

# Zoning Update Overview

## “Mini Reform” Part One



**Andrew R. Port**  
Director of Planning & Development

# Context & Background

## Preamble:

- **Comprehensive Rewrite** *(effort/goal vs. actual deliverables)*  
*(Zoning Advisory Committee / Community Opportunities Group)*
- **Zoning Administrator Position & Input**  
*(clarify terms, interpretation/application)*
- **“Mini Reform” Part One** *(17 pages, ODNC076\_05\_10\_2021)*  
*(Planning Director, Zoning Administrator, Council President)*

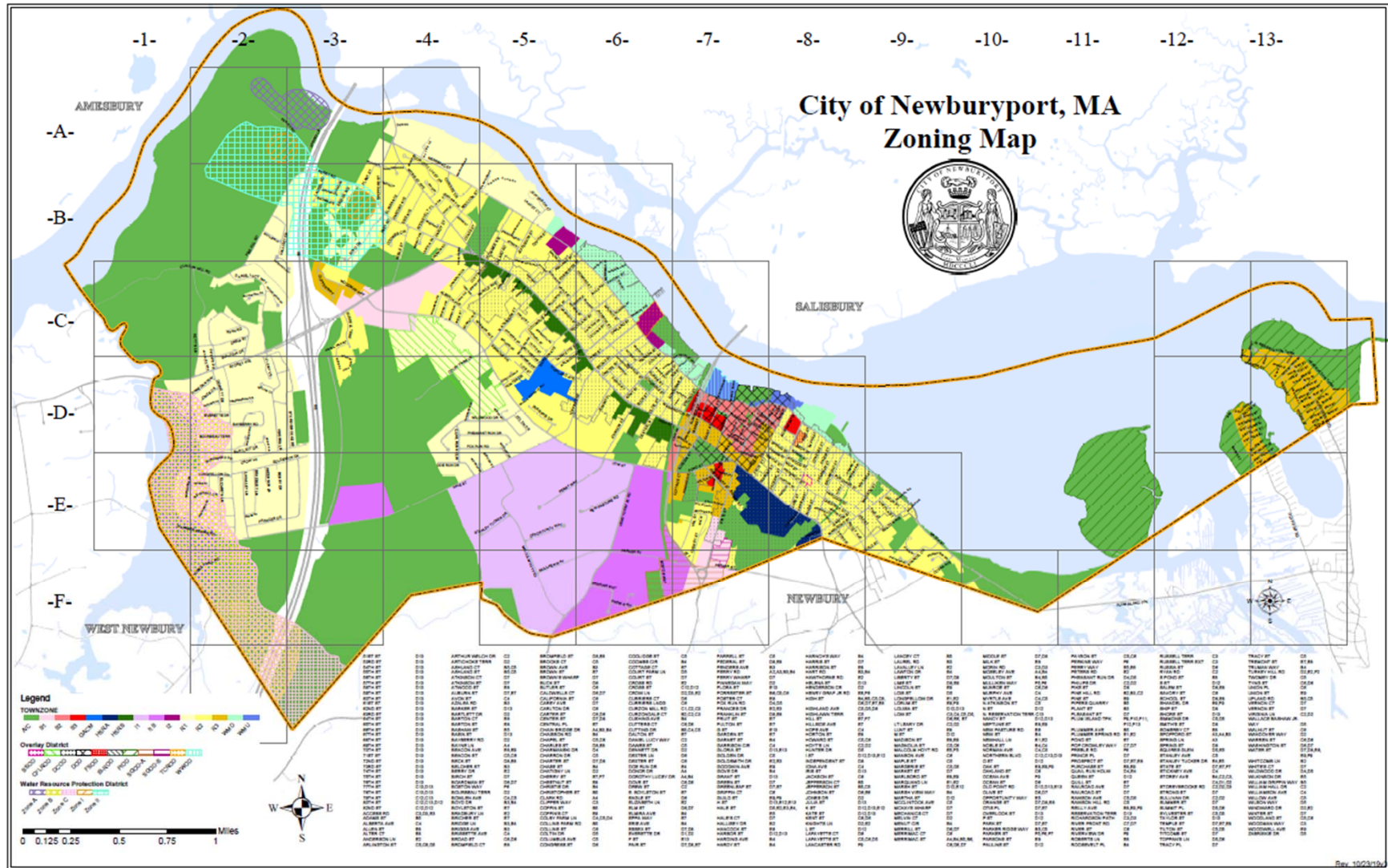
## Next Steps:

- **Additional Chapters/Sections** *(in manageable packages)*

# Summary of Changes

1. “Housekeeping” / Non-Substantive Updates  
*(clarify language, definitions, terms, submission requirements, etc.)*
2. Ag/Con Lot Size Requirement  
*(clarify defensible rationale for large lot size requirement, context of challenges)*
3. Yard, Height & Setback Requirements  
*(clarify language, areas of routine dispute)*
4. Administrative Roles  
*(update provisions for Zoning Administrator/Building Commissioner)*
5. Consistency with the Zoning Act  
*(MGL Chapter 40A, proposing zoning changes, 3 year permits, etc.)*
6. Delete Outdated Sections/Overlay Districts  
*(buildout complete, shorten document, space for new provisions, prevent confusion)*
7. DOD/DCOD Updates  
*(clarifying language, allows operable windows, structures may be moved etc.)*

# Zoning Map



# DOD & Operable Windows

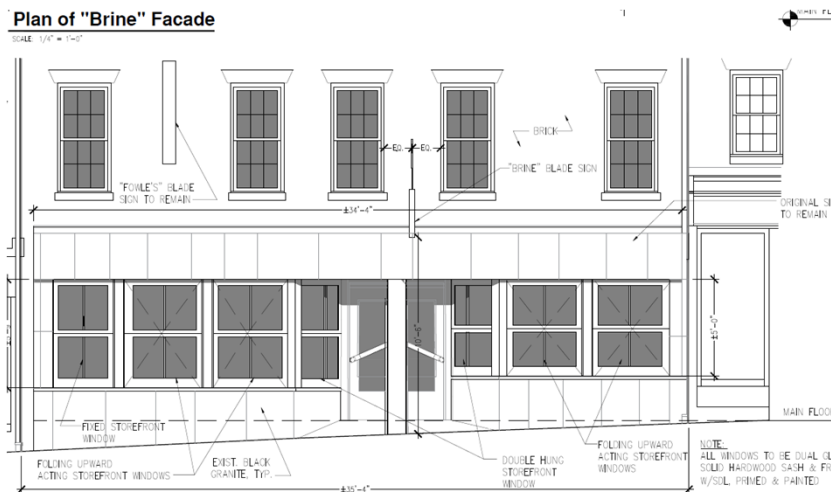
- Current language explicitly prohibits changes to “mode of operation”
- Proposed language allows this via Special Permit
- **Historic** windows must still be preserved/repaired if possible prior to their eligibility for replacement



17-21 State Street (Brine/Fowles Storefront)  
*(window operation & historic character are both protected)*

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# Defining Demolition (triggers, thresholds, calculations)

## Proposed Language Codifies Existing Interpretation/Application

- *Hancock Street & Harrison Street projects > disputes/clarification)*
- *KP Law opinion, irrespective of the proposed **clarifying** amendment)*



12-14 Harrison Street  
(original *framing* and *sheathing* is also protected)

