

M O R G A N S T .

In the Works

Conflict in the Context of Everyday Practice

John Forester

Conflict is a fascinating topic. It is personal, emotional, and an integral part of any job. But public officials, especially planners in the public sector, are party to a unique form of conflict. In the following collection, some of the planner's roles, tactics, and interactions are summarily presented. See if you can find your own approach among these quotes.

Roles Developers

Our role is to listen to the neighbors, to be able to say to the Board, "Ok, this project meets the technical requirements, but there will be impacts." The relief will usually then be granted, but with conditions...

If I don't think the Planning Board is representing all the problems, then I'll attach a second report for the aldermen... That's not advocacy... That's my job.

I just tell them the rules.

Sometimes I act as someone who lets people talk it out. They're steamed. So I just let them talk.

But I try to keep my opinions out of the public process. I'll say, these are the applicable regulations, here's how the proposal meets or violates them. I'll present the facts and let people respond. I'll show the implications of a proposal, and cite the precedents that apply... But people do ask you all the time, "what do you think? What's your opinion?"

We have access to information, to resources, to skills... so developers usually want to work with us. They have certain problems getting through the process... so we'll go to them and ask, "what do you want?" and we'll start a process of meetings... It's diplomacy; that's the real work. You have to have technical skills - that has to be there - but that's the first 25%. The next 75% is diplomacy, working through the process.

Early on we can identify constraints, tell them to consider A, B, and C so that the project is ready to be heard at the public hearing. We can help them prepare for the local board: "they really care about this, so you better deal with it..."

It's easy to sit down with developers, or their lawyers. They're a known quantity. They want to meet. There's a common language - say, zoning, and they know it, along with the technical issues. And they speak with one voice (although that's not to say that we don't play off the architect and the developer at times - we'll push the developer, for example, and the architect is happy because he agrees with us...)

Take an initial meeting with the developer, the Mayor, and me. Depending on the benefits involved - fiscal or physical - the Mayor might kick me under the table; "not now" he's telling me. He doesn't want to discourage the project... and so I'll be able to work on the problems later...

Time is money for developers. Once the money is in, the clock is ticking. Here we have some influence. We may not be able to stop a project that we have problems with, but we can look at things in more or less detail, and slow them down. Getting back to them can take two days, or two months, but we try to be clear, "we're people you can get along with," and so many developers will say, "let's get along with these people and listen to their concerns..."

Central
CIVIC
Center

FORESTER ST.

John Forester teaches in the Department of City and Regional Planning at Cornell University. This year, he was Visiting Associate Professor at the Department of Urban Studies and Planning at Massachusetts Institute of Technology, and Research Fellow at the Lincoln Institute of Land Policy.

Citizens and Neighbors

But then there is the community. With the neighbors, there's no consistency. One week one group comes in, and the next week it's another. It's hard if there is no consistent view. One group's worried about traffic; the other groups not worried about traffic but about shadows. There isn't one point of view there. They also don't know the process (though there are those cases where there are too many experts!) *arts council*

We'll ask for as much in the way of conditions as we think necessary for the legitimate protection of the neighborhood. The question is, "is there a legitimate basis for complaint? And it's not just a matter of complaint, but of merits."

Now with the developers we're real up front. We'll say, "this is what we like, what we don't, what you need to change." But it's different with the neighbors. The project review process is a real educational process. They have to react unencumbered by anything else than the facts of the case. . . . Am I worried about swaying the neighbors? Yes — they're the ones who'll have to live with the building, so I have to let them develop their positions. . .

It's one thing to begin the discussion of a project (to present our analysis) and anticipate the problems. But it's another thing to *rebut* a neighborhood resident in public in a gentle way. . . . Part of the problem is that if you antagonize people it'll haunt you in the future. . . . We're here for the long haul, and we have to try to maintain our credibility. . .

I can tell the developers that the neighborhood concerns are; I know the neighborhoods, the neighborhood activists. I know what the community wants. . .

Regardless with how our first meeting with a developer goes, we recommend to them that they meet with the neighbors and the neighbors' representatives (on the permit granting board). We usually can give the developer a good inkling about what to expect both professionally and politically. The same elected representatives might say that a project is "OK" professionally, but not "OK" for them in their elected capacity. We try to encourage back and forth meetings. . .

Methods

In the middle you get all the flack. You're the release valve. You're seen as having some power. . . and you do have some. Look, if you have a financial interest in a project, or an emotional one, you want the person in the middle to care about your points of view. . . and if you don't think they do, you'll be angry!

So when planners try to be "professional" by appearing detached, objective, does it get people angry at them? *theatre*
Sure!!

On another project, we waited before pushing for changes. We wanted to let the developer get fully committed to it; then we'd push. If we'd pushed earlier, he might have walked away. . .

I also make a point to tell each side the other's concerns — categorically, not with names, but all the other sides' concerns. . . . Why's that important? I like to let people anticipate the arguments and prepare a defense — either to stand or fall on its own merits. For people to be surprised is unfortunate. It's better to let people know what's coming so they can build a case. They can hear an objection — if you can retain credibility — and absorb it; but in another setting they might not be able to hear it. . . . If they hear an objection first as a surprise, you're likely to get blamed for it. If concerns are raised in an emotional setting, people concentrate more on the emotion than on the substance — this is a concern of mine. In emotional settings, lots gets thrown out, and lots is peripheral, but possibly also central later. . .

What we do is *pre-mediate* rather than mediate after the fact. We project people's concerns and then raise them; so we do more before the fact (of explicit conflict). . . the only other way we step in and mediate, later, is when we support changes to be made in a project, changes that consider the neighbor's views, but that's later, after the public hearing. . . □

These quotes are excerpted from a paper entitled Planning in the Face of Conflict: Mediated-Negotiation Strategies in Local Land Use Permitting Process, by John Forester, Ph.D., available through the Lincoln Institute of Land Policy, 1000 Massachusetts Ave., Cambridge, MA 02138.