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REFLECTIONS ON COMMUNITY PROCESS IN THE MULTI-LAYERED COMMUNITIES OF A MAJOR URBAN DEVELOPMENT PROJECT

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Abstract: Many legal, political and informal “community processes” were undertaken to shape the future of the land created by the underground rerouting of Boston’s Central Artery. In order to assess whether these processes were valuable, the Essay proposes an approach to determining what constitutes a successful community process in the context of a complicated urban development challenge. First, a typology of community processes is developed, involving both different layers of community and a spectrum of processes from the legal to the political. Next, four criteria are proposed for evaluating the efficacy of community processes: inclusiveness, integrity, influence and implementation. Finally, these evaluation criteria are applied to determine the extent to which the different types of community processes used to shape the Central Artery Project’s open spaces were successful. The Essay concludes that the lessons learned in Boston can be used to shape more effective community processes elsewhere.

INTRODUCTION

Over a period of roughly two decades, a number of different legal, political, and informal “community processes” were undertaken to shape the future uses of, and design for parks on, the reclaimed land created by the underground rerouting of Boston’s Central Artery expressway. Hundreds of meetings were held, involving dozens of stakeholder groups and hundreds if not thousands of individuals. To some extent, these meetings and processes ultimately shaped both the

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legal and political determinations that were made about the future use of this highly visible and valuable tract of urban land.

As this lengthy endeavor draws to a close, it is a good time to ask whether these community processes were valuable or successful. In order to address that question, however, one first must determine what constitutes a successful community process in the context of such a complicated urban design and development challenge. As the first step in such an analysis, this Essay proposes a typology of community processes by deconstructing the phrase “community process,” which of course is a combination of the similarly elusive terms “community” and “process.” The Essay then proposes a series of evaluation criteria that, collectively, can help decisionmakers and community participants alike assess the extent to which these different types of community processes can be considered effective and successful.

I. TYPOLOGY OF COMMUNITY PROCESSES

A. *Layers of Community*

It is impossible to think rigorously about “community process” without first asking what “community” the process seeks to engage. Most people who have participated in such processes would agree with the premise that the outcome of a community process is strongly shaped by who in the community actually participates in that process. The common wisdom of Boston neighborhood activists is true: who has—or does not have—a “seat at the table” heavily influences, even ultimately determines, what gets decided around that table.

One dictionary definition of “community” is a body of people living in the same place under the same laws.¹ But this is only one kind of “community”—a geographic community, defined in terms of “place.” While relatively straightforward, even a geographic community is far from self-defining. When reaching out to involve community members in a planning process like that for the Central Artery, should the focus be on the smallest geographic unit of community, such as immediate neighbors; a slightly larger geographic community, such as a larger, exogenously defined “neighborhood”; or a broad geographic community, such as the entire city of Boston or even the greater metropolitan area? Another complication is that such geographic communities are not static over time—the real “neighbors”

¹ See THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE 383 (3d ed. 1992).

are not those living next to the Central Artery in the 1990s, but those who will live there ten or twenty or more years from now. The more rapidly the demographics of an area are changing—indeed, new Boston residents represent very different demographics from those of the past—the less likely it is that the “community” of today can properly represent the interests of the “community” of tomorrow.

Further, while a “community” may be defined by geography, there are other types of “community.” Another dictionary definition of “community” simply refers to “society as a whole.”² Many “community processes” are in fact more likely to attract communities based on affinity—common interest or expertise or some combination of the two—than on geography. Regular participants in community processes sometimes dub these participants “the usual suspects”—planners, environmentalists, public transportation advocates, and so on. One need only review the sign-in lists for many of the Central Artery meetings held over the years to realize that, in addition to a relatively small number of highly engaged, immediate neighbors, many of the regular attendees belong to a community of affinity rather than one of geography.

So, in reality, there was no single “community” that was the key actor in the “community processes” used to shape the future of the lands above the submerged Central Artery. Instead, there were overlapping and constantly shifting layers of “communities” that participated: traditional geographic communities, from neighborhoods both adjacent to the project and farther afield; communities of common interest, such as green space or pedestrian advocates; and communities of expertise, such as landscape architects. Unfortunately, it is not at all clear that those who designed and ran the various processes recognized that there actually were multiple and multi-layered “communities” seeking to shape the future of the Central Artery open spaces. Not surprisingly, it is difficult to know whether a process has successfully engaged the “right” community or communities if, at the outset, little attention is paid to the issue of exactly whom the decisionmakers are trying to engage.

