs the disadvantages caused by limiting citizens' choices. He offers a lengthy and thoughtful assessment of America's most famous metropolitan effort at controlling sprawl, the case of Portland, Ore. While acknowledging the courage of the effort, he generally sides with skeptics who wonder whether it has been the growth boundary measures or the generally slow regional population growth of Portland, compared with Houston or Phoenix over the same time period, that has helped retain many of the urbane characteristics that advocates of Portland's livability cite. He notes that the overall density of the Portland metro area is significantly lower than that of Los Angeles, the longstanding poster child for uncontrolled sprawl. And he worries, as others recently have, about various inequities that may have been inadvertent consequences of land-use policies, such as the rapid increase in land values—or the decline in transit usage following the switch from bus lines to light rail systems, a move that actually reduced the percentage of the population with convenient access to transit. Though it took place after his book was finished, I am sure Bruegmann was not surprised by the victory of last year's referendum in Oregon that seeks monetary compensation for landowners outside the growth boundary, who claim a loss of value to their land. This is generally seen as a serious backlash to Portland's genera-

tions-long experiment in regional land-use controls.

While I generally admire Bruegmann's nuanced review of the causes and the appeal of sprawl, and while I concur with his supposition that there is a certain inevitability to the horizontal spread of urban populations, I do fault him for remaining all too silent on sprawl's consumptive nature. Low-density settlement may be appealing to those who enjoy the lifestyle or profit from it, whether real estate moguls or individual homeowners, but it is hardly an efficient use of land or the world's resources. And the cumulative burden upon the environment of pervasive urban sprawl cannot be wished away by its popular appeal. There is a not insignificant problem of multiplication that Bruegmann chooses to ignore. If 300 million Americans choose to sprawl, much less a billion affluence-and-freedom-gaining Chinese, that is quite a different matter than several thousand Englishmen planting themselves on the outskirts of 16th-century London.

Worldwide environmental degradation has many causes, but sprawl is certainly a contributor. Few can argue that low-density development does not increase auto emissions, water use, pollution, trash, loss of species habitat, and energy consumption. To cite but one example, most pollution of groundwater, lakes, streams, and rivers in the United States is caused by runoff, which collects various toxins on impervious surfaces, like roads and parking lots, in urbanized regions. The heating and cooling of free-standing homes, with their high number of exterior walls per capita, require more energy than denser, attached dwellings. And then there are those immaculate lawns, which require ample water and chemicals to maintain. Of course, such conditions are caused by increasing affluence, not just settlement patterns, though affluence and sprawl are related, as Bruegmann consistently points out. But in emphasizing that relationship, Bruegmann remains a little too sanguine about the environmental consequences. A billion sprawlers is cause for worry.

Even as detached homes with wide lawns retain their appeal in an increasingly affluent society, there is little doubt that calls for better environmental stewardship—including legislated restrictions on development—will increase in the coming decades, influencing urbanization patterns considerably, at least in the developed world. Bruegmann's courageous narrative would have even more force had he concluded, even as he articulated the historic benefits of sprawl, that the coming era—what some hope will be the "Green Millennium"—needs to unfold freer of sprawl than the prior one. ■

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*Alex Krieger is a co-founding principal of Chan Krieger & Associates, an architecture and urban design firm located in Cambridge, and a professor at Harvard's Graduate School of Design.*

# Revolting development

*In popular culture, homebuilders and real estate salesmen can't catch a break*

BY ROBERT DAVID SULLIVAN

Popular culture is filled with sympathetic characters who provide food for our tables, from Ernest Borgnine's lonely butcher in the 1955 film *Marty* and the sweet-tempered grocer Mr. Hooper on the children's TV series *Sesame Street* to all those movie farmers triumphing over flash floods, early frosts, and bank foreclosures so that we never run out of Corn Flakes.

The people who put roofs over our heads are a different matter. With the possible exception of the Wall Street tycoon, no one has a worse image than the land developer. *The Sopranos* gives us the angst of a mobster who strangles people with piano wire—the first season revolved around his recurring panic attacks—but we've yet to see a sympathetic movie or television portrayal of a guy who builds suburban subdivisions.

