

Large House Review (LHR) Committee

Monday, January 6, 2025

7:00 p.m.

Select Board Chambers

Needham Town Hall, 1471 Highland Avenue, Needham, MA

AND

Virtual Meeting using Zoom

Meeting ID: **880 4672 5264**

(Instructions for accessing below)

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: **885 4714 5967**

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click “Join a Meeting” and enter the following ID: **885 4714 5967**

Or to Listen by Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Then enter ID: **885 4714 5967**

Direct Link to meeting: <https://needham-k12-ma-us.zoom.us/j/88547145967>

1. Elect a Permanent Chair or Co-Chairs.
2. Establish meeting dates.
3. Approval of meeting minutes.
4. Discuss the referral from Town Meeting Article 44
 - a. Does Needham’s Current Definition provide adequate clarity?
 - b. Does Article 44 address the clarity issue, if the current definition does not?
 - c. What would it take to meet Town Meetings referral deadline?
 - d. Assuming that the definition is changed, what are the appropriate F.A.R. for standard and small lots?
5. Is there agreement on meeting the intent and reporting schedule implicit in the referral from Town Meeting?
6. Analyze Survey Results. Review the Charge from the Planning Board.
7. Define which issues in the Planning Board Charge can be addressed over what period of time.
8. If there is agreement that the “Large House Committee” should address the FAR definition in Article 44, agree on what material should be discussed at the next meeting-e.g. Mr. Quinlan’s spread sheet along with adjusting the FAR to provide for continuity while the other planning board charges are explored.

LHR Committee Members:

Artie Crocker	Planning Board Member / Planning Board Designee
Jeanne McKnight	Planning Board Member / Planning Board Designee
Heidi Frail	Select Board Member / Select Board Designee
Marianne Cooley	Select Board Member / Select Board Designee
Moe Handel	Design Review Board Member / Design Review Board Designee
Tina Burgos	Finance Committee Member / Finance Committee Designee
Nik Ligris	Zoning Board of Appeals Member / Zoning Board of Appeals Designee
Bill Paulson	Real Estate Broker appointed by the Planning Board
Paul McGovern	Developer appointed by the Planning Board
Oscar Mertz	Architect appointed by the Planning Board
Chris Cotter	At Large appointed by the Planning Board
Rob Dangle	At Large appointed by the Planning Board
Joe Matthews	At Large appointed by the Planning Board
Ed Quinlan	At Large appointed by the Planning Board



Large House Review (LHR) Committee Meeting Minutes
Wednesday, December 18, 2024
7:00 p.m.

Committee Members Present:

Artie Crocker Planning Board Member / Planning Board Designee
Jeanne McKnight Planning Board Member / Planning Board Designee
Heidi Frail Select Board Member / Select Board Designee
Marianne Cooley Select Board Member / Select Board Designee
Moe Handel Design Review Board Member / Design Review Board Designee
Nik Ligris Zoning Board of Appeals Member / Zoning Board of Appeals Designee
Bill Paulson Real Estate Broker appointed by the Planning Board
Paul McGovern Developer appointed by the Planning Board
Oscar Mertz Architect appointed by the Planning Board
Chris Cotter At Large appointed by the Planning Board
Rob Dangle At Large appointed by the Planning Board
Joe Matthews At Large appointed by the Planning Board
Ed Quinlan At Large appointed by the Planning Board

Staff Present:

Lee Newman, Director of Planning & Community Development
Joe Prondak, Building Commissioner

Committee Members Absent:

Tina Burgos Finance Committee Member / Finance Committee Designee

1. Welcome and Introductions

Artie Crocker opened the meeting at 7:00pm. Committee member and Staff introductions were made.

2. Review of the Mission/Charge of the LHR Committee

The Committee reviewed its mission/charge.

3. Review of the Scope of Work and Timeline

The Committee reviewed its scope of work.

4. Overview of the Current Regulatory Framework

Lee Newman reviewed the current regulatory framework in the Single Residence B District as it relates to the dimensional standards. Much of this work came out of the Large House Study Committee in 2017. There was one set of rules created for new construction and another set of

rules for what was defined as not being new construction in order to give protections to some existing structures and allow them to be expanded in a way that was not available for new construction circumstances. New construction was defined as any structure that was built on a vacant lot or any construction where more than 50% of a building shell was demolished. There was a look back rule which stated that a demolition could be reviewed if it occurred within the previous two years. In the Single Residence B District and the General Residence District, for non-new construction, the lot size is 10,000 s.f., minimum frontage 80', and front setbacks 20'. An additional provision was introduced in 2017 that required that the garage be set back further than the front façade of the building. The side setback in both districts was 14', a provision added that, if the building was more than 32 linear feet along that sideline, an additional 2' setback would be needed, with the goal of trying to break up the massing. The rear setback was set at 10' for both districts. Maximum floor area ratio (FAR) was set for lots of less than 12,000 s.f. at 0.38 and for lots of 12,000 s.f. or more at 0.36. Lot coverage standards were created for both districts, and they varied as a function of lot size, with higher percentages for smaller lots. The range in Single Residence B District is between 25%-30% and in the General Residence District between 30%-35%. The reason for the greater percentage of coverage in the General Residence District was because that district also accommodates two-family dwellings.

There is not much distinction between the new construction and the existing houses. The rear setback was increased for the new construction. An existing nonconforming structure relative to the side setback is allowed to include an addition so that the side yard setback for a lot created before January 9, 1986, can be at 10' and 12.5' from lots created after 1986. This was designed to encourage people to put additions on nonconforming structures as of right. Under the existing zoning, FAR includes the first and second floors, with an additional allowance of 600 s.f. onto the garage. There was interest in how to enable market demand to happen in a way that was respectful to the existing neighborhood context by making adjustments to the massing on the buildings. There were also adjustments made as to how the height of buildings was measured. Two standards were introduced in 2017, such as measuring from the average grade and from a single point at the center line from the street. A maximum height of 41' was introduced.

