

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING & PLANNING COMMITTEE AGENDA

MONDAY MAY 9, 2011

7:45pm Room 202

ITEMS SCHEDULED FOR DISCUSSION:

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#311-10 HIS HONOR THE MAYOR submitting the FY'12-FY'16 Capital Improvement Program, totaling \$174,246,135 pursuant to section 5-3 of the Newton City Charter and the FY'11 Supplemental Capital budget which require Board of Aldermen approval to finance new capital projects over the next several years. [10/18/10 @5:24PM]

Public hearing assigned April 25, 2011

#17-11(2) TERRENCE P. MORRIS et. al., proposing amendments to Section 30-1 of the Zoning Ordinance which would institute a length-weighted mean approach for calculating grade plane by revising the current definition of grade plane; and by inserting a new definition of average grade containing a method for a length-weighted mean grade plane calculation. [03-30-11 @ 4:12PM]
HELD 7-0 (Public Hearing closed 4-25-2011)

Public hearing assigned for April 25, 2011

#65-11(2) TERRENCE P. MORRIS & JOSEPH PORTER proposing amendments to the Zoning Ordinance to revise the definition of "height" in Section 30-1 so as to calculate building height as the distance from grade plane to the peak of the roof; to revise clause (b) in the definition of "height, contextual" in Section 30-1 (relating to Section 30-15(s) Planned Multi-Use Business Developments) so as to calculate vertical distance using the peak of the roof; to increase the height limits in residential districts contained in Section 30-15, Density/Dimensional Controls, Tables 1 and 4; to increase the height limit contained in Section 30-15(m) for accessory structures; and to add a provision in Section 30-15(m) to allow accessory structure height limits to be waived by special permit. [03-30-11 @ 4:12PM]
HELD 7-0 (Public hearing closed 4-25-2011)

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Kathleen Cahill, 617-796-1125, via email at KCahill@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

- #150-08 ALD. GENTILE proposing that Chapter 30 be amended to clarify that for a commercial vehicle to be parked legally at a residential property, it must be registered to the owner/occupant of that residential property. [4/15/08 @ 2:17PM].
- #122-09 ALD. SANGIOLO on behalf of Armando Rossi requesting a discussion of the proliferation of signage in the city.
- #133-03 ALD. YATES proposing an amendment to Chapter 30 requiring a special permit for a so-called "snout house" (one with excessive/intrusive garage on the front) following the example of Fort Collins, Colorado.

Re-appointment by His Honor the Mayor

- #135-11 SCOTT WOLF, 27 Philbrick Road, Newton Centre, re-appointed to the Planning and Development Board for a term of office to expire February 1, 2014. [04/25/2011@ 4:20PM] (60 days to expire on June 23, 2011)

Re-appointment by His Honor the Mayor

- #136-11 JANE IVES, 34 Lucille Place, Newton Upper Falls, re-appointed to the Economic Development Commission for a term of office to expire August 17, 2013 [04/19/2011@ 4:47PM] (60 days to expire on June 17, 2011)

Re-appointment by His Honor the Mayor:

- #108-11 CHARLES EISENBERG, 4 Ashford Road, Newton Centre, re-appointed to the Economic Development Commission for a term to expire on August 17, 2013. [04-11-11 @5:30PM] (60 days to expire on June 19, 2011)

Re-appointment by His Honor the Mayor:

- #109-11 DAPHNE COLLINS, 372 Waltham Street, West Newton, re-appointed to the Economic Development Commission for a term of office to expire on July 13, 2013. [04-11-11 @5:29PM] (60 days to expire on June 19, 2011)

Re-appointment by His Honor the Mayor:

- #110-11 PHILIP PLOTTEL, 50 Roslyn Road, Waban, re-appointed to the Economic Development Commission for a term of office to expire on December 21, 2013. [04-11-11 @5:28 PM] (60 days to expire on June 19, 2011).

Re-appointment by His Honor the Mayor:

- #111-11 PETER LAW, 61 West Pine Street, Auburndale, re-appointed to the Economic Development Commission for a term of office to expire on April 30, 2014. [04-11-11 @5:28 PM] (60 days to expire on June 19, 2011).

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

Appointment by His Honor the Mayor

#133-11 STUART SNYDER, 30 Erie Avenue, Newton Highlands, appointed as an alternate member of the Planning and Development Board for a term of office to expire on February 1, 2014. [04/25/2011@ 4:20PM] (60 days to expire on June 23, 2011)

Appointment by His Honor the Mayor

#134-11 EUNICE KIM, 147 Crafts Street, Newton, appointed as an alternate member of the Planning and Development Board for a term of office to expire on February 1, 2014. . [04/25/2011@ 4:20PM] (60 days to expire on June 23, 2011)

#154-10(2) ZONING AND PLANNING COMMITTEE requesting to amend **Section 30-1 Definitions** by inserting revised definitions for “lot line” and “structure” for clarity. [04-12-11 @11:34AM]

Appointment by His Honor the Mayor:

#112-11 DAVID ABROMOWITZ, 66 Clyde Street, Newtonville, appointed to the Economic Development Commission for a term of office to expire on May 1, 2014. [04-11-11 @5:31 PM] (60 days to expire on June 19, 2011)

Appointment by His Honor the Mayor:

#113-11 BARRY ABRAMSOM, 113 Chestnut Street, West Newton, appointed to the Economic Development Commission for a term of office to expire on May 1, 2014. [04-11-11 @5:30 PM] (60 days to expire on June 19, 2011)

#154-10 ALD. JOHNSON, CROSSLEY and HESS-MAHAN requesting to amend **Section 30-1 Definitions**, by inserting a new definition of “lot area” and revising the “setback line” definition for clarity. [06/01/10 @ 9:25 PM]

#102-11 ALD. HESS-MAHAN, JOHNSON, COMMISSIONER LOJEK, AND CANDACE HAVENS requesting an amendment to Chapter 17 to establish a fee for filing a notice of condo conversion. [03-29-11 @ 4:55PM]

#94-11 ALD. HESS-MAHAN proposing an amendment to the accessory apartment ordinance by adding “no accessory dwelling unit shall be separated by ownership from the principal dwelling unit or structure, including, without limitation, conversion to the condominium form of ownership. Any lot containing an accessory dwelling unit shall be subject to a recorded restriction that restricts the lot owner’s ability to convey interest in the accessory dwelling unit, except leasehold estates” [03-24-11 @ 9:30AM]

#95-11 ALD. HESS-MAHAN proposing an ordinance requiring that a notice of conversion to condominium ownership be filed with the Inspectional

Services Department and that the property be inspected to determine compliance with all applicable provisions of the state and local codes, ordinances and the rules and regulations of all appropriate regulatory agencies. [03-24-11 @ 9:30AM]

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #64-11 HIS HONOR THE MAYOR, in coordination with the Director of Planning and Development, requesting to amend Section 30-15, Table 4, Dimensional Controls for Rear Lot Development in Residential Zones as they pertain to floor area ratio. [02-22-11 @ 6:47PM]

- #365-06 ALD. YATES requesting the establishment of an education program for realtors concerning properties in historic districts.

- #49-11 ALD. JOHNSON, Chair of Zoning and Planning Committee, on behalf of the Zoning and Planning Committee requesting that the Director of Planning & Development and Commissioner of Inspectional Services review with the Zoning & Planning Committee the FAR data collected during the eight months prior to the new FAR going into effect and the 12 months after. This committee review should occur no less than bi-monthly but could occur as frequently as monthly, based on the permits coming into the departments. [02-15-2011 @8:44AM]

- #81-11 ALDERMEN JOHNSON, CROSSLEY, HESS-MAHAN, LAPPIN & DANBERG requesting the Director of Planning & Development and the Chair of the Zoning Reform Scoping Group provide updates on the Scoping Group's Progress. These updates will occur at the frequency determined by the Chair of the Scoping Group and the Chair of the Zoning and Planning Committee. [3/14/2011 @ 11:16PM]

- #253-10(2) ZONING & PLANNING COMMITTEE supporting the establishment of a Brightfield Solar Energy Array, subject to neighborhood input, on the Flowed Meadow site similar to the one in Brockton. [02-15-2011 @10:01am]

- #26-11 HIS HONOR THE MAYOR submitting in accordance with Section 7-2 of the City Charter an amendment to the 2007 Newton Comprehensive Plan to include a Mixed-Use Centers Element [01-07-11 @ 4:20 PM]
REFERRED TO PLANNING AND DEVELOPMENT BOARD (to be reported back on April 1, 2011)

- #150-09(3) ALD. ALBRIGHT, JOHNSON, LINSKY proposing that a parcel of land located in Newtonville identified as Section 24, Block 9, Lot 15, containing approximately 74,536 square feet of land, known as the

Austin Street Municipal Parking Lot, currently zoned Public Use, be rezoned to Business 4. (12/10/10 @9:21AM)

- #153-10 ALD. JOHNSON, CROSSLEY AND HESS-MAHAN requesting to amend **Section 30-15 Table 1** of the City of Newton Ordinances to allow a reasonable density for dwellings in Mixed Use 1 and 2 districts. [06/01/10 @ 9:25 PM]
- #183-10 ALD. JOHNSON, CROSSLEY AND HESS-MAHAN requesting to amend **Section 30-13(a) Allowed Uses in Mixed Use 1 Districts** by inserting a new subsection (5) as follows: “(5) Dwelling units above the first floor, provided that the first floor is used for an office or research and development use as described above;” and renumbering existing subsection (5) as (6). [06/07/10 @12:00 PM]
- #311-10 HIS HONOR THE MAYOR submitting the FY’12-FY’16 Capital Improvement Program, totaling \$174,246,135 pursuant to section 5-3 of the Newton City Charter and the FY’11 Supplemental Capital budget which require Board of Aldermen approval to finance new capital projects over the next several years. [10/18/10 @5:24PM]
- #474-08 ALD. HESS-MAHAN & VANCE proposing that Chapter 30 be amended to transfer from the Board of Aldermen to the Zoning Board of Appeals and/or the Planning & Development Board the special permit granting authority for special permit/site plan petitions not classified as Major Projects pursuant to Article X of the Board Rules. [12/09/08 @ 3:26 PM]
- #152-10 ALD. BAKER, FULLER, SCHNIPPER, SHAPIRO, FISCHMAN, YATES AND DANBERG recommending discussion of possible amendments to **Section 30-19** of the City of Newton Ordinances to clarify parking requirements applicable to colleges and universities. [06/01/10 @ 4:19 PM]
- #411-09 ALD. DANBERG, MANSFIELD, PARKER requesting that §30-19(d)(13) be amended by adopting the Board of License Commissioners’ current informal policies, which waive parking stall requirements for a set maximum number of seasonal outdoor seats in restaurants and require that indoor seats be temporarily reduced to compensate for any additional outdoor seats while they are in use, by establishing a by-right limit based on a proportion of existing indoor seats that will allow seasonal outdoor seats to be used without need for additional parking.
- #391-09 ALD. DANBERG, MANSFIELD, VANCE AND HESS-MAHAN requesting an amendment to §30-19 to allow payments-in-lieu of providing required off-street parking spaces when parking spaces are waived as part of a special permit application.

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #391-09(2) ALD. DANBERG, MANSFIELD, VANCE AND HESS-MAHAN requesting the establishment of a municipal parking mitigation fund whose proceeds, derived from payments-in-lieu of providing off-street parking spaces associated with special permits, will be used solely for expenses related to adding to the supply of municipal parking spaces, improving existing municipal parking spaces, or reducing the demand for parking spaces.
- #207-09(2) ALD. PARKER, DANBERG & MANSFIELD, proposing that chapter 30 be amended to allow additional seating in restaurants. [07/07/09 @ 12:42 PM]
- #61-10 ALD. CICCONE, SWISTON, LINSKY, CROSSLEY AND HESS-MAHAN requesting a discussion relative to various solutions for bringing existing accessory and other apartments that may not meet the legal provisions and requirements of Chapter 30 into compliance. [02/23/10 @ 2:48 PM]
- #164-09(2) ALD. HESS-MAHAN requesting that the Planning Department study the dimensional requirements for lot and building size for accessory apartments and make recommendations for possible amendments to those dimensional requirements to the board of Aldermen that are consistent with the Newton Comprehensive Plan. [01/07/10 @ 12:00 PM]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #48-06 ALD. HESS-MAHAN, BURG, JOHNSON, DANBERG, PARKER & WEISBUCH proposing that the city provide financial incentives to rent accessory apartments to low- to moderate-income households at affordable rates that can serve housing affordability goals.
FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
- #60-10 ALD. HESS-MAHAN proposing that sections 30-15(s)(10) and 30-24(b) of the City of Newton Ordinances be amended to substitute a 3-dimensional computer model for the scaled massing model in order to facilitate compliance with recent amendments to the Open Meeting Law and that sections 30-23 and 30-24 be amended to reflect the filing procedures in Article X of the Rules & Orders of the Board of Aldermen. [02/23/10 @ 3:24 PM]
- #475-08 ALD. HESS-MAHAN, DANBERG, JOHNSON, SWISTON, & PARKER proposing that the City of Newton accept the provisions of GL chapter 43D, a local option that allows municipalities to provide an expedited permitting process and promote targeted economic development. [12/09/08 @ 9:41 AM]

- #288-06 ALD. MANSFIELD, DANBERG, PARKER proposing that Sec 30-11(a), (b), and (d) of Chapter 30 be amended to allow banks and other financial institutions only by special permit in Business 1, 2 , 3 and 4 districts.
- #440-04 ALD. JOHNSON, BAKER & LAPPIN proposing a definition of “accessory structure” which will include mechanical equipment.
- #20-99 ALD. YATES proposing that Chapter 30 be amended by removing radio and television towers as allowed uses in the Mixed Use 1 district.

