

CITY OF NEWTON
PUBLIC HEARING NOTICE
FOR
MONDAY, JANUARY 28, 2008

Public Hearings will be held on Monday, JANUARY 28, 2008 at 7:45 PM, Second Floor, NEWTON CITY HALL before the ZONING & PLANNING COMMITTEE and the PLANNING & DEVELOPMENT BOARD, for the purpose of hearing the following petitions, at which time all parties interested in these items shall be heard.

Notice will be published Monday, January 14 and Tuesday, January 22 in the NEWS TRIBUNE and Wednesday, January 23, 2008 in the NEWTON TAB, with a copy of said notice posted in a conspicuous place at Newton City Hall.

- #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. [04-10-07 @4:17 PM]
- #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. [04-10-07 @4:17 PM]
- #110-07 ZONING TASK FORCE recommending amendments to *Definitions, Story, half*, referred to as the half-story/dormer policy, by creating an ordinance with provisions: (1) codifying policy that permits a dormer that does not exceed fifty percent of the width of the wall directly below it; (2) permitting the vertical plane of the front wall of a dormer to align with the

exterior wall directly below and requiring a roof line overhang between the dormer and the wall directly below; (3) requiring that the vertical plane of the side wall of a dormer be at least two feet from the vertical plane of the vertical plan of the side wall directly below; (4) prohibiting a dormer roof that exceeds the highest point of the ridgeline of the roof of the building; (5) amending the definition of roof height to be the vertical distance between the elevations of (a) the average grade plane and (b) the midpoint between the highest point of the ridgeline of the main roof and the line formed by the intersection of the top of the main building wall plane and the main roof plane; (6) creating a design review committee (DRC) to review and approve dormers not expressly permitted by ordinance, with a right of appeal to the Board of Aldermen by petitioners aggrieved by decisions of the DRC; and (7) specifying that the above policy does not apply to dormers on the second floor of a building. [04-10-07 @4:17 PM]

#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. [04-10-07 @4:17 PM]

#126-07 ZONING TASK FORCE recommending the following amendments to Section 30-1 Definitions, "*Story, half*," referred to as the half-story/dormer policy, as follows: (1) remove the definition of "*Story, half*" in its entirety; (2) amend the current definition of "*Dormer*" to "*Dormer* a permanent superstructure projecting from a sloping roof and equipped with a window or a vent. The length of a dormer shall be less than the length of the wall below it by at least 3 feet at each end of the wall." [5-1-07 @2:23 PM]