The Committee discussed potential concerns. There is a concern regarding the overall massing and height of certain houses in terms of their neighborhoods. Marianne Cooley stated that she believes that smaller nonconforming lots that used to hold two or three bedroom houses and now hold 4+ bedroom houses that have built out the lots in terms of dimensional requirements are causing concerns. Heidi Frail expressed concern about not labeling the requirements well enough to ensure that what is in the regulations is being built. She suggested that the FAR could include everything within a house to match what is actually being built. There was discussion regarding simplifying the regulations to make them more easily understandable.

There was discussion regarding determining and reducing the visual bulk of a house, as it presents to the street and neighborhood. The group discussed the size of houses built in Needham and why smaller homes are not often built.

Joe Matthews stated that he drafted a report of other town's bylaws which, he will send to the Committee. Other bylaws seem to state that any space intended to be occupied should count as square footage. He previously proposed that any space with a ceiling space over 5' should be

included in the square footage. A definition for the counted space should be determined. Also, the appropriate size of the house should be considered. The Committee may want to consider reducing the 35' maximum height, but it is unclear what impacts this may have.

There was discussion regarding preserving the starter stock in Town.

The Committee discussed creating small working groups at a future meeting.

5. Questions and Comments

As discussed during the meeting.

6. Schedule and Next Steps

The Committee discussed a future meeting date and agreed on January 6, 2025, at 7pm, location TBD.

Upon motion duly made by Oscar Mertz and seconded by Moe Handel, it was voted to adjourn at 8:56 p.m. By roll call, the motion passed unanimously.

Next Public Meeting – January 6, 2025, at 7:00pm, location TBD

Lee Newman

Subject: FW: Concerns Regarding the First NMeeing of the Larege House Study Committee
Attachments: Article 44.pdf

Begin forwarded message:

From: Maurice Handel <moehandel@gmail.com>
Subject: Concerns Regarding the First NMeeing of the Larege House Study Committee
Date: December 20, 2024 at 13:23:11 EST
To: Lee Newman <jmfox@world.std.com>
Cc: Myles Tucker <mtucker@needhamma.gov>

Dear Lee,

I am concerned that our first meeting was convened by Mr. Crocker in his role as acting chair and that we did not elect a chair at the meeting, as is customary.

I am also concerned that the Planning Board's charge goes far beyond Mr. Matthews' original Citizens' Petition, Article 44 in the 2024 Annual Town Meeting, and with Mr. Bulian's motion to refer.

The petition is very specific about how the Town's Zoning By-Law defines Floor Area Ratio. I am not questioning the Planning Board's charge, but am suggesting that the committee first focus on Article 44 and the resulting referral in order meaningfully to report back to Town Meeting in May of 2025.

I am specifiacally asking that we elect a permanent chair at the beginning our next meeting and that we set priorities that give us a reasonable chance of reporting back to the May 2025 Town Meeting per the referral and that we also define what we else hope to accomplish beyond the subject matter of Article 44.

I am enclosing a PDF copy of Article 44 and the referral. I think everyone on the committee has a copy of the Planning Board's charge.

Please share this with the rest of the committee in a manner consistent with the open meeting law.

Sincerely,

Moe Handel, Member

ARTICLE 44: CITIZENS' PETITION/AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law by amending Chapter 4 Dimensional Regulations by:

Removing the following paragraph of Section 4.2:

"The term "Floor Area Ratio" means the floor area divided by the lot area. Floor area shall be the sum of the horizontal areas of the several floors of each building on a lot, as measured from the exterior faces of the exterior walls, but excluding basements, attics, half-stories located directly above the second floor, unenclosed porches, and up to 600 square feet of floor area intended and designed for the parking of automobiles whether in accessory buildings or structures, or in main buildings or structures."

And in its place inserting the following paragraph:

"The term "Floor Area Ratio" means the floor area divided by the lot area. Floor area shall be the sum of the horizontal areas of the several floors of each building, including areas in basements, attics, and penthouses, as measured from the exterior faces of the walls, but excluding spaces where the interior ceiling height is less than 5', unenclosed porches and balconies, and up to 600 square feet of floor area intended and designed for the parking of automobiles whether in accessory buildings or structures, or in main buildings or structures.";

or take any other action relative thereto.

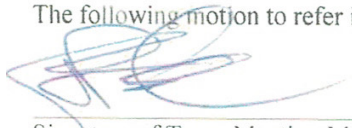
INSERTED BY: Joseph Matthews

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article Information: This article would amend the Town's Zoning By-Laws so that basements, attics, and penthouses with ceiling heights greater than 5' will count for purposes of calculating a structure's floor area ratio (FAR) in residential and industrial zoning districts. The current zoning expressly excludes basements, attics, and half-stories above the second floor from being counted as part of a structure's floor area; the proposed amendment would eliminate these exclusions. The intent of the amendment is to ensure that more space that is designed and used for human occupancy, such as basements and third floors, will count toward the applicable FAR limits.

The following motion to refer is offered by: John Bulian At Large/Precinct H

Please print name and precinct of Town Meeting Member



Signature of Town Meeting Member

ARTICLE 44: Citizens Petition/Amend Zoning By-Law-Dimensional Regulations
Number Title

MOVED: That the subject matter of Article 44 be referred to the Planning Board for further study.

That the Planning Board shall report back to the next Annual Town Meeting-May, 2025.

The list are in no particular order. Please independently rank each line item 1 to 4, from the dropdown, with the understanding there will duplicate rankings.
1 being the highest priority.