Respectfully Submitted,

Marcia Johnson, Chairman

Department of Planning and Development

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Public Hearing: Revisions to Grade Plane Definition

Petition #17-11. Terrence P. Morris, Joseph Porter, Bruce Bradford, George Collins, Verne T. Porter, Jr., and Michael Peirce, proposing an amendment to the zoning ordinance for the purpose of changing the definition of “grade plane” and adding a new definition of “average grade.”

Grade Plane Definition

2

Figure 1.

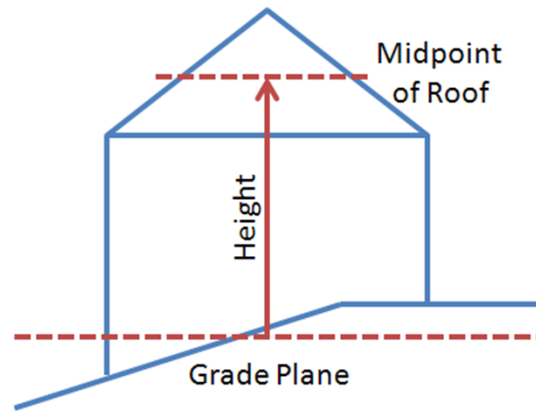
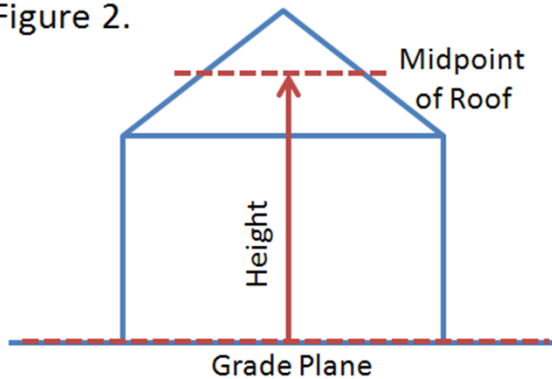


Figure 2.



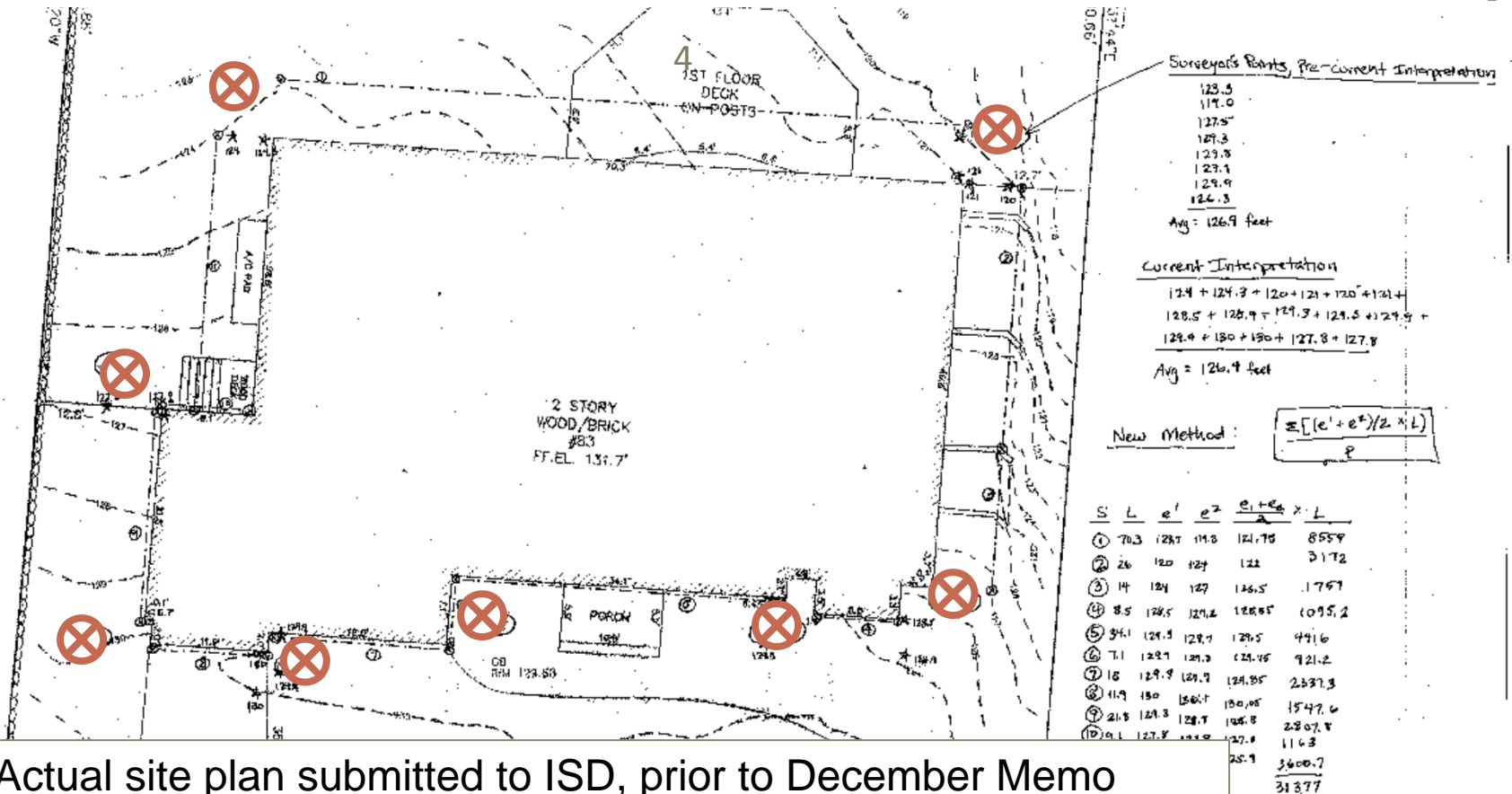
- “The average of finished ground level adjoining the building”
- Benchmark from which height is measured

Problems with Grade Plane Definition

3

- **The Inspectional Services Department has observed numerous problems with the definition of “grade plane” over the years:**
 - The calculation is confusing
 - Surveyors had their own inconsistent interpretations of the definition
 - Their reported grade planes were hard to verify
 - Can be interpreted to produce a grade plane that is too high
- **ISD issued detailed guidance in December 2010 to standardize calculation of grade plane**

Specific Example of Grade Plane Problems



- Actual site plan submitted to ISD, prior to December Memo
- Lot slopes down from bottom to top
- Red marks are the surveyors points averaged to produce “grade plane”
- Produces grade 1.1 feet higher than under proposed method

Continuing Problems with Grade Plane Definition

5

- **Petition #17-11 was filed in response the ISD memo of December 2010**
 - Two page memo clarified calculation and set clear standard
- **Method under the current definition:**
 - Two points are taken from each wall (at the lowest point)
 - Each point is averaged together to calculate the “grade plane”
 - But now the grade plane calculation may result in a grade plane that is **too high**

Example on a Sloping Lot

6

Figure 4a.

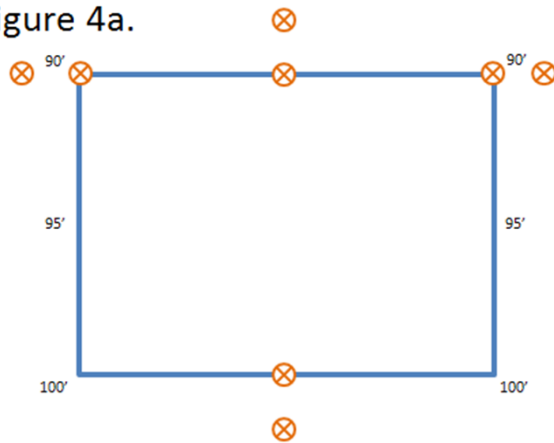
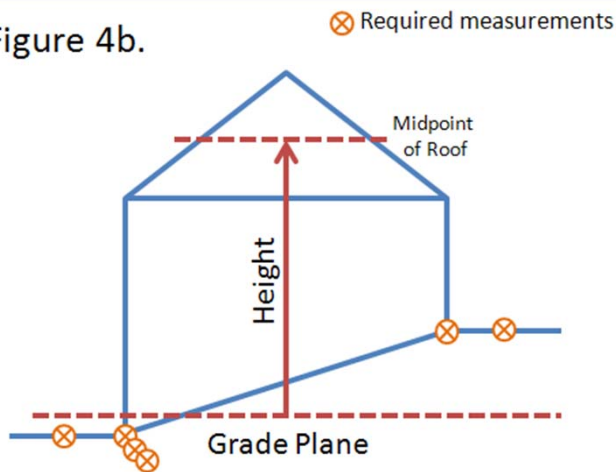


Figure 4b.



Example:

- Lot slopes down from bottom to top
- Averaging these points produces a grade plane of 92.5 feet
- But, common sense average of all the elevations would be 95 feet

Summary:

- Confusing and difficult to verify
- When manipulated, can be too high
- When calculated correctly, can be too low
- Does not yield a true “average of finished ground level”

Text of Current Definition

7

Text of current definition and summary of current interpretation (in **bold**):

- “*Grade Plane*: A reference plane for a building or structure as a whole (**that is, a plane that encircles the building or structure**) representing the average of finished ground level adjoining the building or structure at all exterior walls (**at least one measurement must be taken at each exterior wall**). In calculating said reference plane, the elevation of each point used to calculate said average shall be determined by using the lowest elevation of finished ground level with in the area (**wall**) immediately adjoining the building or structure (**flush against the wall**) and either the lot line or a point six (6) feet (**perpendicular**) from the building or structure, whichever is closer to the building or structure, as illustrated in the diagrams below.”

History of Grade Plane Definition

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- First defined in 1997, through Ordinance No. V-111
 - The definition in 1997 read:
 - ✦ “*Grade plane*: A reference plane representing the average of finished ground level adjoining the building at all exterior walls”
 - Created to serve as a baseline for a revised height definition
 - In response to concerns over the loss of historic homes to out-of-scale development
- Revised in 1999 through Ordinance Number V-247 to the current definition
 - Provided a *method* for calculating grade plane

Proposal: Length-Weighted Mean Method

9

Length-weighted mean method summary:

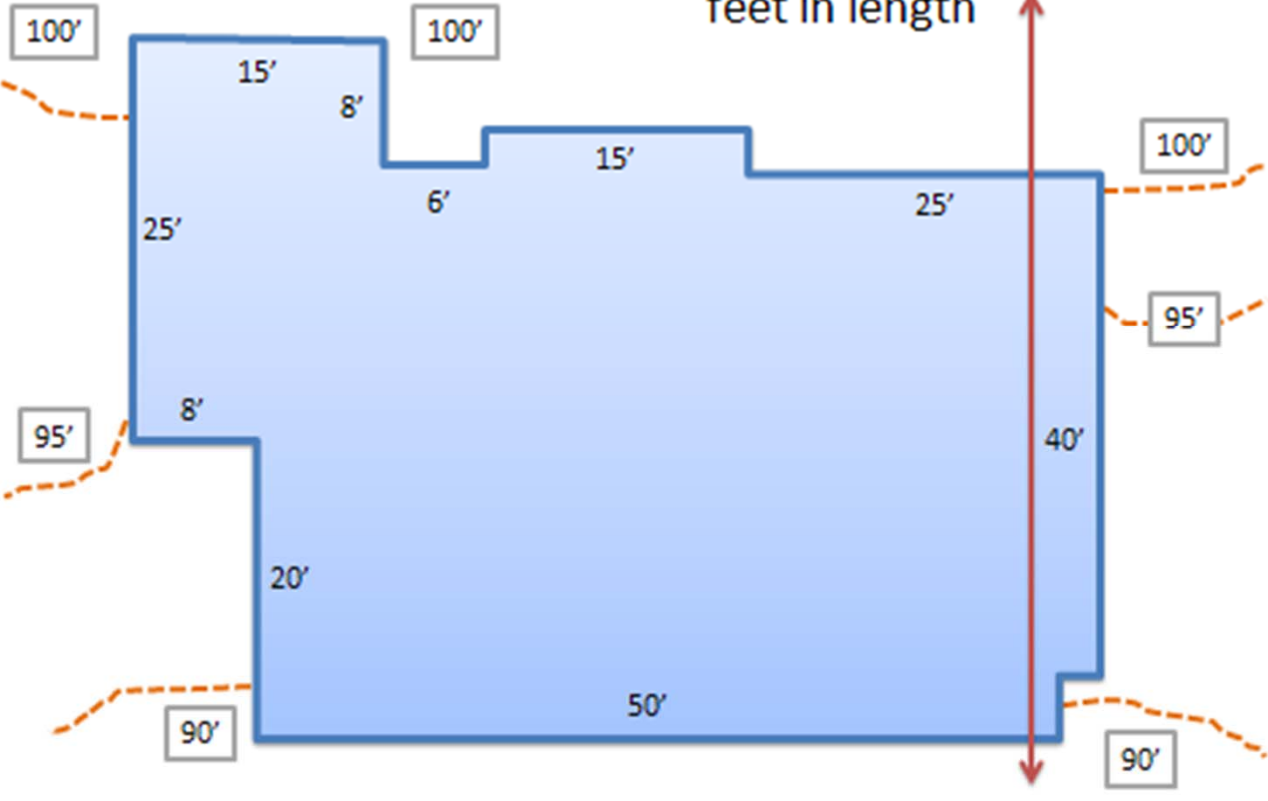
- Divide each wall into segments of consistent grade or slope
- Determine average grade for each segment
- Weight each segment by multiplying the average grade by the length
 - (thus a wall that is 40 feet long would “count” four times as much as another wall that is only 10 feet long)
- Average together all segments together

$$\text{Equation: } \frac{\sum[(e1 + e2)/2 \times L]}{P}$$

Example: Plan View

Figure 7.

