

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING AND PLANNING COMMITTEE REPORT

MONDAY, JANUARY 27, 2003

Present: Ald. Yates (Chairman), Ald. Baker, Sangiolo, Lennon, Lappin, and Gentile

Absent: Ald. Johnson and Mansfield

Also present: Ald. Bryson, Lipsitt, Linsky, Lipof, Schnipper, Fischman, Stewart, and Parker

Committee Staff: Committee Counsel Michael Baseman; Planning and Development Director Michael Kruse; Committee Clerk Linda Finucane,

Historic District Commissioners present: John Wyman, Chair, Chestnut Hill Historic District Commission; Seta Der Hohannesian, Member Upper Falls Historic District Commission and member of Auburndale Historic District Study Committee

Appointment by His Honor the Mayor

#42-03 JOHN H. MARTIN, 12 Simpson Terrace, Newtonville, appointed as an ALTERNATE member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term of office expiring on January 1, 2006 (60-day Board action date 3/22/03).

ACTION: HELD 6-0

NOTE: Since Mr. Martin was not able to be present and no one on the Committee knew him, the Committee voted unanimously to hold his appointment

#196-02 NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION submitting pursuant to MGL Chapter 40C, Section 3, a recommendation that ARTICLE III. HISTORICAL COMMISSIONS AND DISTRICTS of the City of Newton Revised Ordinances, 2001, be amended by establishing a local historic district in Auburndale.

ACTION: HELD 6-0

NOTE: The discussion began with a review of the new documents made available to the Committee. They included the attached letters from Michael Kane, 30 Hawthorne Avenue and Laurie Swett, 59 Grove Street in favor of the proposed district, a memorandum from Preservation Planner Lara Kritzer listing the number of demolition requests from the city as a whole as well as the proposed district since 1993, a package

from the Lasell Neighborhood Association containing a memorandum from Preservation Consultant Gretchen Schuler on specific historic losses in the proposed district and the rationale for the settling of the proposed boundaries, and other topics; cards of support from the owners of 14 Central Terrace, 24 Hawthorne, 132 Windermere, and 59 Woodland Road. In addition to these matters, two maps were submitted. One showed the proposed district, the National Register Districts and properties within it, and the three options for sections at the edges of the proposed district that were considered for removal. **NB: Both color maps were distributed to the Board last week.** Alderman Sangiolo also submitted a revised list of the properties (distributed under separate cover) possibly to be excluded under each of the three options.

The discussion began with a debate as to whether or not the Committee should come to a final vote on the matter tonight in view of the requests from Aldermen Mansfield and Johnson that the final vote be delayed until they could be present. (Both were absent because of conflicts with their regular jobs.) Aldermen Gentile and Bryson spoke strongly in favor of a final vote tonight and denied that a delay had been granted in a similar case to their recollection. Others recalled similar requests have been granted to Aldermen in similar circumstances. Alderman Gentile asked that the time of the Committee and the crowd of Auburndale residents not be wasted if no final vote was to be taken. The Chairman assured him that no repetition of the night's discussion would be done at future meetings and that it was the responsibility of members who missed meetings to bring themselves up to date.

The Committee then began to discuss the final item distributed in the packet. A letter from Paul O'Shaughnessy, Chair of the Newton Upper Falls Historic District Commission (and Auburndale Historic District Study Committee) and John Rodman Chair of the Newton Historical Commission. The letter re-affirmed the Study Committee's approval of the District as submitted by the Committee (Mr. Rodman had opposed it.) and opposed changes to the submitted districts as inconsistent with the stance of supporters at the Study Process that borders should not be altered to accommodate objectors, particularly Lasell. If the Zoning and Planning Committee were to make any changes in the boundaries, they should consider changes from any interested parties and must be grounded in historic preservation. The Chair had spoken to Mr. O'Shaughnessy by phone earlier in the evening. He stood by the letter but admitted that it only reflected his view rather than the full Study Committee. (The Member present confirmed that.) He recognized that the Committee did in fact have the authority to change the boundaries although he recommended that it should not. He said that if the opinion of the Study Committee were sought as to whether or not the passage of any or all of the options would so reduce the historic value of the district as to render it better not passed at all, the matter would be brought up although the Study Committee might refuse to amplify its opinion as contained in the Study Report.

The Zoning and Planning Committee then reviewed the proposed options on the map as a matter of historic preservation. Option A contained one property from the Lasell National Register Historic District. After examination of the detailed records of the site at the back of the Study Report, it was determined that this site was of much later

vintage than the other dozens of properties in the Lasell National Register District and could be removed from the local district with loss of significant historic value. In Option B, Alderman Sangiolo noted that she had inadvertently included the National Register property at 14 Hancock Street. Unlike the Option A property, this one had significant historic value as was shown by its previous listing on the National Register as an individual property. Alderman Sangiolo had developed all three options as a service to the Committee after discussion at the September 9, 2002 Committee had indicated interest on the part of several members as to possible shrinkage of the district from the edges in a manner that would reduce opposition without losing significant historic value. As a resident of the proposed Option C, she was hesitant about supporting it both as matter of process and of substance. The house abutting hers, 379 Central Street, is a separate National Register listing. Alderman Baker shared her qualms about this option. Alderman Yates advanced the theory that since all property owners in a district would give up one of the sticks of their bundle of property rights, they needed to be compensated for it by the right to be free of unregulated alterations in their view. From this house and others in the neighborhood, this new right would be of little value. A major historic property on the other side of Central had previously been demolished and replaced with very different types of structures. This lack of ability to compensate other Central Street homeowners for the loss of the right to alter the appearance of the properties without regulation led Aldermen Yates to feel that the exclusion of Central Street from the district had legitimacy.

After this extensive review of the historic preservation values related to the options, there was a heated discussion of the proper course to take. President Lipsitt felt that the Committee should vote on the options tonight and report the District as amended or not out to the Board. Aldermen Gentile agreed and, referring to the crowd as buttoned supporters and opponents of the district, he said that the issue has been very divisive and becomes the more so the longer it remains unresolved. Alderman Bryson agreed with Aldermen Lipsitt and Gentile that the vote on the item should come as soon as possible.. Aldermen Stewart saw no reason not to seek the opinion of the Study Committee before voting the matter out to the full Board. Alderman Lennon agreed. The Committee voted 4-2 (Lappin, Gentile) to hold the item and make the following request to the Study Committee for its meeting on February 13:

ZONING & PLANNING COMMITTEE requesting non-binding advice from the Newton Upper Falls Historic District Commission (as it is the Study Committee for the proposed Auburndale Historic District), if it cares to offer any, on the following specific question: If any or all of the three specific proposals (Options A., B, & C) to reduce the boundaries of the proposed District were to be adopted would the resulting smaller District contain sufficient architectural and historic resources to remain worthy of preservation?

Questions were then raised about the next step. The February 26 meeting proposed to allow Alderman Mansfield as well as Johnson to participate in the final vote was not possible for Aldermen Gentile and Bryson. The Chair will poll all members of

ZONING AND PLANNING COMMITTEE REPORT

JANUARY 27, 2003

Page 4

the Zoning and Planning Committee and all Ward 4 Aldermen to find a meeting time that is expeditious and open to as many members as possible. The Committee then adjourned after two more hours of debate on the historic and other factors involved in this matter.

Respectfully submitted,

Brian Yates, Chair

Attachments:

Michael Kane Letter

Laurie Swett Letter

Lasell Neighborhood Association package including memo from Gretchen Schuler and new statements of support

Letter from Paul O'Shaughnessy and John Rodman

Pages 4 and 5 from September 9, 2002 ZAP Committee Report