

PLANNING & COMMUNITY DEVELOPMENT  
PLANNING DIVISION

April 30, 2025

Re: Article 44 of the May 2024 Annual Town Meeting

Dear Town Meeting Members:

The purpose of this letter is to update the Town Meeting Members on the status of a referral that was made to the Planning Board under Article 44 of the May 2024 Annual Town Meeting. Article 44 (copy attached) comprises a citizens' petition zoning article which sought to amend the definition of Floor Area Ratio (FAR) in the Single Residence B zoning district. The article was referred to the Planning Board for further study in response to concerns expressed at the May 2024 Town Meeting as to the impact new or expanded homes were having on the character of Needham's residential neighborhoods. Below is a brief overview of the work accomplished to date as relates to this referral.

Creation and Appointment of the Large House Review Study Committee:

After the motion to refer the citizens' petition to amend the definition of Floor Area Ratio (FAR), the Planning Board established a process to study the original citizens' petition article and other relevant matters and issues related to large single-family houses in Single Residence B (SRB) zoning districts in Needham. That process included establishing a study committee, namely the Large House Review Study Committee, consisting of the following members:

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

The Planning Board's Charge to the Committee is attached. That charge is broad and seeks to develop policies or zoning recommendations beyond the original petition to redefine and thereby reduce the current floor area ratio (FAR) that Needham uses in its zoning by-law.

#### Background:

Needham's Planning Board has studied "large houses" for many years. Town Meeting adopted revisions to the Zoning By-Law in 2017 (based on recommendations from an earlier Large House Review Committee at that time) that resulted in a change in setbacks and how garages were to be treated (25-foot setback for a garage vs 20 feet for the house). Additionally, height, lot coverage, and floor area ratio standards were implemented. The current Large House Review Study (LHR) Committee is a continuation of the earlier efforts of the Planning Board to understand and propose solutions to a perceived need as expressed by many Needham residents.

#### Current Efforts:

The LHR Committee is in the first phase of its work. The Committee is working to obtain a better understanding of how new homes resulting from teardowns in the SRB districts are perceived by the many citizens of Needham who have expressed concerns over the mass, or bulk, of those new homes. The Committee is cognizant of the need to respond to citizen concerns through an open and informative process before making recommendations for any changes to zoning or Town policy. The Committee is also mindful of the importance of knowing what Town administrative resources may be burdened by any future proposed regulatory requirement.

Ultimately, any proposed changes will need to be brought to the Planning Board for its approval, and subsequently to Town Meeting.

The goal of this stage of the work is to prepare both factual and observed information about how large houses fit into and affect single family neighborhoods in Needham, and how similar communities have defined and responded to similar issues. The information gathered will be shared with the community in public sessions before reaching any conclusions or making recommendations in what is a complex set of issues affecting a broad range of constituencies in Needham (Owners, sellers, buyers, contractors, neighbors, and current residents who may be looking to downsize-to name a few). The first of these sessions will be on June 9, 2025 with at least two other public meetings in the Fall. It is anticipated that recommendations regarding the original citizens' petition will be made at the May of 2026 Annual Town Meeting.

The Large House Review Study Committee is currently developing data about homes being built, including lot coverage, set back, height, "advertised" living area, and floor area ratios as currently defined by Needham in its Zoning By-Law. In addition, The LHR Committee has appointed Oscar Mertz as its representative to the Tree Preservation Planning Committee.

To date, the Committee has analyzed a sample of large single-family homes drawn from all over Needham's Single Residence B zoning districts. The Committee hosted the Chair of the Wellesley Planning Board and developed other detailed information about Wellesley's process for regulating house size. In addition the Committee will be engaging with and developing information from Concord, Newton and Lexington in order to gain information about how those communities have dealt with items included in the Planning Board's charge to the Large House Review Study Committee.

The Planning Board has made it clear that the Committee should also develop and study the financial impact any regulatory reduction in size will likely have on the sale price of older homes, as it is acutely aware that for most people, the home represents a significant portion of their net worth. There is also a potential impact on revenue to the Town that results from the creation of higher value reflected in the "new growth" in the tax levy. The Committee is also considering whether or not preserving existing homes can be accomplished without compromising value to the seller. These noted topics will be studied in the coming months, with assistance from outside consultants.

In closing, the LHR Committee and Planning Board welcome your participation in this ongoing study effort and encourages all Town Meeting Members to attend the three public sessions planned for June and early fall.

Very truly yours,

Artie Crocker

Vice-Chair of the Needham Planning Board \ Co-Chair of the Large House Review Study Committee

**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.

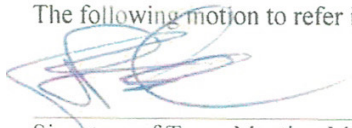
INSERTED BY: Joseph Matthews

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.

## **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.