

February 26, 2017

Chairman Marc Laredo
Land Use Committee
Newton City Hall
1000 Commonwealth Avenue
Newton, Massachusetts 02459

Dear Chairman Laredo, Honorable Councilors and Committee Members:

As immediate abutters to the proposed Washington Place development, we would like to share with the Land Use Committee the following comments on Mark Development's apparent intention to withdraw their application to the City of Newton for rezoning and special permits in order to pursue a 40B petition with the Commonwealth of Massachusetts.

Background:

First, a word about the evolution of the project from our standpoint. In **August 2015**, over eighteen months ago, Mr. Korff contacted several of us in person and by letter to indicate his intention to develop the Orr Block at the corner of Washington and Walnut Street. In his initial letter, Mr. Korff explained that his plans were in the "early conceptual phase." He indicated that he hoped to "begin a dialogue with the neighborhood and the City" as part of a collaborative process that would result in "a plan that we can all be proud of as an asset and addition for Newtonville." At that time, news was already circulating that Mr. Korff had floated a very preliminary concept to Planning Department officials and several aldermen involving a *five story building with perhaps 100 or more apartments*.

In a spirit of cooperation that would prevail through much of the following year, we met first with Mr. Korff and his attorney on August 25, 2015 with some of our ward councilors in attendance. At this meeting in one of our homes, Mr. Korff sketched out his initial plan for a development. However, on this occasion he described a project *70 feet in height with approximately 150 apartments* plus retail establishments on the first floor. **We immediately raised concerns at this very first meeting about the height, density, and massing of such a project** given that it would abut a residential neighborhood and share an immediate boundary with our local historic district. One of only four local historic districts in the City of Newton, the Newtonville Local Historic District was established, you will recall, nearly a decade and a half ago by vote of the Board of Aldermen after a three-year effort spearheaded by this neighborhood.

We also urged Mr. Korff in our first meeting to retain some of the existing block by preserving, renovating and retrofitting the more historic Orr Block buildings, as has

been done successfully in other New England cities and towns. In this way, the new development would modernize and complement the existing neighborhood and create an attractive transition to the historic district and the larger village. In subsequent meetings, Mr. Korff and his team explained their view that the cost of retrofitting and renovating these older buildings would be prohibitive. Mr. Korff was already seeking approval from the Newton Historical Commission (NHC) to demolish the buildings at this time. As you know, the NHC judged the historic buildings "preferably preserved" which triggered a demolition delay of one year. We were obviously unsuccessful in persuading Mr. Korff to keep at least one of the buildings which are now all slated for demolition.

We want to underscore that at no time, either in our private meetings with Mr. Korff or in the public meetings and hearings that followed, did the abutters oppose development of the Orr Block site. On the contrary, we continued to meet and discuss with Mr. Korff his evolving plans in hope of an outcome that would meet the developer's needs while ensuring a project that would not overshadow and negatively impact to an excessive degree the village of Newtonville as well as the adjoining residential neighborhood and historic district. We expressed our view repeatedly that a project of three livable stories would be more appropriate to the site.

In mid September 2015, more detailed architectural plans were unveiled. They depicted a five story development sixty feet in height - as we had initially heard had been floated to city officials - with approximately 171 units. This was a dense project of formidable scale that to us seemed very out of keeping with the village of Newtonville that was already facing a large (three and four story) development at its heart. It also seemed out of keeping with the residential neighborhood, zoned as MR 1, with its mix of single family homes, two family dwellings, low rise apartments, all adjacent to the modestly scaled commercial establishments in the current BU 1 and BU 2 zone on Washington Street.

Although we continued to express profound concern over the size and scale of the development, Mr. Korff indicated that he viewed the proposed height and density as critical to the project's economic viability. We were not able to persuade him to reduce the size of the development or its density. In fact, during this process, Mr. Korff explored purchasing properties to extend the development the full block and onto Lowell Avenue, as well. He subsequently did acquire additional properties that expanded the project. In January 2017, we met with Mr. Korff at his request in search of a compromise. We offered terms we believed were appropriate as a scaled down version of the proposal. They were rejected without explanation or counterproposal.

