

The permitting process

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Ask any developer which part of the land development process (besides financing) is most challenging, and their answer will likely be permitting. The reality is that not all projects experience difficult permitting. However, those instances where permitting difficulties do affect a project are so disruptive that they cast a negative light on the whole process. Having worked on many projects where permitting was relatively seamless - and hearing about others where it wasn't - the following common elements have emerged as success factors:

- * Have a permitting lead - Someone on the team needs to champion the process. This person is the hub of all permitting activities and orchestrates the process among the design team.
- * Know the local regulations - Zoning regulations are detail-oriented. Even a seemingly minor item can have a profound impact on the development plans. Analyze the local regulations very carefully, and understand the impact that each element has on the project. If something appears ambiguous, seek the guidance of the agency or legal counsel familiar with the regulation and jurisdiction.
- * Communicate - Collaborate with local officials early in the design process. This allows the design team to make design decisions early in the process. This is beneficial because as a project evolves, the opportunity to make changes decreases significantly and the costs of changes rise exponentially.
- * Have a back-up plan - Consider alternate solutions to potentially problematic aspects of the design.
- * Make a solid presentation -Thorough preparation for meetings with boards and commissions is critical to prevent delays caused by requests for more information or modifications. The investment in meeting preparation can save money in the long run, especially in New England where construction season must be factored into the process.

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