



Zoning & Planning Committee

Agenda

City of Newton

In City Council

Monday, November 25, 2019

Following the Committee of the Whole
Room 205

Items Scheduled for Discussion:

- #358-19 Appointment of Martin Smargiassi to the Community Preservation Committee**
HER HONOR THE MAYOR appointing Martin Smargiassi, 20 Fern Street, Auburndale, as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to expire July 10, 2022. (60 days: 12/14/19)
- #398-19 Appointment of Visda Saeyan to the Urban Design Commission**
HER HONOR THE MAYOR appointing Visda Saeyan, 7 Marcellus Drive, Newton Center, as a member of the URBAN DESIGN COMMISSION for a term to expire on December 31, 2022. (60 days: 01/07/20)
- #397-19 Reappointment of Michael Kauffman to the Urban Design Commission**
HER HONOR THE MAYOR reappointing MICHAEL KAUFFMAN, 24 Turner Terrace, Newtonville, as a member of the URBAN DESIGN COMMISSION for a term to expire December 31, 2022. (60 days: 01/07/20)

Public Hearing

- #327-19 Ordinance amendment to repeal Zoning Ordinance 3.4.4 Garages**
COUNCILOR ALBRIGHT requesting that Chapter 30 of Newton's Zoning ordinance be amended to repeal section 3.4.4 Garages (effective December 31, 2019 after three postponements). Garages will be discussed during Zoning Redesign next term.

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Public Hearing

#363-19 Amendment(s) to Chapter 30 relative to building efficiencies

DIRECTOR OF PLANNING & CO-DIRECTORS OF SUSTAINABILITY requesting discussion and adoption of amendments to Chapter 30, the Newton Zoning Ordinance to create exemptions to building envelope standards such as height and setback to facilitate the implementation of energy efficiency and alternative energy measures in buildings including external insulation, doorway vestibules, heat pumps, and solar panels among other features.

Public Hearing

#364-19 Amendment(s) to Chapter 30 relative to sustainable design

DIRECTOR OF PLANNING & CO-DIRECTORS OF SUSTAINABILITY requesting discussion and adoption of amendments to Chapter 30, the Newton Zoning Ordinance to create a new set of standards related to sustainable development design with requirements for new buildings and development projects to include environmental and energy efficiency features.

Respectfully Submitted,

Susan S. Albright, Chair



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#358-19
Telephone
(617) 796-1100
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Email
rfuller@newtonma.gov

October 2, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Martin Smargiassi of 20 Fern Street, Auburndale as a member of the Community Preservation Commission. His term of office shall expire on July 10, 2022 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

2019 OCT 11 AM 9:49

369 Congress Street
Boston, MA 02210



MARTIN ALEXANDER SMARGIASSI, AIA, NCARB

CURRICULUM VITAE

Professional Summary

Highly qualified Strategic Planner, Real Estate Developer, Licensed Architect, and Builder with more than 25 years of experience in the design and construction industry, from small scale residential to large scale commercial projects. President of IC Development, a Real Estate Development Corporation.

Co-founder & Director of One Stone Development - subsidiary to One Stone Capital and ICD, leveraging SEC registered Asset Management Firm, Global Private Equity Investments, with Real Estate Development. Served in a leadership capacity overseeing and directing a number of organizations in Architecture, Engineering, Real Estate Development and Construction Industries; including as CEO and Principal Architect to Innovative Collaborations, Inc., an award-winning and internationally recognized Boston firm, with a portfolio of boutique projects; Director to Brady Sullivan Properties, a Real Estate Development Corporation, overseeing numerous developments in 5 states on projects ranging up to 250 million dollars; and Principal Architect to Emeritus Development. Mr. Smargiassi is active with Municipal Planning, serves on the City of Newton's AHD Commission and maintains strategic alliances with a number of A/E/C & RE firms.

Attended Harvard University, Graduate School of Design and received a degree in Engineering and Bachelor of Architecture from Wentworth Institute of Technology. Responsible for leading multi-disciplinary real estate development, architectural, engineering, and construction teams through all phases of project development, and has planned, designed, and coordinated over 250 projects in the United States and abroad for both public and private clients.

- Residential
- Urban Planning & Redevelopment
- Mixed-Use Development
- Multi-Building Mid & High-Rise
- Spas & Aquatic Facilities
- Master Planning
- Office Building
- Restaurants
- Sacred Space
- Hotel & Resorts
- Academic
- Health care
- Museums
- Performing Arts
- Corporate

Industry Recognition Summary

Received a standing ovation from the Boston Redevelopment Authority for "Outstanding Design"; 24 unit urban development project including underground parking garage and terraced planted rooftops.

Recognized by Green Building and Design Magazine for using energy & resource efficient sustainable strategies in a Healthcare Clinic, utilizing repurposed shipping containers within the harsh desert climate of Namibia, Africa.

Designed a number of projects which were Certified by the National Park Services as a National Register of Historic Places, including 290 unit adaptive reuse urban complex, 24 unit prominent downtown Nantucket hotel, and many others.

Designed & Built meticulously crafted architecture which has been recognized internationally, been featured in major magazines and received multiple awards. Interviewed and featured several times on international and regional television programs and publications, including Discovery Channel, New England Cable News, The Boston Globe, Boston Magazine, Banker & Tradesmen, Green Building and Design and many more.

26-acre apartment complex...was featured as shining example how to greatly improve built environment using materials in unexpected new ways at minimize cost. Innovative approach reduced construction costs, enhanced the value of the final results, substantially increased the number of apartments leased, and generated additional revenue.

Invited to perform as Guest Speaker at organizations and major universities such as Wentworth Institute of Technology and Boston Design Center.

Invited by the Historic District Commission, appointed by the Mayor of the City of Newton and Confirmed by the City Council to serve as member of the Auburndale Historic District Commission.

Commonly serves as Expert Witness in simple and complex architectural and construction disputes and as a Litigation Resource in design, contracts, construction management, and consulting.

Client: Newton Pediatrics: *“The Wellesley DRB (Design Review Board) approved the plans from Innovative Collaborations, Inc. During the meeting the members expressed their utter joy of having such a beautiful building built in Wellesley. Their enthusiasm was contagious, and I regained my drive”*

Key Strengths

Strategic planner with excellent sense of design and outstanding analytical & problem-solving capabilities. A process-oriented leader whose ability to consistently develop practices to streamline operations has resulted in significant cost savings, increased quality and improved client satisfaction. A proven track record to build, lead, and effectively direct an architecture team with precision, accuracy and excellence. Considerable hands-on experience in every facet of construction, including structural, electrical, mechanical, and many specialty areas. Experienced Real Estate Developer, Builder, and Licensed Construction Supervisor. Attuned to the physics concerning the motions of objects and their response to forces. Specializes in energy efficient, environmentally sensitive design, with expertise in passive and active solar design. Strong focus and attention to detail in both historic and contemporary projects. Able to work under pressure with honesty, integrity, and utmost work ethic.

Additional strengths:

- Visualization & Organization
- Solid Technical Abilities
- Excellent Listening Skills
- Team Leadership & Collaboration
- Strong Drawing & Sketching Talent
- Drive, Determination, and Passion

Litigation Resource & Expert Witness

Experienced expert witness in arbitration and mediation in simple & complex construction & architectural disputes. Litigation resource in design, contracts, construction management and consulting. Value Analysis/Engineering, Construction Defects, Building Codes, Reconstruction, Cost Estimation, Investigation and Testing, Document Management, Contract Document Analysis, Accessibility Design, and Errors & Omission.

Litigation resource and support in multiple disputes regarding construction and architecture. Provided expert testimony, research, investigation of building failures, and analysis of built projects & construction documents. Prepared reports, documentation, presentation boards and assisted in litigation and settlement strategies. Assessed property damage due to a number of issues including water damage and provided detailed cost estimating of reconstruction.

Testified as an expert on claims in both arbitration and litigation cases. Qualified as expert witness to testify in court; drafted expert disclosures, interrogatory responses, supplemental disclosures, expert opinions on damages and cost, site investigation, testing & observations, site documentation, exhibits and reports. Provided extensive investigating of construction work, contract document review, construction drawings & details review – for compliance and determining of violations to the state building code, local building code, and where not in accordance with the approved construction documents.

Exceptional expert testimony results including substantial award to the client represented (e.g. home owner .vs. national Insurance company, architect/developer vs. contractor, developer vs. architect, developer vs. law firm, owner v.s. contractor, etc). Had opposing attorneys attempt to excluded testimony unsuccessfully -which ultimately resulted in settling in clients favor.

Litigation clients have included well known attorneys, non-profit organizations, condominium associations, prominent architecture firms, construction companies, developers, single family & condominium home owners; including Regnante, Sterio & Osborne LLP, Frieze Cramer Rosen & Huber, Construct, Inc., 201 Newbury Street Condominium Committee, Twomey and Legare Contracting Inc. and many more.

Directing, leading, and closely collaborating with construction project management in house team and out sourced construction teams, working within fast paced & fast tracked environment.