Over a year into the process, amid consideration of the project by the Land Use Committee, the developer offered a revised proposal with two options - one with a 5/4 story structure and another of 4 stories that would move more of the massing closer to the rear setback with the residential neighborhood in order to preserve the development's density of now 160 units. We very much appreciated the modifications suggested by councilors and members of the Land Use Committee designed to create a more generous

rear setback of 90 feet and had hoped it might be extended along the entire rear boundary line.

The Process:

Mr. Korff complains to you in his letter of February 22, 2017 of an inconsistent and unpredictable process that creates unfair obstacles that he cannot overcome - presumably without further unwelcome compromise. We leave it to you to assess the merits of that argument.

Permit us to describe our experience. We have appreciated the opportunity to be heard at the many public hearings we have faithfully attended including those held by the Land Use Committee, the Newtonville Area Council, the Planning and Development Board, the Newton Historical Commission, and the Zoning and Planning Committee. The forbearance of Chairman Laredo has been particularly laudable, and we thank him for his attention, his responsiveness and his patience.

However, we do wish to register our dismay that so little attention was apparently paid in the City's internal review process to the impact of the proposed development on the adjoining residential neighborhood and on the local historic district. It appears that the Mayor and the Planning Department arrived at an overwhelmingly favorable assessment of the development. We cannot understand why Planning ignored the Northern residential boundary of the project in its initial extensive reports. Inattention to and dismissal even of the relevance of the abutting residential neighborhood and historic district (which was not mentioned in the initial assessment) was as unfortunate as it was inexcusable. It undermined what should be a more democratic process in which the legitimate needs and concerns of all stakeholders are at the very least acknowledged and addressed. It also seriously diminished any incentive for the developer to compromise in the interest of arriving at a workable consensus with neighbors and other constituents. This is very regrettable.

Concerns:

We have repeatedly expressed our concerns about this development in testimony before you, in our letters, and in petition. We will not reiterate them in detail on this occasion. But we would like to stress the following:

Zoning: As this development is currently proposed, we believe rezoning to a MU4 is inappropriate at the site given the abutting residential neighborhood and historic district.

Height and Density: Although we continue to believe that three stories is more in keeping with the surrounding village and neighborhood, we have determined to raise no objection to a residential and commercial development of appropriate scale and massing on the site that meets the current zoning requirements for height - three and four stories - and density, with special permits, as stipulated in the current BU 1 and BU2 zoning.

Setback: We believe a rear setback of 90 feet along the entire rear boundary line is reasonable and necessary given the proximity of the abutting residences and the historic district.

Affordable Housing: We strongly support the inclusion of truly affordable housing at DHCD approved income levels in this development such that 100% of the project will count toward the Commonwealth's SHI requirements. We note that the project will remove over 20 units of existing affordable housing which results, as currently contemplated, in a net gain of only 4 SHI affordable units.

We wish to note further that not only do we back affordable housing in principle, we have a record of doing so in practice. On Foster Street, inclusive of its two corners with Walnut, there presently exist, as there have for decades, *NINE* rental units of affordable housing in the Victorian homes of our historic district. Many of these apartments have rented for well below market value for years. In addition, Foster Street is the site of a multifamily group home run by a non profit organization. Within the existing residential and historic district lies a low rise apartment building (itself historic as one of the first built in Newton) which provides subsidized housing.

Far from attempting to prevent diversity or affordable housing in our neighborhood, we have been concerned that the development as proposed would drive up rents, displace tenants in the former Orr Block, and decrease the affordability of Northern Newtonville. There is no reason why a lucrative development, appropriately scaled, with ample affordable housing cannot be constructed in a way that would complement rather than overshadow or diminish the adjoining residential neighborhood.

Next Steps: We will continue to endeavor to ensure that development of the Orr Block will be appropriate to the setting, and will balance the needs of current and future residents as well as those of the city itself in ways that will both preserve and revitalize the special character of Newtonville.

Thank you again for your consideration.

Sincerely,

Ellen Fitzpatrick, 20 Foster Street
Francesca Koss, 142 Lowell Avenue
Meghan Smith, 34 Foster Street
Robert & Elizabeth Smith, 40 Foster Street
Mari and John Wilson, 30 Foster Street
Bette White, 14 Foster Street