**Combined
Results**
Lower number
is a higher

Committee Member Survey Response

Nik Ligris Ed Quinlan Moe Handel Bill Pauls Rob Dangel Jeanne McKnight Joe Mathews Artie Crocker Paul McGovern Tina Burgos Chris Cottei Heidi Frail Marianne Cooley Oscar Mertz

Possible Issues

Size (volume) of house versus lot	14	1	1	1	1	1	1	1	1	1	1	2	1	1
Too Tall, or too tall compared to homes neighbors	23	3	2	1	2	1	2	2	1	2	2		4	1
Too close to the other homes	23	1	2	2	2	1	3	2	3	4	2			1
Loss of smaller starter homes or homes for downsizing	25	3	1	1	4	3	1	1	3	3	1	1	2	1
Reduction in green space / loss of trees	25	3	2	1	4	2	2	4	2	3	1			1
Closer to the street than other homes	29	2	3	1	2	3	3	3	3	3	4			2
Remodel rules drive knock downs	32	2	4	3	3	3	4	1	4	2	3			3
Flooding in neighbors yards, basements	32	2	3	1	2	2	4	4	1	3	1	4	3	2
Loss of demographic diversity	35	3	4	2	4	4	4	4	3	4	1			2
Doesn't fit into neighborhood / architecture	37	3	4	3	4	4	2	3	4	2	3	3		2

Possible Solutions

Change what counts towards FAR	11	2	1	1		1	1	1	2	2	1	1	1	1
Change the FAR limit	12	1	1	1		2	4	1	1	1	2	2	2	1
Look at process of measuring height	14	2	2	1		1	1	3	1	3	3			1
Look at what part of lot is buildable & should count for permit, e.g. unusable/buildable land being used as setback - retaining wall example	15	3	2			1	4	3	2		2			2
Increase setbacks	19	1	2	4		2	1	4	3	2	2			1
Increase green space /Lot Coverage requirement	19	2	2	3		2	4	3	2	1	1		4	2
Increase infiltration requirement	20	3	3			3	4	4	1	2	3	4	3	2
Maximum height at setback is lower than district maximum zoning height	20	3	2			2	4	3	2	4	2			4
Require Landscaping Plan	21	4	4			2	2	3	2	4	4	3		1
Require Design Board Review	22	4	4			4	1	4	3	2	1			2
Neighborhood Delineation Plan, as Wellesley requires: A written identification and map of the neighborhood, outlining the characteristics of neighboring properties in terms of square footage, height, setbacks, mass, scale, bulk, and/or design features. Photographs of abutting properties shall also be included.	23	4	4	2		2	4	2	2	3	2			1
perc tests? See if basement will flood	23	2	4			2	4	4	4	3	1			
Require Planning Board Review	25	4	4			4	4	4	3	2	1			3
Look at basement depth and possibly limit the depth.	29	4	4	4		4	1	4	4	4	3			3