Overseeing all consultants from Environmental, Structural, Civil, outsourced Architectural, Mechanical Engineering, Electrical Engineering, Fire Protection, Interiors, etc.

Spearheaded department wide fundamental infrastructure and foundational transformation and restructuring; substantially increasing efficiency, work flow, & quantity of production; ultimately creating significant cost savings and increased profits.

Developed and Directed Implementation of robust infrastructure of Revit/ BIM policies, procedures and standards, exploiting capabilities for advanced streamlining; resulting in 40% increase in productivity.

Lead adaptive reuse of over 6 Historic Mill yard Projects; including Mill West, Manchester NH (Urban Multi-building mixed use complex) multiple phase project, 290 residential units (400,000sf) + clubhouse, lounge, leasing office, theater, library, etc.

Responsible for code reviews, Code modifications, Planning board submissions, Historic, Design Review Boards, Environmental wastes active Brown fields Sites.

Working closely with local, State and Federal (NPS) authorities for Historic Tax credits within Historic rehabilitation standards on numerous projects

Professional Experience Innovative Collaborations, Inc. Boston, MA 2002–2012

Chief Executive Officer / Principal Architect

Co-founded and developed highly prolific multi-disciplinary architecture firm with a portfolio of both international and local projects, which include New Construction, Adaptive Reuse, Building Conversions, Renovations, & Additions.

Principal in charge of all phases of project development, urban planning, and architecture: Zoning, SD, DD, CD, B&N, CA, technical coordination, and construction control.

Intimately involved in projects from a macro to micro level, planning highly successful environments by responding to complex massing and site variables, while at the same time designing the smallest detail focusing on the individual's experience and their procession through space; thereby simultaneously designing inductively and deductively to maintain a balance between the intimate moments of the individual and the overall master plan.

Strived with excitement and passion to respond to each client's unique set of needs, not by simply meeting their requests but by further investigating and uncovering the client's deepest hidden desires.

Responsible for the overall performance, profitability, growth, and reputation of the company. Oversaw operations to ensure quality, service, and cost-effective management. Identified successful strategies for pricing, negotiating fees, and client contracts. Effectively marketed the firm's expertise and design philosophy to clients.

Maintained firm-wide expectation for clear communication, transparency, and an undistracted devotion to ethical, social, and environmental excellence. Recruit and directed a talented staff of architects, artists, designers, project managers, as well as a network of consultants.

Established and oversaw new divisions including Design-Build Services and Construction Project Management.

Other projects include: Entertainment & Hospitality, Military and Government, Commercial, Clinics, Automotive Dealerships, Retail, Sustainable developments, Housing Utilizing Shipping Containers, Resorts, Multi-Unit Residential, Ocean-Front Villas, Clubhouses, Residential Lofts, Homes, Penthouses, Estates, and Condominiums.

Specialty expertise designing and detailing: Water Features (e.g., waterfalls, water walls, suspended streams, water ceilings, and transparent bottom pools), Luminescent Walls, Glass Partitions & Panels, Glass Floors, Movable & Collapsible Walls and Custom Metal Walls, Fireplaces, Railings, Specialty Doors, Light Fixtures, and Furniture.

**Professional Experience
Continued**

Architectural Design & Rendering Boston, MA 2000-2002

Principal

Developed strategic partnership with Amacher & Associates Architects on new 8-unit condominium, 116-unit plus commercial with 2-level underground garage, and 24-unit project with terrace planted roofs and underground garage. Provided design and drawings for a number of projects including five-unit brownstone in the South End neighborhood, which was converted into three (including two double-story) condominiums.

Consultant to developers and architects, providing condo documents, 3D renderings, construction administration, and project management on numerous projects.

Amacher & Associates Architects Cambridge, MA 1998–2002

Senior Project Manager / Designer

Honed architectural skills at A&A Architects; A firm with 25 years of experience notable for its green building techniques & materials, sustainable developments, passive and active solar strategies for renovation of historic buildings, community planning, and commercial design for both contemporary and traditional buildings.

Managed Firm and employees during Principals absence. Ultimately promoted to Senior Level Project Manager.

Assisted in the design, development and detailing of numerous commercial and residential projects. Performed advanced 3D computer modeling to increase clients' enthusiasm and understanding of their projects. Developed computer drafting standards and methods resulting in substantial increased efficiency.

Cole & Goyette Architects and Planners, Inc. Cambridge, MA 1997–1998

Intern Architect

Effective team member to award winning architecture and planning firm on public projects including \$18,000,000 renovation/addition project to East Boston High School, which went on to receive multiple awards and recognitions.

Hand rendered final presentation boards for EBHS. Expanded on rough sketches, developed details and drafted drawings with Auto Cad.

Satellite Electric / Living Electric / Misc. Construction Caldwell, NJ 1989–1995
Contractor / Electrical Assistant/ Furniture & Cabinetry Carpenter

Acquired hands-on construction experience in many facets of construction including electrical, mechanical, plumbing, carpentry, framing, roofing, painting, etc. Wired large commercial and residential jobs.

Developed shop skills working with thermoplastic forming, sheet metal bending, and fine woodwork. Began architectural drafting courses which progressed over the next four years to included, hydraulic bridge design (including hydraulically activated model), Airplane plane fuselage design (including flight model), and architectural independent studies and design (including foam core model with removable floors).

- Professional Registrations & Associations**
 Current or Previously held
- Registered Massachusetts Architect – #20656
 - Registered Florida Architect – #95817
 - Registered Rhode Island Architect - #3962
 - Registered New Hampshire Architect - #4009
 - Registered Maine Architect - # ARC4005
 - American Institute of Architects
 - Boston Society of Architects
 - NCARB
 - Licensed Construction Supervisor

Education	Wentworth Institute of Technology	Boston, MA	2000
	Bachelor of Architecture (Dean's list)		
	Associates in Architectural Engineering Technology (Dean's list)		1997
	Harvard University – Graduate School of Design	Boston, MA	1994
	Architecture Program		

Awards & Publications **AWARDS & EXHIBITIONS**

- Spark International Design Competition, Finalist – 2009
 - New England Design Competition, Platinum Trophy (highest award) for “Most Beautiful Casual Living Design” – 2005
 - Boston Design Center – June 8, 2004
 - Build Boston Exhibits Committee – November 2003
 - Physics-Structural Bridge Design-Car Mechanics, Two 1st Place Awards – 1995
- PUBLICATIONS & RECOGNITIONS**
- Best of Boston 2018 – Best Inn, Nantucket - Greydon House Nantucket*
 - 1 of 6 Boutique hotels named Readers' Choice Award 2018 – 21 Broad – Nantucket*
 - Boston's Best - The Improper- Lola 42 – Watering Hole for the Well-Healed 2018*
 - Green Building & Design – Remote Locations making containers into clinics – Sept. 2012*
 - Building of America “Success Stories” – 2009*
 - The Boston Phoenix “The Best”– April 2008*
 - The Boston Globe – April 27, 2006*
 - The Improper Bostonian “Boston's Best 2006” (Best Bathroom, Best Lounge) – 2006*
 - The Boston Globe “Best of the New” – January 29, 2006*
 - The Boston Globe – January 26, 2006*
 - Boston Magazine – January 2006*
 - Home Works Sourcebook – 2005/2006*
 - The Improper Bostonian “It List” – December 7–20, 2005*
 - The Boston Globe – November 18, 2005*
 - The Harbus “28 Degrees: Cool Lounging” – November 7, 2005*
 - The Improper Bostonian – October 26–November 8, 2005*
 - Luxury Living New England magazine – 2005*
 - Wentworth Magazine [WIT] – July 2004*
 - The Boston Globe – December 2003*
 - Banker & Tradesman – July 2003*

TELEVISION

Discovery Channel "House Lift"– April 2004

NECN "New England Dream House" – Featured "Dream Home" on December 2004, December 2003, August 2003, and February 2003 episodes.

Volunteer & Community Outreach

Led philanthropic causes, participated in pro bono work and worked closely with non-profit organizations, including organizing and event planning for the non-profit organization Stop Child Trafficking Now Walk on Boston Common.

Developed Love, Light and Blessing Fund to help the homeless, the hurting, and financially assist those in trouble- losing homes, lose of a love one, in financial troubles, etc.

Fellow Leader @ the Weekly Boston Businessmen's Breakfast - Boston College Club-Financial District : Boston Businessmen seeking to lead their companies and live their lives to a higher standard. 2014-present

Presenting ways that water can integrate with architecture for health and psychological benefits, brought awareness about the architecture field to Highrock Covenant Preschool students and volunteered at the Boston Society of Architects.

Design and Architecture profession advocate, encouraging and empowering students regarding design entrepreneurship, importance of good design, experimentation, and methods to design with limited resources.