B. *A Spectrum of Processes*

Embedded in the “process” half of “community process” are just as many different meanings as are found in “community.” Again, one

² *Id.*

can start with a simple dictionary definition of a process as a “series of actions, changes, or functions bringing about a result.”³ There are, however, any number of different ways to direct a series of actions toward a particular result, to say nothing of the myriad possibilities for delineating the particular result itself. A well-designed process should address both the “particular result” at which the process is aimed—the purpose or desired outcome of the process—and the “series of actions” that will be undertaken.

1. Process Regimes

The desired outcome of a process often is defined by the decisionmaking structure underlying the process. After all, a “process” does not make a decision; someone makes a decision based on the outcome of a process. So it matters very much who is the ultimate decisionmaker and what set of rules, if any, govern that decisionmaker’s actions. Broadly speaking, the history of the various community processes around the Central Artery can be divided into two phases. The first phase consisted largely of processes operating predominantly under a “legal” regime or framework, while the second phase involved processes occurring more under a “political” one.

The “legal” processes involved identified decisionmakers who had specific decisions to make within the context of well-defined decisionmaking rules set out in federal or state laws and regulations. These processes, for example, included the Federal Highway Administration’s environmental review of the Artery project under the National Environmental Policy Act (NEPA),⁴ the parallel environmental review by the Massachusetts Secretary of Environmental Affairs under the Massachusetts Environmental Policy Act (MEPA),⁵ and the City of Boston’s zoning process for producing binding land use restrictions.⁶ Each of these processes produced a specific, written outcome—a NEPA record of decision, a MEPA Certificate, and a zoning bylaw, respectively.⁷ While not every stakeholder was satisfied with these outcomes, there was a general sense that these processes were relatively transparent and produced comprehensible outcomes.

³ *Id.* at 1444.

⁴ National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321–4370 (2000).

⁵ Massachusetts Environmental Policy Act, MASS. GEN. LAWS ch. 30, §§ 61–62 (2004).

⁶ 1956 Mass Acts 665.

⁷ BOSTON, MASS., ZONING CODE art. 49 (1991).

The next phase of Central Artery-related processes suffered from the absence of clearly identified decisionmakers operating according to transparent and understandable decisionmaking standards. These “political” processes ranged from ongoing and relatively formal processes such as the Mayor’s Surface Artery Completion Task Force, to shorter-term, informal processes such as the *Beyond the Big Dig*⁸ series of community meetings. But, even for those stakeholders who were insiders, it really never was clear who was in charge of the decision-making or what criteria were being applied. Most importantly, in these political processes it was not even clear whether or how the outcome of the process would actually shape decisions about the parks and open space emerging from under the former Central Artery. Not surprisingly, these political processes have been widely criticized and have repeatedly failed to generate any compelling consensus on the future of the Central Artery open spaces.

2. Process Outreach

Another critical aspect of a “process” is how it is actually conducted: what “series of actions” are taken as part of the process? Processes can be conducted very differently depending on the attitude regarding how people are to “come to” the process. Under one model, the community is responsible for coming to the process. Meetings are advertised and mailing lists are compiled, but the responsibility for successful engagement rests with the community members. Under a very different model, the process comes to the community. The decisionmaker or process-convenor takes far greater responsibility for summoning people to the table. Key stakeholders are identified in advance and specific steps are taken to reach out to those stakeholders and ensure that they participate. Each of these models is, of course, a prototype and many community processes incorporate elements of both, creating a spectrum that stretches from processes where there is almost no outreach—for example, publishing a small-print notice in the classified ads in one local newspaper—to processes built entirely around an aggressive series of community and stakeholder outreach initiatives. Unfortunately, most of the Central Artery community processes were closer to the former than to the latter.

⁸ Boston Globe, *Creative Community Conversations*, http://www.boston.com/beyond_big_dig/conversations (last visited Mar. 12, 2005).

II. EVALUATING THE SUCCESS OF COMMUNITY PROCESSES

Having proposed a typology of community processes, the next issue concerns the efficacy of such processes. What criteria should be used in evaluating whether a community process was successful? Keeping in mind the key aspects of both “community” and “process” discussed previously, at least four factors should be considered when evaluating the efficacy and success of any given community process. These are the four “I”s: inclusiveness, integrity, influence, and implementation.

