

# Newton Citizens Commission on Energy

City of Newton

<http://www.newtonma.gov/gov/building/projects/energycomm/default.asp>

Halina Brown (Chair), Beverly Craig, Michael Gevelber, Stephen Grody, Asa Hopkins,  
Jonathan Kantar, Jon Klein, James Purdy (Vice Chair), Puja Vohra,  
Ann Berwick, William Ferguson (*ex-officio*)  
Advisory Members: Cory Alperstein, Edward Craddock, Ira Krepchin, Philip Hanser



Mayor Ruthanne Fuller

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## Minutes of the Meeting of June 24, 2020

The meeting was held on Zoom.

Attending: Halina Brown, Michael Gevelber, Stephen Grody, Jon Kantar, Jon Klein, Jim Purdy; Cory Alperstein, Fred Brustman, Ed Craddock, Lucia Dolan, Phil Hanser, Kathleen Hobson, Alice Ingerson, Demie Stathoplos, Philip Vergragt

The meeting minutes for May 2020 were accepted as corrected.

### 1. Updates on the City's redesign of the zoning code, with a briefing by Jay Walter.

Jay made a presentation on the City's zoning redesign process, which began in 2015 (improving format of the zoning ordinance, but no change in content) and revising content and substance beginning in 2017; this is referred to as "Zoning Redesign". After a hiatus, the redesign process resumed in 2020. The City Council hope to adopt a completely revised ordinance before the 2021 municipal election.

The Zoning and Planning Committee is currently considering only residential zones; mixed use and commercial zones will be taken up in the fall of 2020.

This is a "form-based zoning" approach, beginning with a "Pattern Book" prepared by Sasaki Associates. Jay thinks it is a good product, albeit with some questions about completeness and accuracy at the detailed level. The Pattern Book is basically an inventory of the current built environment (buildings and sites).

Based on the pattern book, generic house types were defined, called A-B-C-D each with a typical footprint and number of stories.

Current zoning uses floor area ratio (FAR) to regulate bulk and size. New zoning does not use this method. Instead, the new zoning uses the building footprint for each type of house in relation to site coverage. The effect of the new approach makes frontage more important than lot area; e.g., it does not count narrow "tails" that aren't buildable but increase lot area.

New code uses building components to incentivize additions to increase residential square footage without need to tear down and replace the entire structure. The new zoning also uses setbacks to define the range of potential expansions of the existing house.

Lot coverage includes all impervious surfaces, including driveways and parking areas. Pervious paving does not count – but that needs to be better defined. Phil noted that there are toxics that come from cars that could enter the soil. Jon Kantar noted that leakage is much lower in cars built in the past decade.

Halina asked about grandfathering of existing houses – an addition to existing house would increase coverage and the new zoning would therefore limit size, which is the key variable in how much energy the house uses.

Phil asked – does setback requirement aim at controlling shading by adjacent house? No – this is not really about sun and rooftop solar.

Jay noted that many older lots in the City don't conform to proposed setbacks; those houses would continue to be legal as non-conforming uses, but could not be enlarged in a way that increases non-conformity, e.g., by further encroaching into a setback.

A two-tier special permit process is being contemplated that takes special permits for smaller projects away from the City Council and gives those permit decisions to the Zoning Board of Appeals or the Planning Board.

Permitted uses are addressed by category.

District mapping will be a big issue. New zoning would define neighborhood and village zones, and multifamily residential would be allowed in more zones.

Multi-unit conversions would allow more units to be created within a large house, thus increasing housing stock while preserving existing houses.

Jay wants to impress that each type of provision has implications for creating new units; he thinks that some of the provisions being discussed are more restrictive than necessary.

Jay thinks the new zoning district maps should be based on walking distances from transit, etc.

Jon Kantar noted that preserving context is tricky – there is generally confusion about what context means; the zoning needs to clearly articulate what change is desirable.

HB observed that there is nothing in the goals of the zoning redesign about Greenhouse Gas per capita.

Phil is worried that this approach makes retrofitting the main route, and it is more expensive than new construction.

Jon Kantar said that they haven't been able to get Planning to focus on sustainability, which is not reflected in the redesign. For example, it would be possible to consider overlays with bonuses for desired sustainability characteristics.

Cory stated that we need to show up and have an impact. The NCCE should form a working group on zoning to develop our own point of view.

Jay showed a comparison of the old zoning map with a potential proposed map. He thinks that areas that are now single family are often close to transit and should become multifamily. Jim agreed.

Jay cited an example of a street where conversions of single family houses to two-family have been allowed, but only two owners have chosen to do it.

He also noted that demographics are important in influencing what kinds of housing is demanded.

Jay said it might be possible to devise a way to get performance standards into the zoning.

Phil asked - are there models we could look at to see what a more aggressive sustainability code looks like? Jay said Cambridge is a good example of a progressive code. Cory added, also Somerville.

Alice suggested that we could use the simplified Special Permit process to incentivize energy goals.

Halina asked if there is potential to require an energy budget for tear-downs. Jon Kantar noted that most of the construction here is renovation. Halina replied that tear downs are frequent enough and big enough so that it's worth addressing this issue.

Phil noted that Palo Alto had a huge number of teardowns, and that city restricted them to a limited scale.

Alice is doing a history of Newton's zoning, and she observed that the Pattern Book is about establishing an average for the street, based upon what is already there.

Jay noted that Victorian houses can be converted to multifamily, which is good. But Jon noted that very large old houses subdivide into two units that are still very large.

Halina started a to-do list.

Research on good codes and innovative ways of using energy budgets Phil suggested Santa Monica as a good example. Jon added Evanston and possibly Ann Arbor.

Michael said that we need to put weight on automobiles and how they are encouraged or discouraged by the zoning.

Cory set up a Google Doc to assemble everyone's work -

<https://docs.google.com/document/d/1Dr4dkRH4pVBrBJ6zqUZpPkPskAnmlj-tPSMakeXCWA/edit>

Phil said he'll do Palo Alto. He also mentioned Christopher Alexander's work, such as *A Pattern Language*, which is about urban form and is reflected in Palo Alto's built form.

Jim and Cory will accept input over the next two weeks. Cory will reach out to Puja.

Alice observed that during the Covid hiatus, the Planning Dept is hearing from people who don't want teardowns, which have become the main goals by default.

## **2. Updates on the recent activities around CAP implementation, and next steps**

Not discussed, other than as included in discussion of zoning, above.

The meeting was adjourned at 9:15 pm.

Respectfully submitted,

Jim Purdy