

WESTSIDE NEIGHBORHOOD
ASSOCIATION
407 Ransom Street
Chapel Hill, NC 27516

TO: The Mayor and Town Council
FROM: Baird S. Grimson, President
RE: UNC Purchase of Wilson Court/Cameron Avenue Property
DATE: March 26, 2007

As we are all aware, UNC is in the process of purchasing approximately 2.3 acres of property on the west corner of Wilson Court and Cameron Avenue located within the Cameron/McCauley Local Historic District and the West Chapel Hill National Register District. These lots are zoned R3, residential use, and there are two residences left after the seller demolished four houses several years ago. As residents of this neighborhood, we have serious concerns about the University's plans for the immediate and, ultimately, the long term use of this property.

University officials have stated that the University will comply with historic district overlays and guidelines for any structures placed in this area. However, it was intimated that no structures will be built on this property in the near term. In light of the fact that the University has built a parking lot at the west end of Cameron Avenue near the UNC Cogeneration Facility on land which was zoned for residential use and where several homes were demolished, we interpret the language of "temporary usage" and "non structural changes" of the property to be purchased on the corner of Cameron and Wilson Court to mean "Parking Lot." It is our understanding that the University was not required to request a re-zoning of the property involved on the west end of Cameron Avenue as no structures were built at that location and wonder if this will apply to land situated in our historic district. As there are no non-residential parking areas in this historic district, we feel a parking lot would not be able to meet the requirement of congruity with the rest of our historic district.

Our question for the Mayor, Town Council, Town Manager and Staff of the Town of Chapel Hill is this:

Are there any regulations in the Town of Chapel Hill ordinances or State of North Carolina regulatory powers governing historic districts that can be used to prevent the placement of a temporary or permanent parking lot within the Cameron McCauley Local Historic District and the West Chapel Hill National Register District?

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About 20 years ago, UNC proposed a new road network that went through Battle Park and the historic Gimghoul neighborhood, an important part of Chapel Hill's charm and attraction. During the period of the understandable outcry from the public, there were public hearings and meetings between UNC's and Chapel Hill's staff. The Independent wrote a story entitled "Can Our Mirage Be Saved?" A passage from that article has significance for tonight's issue regarding UNC's western neighbors that describes a meeting between a Chapel Hill staff member and UNC. The section says: the staff member "was surprised to find that they (UNC) had maps depicting private property on the west side of Pittsboro Street and south of Mason Farm Road shaded for university expansion. When he questioned the planners, they suddenly removed the shadings from the maps. He says he was told the shading was a "drafting error." We have seen Mason Farm Road's fate.

We in the now designated Cameron/McCauley Historic District always knew that we were threatened. We thought that both the local historic designation as well as the national historic designation gave us some protections, but we breathed a sigh of relief when we heard during the discussions of OI-4 that UNC recognized Pittsboro Street as its western boundary. The understanding was not just that this area wouldn't be requested for inclusion in the OI-4 zone, but that development would be stopped at Pittsboro Street. Different people said this at different times, but it is clearly shown in the minutes of the Council meeting of July 2, 2001. The following is part of the statement of Nancy Sutenfield representing UNC. "Ms. Sutenfield added that subsequent to the last Town-Gown meeting, the University had learned that neighbors in the sub-areas two and three west of Pittsboro Street had objected to the rezoning of those areas. She noted that the University had no plan to develop in those areas and would withdraw the request to rezone those." It was clear from other meetings, which neighbors attended, that UNC intended that Pittsboro Street would be the western boundary of UNC and that UNC would not intrude into this neighborhood, irregardless of its zoning.

Imagine the dismay and concern in the neighborhood when it was learned that UNC is spending considerable tax dollars to buy property in our neighborhood, when we had a clear understanding that UNC had no territorial aims west of Pittsboro Street. UNC won't even disclose the proposed use of the land. Surely UNC wouldn't spend this much money without some idea for its use.

The Town is our only recourse to protection of our neighborhood. Would you please do the following?

