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Boston College Law School

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EALR Fall Symposium on October 7

9/17/04—What do you do with 27 acres of serpentine open space that suddenly appears in the midst of a metropolitan downtown?

Prompted by the imminent completion of Boston’s multi-billion dollar Big Dig — a project thrusting a six-lane expressway under the city and creating almost 30 acres of surface acreage where an antiquated elevated highway had stood — the Boston College Environmental Affairs Law Review’s 2004 Fall Symposium will explore the law and planning of critical urban open spaces.

The symposium will take place on the Law School’s Newton campus on Thursday, October 7, from 3 to 6 pm, in the East Wing building room 120. The day will include a bus tour of the Big Dig site at 10 am, and a 1:30 p.m. video Presentation of “The Humane Metropolis” and “The Social Life of Small Urban Spaces.”

The Big Dig has been called the “largest, most complex and technologically challenging highway project ever attempted in American history.” It raised almost as many legal and policy issues as the physical construction challenges it faced.

“EALR’s Fall Symposium will examine urban open space issues in Boston’s Big Dig and beyond, with an eye toward distilling some useful general principles on the legal process of defining and designing future uses and potentials of such urban open space areas,” said Professor Zygmunt Plater, advisor to the Law Review. “We’ve attracted an impressive panel of experts and we’re looking forward to an exciting and thought-provoking discussion.”

Included among the Symposium’s legal themes are: the public trust doctrine, consistency of zoning with comprehensive planning standards, windfalls and wipeouts, “subsidiarity” considerations weighing where operative decisions should be made — federal, state, regional, or local levels of government, or by neighborhoods, or coalitions, or otherwise, the realities of politics in law, and more.

From the Big Dig to Ground Zero and beyond, with modern land use lessons drawn from the Atlantic states to the Pacific coast, USA and Canada, the Symposium’s speakers offer a mosaic of experiences and insights.

Participants include:
- Prof. Mary Clark, Legal Historian of Ground Zero World Trade Center Redevelopment
- Daniel Curtin, Esq., California Land Use Specialist
- Ken Greenberg, Urban Design Consultant to Mayor Thomas Menino
- Alex Krieger, Harvard Design School
- Dwight Merriam, Esq., Robinson & Cole
- Prof. Rutherford Platt, UMass Amherst, Author "Land Use & Society"
- Stephanie Pollack, Esq., Former Attorney Conservation Law Foundation
- Rob Tuchmann, Esq., Wilmer, Hale, Chair of Big Dig Envt'l Mitigation Task Force
- Jay Wickersham, Esq., Noble & Wickersham LLP
- Prof. Jon Witten, Esq., Daley & Witten
- Fred Yalouris, Mass Turnpike Authority
For more information on the symposium, please contact Roz Kaplan at kaplanr@bc.edu, or at 617.552.4352.