

# The Role of Planners – Who Do We Work For?

Friday October 5<sup>th</sup> @ 9:15 AM

Mark Eyerman Planning Decisions, Inc.

## THE ISSUE

In public policy questions, it is often unclear or confusing as to who “planners” work for – whose interest are we supposed to be advocating for or assuring is represented. I suggest this lack of clarity as to who is our “boss” is one of the reasons that planners feel undervalued in public policy discussions. Our role and our “boss” are often poorly defined.

## PURPOSE OF TODAY’S SESSION

The purpose of today’s session is quite simply to get us to think about what the role of the planner is and to recognize that there is no one, simple answer to that question. My hypothesis for today’s session is that our role may change depending on who we think our boss is. And therefore we need to be clear as a profession and as individual practicing planners that we know who our boss is in each situation – whose interests do we represent when the chips are down.

## APPROACH TO TODAY’S SESSION

I want to try to do some large-scale group role-playing. I am going to present a hypothetical situation. And then I’m going to ask us to assume different planner roles and select a course of action that we will recommend to Town Meeting. To do this you need to put your blinders on and focus just on what is being presented – don’t worry if the moon is rising in the third aura of Jupiter or that the Army Corps won’t approve the project. Keep it simple – this is just an exercise to try to help us think about our role and who we work for. After I present the situation, we will hold a mock Town Meeting. I will be the moderator and I will open the floor for discussion of possible PB motions on

the request that is presented – you need to think about and discuss the motions in your assigned role. Following discussion of the possible motions, we will vote on them.

## THE SITUATION

Here is the scenario that we are going to consider:

SMART GROWTH Inc. (SGI) is one of New England's premier developers. In 2011 they bought a parcel on the fringe of Happy Village for \$120,000 as part of a foreclosure settlement. The lot:

- Is about 20 acres
- Is mostly wooded
- Has a few scattered small wetlands but is generally developable with no significant development limitations
- Is located at the end of a residential street off a major access road to Happy Village
- Is served by public water and public sewerage can economically be extended to serve a development if it is developed at a moderate density (>2-3 units/acre)
- Is currently zoned Low Density Residential which requires 40,000 SF lots with 150" of street frontage and limits residential uses to detached single-family homes. The LDR is a typical older zoning district that just has basic development standards such as minimum setbacks and maximum height limits.

The parcel abuts single-family residential subdivisions on the Intown/Village sides of the lot. Those subdivisions are part of Happy Village. They were developed over the last 20 or so years and the lots typically are between 10,000 and 15,000 SF with public water and sewerage. The kids in these subdivisions use the adjoining woods that SGI now owns and there are well-established walking and snowmobile trails across the property.

In 2008, Happy Town adopted a new Comprehensive Plan after a two-year process that included significant public involvement. The vote at Town Meeting to adopt the Plan was almost unanimous. The Plan includes the SGI parcel in the Town's

Designated Growth Area. The Future Land Use Plan shows the parcel in the Village Expansion Land Use Designation. This is described as allowing medium-density mixed-use development at a density of 4 to 6 units per acre that is developed with a “village character” and allows detached SF homes, duplexes, and townhouses.

However, in 2009, Happy Town cut back the Town Planner to a part-time position as part of budget cuts. As a result, the town has never implemented all of the recommendations of the adopted Comp Plan including changing the zoning on the SGI parcel.

Years ago the Town did create an Open Space Acquisition Fund in the 1990s and has raised money for this purpose. The Town has spent little of the money in the fund and the Fund currently has a balance of approximately \$100,000.

SGI has submitted a request that the Town rezone their parcel as Medium Density Residential so they can develop it as an affordable condominium townhouse development. The MDR is an existing zoning district that allows residential development at up to 4 units per acre including SFHs, duplexes, and multifamily housing with no more than 8 units per building. The MDR is also an older district that only has basic use and development standards. The Town does have a Site Plan Review Ordinance that covers multi-unit housing but is focused primarily on site utilization and site design issues. As part of their rezoning request, SGI has submitted sketches showing a clustered development with townhouse units along a village-style grid pattern of local streets with sidewalks – a total of about 60 units in 10 buildings with open space bordering the adjacent residential neighborhoods. But SGI has been clear that the final design may be different depending on their detailed site investigations.

At the Planning Board’s public hearing, 87 people show up including many residents of the adjacent neighborhoods. The hearing lasted until almost midnight with most speakers opposed to the rezoning for a variety of reasons. At times the discussion became quite heated and personal. The objections raised included:

- The parcel should remain open space
- It will generate too much traffic

- It will cause drainage problems
- If development occurs it will reduce property values
- And on and on – you’ve heard them all

Following the public hearing, a sub-committee of the PB prepared four possible motions for the Board to consider at its subsequent meeting. In summary, the four possible motions are:

- Motion 1 – To recommend to Town Meeting that the SGI parcel be rezoned to MDR since it is consistent with the adopted Comprehensive Plan.
- Motion 2 – To recommend to Town Meeting that the Town enact a 6 month moratorium on development in the Village Expansion Area identified in the Comp Plan to allow the Town to hire a consultant to conduct an inclusive process to review the future use and zoning of this area including consideration of additional design and development standards such as form based coding.
- Motion 3 – To recommend to Town Meeting that the rezoning petition be denied since this area really isn’t appropriate for medium density development and it serves a public benefit as neighborhood open space.
- Motion 4 – To recommend to Town Meeting that the Town use the Open Space Fund to purchase the SGI parcel in conjunction with the local land trust through negotiation if possible or via eminent domain if necessary.

The chair of the PB has indicated that the PB will consider these 4 possible motions and select one to forward to the Board of Selectmen for inclusion on the Town Meeting warrant.

## YOUR TASK

In your professional role as a “planner” your “boss” has asked you for advice as to which of the four motions would be the best for the PB to adopt. Does it make a difference who your “boss” is? On the following page I have described your role – please keep this role in mind as you consider your professional planning advice.

## PLANNER ROLE A

SGI is from away. While SGI has an outstanding regional reputation, they have never done any prior development in Happy Town or in the surrounding area. Since you are a well-know and well-respected planner in the Happy Town area, they have asked you to be part of their team for this project. They pay well and have let you know that they are hoping to do other projects in the Happy Town area if this development is successful and profitable for them. Which motion do you recommend that SGI come to the PB prepared to argue for? And why?

## PLANNER ROLE B

You are the now part-time Town Planner for Happy Town. You have a very good relationship with the PB members and they usually rely on your advice. But the Town Manager has been clear that your position is not secure and will continue to be evaluated during each budget cycle. She has also said there is not likely to be money for any special projects in the next year. Which motion do you suggest that the PB recommend? Why?

## PLANNER ROLE C

A group of residents in the adjacent village neighborhoods have gotten together and have formed the Happy Village Improvement Association and have raised a pot of money to “fight the zoning change”. One of the leaders of the group is a lawyer but land use is not her specialty. So they have hired you as their “land use expert” to help them decide on the best way to “stop” the proposed SGI development or at least make it more acceptable to the neighbors. Which motion do you suggest that they support from your perspective as a professional planner? And why?