- Instruct the Chapel Hill staff to look into the protections against building large scale institutional buildings or parking lots in R-3, the Cameron-McCauley Historic District and the National Register Historic District, and
- Look into other legal protections afforded neighborhoods, including laws referenced in an article by Robert Stipe, a copy of which I will provide to you, and
- Ask UNC to supply to the Town the uses it is contemplating for the Dobbins property, and
- Report back to our Cameron/McCauley Historic District, Westside Neighborhood as soon as possible.

Joyce Brown
March 26, 2007

Town and Gown Conflicts and
Issues in Historic Preservation:
A Symposium
Keynote Address

Harrisburg, Pennsylvania
June 12-13, 1992

I Owe My Soul To the Company Store

by

Robert E. Stipe
Emeritus Professor of Design
School of Design, North Carolina State University

Introduction

I suspect I have been invited here this morning not because I am especially wise or virtuous, but because the conference sponsors know that my childhood, before World War II, was spent a few blocks from the Lafayette College campus in Easton, and the remainder of my life since that time has been lived in the college town of Chapel Hill, North Carolina—a place in which, as a faculty member, citizen, and preservationist, I have been accused from time to time of great mischief.

I also think I am here because Dr. Brent Glass, your Pennsylvania State Historic Preservation Officer has a long memory, and he recalls from his North Carolina days that I was fingered as the ringleader of a preservationist gang (as we were called) who managed to put a large area of Chapel Hill and an even larger chunk of the UNC-CH campus on the National Register of Historic Places in the dead of night, so to speak, without telling the University before the fact. (This was back in the days before the requirement of property owner notice or owner consent.) Or, perhaps he remembers me as the chairman of the Chapel Hill historic district commission that issued a certificate of appropriateness for the construction of a University Press office building in a residential neighborhood adjacent to the campus only after a mighty and prolonged battle.

No doubt most of you are familiar with Tennessee Ernie Ford's popular song "Sixteen Tons."

"You load sixteen tons,
What do you get?
Another day older
And deeper in debt.
St. Peter, don't call me
'Cause I can't go.
I owe my soul
To the company store."

You load sixteen tons, Whadd'ya get? Well, it was revealed to me, indirectly and after the fact, that if I had not had tenure as a University faculty member, I would have got—in a word—fired on the spot by the company store.

These events played out like one of those good news-bad news jokes.

The good news was that once on the National Register, we stopped the University, the town, and the state from running a highway through our prized Battle Park, the "green lung" in the center of Chapel Hill, a place important to everyone—citing Section 4(f), Section 106, and a bunch of other laws we made up on the spot (never challenged) at a public hearing. Other good news was that the architects for the University Press building changed the plans pretty much according to the commission's re-design proposals, saved the Press \$20,000 in construction costs, and ended up with a good compromise solution to a difficult design problem. The **bad** news was that notwithstanding the *bona fides* of the commission, the University played hardball, went to the state legislature, and got itself exempted from our state historic district enabling legislation. The good news was a decade in coming. When we had a quiet opportunity to re-write our district and landmark enabling legislation in 1989, 14 years later, we got the exemption removed for all practical purposes.

Interestingly, the very day the contractor moved onto the site to begin work, a tree fell on his truck and put it out of action.

And the University Press building burned to the ground a year or so back.

Whether those events were good news, bad news, or poetic justice I leave to your contemplation. It depends on which side you are on.

The battle continues. Not much changes.

It was of special interest to me to leaf through the collection of newspaper clippings about town-gown problems that the sponsors of this conference put together for us. The clippings, mostly of the "bad news" variety for preservationists, read like a chronicle of the doings of my own university, some of which are worth recounting briefly here.

First, the university's mid-70's proposal for a road through Battle park, of which I spoke a moment ago, had, by the mid-80's, been revived and expanded to include a road through a second, non-campus, residential National Register Historic District, as well as through a substantial section of University owned married student housing. The scale of the devastation was vastly enlarged.