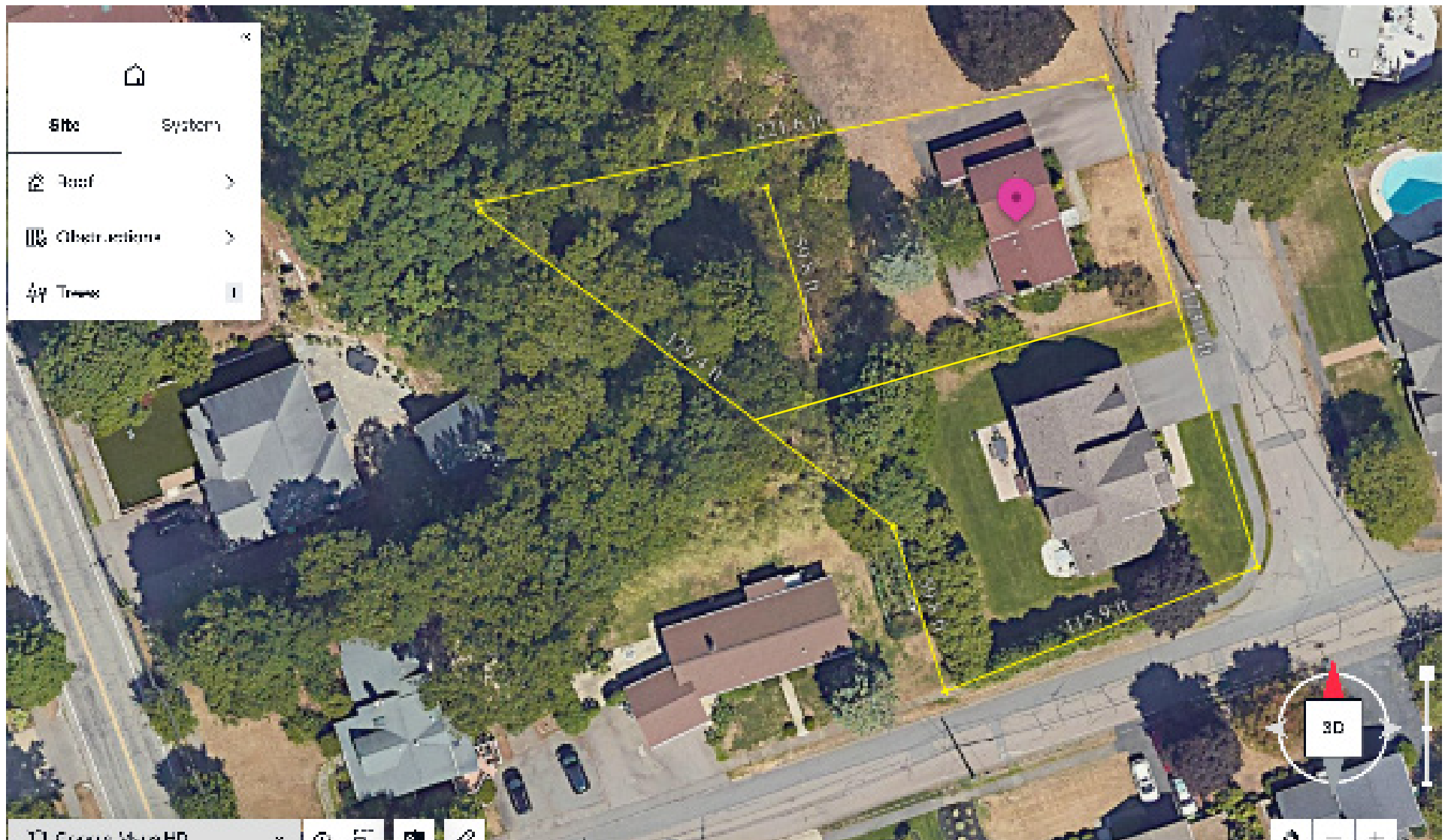
Possible Action Items

1. Summarize outstanding issues still evident following 2017 bylaw amendment.	11	1	1	2	1	1	1	1	2	1	2	1	4	1
2. Summarize other town bylaws to address "bulk" control: FAR, coverage, definition of "habitable" SF to count, height, setbacks.	11	2	1	1	1	1	1	2	1	1	1		3	2
4. Review /analyze alternative zoning restrictions to address ongoing concerns	14	3	1		1	3	1	3	1	1	1		1	1
3. Analyze recent teardown projects	18	3	1	3	1	1	1	2	3	3	3	2	2	1
7. Like the 2014 LHR committee, conduct a walking survey of select houses to collect member feedback on the issues / impacts evident in these sample houses that we want to address on the committee.	20	1	1	3	1	2	2	4	2	4	2			1
5. Prepare Fiscal impact study - previous sales history of lot sales with family vs developer bidding impacts (what is the overbidding effect on sales expectations with lenient zoning restrictions?). "Putting the horse back in the barn"	23	3	1	4	1	3	4	4	1	2	1	4		2
6. Analyze the impacts of storm water control and tree preservation/mitigation and how best to integrate / coordinate during the design and permitting process.	26	2	3	2	4	2	2	4	4	3	1	3		3

59 Yale Road

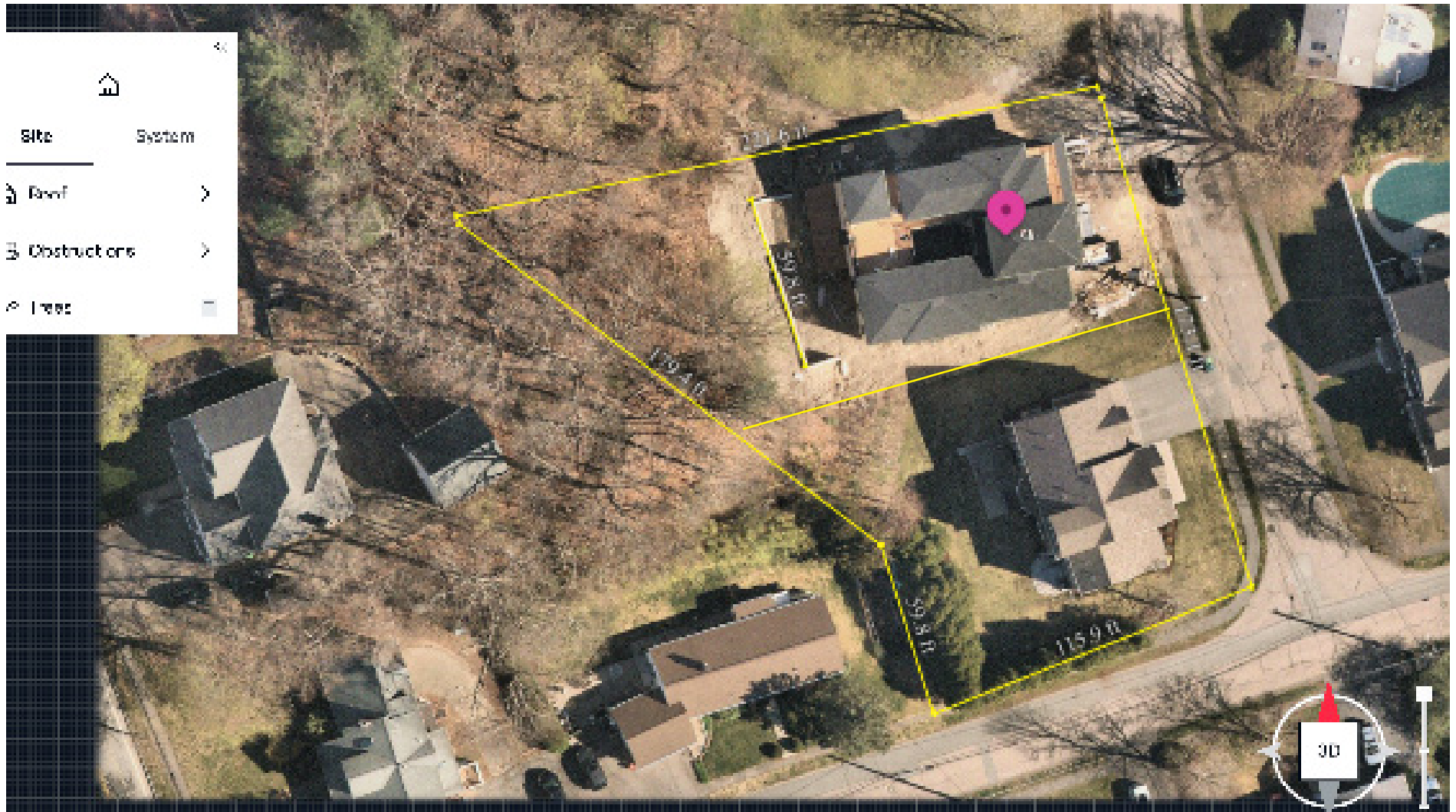
Before Shot: Approx 1,607 SqFt.