Volunteer, Mentor & Leader at Aletheia Boston, including homeless out reach

Additional Professional Training (Partial)

Sun Control Window Films

Urethane Grout Technology

Floodplain Design, Construction, and Impacts on Flood Insurance

Keynote: Delirious Philadelphia

Solar Panels

Sustainable Community Planning Essentials

Biomimicry: Design By Nature

Access Door Considerations & Solutions

Paint Technology: Chemistry & Performance

Fabric Ductwork: The Metal Alternative

Sustainability and Stainless Steel in Elevated Pools, Spas and Thermal Rooms

Trash, Recycling, & Linen Chutes: Components and Installation

Concrete Tile Roof Systems: The Sustainable, Superior Roof Solution

Sun Control Window Films

Sound Control in Multi-Family Floor/Ceiling Assemblies

Windows of Opportunity: Fenestration Innovations Driven by Demand

Understanding the Benefits of Cellular PVC Rails, Pergolas and Gutters

Comparative Study of Wood and Aluminum Windows in Commercial Buildings

Energy Retrofits: Window ROI & Comfort – The Whole Story

Designing Architecturally Correct Doors with Green Building Materials & Authentic Construction

Sustainable Products Training

Understanding the 2012 Florida Accessibility Code for Building Construction

Natural Stone 101: Everything you NEED to know about designing with the oldest building material

Fundamentals of Window and Door Installation

The Kitchen Evolved

Sustainable Water and Stormwater Management

Anchor Systems For Concrete And Masonry Applications

Controlling Moisture Movement In Bldgs: The Complete Approach-Below Slab Protection

Concrete Flooring: Avoiding Failure Through Moisture Mitigation and Proper Design

Common Code Misinterpretations

LED Lighting Technology for Cabinet and Furniture Applications
Residential Beyond Energy Code Workshop
The History of Bathing-The Past Informs the Present
Air Barriers Are Now Code. How Do I Meet the Requirements?
The 2012 IgCC In Practice
Leading by Design
ReFAB PreFab the Practice and Science of Prefabrication at the Cutting Edge
Compliance under the 2010 ADA for K-12 Schools and Housing for Places for Education
Lean Architecture: Excellence in Project Delivery
Rio de Janeiro Olympic Park Master Plan Process
Learning from Passive House Design: The Real-World Metrics
Diffusible Wood Preservatives
Demystifying Resins - Architects Guide To Designing With Polymers
Artistry Meets Innovation
Induction Cooking In Today's American Kitchen
Electronic Systems Integration for Convenience, Comfort, and Safety
Intelligent LED Lighting Systems and Controls
The History of Bathing-The Past Informs the Present
Existing Buildings
Silicate Coatings Presentation
Proper Specification and Installation
Recommendations for Nonstructural Wall Framing
Fire Joint Framing and Protection
2010 Advanced FBC Understanding The Florida Energy Code
Operable Wall Systems
Common Code Misinterpretations
Tile and Stone Installation Materials and Methods
Planning for Electronic Systems in the Home
Marble Use in the Kitchen
The Role of PVC in Sustainable Exterior Building Products
Electric Radiant Floor Warming Systems
Metal Railing Specifications
Water Efficient Plumbing Fixtures and Fittings
The Living Colors of Linoleum
Sustainable Building Design Using Precast/Prestressed Concrete
Coastal Performance
Residential Stone Veneer Installation Seminar
Controlling Light & Heat with Architectural Glazing Systems
How to Combat Mold Improve Indoor Air Quality and Specify MgO Products
ADA Compliance- Understanding ADA Guidelines for Detectable Warnings
Healthy Indoor Air by Design
Radiant Air Conditioning Systems: Sustainable Energy Efficiency
Indoor Air Quality and Healing Environments
The Role of PVC in Sustainable Exterior Building Products
Energy Codes and NFRC
Wall Surfacing
How Can Project Managers Have A Genuinely Positive Impact On The Environment
Engineered Wood, Sustainability and Green Building Practices
Enhancing Sustainable Design with Retractable Screens
Specifying Natural Stone
S.A.F.E. Solutions for Demountable Modular Wall Systems
PVC101 - The Benefits & Uses Of Cellular PVC Trim

The Design Advantages of Synthetic Roofing Solutions
Recommended Installation of a Steam Shower System
Window Replacement Solutions for Commercial Buildings
Green and LEED Materials Presentation
Window Glazing Systems: Aesthetics Performance And Cost
Luxury in the Kitchen: Style Meets Performance in Next Generation Appliances
Helping Your Clients Create Healthy Indoor Air
Introduction to Managing Daylight with Shading Systems



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#398-19 P+S

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

November 8, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Visda Saeyan of 7 Marcellus Drive, Newton Center as a member of the Urban Design Commission. Her term of office shall expire on December 31, 2022 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

RECEIVED
CITY CLERK
2019 NOV 12 AM 9:43
A. O'SULLIVAN
CITY CLERK
1000 COMMONWEALTH AVENUE
NEWTON, MA 02459

Application Form

Profile

Visda _____ Saeyan _____
First Name Middle Initial Last Name

[Redacted] _____
Email Address

7 Marcellus Drive _____
Home Address Suite or Apt

Newton Center _____ MA _____ 02459 _____
City State Postal Code

What Ward do you live in?

Ward 8

[Redacted] _____ Home: _____
Primary Phone Alternate Phone

Self Employed _____ Registered Architect, Registered
Employer Job Title real estate agent

Which Boards would you like to apply for?

Urban Design Commission: Submitted

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I welcome the opportunity to get more involved in the City of Newton Community and new Construction projects. I am a registered senior Architect and a registered Real Estate Agent in the State of Massachusetts. I work both in real estate and Architectural projects in Newton MA including other towns.

[Newton-VisdaSaeyan-resume_2_.pdf](#) _____

Upload a Resume

From: VISDA SAEYAN RA,RE
To:Office of Director of Community Engagement & Inclusion
City of Newton, Mayor's Office

August 06 2019

Dear Ms. Dana Hansen

I have enclosed a copy of my Resume, Letters of recommendation and Project samples. I welcome the opportunity to get more involved in the City of Newton Community and new Construction projects.

I am a registered senior Architect and a registered Real Estate Agent in the State of Massachusetts. I have over 30 years of experience in architectural design, planning, staff mentoring, construction practice, project management and construction administration. I have worked with different levels of clients and professional teams. I have been involved in the construction of multiple projects of moderate scope and complex large scale, including several award winning projects, both new and renovation projects with demanding schedules. My focus is always on serving and managing the Client to the best and leading by inspiring the project's team.

I have been responsible in addressing complex issues in Institutional buildings; Higher Educational, Medical Schools, Science, Laboratory, Healthcare and K-12 School buildings as well Residential & Multifamily housing, Corporate offices, Commercial projects including food service & Restaurant projects, from inception to completion.

My responsibilities included working directly with the clients and users, conducting project meetings, coordination of all project efforts including; master planning analysis, space planning, strategic planning, design, programming, cost analysis, investigating variances, feasibility studies, managing consultants, construction administration; overseeing construction process and project implementation

As an Architect, I have worked as a Project Manager, Designer and a Planner, working closely & successfully with the facilities department clients, major stake holders, senior executives, commercial & corporate clients, users and consultants, clinical & laboratory department personnel's, various city and state authorities, developers, committees and government institutional clients.

I have held an active role from the early stages of project conception to site selection, zoning and code studies, feasibility & fit test studies, conceptualizing, participating in pre-planning activities, performing field investigation & verifications, cost estimate analysis for all phases of work in controlling time and cost.

My responsibilities included managing the project's planning and leading the design team, the project management including scheduling and coordinating design and construction processes, coordination with all engineering disciplines, the preparation of project schedules, phasing studies and development, space planning, overseeing the design development, delivery of the project Construction Documents, utilizing CAD & Excel, managing & coordination with the Consultants, reviewing the contract, coordination with facility standards, preparing plans for removal of hazardous material, specifying building material, interior finishes, lighting, furniture, landscaping, preparation of evacuation & life safety building maps, validating the project budget and program assumptions at each design phase, preparing total cost estimate based on contractor's pricing. Reporting to the department head in charge, coordinating project completion, construction site inspections, overseeing project close outs and occupancy. In real estate, I have worked with developers, assisting them in the design, construction, and sales or leasing of their properties.

I have been involved in the selection of engineering consultants and other contractual arrangements, proposal writing, negotiations with the contractors, construction bid process. I have worked closely with the client and construction estimators in budget evaluation, in addition to creative cost reduction solutions, participation in owner construction meetings to review construction progress, quality, and schedule compliances. I have worked with the building officials, e.g., BRA, DPH, Inspectional Services, TJC, OSHA, NFPA, and ADA with respect to the guidelines, accessibility provisions & State Building Code requirements in programming, planning, design, construction and occupancy of projects.

I have gained several years of hands on experience and knowledge in listening and working effectively with the Clients and Users to successfully satisfy their needs. I have developed skills to encounter effectively with all levels of the organization and construction. I am experienced and committed to the project delivery through dedication, collaboration, and exceptional design.

Please feel free to contact me by Telephone or Email.