These proposals emerged via the university's surrogate, a firm of out-of-town planning consultants, which cynics would say was hired to take the heat for unpopular proposals.

Second, the university had earlier proposed selling jet aviation fuel at a university-owned airport north of town now surrounded by residential development—amid speculation that a primary beneficiary would be the university president's private plane and/or well-heeled alumni who come to town for the occasional football or basketball game. That the airport also serves as a point of departure for medical faculty flying to public service clinics throughout the state did not relieve the anxieties of the residents who envisioned plane crashes in their neighborhood or on a nearby school playground.

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Third, there is the university/athletic cartel—a distant first cousin to the military-industrial complex about which President Eisenhower warned us. The Athletic Foundation's 22,000-seat coliseum is a primary traffic generator for rock concerts and other forms of entertainment, in addition to the use made of it by the university itself for athletic events. Lit at night to give the building the appearance of a giant flying saucer just in for a landing, it and the nearby high-rise dormitory towers, clearly constitute, to those of us who live nearby, out-of-character "visual, audible and atmospheric elements" under CFR §800.3(a) and Section 106. I invite you to view it from my front yard if ever you are in Chapel Hill.

The University's usual response to complaints about traffic congestion are usually along the lines of, "Who, Us??! Go talk to the Rams Club!" (The Rams Club is the quasi-private enterprise that owns and operates the coliseum.)

This coliseum attracts to it throughout the year probably hundreds of thousands of spectators who used to visit Chapel Hill in smaller numbers and who for the most part mostly showed up only during the fall football season. The weekend football traffic problem, in somewhat modified form—trash and litter from tailgate parties, parking on the lawns and in the driveways of adjoining neighborhoods and in the historic districts—is now a year-round phenomenon. Or come visit me late on a Friday afternoon when the marching band does its rehearsal thing in the stadium, which is several hundred yards distant.

The nuisance value of dormitory, fraternity and sorority festivities—which are increasingly difficult to separate from ordinary daily living at the margins of the campus—is legendary and doesn't require elaboration here.

Fourth: More recently, a suburban University Center for Continuing Education, well designed in and of itself, stands as the opening wedge for intensive commercial and high-density private development smack in the middle of a highly prized and very beautiful natural landscape which constitutes a major entry-way to the city. It will, in turn, generate a demand for hundreds of homes, and hotel and office developments in the vicinity. Sprawl—Here we come!

Fifth, environmental pollution. Where to put the university's toxic waste, nuclear and otherwise? There is a natural stream through a protected natural greenway called The Pinetum, to the south of town. I am told that on some days it runs Carolina Blue, and that on others it is brown, or red, or yellow. I can't vouch for this, but many have noted that the stream has its origins under the basement of the chemistry building on campus. The University does not accept the responsibility for this. Presently, local environmentalists are deeply concerned over a proposed University nuclear waste disposal site on the southeast side of town.

And I have not even got to the extraordinary noise levels involved in the testing of the University's steam plant, situated at the edge of a local zoning historic district!

This litany of preservation "sins," including the recent opposition of the University to having its property included in the latest zoning historic district, and its silly insistence on absolute secrecy over a graduate student design project involving University-owned property north of town, on the grounds that residents "might find out and

raise objections," could go on for a long time. Similar lists could probably be drawn up for every college in North Carolina, and yours in Pennsylvania as well.

But I am not sure this is a useful thing to do, because the colleges and universities are only one of several parties involved in the fray over historic preservation and environmental protection. And they are not the only party at "fault," if there is such a thing, or whose strategies could stand improvement.

Let's look at the position of each of the actors.

The Universities. Just to catalogue their problems, they fall into two categories, on-campus and off-campus.