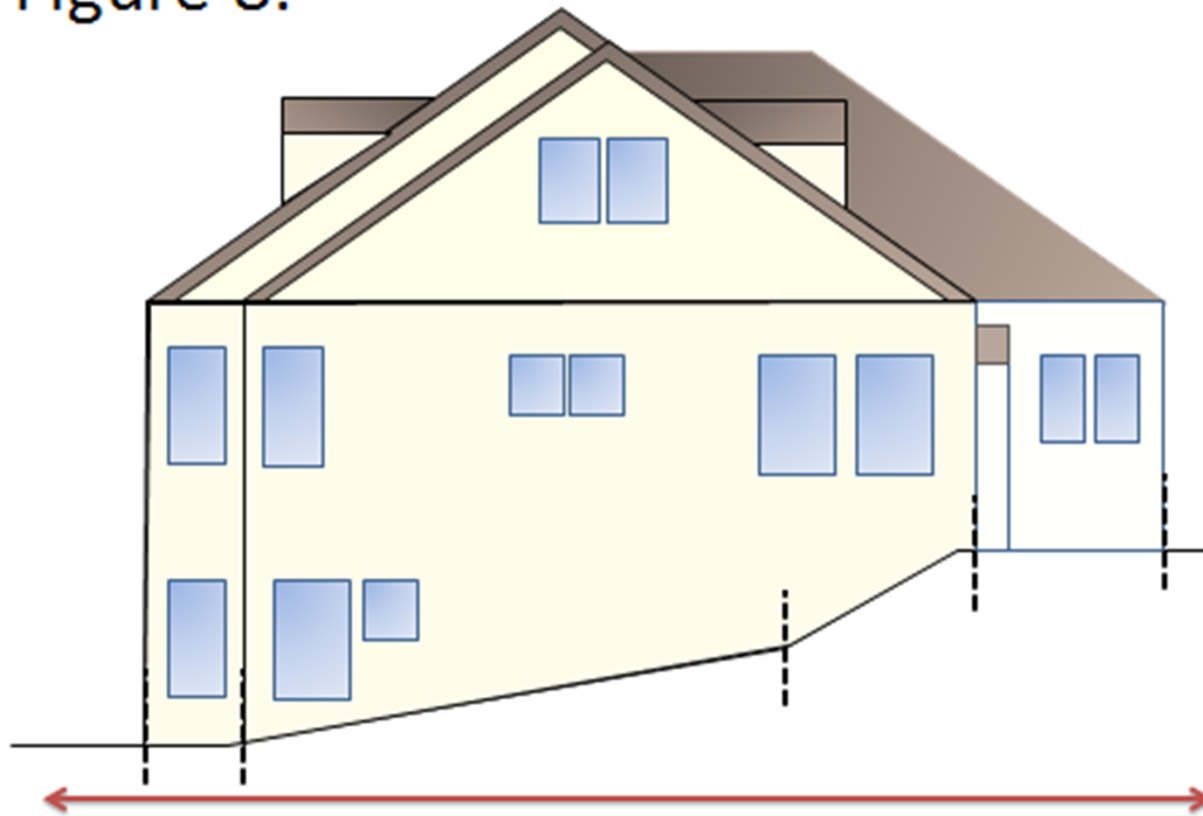
Example house showing all walls greater than six feet in length



Example: Section View

Figure 8.

Cross-section of example

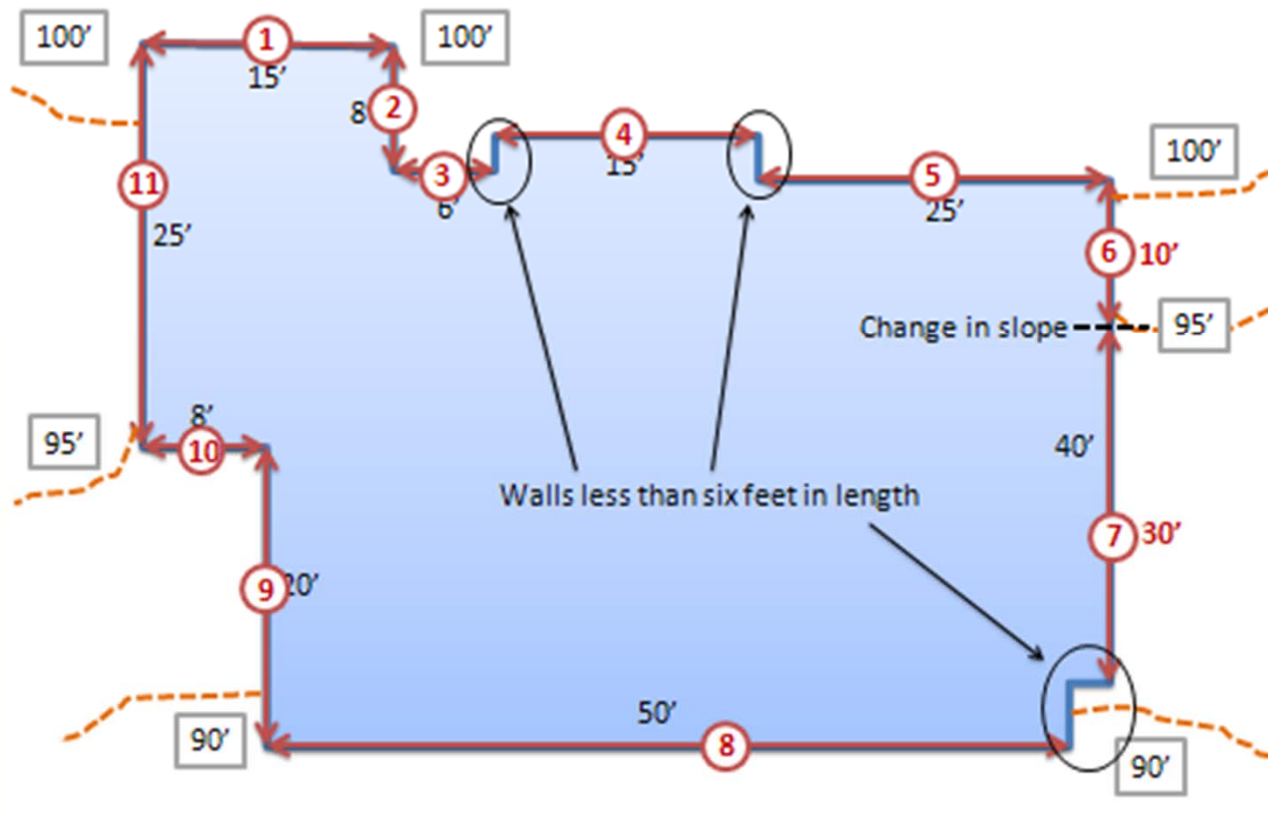


Example: Divide Walls into Segments

12

Figure 9.

Segments identified and numbered



Example: Average and Weight Segments

13

Figure 10.

Length Weighted
Mean sample
calculation:

$$\frac{\sum[(e1 + e2) / 2 \times L]}{P}$$



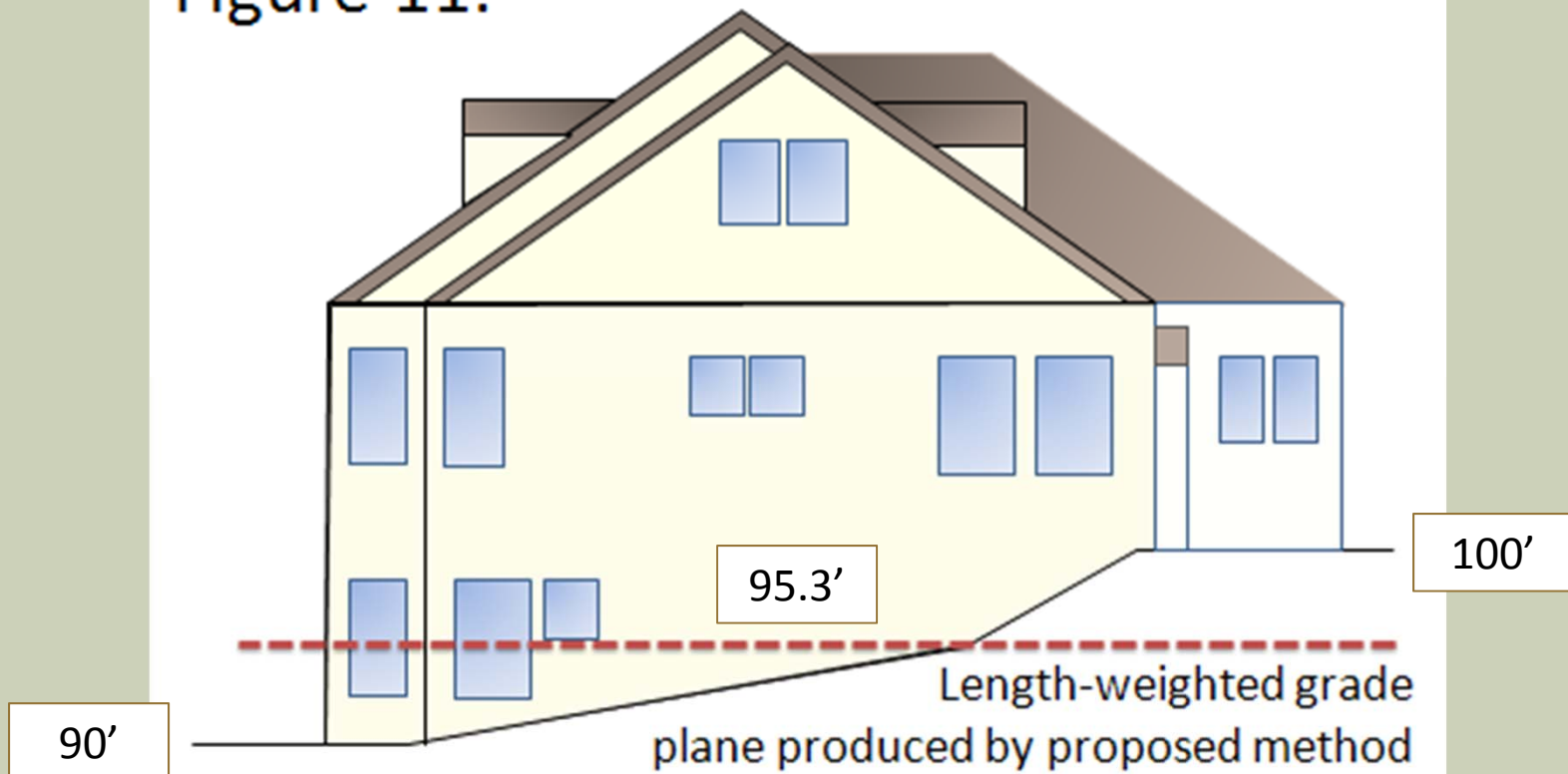
Segment	L	e1	e2	$\frac{e1+e2}{2}$	xL
1	15	100	100	100	1,500
2	8	100	100	100	800
3	6	100	100	100	600
4	15	100	100	100	1,500
5	25	100	100	100	2,500
6	10	100	95	97.5	975
7	30	95	90	92.5	2,775
8	50	90	90	90	4,500
9	20	90	95	92.5	1,850
10	8	95	95	95	760
11	25	95	100	97.5	2,438
Total	212				20,198

Grade Plane under proposed method: $\frac{20,198}{212} = 95.3'$

Example: Final Grade Plane

14

Figure 11.

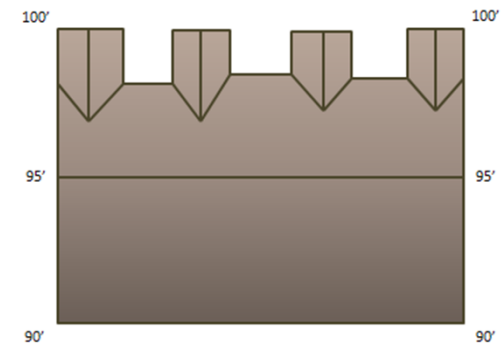


Analysis: Merits

15

- Achieves a fairer and more representative “average of finished ground level”
 - More representative for buildings on lots with varying grades
 - ✦ e.g. homes with basement garages or sloping lots
 - Easier to verify measurements and calculations
- What could go wrong?
 - Using “teeth” to increase segment length at higher elevation (see Figure 6.)
 - ✦ Only count segments along walls of greater than six feet
 - “Berming” around structure to increase grade plane
 - ✦ Use the lowest elevation within six feet of the ends of each segment to calculate the average grade of the segment

Figure 6.



Analysis: Comparisons

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- **Comparisons with neighboring communities:**
 - We looked at the ordinances of Sudbury, Weston, Brookline, Needham, Wellesley, Waltham and Watertown
 - Sudbury and Weston use the length-weighted mean approach and reported that the method is clear and consistent and reduces “gaming” of the system
 - The other communities use methods that have many of the same problems as Newton’s current definition

Analysis: Impacts

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- We tested both the current method and the proposed method:
 - On a flat lot – both methods produced the same grade plane
 - For both sloping grade and garage-under examples – the proposed method yields more representative averages of grade, which are one to two feet higher than those calculated under current definition
 - Current method has no mechanism for dealing with “teeth”
- New proposal:
 - More consistent and verifiable
 - More likely to represent the “average of finished ground level”
 - Small chance that some mostly buried ground levels would count as basements, but overall height is still limited

Recommended Changes to Proposed Language

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- *Grade Plane:* A horizontal reference plane for a building as a whole, passing through the elevation of the finished Average Grade around the perimeter of a building, from which building height is determined.”
- *Grade, Average:* The average of the grade elevations around the perimeter of a building, as determined by the length-weighted mean formula below. All walls of length greater than six feet shall be included in segments of consistent grade or slope.

