

## Proposed Changes to Newton's Demolition Delay Ordinance: FAQ

### Why is this topic coming up now?

The Zoning and Planning Committee on [April 12, 2021](#) will discuss cutting back the scope of this preservation ordinance that can give neighbors a voice when demolitions are proposed, and in some cases leads to stopping or slowing full teardowns.

### What is the rate of demolitions in Newton?

Recently, about 100 homes are completely demolished annually. While some may be warranted, many are detrimental. See this very helpful [mapping](#) of full demolition permits in Newton on a timeline from 2011 to 2020, created by Anne Marie Stein and Tatjana Meschede.



### Why does that matter?

- **Neighborhood fabric.** Streets with houses built at a similar time have a continuity and stability. Continuous destruction of housing stock dismantles that.
- **Historic preservation.** Original homes and their historical context as well as their architecture, whether from 1850 or 1950, have an educational value, and inform us about the first owners and why they settled in Newton.
- **Environment.** Teardowns are wasteful. Newton contributes annually more than 10 million pounds of construction and demolition debris to landfills. Currently Newton omits this major category of waste in its sustainability tracking and “green” goals. Building reuse is almost always better for the environment than demo and new construction. See this [report](#) from Preservation Green Lab.
- **Housing supply.** The most common pattern has been for smaller homes to be torn down and replaced by much larger single-family houses, with square footage up to twice or more. In those cases, we have further loss of affordable homes for new families and seniors.

### What is the purpose of the Demolition Delay Ordinance?

- This Ordinance defines some of the roles of the Newton Historical Commission, similar to 150 other towns and cities in Massachusetts
- **Sec. 22-50. Demolition of historically significant buildings or structures – intent and purpose:** “... in furtherance of the policy set forth in the Newton Comprehensive Plan to assure the preservation and enhancement of the City of Newton's historical and cultural heritage by preserving, rehabilitating or restoring whenever possible, buildings or

structures which have distinctive architectural features or historical associations that contribute to the historic fabric of the City.”

- When someone files for a demo permit, a delay period of 12 or 18 months can be required, if the property meets certain categories and is “preferably preserved.”

Benefits:

- This delay gives the owner a window of opportunity to investigate other alternatives instead of rushing to demolition.
- Awareness of the demo delay policy has prevented speculative purchases by developers in some cases, and led to more renovation through partial demo rather full teardown.
- There are many positive examples, when a demo delay was in place, that the homeowner or developer instead successfully adapted plans, such as through a rear addition, instead of tearing down the entire house.
- Unfortunately, realtors and developers still misleadingly urge demolition (“No one will buy a house like this”), when there is in fact demand and interest in renovating homes.

### **What are the main changes being proposed to the current ordinance?**

The proposed changes to the DD ordinance, Sections 22-50 to 22-59, would directly reduce the role of the Newton Historical Commission including:

- Changing the trigger construction year for review by the Newton Historical Commission. Currently any building 50 years or older seeking demolition may be subject to review. *Proposed change:* no review of post-1945 buildings, ever, even when they become 100 years old. Over 3000 houses in Newton built between 1946-1970, and any built afterward, would no longer have a review or public hearing prior to demolition.
- Narrowing the criteria for which houses qualify for review by the historical commission prior to a demolition. To read all the changes proposed to the ordinance, see the "redlined" version [here](#).

### **How can I express concern about the proposed changes?**

- Encourage the Zoning and Planning committee to maintain and strengthen - *not weaken* - the preservation tools available to the Newton Historical Commission, including maintaining review of proposed demolitions to post WWII structures. Preservation can be directly in line with the city’s other goals of reducing teardowns, maintaining smaller more affordable houses, and reducing our carbon footprint.
- Write to: members of the City Council [citycouncil@newtonma.gov](mailto:citycouncil@newtonma.gov) including Deb Crossley, chair of ZAP. [dcrossley@newtonma.gov](mailto:dcrossley@newtonma.gov). The Clerk to ZAP can transmit messages to its members: [ddelaney@newtonma.gov](mailto:ddelaney@newtonma.gov).
- Speak at the Public Hearing being held by the Zoning and Planning Committee (April 12 at 7 pm). Agenda and zoom link are posted [here](#).

- Contact the Mayor [rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)

### **Some people have said that zoning reform will address preservation. Can't we just wait for Newton's new zoning ordinance?**

- Zoning addresses new construction, not preservation of existing structures.
- The zoning reform process is complex and the timing is unsure. The outcome may well actually stimulate more demolition, especially of post WWII houses.

### **What do other towns and cities do about demolitions?**

Prominent cities in New England and throughout the country which have a commitment to preservation apply this same demo delay tool along with other measures, with successful results from Cape Cod to the North Shore to Western Mass.

Brookline has a more robust approach than Newton (see link [here](#)), which requires all demolition applications to be reviewed by preservation planning staff, regardless of the age of the building.

<https://www.preservationmass.org/demolitiondelay>

### **Does Newton ever deny demolition to an applicant?**

There are only two situations where demolition can actually be denied rather than delayed;

- **Local Landmarks.** Newton has 22 Local Landmark buildings. Recently steps to nominate and designate a Local Landmark have been made more strenuous.
- **Local Historic Districts.** About 900 homes in Newton are in one of four Local Historic Districts. Here, separate commissions oversee significant exterior changes. Where warranted, they can deny a demolition application. (Currently other cities, including Brookline, are trying to create more Local Historic Districts to protect significant buildings in neighborhoods under threat.)

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*Note: please let me know if you find any errors in this info sheet or have any updates.*

