

# Demolition Delay

Zoning and Planning Committee

Public Hearing – April 12, 2021

Department of Planning & Development

# Background

- Demolition Delay Ordinance adopted in 1985, 10 years after creation of Newton Historical Commission (NHC)
- Intended to create a waiting period to allow the identification and possible preservation of historically significant buildings and structures
- Buildings and structures more 50 years old and proposing demolition of at least 50% of any one elevation are subject to review

# Process

- NHC Chair and Chief Preservation Planner make a joint determination of whether a building or structure meets the initial threshold of historical significance or can be administratively approved for demolition
- If property meets initial threshold, it requires a NHC hearing to determine whether the property meets the further threshold of preferably preserved
- Properties found by the NHC to be preferably preserved have a demolition delay of 12 months, or 18 months if listed on the National Register

# Process

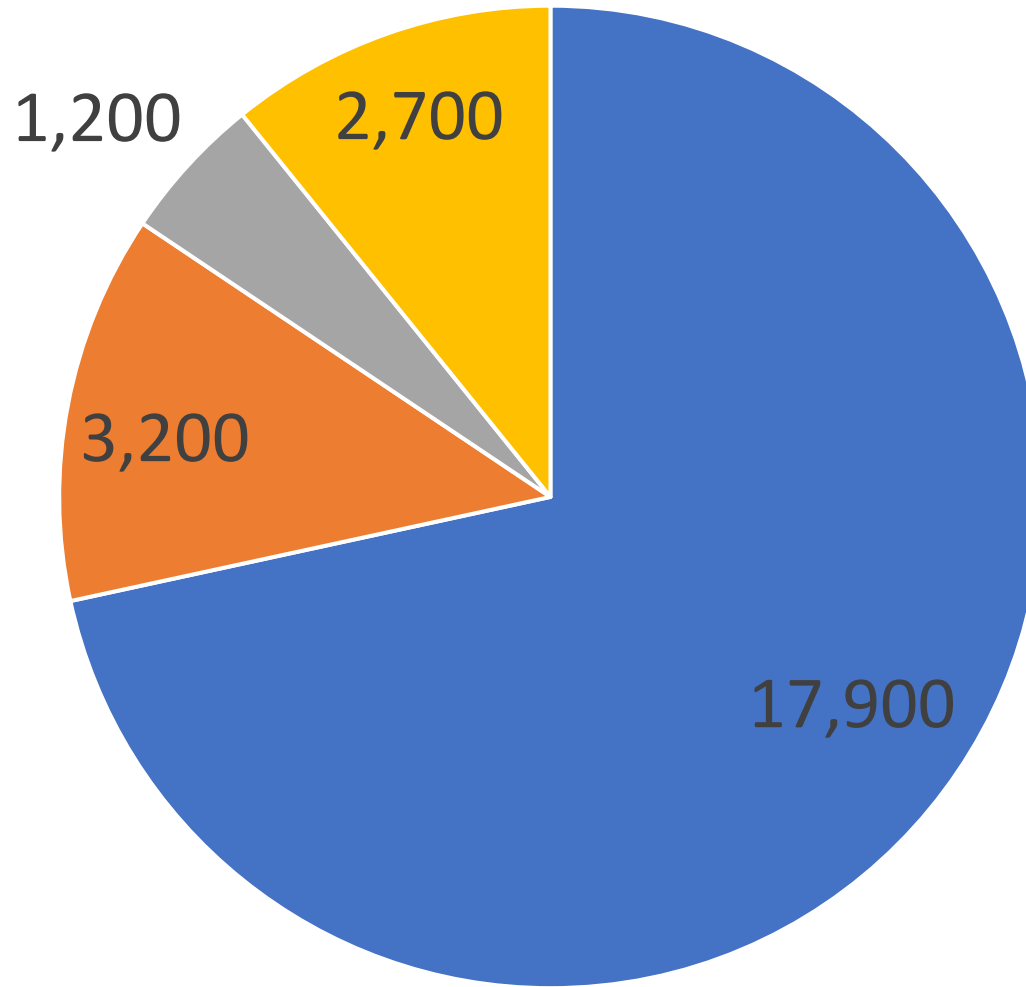
- Most partial demolitions are administratively approved
- Properties with a demolition delay may return to the NHC after four months to request the remainder of the delay be waived
- Waivers may be granted if the NHC approves the plans for either a partial demolition or for the replacement structure

# Demolition Delay Changes Since 1985

- Lengthening delay period for National Register-listed properties to 18 months
- Instituting a minimum four-month period after property is preferably preserved
- Changing the trigger for NHC review of partial demolitions from 25% of an elevation to 50%
- Restarting demo delay if property ownership changes during the delay period

# Number of Buildings in Newton

- 17,900 buildings constructed pre-1945
- 7,100 constructed post-1945
- 4,400 buildings constructed between 1945 and 1970
- 1,200 post-1945 buildings have been surveyed for historical significance