On-campus they are most often criticized by the preservation community for the poor maintenance of architecturally or historically significant buildings. Budgets are tight, such preservation is labor-intensive and the future of historic campus buildings is often uncertain. The typical response: "What we do with our property is no one's business but ours." Whether this is in fact true as part of the larger social compact is debatable, but as a fact of life, the attitude of the universities is not. (Here I must note in all fairness that UNC-Chapel Hill has begun, within the limits of funds available, to take the stewardship of its on-campus historic properties very seriously.)

Off-campus, the litany is familiar and some of it has already been recited:

- student-faculty traffic and parking in the neighborhood
- fraternities and sororities: noisy weekend parties, profanity, promiscuous sex, drinking, and other unmentionable but pleasurable behaviors
- behavior of some alumni on athletic weekends, not unlike that of students
- the beer cans and chicken bones in the driveway
- *et cetera*

Perhaps it is time to admit candidly that, with respect to student-resident conflicts, in *loco parentis* has been broke since the 60's and will probably never be fixed.

Universities in fact do *not want* to be mom and pop to students for reasons related to liability. The reality is that their off-campus behavior cannot be controlled any more easily than that of the alumni.

Universities have very legitimate problems when it comes to preservation and environmental betterment. There is the increasing burden of red tape generated by all the pipers they must pay—federal, state, foundation, alumnae, and corporate. Their resources are limited, and their time frames for the expenditure and/or use of grant funds for various projects may be constrained as well. Most grants, regardless of source, have expiration dates, and most universities increasingly rely on such grants for capital improvement and operating programs. The pressures of time inevitably tend to push universities in the direction of new construction, which, by comparison with preservation, is fast, relatively inexpensive, and reasonably certain in outcome. *Per contra*, anyone who has ever restored an old building knows that preservation is *always* slow, costly and uncertain. Thus the tendency of institutional thinking is to favor the new and let the old take care of itself. It is called human nature at work.

The flip side is that universities tend in many cases to exhibit condescending, smart-alec, Go-away-Boy-you-bother-me attitudes—as the late W.C. Fields would have put

it—toward the neighbors. The vice chancellors and others in charge of campus planning, construction and maintenance are sometimes semi-retired, successful businessmen or alumni whose "Can Do," get-the-job-done attitudes are perceived as abrasive and autocratic by the neighbors. This kind of impolite behavior on the part of the administration is sometimes reinforced by the faculty, who tend to regard university administrators as an inferior breed.

Personality problems aside, some of the problems are structural in the sense that the typical university administrator has to play to a state-wide or national audience, while the residents' problems are essentially local. The audience to which the university plays is typically an out-of-town board of trustees and/or legislative committee members in the state capital. The publicly-supported colleges and universities have political access to ultimate legislative authority, which can exempt them from local land use regulations, and some have been known to use their eminent domain power to intimidate local interests.

For some of these reasons and others, past scraps with local resident groups and preservationists have tended to make many universities secretive, resulting often in the acquisition of property in the adjoining neighborhoods on the Q.T. through third parties. Some have been known to hire out-of-town consultants to take the heat for controversial projects, and still others been known to make their long-range plans public between semesters when the locals are on vacation. Some have been known to harass local government officials who work for the university.

Taken all together, it is not surprising that a "company town" atmosphere prevails.

The Local Governments. It's too easy and in a very real sense unfair the blame the universities for preservation conflicts. Local governments also must bear some of it.

I have known mayors, city managers, and local elected officials who did not *want* to know what the university is up to, thus escaping guilt by association when the neighbors go ballistic over some particularly outrageous college proposal. "Not knowing" can easily become institutionalized as public policy at the personal level.

It is also partly a matter of perspective. Cities and towns tend to have a planning and policy-making time frame that is limited by the date of the next election, usually no more than four years hence, at most. Universities, notwithstanding their increased dependence on special grants, can (and probably should) take a long-term view with respect to campus planning—typically 25 to 30 years or more out in the future. Thus, residents view a university proposal for road construction or widening that might not happen for 40 years as something that might wreck the neighborhood next week.

