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The cost of development: Has it gone too far?

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Occasionally, I am asked by non-profits to consult on land planning and financial analysis for purposes of gifts, easements, bargain sales and other forms of conservation techniques on property. A friend was asking me about whether this "gift" concept was viable in this type of soft economy. I responded that, because the costs of development are so high, in a weak market such as this, there is sometimes little underlining value to the land - thus no gift.

Many of these high costs in development are caused by "over design." Over design can occur when well-intentioned bureaucrats, engineers, architects or legislators decide that we layman at large need more protection. As you are aware, this happens often in the auto industry with such things as double-door locks, backing down alarms, lane veering alarms, rear facing cameras, and even distance measuring auto stopping devices. They are all good ideas, but they cost a lot to install, and when one breaks, they are all the more expensive to repair. This comparison is not unlike over design in real estate. Here are a few of my pet examples:

First, subdivision roadway specifications. This is the subject that was the focus of the discussion with my friend. Subdivision regulations often require 50-foot rights of way with 35 feet wide paving, significant drainage, double sidewalks, granite curbing, etc. This is often a requirement for subdivisions with as little as a few lots. I often see, in bucolic country towns, an enormous newly paved road with a football field size cul-de-sac at the end, coming off of a charming country road. The typical reasoning for this requirement is to enable police and fire to access the newly built homes. My question is, if they can make it to the subdivision, along the country road, why does the new road need to be runway size. The answer is, of course, it doesn't, and some enlightened towns are using rural road specs, common driveways, innovative drainage techniques and other efforts to minimize the cost and ugliness of excessive infrastructure. Perhaps, if road costs were lower, and infrastructure less intrusive and ugly, developers could generate better profits for fewer homes, and planning boards could require more open space.

A next big issue is septic systems. Town boards of health, and commonwealth requirements under Title V, naturally require a means of sewage disposal. Where there are no sewers, this occurs with a septic system. When inadequate soils exist, Title V requires mounding of the system often at higher elevations than the house itself. Often the system and leaching fields are huge, anticipating hundreds of toilet flushings per day. In one town, I have even seen a requirement for two entire separate septic systems and fields, should one fail. Some towns use these requirements as a type of growth control, keeping some land from being developed at all. In these towns, innovative treatment options are discouraged or prohibited, therefore encouraging over designed systems. Clearly, proper sewage disposal is a critical concept, but there could be some alternatives to simply over designing.

As I have discussed in the NEREJ in the past, new floodplain construction requirements will soon

dictate that houses be built even higher above the floodplains, in some cases 25 feet in the air. These are clearly designed for the one perfect storm, which may or may not occur within a hundred years. It would seem there could be a simpler financial insurance solution, than a construction solution of this magnitude.

Other examples abound. I have seen bridging, combined with concrete jersey barriers as long as a thousand feet long, designed to protect turtle habitats across vast acreage of wood swamp. These look so unnatural as to defy the concept of natural habitats. As a "close to home" example, I have been required to retain rain runoffs in my small urban yard in order to keep it from going into city drains too soon, and too fast. This resulted in three huge underground interconnected cisterns which occupy most of my yard and can contain a 50-year storm without so much as putting a drop of fluid into the city system. It sure seems like overkill to me.

I feel a little like 60 Minute's Andy Rooney, lamenting how simple solutions of the past were often "good enough." It is our nature to want to provide better solutions, to fix everything, to account for every possible possibility. Unfortunately, not all outcomes can be foreseen or prevented. We simply cannot afford to over design everything in our lives to fix all the problems.

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