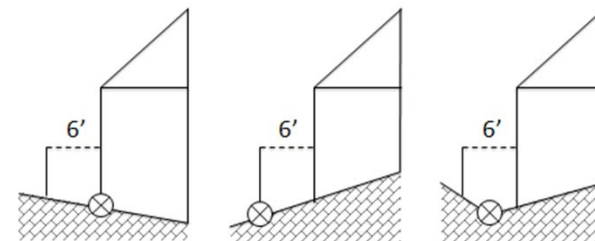
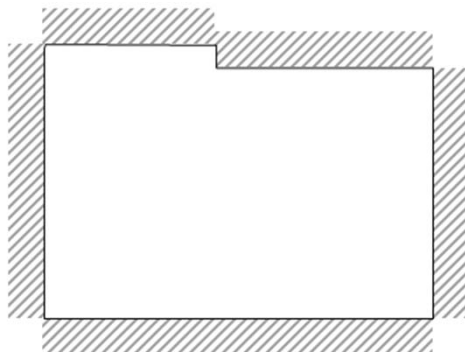
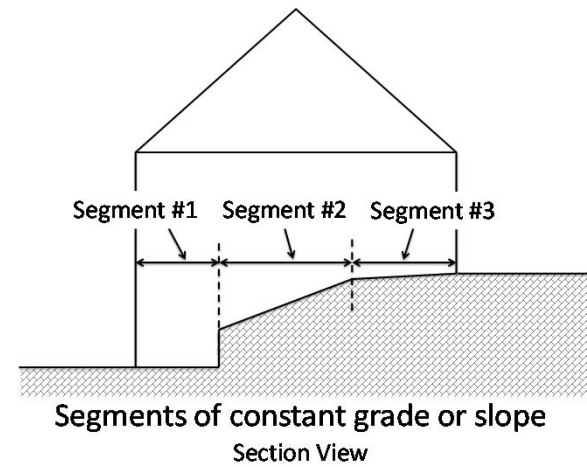
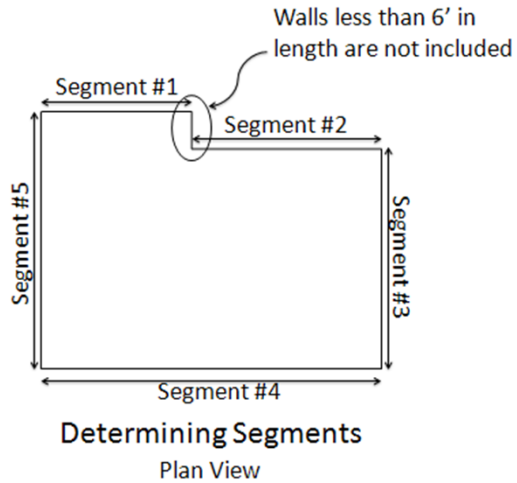
$$\frac{\Sigma[(e1 + e2)/2 \times L]}{P}$$

Where:

- ✦ Σ sums the length-weighted means of all segments
- ✦ e1 and e2 are the elevations of the finished ground level at the respective ends of each segment, determined as the lowest point at each end of the segment within six feet of the foundation or the lot line, whichever is closer
- ✦ L is the corresponding horizontal length of the segment
- ✦ P is the total horizontal length of all segments

Proposed New Diagrams

19



Summary

20

- Planning Department recommends the proposed changes to the definition of Grade Plane to ensure more consistent, verifiable measurement of true average grade.

Department of Planning and Development

1

Public Hearing: Revisions to Height Definition

Petition #65-11. Terrence P. Morris and Joseph Porter proposing an amendment to the zoning ordinance to change the definition of “height” with a concomitant increase in the height to the pre-1997 limits; to make height exceptions in accessory buildings subject to special permit rather than a variance.”

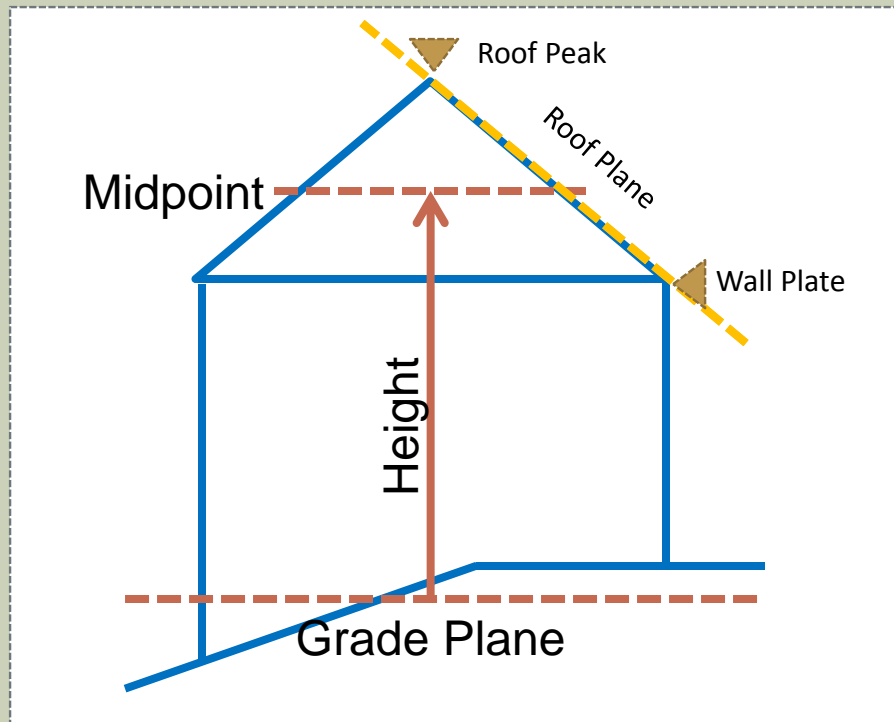
Height Definition

2

- *“Section 30-1 Height:* The vertical distance between the elevations of the following: (a) the average grade plane and (b) the midpoint between the highest point of the ridge of the main building roof and the line formed by the intersection of the top of the main building wall plate and the main roof plane. Not included in such measurements are 1) cornices which do not extend more than five (5) feet above the roof line; 2) chimneys, vents, ventilators and enclosures for machinery of elevators which do not exceed fifteen (15) feet in height above the roof line; 3) enclosures for tanks which do not exceed twenty (20) feet in height above the roof line and do not exceed in aggregate area ten (10) per cent of the area of the roof; and 4) towers, spires, domes and ornamental features.”

Height Definition

3

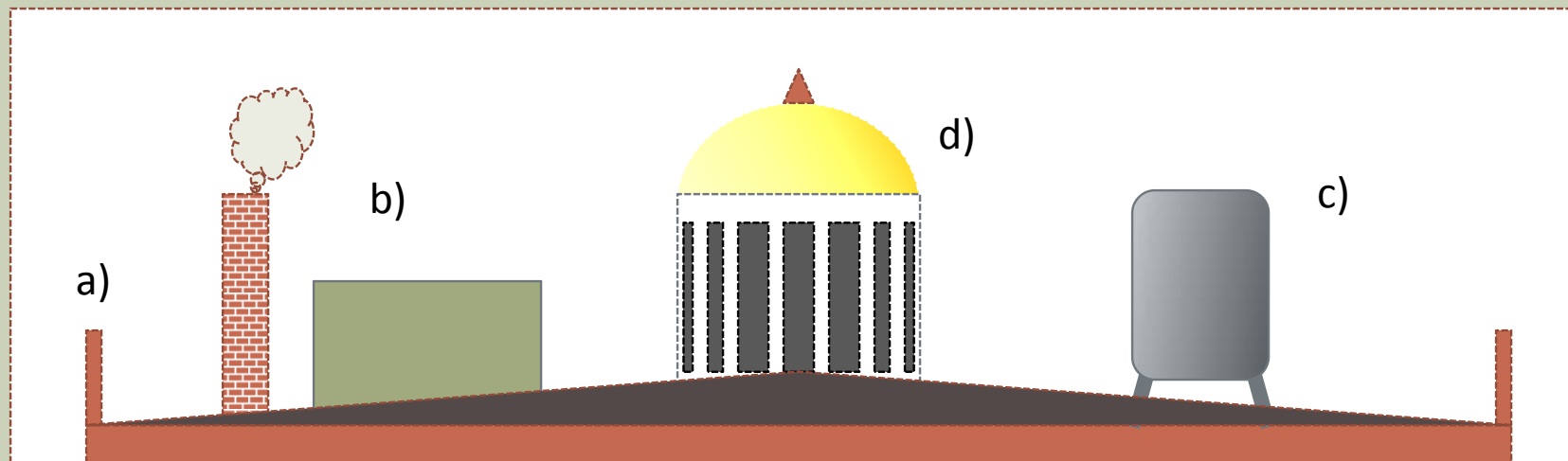


- Height is measured from the Grade Plane to the midpoint between the roof peak and the intersection of the wall plate and roof plane
- Change would affect all structures in the City, including accessory structures

Existing Exceptions to Height Measurement

4

- There are a number of exceptions to the current calculation of height:
 - a) Cornices which do not extend more than five (5) feet above the roof line
 - b) Chimneys, vents, ventilators and enclosures for machinery of elevators which do not exceed fifteen (15) feet in height above the roof line
 - c) Enclosures for tanks which do not exceed twenty (20) feet in height above the roof line and do not exceed in aggregate area ten (10) per cent of the area of the roof
 - d) Towers, spires, domes and ornamental features



Summary of Problems With Current Definition

5

- Term “wall plate” likely a scrivener’s error; intended term was “wall plane”
 - Term contributes to confusion and makes height hard to verify
- Does not actually regulate the absolute height of a structure
 - The peak height of a conforming structure can vary considerably depending on the shape of the roof
 - Buildings with steeply pitched roofs may have a taller peak height than those with flatter roofs
 - Can be manipulated to increase peak height

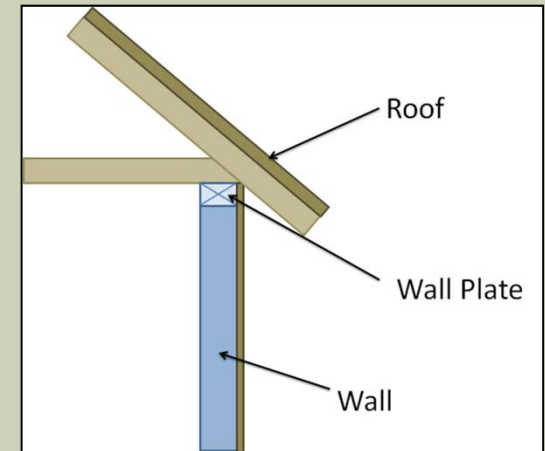
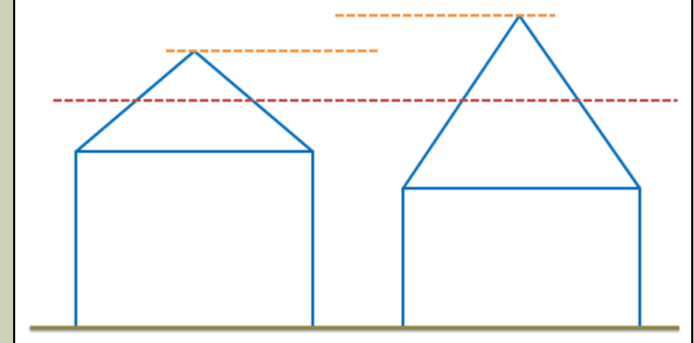


Figure 4.

Identical “Height”



History of Height Definition

6

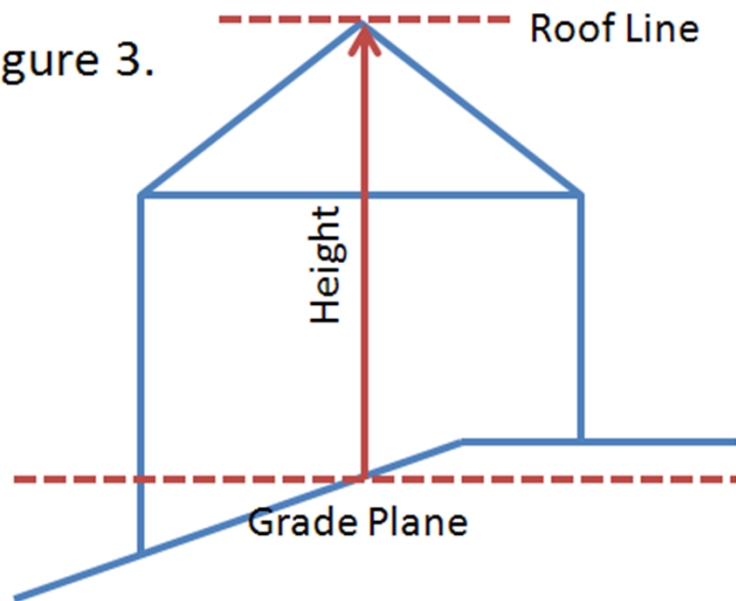
- In 1997, Ordinance V-111 revised the definition of height
 - Measure to the “highest roof surface” and lowered the allowed height to 30 feet (from 36 feet)
 - Intended to reduce development potential and protect existing structures
- In 1999, Ordinance V-232 created our current method
 - Measure from the grade plane to the midpoint between the peak and the intersection of the roof and wall planes
 - Intended to encourage pitched-roof designs
- In 2008, Ordinance Z-20 made one minor adjustment to the current definition
 - Replaced the phrase “grade plane” in the definition of height with the phrase “average grade plane”
 - Ordinance Z-20 was primarily concerned with dormers

Proposal: In Three Parts

7

Petition #65-11 proposes three separate revisions to the zoning ordinance:

Figure 3.



