

Submitted by: Susan M. Roberts (TMM Pct. 17), Elton Elperin, Dennis DeWitt

Proposed Warrant Article to Require Design Review of Certain Projects Subject to a Stay of Demolition

I. WARRANT ARTICLE 13

To see if the Town will (1) amend the Zoning By-law Article 5.09, Design Review, by adding a new Section 5.09(2)(o), and (2) amend the Zoning By-law, Article 4.01, Permitted Uses, by adding a new Section 4.01(3) (d), both as follows:

1. Zoning By-law, § 5.09 Design Review, Section 2

(o) Any principal structure for which an application for a full demolition has resulted in a stay of demolition imposed by the Preservation Commission in accordance with the Town's bylaws without the Preservation Commission having advised the Building Commissioner in writing that the Commission: (i) has found that there is no reasonable likelihood that the building can be preserved, restored, rehabilitated or moved, and (ii) is satisfied with the use, design and improvement of the property following demolition, as stipulated by the Commission; provided, however, that this subparagraph o. shall not apply to principal structures in the S-40 and S-25 Districts, nor to any such structure otherwise subject to design review under this Section 5.09.

2. Zoning By-law, § 4.01, Permitted Uses, Section 3

(d) The use necessitates design review that is subject to § 5.09(2)(o).

Or act on anything relative thereto.

II EXPLANATION

The Goal. This proposed warrant article seeks to reduce the alarming number of demolitions of historically or architecturally significant 19th and early 20th century single, two- and three-family homes throughout Town and their ever more frequent replacement by disharmonious structures. By requiring design review under Brookline's Zoning By-law in certain specified instances, the warrant article, if passed, would encourage neighborhood projects that (i) preserve, renovate, and/or add to principal structures found by the Preservation Commission to be historically or architecturally significant under the Town's demolition By-law, or (ii) include replacements of such significant structures that have been subject to the Town's design review process, so as to comply with, among other applicable By-laws, Brookline's Community and Environmental Impact and Design Standards.

The Needed By-law Change. The proposed new Zoning By-law provision is similar to Brookline's existing Design Review By-law, §5.09(2)(m), which requires a special permit for any

substantially complete demolition of a principal structure within Coolidge Corner Overlay District. The new provision expands the geographic applicability of the required special permit to all parts of Town (except for S-25 and S-40 Districts) but narrows applicability only to full demolitions of structures found by the Preservation Commission to be historically or architecturally significant under the Town's demolition By-laws. **In other words, we already have a By-law that would help accomplish our goal, but it only applies to Coolidge Corner.**

An Exposé of the Problem. Many of the recent small project developments in Brookline have been greeted with general, if not universal, dismay. The projects often are single-lot insertions into a residential neighborhood, requiring demolition of 19th or early 20th century homes that neighbors regard with affection. The replacement structures typically cater to the luxury market, sometimes adding a unit if the zoning allows that by right. Following demolition, the new structures generally fail to fit gently into the existing streetscape. They have a markedly larger footprint than the original structure resulting in loss of ground level green space and removal of trees. Less open space necessitates below grade, beneath-the-building parking, a luxury component which, when combined with elevators, can accommodate owners' reaching their units by elevator from the parking garage. However, below-building parking requires the buildings to be elevated, making traditional entranceways difficult to achieve, with buildings presenting a blank wall to the street where the windows of the first floor would have been. The resulting replacement buildings now end up taller than their neighbors, especially given elevator heads, outdoor patios as open space, and parapets. To maximize square footage and marketability, the buildings' composition is best served by being a squared-off box, rather than a form that incorporates features of the original building, such as a gabled or hipped roof with dormers. Buildings that once had contributed to the neighborhood scale, landscaping, and social interactions have now been replaced by structures that turn their backs on their neighbors, both functionally and aesthetically. Community cohesion has been degraded in such circumstances.

A Key Collateral Concern is the Environmental Impact. It is hoped that design review in the instances required by Warrant Article 13, which would include the application of the Community and Environmental Impact and Design Review Standards (particularly those relating to preservation and climate protection), would result in an increase in designs that include preservation of some or all of a significant structure, as doing so would result in significantly less adverse environmental impact when compared with a full building demolition. It is evident from Town Meeting's overwhelming approval of climate protection related warrant articles over the last several years that climate protection is a critical underpinning of Brookline's future. It follows that many in Brookline detest the wastefulness and adverse environmental impacts from building demolitions and the significant increases in carbon footprint emissions that measurably result. As Carl Elefante, former president of the American Institute of Architects, is famously quoted on this point, "[t]he greenest building is the one that already exists." By saving the essence of our significant structures, we can lessen demolition's adverse environmental impacts and preserve beloved streetscapes.

The Bottom Line: Time will tell whether, if adopted, this proposed warrant article will more frequently encourage preservation of structures that are renovated and may include additions. **One thing appears clear in Brookline, however: The community, given the opportunity to demolish their neighbors' buildings, would prefer not to. Therefore, if demolition is forced on them, they would at least like the opportunity to review the proposed replacement via Brookline's design review process that includes applying the Zoning By-law's Community and Environmental Impact and Design Standards.**

**[Excerpts from Zoning By-law 5.09.4
"Community and Environmental Impact and Design Standards"]**