

Recommended Strategies & Actions

for Improving Results from Demolition Review

The following recommendations are made in the interest of improving overall preservation results in Newton. Many of these ideas are inter-dependent and would need to be implemented concurrently for them to work, particularly those related to staffing and the work of the NHC. All of the recommended strategies and actions are based on one fundamental assumption: that the demolition delay ordinance in Newton is an important tool for preserving the community's historic resources and it will remain in place.

Strategy # 1 - Initiate new survey efforts that will identify all individual and groups of buildings meeting the national, state and local criteria for designation.

Most of Newton's 20th-century architecture has yet to be surveyed. With a high percentage of demolition requests involving buildings in this age bracket, it is crucial to have a more comprehensive inventory of them and the contexts in which they predominate. Special attention should be given to surveying garages, including carriage houses, stables and barns.

Survey of historic resources is probably *the* most important action to take as it supports the activities of the NHC, giving it a sound basis for its ongoing reviews as well as streamlining the process of determining a property historically significant. Once the resources are known, their relative merits will be far easier to determine, eliminating the need for debating a property's merits on a case-by-case basis. This will help improve the consistency of the NHC's actions. It also opens the door for greater delegation to staff, thereby lightening the workload for the NHC.

SUGGESTED ACTIONS

- Formally request the Massachusetts Historical Commission to allocate grant funding for survey of Post-World War II housing in Newton, since it represents the largest concentration of such resources in the Commonwealth.
- Develop a regular summertime internship program that will focus on completing and updating the inventory of structures that are 50 years old or older, drawing upon area college students pursuing preservation degrees.
- Promote a community-wide documentation program, asking residents to send in photos of their homes, neighborhoods and favorite landmarks, using a standard form for address and other background information.
- Plan to conduct a survey of building conditions within designated districts and study areas to determine extent of maintenance needs.

Strategy # 2 - Designate more individual structures and districts.

The windshield survey of Newton undertaken in this study revealed the extent and diversity of historic resources the city has stewardship over and suggests that further protections are needed. More historic districts would not be unwarranted, which is indeed under consideration in several neighborhoods.

SUGGESTED ACTIONS

- Bring more historic buildings under the protection of local historic district designations to focus demolition and design review within more specific contexts.
- Create local legislation for “Neighborhood Conservation Districts” to provide some level of protection for neighborhoods that have recently become eligible for the National Register of Historic Places. This will begin to develop public awareness of the historic importance of these structures and their contribution to local heritage. See Appendix C for an explanation of this regulatory mechanism.
- Enlist public participation in nominating neighborhoods as “conservation areas,” with designation leading to promotion of the housing types found there, and maintenance of the size and scale of these developments, especially with regard to replacement/infill housing.
- Seek support and explicit direction from the Board of Aldermen concerning its desire for greater protection of older neighborhoods, so as to reinforce the ordinance language which specifies that a structure is significant “...either by itself or in the context of a group of buildings or structures.”
- Establish “Preservation Plans” for each new district with clear design criteria, referenced in the city code, for new buildings and additions/modifications to existing buildings as a way to discourage district commissions from imposing individual tastes in subsequent review processes.

Strategy # 3 - Amend the demolition delay ordinance to limit the conditions under which a waiver is granted, and provide mitigation for the impacts of demolition.

As noted in Chapter II, in order to try to gain some semblance of design control over infill development, the NHC has often waived the one-year delay even for buildings that have been found to be “Historic” and “Preferably Preserved.” Thus the intent to allow the time needed for finding alternatives to demolition has been circumvented. It would be more consistent with the spirit of the law to make delay of total demolition (as opposed to partial demolition, where the NHC’s guidance in achieving sympathetic improvements and modifications can happen more rapidly) automatic once the “Preferably Preserved” finding has been made. In the case where a building is significant but its condition suggests that there is no alternative to demolition, the NHC’s action would be to find the building “Not Preferably Preserved.” Here, full documentation of a significant structure should be one of the conditions imposed to mitigate its removal. Such documentation should be prepared by a preservation professional rather than the property owner.