- I. Change the definition of height in Section 30-1 to measure from Grade Plan to “peak of the roof line”
- II. Change the height limits of 30 feet in Section 30-15, Density/ Dimensional Regulations - Table 1 to the pre-1997 limit of 36 feet
- III. Allow height limits for accessory structures to be waived by special permit rather than by variance

Proposed Revised Definition

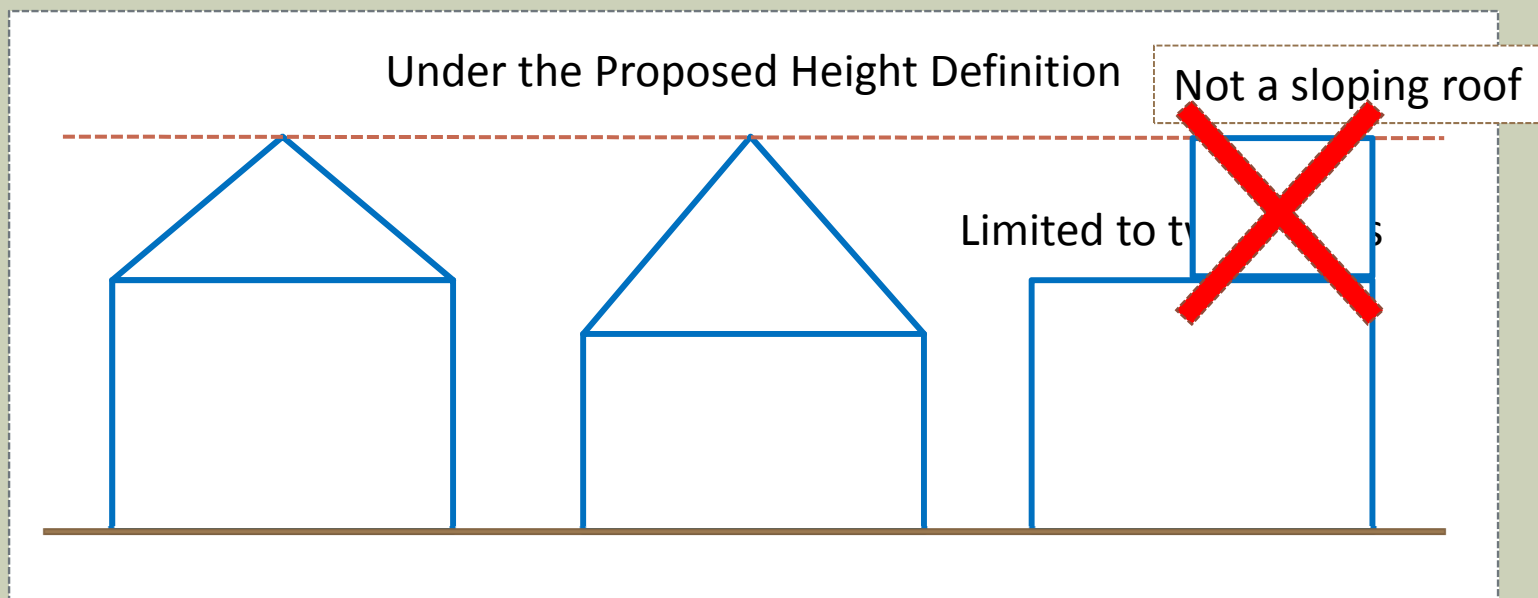
8

- *“Height: The vertical distance between the elevations of the following: (a) the average grade plane and (b) ~~the midpoint between the highest point of the ridge of the main building roof and the line formed by the intersection of the top of the main building wall plate and the main roof plane~~ the highest roof surface. Not included in such measurements are 1) cornices which do not extend more than five (5) feet above the roof line; 2) chimneys, vents, ventilators and enclosures for machinery of elevators which do not exceed fifteen (15) feet in height above the roof line; 3) enclosures for tanks which do not exceed twenty (20) feet in height above the roof line and do not exceed in aggregate area ten (10) per cent of the area of the roof; and 4) towers, spires, domes and ornamental features.”*

Analysis: Height Definition

9

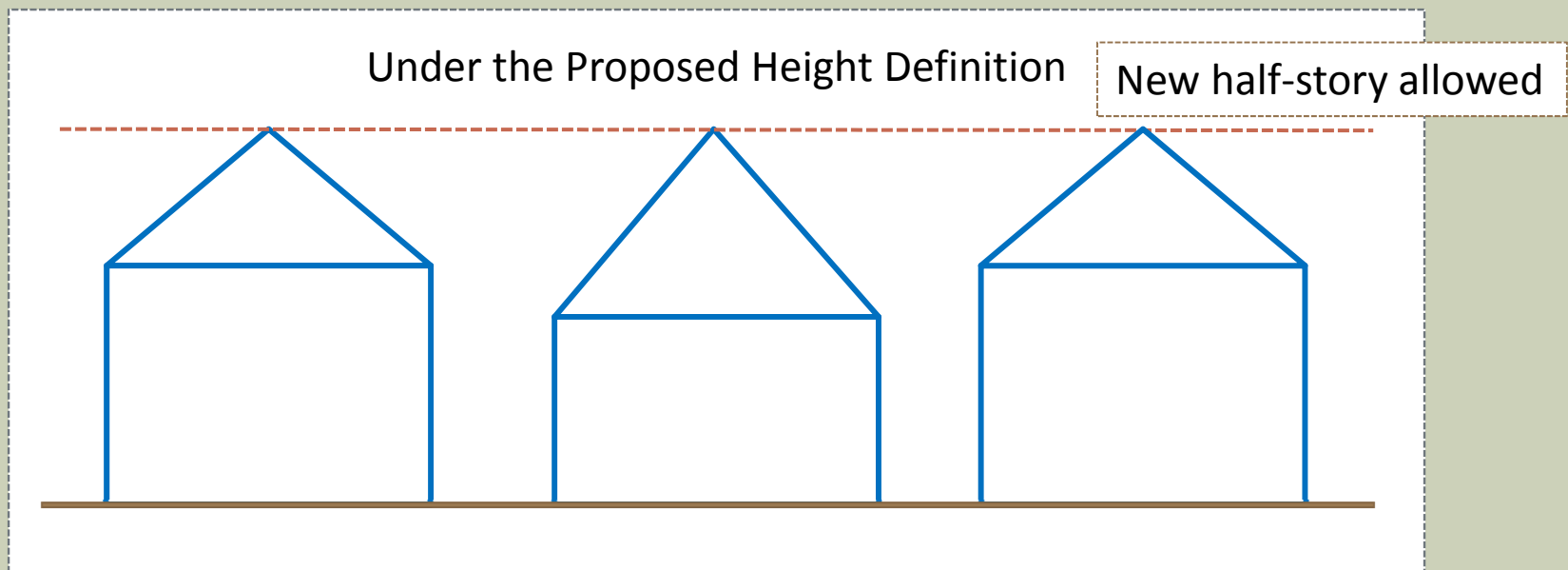
- The majority of surrounding communities clearly define height as measured to the “highest roofline” or similar
- The proposed definition change would apply to all properties
 - Half stories above the second story may only be built under a sloping roof
 - In practice, flat-roofed commercial structures are not affected



Analysis: Height Definition

10

- New half-stories would be allowed
- Maximum height is easy for inspectors to verify

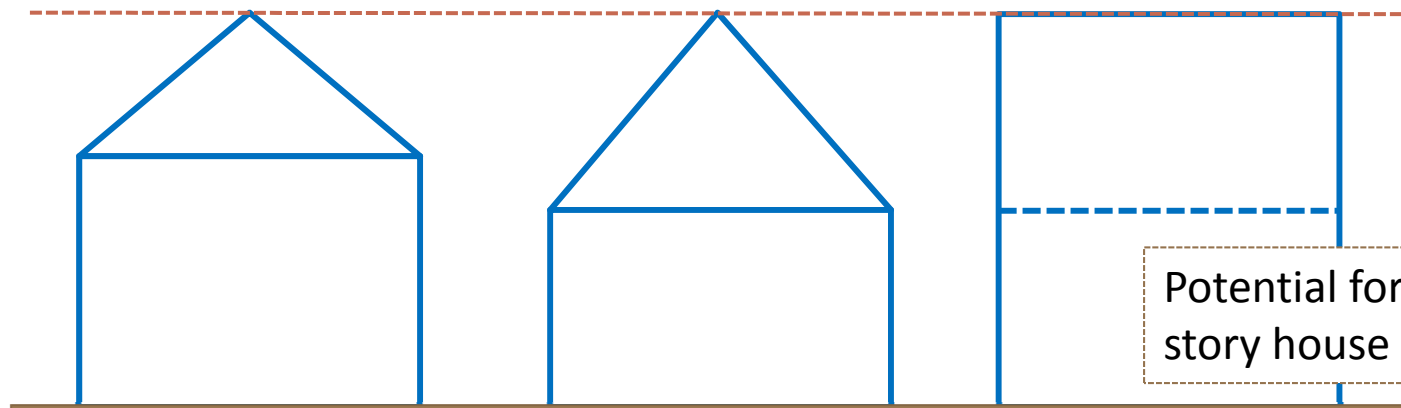


Analysis: Height Definition

11

- One potential problem with more modern house styles
- Option to increase height only for structures with a sloping roof
 - Need definition for sloping roof

Under the Proposed Height Definition

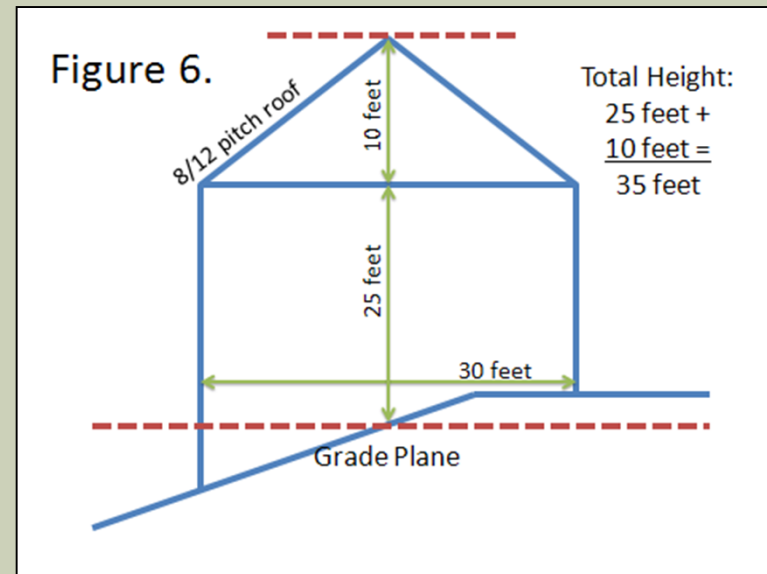
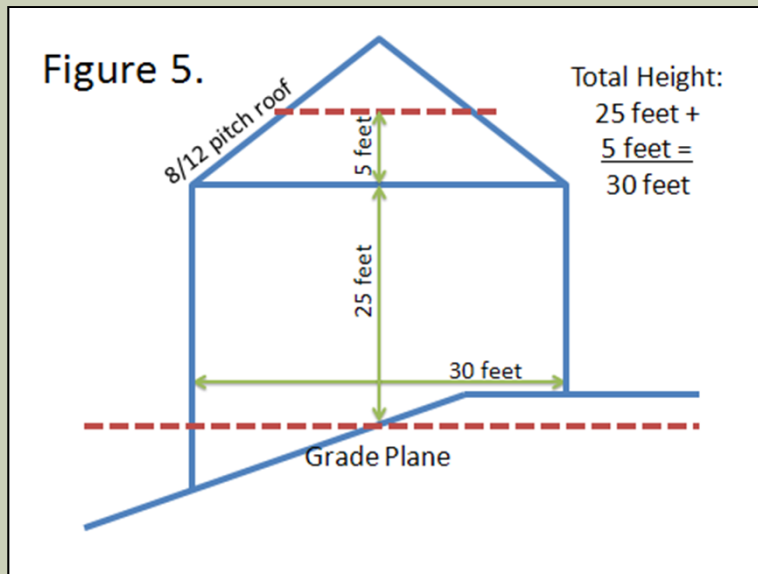


Potential for 36' two-story house (18' floors)

Analysis: Height Limit

12

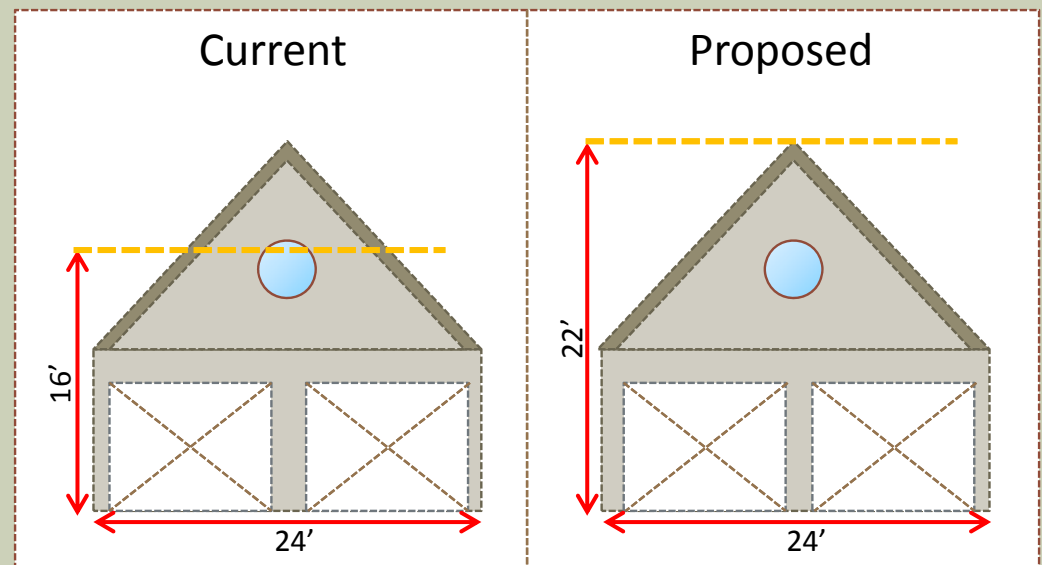
- New height of 36 feet would only apply to SR and MR zones
- The most neighboring communities allow 35 feet of building height for residential structures
- Combined with the above redefinition of height, a return to a height limit of 36 feet would have limited impact on new construction or existing homes



