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Barney S. Heath  
Director

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## MEMORANDUM

**DATE:** March 7, 2024  
**TO:** Councilor R. Lisle Baker, Chair, Zoning & Planning Committee  
Members of the Zoning & Planning Committee

**FROM:** Barney Heath, Director, Department of Planning and Development  
Jennifer Caira, Deputy Director Department of Planning and Development  
Zachery LeMel, Chief of Long Range Planning

**RE:** **#85-24 Request for discussion and possible amendments to enhance the preservation of existing homes.**  
COUNCILORS BAKER, OLIVER, MALAKIE, KALIS, GETZ, LUCAS, LOBOVITS, AND WRIGHT requesting a discussion and possible amendments to Chapter 30 Zoning or other City Ordinances to enhance the preservation of existing homes over their replacement by larger and more expensive structures.

**#41-24 Amend the setbacks in the MR zones to encourage preservation of existing buildings.**  
COUNCILORS ALBRIGHT, DANBERG, KRINTZMAN, AND LEARY seeking a discussion with the Planning Department to consider ordinance amendments that would revise the metrics in the multi-residence (MR1, MR2 and MR3) zones, to regulate the size of new buildings better, enable a wider range of housing options close to public transit, and better incentivize preservation and renovation of existing housing stock.

**MEETING:** March 11, 2024

**CC:** City Council  
Planning Board  
Jonathan Yeo, Chief Operating Officer

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### Introduction

The Zoning and Planning Committee (ZAP) held a productive discussion on these docket items, jointly, at their February 15, 2024 meeting (see ZAP report [here](#)). Planning staff indicated that they would begin to investigate the demolition permit data between 2017-2023 in the hopes that certain patterns emerge, and meaningful zoning recommendations can be made towards achieving the multiple policy objectives. Moving forward, staff are exploring two parallel paths of inquiry:

1. Analyzing Newton demolition and new construction data from 2017-2023
2. A review of ordinances in other cities and towns across the region

## Other City and Town Ordinances

ZAP expressed interest in reviewing if and what neighboring communities are doing to address this issue of significantly larger, more expensive, homes replacing smaller, more moderately priced, homes. Previously, staff provided the work completed in 2015 looking at the Large Home Review process, which is required in Wellesley and Cohasset. You can find the ZAP report and presentations here:

<https://www.newtonma.gov/home/showpublisheddocument/19551/637241695868870000> (agenda)

<https://www.newtonma.gov/home/showpublisheddocument/19553/637241695874470000> (report)

More recently, a [2023 proposal](#) in Lexington that did not gain approval at Town Meeting would have reduced the development square footage “by 5% on very small lots to 23% on large ones.” Lexington is a comparable community to Newton in both the rate of tear downs and the average size of new homes.

Staff will review the Lexington proposal further, as well as look for other communities across the region who are tackling this issue, and report back.

## Developing the Dataset

713 demolition permits were pulled between 2017-2023, which is consistent with average of 100 demolitions per year Newton has experienced for more than a decade now. Most of these permits are for single- and two-family homes. Other pre-demolition land uses include multi-family, mixed-use, commercial, and manufacturing. This analysis is only concerned with the demolition of single- and two-family homes replaced by the by-right development of other single- and two-family homes. The total number of permits that fit these categories are summarized in the table below.

*Table 1: Total Demolition Permits for Single- and Two-Family Homes 2017-2023*

Year	Single Family	Two Family	Grand Total
2017	79	13	92
2018	80	14	94
2019	85	7	92
2020	81	11	92
2021	80	15	95
2022	64	15	79
2023	48	12	60
<b>Grand Total</b>	<b>517</b>	<b>87</b>	<b>604</b>

Source: Newton Inspectional Services Department

Planning staff is currently working with the Assessing and GIS Departments to merge the list of permits with pre-demolition (2017) and post-construction (2024) assessing data so we can compare and review a number of different data points, such as:

1. Zoning
2. Lot size
3. Lot frontage
4. Building Year (pre-demolition)
5. Assessed value (pre-demolition and post-construction)
6. Square footage (pre-demolition and post-construction)

Once we have a final data set, we can begin to answer questions like:

1. Is there a certain lot size, or range, that most teardown occur on by zone?
2. What is the average square footage of new construction vs. pre-demolition? How much new construction square footage is not counted towards FAR?
3. Is there a certain range of construction year (pre-demo) that accounts for most teardowns?
4. Are single-family homes always being replaced by two-family homes in MR zones?

Inconsistencies in how the data is stored between the permits and the Assessor Database make this merge slightly more complicated. For example, demolition permits have a single entry per lot, whereas newly developed condominiums have two unique entries per lot even though they are on one lot and within one building. These need to be merged so we accurately capture the change in assessed value and overall square footages.

In addition, some of the 2022 and 2023 demolitions have applied for new building permits, while others have not. If they have applied then these new buildings are captured in the ISD permit data, but they are not in the Assessor Database. Any demolition permit without a corresponding new building permit has already been removed from the table above. Entries that have a corresponding new building permit, but do not have a corresponding entry in the Assessor Database will need to be removed. This accounts for the lower permit numbers for 2022 and 2023 in the table above.

As the data is analyzed more questions may arise. Staff welcome other questions or ideas from the City Council.

### **Next Steps**

Planning will be prepared to present the data and initial findings at a later ZAP meeting. From these results we hope that ZAP can further refine the desired goals and objectives. This will allow staff to make initial recommendations ranging from simple amendments that can be moved forward quickly and more complex amendments that warrant additional analysis and outreach.