Sincerely

Visda Saeyan



Resume of VISDA SAEYAN-Mass Registered Architect, Mass Real Estate Licensed Agent

Tel: [REDACTED] Address: 7 Marcellus Drive, Newton MA. 02459 E: [REDACTED]

I am a registered Architect in the State of Massachusetts with over 29 years of experience in architectural practice. I have worked as a Planner, Designer and a Project manager with a focus on the design of Healthcare, Laboratory, Science, Educational, Institutions and Residential buildings. I am also a registered real estate agent experienced in market analysis, negotiations, leasing and sales transactions.

My responsibilities and involvements in projects include understanding of every aspect of the project development from inception & site selection to programming, planning & client /user meetings, project management & scheduling, facility planning & design, fit test analysis, space planning, site design, coordination and management of the consultants; Landscape/ Civil/ MEP/ Structure/Interiors and Coordination with the equipment vendors.

I am experienced in project cost evaluation & analysis, design & development of comprehensive contract documents utilizing CAD, specifying finishes & material, furnishings, equipment, producing schedules, creating innovative design approaches to meet the construction budget, managing the design development & team in compliance with the regulatory building codes, coordinating removal of hazardous material and infection control with the facility offices, construction administration & field inspection, review of bid documents, processing and approval of change order invoices, monitoring construction progress & field reports to project close out & occupancy.

As part of my project involvement at several firms, I have trained & mentored design teams & conducted teaching seminars in architectural design & specialized clinical, laboratory planning, Interior building detailing, overseeing preparation of construction documents & site work. I have developed and aided in development of architectural standards at several architectural firms. I have worked on implementation of LEED on a major medical project.

I have worked with AutoCAD since 1990's and am proficient in AutoCAD 17, Microsoft word, Excel, outlook and dot loop. I have worked w/ Arris and micro station systems and am familiar with Revit, photo shop, power point, Computer Assisted Facilities Management (CAFM) system and Prolog manager.

EXPERIENCE:

Visda Saeyan Architect, Newton MA- Architectural Consulting, 2016-2019
EDE.INC.-Environmental.Design.Engineering,Inc.Senior.Architect-Consultant.2017-2018
Design Studio Architects, New Haven CT-Senior Architect-Consultant 2015-2016
Centre Realty Group- Real Estate Agent-sales & leasing 2015-2017
Salvatore Associates, Senior Architect-Consultant-2003- 2014 Needham, MA
Thomas McGrath Fondran Architects-Consultant- Spring of 2003, Cambridge MA
Shepley Bulfinch Richardson and Abbott- 1997-2003 Boston, MA
Sasaki Associates Inc., Contracted for Consulting for Architects-1996-1997, Watertown, MA
TAMS Consultants Inc., 1995-1996, Boston, MA
GMT Architects Inc. -Consultant-1993-1995, Boston, MA
The Ritchie Organization, 1992-1993 Newton MA
ARCADD Inc., Senior Associate-1990-1992 Newton MA
CMA Architects, Inc. (Conant, McGrath Architects Developers) 1985-1990 Jamaica Plain, MA

EDUCATION:

Boston Architectural Center Bachelor of Architecture, Professional Degree - 1985
University of Maryland Bachelor of Science in Architecture -1982
Wentworth Institute of Technology Associate Degree in Architectural Technology -1980

PROFESSIONAL SUMMARY: Project Architect, Planner, Project Manager & Staff Architect.

- Site selection studies, master planning, programming, conceptualizing and feasibility studies for a variety of renovation and new projects,
- Project management, including: assisting in preparing Project Scheduling, selecting contractors, evaluation of cost estimates, developing work plan, assist in managing the project budget, Preparing design & construction hours & schedules, Staff supervision
- Proposals, design fees & evaluation of project cost estimates, fee negotiation.
- Client /user meetings, working with Facilities departments in scheduling and coordinating all design and construction processes, Building officials contact, working with BRA & Conservation committees.
- Design Presentation Design & Construction meetings
- Specialized Planning, Architectural & Interior Design, Space Planning,
- Coordination with the engineering disciplines and equipment vendors

- Development of architectural standards,
- Field Investigation & Measurement. Preparation of CADD construction documents,
- CADD and Manual drafting of construction documents, specification writing,
- Supervisory experience and CADD Project Management,
- Project cost estimate evaluation, preparation of cost estimate based on contractor's pricing.
- Preparation of interior schedules,
- Construction Administration and Field Supervision experience, RFI's & Shop drawing review,
- Marketing for privately and publicly funded projects.
- Real estate negotiation and contracts.

PROFESSIONAL EXPERIENCE:

Visda Saeyan Architect

Commercial & Residential Projects

Responsible for providing existing condition documents , management of Architectural Project Development, Planning, and Design of construction projects including landscape, accessibility, MEP coordination, Subcontractor selections and construction administration.

EDE INC.-Environmental Design Engineering, Inc. Senior Architect-Consultant

Government Facilities- Commercial Buildings-and Medical Centers

Senior Architect, Project Planning & Design, Drafting, Client Contact.

Design Studio Architects- Senior Architect, Project Architect, Planner

Medical Institution

Senior Architect-Planner, Project Planning, Programming, Management, Client Contact, Project work plan for Cornell Scott Health Center-New Out Patient & Behavioral Health Center.

Salvatore Associates- Senior Architect, Project Architect, Planner & Project Manager-

Medical Institution & Medical School buildings, Laboratory Projects, Housing Projects, Hospice Homes, Senior living Centers.

Senior Architect, Project Planning, Programming, Management, Client Contact, Project work plan, evaluation of cost estimates, Design Presentation, Master planning, feasibility studies, Project Design & Planning, Staff Training & Management, Development of Office CAD detail library, field investigation & measurement, Coordination with Consultants & Equipment vendors, Interior Design, Construction Document preparation on CAD, Shop drawing review, Specification writing, Construction Administration and Site supervision.

Thomas McGrath, Fondran Architects- Project Architect - Multifamily housing and community building Projects

Project Design & Planning, Client Contact, Project work plan, Master planning, feasibility studies, Project design, field investigation & measurement, Project Construction Document preparation. Construction Administration and Site supervision.

SBRA- Project Architect, Planner, Project Manager & Project design Team-

Medical Institution buildings, Laboratory buildings, Higher Education Projects, and Corporate Office buildings.

Client Contact, Design Presentation, Master planning, feasibility studies, Staff training & Supervision, Project Design & Planning, Contributed to Office CAD detail library, field investigation & measurement, Coordination with Consultants & Equipment vendors, Construction Document preparation on CAD, Shop drawing review, Conducting Seminars, Staff training, Construction Administration and Site supervision.

Sasaki Associates Inc. & Dyer Brown- Project Architect & Staff Architect-

Educational Facilities, Corporate Bank & Office Projects

Project Management, Client Contact, Project Design & Planning, field investigation & measurement, Construction Document preparation on CAD, Shop drawing review.

TAMS Consultants Inc. – Project Architect- Project Manager- Staff Architect-

K-12 Schools, Central Artery, Airport/Aviation, Court house projects.

Project Design lead, Project Management , Client Contact, Master planning, feasibility studies, Project Design & Planning, CADD staff training for Central Artery Tunnel and substation building, Coordination with Consultants, Shop drawing review, Construction Administration and Site supervision.

GMT Architects Inc. –Consultant-Boston, MA Project designer- CADD Manager.

Transportation & Tunnel Projects- I-93/I-90 Central Artery /Tunnel Fort Point Channel Crossing-D009B and Head house, Massachusetts Highway

Project Design & Planning, Project Design & Planning, Client Contact, Coordination with Consultants, Shop drawing review, Construction Administration and Site supervision

Department, Boston MA.. Bank renovation project.

The Ritchie Organization- Project Architect.-
Medical Institution Projects.

Client Contact, Design Presentation, Project Design & Planning, Contributed to Office CAD detail library, field investigation & measurement, Coordination with Consultants & Equipment vendors, Construction Document preparation on CAD, Shop drawing review.

Arcadd Inc. – Associates
Project Architect & Project Manager-
K-12 Schools, Class rooms and cafeteria design-
Laboratory projects, VA Hospitals, Commercial kitchen
facilities, Business and Post Office Projects.

Project Management, Client Contact, Design Presentation, Marketing, Preparing Proposals, Design fees & Project Cost estimates, field investigation & measurement, Project Design and Construction Document preparation on CADD, Interior Design, Shop drawing review, Specification writing, Cost estimate, Staff training & Supervision, Contributed to Office CADD detail library, Coordination with Consultants & Equipment vendors, Construction Administration and Site supervision. Project Design & Planning, Project Management, Client Contact, Project work plan, Design fees & Project Cost estimates, Marketing, Preparing Proposals, Master planning, feasibility studies, Development of Project marketing brochures, field investigation & measurement, Project Construction Document preparation, Project Management, Interior Design, Shop drawing review, Specification writing, Cost estimate, Staff training & Supervision. Construction Administration and Site supervision.