Instead, what we get is *Poltergeist*. In that 1982 horror film, the developer of Cuesta Verde (Spanish for "costs green") puts houses on top of a cemetery without bothering to remove the bodies first—a short cut that causes much supernatural havoc, not to mention two unnecessary sequels. And in John Sayles's 2002 *Sunshine State*, as low-key a movie as *Poltergeist* is noisy, the development companies trying to turn a working-class Florida seaside community into a village of McMansions begin by surrounding a cemetery with a golf course (thanks to the corrupt county government's use of eminent domain). When looking for undervalued properties to buy and tear down, the scout for one homebuilder speaks of finding "the soft underbelly" where he and his boss can "make our assault." Just as in *Poltergeist*, the climax of *Sunshine State* involves the sudden unearthing of human bones, though with happier results.

For screenwriters, death and construction seem to be an irresistible combination. A recurring plot in TV crime drama involves a builder or architect attempting to bury a victim in the foundation of the high-rise he's putting up. (See, for example, the "Blueprint for Murder" episode of *Columbo*.) And in sketch-comedy, *Monty Python's Flying Circus* once featured John Cleese as an architect whose plans for an apartment skyscraper include rotating knives in the hallways to carve up residents. ("Oh, I see," Cleese

responds when the developers object. "I hadn't correctly divined your attitude towards your tenants. You see, I mainly design slaughterhouses.") In Cleese's defense, his abattoir seems only slightly less uncomfortable than the homes and furniture designed by Frank Lloyd Wright.

Maybe we've never gotten over the tales of Egyptian slaves being buried alive as they built the Great Pyramids. The title character of the 1979 musical *Sweeney Todd* is a bloodthirsty barber who turns his mostly wealthy victims into meat pies—a kind of fast food for the lower classes.

## Death and construction seem an irresistible combo.

One can imagine a new version in which Todd's customers end up part of the foundation for an affordable-housing complex. (And many of Stephen Sondheim's lyrics would still work: "The history of the world, my love/Is those below serving those up above.")

But not all land developers in popular culture are evil. Some are merely stupid and greedy, like the Bluth family on the TV series *Arrested Development*. (The patriarch of the family may also be treasonous, having been accused of building palaces for Saddam Hussein.) In one episode, daughter Lindsay confronts someone protesting a new housing development: "You know, we're not the only ones destroying trees. What about beavers? You call yourself an environmentalist, why don't you go club a few beavers?" Among the adult characters, the only one with a sense of morality is son Michael, who lives in the shoddily constructed model home for a Bluth development that was never built.

Even worse than those who build developments are the people who sell them. The con man trying to unload worthless property in Florida is a stock character going back to the Marx Brothers' 1929 film *The Cocoanuts*, in which Groucho tries to reassure a prospective buyer with statements like "Why, it's the most exclusive residential district in Florida. *Nobody* lives there," and "You can have any kind of a home you want. You can even get stucco. Oh, how you can get stucco!"



Lemmon hustles homebuyers in *Glengarry Glen Ross*; Stewart sees his hometown go to pot in *It's a Wonderful Life*.

More recently, there was David Mamet's dog-eat-dog play *Glengarry Glen Ross*, about Chicago real estate salesmen peddling home lots in Arizona and Florida. The salesmen's deep suspicion of each other is nothing compared with their hostility toward potential customers. In the 1992 film version, Jack Lemmon describes how he silently bullied a hesitant couple into buying a lot: "I sat there.... Twenty-two minutes by the kitchen clock. Not a word, not a motion.... They signed, Ricky. It was great. It was fucking great. It was like they wilted all at once."

#### DON'T FENCE ME IN

The one genre in which homebuilding is a heartwarming activity is the Western, which typically takes place long before the introduction of skyscrapers and subdivisions. Think of the TV series *Little House on the Prairie*, or countless films about settlers putting down stakes west of the Mississippi. NIMBYism isn't a factor in these stories, since these new houses don't block the views in anybody's back yard.

It's probably no coincidence that the Western genre peaked during the 1950s—first with films like *High Noon* and *Shane*, then with a glut of TV series including *Gunsmoke*, *Bonanza*, and *The Rifleman*. This was the same decade during which the interstate highway system was built, making it possible for middle-class Americans to live further and further from their jobs on bigger and bigger plots of land. Victorian houses with front porches and picket fences—presented in such nostalgic films as 1944's *Meet Me in St. Louis*, which was actually set at the turn of the century—fell out of fashion. Instead, more and more Americans bought ranch houses, one-story structures that took up more land than the multistory Victorians and were often surrounded by sprawling yards. The homebuilder's anthem seemed to be "Don't Fence Me In"—written by, of all people, urban sophisticate Cole Porter and popularized in 1944. ("Oh, give me land, lots of land under starry skies above/Don't fence me in.")