Analysis: Height Limit for Accessory Structures

13

- A change to the height definition would affect accessory structures as well
- Accessory structures are currently limited by Section 30-15(m) to a maximum height of 18 feet
- As for primary structures, change in definition suggests increase in limit:
 - ISD and Planning reviewed likely and appropriate garage configurations
 - Propose an increase of four feet to 22 feet total allowed height for accessory structures
 - A 22 foot limit would allow a 24 x 24 foot garage a 12:12 pitch roof



Analysis: Accessory Structure Relief

14

- Petition proposes allowing relief from height limit for accessory buildings by special permit rather than variance
- Staff research revealed no precedent in surrounding communities
- Very limited precedent in residential zones in Newton
 - In general, a variance is required for a conforming structure to exceed a density or dimensional requirement with some specifically noted exceptions
 - ✦ Residential FAR
 - ✦ Garage ground floor area
 - ✦ Some specific uses or residences in the MR3, MR4 and BU zones
 - Why accessory structures and not primary structures?
 - Such a rule should include maximum height under special permit and specific criteria for the special permit
- The Planning Department sees no adequate rationale for making the height of accessory structures an exception from the rule

Analysis: Consistency with the Ordinance

15

Reviewed Zoning Ordinance:

- In addition to the “height” definition, there is a definition of “height, contextual” which is used only by the Planned Mixed-Use Business Development (PMBD) section of the Zoning Ordinance
 - The “height, contextual” definition also uses the “midpoint” approach to measuring height
 - The committee may want to consider revising this definition to match the proposed new definition of height
- In addition to the height limits in Section 30-15, Table 1, the limits in Table 4 for rear lots should be similarly revised
- Some setback requirements in Section 30-15, Table 1 and Table 2 are derived from building height
 - The change in height calculation is unlikely to significantly affect such properties

Summary

16

- The Planning Department recommends the adoption of the revised definition and height limits as presented in this memorandum
 - Revised definition provides a specific, clear, verifiable benchmark for measuring height
 - Revised height regulations for SR and MR zones respond to changed height measurement method to preserve consistent outcomes
 - (Option: increase allowed height only for sloping roofs; define sloping roof)
- The Planning Department recommends against changing the allowed relief for accessory structures
 - No adequate rationale for special treatment

#150-08 ALD. GENTILE proposing that Chapter 30 be amended to clarify that for a commercial vehicle to be parked legally at a residential property, it must be registered to the owner/occupant of that residential property. [4/15/08 @ 2:17PM]

ACTION: **HELD 8-0**

NOTE: Ald. Gentile addressed the Committee. He said he was contacted by some residents about this problem. In one particular case, a business owner was parking his commercial vehicle on one of his rental properties. He did not live at that property and it was causing problems for the abutters of the rental property. He would like to see an ordinance that allows only for occupants of the property to park their commercial vehicles there.

He would like to take a little more time to find the right language for this item and asked to hold the item.

The Committee voted to hold by a vote of 8-0.

#122-09 ALD. SANGIOLO on behalf of Armando Rossi requesting a discussion of the proliferation of signage in the city.

ACTION: **HELD 8-0**

NOTE: Armando Rossi, 3 Winona street, Auburndale, joined the Committee to discuss this item. Mr. Rossi takes pride in Newton and its aesthetic quality. He does his part to beautify the city, mainly by planting trees. He came to the Committee this evening out of concern for the abundance of signs that are hung throughout the City and never removed. The Committee assured him that political signage must be removed within a certain period of time after an election; if they aren't removed they can be reported to the Election Commission who will handle their removal with the aid of the Department of Public Works. In regard to non-political signs or flyers: if the date of the flyer has passed, members of the public are welcome to take them down; if flyers are on City-owned polls and the dates have passed the resident can also call DPW to remove them.

Barbara Thompson, 286 Melrose Street, Auburndale, attended the meeting in support of Mr. Rossi's item. She too is concerned with the aesthetic appearance of Newton and sees that signage is a real issue. She understands that there are already ordinances in place that address this issue so the question is more so about how we enforce the ordinance. The Committee recognized that enforcement is going to continue to be complaint driven, but agreed that these signs can be unsightly; they believe that the best way to rectify the situation is to increase citizen awareness about proper procedure for sign posting and removal. One way this could be done is through an informational piece to the TAB from Citizen Assistance Officer, Aaron Goldman. Another method, just for election signage, is for the Election Commission to include flyers in the nomination packets handed out to candidates which explains when signage should be hung and when it needs to be taken down.

Pres. Lennon suggested that Armando attend a meeting of the Urban Design and Beautification Committee to discuss this further. Ald. Sangiolo and Candace Havens, Director of Planning and Development, will ensure that he receives an invite to their next meeting. The Committee voted unanimously to hold this item so that they may follow up on it at a later date.

SCOTT I. WOLF

LEGAL EMPLOYMENT

SCHLOSSBERG, LLC
BRAINTREE, MA

MAY 1999—PRESENT

- Partner at business law firm representing closely-held businesses.
- Represent Buyers and Sellers in complex real estate transactions and business mergers, acquisitions, and sales.
- Advise business clients regarding general corporate and employment matters.
- Negotiate and draft commercial and residential leases and purchase and sale agreements.
- Conduct residential real estate closings and cash commercial closings. Abstract title and prepare commercial and residential title policies (approved First American agent).
- Prosecute trademark and service mark applications before the Patent and Trademark Office.
- Advise clients on a variety of estate planning issues, including tax and succession planning.

JACK MIKELS & ASSOCIATES
BOSTON, MA

MAY 1996 – MAY 1999

Associate attorney for boutique commercial litigation and corporate general practice firm. My practice focused on: representing commercial lenders in bankruptcy, foreclosure and post-judgment collection proceedings; advising corporate clients on franchise enforcement and trademark protection matters.

EDUCATION

University of Miami School of Law	Coral Gables, Florida	MAY, 1995
Juris Doctor <i>cum laude</i>		
Law Review: <i>University of Miami Entertainment and Sports Law Review</i> , Articles and Comments Editor		
Boston University	Boston, Massachusetts	MAY, 1991
Bachelor of Arts <i>cum laude</i> in Political Science		

BAR MEMBERSHIPS/AFFILIATIONS:

Florida (1995); Massachusetts (1995); United States District Court, District of Massachusetts (1996); Real Estate Bar Association of Massachusetts; Massachusetts Bar Association Real Estate, Property, Probate, Trust Law Section of the Florida Bar.

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Jane H. Ives

EDUCATION

B.A., Mills College, Oakland, CA

M.Sc., London School of Economics, London, UK

Ph.D., University of London, Faculty of Economics, London, UK

TEACHING EXPERIENCE

- 1999-Present **Part Time Lecturer, Northeastern University, Boston, MA.**
Develop and teach part-time undergraduate and graduate online and in class courses with the College of Professional Studies and previously with the College of Business: *Strategic Management, Cross-Cultural Understanding, General Management, Business Ethics, Entrepreneurship and Business Communication*.
- 2008-Present **Instructor and Consultant, Thomas Edison State College, Trenton, NJ**
Develop and teach online graduate business capstone courses in *Strategy, International Management; Non-Profit Management and Leadership*.
- 2006-2007 **Lecturer, Bentley University, Waltham, MA**
Taught undergraduate courses in *Cross-Cultural Understanding* with the International Studies Department.
- 2004, 2008 **Visiting Professor, Arizona State University, Tempe, AZ**
Designed and taught online undergraduate and graduate management course *International Business*. Designed and taught a module for an online graduate seminar on *The World Trade Organization, Global Trade and International Law and Policy*.
- 2003 **Visiting Professor, Thunderbird, The American School of Global Management, Glendale, AZ**
Designed and taught MBA Winterim Travel/Study Program in Singapore and Thailand on *Managing in the Global and Pacific Rim's Digital Economy*.
- 1999, 2001- 2002 **Visiting Associate Professor, Framingham State University, Framingham, MA**
Taught undergraduate marketing courses, including *Principles of Marketing, Marketing Research, Marketing Management and International Marketing*
- 2000 **Visiting Professor, Thunderbird, The School of Global Management, Glendale, AZ**
Designed and taught MBA Winterim Program on: *Competing for the Future: Global Business and Leadership in the Global Organization*.
- 1989-1997 **Assistant Professor, University of Massachusetts, School of Management, Boston, MA**
Taught undergraduate and graduate courses on: *Strategic Management, Organizational Behavior, Introduction to Business, Marketing, Global Business, Entrepreneurship, Women and Business, Business Communication, Environmental Management, Business, Government and Society and Business Ethics*

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- 1990, 1993 **Visiting Professor, Japan-America Institute of Management Science, University of Hawaii, Graduate School of Business, Honolulu, HI** **Visiting Professor, University of Hawaii at Manoa, Graduate School of Business, Pacific Asian Management Institute, Honolulu, HI** Taught undergraduate seminar on *Strategic Management, Global Business Ethics*.
- 1981-1989 **Assistant Professor, Suffolk University, School of Management, Boston, MA** Taught undergraduate and graduate MBA Management courses on *Strategic Management, Organizational Behavior, Marketing, Introduction to Business, Global Business, Entrepreneurship, Women and Business, Business Communication, Environmental Management and Business* and *Government and Society*. Developed international course material for the business school curriculum. First faculty member to develop sequence of courses on women in business.

INTERNATIONAL TEACHING AND RESEARCH

- 2001 **Visiting Professor, University of Aix-en-Provence, Graduate School of Business, Aix-en-Provence, France**
Taught executive MBA course on: *Managing Global Business, Strategy & Entrepreneurship in the Global Digital Organization*
- 1997 **Visiting Professor, Dubai Polytechnic University, Dubai, United Arab Emirates**
Taught MBA course on *Strategic Management and Global Business*.
- 1996 **Visiting Fellow in International Business, Bradford University, Graduate Management Centre, UK**
Conducted research on *Global Business Marketing and Leadership* with European and American multinational companies.
- 1996 **Visiting Professor, Churchill College, Cambridge University, UK**
Taught executive education course on: *Strategic Management, Global Business*
- 1995 **Visiting Professor, Maastricht School of Management, The Netherlands**
Taught MBA courses on *Strategic Management, Entrepreneurship and Cross-Cultural Comparative Management*.
- 1995 and 1996 **Visiting Professor, Free University of Brussels, Belgium**
Taught graduate courses on *Sustainability; Global Business*.
- 1995 **Visiting Professor, Nyenrode University, The Netherlands**
Taught MBA courses on *Strategic Management, Global Business, and Cross-Cultural Management*.
- 1994 **Visiting Professor, Negocios Internacionales, Universidad Gabriel Mistral, Santiago, Chile**
Taught graduate MBA courses on *Strategic Management and Global Management*.
- 1987 **Visiting Professor, Fulbright Scholar, National Taiwan University, Taiwan**
Taught MBA courses on *Global Management, Sustainability and Management of Technology*.

- 1986 **Visiting Research Associate, Taiwan National Science Council, Taiwan**
Research and teaching on *Strategic Management, Global Business, and Environmental Management*.
- 1985 **Visiting Research Associate, Wolfson College, Oxford University, UK**
Post-doctoral Research Associate on topics of *Strategic Management, Global Business, Organizational Behavior, and Economic Development*.
- 1985 **Visiting Lecturer, Harvard University, Department of Economics, Cambridge, MA**
Taught course on *International Development*

ADMINISTRATIVE EXPERIENCE

- 2008-present **Director, Grameen Global NGO Student Internship Program and The Global Microfinance Leadership Program, Thunderbird Global Financial Services Center, Thunderbird, School of Global Management, Glendale, Arizona**
Founded, secured funding and academic and corporate partners for the Grameen Global Student Internship Program and the Global Microfinance Leadership Program.
Develop and manage fundraising and programming.
Secure, fund, and manage program partners, including global corporations, international organizations, universities, United Nations, public organizations and donors.
Established and managed global student internships with domestic and global organizations; global development programs for students, communities and the business community.
- 2004-2005 **Director, Global Business Ethics Center, San Francisco State University, College of Business, San Francisco, CA**
Developed and managed fundraising and programming for new Global Business Ethics Center, with full responsibility for developing and securing global corporate and university partnerships and donors.
- 2001-2002 **Consultant, Rollins College, Crummer Graduate School of Business, Winter Park, FL**
Assistant Director, Committee on International Services, Programs and Projects.
Consulted for Graduate School on new programs and developed international business program for students and faculty.
Researched and wrote a joint policy paper on new international university programs and projects.
- 1997-1998 **Manager, Global Executive Programs and Domestic and International Student Internships with the International Center, Bentley University, Waltham, MA**
Developed undergraduate and graduate domestic and international internships, travel-study programs, and taught courses with the International Center.
Developed programs and travel study courses for undergraduate and graduate students with the International Center.

EXECUTIVE EDUCATION AND BUSINESS EXPERIENCE

- 2000-present **Director, American Office, TrainingVision Corporation, Singapore**
Develop and manage Management, Social Enterprise and Finance education and training programs in Asia-Pacific, United States and Europe.