CMA Architects- Project Architect & Project
Manager- Multifamily housing and community building
Projects, Commercial ;Restaurant & Retail buildings,
Medical Office buildings.

COOP_ WORK & STUDY (Practice & Academic Study Concurrently):

SOEP Bernard Associates-
Architectural Consultant,1995 Allston, MA
Commercial & Business Projects

Project Design, , field investigation & measurement and Construction Document preparation

Robert Zarelli Architects, Architectural Consultant
1984 Boston, MA- *Commercial & Business Projects*

Project Design and Construction Document preparation

Karlis Grinbergs- Designer, Staff Architect.
1984 To 1985- Brookline MA.
Residential Development Projects in Fisher Hill.

Client contact, Project Design, field investigation/ measurement and Construction Document preparation for marketable & luxury Residential projects.

Dyer Brown Associates- Designer, Staff Architect.
1982 to 1983
Commercial & Corporate Projects

Project Design, Space Planning, and Interior Design, Graphics, and Model Making, field investigation & measurement and Construction Document preparation.

D. Baugh & Associates- Designer, Staff Architect.
1979 & 1981-1982 Boston, MA. *Federal & State, Military Base*
Projects, Accessibility provisions for K-12 Schools, Chapel &
Military Renovation Projects.

Project Design, field investigation/ measurement and Construction Document preparation Providing handicapped accessibility provisions...

#397-19



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

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rfuller@newtonma.gov

November 8, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Michael Kaufman of 24 Turner Terrace, Newtonville as a member of the Urban Design Commission. His term of office shall expire on December 31, 2022 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

RECEIVED
CITY CLERK
2019 NOV 12 AM 9:43
M. J. OLSON, CMC
NEWTON, MA 02459



Ruthanne Fuller
Mayor

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Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

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www.newtonma.gov

Barney S. Heath
Director

PUBLIC HEARING MEMORANDUM

DATE: November 22, 2019

TO: Councilor Susan Albright, Chairman
Members of the Zoning and Planning Committee

FROM: Barney Heath, Director, Department of Planning and Development
Jennifer Caira, Deputy Director of Planning
Zachery LeMel, Chief of Long Range Planning
Gabriel Holbrow, Community Planner – Engagement Specialist

RE: **#327-19 Ordinance amendment to repeal Zoning Ordinance 3.4.4 Garages**
COUNCILOR ALBRIGHT requesting that Chapter 30 of Newton’s Zoning ordinance be amended to repeal section 3.4.4 Garages (effective December 31, 2019 after three postponements). Garages will be discussed during Zoning Redesign next term.

MEETING: November 25, 2019

CC: Planning Board

The Council adopted amendments to the zoning ordinance in June 2016 (Ordinance A-78) that regulated the placement and scale of garages in residential districts with the intention of limiting their impact on the streetscape and neighborhood character. After adoption, many residents and professionals in the design community raised concerns that the content of the garage ordinance went too far, causing unnecessary challenges for some properties as well as encouraging design modifications on other properties that could further harm the character of the streetscape and neighborhood.

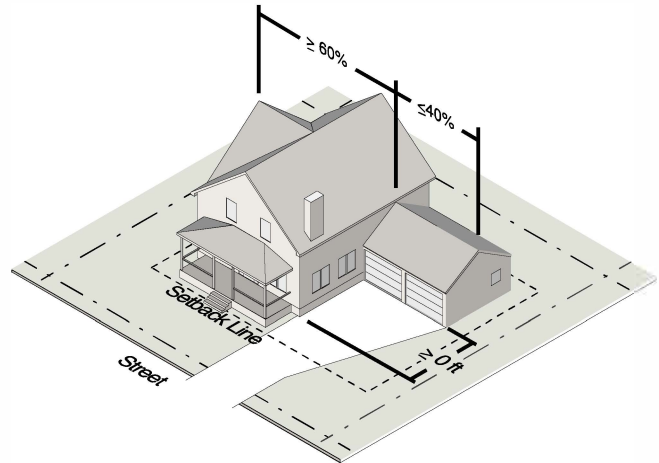
In October 2016, the Council voted to defer implementation of the garage ordinance until the end of that year. The Council passed further deferrals in December 2016, March 2017, March 2018, and December 2018. Currently, implementation is deferred until December 31, 2019, after which the ordinance will go into effect, unless the Council takes other action before then.

In the intervening years, the intent of the original garage ordinance has been incorporated into the goals of the citywide Zoning Redesign project. At this time, the Planning Department recommends

completely repealing the current (deferred) ordinance, and addressing changes to the regulation of garages in residential districts through Zoning Redesign.

Attachments

- Attachment A – Deferred Garage Ordinance: Chapter 30 Zoning Ordinance sec. 3.4.4 Garages, recommended for repeal
- Attachment B – Garage regulation in effect during deferral and after repeal: Chapter 30 Zoning Ordinance sec. 3.4.2.B.1 and sec. 3.4.3.A.4, highlighted.



The requirements of Section 3.4.4 Garages do not become effective until December 31, 2019.

3.4.4. Garages

A. Defined.

1. An attached or detached structure intended primarily for the storage or parking of one or more automobiles. A detached garage is an accessory building.
2. A garage wall is any wall enclosing a garage including that wall containing the garage entrance.

B. For each dwelling unit there shall be no more than 1 garage and a garage shall provide for no more than 3 automobiles, except by special permit.

C. Where more than one garage is provided as part of a building and they are placed side-by-side, there shall be living area connected by a shared wall above both garages.

D. **Garage setback.** A garage wall may be no closer to the front lot line than the longest street-facing wall of the dwelling unit measured at ground level.

E. Garage Dimensions.

1. The length of a garage wall facing a street may be up to 40 percent of the total length of the building parallel to the street, inclusive of the garage wall, or 12 feet, whichever is greater. This requirement does not apply to detached garages.

2. On corner lots, only one street-facing garage wall must meet the standard above.
3. The ground floor area of an accessory building containing a garage or an attached garage shall not exceed 700 square feet, except by special permit.

F. Exemptions

1. The Commissioner of ISD, in consultation with the Director of Planning and Development and/or the Urban Design Commission, may grant an exemption, subject to such conditions as he may require, to the garage setback (section 3.4.4.D) and garage wall length facing the street (section 3.4.4.E.1) requirements, where, based on one or more of the following factors, strict adherence to these requirements would be impossible:
 - i. Irregular lot shape;
 - ii. Topography of the lot;
 - iii. Configuration of existing structures on the lot;
 - iv. Protection of the historic integrity of a building; and
 - v. Preservation of mature trees or similar natural features.
2. Any exemption request shall be reviewed relative to the intent of minimizing the amount of building frontage devoted to garage walls and ensuring a clear connection between the front

entrance and living space of a dwelling and the street, meeting the requirements of this section to the greatest extent possible. All exemption requests shall present design features including, but not limited to windows, architectural details, screening, and landscaping and these shall be generally consistent with the remainder of the house.

3. A request for exemption shall be on such form and shall provide such information as the Commissioner of ISD may require.
4. The applicant shall provide written notice of an exemption request and shall provide a copy of the request application to neighboring properties within 300 feet fronting on the same street.
5. Where the house is more than 70 feet from the street, the garage setback (section 3.4.4.D) and garage wall length facing the street (section 3.4.4.E.1) requirements shall not apply.

(Ord. No. A-78, 06/20/16; Ord. No. A-84, 06/20/16; Ord. No. A-95, 12/05/16; Ord. No. A-105, 03/06/17; Ord. No. B-6, 03-19-18)

3.4.2. Accessory Uses Allowed

- A. By Right in All Residence Districts.** Such accessory purposes as are proper and usual with detached single-family dwellings or detached two-family dwellings, including but not limited to:
1. Housing of resident domestic employees;
 2. Renting of rooms for not more than 3 lodgers;
 3. Parking or storage of recreational trailers or vehicles, provided that if not parked or stored within a garage or other enclosed structure, such trailer or vehicle shall not be parked or stored within the area between any front line of the principal building and the street line, or stored within the side or rear setback, and further provided that such trailer or vehicle may be parked in the side or rear setback for a period not to exceed 7 days;
 4. Parking or storing of not more than 1 commercial vehicle per lot, subject to Sec. 6.7.3;
 5. Home businesses subject to Sec. 6.7.3; and
 6. Accessory apartments, subject to Sec. 6.7.1.

B. By Special Permit in All Residence Districts.

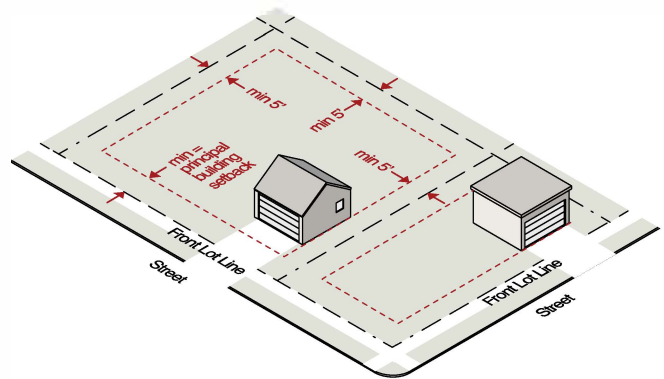
The text of section 3.4.2.B.1 is in effect until December 31, 2019. After that date refer to section 3.4.4.

