



Memorandum

To: Barney S. Heath, Director of Planning and Development
Jennifer Caira, Deputy Director
Zachery LeMel, Chief of Long Range Planning

From: Councilor Pam Wright

CC: ZAP Councilors

Re: Design Standard Questions

Date: March 12, 2023

We are continuing our discussion on design standards at our next ZAP meeting. I have additional questions and do not want to go back and forth on email and instead, want to discuss these items on Monday night. I am providing these questions in advance so that the Planning & Development Department can be prepared to discuss in detail on Monday night. Also, I hope this will pique additional questions from my colleagues.

In ZAP we have been discussing design standards, such as building footprint, height, roof type, architectural features, setbacks, etc. These items address how the “box” would look and where it would sit on the lot. I believe we are not capturing everything, specifically the conditions that are typically in Special Permits found in the Council Orders.

Presently, we list conditions in the Council Orders for Special Permits. In the proposed zoning, lots under 30,000 sf will be By Right and will not require a Special Permit. This will affect most lots in the village centers. Some conditions, such as construction rules, might be handled elsewhere in our ordinances but others, such as undergrounding utilities, should probably be handled in the zoning ordinance. And other items, like mitigation payments and related activities, I believe, will simply disappear for By Right projects.

Here is a list of conditions in many Special Permits. It is not an exhaustive list. I would like to know if these items will be included in the design standards. If not, where (if at all) will they be captured?

- Process to ensure building applicants are in good standing regarding unpaid taxes
- Construction Management Plan
- Construction hours and rules including material delivery and placement on site
- Undergrounding utilities to the development
- Electrification – All appliances and utilities for the building shall be all-electric, including heating and cooling. This will probably be addressed in the Stretch Code and Specialized Code
- Requiring solar panels or solar ready roof
- Electric car charging stations

- Transportation plan
- Limiting curb cuts
- Bicycle storage
- Vibration Control Plan including mitigating and reducing significant vibration impacts
- Rodent and pest control plan including neighboring properties
- Operations and Maintenance Plan for stormwater management
- Landscaping plans and enforcement
- Trash and recycling disposal plan
- Repairing any damage to public property and ways caused by construction activities
- Paying for police details
- Other similar provisions
- Mitigation contributions and fees. I am also requesting that you prepare and present a memo listing by project (and totals) all mitigation payments and actions that have been required in all Special Permits issued in the last five years.

I am not sure these are in the Council Orders for Special Permits, but I would also like to discuss the following:

- Provisions for on-site Zip Car type parking if there are reduced or no parking requirements and/or parking maximums will be applied
- Traffic studies/traffic mitigation measures
- Shadow studies
- Use of brick face and faux finished or other construction quality materials

I also want to continue our discussion from last meeting on historic or significant buildings and on having no parking requirements. I would like to discuss having Newton Historic Commission determining the “significant buildings” to which the Preservation paragraph applies. Also, any building built before 1940 can apply for “significant building” and NHC can determine whether to accept the request.