

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING AND PLANNING COMMITTEE REPORT

MONDAY, JULY 15, 2002

Committee Members Present: Ald. Yates (Chairman), Ald. Lappin, Baker, Sangiolo, Johnson, and Lennon

Committee Members Absent: Ald. Mansfield and Gentile

Other Aldermen present: Ald. Lipsitt, Merrill, Stewart. Linsky, and Bryson

#237-02        RE-APPOINTMENT BY HIS HONOR THE MAYOR  
BRUCE A. GOLD, 115 Annawan Road, Waban, re-appointed on 6/10/02 as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term of office which will expire on August 17, 2004 (60-day Board action date 8/16/02).

ACTION:        APPROVED 6-0

NOTE: Since Mr. Gold was the only appointee to show up, all the other appointments were held for the special Committee meeting on July 24. Mr. Gold is the Managing Partner of his own accounting firm at 1172 Beacon Street. He uses his service on the EDC to protect the quality of life in Newton that he knows well from his home, place of business and other activities in Newton. The Committee thanked him for his willingness to serve and voted to approve his re-appointment 6-0.

#197-02        NEWTON HISTORICAL COMMISSION submitting pursuant to MGL Chapter 40C, Section 3, a recommendation that ARTICLE III., HISTORICAL COMMISSION AND DISTRICTS, of the City of Newton Revised Ordinances, 2001, be amended by establishing a local historic district in Newtonville.

ACTION:        APPROVED 6-0

NOTE: The Committee focused first on the proposed Newtonville Historic District, which was smaller and less controversial than the proposed Auburndale Historic District. At the public hearing on the Newtonville Historic District on June 24, 2002, there had been virtually unanimous support from all speakers except for one who feared that the creation of such a district was elitist and would lead to the displacement of all low and moderate people from the economically diverse neighborhood. In response to that concern (and the contrary concern expressed in the Auburndale Hearing), two studies of the impact of the establishment of historic districts on property values were secured from the National Trust for Historic Preservation.. The study of three historic districts in Greensboro, North Carolina compared each district with similar but undesignated districts. The study revealed that property values increased more in the designated

districts than in their matched pairs. However, the comparative increases in property value have not been “dramatic enough to raise public concerns of displacement or gentrification.” The other study compared three historic districts in Washington with three similar but undesignated districts. It found that the designated districts were insulated from the swings in property value that the other districts experienced. The designated districts were thus like materials with a designer label guaranteeing their value. No gentrification impacts were found but the study left the possibility open in other circumstances. However, the Committee did not find this possibility significant as against the benefits of designation. The neighborhood was overwhelmingly in favor of designation with most residents displaying a real sense of stewardship for their homes and keen knowledge of who had built them and who had lived in them previously. There was an obvious sense of neighborhood pride and camaraderie among people who had not all known each other well before the district was proposed. The Committee voted 6-0 to approve the establishment of the Newtonville Historic District as recommended by the Newton Historical Commission serving as an Historic District Study Committee and approved by the Massachusetts Historic Commission and the Newton Planning Board.

#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 proposed Auburndale Historic District is larger and much more controversial than the proposed Newtonville District. Newtonville was almost unanimously supported. The degree of support in Auburndale was a point of controversy. It appeared to the Chair at the public hearing and in the petitions and postcards that approximately two thirds of the homeowners in the proposed district support it. When non-resident property owners and Lasell College with approximately 12% of the land in the district were added, the degree of support from property owners fell to a clear but smaller 53-54%. After some discussion of this question, which troubled some Committee members, the Committee did a preliminary run through of issues raised at the public hearing:

1. Lowered property values. The two studies of other cities showed clearly that the designation would have no negative impact on property values and would probably have a modestly beneficial effect on property values. A letter from Chief City Assessor Elizabeth Dromey found no differences in value reflected in previous city Historic Districts.

2. Bad faith on the part of Lasell Neighborhood Association (LNA) members. It was asserted at the public hearing and in letters that at least three leaders of the LNA were selling their houses now before the establishment of the district made them unsaleable. Kathryn and Steve Rosenthal have been residents of Auburndale for 24 years. With their children grown and moved away, their house is too big for their needs. They submitted a

letter explaining that they were selling their house to move closer to their daughter and grandchildren on the North Shore. They had sold the house to Bruce and Clair Bean, who are also supporters of the district.

3. Lack of Distinction of Auburndale Historic District. Alice Kreider of 12 Maple Street expressed her dismay at not being in the district. As a realtor of 14 years experience and a resident of Auburndale for 22 years, she feels that Auburndale is distinctive from any site she knows in the 40 cities and towns where she sells property and that it deserves the "honor" of being named an historic district

4. Lack of Accountability and Appeal from decisions of Historic District Commissions. A summary of the actions of the Upper Falls and Chestnut Hill Historic District Commissions showed that most petitions received either a Certificate of Appropriateness or a Certificate of Non-Applicability. (A modification excluded by a statute or not visible from a public way.) John Wyman explained that the appeals to a Board appointed by the Metropolitan Area Council have frequently been successful. They are held in Newton City Hall so no excessive travel is required.

5. How much of Auburndale would be exempted from district regulation by its lack of visibility from a public way? An approximation of this answer reflecting the private ways in the proposed district will be made before the working session on September 9.

6. Will property owners have to come to a meeting even if their petition is for a clearly excluded modification? Current commissions have delegated the power for clear-cut determinations to the Preservation Planner so that petitioners can obtain a building permit and Certificate of Non-Applicability on the same visit to City Hall. Matters of judgement such as whether a change to a building on a private way can be seen from a public way would be left to the Commission.

7. The true historic significance of the District. The LNA consultant Gretchen Schuler said that it is historic. The Lasell Consultant said that it was defective in several ways, both too big and too small and not prepared in accordance with Massachusetts Historical Commission Guidelines. When it was noted that Mass. Historic had in fact approved the district as Chapter 40C required, Alderman Lipsett asked if the Commission really did reject any applications or were all of virtually that were submitted approved. It was pointed out that a high acceptance level might reflect the high qualities of the submissions. Initial rejections might lead to later re-submissions and acceptances. Data from Mass Historic would be sought. It should be noted that the two National Trust studies had been provided by Christopher Skelly of the MHC. A list of other publications available from MHC is attached. Ms. Schuler submitted a copy of her resume. Lasell has not submitted the resume of their consultant as of July 31, 2002.

In order to obtain answers to these and other questions, the Committee will take the matter under advisement until a working session on September 9. All Aldermen are urged to visit the proposed district and review previously distributed documentation by September 9. The Committee voted 6-0 to hold the item and adjourned.

Respectfully submitted

Brian Yates, Chairman

Attachments: Bruce Gold Resume  
National Trust for Historic Preservation Study  
MHC Order Form  
Summary of Newton Historic District Actions  
Kreider and Rosenthal letters