1. A private garage with provision for more than 3 automobiles, or a private garage of more than 700 square feet in area, or more than 1 private garage per single-family dwelling;
2. Internal and detached accessory apartments subject to provisions of Sec. 6.7.1;
3. Home businesses subject to the provisions of Sec. 6.7.3; and
4. Accessory purposes as are proper and usual with the preceding special permit uses and are not injurious to a neighborhood as a place for single-family residences.

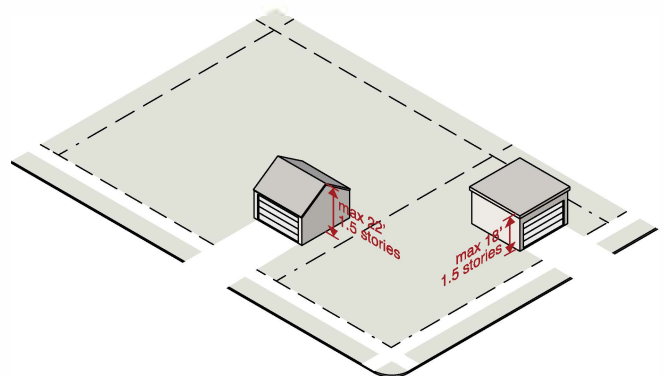
(Ord. No. S-260, 08/03/87; Ord.No. S-322, 07/11/88; Ord. No. T-114, 11/19/90; Ord. No. V-274, 12/06/99; Ord. No. A-78, 06/20/16; Ord. No. A-95, 12/05/16; Ord. No. A-99, 01/17/17; Ord. Nol. A-105, 03/06/17)

3.4.3. Accessory Buildings

- A.** Except as provided in Sec. 6.9, accessory buildings shall conform to the following requirements:
1. An accessory building shall be no nearer to any side or rear lot line than 5 feet, and no nearer to any front lot line than the distance prescribed for the principal building.



2. An accessory building with a sloping roof shall have a maximum height of 22 feet. An accessory building with a flat roof shall have a maximum height of 18 feet. An accessory building shall have no more than 1½ stories.



3. The ground floor area of an accessory building shall not exceed 700 square feet.

The text of section 3.4.3.A.4 is in effect until December 31, 2019. After that date refer to section 3.4.4.

4. If the accessory building is a garage, unless a special permit is granted, for each dwelling unit there shall be:
 - a. No more than 1 garage, wheter or not it is located in an accessory building;

- b. A garage shall provide for not more than 3 automobiles; and
- c. The ground floor area of a garage shall not exceed 700 square feet.

B. Accessory structures other than accessory buildings referenced above must conform to the applicable setback requirements for the principal building.

(Ord. No. V-273, 12/06/99; Ord. No. Z-91, 06/06/11; Ord. No. A-78, 06-20-16; Ord. No. A-84, 10-17-16; Ord. No. A-105, 03/06/17; Ord. No. B-18, 12-17-18)



CITY COUNCIL

2AP
327-19

CITY OF NEWTON

DOCKET REQUEST FORM

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: September 9, 2019

From (Docketer): Susan Albright

Address: _____

Phone: _____

E-mail: _____

Additional sponsors: _____

REC'D
CITY CLERK
2019 SEP -9 PM 4:49
SUSAN ALBRIGHT

1. Please docket the following item (it will be edited for length if necessary):

Councilor Albright requesting that Chapter 30 of Newton's Zoning Ordinance be amended to repeal section 3.4.4 Garages not yet in effect but slated to go into effect on December 31, 2019 after being postponed 3 times. This will be taken up in the next term in relation to zoning redesign.

2. The purpose and intended outcome of this item is:

- | | |
|--|--|
| <input type="checkbox"/> Fact-finding & discussion | <input checked="" type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input type="checkbox"/> Other: _____ |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|--|--|
| <input type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input checked="" type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

PLEASE FILL OUT BOTH SIDES

5. I estimate that consideration of this item will require approximately:

- | | |
|--|--|
| <input type="checkbox"/> One half hour or less | <input checked="" type="checkbox"/> Up to one hour |
| <input type="checkbox"/> More than one hour | <input type="checkbox"/> An entire meeting |
| <input type="checkbox"/> More than one meeting | <input type="checkbox"/> Extended deliberation by subcommittee |

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

*(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)*

Please check the following:

9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Susan Albright

Signature of person docketing the item

[Please retain a copy for your own records]



Ruthanne Fuller
Mayor

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Department of Planning and Development
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Barney S. Heath
Director

PUBLIC HEARING MEMORANDUM

DATE: November 22, 2019

TO: Councilor Susan Albright, Chair, Zoning & Planning Committee
Members of the Zoning & Planning Committee

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

RE: **#363-19 Amendment(s) to Chapter 30 relative to building efficiencies**
DIRECTOR OF PLANNING & CO-DIRECTORS OF SUSTAINABILITY requesting discussion and adoption of amendments to Chapter 30, the Newton Zoning Ordinance to create exemptions to building envelope standards such as height and setback to facilitate the implementation of energy efficiency and alternative energy measures in buildings including external insulation, doorway vestibules, heat pumps, and solar panels among other features.

#364-19 Amendment(s) to Chapter 30 relative to sustainable design
DIRECTOR OF PLANNING & CO-DIRECTORS OF SUSTAINABILITY requesting discussion and adoption of amendments to Chapter 30, the Newton Zoning Ordinance to create a new set of standards related to sustainable development design with requirements for new buildings and development projects to include environmental and energy efficiency features.

MEETING: November 25, 2019

CC: Planning Board
Ann Berwick, Co-Director of Sustainability
William Ferguson, Co-Director of Sustainability
John Lojek, Commissioner of Inspectional Services
Alissa O. Giuliani, City Solicitor
Jonathan Yeo, Chief Operating Officer

In the previous ZAP meeting on November 14th, 2019 The Planning Department presented two potential amendments to the Zoning Ordinance intended to improve the environmental performance of buildings in Newton, responding to action items identified in Newton's Climate Action Plan. The public hearing was opened and closed for the first amendment (#363-19) with the need to further clarify the zoning language in section 1.5.4.d prior to approval. In addition, the public hearing was opened for the second amendment (#364-19) though no discussion was held. Since then, Staff met with Green Newton, members of the development community, and City Councilors and updated the language in both amendments, which is outlined below. Staff recommends the approval of both amendments.

#363-19 Amendment(s) to Chapter 30 relative to building efficiencies

Rules of Measurement (sec. 1.5) – Attachment A

The previous draft text allowed solar panels to extend up to four feet above the ridgeline on a pitched roof to be excluded from height measurements. The updated text allows for a one foot extension above the ridgeline on a pitched roof. For increased flexibility to maximize access to solar radiation on flat and pitched roofs Staff added language that allows solar panels to extend higher by special permit (sec. 1.5.4.d).

#364-19 Amendment(s) to Chapter 30 relative to sustainable design

Sustainable Development Requirements (sec. 5.12.4) – Attachment B

- Buildings above 20,000 SF must be designed to meet the standards of one of three green building rating programs (sec. 5.12.4.A). Staff recommends not requiring certification for projects following the LEED Green Building Rating Program or the Enterprise Green Communities Green Building Rating Program due to cost implications. Staff recommends requiring certification for the projects following the Passive House Green Building Program because the requirements are absolute and the certification costs are negligible.
- Buildings choosing the LEED green building rating system sized 20,000-50,000 SF must achieve a minimum Silver level standard and buildings above 50,000 SF must meet a minimum Gold level standard (sec. 5.12.4.A.1). Staff recommends keeping the existing language because designing to the Gold standard is cost prohibitive for these smaller development projects. As written, this section brings Newton either beyond or in line with neighboring cities and towns in requiring sustainable design. Additionally, all projects subject to this provision must submit an energy narrative describing efforts made to achieve net zero energy use. The City Council must all make a finding that the project will contribute to the efficient use and conservation of natural resources and energy.
- In line with the Intent and Purpose (sec. 5.12.1) staff has added two holds that require further consideration and analysis. These are embodied carbon (sec. 5.12.4.D) and electrification of heating/cooling and residential cooking, domestic water heating, and laundry (sec. 5.12.4.E)
- Section 5.12.6 D. Green Commissioning was removed and the language in the Certificate of Occupancy Submittal Requirements (sec. 5.12.6 C.) was refined so as not to be inconsistent with commissioning requirements that are already in place for the Green Building Rating Programs. The Green Building Rating Programs each have their own commissioning requirements and the requirements listed in Section 5.12.6 D. represented LEED requirements that may not be consistent across rating programs or even across the various LEED programs. The language in 5.12.6 C. now requires proof of commissioning as required by the Green Building Rating Program and allows for a temporary certificate of occupancy prior to commissioning.