Planners speak often of "comprehensive" planning. Yet there are many university towns whose comprehensive plans are weak or non-existent with respect to preservation of cultural resources, or, who not only make no allowance for the plans of their largest institutional citizens, but who make no effort to find out. Sometimes it is the matter of "not knowing," mentioned above. "Finding out" requires time and resources that are sometimes not available to the local planning constabulary.

A very real and legitimate problem of the local government is that it is sometimes in the position of having to provide protective and utility services to both town and gown populations, while being compensated for such services inadequately or not at all.

It is a mistake to assume that everyone outside the campus precincts is in favor of preservation. Recognizing the importance of the university to the local economic base, local elected and appointed officials are reluctant to be seen as openly critical of university demands for service, and thus apt to be accommodating in reviewing college requests for greater density of development, relaxed parking requirements, and the like. Most college towns have at least two coherent, well organized political forces: residents, who for the most part want to live in peace and quiet; and local business and commercial interests, who tend to come down on the side of growth and progress and who will usually be seen as supporting university growth plans.

The Neighbors and the Preservationists. What can be said about the local preservation community?

First, we must acknowledge the fundamental human tendency not to want to bite the hand the feeds you, whether for reasons of courtesy or fear. In Chapel Hill we are both courteous *and* fearful. The Preservation Society has, over the years, been skittish about opposing the University. This is in large measure because it knows that its headquarters, an expensively and beautifully preserved house in the historic district, is leased from the University for \$1 per year.

Yet, university proposals for most intensive types of university-related development, institutional uses, reduced parking requirements, and greater tolerance of the nuisance-like aspects of university operations will inevitably be viewed with attitudes ranging from skepticism to anger. And the threats are very real.

I am reluctant to generalize about the off-campus preservation community. Occasionally it is well organized, well informed, and has plans and long-term strategies and plans of its own. More often, however, the neighborhood response to university initiatives tends to be both short-term, defensive and hysterical.

Some Suggestions

Having characterized the principal actors in this way, it is not all that difficult to suggest how their behaviors ought to be changed. First, we must recognize that all the above actors are behaving in very human ways, that is, looking out for what they perceive as their own best interests as best they can. The laws of human nature are not easily amended or changed. But if basic attitudes ought not/cannot be changed, perhaps the best we can do is to suggest some changes in tactics.

The Universities. To return to the University community, one can only hope for more understanding, less condescending (one is tempted to say "arrogant") attitudes toward the neighbors. Obviously, more and better communication at the level of the staff—*i.e.*, the campus planner and the city planner—is highly desirable; as is better coordination and communication at the policy-making level. There is no law that says ejected city officials and the mayor or city manager cannot have dinner with the Vice Chancellor for Business Affairs every now and then. More open long-range planning

processes in both houses is clearly needed. Citizen and neighborhood input into university plans at an early stage of plan-making—and vice versa—is badly needed.

A secondary sensitivity would also be welcome. That is, an increased sensitivity on the part of the university to the personality conflicts mentioned earlier, in addition to a heightened awareness of the nuisance potential of university-related activities. I have often thought it would be useful if university presidents, business vice-chancellors, campus planners, and the chairman of campus buildings and grounds committees were required to live six months of each year in the neighborhoods most directly affected by university activities.

The City. There is also room for improvement in city hall. I believe that the candidacy and election of governing board members who are not university employees is a step in the right direction. So is *ex officio* representation of university and neighborhood interests on town boards and committees—and, again, vice versa. Badly needed also are more detailed and longer city planning horizons; special land use and design controls in sensitive areas; more strategic planning and less crisis management; more emphasis on design solutions; and above all, more and better local preservation plans and planning.

The neighbors. Well, there's room for improvement here, too.

First, I suggest, is that they should calm down and get organized. Neighborhoods need some positive goals of their own. Rising up and saying "No!" at the last minute is not a good use of energy or power, no matter how effective it may be as a short term strategy. You don't win many ball games when you are always playing defense. Residents groups need to accept that universities have legitimate, long-term stewardship interests in their institutions that are no less valid than their own short-term interests as individual residents.