# Defining Demolition (triggers, thresholds, calculations)

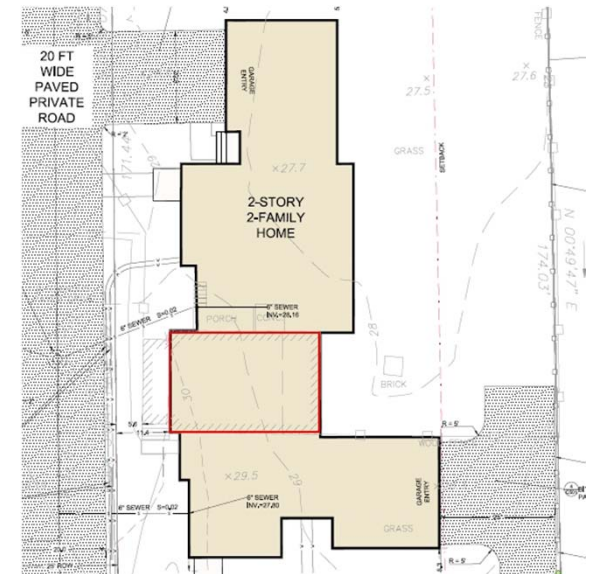
## Proposed Language Codifies Existing Interpretation/Application

- *Hancock Street & Harrison Street projects > disputes/clarification needed*
- *KP Law opinion, irrespective of the proposed **clarifying** amendment*



27 Hancock Street

*(enveloping a historic structure = destruction of its **exterior** walls by conversion to interior = demolition)*





# Defining Demolition (triggers, thresholds, calculations)

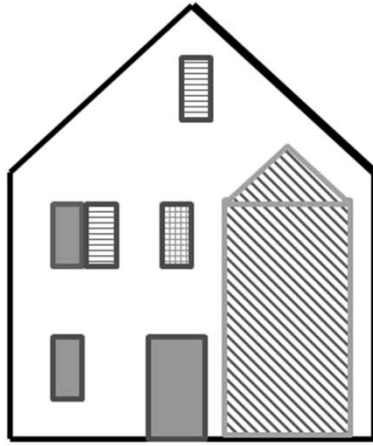


Diagram A

- External wall area (framing and sheathing) to remain exterior and be resided does not count as demolition
- Existing windows/doors to be replaced with windows/doors DO NOT count towards demolition
- New or enlarged openings in external walls count as demolition
- Existing opening to be infilled with wall area count as demolition as they are NOT being replaced in kind
- Wall area behind addition counts towards demolition

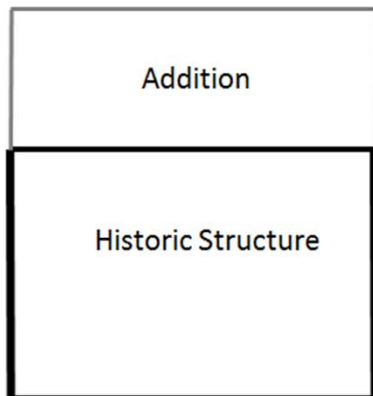


Diagram B

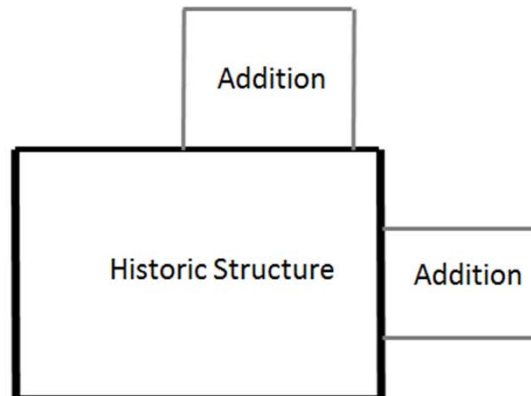


Diagram C

# Comments & Input on Proposed Amendment(s)

## Categories:

- **Minor Language/Editorial Edits**  
*(email to Planning Director, Zoning Administrator, Council President)*
- **Substantive Issues/Concerns** *(please comment now)*  
*(email to Planning Director, Zoning Administrator, Council President)*

## Next Steps:

- **Revised/Updated Draft** *(distributed/posted)*
- **Recommendation to Council** *(approval “as amended”)*
- **Continued Public Hearing/Meetings?**