Next Steps

- Staff is recommending the Committee approve amendment #363-19 on November 25th.

- Staff is recommending the Committee close the public hearing and approve amendment #364-19 on November 25th.

Attachments

- Attachment A – Section 1.5 Rules of Measurements
- Attachment B – Section 5.12 Sustainable Development Design

1.5. Rules of Measurement

1.5.3. Setback

- A. **Defined.** A line equidistant from the lot line which establishes the nearest point to the lot line at which the nearest point of a structure may be erected. In the case of a corner lot, the rear lot line shall be the lot line opposite the street on which the main entrance is located.
- B. No building need be set back more than the average of the setbacks of the buildings on the nearest lot on either side, a vacant lot or a lot occupied by a building set back more than the required distance for its district to be counted as though occupied by a building set back such required distance. Averaging applies only to the front setback. In no case shall any part of a building in a residence district extend nearer the street line than 10 feet.
- C. Distances shall be measured from the lot lines to the nearest portion of the structure.
- D. The following structures may project into the setback:
 - 1. Steps, landings and bulkheads;
 - 2. Heat pump compressors;
 - 3. Exterior insulation may project up to 8 inches;
 - 4. Doorway vestibules may project up to 4 feet with a width no greater than 6 feet;
 - 5. Gutters, cornices, exterior window shading and ornamental features up to 2 feet;
 - 6. Roof overhangs may project up to 3 feet.

1.5.4. Height

- A. **Defined:**
 - 1. The vertical distance between the elevations of the average grade plane and the highest point of the roof. Not included in such measurements are:
 - a. Cornices which do not extend more than 5 feet above the roof line;
 - b. Chimneys, vents, ventilators and enclosures for machinery of elevators which do not exceed 15 feet in height above the roof line;
 - c. Enclosures for tanks which do not exceed 20 feet in height above the roof line and do not exceed in aggregate area 10 percent of the area of the roof;
 - d. Solar panels which do not extend more than ~~1 foot~~**4 feet** above the ridgeline or, in the case of a flat roof, no more than 4 feet above the parapet, ~~unless waived by Special Permit~~**unless greater extensions are allowed by special permit**; and
 - e. Towers, spires, domes and ornamental features.

1.5.5. Floor Area

- A. **Floor Area Ratio.**
 - 1. The gross floor area of all buildings on the lot divided by the total lot area.

2. FAR tables can be found in Sec. 3.1.9 and Sec. 3.2.11.

B. Floor Area, Gross.

1. **Residential Districts.** The sum of the floor area of all principal and accessory buildings whether or not habitable shall be taken from the exterior face of the exterior walls of each building without deduction for garage space, hallways, stairs, closets, thickness of walls, columns, atria, open wells and other vertical open spaces, or other features as defined in this Sec. 1.5.5, as defined below:
 - a. Gross floor area shall include:
 - i. First and second stories;
 - ii. Any floor area above the second story, whether finished or unfinished, that meets all of the following criteria:
 - a. It lies below the area of a horizontal plane that is 5 feet above it and which touches the side walls and/or the underside of the roof rafters;
 - b. Is at least 7 feet in any horizontal dimension, as measured within the area having a wall height of 5 feet or more;
 - c. Has a minimum ceiling height of 7 feet on at least 50 percent of its required floor area; and
 - d. Has a floor area of not less than 70 square feet as measured within the area having a wall height of 5 feet or more;
 - iii. Atria, open wells, and other vertical open spaces, where floor area shall be calculated by multiplying the floor level area of such space by a factor equal to the average height in feet divided by 10;
 - iv. Enclosed porches;
 - v. Attached garages;
 - vi. Detached garages and any space above the first story of a detached garage that has a ceiling height of 7 feet or greater;
 - vii. Other detached accessory buildings, such as sheds or cabanas, except as exempted in paragraph b. below;
 - viii. A portion of mass below the first story, to be calculated using the formula in paragraph D. below; and
 - b. Gross floor area shall not include:
 - i. Unenclosed porches;
 - ii. Doorway vestibules up to a maximum floor area of 24 square feet;
 - iii. Exterior insulation;
 - iv. Carports; and
 - v. detached accessory building equal to or less than 120 square feet in size.

8.3. Defined Terms

Exterior Insulation. Insulation that is installed exterior to the exterior structural wall of the building so as to improve the energy efficiency of the building.

Exterior Window Shading. Non-habitable architectural features attached to a building above windows to reduce the amount of sunlight entering the window.

Heat Pump Compressor. A device that serves as a heating and cooling system for a building by transferring heat energy into a building to heat it and out of the building to cool it. The compressor is the external portion of this system.

5.12. Sustainable Development Design

5.12.1. Intent and Purpose

The intent of this section is to reduce the use of energy, water, and other natural resources in Newton's building stock and minimize adverse environmental impacts from buildings and development in both construction and long-term operation by:

- A. Increasing the use of renewable energy sources for electricity, transportation, heat/cooling, and hot water
- B. Increasing the use of efficient electricity technology for transportation and buildings
- C. Increasing the number of buildings built to Passive House, net zero, or similar standards.
- D. Minimizing the environmental impacts of construction materials and methods, including waste reduction.

5.12.2. Definitions

- A. **Green Commissioning.** The process of verifying and documenting that a building and all of its systems and assemblies are installed, tested, operated, and maintained to meet specified levels of environmentally sustainable performance in accordance with the provisions of Section 5.12 of this Zoning Ordinance.
- B. **Green Commissioning Agent.** An entity or person with documented experience on at least 2 building projects with a scope of work similar to the proposed project extending from early design phase through at least 10 months of occupancy.
- C. **Green Building Professional.** A professional who holds a credential from a Green Building Rating Program indicating advanced knowledge and experience in environmentally sustainable development in general as well as specific Green Building Rating Systems or otherwise possesses comparable experience in environmentally sustainable development. In instances where a Green Building Rating Program that does not offer such a credential is being applied to meet the provisions of Section 5.12, the designated Green Building Professional must have demonstrated experience as a project architect or engineer, or as a consultant providing third-party review, on at least 3 projects that have been certified using the applicable Green Building Rating Program.
- D. **Green Building Project.** Any development project that meets the provisions of Section 5.12.3.
- E. **Green Building Rating Program.** A collection of activities and services directed by an organization to promote environmentally sustainable development and to recognize projects that achieve defined environmentally sustainable development objectives, including the establishment and oversight of one or more Green Building Rating Systems.
- F. **Green Building Rating System.** A specific set of design standards for environmentally sustainable performance established under the auspices of a Green Building Rating Program against which a project or building design may be evaluated.

5.12.3. Application of the Sustainable Development Requirements

- A. These sustainable development requirements apply to any proposed development in any zoning district that includes the construction or substantial reconstruction of one or more buildings totaling 20,000 sf or more of gross floor area that also requires issuance of a special permit under any provision of this Zoning Ordinance.
- B. **No Segmentation.** The ~~inclusionary~~-zoning provisions of this Section apply to projects at one site or two or more adjoining sites in common ownership or under common control within a period of five years from the first date of application for any special permit for construction on the lot or lots, or for the 12 months immediately preceding the date of application for any special permit. An applicant for development may not segment or divide or subdivide or establish surrogate or subsidiary entities to avoid the requirements of Section 5.12. Where the City Council determines that this provision has been violated, a special permit will be denied. However, nothing in Section 5.12 prohibits the phased development of a property.

5.12.4. Sustainable Development Requirements

- A. A green building project must be designed to meet the standards of one of the authorized green building rating systems identified in Section 5.12.5 according to the requirements listed below. ~~Certification by the green building rating program is not required.~~
 1. **LEED Green Building Rating Program.** A green building project being designed according to the LEED Green Building Rating Program must be designed to achieve a minimum 'Silver' level standard. Projects of greater than 50,000 sf of gross floor area must be designed to meet a minimum 'Gold' level standard. Certification by the LEED Green Building Rating Program is not required.
 2. **Passive House Green Building Rating Program.** A green building project being designed according to the Passive House Green Building Rating program must be designed to achieve certification. Certification by the Passive House Green Building Rating Program is required. ~~to achieve the minimum criteria for certification~~
 3. **Enterprise Green Communities Green Building Rating System.** A green building project being designed according to the Enterprise Green Communities Green Building Rating program must be designed to achieve the minimum criteria for certification. Certification by the Enterprise Green Communities Green Building Rating Program is not required.
- B. **Electric Vehicle Charging Stations.** A green building project must provide that a minimum of 10% of parking spaces have access to electric vehicle charging stations up to a maximum of 40 spaces. An additional 10% of parking spaces must be electric vehicle charging station ready, meaning that electrical systems and conduit are prepared to expand the number of charging stations as demand increases. This Section 5.12.4.B only applies to new or rebuilt parking facilities; those projects using existing parking lots are exempt.
- C. Solar Panels. [reserved]
- D. Embodied Carbon [reserved]
- G-E. Electrification of heating/cooling and residential cooking, domestic water heating, and laundry [reserved]

5.12.5. Authorized Green Building Rating Programs

- A. Any of the following green building rating programs may be used to meet the requirements of this Section 5.12.
 1. The Leadership in Energy and Environmental Design (“LEED”) Green Building Rating Program developed and overseen by the United States Green Building Council;
 2. The Passive House Green Building Rating Program developed and overseen by either Passive House Institute US, Inc. or the Passive House Institute; or
 3. The Enterprise Green Communities Green Building Rating Program developed and overseen by Enterprise Community Partners, Inc.
- B. **Applicability of Rating Systems.**
 1. If a green building rating program offers different green building rating systems, a green building project must use the system that is most directly applicable to the project or building type, as determined by the Planning Director.
 2. The green building rating system must address the design and construction of buildings, not building operations or neighborhood development.
 3. A green building project must use the most current version of the applicable green building rating system at the time of the special permit application.
 4. The green building rating system, including the applicable version, must be specified at the time of special permit application.