It follows that a permanent, well-organized, §501(c)(3) resident group serves neighborhood interests better than an *ad hoc* defensive one. I find some local preservation groups that not only do not understand the difference between a local zoning historic district and a National Register District, they have never heard of Section 106, Section 4(f), NEPA, or the law of nuisance. Knowing the law and when and how to use it for preservation purposes is important, but even more important is staying alert and finding out early about the university's plans. While there is a time in the life of every fire when it can be put out with a cup of water it is equally important to use your political clout and not to knuckle under unnecessarily or prematurely.

The attitude with which local residents approach campus planning and preservation issues is no less important than the attitudes of university administrators. I had a frantic phone call about a year ago from a friend in Chapel Hill, who exclaimed, "Oh my God! A *student* is running for council." (This is second in importance only to the cry that a student is running naked through the neighborhood.) The student was elected—with, as it turned out, a substantial vote from residents as well as other students—and has served to date with nothing less than distinction. Sometimes I think that, hard as it sometimes is, we would all be better off if we left our stereotypes at home.

As for attitudes, it is easy to say that universities should become more sensitive to the adaptive use possibilities of older buildings on and off campus. But universities need money more than they need rhetoric. They understand the value of old buildings. Creative solutions to the funding problem and practical financial strategies for achieving preservation aims will be more welcome than hand-wringing. For example, our Chapel Hill Preservation Society has been able to put its tax-exempt status to good use as a conduit for assisting in the rehabilitation of several fraternity houses in the historic district. It is partly a matter of smarts, but good smarts begin with good attitudes.

Some Conclusions

Those are the easy solutions. They may get you off the hook for the moment, but they won't solve much long-term because they tend to focus primarily on symptoms and remedies rather than root causes.

There are profound and underlying causes of conflict that need to be addressed.

First. Let me suggest that there is an element of us-them, we-they class warfare involved in the conflict between university students and the residents of adjoining neighborhoods. It is more than Saturday night noise and chicken bones in the driveway after a football game. There is a clash of basic values. For example, there is nothing like a mortgage or Social Security to help a property owner become fixated on property values, stability, and peace and quiet. Middle age and the golden years increase the tolerance gap between residents, and students, the latter of whom are usually regarded by long-term or older residents as morally and spiritually out of touch with the "real values" that prevailed in the "Good Old Days." Students drink too much, the sexes cohabit, they have too many cars, they get free condoms, they make too much noise on weekends, and they don't study enough. Forget that we would have liked to enjoy the same simple pleasures when we were in college! It was ever thus.

This is at heart an extension of the conflict presented by what preservationists call gentrification, or the invasion and succession of poor historic inner city neighborhoods by PLTs—People Like Them, as the residents would call them—rather than the PLU's or "People Like Us." We have never stopped to ask, "Whose neighborhood is this, anyway?!" The preservation community has not yet sorted out all the issues involved in this controversy, nor has it been first in line with practical, real-world solutions.

In April, I participated in a World Wildlife Fund Workshop in Honduras where I learned some interesting things about natural area succession. In the world of natural area conservation and preservation, there is the ecological concept or phenomenon involving what is called a "noxious, foreign, immigrant weed" that drifts in and plants itself in soil to which it is not native. It then reproduces itself, and eventually drives out the native plants. It occurred to me why I did not like the 7-story steel and glass Radisson Hotel that had seeded itself in British Colonial Belize City, which, poor as it is, does have a special character and ambiance. Radisson in that context is a foreign immigrant weed. The other foreign immigrant weeds, the Holiday Inns, Sheratons, MacDonalds, and others were not far behind.

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Is the analogy to university buildings seeding themselves in nearby neighborhoods a real one? Perhaps. But to begin to think in these larger terms helps us begin to look at our problems in a more fundamental way. For example, how, as a society, should we **deal with** manifest change? What can we accept, and what not? How fast?