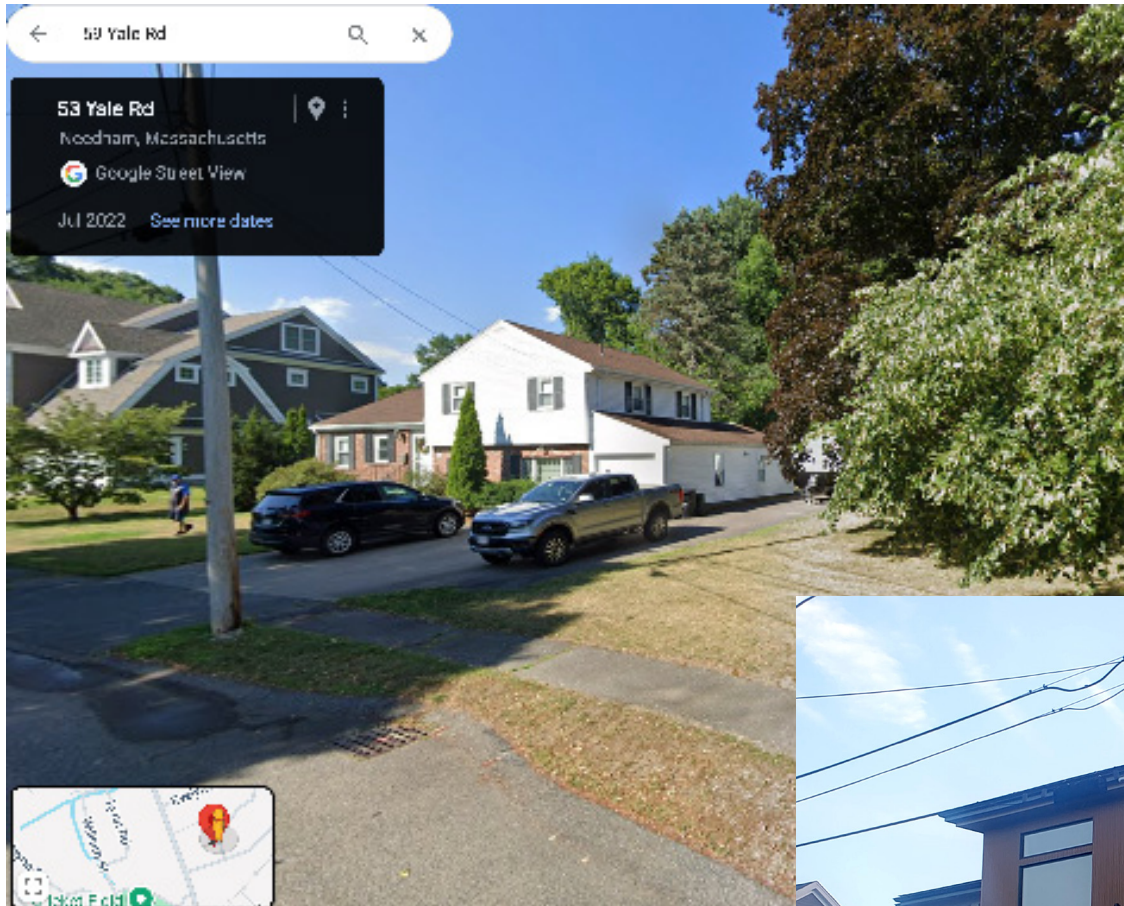
Hole in the ground: approx 1,400 SqFt, including garage.



59 Yale Road

**After: approx 7,000 to 8,000 SqFt. depending on makeup of court yard.
Hole in the ground: approx 4,400 SqFt. Over 3X the original.**









80 Gary Road

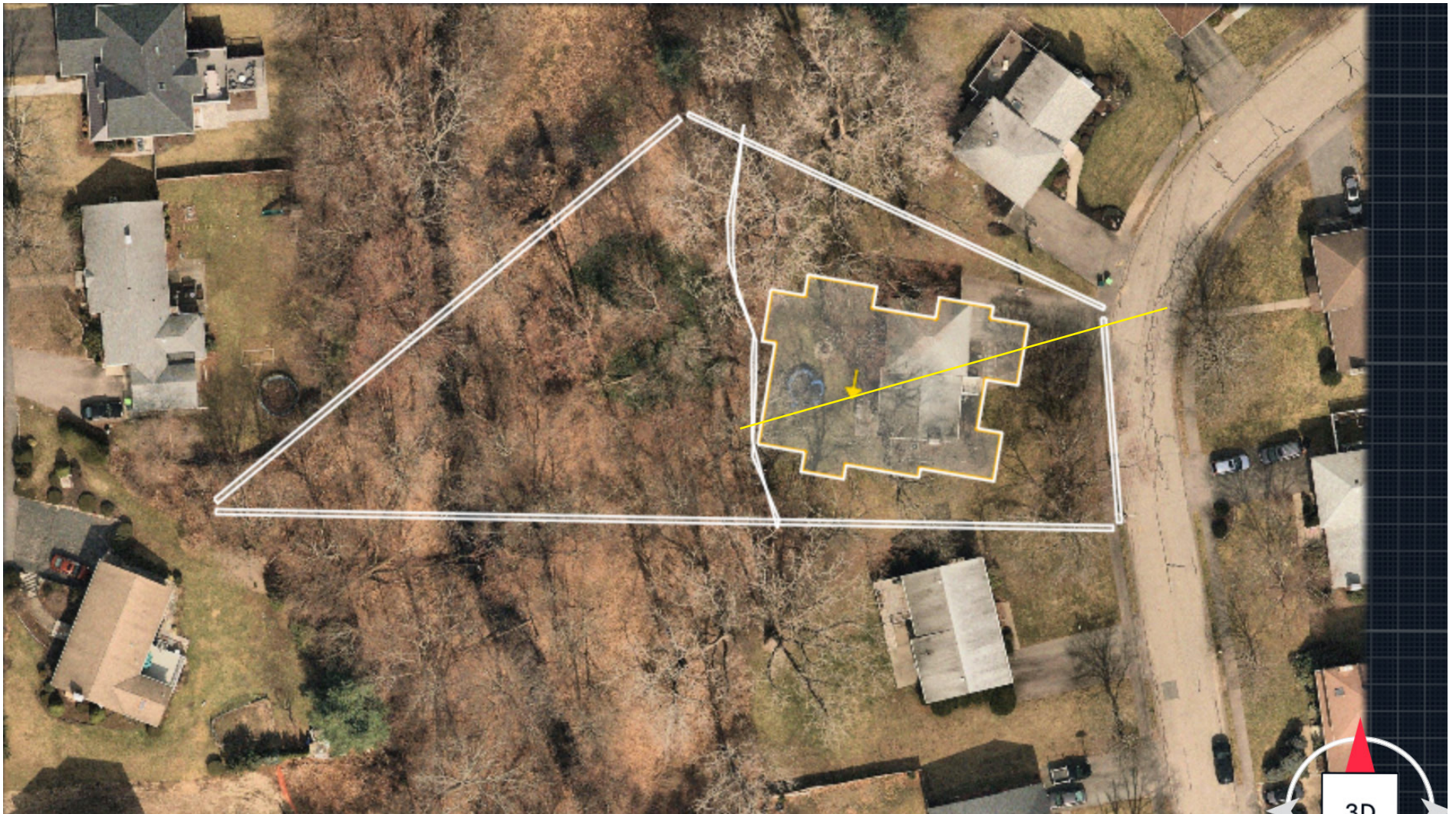
Before Shot: Approx 2,650 SqFt.

