

Large House Review Study Committee
Public Meeting
June 1, 2016

Questionnaire

Mission:

The Board of Selectmen and the Planning Board, prompted by inquiries and concerns expressed to them from residents regarding the issue of tear downs and reconstruction of houses, sought to investigate the Town's zoning by-laws regarding this issue and the overall topic as it affects the Town. The Planning Board was assigned to form a committee with representatives of Town boards (Planning, Selectmen, Design Review, Zoning Board of Appeals), as well as industry professionals including builders, architects, real estate brokers, and Town residents.

The members of this Large House Review Study Committee were asked to analyze the specific effects of zoning on regulating tear down activity and to ultimately make recommendations for zoning changes in the Single Residence B and General Residence districts that would reduce negative impacts on abutters and neighborhoods while balancing the rights of property owners. Ideally, any change would be easy to understand and apply.

Process:

The Committee began discussing the topic of tear down activity in April 2014. Taken into consideration were the expressed concerns and letters from residents, a study into the current by-laws, and an examination of how surrounding municipalities approached the issue in their zoning.

The Committee members started to identify the regulatory options they wanted to explore and how those would impact both Town residents and the building community. In an effort to understand how existing houses might fit into these regulatory options, the Planning Board staff and Building Department staff compiled a list of replacement houses in the last 2-3 years. The plans for these houses were analyzed and data was compiled on square footage, lot coverage, and floor area ratio. This information generated a list of specific properties for Committee members to study along with questions to guide on-site analyses. The houses included in the study covered both conforming lots (lots with an area of at least 10,000 square feet and frontage of 80 feet or more) and nonconforming lots (lots with less than 10,000 square feet and less than 80 feet of frontage). The houses also varied as to compliance and non-compliance with the regulations that were being explored.

After visiting the identified properties, Committee members shared their impressions. These comments formed the basis of the regulatory options that are currently under review. There was general agreement that interesting design features were not ensured merely by strict compliance with square footage and lot coverage limitations. It was observed that if by-laws could be amended that encouraged certain positive design elements, the result would help reduce the overall perceptions of massing related to new home construction without significantly altering desired interior space composition. The spatial program assumed the following standard house elements as a baseline program:

First Floor – 2 car garage, Living, Dining, Kitchen, Breakfast, Family Room, Study, Mudroom, and ½ Bath.

Second Floor – Master BR with walk-in closets, Master Bath, 2nd Bath, Laundry, and three additional Bedrooms.

Over the course of this work, members reviewed potential strategies to address the siting of the house on the lot in terms of its setback to the property lines and street and the type of projections that would be permitted into the required setback to break-up the overall massing of the structure. To further address the issue of massing, the Committee revisited existing lot coverage requirements and explored options to introduce Floor Area Ratio (FAR) regulations that in concert with lot coverage would promote greater design flexibility to enhance the appearance of the home and accommodate the construction of the baseline house elements. The Committee also reviewed potential approaches to control building height by revising how it is measured.

Purpose of Meeting:

This Public Meeting is being held to obtain community input on ideas that are under review by the Committee. In an effort to involve all participants in zoning recommendations, the Committee asks everyone in attendance to complete the following brief questionnaire and submit it at the end of the meeting. The completed questionnaire can also be sent to the Planning and Community Development Department, 500 Dedham Avenue, Needham, MA 02492 or emailed to aclee@needhamma.gov. Tell others that the questionnaire will also be available on the Town’s website at www.needhamma.gov under the Planning and Community Development Department, due by **July 1, 2016**. Any questions related to the presented ideas can be addressed to Alexandra Clee at aclee@needhamma.gov or 781-455-7550 ext. 271.

Please provide the following basic information:

Name: _____

Address: _____

I have lived in Needham for _____ years.

I am particularly interested in this issue because

Do you believe that there is a need for the Town to better control tear down and replacement activity through zoning?

Yes

No

Explain below.

Please check all of the following more specific zoning changes that you support. If you do not support a particular idea, provide a brief comment explaining why in the space provided below the section. If you need more space, insert your comments at the end of this questionnaire.

Setbacks:

“Setback” is currently defined in the Zoning By-Law as the “Minimum horizontal distance from a street line or a lot line to any part of a building or structure, including overhang, but not uncovered steps, fences or awnings.” Presently, buildings created through “new construction” in the Single Residence B and General Residence districts are required to have a front and a rear yard setback of 20 feet. On lots which are conforming relative to area and frontage, a stepped side yard setback of 12.5 feet is required. This 12.5 foot stepped sideline setback standard works as follows: If the side of the house is placed directly along the setback line, it can extend for a distance of only 28 feet at the 12.5 foot setback line. Any additional length must be set back an additional 2 feet. So under the current zoning by-law, 28 feet of the side of the house could be located 12.5 feet from the side lot line, the remainder would have to be sited at least 14.5 feet from the side line. “New construction” on lots which are non-conforming relative to frontage and/or area are governed by a 10 foot side yard setback requirement.