The natural area conservation types have a rather scientific attitude toward all this. They speak of it in terms of defining the "limits of acceptable change," or the "holding capacity" of an area. The preservation community has not begun to think in these terms, except narrowly through such mechanisms as the Secretary's Standards for Rehabilitation, or the often dippy guidelines contained in our historic district ordinances. But these values are tightly tied to cultural values: the "integrity" of buildings, structures, districts and objects which have at their center only the associative values of architecture and history. I've often suspected there is more than architecture and history as the primary motivations behind residents' attempts to keep the university on the campus and out of the neighborhood. There are larger issues that we have as yet poorly defined.

Student values are said to speak for themselves and are manifest on Saturday nights. My own perception is that class feelings or class warfare based on the questionable generality that all students are alike is also unproductive. Students can be and often are good neighbors. The one elected to the city council in Chapel Hill gives good service and comes to the governing board with a more open mind on many issues than several long-term office holders who tend to react more out of habit than logic.

But the feeling that students are just plain bad for property values does persist, sometimes with justification.

It is more than resentment brought to bear on the company store. Fundamentally, it is our inherent distrust of the stranger or people who are different and our instinctive resistance to change—which, like the nesting instinct and the importance of accustomed comfort, grows stronger with age.

There is also the irony—an inconsistency at least, and an irony at most—that I spoke of earlier. And that is the spectacle presented by the presumed custodians of our best artistic and cultural tradition—churches, local governments, and university—failing utterly in their larger stewardship responsibilities to society.

Part of the problem, I think, is that the larger conflicts center too narrowly or closely on old buildings. Related to this is the reality that the conflicts are forced to rely on the only readily available control mechanisms for historic preservation—regulation, permits, environmental review, public expenditure and that sort of thing—for resolving much larger issues.

The old building constituency is not the entire neighborhood, and many individuals who equally resent and resist university intrusions into quiet neighborhoods have no use for historic buildings or preservationists, and don't want to be identified with them.

Somehow, broader coalitions have to be forged. The question is How? And Who to Include?

Second. I think we have to recognize that the country has turned conservative on us and to acknowledge that the ultimate practical or useful limits have been reached with respect to regulatory approaches—zoning, landmarking, historic districting, and like measures. Perhaps it is time to supplant or supplement the stick approach with some carrots.

Here I believe that an open-minded, energetic pursuit of a pro-active approach such as that involved in the designation of conservation areas, can not only resolve many of the typical town-university conflicts we have come here to discuss, but can also save buildings and greatly enhance the quality of life for the residents of threatened neighborhoods generally—in addition, of course, to making life easier for beleaguered university campus planners and vice chancellors.

The conservation area approach relies heavily on voluntary action, the free flow of information and a very special spirit of open-minded good will by *all* the parties to conflict—in this case students, university administrators and planners, preservation activists, city governments (and especially the local government planners), and residents. It is an eminently workable approach. Unfortunately, it requires much better and much more detailed, public sector planning and design than we are accustomed to seeing at the local government level.

And, I should add, it also requires imagination and political will, neither of which are very apparent in the heat of conflict between colleges and nearby residents. As I said earlier, it is hard to be constructive and creative when all sides are playing defense. To put it bluntly, the conservation area approach requires *all* parties to the conflicts we are discussing at this workshop, to look less narrowly and selfishly beyond their immediate purposes and objectives.

While the designation of conservation areas is a separate topic beyond the scope and time limits of this workshop, it is one we can begin to discuss in group sessions. The National Park Service local preservation assistance people will be distributing some literature about it by the end of this summer.