5.12.6. Sustainable Development Review Procedures

- A. **Special Permit Submittal Requirements.** The following must be submitted with the special permit application:
 1. **Rating System Checklist.** A document enumerating the criteria set forth in the applicable green building rating system and indicating which technical and design requirements will be met in the green building project design and the resulting rating level of the green building project.
 2. **Rating System Narrative.** A written description of the technical and design elements of the green building project that will be utilized to achieve compliance with the applicable green building rating system.
 3. **Energy Narrative.** A written description of the energy efficiency, renewable energy, and other technical and design elements of the green building project that serve to minimize energy use, make use of renewable energy sources, and otherwise demonstrate how close the project is to achieving net zero energy use status. This narrative should include descriptions of building envelope performance, anticipated energy loads, site planning, mechanical systems and on-site and off-site renewable energy systems. The narrative must also describe how the building could be made to achieve net zero status in the future.
 4. **Credentials.** A document demonstrating the credentials of the green building project’s designated green building professional, which must include a credential from the green building rating program indicating advanced knowledge in the specific green building rating system being applied to the green building project.
 5. **Affidavit.** An affidavit signed by the green building professional stating that he/she has reviewed all relevant documents and that to the best of their knowledge, the documents provided indicate that the green building project is being designed to achieve the requirements of this Section 5.12.

- B. **Building Permit Submittal Requirements.** When applying for a building permit for a Green Building Project, the documentation listed in Section 5.12.6.A above, updated from any previous version to reflect the current Green Building Project design, and the additional documentation listed below must be submitted to the Department of Planning and Development.
1. Credentials of the Green Building Project's Green Commissioning Agent.
 2. For a Green Building Project using the Passive House Green Building Rating Program, the following set of documents is required:
 - a. Credentials of the Passive House rater/verifier who will perform testing and verification and letter of intent stating he/she has been hired to complete the on-site verification process;
 - b. Credentials of the Certified Passive House Consultant who has provided design, planning, or consulting services;
- C. **Certificate of Occupancy Submittal Requirements.** When applying for a final temporary certificate of occupancy for a Green Building Project, the documentation listed in Sections 5.12.6.A and 5.12.6.B above, updated from any previous version to reflect the current Green Building Project design, ~~and the additional documentation listed below~~ must be submitted to the Department of Planning and Development. The additional documentation listed below must be submitted prior to issuance of a final certificate of occupancy.
1. An affidavit signed by the Green Commissioning Agent, certifying that the pre-construction commissioning process requirements of ~~Section 5.12.6.D~~ the applicable Green Building Rating Program have been met and that the post-construction commissioning process requirements of this Section were included in the scope of work and will be met, including a schedule of when each commissioning requirement was or will be met.
 2. For Green Building Projects using the Passive House Green Building Rating Program, the final testing and verification report completed by the Passive House rater/verifier.
 3. Credentials of the Green Building Project's accredited Green Building Professional and an affidavit signed by that professional stating that he/she has reviewed all relevant documents and that to the best of his/her knowledge, the documents provided indicate that the Green Building Project was built to achieve the requirements of Section 5.12.
- ~~D. Green Commissioning. The Owner of property on which a Green Building Project is proposed must complete a Green Commissioning process with a Green Commissioning Agent. The Green Commissioning process must include the following activities for mechanical, electrical, plumbing, and renewable energy systems:~~
- ~~1. Review contractor submittals;~~
 - ~~2. Verify inclusion of systems manual requirements in construction documents;~~
 - ~~3. Verify inclusion of operator and occupant training requirements in construction documents;~~
 - ~~4. Verify systems manual updates and delivery;~~
 - ~~5. Verify operator and occupant training delivery program and effectiveness;~~
 - ~~6. Verify seasonal testing;~~
 - ~~7. Review building operations 10 months after substantial completion; and~~

~~8. —Develop an ongoing commissioning plan that outlines the organization, schedule, allocation of resources, and documentation requirements of the commissioning process prior to the start of commissioning activities.~~

5.12.7. Exceptions

A special permit may be granted to allow for exceptions to this Section 5.12 if an applicant can demonstrate that the same or better environmental outcomes can be achieved through a different approach or project design. An exception may also be granted where literal compliance is impracticable due to the nature of the use or that such exceptions would be in the public interest.

Climate Action Zoning Proposed Ordinances



ZONING & PLANNING COMMITTEE
NOVEMBER 14, 2019

Climate Action Zoning Proposed Goal



Improve environmental performance of all buildings in Newton

- Applicable to EXISTING and NEW buildings

Climate Action Zoning Proposed Ordinances



Reducing Barriers to Environmental Improvements

- Setback Encroachments
- Height
- FAR

Sustainable Building/Site Design Requirements

- Standard tied to 1 of 3 Green Building Programs
- Submissions at special permit, building permit, and certificate of occupancy phases

EV Charging Station Requirements

- 10% of parking access to EV charging stations
- 10% of parking EV ready



Reducing Barriers to

#363-19/#364-19

Environmental Building Improvements



Setbacks

- Heat Pump Compressors
- Exterior Insulation
- Doorway vestibules
- Window Shades
- Roof Overhangs

Height

- Solar Panels

FAR

- Doorway vestibules
- Exterior insulation

Sustainable Building/Site Design Requirements



Setting the Standard

- 20,000 sf & SP
- Choice of Green Building Programs
- Standard Tied to Green Building Program Rating Systems
- EV Charging Stations
- Other Specific Requirements

Sustainability Review

- Special Permit Application Submission
- Green Building Program Professional

Ensuring Compliance

- Submissions at Building Permit and Certificate of Occupancy
- Green Building Program Professional
- Green Commissioning Agent

Setting the Standard



- **Applicability** - 20,000 sf and a special permit
- **Standard** – Choice from three Green Building Programs
 - LEED – Must meet silver, gold if 50,000+ sf
 - Passive House – base standard
 - Enterprise Green Communities – base standard

Sustainability Review



- **Checklist** – Submitted list identifying the green building program, rating system, target rating, and the “points” of other indications of how achieved.
- **Narratives** – Descriptions of the design elements of the project and specifically, the energy components of that.
- **Credentials & Affidavit** – From the green building professional certifying that the project as designed meets the requirements of this ordinance and the appropriate rating system.

Ensuring Compliance



- **Building Permit** – Submit everything again with the building permit application – especially the certification of the Green Building Professional.
- **Certificate of Occupancy** – Submit everything again before receiving the Certificate of Occupancy.
- **Green Commissioning Process** – Submit required materials verifying completion.

Additional Notes



- **Exceptions Provision** – By special permit if environmental outcomes can be achieved by some other approach or project design and full exception possible for projects where literal compliance is impractical due to the nature or use

Questions?

Appendix

- Green improvement examples
- Green building examples

Heat Pump Compressors



Normal sound levels emitted from most heat pumps range between 40 and 50 decibels. That's less than a working dishwasher or a light rainfall

Proposed Rule

- Allowed in setback

Definition

- A device that serves as a heating and cooling system for a building by transferring heat energy into a building to heat it and out of the building to cool it

Exterior Insulation



Proposed Rule

- Exemptions only apply for existing buildings
- Allowed in setback up to 8 inches
- Not counted towards FAR

Definition

- Insulation that is installed exterior to the exterior structural wall of the building

Doorway Vestibule



Proposed Rule

- Allowed in setback to project up to 4 feet with a width no greater than 6 feet
- Not counted towards FAR up to a maximum of 24 feet

Window Shades



Proposed Rule

- Allowed to project into setback up to 2 feet

Definition

- Non-habitable architectural features attached to a building above windows to reduce the amount of sunlight entering the window

Roof Overhang



Proposed Rule

- Allowed to project into setback up to 3 feet

Solar Panels



Proposed Rule

- Allowed up to 4 feet above the roofline

Passive House



Boston

Passive House



Nonantum