- 1998-2003 **Executive Education and Management Consultant, SBC Southwestern Bell Communications, Dallas, TX**
Developed and managed training programs for businesspeople in the telecommunications industry.
- 1998-present **Management Consultant, Global Executive Development Associates, Shanghai and Hong Kong, China**
Developed training programs for businesspeople in the global business community.
- 1998 **Management Consultant, NATO, London, UK**
Developed management training programs for European businesspeople.
- 1998-1999 **Consultant, Dubai Chamber of Commerce and Industry, Dubai, United Arab Emirates**
Developed programs in management for the University of Dubai.
Designed and managed market research studies.
- 1998-1999 **Management Consultant and Lecturer, Executive MBA Program, Japan-America Institute of Management Science, University of Hawaii, Honolulu, HI**
Developed program in management and a course for overseas Asian businesspeople.
Taught short course on Asian business.
- 1990-1999 **Management Consultant and Executive Education Instructor, AT&T School of Business, AT&T Corporation, Somerset, NJ**
Developed, managed and taught executive courses for AT&T global business community on *Strategic Management, Project Management, Global Business; Global Business Ethics and Entrepreneurship*.
Established first AT&T Global Business Ethics Program and Global Business Ethics (online) game for use throughout the company.
Designed and managed market research studies for the Global AT&T community.
- 1979-1997 **Consultant and Management Trainer**
Project Management, Market Research, Global Social Entrepreneurship, Management Consulting and Training.
Clients included United Nations International Atomic Energy Agency, Austria; U.S.I.A., Washington, DC; Organization for Economic Cooperation and Development, France; Business International, Hong Kong & New York; U.N. Regional Office for Africa, The Congo; U.N. World Health Organization, Switzerland; U.N. Development Program, Switzerland; The Swedish Centre for Working Life, Sweden; Abt Associates, Massachusetts; Harbridge House, Massachusetts; Milliken Corporation, South Carolina; Lucent Technologies, New Jersey & Massachusetts; Shell Oil, Texas; Asia Inc., Hong Kong; Philips Corp, New Jersey & Holland; Dubai Chamber of Commerce and Industry, Dubai, UAE; The UN International Labor Organization, Switzerland.

COMMUNITY SERVICE

- Member (appointed), Economic Development Commission, Mayor's Office, Newton, MA 1997-present
Member, World Boston, Boston, MA

GRANTS

- 2008, 2009, 2010, 2011 **Global Social Entrepreneurship Program Initiative.** Corporate grant to develop and manage a Global Student Internship and Global Leadership Program initiative.
- 1998 **Government of Taiwan grant.** Lectured and conducted international business research at National Taiwan University, Taipei, Taiwan.
- 1998 **European Community grant: IRISIA.** Conducted research on Global Sustainable Enterprises at The Institute for the Encouragement of Scientific Research in Industry and Agriculture (IRISIA), Brussels, Belgium.
- 1988 **National Science Foundation grant.** Conducted research in global business in India. Delivered a paper on Global Sustainable Business and Environmental Risk Management at the National Science Foundation International Conference in India sponsored by The National Science Foundation, Washington, DC, The United States Environmental Protection Agency, Washington, DC and The United Nations International Atomic Energy Agency, Austria.
- 1987 **Taiwan National Science Council.** Lectured on global management at National Taiwan University, Taipei, Taiwan.
- 1986 **Fulbright Scholar Program.** Lectured in the area of International Business at National Taiwan University, Taiwan, and conducted research in international business in Taiwan.
- 1983 **German Marshall Travel grant.** Presented paper on Global Sustainability at The International Public Policy Conference, London, UK.
- 1982 **Natural Resources Defense Council, Washington, DC.** Reported on environmental protection and occupational safety and health issues in Ireland.

PUBLICATIONS

Book Review Editor, *International Leadership Journal*, Thomas Edison State College, New Jersey, 2009-.

Ives, J. and Swanson, J.A. "*Asian Fusion Leadership: An American Global Business Leader in Singapore.*"

International Leadership Journal, Volume Two, Issue Two, Winter 2010.

Ives, J. and Swanson, J.A. "*Bangladesh as an International Player in the World Marketplace: An Interview with a Global Transformational Business Leader.*"

International Leadership Journal, Volume Two, Issue One, Fall 2009

"*Global Social Entrepreneurship and Innovation in Global Organizations in Asia: Trans Technology Corporation*", (in progress), 2011.

"The Changing Digital Environment of North American Business," *The International Encyclopedia of Business and Management*, Malcolm Warner, ed. London: Thomson Business Press, 2001.

"Strategies to Manage Global Environmental Disasters: Implications and Recommendations for Asia," Proceedings, National Conference on Capacity Building for Environmental Management in Vietnam, Hanoi, 1998.

"Business and Societal Trends: Culture, Traditions, and Behavior in North America in the 21st Century," *IEBM Handbook of International Business*, Rosalie Tung, ed. London: Thomson Business Press, 1998. Also in *International Encyclopedia of Business and Management*, Malcolm Warner, ed., 1996.

"Global Disaster Management," *International Environmental Management*, Luc Hens, ed. Paris: UNESCO Publication Press, 1994.

"Management of Environmental Risks and Technology Policy in Belgium," *Proceedings*, Association on Employment Principles and Practices, San Diego, 1993.

Risk and Exports: Transnational Corporations and Environmental Control Issues, editor and co-author. London: Routledge and Kegan Paul Publishers, 1985.

PRESENTATIONS

"Global Social Entrepreneurship Initiatives and Programs 2011 with The Grameen Bank & Trust ,Bangladesh", The Pacific Asian CIBER 2010 Annual Meeting, Kona ,Hawaii July,2010 .

"Global Initiatives and Global Village Marketing in The Developing World: Social Action Programs for Undergraduate and Graduate Students ," Distinguished Speakers Series, Mills College, Oakland California ,October 2009 .

"Global Social Entrepreneurship and Global Microfinance initiatives in South Asia and South America: Case Study". Simmons College, Boston, MA, March 2008.

"Global Social Entrepreneurship, Global Microfinance Leadership, Global Business and Rural Village Marketing in Emerging Markets," TBE Conference 2006, The Leeds Graduate School of Business, University of Colorado, Boulder, June 2006.

"The Convergence of Microfinance and Rural Village Marketing and Entrepreneurial Strategies in Key Emerging Markets," The Conference on Reinventing Today's Business for the Challenges of Tomorrow, The Kenan Institute of Private Enterprise, Kenan-Flagler Business School, University of North Carolina at Chapel Hill, March 2006.

"The Convergence of Microfinance, Entrepreneurship, and Rural Village Marketing Strategies in Emerging Markets," Thunderbird, Thunderbird Class, The American Graduate School of International Management, Phoenix, AZ, January 2006.

"Asian Fusion Management: Global Entrepreneurship, Leadership and Business Sustainability": AACSB Conference on Business, University of Colorado, Boulder, July 2005.

"Global Business Management and Strategies in the New Asia Pacific," Thunderbird, Global Business Ethics Class, April 2005 and January 2004.

"International Management and Sustainability," Brandeis University, Waltham, MA, December 2003..

"Managing in the Asian Pacific Rim's New Economy: Singapore, Thailand, and China," Conference on Asian Business, Singapore, January 2003.

"Corporate Strategies and Competitiveness in the Global Organization," Crummer Graduate School of Business, Rollins College, Winter Park, FL, July 2001.

"Managing Change and Strategy and Diversity in the Global Digital Organization," University of Aix-en-Provence, Graduate School of Business, Aix-en-Provence, France, March 2001.

"Global Social Entrepreneurship and Global Microfinance Leadership, Corporate Strategy and Business Process Reengineering in the Global Organization in Asia," presented at TrainingVision Business Conference, Singapore, and October 2000.

"Global Competitiveness and Entrepreneurship in the New Millennium," International German-American Business Conference sponsored by the German government, Gillette Corp., and Schitag Ernst and Young Corp., Leipzig, Germany, June 1999.

"Managing the Global Organization in Asia," China Business Forum, Shanghai, China, June 1998.

"Trends and Issues in International Business: Developing the Global Strategy and the Global Code of Conduct for AT&T Corporation," Thunderbird, Phoenix, AZ, January 1998.

"Competing for the Future and Managing Global Entrepreneurship and Changes in Global Organizations," SIA, Inc. Forum, Hong Kong, July 1997.

"Global Business Ethics in the 21st Century," International Conference on Business Ethics, The Lincoln Center for Ethics, Arizona State University, Tempe, October 1997.

"Change Management and Social Entrepreneurship in the Global Multinational Company," Churchill College, Cambridge University, UK, October 1996.

"International Management and Global Disaster Management Planning," Maastricht School of Management, Maastricht, The Netherlands, December 1995.

"International Environmental Management Practices and Performance," Association on Employment Practices and Principles, Boston, MA, 1994.

"International Global Ethics & Management: The Foreign Corrupt Practices Act and U.S. Federal Sentencing Guidelines," Arizona State University College of Management and Lincoln Center for Ethics, Tempe, AZ, 1994.

CHARLES S. EISENBERG

MAY 11 2 53 PM
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 NEWTON, MA 02459

EXPERIENCE**WINDSTREAM RENEWABLE ENERGY LLC****CEO**

Develop wind turbine and solar projects in the United States and India.

- Scituate, Ma.-1.5 Megawatt wind turbine
- Plymouth, Ma.-Two 1.5 MW wind turbines
- Gujarat, India-Fifteen 2 MW turbines
- Multiple rooftop and ground mounted solar PV installations.

EISENBERG CONSULTING, LLC, Newton, MA.

2004-Present

President

Enable clients to achieve growth and greater performance through new business concepts and business process engineering. Selected recent engagements include:

- Housing Partners, Inc.-Affiliate
 - The Stabile Companies-Development consultant for 101 unit historic mill rehab in Nashua, NH
 - Assisting in the acquisition of financing, approvals and equity; cost estimating, design, bidding and construction management; negotiating management and service agreements for an affordable assisted living development totaling 96 units in Fitchburg, MA
 - Developed smart growth zoning overlay districts consistent with M.G.L. 40R for Chicopee and Reading, MA.
- Weld Management Company-Development consultant for 58 unit affordable housing development in Holyoke, Massachusetts.
- B'nai B'rith Housing New England-Development Consultant for apartment projects in Boston and Stoughton, MA.
- Belgrade Place, LLC-Development consultant for 40 unit apartment building in Boston, MA.
- J.K. Scanlan Co.-Development consultant for 49-unit multifamily development in Wareham, MA.
- RRCI-Financial consultant for low income housing tax credit project in St. Thomas, USVI.

THE COMMUNITY BUILDERS, INC., Boston, MA.

2003-2004

Northeast Regional Director

Managed the development operation in New England and New York for national, non-profit affordable housing developer.

- Prepared plan to reorganize offices and redeploy resources in the Northeast region to improve productivity and reduce losses.
- Oversaw the development of twelve affordable housing developments.
- Managed twenty project managers and support staff in five offices.
- Developed and implemented the annual business plan for the Northeast Region.

- LEA GROUP, INC., Boston, MA. 1994-2002
Principal, Chief Administrative and Financial Officer
Led finance, marketing and operations for this family-owned regional engineering/architecture firm.
- RECOLL MANAGEMENT CORPORATION, Boston, MA. 1991-1993
Vice President, Fleet Bank
Managed and disposed of non-performing real estate assets of the former Bank of New England.
- FEDERAL DEPOSIT INSURANCE CORPORATION, Franklin, MA. 1990-1991
Senior Account Officer-Division of Liquidation
Special Assistant to Assistant Managing Liquidator for New England region. Enabled senior management to recover over One Billion Dollars from failed banks and subsidiaries.
- CHARLES EISENBERG & CO., INC., Boston, MA. 1987-1990
President
Principal of real estate and planning consulting firm
- RELATED COMPANIES NORTHEAST, Boston, MA. 1986-1987
Vice President/Development of The Related Companies, N.Y.
Developed projects in New England
- THE DRUKER COMPANY, Boston, MA. 1980-1986
Financial Vice President
Responsible for all project financing and development of suburban properties.
- THE BEACON COMPANIES, Boston, MA. 1978-1980
Project Director
Managed development of residential properties.

TEACHING EXPERIENCE

- BOSTON UNIVERSITY CENTER FOR PROFESSIONAL STUDIES 1999-Present
Instructor, Program in Real Estate Studies
Teach Real Estate Market Analysis course to students in certificate programs.
 - Course designed to be immediately applicable to real estate professionals.
 - Course credits apply towards certificate requirements in real estate finance and management.
- NORTHEASTERN UNIVERSITY-UNIVERSITY COLLEGE 2003-Present
Adjunct Professor
Teach International Business Management and Operations to Undergraduates
 - Upper level one-semester course required for degrees in Business or Finance.

EDUCATION/PROFESSIONAL DEVELOPMENT

- Harvard University, M.B.A. with Honors**
Cornell University, M.A. in Government/Planning
Brandeis University, B.A. Magna Cum Laude with Honors, Phi Beta Kappa

MAJOR ACTIVITIES AND AFFILIATIONS

Member-Newton Mayor's Mixed Use Task Force

Past Chairman and Member-Newton Economic Development Commission.

Vice Chairman and Chairman of the Refinancing Committee-Greater Boston Jewish Community
Housing for the Elderly

Member, Newton Wellesley Hospital Patient and family Advisory Committee

Chairman-Newton Centre Task Force

CFO, Newton Cultural Alliance

Member-Newton Comprehensive Planning Advisory Committee

Fellow-Brandeis University

Trustee (1987-1991)-Brandeis University

Member:

Real Estate Finance Association of Greater Boston

Urban Land Institute

Citizens Housing and Planning Association

American Wind Energy Association

New England Sustainable Energy Association

Daphne M. Collins

PROFESSIONAL EXPERIENCE

Conservation/Historical Commission Part-Time Planning Staff, Town of Watertown Community Development and Planning, Watertown, MA October 2001-present

- Administrative staff to the Conservation, Historical and Historic District Commissions.

Business Adviser/Marketing & Training Coordinator, SBDC, Santa Fe Community College Santa Fe, NM April 1998-August 1999

- Provided technical assistance to small business clients, including developing business and marketing plans. Services provided both in English and Spanish.
- Instructor of *Business Start Up, Marketing, and Customer Services*.
- Coordinator of the SBDC workshop and training programs. Solicited instructors.
- Produced workshop brochures and marketing materials.
- Represented Center before agencies, press, and organizations, promoting the SBDC services.
- Coordinated special SBDC events - Youth Enterprise Academy, SBDC Day at the State Capitol Lenders Forums.
- Initiated niche business development programs: Native American Arts, Art Galleries and Bookstores.