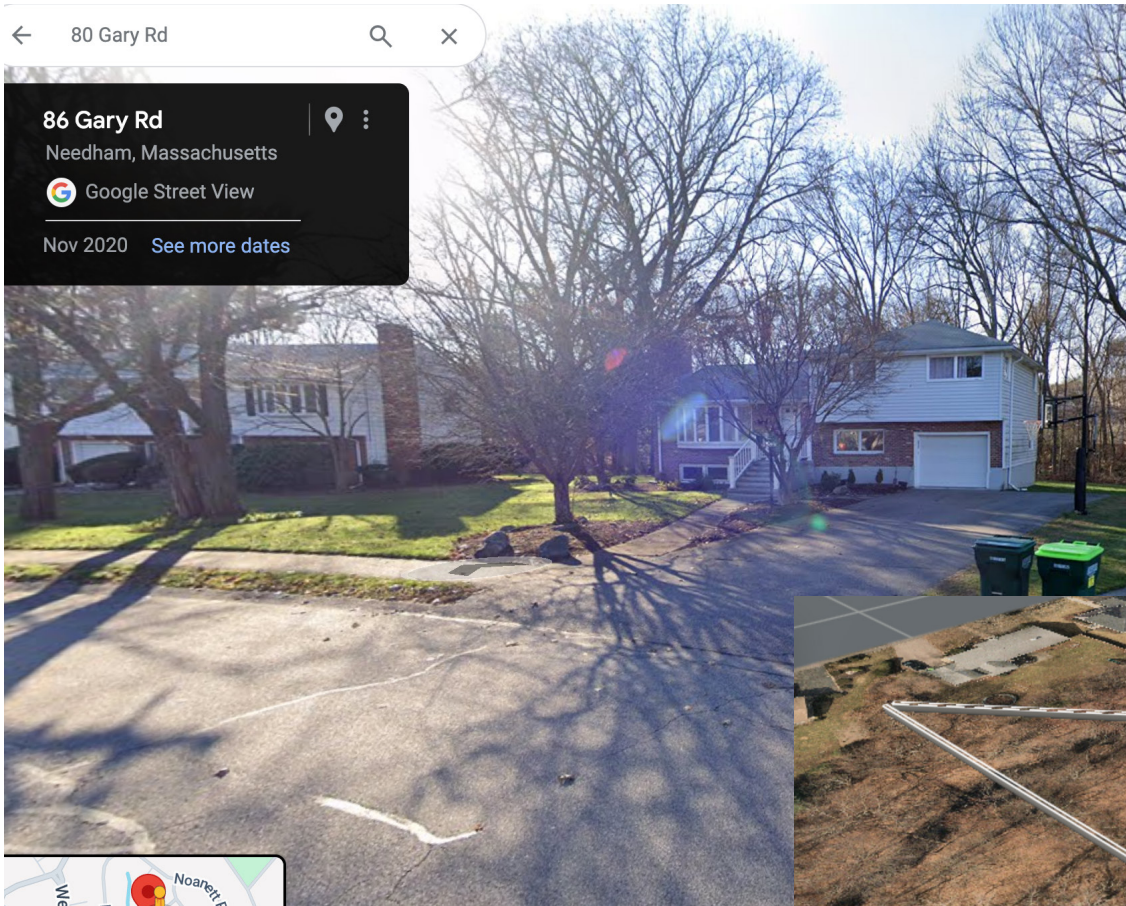
Hole in the ground: approx 1,400 SqFt, including garage.