The "No Fences" motto was not always realistic, of course, especially in fast-growing but land-scarce places

like Long Island and the immediate suburbs of Boston. And those 1950s Westerns weren't always accurate, anyway. HBO's current series *Deadwood*, a revisionist drama set in a frontier town during the 1870s, forsakes the clichéd image of farmhouses surrounded by fields of wheat in favor of what would now be called smart growth. As set decorator Ernie Bishop says on the HBO Web site, "Our idea was, with 5,000 or 10,000 people suddenly coming into town, every square foot of space was used.... So we built stuff everywhere." When the new sheriff builds a house for his family, it's within walking distance—and sight—of the saloons, hotel, and most of the potential trouble spots in town. Horses are generally reserved for long trips, not everyday errands, and the main street, though covered in mud and muck, is mostly the province of pedestrians.

Unfortunately, *Deadwood* is full of unwashed, insanely violent people who pepper their speech with obscenities.

## 1950s Westerns fueled the rage for ranch houses.

The show is, ultimately, an optimistic tale of raw Darwinism evolving into something recognizable as a civil society, but its superficial vileness is what the casual viewer may remember. It's more comforting to think of the settings in 1950s Westerns, which HBO describes as "those empty towns that had wide, flat streets, colored facades, and a couple of barrels for dressing." Sounds just like Wellesley.

#### DREAM HOUSES

The Western craze eventually subsided, to be replaced by depictions of the New Frontier called suburbia. For a time, both trends overlapped on TV, suggesting some kind of cause-and-effect relationship: A slew of character actors died in gunfights on *Bonanza* so that *Leave It to Beaver* and *The Donna Reed Show* could concern themselves with lost kittens and broken go-carts.



As the 1960s went on, suburban life became the subject of affectionate ribbing on television and more pointed satire at the movies. The TV series *Bewitched* mildly satirized suburbia, with the comedy revolving around concern with appearances and the danger of nosy neighbors. With the hedges and gazebos providing an illusion of privacy, it was easy for sorceress Samantha to forget that Mrs. Kravitz lived close enough to see everything that went on in the Stephens household. But the series applauded Samantha for finding fulfillment in American suburbia when she literally had the power to live anywhere she chose. In one episode, she takes her embrace of the suburban ethos all the way to NIMBYism, using her magic to stop the bulldozers from tearing up a nearby park to make way for a supermarket. (What did she need with a supermarket anyway, when she could just twitch a complete meal into existence?)

Movies have always been a bit more cynical about the suburban ideal. As early as 1948, the Cary Grant film *Mr. Blandings Builds His Dream House* poked fun at the headaches involved in moving from the city to a supposedly more peaceful life in the burbs. But the developers of cookie-cutter housing subdivisions such as Levittown, on Long Island, couldn't have been offended by films like

*Blandings*, since they implied that, as bad as a tract house might be, it was a lot worse to build one yourself.

By the 1960s and '70s, the sterility of suburban life was a theme that crept into films such as *The Graduate* (1967), *The Stepford Wives* (1975), *Ordinary People* (1980), and *Fun with Dick and Jane* (1977), in which a suddenly jobless couple turn to crime into order to hold on to such amenities as their backyard swimming pool. The twisted-suburb genre may have hit its peak with *American Beauty* (1999), a parade of adultery, repressed sexuality, frustrated ambition, and sudden violence—much like screenwriter Alan Ball's subsequent project, the TV series *Six Feet Under*. Early in *American Beauty*, there is an aerial shot of the protagonist's suburban neighborhood, a depressingly similar assortment of homes with white fences, that recalls an opening shot in the 1960 film *The Apartment*. In that film, director Billy Wilder used a wide shot to include row after row of identical desks in an enormous office, almost all of them occupied by young white men with starched white shirts. Conformity in the workplace, it might seem, naturally extended to the home.

Yet identical houses are not really emblematic of suburbia today. For a good look at the fastest-growing type of housing in America, one would do better to tune

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in to *The Sopranos*. Tony Soprano, a mobster who terrorizes businessmen and politicians in northern New Jersey but keeps a wary distance from New York City, owns a McMansion with all the conveniences of modern living, including a big-screen TV. There's also a long winding driveway that helps to hide the house from the street—and discourages comparison with other homes. Tony's castle on a hill suggests paranoia and suspicion, rather than any desire to emulate his neighbors, a theme that is obviously underscored by the fact that he literally buries people who cross him. (Not surprisingly, he has his hands in several land development deals.) It all makes the dull conformity of Levittown seem rather quaint.