I spoke a little while ago about the need to look at the immediate town-gown conflict in terms that go beyond historic preservation and old buildings. Part of our difficulty, I think, is an underlying ethic that subtly defines the way we look at land and the way we look at growth. It is a hangover from the spirit of the 19th century that views land principally as a marketable commodity whose principal purpose is to produce income or capital gains for whoever happens to own it at the moment. A corollary to this way of thinking says, "This is my land and I'll damn well do what I please with it." Some time back, in the heat of the local mayoral campaign, the chairman of the University's Building and Grounds Committee, responding to the pleas of residents who did not want a University highway through their neighborhood, said bluntly, "Those who don't want to see the University grow should move to Efland," a crossroads town in the boonies, some 20 miles distant from the campus. The "I'll damn well do what I please with it" is no less the basic attitude of some university administrators than other developers, land owners, and entrepreneurs.

While they make a tempting target, throwing rocks at them is an unproductive approach. The real problem is that a hundred years of equating "growth" with "progress" has tended to place the burden of proof for stopping "growth" on the

preservation/conservation community. In other words, the preservation community has the responsibility in both political and legal venues to show why something—a building, a neighborhood—should be preserved. It keeps the preservation community on the defensive, always in a position to have to rise up and shout "No!" at the eleventh hour, a position in which they are viewed as obstructionist obstacles to "progress."

The burden is wrongly placed. To the contrary, I have always thought that the burden of proof should rest upon the shoulders of the individual, the developer, or the institution proposing change, to demonstrate clearly and conclusively how and why any proposed change to the environment is an improvement over what presently exists. The burden of proof is simply on the wrong shoulders.

What I am describing goes far beyond the simple mechanical statement of "adverse effects" under Section 106, or an environmental impact assessment pursuant to federal or state law. Indeed, it goes beyond the prevailing ethic pursued by the natural environmental conservators of "no net loss." *It has to do with defining much more crisply than we have ever done before what constitutes a "better neighborhood."* There are many situations in which simply leaving the neighborhood alone is better than changing it.

But my principal point is that the burden of proof for conservation is fundamentally misplaced and cannot easily be reversed. To do that requires an almost total reorientation of the way we allow the public generally to think about growth and change. The preservation/conservation community *still*—a quarter-century after the 1966 Act, has a massive, unfinished task of public education to undertake and complete.

The short term solutions recited earlier are pretty obvious: better attitudes all the way around, more coordination, more open and sensitive university planning, and more and better preservation planning by cities. But in my view, the underlying *long term solutions* are the critical ones we need to begin thinking about:

First. Resident preservationists are going to have to think beyond old buildings, history and architecture, and concern themselves with a broader array of issues. They and the planners are going to have to think in disciplined ways about what *rates* of change are acceptable, and ask themselves: What are the qualitative limits of acceptable change. There will have to be a re-focus to such issues as the holding capacity of the neighborhood, and how the changes that are inevitable as time passes can be for the better—physically, socially, economically. Our present standoff, hostile relationship will have to become a symbiotic relationship, in which both the community and the college are dependent on one another for their continued good health. What is more important, both parties are going to have to understand the nature of that relationship.

Second. It is to be hoped that colleges and universities, as one of the principal custodians of our artistic and cultural traditions, can sense the importance of the responsibilities they are being asked to undertake. The odds are always stacked in favor of the company store. It has most of the marbles. But it has more to give. It can afford to be more generous in both its outlook and its outreach to the neighboring community of which it is a part.

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Third Carrots and sticks. Zoning, landmarking, historic districts. These are all regulatory sticks. While they have their uses, it is time to explore new approaches that provide more carrots as incentive. Boiled down to a few words, it involves more detailed and more focused design, and more public investment in both maintenance and capital improvements on the part of the city. Properly managed, the conservation area approach can provide both neutral and level turf for contending parties to come together.

Fourth and finally. We need to re-orient our thinking in the direction of a stewardship approach to land as a resource, and to challenge the prevailing ethic that equates "progress and "growth" with "the good life. The real issue is not growth, but whether the changes proposed will be better for the human condition and the neighbors than what presently exists. Because of the way we have tended historically to look at growth and progress, the burden of proof is typically, as between the universities (and other developers) and the neighbors, on the neighbors. This is wrong. This is unfair. The burden will have to shift. The responsibility for shifting it rests equally on all of us.

Thank you.

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