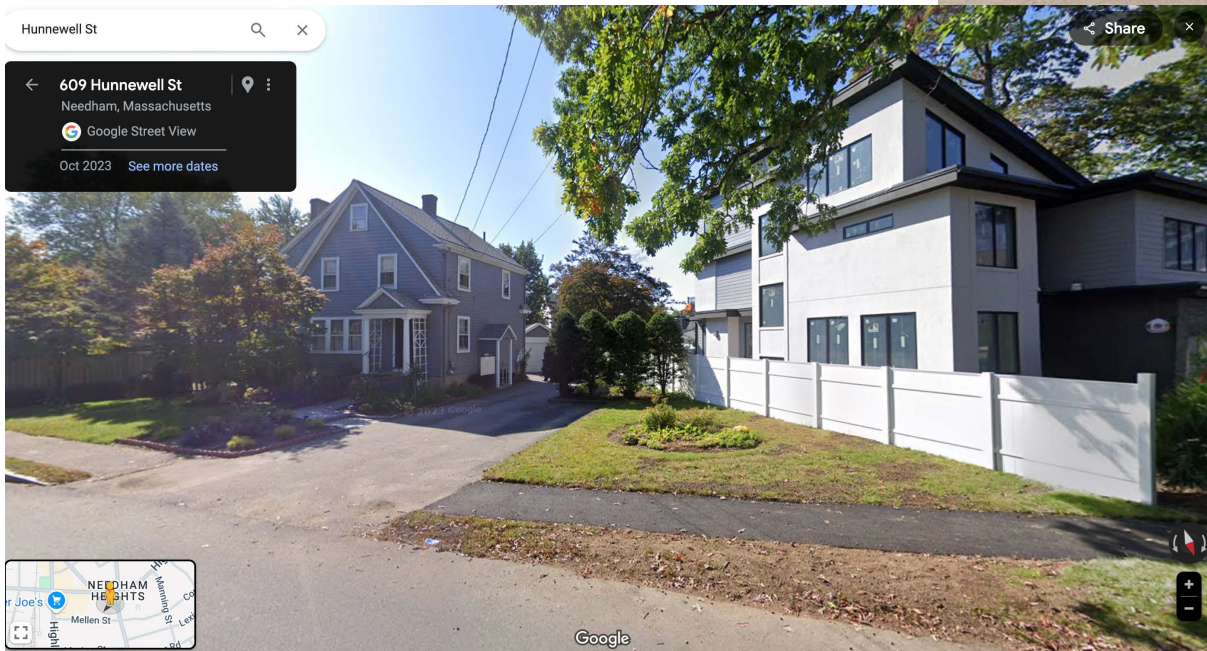
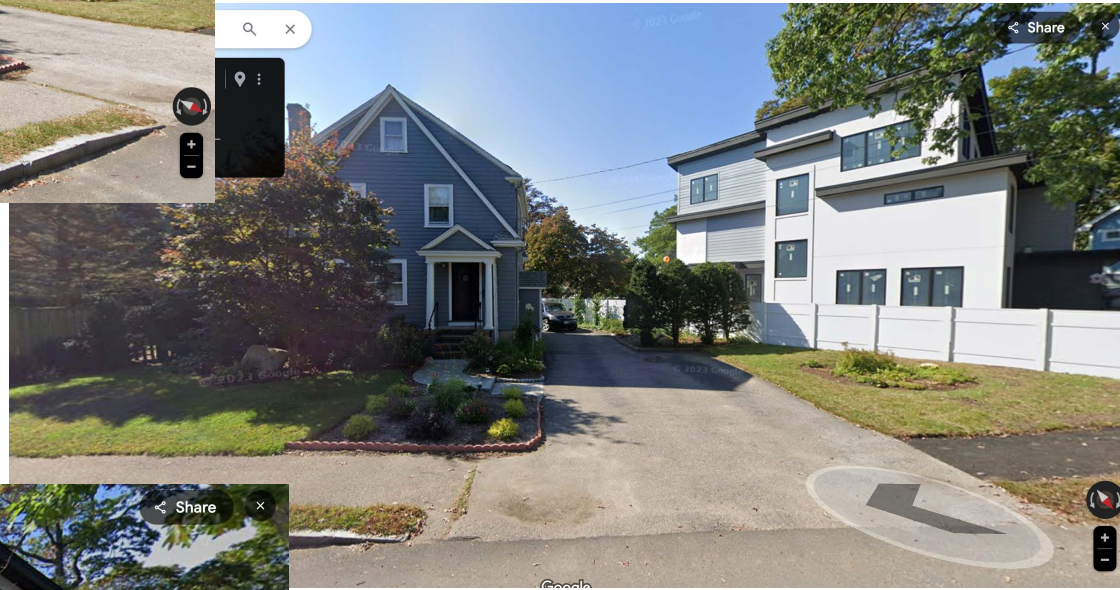


80 Gary Road

**After: approx 10,000 SqFt. depending on makeup of court yard.
Hole in the ground: approx 5,000 SqFt. Close to 3X the original.**







Large House Review Study Committee

Draft: July 15, 2024, revised August 14, 2024

General Purpose

In response to concerns expressed at the May 2024 Annual Town Meeting as to the impact new or expanded homes are having on the character of the surrounding residential neighborhood and specifically the action taken under Article 44 to refer the issue to the Planning Board for further study, the Planning Board is appointing the Large House Review Study Committee to develop recommendations on how best to ensure that new residential construction in the Single Residence B and General Residence Districts will complement existing buildings, settings and neighborhood character. The Committee will also explore how the updating and upgrading of structures in such neighborhoods can and should be done, while at the same time conserving the neighborhood's distinctive qualities as change occurs. The Planning Board is taking this action as directed by Town Meeting and with the support of the Select Board.

Background

Tear downs have been an issue in Needham for over a decade. Data indicates that the demolition of older, smaller, and less expensive houses is now the principal source of lots for the construction of new single-family houses. A total of 845 building permits for single-family houses were issued between July 2013 and June 2023. In that same period there were 99 building permits for two-families issued (for a total of 944 building permits on two- and single-family buildings). There were 840 residential (both two- and single-family) demolition permits issued in that timeframe. One could deduce that approximately 840 of the new home building permits, or 89%, were replacement homes. The remaining 11% was allocated to infill construction and to subdivision construction. Needham is thus at a place where the majority of its new single family home construction is derived from tear downs driven by market demand and the unavailability of infill and subdivision lots.

Current observations suggest that the reforms adopted in 2017 are not meeting the Town's current planning goals and should be further revised to limit and/or disincentive tear down, and/or incentivize additional buildout activity via further changes in the Zoning By-Law. Specifically, that current by-law regulations for new construction in Needham's residential parcels do not appropriately regulate house size. This is to the detriment of the Town's goals as set forth in the Town of Needham Housing Plan, dated December 2022.