The first evaluation criterion is *inclusiveness*, the extent to which the community process was successful in engaging various stakeholders or communities. The inclusiveness of a community process can be evaluated only if, at the outset of the process, there is a clear identification of specific communities—communities of geography, communities of affinity, or both—that the process is intended to engage. The inclusiveness of the process then can be evaluated by determining the extent to which the process attracted not just participants, but participants from these desired communities. One lesson learned from many of the Central Artery processes is that it is relatively easier to engage nearby geographic communities and highly-motivated affinity communities, such as professional planners and advocates, but harder to consistently engage participants over a broader geographic area, even when the project should be of interest to an entire city or metropolitan area. The tendency to engage only the immediate neighbors and the “usual suspects” is exacerbated when the process—as was the case for many of the Central Artery efforts—falls closer to the end of the outreach spectrum in which the community is expected to “come to the process,” instead of using a process designed to reach out aggressively into the broader community.

The second evaluation criterion is *integrity*, the extent to which the process adhered to the stated decisionmaking process and criteria. For a community process to have integrity, there must first be a transparent description of the process so that participants know who is supposed to be the decisionmaker, how the process will proceed, and what criteria the decisionmaker will weigh in making the ultimate decision. The various Central Artery-related community processes have demonstrated that “legal” processes tend to have more integrity than “political” processes, in part because the ground rules often are specified clearly in law and regulation and because the availability of judicial review serves as an important check on adherence to those rules. Indeed, it could be said that some of the more “politically”

based community processes were deliberately set up with vague ground rules that made it impossible even to assess the extent to which the process was conducted with integrity.

The third evaluation criterion is *influence*, the extent to which the community's participation and engagement did or did not shape the decisionmaker's ultimate decision. Clearly, in any given community process it is possible that some of the affected communities can have more influence than others. One example from the Central Artery processes is the immediate geographic community of neighbors, who had considerable influence when it came to the design of specific parks—sometimes at the expense of the broader community or communities of expertise, such as landscape architects. One way to think about influence as a criterion for process success is to determine the extent to which the process was responsive to those who participated. In many complicated, multi-layered processes designed to shape complicated urban development, it may not be realistic for all of the participants to influence the outcome because the various participants will themselves be seeking to influence that outcome in conflicting ways. It is always possible, however, to assess the extent to which the process succeeded in clearly articulating a meaningful response to each of the stakeholder interests and then “aligning” those interests to the extent possible and desirable.

The fourth and final evaluation criterion is *implementation*, the extent to which a community process shapes not just the decision made at the conclusion of that process but the actual situation “on the ground.” It is possible, for example, that a community process can generate a result that demonstrates that the participants successfully influenced the outcome of that process—but that process might not, in turn, influence the ultimate development project. A truly successful process should produce indelible, durable results—results that are actually implemented. Just as the more legalistic processes in the earlier phases of Central Artery planning tended to have more integrity, they also tended to produce results that actually were implemented. The durability of a process's results seems to be related to the underlying weight of authority for the process—the stronger the legal basis for a process, the more likely the result is to be implemented. This is true even within the spectrum of “legal” processes, with the results of permitting processes more likely to be carried out than the results of environmental review processes. At the least-likely-to-succeed end of the process spectrum are the highly “political” or “advisory” processes—such processes frequently fail at the implementation stage because the “advice” is not taken. In effect, community participants are

“at the table” and their voices are being heard, but the real decision is being made at another table somewhere else.

CONCLUSION

Those who believe in the importance of effective and inclusive community process must be proactive about designing the processes from the outset in order to maximize their likelihood of success. While other observers may conceive of different typologies or evaluation criteria, the lesson is that it is critical to take a more rigorous approach to community process: one that ensures that such processes genuinely engage the broadest range of affected stakeholders and ultimately do influence important public policy and planning decisions. Because many urban areas have the kinds of multi-layered communities of both geography and affinity described here, and because many development review and approval processes involve both “legal” and “political” regime elements such as those that have shaped the Central Artery Project over the past two decades, the lessons learned in Boston can be used to shape more effective and harmonious community processes for future development undertakings in urban areas throughout the nation.