The following zoning changes are being offered for review related to building setbacks:

- Front, side and rear yard setback in the Single Residence B and General Residence districts:
Measure the required setback for the structure to the foundation wall/face of framing as opposed to the roof overhang for ease of zoning code enforcement. The required setback standard for the district should be adjusted to accommodate the newly revised measurement standard (see setback standards below).
- Encourage the placement of decorative elements (not including living space) within 2 feet of the front, side and rear elevations of the structure by exempting out from the required setback the desired element to promote greater architectural interest and variety. Allow for the placement of safety items as required by the building code such as basement exits within the noted setbacks. Adjust the required setback to accommodate these new elements (bay windows, fireplaces, gutters, overhangs, bulk heads, or similar elements).
- Front yard setback: Increase the front yard setback requirement from 20 to 25 feet.
- Front yard setback: As an alternative to the above, include measurement standards which respect the front yard setback of existing structures found along either side of the subject lot. Specifically, change the front yard setback requirement from 20 feet to an average of the setback found a distance of 150 feet on each side of the lot up to a maximum of 35 feet. Said averaged setback would be applied in those circumstances where the averaging option was greater than the option of changing the setback from 20 to 25 feet. In the case of a corner lot, the averaging requirement would only be required along one of the frontage streets to be selected at the discretion of the applicant.

- Front yard setback: Establish a story and setback limit for front loading garages so as to reduce the massing effect of the structure at the front lot line. Specifically, limit 2-car garages between 25 and 35 feet of the front lot line to 1½ stories (a half story above the garage), requiring garages with a full story above the garage to be set back to 35 feet.

- Front and side setbacks: Allow a portion of a covered landing or porch of up to 50 square feet in the front setback and 25 square feet in side setbacks (porches within setbacks now must be uncovered with a maximum of 50 and 25 square feet). The porch area under the proposed option is not limited to 50 square feet if the additional area is beyond the required setback.

- Side yard setback: Continue requirement of a staggered side yard setback to break up the massing of the structure and avoid long unbroken walls along a property line. Expand requirement to include all facades in excess of 32 linear feet at the side lot line irrespective of their placement. Specifically:
 - Increase the side setback for a conforming lot from 12.5/14 feet to 14/16 feet. Allow 32 feet of structure at the 14 foot setback line, the rest to be offset 2 feet to the 16 foot setback line.

 - Increase the side setback for a nonconforming lot from 10 feet to 12 feet. Allow 32 feet of structure at the 12 foot setback line, the rest to be offset 2 feet to the 14 foot setback line.

- Rear yard setback: Decrease the rear setback requirement from 20 to 15 feet.

- Do you think that these same setback requirements should be applied to residential additions as well as residential reconstruction?
 - Yes

 - No

- Do you think that there should be an opportunity for property owners to apply for a Special Permit from the Zoning Board of Appeals when topography or other unique site conditions makes it difficult to meet setback requirements:
 - Yes

 - No

Comments:

Building Massing:

Allow a more relaxed lot coverage requirement to promote additional design flexibility. The Floor Area Ratio/FAR (floor area divided by the lot area) is being introduced for consideration as the overall size control, while setback exemptions for bay windows and similar features (see above) and relaxed lot coverage will allow design flexibility and encourage a variety of architectural features. A key element to FAR is what counts as floor area and what does not. Many towns include complicated calculations of finished or unfinished basements, walk up attics, and garages, and count some portion or all of them as floor area to be regulated. This can lead to unnecessary changes to topography or roof pitch and design simply to avoid those areas being counted as floor area. The idea under review involves conceding that virtually every house has a foundation of some depth, and a roof of some appropriate design. Finished space, crawl space, or trussed attics do not really impact a home's structure and appearance. Specifically:

- Increase lot coverage (the footprint of the house as a percentage of lot area) from the current 25% limit to 28% to allow additional design flexibility. Furthermore, exclude from lot coverage such features as covered porches and landings (unless habitable space is above), decks, bulkheads, fireplaces, and bay windows.
- Add Floor Area Ratio (FAR) calculations (floor area divided by the lot area) to zoning on a sliding scale based on the size of the lot as provided below. The floor area counted will be defined as gross finished habitable area on the first and second floors plus a maximum additional 600 square foot allowance for garage space.

Lot Size (square feet)	FAR	Maximum House size (Does not include basement or attic. Maximum 600 sf additional allowance for garage)
7,500 and under	.40	7,500 sf lot → 3,000 square feet
7,501 – 8,999	.38	8,500 sf lot → 3,230 square feet
9,000 – 9,999	.38	9,500 sf lot → 3,610 square feet
10,000 – 10,999	.38	10,500 sf lot → 3,990 square feet
11,000 – 11,999	.36	11,500 sf lot → 4,140 square feet
12,000 – 12,999	.35	12,500 sf lot → 4,375 square feet
13,000 – 13,999	.34	13,500 sf lot → 4,590 square feet
14,000 – 14,999	.33	14,500 sf lot → 4,785 square feet

15,000 and greater	.32	15,500 sf lot → 4,960 square feet
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Comments:

Building Height:

Building height is currently measured from the average finished grade at the face of the house walls. In general, the average height of replacement houses is much closer to the 35 foot height limit. There are many factors for consideration involved in this issue. For example, one frequent result has been the mounding of the grade along the perimeter of the house. This often alters the storm water runoff flow direction that had existed on the lot. Most original grading was part of a larger neighborhood watershed design. The mounding approach, when done on several lots, does not often work in concert with the larger neighborhood design.

The following 2 options for measuring height have been suggested, the choice being up to the applicant:

- Measure height from the average existing grade or average new grade, whichever is lower. Height limit is still 35 feet. This approach works best on lots that are relatively level or that slope up from the front.

Or

- Measure height from a single point in the street centerline as the average of the highest 1/3 of the properties street frontage. The height limit would be 32 feet when using this alternative. This approach works best on lots that slope down from the street front, which are at a disadvantage when measuring from average existing grade.

Comments:

Please insert below any additional comments that you would like the Large House Review Study Committee to take into consideration with respect to potential zoning changes.