This recommendation presupposes that other complementary regulatory tools, as under Strategy # 4, below, would be implemented concurrently.

SUGGESTED ACTIONS

- Amend the demolition delay ordinance language to eliminate waivers from the demolition delay for “Preferably Preserved” structures that are being proposed for total demolition and provide opportunities for design review at the end of the year, if no alternatives to demolition emerge.
- Add language to the demolition delay ordinance requiring photographic and written documentation of a building found to be “Historic” but not “Preferably Preserved” which is being proposed for total demolition.
- Add language to the demolition delay ordinance requiring prominent posting of public notice on a property proposed for total demolition, with the date and time of the public hearing.

Strategy # 4 - Draft new regulatory tools that will provide the NHC with the means of dealing with harmonious infill development without regard to the one-year time limit on demolitions.

In addition to adopting legislation to create Neighborhood Conservation Districts, as noted under Strategy # 2, and limiting waivers from the demolition delay under Strategy # 4, above, other regulatory mechanisms are badly needed. The lack of design review for significant properties, especially those located in neighborhoods outside of designated districts cannot help but lead to using the demolition delay waiver as a means of reducing the impact of insensitive development on established neighborhoods. These actions demonstrate that the community looks at preservation as a neighborhood issue.

SUGGESTED ACTIONS

- Adopt local legislation, perhaps as an amendment to the current demolition delay ordinance, requiring design review for any replacement or infill building located within a neighborhood of buildings over 50 years old, whether a building was demolished to make way for such construction (including emergency demolition) or an existing lot is being divided. See Appendix D for National Trust publication to guide the NHC in design review within 20th-century neighborhoods.
- Adopt zoning standards which are geared to the architectural context of the neighborhood applicable to properties for which the NHC makes specific findings that they are significant “*based on their contribution to their immediate neighborhood.*” Such standards should be codified and could include provisions such as:
 - 1 – New construction in significant neighborhoods (or conservation areas) may not have a footprint more than 15% larger than the average of neighboring houses on either side of the subject property;
 - 2 – New construction in shall not be more than 5’ taller than the average height of neighboring houses on either side of the subject property;
 - 3 – New construction and additions may not reduce current side-yard setbacks.
 - 4 – New construction or additions shall match the average of front yard setbacks of neighboring properties on either side of the subject property.
- Subject subdivisions of properties with buildings over 50 years of age on them to be reviewed by the NHC for comments and recommendations to the Planning Board.

Strategy # 5 - Review all land use and housing policies and regulations to increase their reinforcement of each other, with a particular focus on *neighborhood* preservation.

Given the incredible historic resources Newton is privileged to have, greater emphasis needs to be put on how they are treated. Complacency about these resources will ensure their disappearance over time and result in a loss of character and quality of life for the community. At present, the draft document, “A Framework for the City’s Planning” does not distinguish historic preservation as a separate component, indicating a lack of full consideration of the community’s physical heritage.

SUGGESTED ACTIONS:

- Convene a summit of chairs of Boards, Commissions and Committees involved in land use decisions and/or policy formation (Planning, Zoning, Housing, Framework plan, etc.) along with appropriate city staff to identify instances where decisions were in conflict and where areas exist for greater potential coordination. Follow up by initiating appropriate review and comment procedures between various boards/staff.
- Include language in the draft of the Framework Plan calling for a full-fledged Historic Preservation Plan for the City to assure greater consideration for these resources in the years ahead.
- Review the zoning ordinance for possible amendments and additions that will serve to reinforce the community’s historic development patterns in creative ways that will also meet current community needs as soon as the Framework Plan has been adopted.
- Clarify local legislation with regards to demolitions that have not occurred within one year of the expiration of the end of the imposed delay period, such that these properties must go back through the demolition review process. Also provide that any changes made to building plans after review by the NHC, must obtain separate approvals, either by the commission or, if minor, by staff under delegated authority.

Strategy # 6 - Conduct a public education and awareness campaign that will highlight acceptable alternatives to demolition, especially as applies to mid-20th-century houses.