Assistant Director, Gastón Institute of Latino Community Development and Public Policy, UMAS Boston, MA January 1997-December 1997

Directed the administration and management of an Institute conducting applied research in public policy, economic development, education, health, political empowerment, and cultural affairs on and for the Latino community in Massachusetts.

- Hired, motivated and supervised a staff of 15 employees.
- Developed annual strategic plan and budget. Guided fiscal operations totaling \$500,000.
- Responsible for legislative relations, successfully lobbied the State Legislature to increase annual allocation by 35%.
- Promoted, negotiated and represented Institute to University administration, grantors, foundations, community, press and advisory boards.
- Supervised the publications and outreach activities of the Institute. Published municipal Latino demographics brochures.
- Instituted business efficiency process.
- Managed grants – HUD Enterprise Zone Grant, philanthropic and academic grants.

Senior Planner, Newton Planning and Development Department Newton, MA 1988 - 1997

Provided the planning for the City's economic development, housing, homeless, human services, public facilities, access and neighborhood improvement programs funded under the CDBG program.

- Supervised staff of four professional planners. Chief staff to the Planning and Development Board and seven citizen advisory boards.
- Responsible for annual financial & progress status reports and grant applications totaling \$4 million yearly, following federal guidelines.
- Prepared staff reports for commission and departmental use.
- Conducted needs assessments, establishing list of capital improvements.
- Managed an economic development program totaling \$200,000, and a human services program totaling \$500,000 annually. Responsible for contract agreements.
- Environmental Review Officer for City and Consortium projects.
- Budgets and expenditures reconciled successfully quarterly with accounting systems.

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- Designed applications, request for proposals, and evaluated proposals and award determinations.
- Conducted best practices and information seminars, provided technical assistance to grantees individually and in groups.
- Performed all public relations and marketing campaigns for the program.
- Successfully conducted "Special Projects" for the Mayor – Rehabilitation of the Newton Senior Center and Nexus Bus System.
- Lead staff for the Brookline-Newton-Waltham-Watertown HOME Consortium.

Marketing Coordinator, Vitetta Group, Architecture, Engineering, Preservation and Planning Firm
Philadelphia, PA 1986-1987

- Prepared marketing packets in response to RFQs.
- Selected and supervised ad agencies and vendors producing firm's marketing materials.
- Promoted firm's projects in media and trade journals. Managed firm's display at trade conferences.

Community Development Planner, Township of Lower Merion
Ardmore, PA 1984-1986

- Conducted research identifying the needs of Township's low-income residents and neighborhoods.
- Managed application and reporting of Township's \$600,000 grant.
- Oversaw neighborhood capital improvement projects.
- Prepared staff reports for Planning Board.
- Responsible for applications, proposal review, awards determination, and contract management.

Community Services Specialist, Sacramento Housing and Redevelopment Authority
Sacramento, CA 1980-1983

- Neighborhood planner. SHRA liaison between developers, City Council, Intermodal Transportation Agency, organizations, business and residential neighbors.
- Identified and oversaw neighborhood capital improvement projects.
- Oversaw the residential rehabilitation program.
- Editor and writer of the *Alkali Review*, a bilingual, bi-monthly neighborhood newsletter.

EDUCATION

Boston College
MA Administrative Studies

University of California, Berkeley
Graduate Studies in City and Regional Planning

University of California, Santa Barbara
BA with honors, Spanish.

Universidad de Madrid Complutense, Spain
University of California, Education Abroad Program.

PROFESSIONAL SKILLS

Spanish, reading, writing and translating proficiency. Spanish is first language.
French proficiency.
Professionally trained in GIS.

PROFESSIONAL AND VOLUNTEER ASSOCIATIONS

Member, Newton Economic Development Commission.
Class Parent & Art Auction Coordinator, Walnut Park Montessori School
Parent Volunteer, Jackson School and Boy Scout Pack 315

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Philip B. Plottel

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Summary

- Over twenty years, domestic and international management and consulting experience.
- Timely delivery of complex, innovative and creative solutions in operations, strategic implementation, real estate, engineering, construction and design.
- Life sciences, facilities, and professional services industries.

Professional History

Telshire LLC (formerly Plottel Advisers), Waban, Massachusetts

2010 -

Founder, CEO

- Provide real estate, design and "know how" support to a personalized medicine start-up.
- Supported global life science firm on construction related litigation.
- Advised landlord on trends in life science lab design and energy usage.

Novartis Institutes for BioMedical Research, Inc. (NIBR), Cambridge, Massachusetts

2002 - 2010

Global Head, Design & Engineering, 2008-2010

Head, Real Estate, Engineering & Construction, 2005 - 2008

Executive Director, Real Estate & Construction, 2002 - 2005

Real Estate

- Organized and led Novartis Campus Shanghai Project, a multi-billion dollar investment for new 2 million Square Feet (SF) campus on a green field site in Shanghai, China.
- Led site selection, purchase and lease negotiations for more than 1 million SF of laboratories and offices valued at over \$1 billion in Cambridge and Boston, including the Novartis Research Headquarters Campus anchored by the former NECCO candy factory.
- Procured architects, engineers, contractors, furniture, equipment, and real estate consultants for more than \$400 million construction projects.
- Managed "psycho track" permitting, design and construction of 100 Technology Square, a \$100 million, 255,000 SF fit out for biomedical research in 11 months from design to occupancy.
- Managed "fast track" permitting, design and construction of 220 Massachusetts Avenue, a \$30 million, 5 level, 60,000 SF, *LEED Gold* office building on a contaminated site.
- Designed and authored *Lab of the Future* requirements for next generation laboratories.
- Represented Novartis to governmental, regulatory and industry bodies.

General Management

- Participated on Global Research Operations Leadership Team, the management body for 250 employees in US, Switzerland, England and China, and the Cambridge Research Operations Leadership Team, the management body for 70 employees.
- Directly managed 10 associates in multiple cost centers with multi-million dollar budgets in US and China.
- Approved capital renovation projects and performed engineering reviews for capital purchases.
- Created and chaired Cambridge Space Review Committee to manage space allocation and stewarded implementation of drawing and space documentation systems.
- Reduced NIBR global energy usage by 10% resulting in million dollar plus annual net savings.
- Led global Core vs. Non Core assessment for campus services, resulting in elimination of global engineering department.
- Developed Global Research Operations' internal communication strategy.
- Established Cambridge site in 2002 as 1st Novartis associate; grown to 2,000+ FTEs.

PwC Consulting, a business of PricewaterhouseCoopers LLP, New York, New York

1998 - 2002

Principal Consultant, 2000 - 2002**Consultant, 1998 - 2000**

- Managed CEO Nominating Committee, reporting to US Board members; Led the design and implementation of Partner Admission System in over 100 countries on five continents reporting to Global Board Member; Program Manager and Team Leader for an issue-based, strategic profit improvement project.
- Led construction department diagnostic review and construction cost audits for a leading entertainment industry company, and New York City Department of Design and Construction.

Four Engineering Firms, Ferguson Laboratory and State of Connecticut Budget Office,

New York, New York; Austin, Texas; Hartford Connecticut

Senior Structural Engineer; Engineer; Research Assistant; Summer Intern

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 1998-1997
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Education

Yale School of Management, New Haven, Connecticut
 Master of Business Administration (MBA), 1998

University of Texas at Austin, Austin, Texas
 Master of Science in Engineering (MSE), 1991

Columbia University, School of Engineering and Applied Sciences, New York, New York
 Bachelor of Science (BS), 1988

Professional Registrations, Languages and Interests

- Licensed Professional Engineer, New York.
- Fluent in French, knowledge of Spanish.
- Travel, reading, sports and architecture.

Presentations & Publications

- *Integrated Project Delivery* Symposium, Harvard Business School, 2009.
- *Leading-Edge Research Environments: Lessons Learned from Novartis*, Tradeline Research Facility Conference, 2008.
- Yale School of Architecture, Master Student's Final Project Jury, 2007.
- *Integrated Design Panel*, AIA Build Boston, 2007.
- *Fast Architecture*, AIA National Conference, 2004 and 2005.
- Harvard University Roundtable on Capital Projects, 2005.
- "Psycho Track Building" Massachusetts Building Congress, 2003.
- *High Load Pot Bearing Design*, published in the "Proceedings of the 4th World Congress on Joint Sealant and Bearing Systems for Concrete Structures, volume 2. (ACI SP-164)," Barrie Atkinson, ed. American Concrete Institute, 1997 (with Drew Gilstad).
- *The Use of Rectangular Steel Box Members in the U.S. Building Construction Industry*, Ferguson Structural Engineering Lab Report 91-4, the University of Texas at Austin, 1991 (with Michael Engelhardt).

Community Activity

Co-chair, Yale School of Management Boston Alumni Association
 Building Environment Chair, Zervas Elementary School (Newton, MA) PTO
 City of Newton, MA Economic Development Commission, Currently Vice Chair
 Citizens Member, Newton North High School Task Force

2011 -
 2007 -
 2004 -
 2002 - 2003

EXPERIENCE Goodman Networks, Plano, TX Architecture/Engineering & Construction Manager

SunEdison, Beltsville, MD
 December 2006- October 2007 National Accounts Project Manager
 Design & Construction Administration for commercial solar power systems

National Grid Wireless, Boxborough, MA
 September 2005- November 2006 Project Engineer
 Design & Construction administration oversight for cellular transmission sites

DBA Grover Development, Newton, MA
 -Oak Point, Middleborough, MA (Senior Living Facility)
 -Vaisala, Finland (Meteorological Monitoring Network)
 -Central Artery (Orange Line Station)
 -wireless network projects (FiberTower, Cingular, Verizon, AT&T Liberty Project)

InterNAP (CO-Space/KennTech), Seattle, WA
 May 2000-June 2001 Senior Project Manager
 Oversight for the design & construction of carrier neutral interconnect facilities
 -site evaluation, design & construction administration

Teligent, Waltham, MA
 August 1999-May 2000 Construction Engineer II
 Oversight for the design & construction of a fixed microwave transmission network
 -site evaluation, design coordination, bidding & construction administration, final inspection QA,
 interface w/landlords & local regulatory officials
 -evaluate new A&E and contractors; modification of implementation process; revise bidding
 format; modify new construction status report; develop project tracker & QA forms

DBA Grover Development, Newton, MA
 1998-1999 Architect
 Architecture/Construction Management/General Contractor

Bell Atlantic NYNEX Mobile (dba Verizon Wireless), Woburn, MA
 1994- 1997 Engineer, Senior Engineer, Acting Manager Implementation
 Design & Construction of a wireless cellular network (sites & switches)
 -site search & acquisition, site evaluation, design, coordination of engineering consultants for
 production of contract documents, supervision of project managers, historic/zoning/planning &
 community board meetings, construction supervision & administration
 Special Projects: antenna & equipment upgrades, co-locations, emergency generators, virtual
 office, maintenance, building officials educational program, zoning regulations & building codes

DBA Grover Development, NYC, NY
 1989-1993 Architect
 Architecture/Construction Management/General Contractor

William Lam Associates, Inc. Cambridge, MA
 1986-1988 Design Associate
 Design/Development of lighting concepts integrating artificial & natural lighting into the
 architecture of a design
 -computer analysis of natural & artificial lighting, design/development of concepts & details,
 Full scale lighting mock-ups, model construction, product development, research & specifications

Nash/Phillips Associates, Inc. Boston, MA
 1983-1986 Job Captain/Office Manger
 -client presentations, preparation of contract documents & construction management

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Sergio Modigliani Associates, Boston, MA
 1983 Technical Staff
 -schematic design, client presentations, construction documents, existing conditions survey

Tise Wilhelm Associates, Brookline, MA
 1982 Technical Staff
 Preparation of contract documents for a 400 unit/11 building housing complex rehabilitation project and a 36 unit high-rise condominium project
 -existing conditions documentation, design/development, construction detailing, scheduling, code research, consultant coordination

State Building Code Commission, Commonwealth of Massachusetts, Boston, MA
 1978-1982 Staff Architect
 Technical assistance to Architects, Engineers, contractors, building officials, general public & the Commission regarding the Mass State Building Code
 -research & development of building codes & interpretations, development & presentation of technical training programs & publications, graphic design, review of construction documents & specifications for code compliance, BEPS proto-type

Environmental Design Group, New York City, NY
 1977-1978 Staff Architectural Design & Urban Planning

Pratt Institute Center for Community & Environmental Development, Brooklyn, NY
 1973- 1974 Staff Architectural community outreach program

EDUCATION

Columbia University
 1978 Graduate Coursework

Polytechnic Institute of New York, Department of Transportation & Planning
 Engineering, Brooklyn, NY
 Sept 1975- June 1976 Candidate – Master of Science

Pratt Institute, School of Architecture, Brooklyn NY
 May 1974 Awarded Bachelor of Architecture
 -New York State Regent Scholar & Pratt Academic Scholarship
 -Admitted & took coursework, Graduate Dept. of City & Regional Planning

PUBLICATIONS

“Coal & Woodstove Installation Guide”
 “Guide to the Energy Code Regulations for Rehabilitated Buildings”
 “Thermal Requirements in Commercial Construction”
 “Residential Heat Loss Calculation/Equipment”
 “Conservation as a Design Challenge”
 “Energy Code Lighting Limits”

PROFESSIONAL

Registered Architect (Massachusetts)
 Licensed Construction Supervisor- unrestricted (Massachusetts)
 Notary Public (Massachusetts)

COMMUNITY

Economic Development Commission, Newton, MA (1999-08) Board
 Dragon Boat Festival (1980-2008) Executive Steering Committee
 Quincy School Community Council (1982-87) Board
 Chinese-American Join Action Committee (1981) Steering Committee
 United Way (1981-86) Review Committee
 American Red Cross (1980-89) Volunteer Instructor
 The Wellness Community (2004-08) Coach- Breast Cancer Survivor Dragon Boat Team

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