### LITTLE BOXES

While Hollywood was turning over rocks in suburbia, popular musicians came up with their own comments on land development, mostly from an environmentalist viewpoint. Probably the most recorded such song is Joni Mitchell's 1969 "Big Yellow Taxi" ("They paved paradise/ And put up a parking lot"), which is shrewd in its deployment of details. "Paradise" means different things to different

## Suburbia still trumps images of the city.

people, but nobody loves a parking lot. More recently, country singer Kate Campbell's 1994 "Bury Me in Bluegrass" mourns the loss of a family farm where now "they're gonna build a mall."

In "My City Was Gone," released by the Pretenders in 1983, the rock band attacked suburbia from both rural and urban viewpoints. Chrissie Hynde, who wrote the song, laments the proliferation of shopping malls on what was once Ohio farmland, singing, "My pretty countryside/Had been paved down the middle/By a government that had no pride." Less predictably, she also misses the train station and business district in what had been her densely populated hometown: "My city had been pulled down/Reduced to parking spaces."

But the reverse imagery of the Talking Heads' 1988 song "(Nothing But) Flowers" proved that, in pop culture at least, developers can't please everybody no matter what they do. "This was a shopping mall/Now it's all covered with flowers," sings David Byrne, later adding, "I miss the honky tonks/Dairy Queens and 7-Elevens."

Even if fast-food strips make them nostalgic, few artists show much affection for the cookie cutter houses that make up so many suburban subdivisions. "Little Boxes," a folk song written by Malvina Reynolds in 1963 and popularized by Pete Seeger, is typical in its contempt: "There's a green one and a pink one and a blue one and a

yellow one/And they're all made out of ticky tacky and they all look just the same." (The song is now used as the theme to the Showtime TV series *Weeds*, about a suburban mom who sells marijuana to her neighbors.)

### THE DEVIL YOU KNOW

The many depictions of suburbia as a breeding ground for hypocrisy and amorality (now continuing every Sunday night on *Desperate Housewives*) may have led to some wishful thinking among New Urbanists during the 1990s, when many central cities experienced slight—and, in most cases, only temporary—population growth after decades of decline. The reversal occurred while hit TV series included *Seinfeld*, *Friends*, and *Sex and the City*, all set in a sanitized version of New York City. Tellingly, however, their characters were almost never seen taking public transportation, attending street fairs, or walking home with heavy sacks of groceries. It's unlikely that the gourmet coffee shops featured so prominently on *Friends* and on Seattle-based *Frasier* caused many suburbanites to move into central cities, but they probably inspired Starbucks to open outlets farther and farther from downtown areas.

The truth is, there is little in popular culture to indicate that the comfort zone of most Americans has shifted from sprawling suburbs to big cities. For example, while shoddily built tract houses are ripe targets for comedy, defects in high-rises are the stuff of disaster movies. (See the 1974 film *The Towering Inferno*.) Public transit is often used as a setting for crime (the 1994 film *Speed* and an episode of the TV series *Homicide: Life on the Street* in which someone is pushed in front of an oncoming subway train), and in the "Marge vs. the Monorail" episode of *The Simpsons*, it's shown as both dangerous and a gigantic waste of money.

Negative images of suburban development have always been trumped by even worse depictions of the city, a standard motif in such films as 1928's *The Crowd* (a young man's individuality is erased by the soulless metropolis), 1946's *It's a Wonderful Life* (Jimmy Stewart learns that if he hadn't been born, the Norman Rockwell-like town of Bedford Falls would have been developed into the honky-tonk city of Potterville), 1975's *Taxi Driver* (one of many films of the era depicting New York City as a moral cesspool), and the *Batman* films of the 1990s.

And for every *Poltergeist*, about perils in a new suburban home, there are dozens of horror films such as 1967's *Rosemary's Baby* (apartment-building neighbors can really try your soul) and 1979's *The Amityville Horror* (houses are like Kleenex: avoid used ones).

It may be that development, like the making of laws and sausages, is something we'd rather not witness—just enjoy the benefits. ■

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