A concerted effort is needed to educate the public in general and real estate professionals and builders in particular about the significance of the city's post-WWII housing stock if these buildings are to be appreciated and saved from demolition. Many of Newton's late 1940s and early 1950s developments provide quality urban neighborhoods and diversity of housing choices that serve the community well. Their aesthetics date to a particular time period, which together with their cohesiveness and maturity, indicate that they have the potential to become highly prized historic districts. Such districts have long stabilized and enhanced property values and been assets to the community's continuing attractiveness. However, these are exactly the neighborhoods that are currently being targeted for redevelopment as a result of the overheated housing market. On the other hand, there are ways that the houses can be updated to meet current market demands without involving wholesale demolition. But these must be publicized and people convinced that these options are preferable to new construction.

SUGGESTED ACTIONS

- Develop pamphlets or brochures for distribution to owners of these properties and real estate offices to share with prospective buyers. See Appendix E for a model of the type of educational efforts that have been used effectively in the suburbs of the Twin Cities in Minnesota.
- Present lectures, programs and workshops for the general public on the topic of 20th-century architecture, including post-WWII housing.
- Develop a special section on the city's web site to coordinate with printed materials that are developed.
- Make presentations to professional real estate associations to establish a clear stance on demolition, the demolition review process and preservation alternatives.

Strategy # 7 – Increase the efficacy of the Newton Historical Commission so it can better fulfill its role as protector of the city’s historic resources.

The workload of the commission can be expected to continue to increase over the next decade simply based on the age of the housing stock. Therefore, if the commission is to manage, ways must be found streamline its reviews and to minimize the number of significant buildings being considered for demolition. Beyond reviewing such delays, the Commission needs to lead in public education efforts and in developing a constituency for preservation.

SUGGESTED ACTIONS

- Amend local legislation to increase the number of NHC members to seven and eliminate alternate members. This action is needed to reduce inconsistency in findings over time due to who shows up and votes at any given meeting. This will enable the NHC to better signal its intent over time to the development community and clarify expectations, which may help to deter some demolition requests.
- Strengthen role of Preservation Planner in NHC discussions in recognition that she is able to provide a certain level of consistency to the deliberations by virtue of her presence at every meeting.
- Delegate review of minor changes on documented significant buildings to staff, especially projects that are essentially restoration work.
- Present a formal staff report on each application with photos illustrating the neighborhood context, and including recommendations, or at least a list of pros and cons, regarding the finding of “Preferably Preserved.” Use a standard form for written staff reports to the NHC to simplify and expedite the production of these reports. See Appendix F for a suggested format.
- Make a digital camera available to NHC staff to allow for sufficient photo documentation of historic buildings, neighborhoods and ease of image storage.
- Increase assistance to property owners in finding alternatives to demolition once a delay has been imposed, including advertising, contacting developers known to be interested in historic properties, investigating moving opportunities.
- Involve other planners in the staffing and administration of the historic/district commissions, and execution of various preservation initiatives.

Strategy # 8 - Develop financial incentives to offer to property owners to retain the properties rather than demolish them.

When all else fails, appeal to people's pocketbooks when seeking to save buildings. There are several real potentials for providing this incentive.

- Work towards passage of the Community Preservation Act in Newton, so as to develop a real funding source for preservation incentives. Six options prepared by the City Assessor, indicate a wide range of dollars that could be available for historic preservation purposes, the lowest amount being nearly \$85,000 (10% of \$849,184; a 1% surcharge with numerous exemptions) and the highest being \$457,000 (10% of \$4,571,811; 3% surcharge with no exemptions). The City should ensure that preservation receives a full third of any monies generated and available through this program. See Appendix G for CPA options prepared by Newton City Assessor.
- Identify community leaders that would work to revitalize the 501.c.3 non-profit organization currently in place and conduct a capital campaign to establish a revolving low-interest loan fund targeted toward preventing demolitions (both total and partial).
- Seek CDBG funding to capitalize a pool for restoration loans and grants. (See Appendix B, *The ABCs of Demolition Delay*, Town of Arlington information.)