■ Pre-1945 ■ 1945-1970 Unsurveyed ■ 1945-1970 Surveyed ■ 1970-

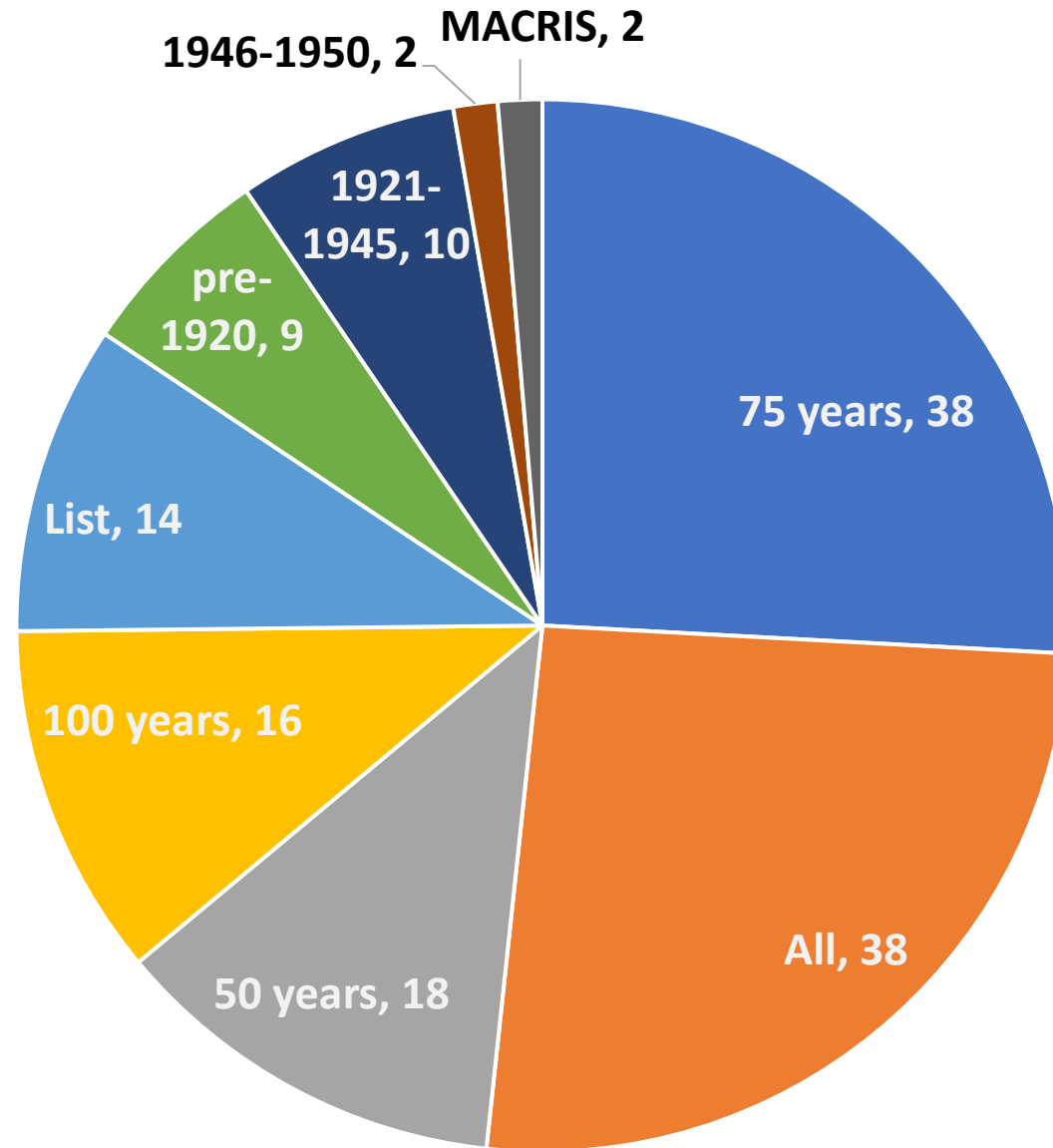
# Survey Process

- Windshield, or reconnaissance survey
  - Identify age range and location of areas of interest
  - Completed over a period of months
  - Requires assistance of a consultant (City funds)
  - Narrow down the list of properties for the intensive survey
- Intensive survey
  - Compile maps, photos, historical and architectural descriptions, and complete history of the structure
  - Completed over a period of years
  - Requires assistance of a consultant (MHC grants)



# Demolition Delay in Massachusetts

- 154 communities with demo delay ordinances/by-laws
- Collected data on the cut-off date for 148 communities
- 73 communities (49% of those reviewed) use a rolling cut-off date
  - 75 years is most common (38 communities), followed by 50 years (18) and 100 years (16)
- Next most common is no cut-off date. 38 communities (26%) review all demolitions, regardless of structure age.
- 21 communities (12%) use a static date
- 16 communities (10%) use a list or MACRIS



# Demolition Applications – Typical Year

- Approximately 300 applications
  - 50% full demo
  - 50% partial demo
- 70 full demo applications (50 buildings and 20 garages) administratively approved
- 80 full demo applications go to NHC hearing
  - 60 found preferably preserved and subject to 12- or 18-month delay
    - 25 issued waivers
  - 20 not found preferably preserved and may demolish without delay

# Full Demolition Applications – Typical Year

## **Pre-1945**

- 75 full demo applications
- 45 properties found preferably preserved and subject to delay
- 20 granted waivers

## **Post-1945**

- 75 full demo applications
- 15 properties found preferably preserved and subject to delay
- 5 granted waivers

# Demolition Applications – 2017

## **Pre-1945**

- 67 full demo applications
- 14 administratively approved
- 53 properties went to NHC hearing
- 37 properties found preferably preserved and subject to delay

## **Post-1945**

- 67 full demo applications
- 44 administratively approved
- 23 properties went to NHC hearing
- 10 properties found preferably preserved and subject to delay

# Demolition Outcomes – 2017

## **Pre-1945**

- 14 structures demolished with administrative approval
- 16 properties went to NHC and not preferably preserved
- 37 properties found preferably preserved and subject to delay
- 20 granted waivers
- 12 preferably preserved demolished after delay period
- 5 preferably preserved not yet demolished

## **Post-1945**

- 44 structures demolished with administrative approval
- 13 properties went to NHC and not preferably preserved
- 10 properties found preferably preserved and subject to delay
- 4 granted waivers
- 5 preferably preserved demolished after delay period
- 1 preferably preserved not yet demolished