To address the tear down issue a Large House Study Committee was created in May of 2014 to consider the impact new or expanded homes were having on the character of the neighborhoods within the Single Residence B (SRB) and General Residence (GR) zoning districts. The Committee was tasked with developing recommendations on how the updating of structures in such neighborhoods could and should be done, while at the same time conserving the neighborhood's distinctive qualities as change occurred. As a result of the Committee's work, Zoning By-Law changes focused around issues of house design and neighborhood character were adopted by Town Meeting in May of 2017 as follows: Side and rear yard setback requirements for conforming and nonconforming lots in the SRB and GR districts were revised to encourage the breaking up of building massing overall and along the sideline in particular; height requirements in all residential districts were revised to secure a height profile for new construction which was more in scale with that of the existing neighborhood and to further discourage the mounding of the grade along the perimeter of the house as a strategy to maximize building height; garage setback requirements in the SRB and GR districts were increased to help reduce the overall perceptions of massing related to new home construction along the street line without significantly altering desired interior space composition; a floor area ratio requirement was established in the SRB district in an attempt to balance the desire of individual land owners to maximize house size on a lot with the preservation of

collective neighborhood character; lot coverage requirements were established in the SRB and GR districts to assure conservation of open space; and front and side yard special permit exceptions for nonconforming structures in the SRB and GR districts were established to assure redevelopment options were available for existing structures rendered nonconforming as a result of the 2017 zoning changes.

Project Scope

The study area shall be all properties located in the Single Residence B and General Residence Districts, which are the residential zoning districts with the smallest lot size/dimensional requirements. The Large House Review Study Committee shall consider the impact new or expanded homes are having on the character of the neighborhoods within the studied zoning districts and shall develop recommendations consistent within the overall purpose for the Study Committee as noted above. The Large House Review Study Committee shall:

1. Review past reports, plans and maps prepared by town committees, town officials, state agencies and consultants including the previous Large House Study Committee.
2. Seek the input of neighborhood residents, builders, contractors, real estate agents, property owners and others as required. It is also expected that the Large House Review Study Committee will hold citizen information meetings to elicit general public comments and input.
3. Review and analyze the current Zoning By-Law and Planning Board Regulations and consideration of amendments to each.
4. Analyze the impact of recent planned and potential new housing constructed in the past 5 years in the Residence B and General Residence Districts.
5. Review and analyze alternative zoning dimensions, restrictions or limitations that may address neighborhood concerns.
6. Review the current FAR definition to determine whether it is too permissive and if so how it should be revised including whether the floor area designed for human occupancy on the third floor or basement level of a house should be included in the FAR calculation.
7. Prepare recommendations to amend the Zoning By-Law or propose other regulatory strategies that will protect the characteristics valued by residents in the Single Residence B and General Residence Districts.
8. Generally, identify key issues and needs, analyze alternative solutions, and make recommendations to the Planning Board, both short and long term, within the overall purpose of the Large House Review Study Committee.
9. Prepare Fiscal Impact Analysis to accompany recommendations of Committee.
10. Coordinate with current efforts around the Stormwater By-Law and Tree By-Law.

Membership

In making appointments to the Large House Review Study Committee, the Planning Board intends to identify qualified candidates who represent a variety of backgrounds and interests comprising representatives from select Town Boards and Commissions, residents with background or experience in architecture, construction, real estate and four (4) citizens at-large. The Large House Review Study Committee shall consist of fourteen (14) members as follows:

Two (2) members or designees of the Planning Board
Two (2) members or designees of the Select Board
One (1) member or designee of the Design Review Board
One (1) member or designee of the Finance Committee
One (1) member or designee of the Zoning Board of Appeals
One (1) Real Estate Broker appointed by the Planning Board
One (1) Developer appointed by the Planning Board
One (1) Architect appointed by the Planning Board
Four (4) Citizens at Large appointed by the Planning Board

It is expected that other interested citizens will also be asked/invited to assist with various assignments related to the mission of the Study Committee.

Target Time Frame

Charge and introduction of Committee – October 2024.

Background research, research of prior completed reports, review of other community approaches – October 2024 – January 2025.

Initial presentation of findings, goals, objectives to Planning Board with feedback from Planning Board – early/mid-February, 2025.

Prepare recommendations to the Planning Board and present – March, 2025.

Planning Board and Study Committee work to prepare zoning by-law amendments and community outreach – April – July 2025.

Warrant Article Town Meeting –October 2025.

Resources

The Director of Planning and Community Development and the Assistant Town Planner will be the staff liaisons for the Study Committee and will be responsible for ensuring that meetings are posted and minutes are taken, transcribed, and posted on the website in a timely manner. Staff resources will include representatives from the Planning and Community Development Department and the Building Department. Consultants will be engaged on an as-needed basis.

Budget

Normal costs such as printing and mailing will be absorbed by the Department of Planning and Community Development. Consulting expenses will be paid out from the departmental budget, to the extent possible, or such other appropriation as needed.

Other Considerations

The Study Committee shall elect a chair, who shall preside at meetings, a vice chair who shall preside at meetings when the chair is unavailable. All meetings will be conducted in conformance with the Open meeting Law, including the proper notice and posting of meetings, and all records shall be maintained in conformance with the Public Records Law.

Large House Study - FAR Rules/Tests

12/20/2024

Please Note

These values are adjustable

These are current bylaw values (adjustable).

These are calculated values - don't modify

(1) Exempt SF is allowances for garages, utility rooms, etc.

House and Lot Information

Lot Size	10,000	SF		
<u>Floor</u>	<u>Gross SF</u>	<u>Exempt SF (1)</u>	<u>Net SF</u>	
B	1,800	200	1,600	
1	1,800	600	1,200	
2	1,800	-	1,800	
3	900	-	900	
Total	6,300	800	5,500	

Bylaw Compliance "Tests"

Min Lot Size Test

House Footprint	1,800	SF	
Lot Coverage Factor	30%		
Min Size Lot Required	6,000	SF	(Green = Pass, Red = Fail)

FAR Options

	<u>Bylaw FAR</u>	<u>This House FAR</u>	
FAR (Flr 1,2)	0.38	0.300	(Green = Pass, Red = Fail)
FAR (Flr 1,2,3)	0.38	0.390	(Green = Pass, Red = Fail)
FAR (Flr 1,2,3,B)	0.38	0.550	(Green = Pass, Red = Fail)

(Green = Pass, Red = Fail)

Bylaw Requirements

X = FAR Changeover	12,000	SF
FAR for lot < X	0.38	
FAR for lot >= X	0.36	
Lot Coverage Factor when < X	30%	
Lot Coverage Factor when >= X	25%	

Prepared by Ed Quinlan