

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING & PLANNING COMMITTEE REPORT

MONDAY, JUNE 23, 2008

Present: Ald. Yates (Chairman), Ald. Danberg, Swiston, Baker, Linsky, Ciccone, and Harney; absent: Ald. Lappin; also present: Ald. Hess-Mahan
Planning & Development Board members: Carol Beard, David Banash (Chairman), Scott Wolf, Michael Kruse

Appointment by His Honor the Mayor

#201-08 JAY C. WALTER, 83 Pembroke Street, Newton, appointed as an architect member of the UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire July 1, 2011 (60 days: 8/2/08). [5-21-08 @2:12 PM]

ACTION: APPROVED 7-0

NOTE: Mr. Walter joined the Committee. As a licensed architect with a residential practice located in Newton and a board member of the Newton Historical Society, he feels his profession and experience will be helpful on the district commission. Alderman Baker moved approval, which carried unanimously. Since Mr. Walter's resume was inadvertently left off the agenda, it is attached.

Public Hearings held in conjunction with the Planning & Development Board were opened on the following items and continued to September 8, 2008:

#108-07 ZONING TASK FORCE recommending amendments to Section 30-15, Table 1, Footnote 7(3), referred to as the fifty percent (50%) demolition rule, by deleting said provision and creating an ordinance with provisions: (1) specifying the method for calculating what constitutes 50% demolition based on total surface area of the walls and roof; (2) defining demolition to include the conversion of an exterior wall to an interior wall; (3) where less than 50% of the building is demolished, limiting total gross floor area of remaining portion of building plus any addition to 140% of the applicable FAR, provided that the resulting structure complies with all other applicable dimensional controls; (4) requiring that the Inspectional Services Department determine that an existing wall not proposed to be demolished is structurally unsound after demolition and/or construction has begun and review and approve plans for replacement with an identical wall prior to such replacement.

#109-07 ZONING TASK FORCE recommending amendments to Section 30-5(b)(4), referred to as the three-foot grade change ordinance, by deleting the existing language and: (1) add a provision defining structure in Section 30-1 to include retaining walls that exceed five (5) feet in height;

(2) substitute language in Section 30-5(b)(4) to allow the Zoning Board of Appeals to grant a special permit for the construction of retaining walls that exceed five (5) feet in height; and (3) create an ordinance to require the Engineering Department to review and approve a drainage plan for construction or alteration of single and two-family residences that would increase impervious surface by the lesser of 5% or 500 square feet and for all other types of construction or alteration.

#111-07

ZONING TASK FORCE recommending amendments to 30-21(3)(c), referred to as the de minimis rule, by amending the existing language with provisions: (1) clarifying the applicability to and effect of the rule on (a) the minimum distance between buildings; and (b) all applicable dimensional controls; and (2) creating a new procedure for approving a de minimis extension of the nonconforming nature of a structure.

Respectfully submitted,

Brian Yates, Chairman