

Nadia Khan

From: Marc Laredo
Sent: Saturday, March 11, 2017 3:45 PM
To: 'Robert Smith'; Marc C. Laredo
Cc: Nadia Khan; 'Stephen Buchbinder'
Subject: RE: March 20 Meeting

Mr. Smith,

By this email, I am asking Attorney Buchbinder if the requested visuals are available. As for what is being presented, it is what is currently before the Land Use Committee. Of course, the petitioner is free to change its proposal either in advance of or in response to questions and comments from Councilors. Again, the public hearing remains open so that the public will have an opportunity to comments on any such proposed changes.

Marc

From: Robert Smith
Sent: Saturday, March 11, 2017 12:15 AM
To: mlaredo@newtonma.gov
Cc: nkhan@newtonma.gov; Stephen Buchbinder
Subject: March 20 Meeting

Dear Chair Laredo,

As abutters to the Orr Block project, we are writing about the presentation that we understand will be made at the [March 20th](#) meeting of the whole. First, is it correct that what is being presented for discussion is the same proposal that is pending before the Land Use committee and not a modified proposal?

Second, at the last Land Use hearing, committee members requested that visuals be presented to show the height of the proposed project from different perspectives. This is something that we have requested of the developer for several months, in particular visuals that show the views of the project from the homes of abutters - first, second and third floor views since some of us have our primary living space in upper floors.

We previously pointed out how the 3D massing model and short "film" clip prepared by the developer are inadequate for purposes of assessing whether the project is "compatible with its visual surroundings"; is "appropriately integrated with these neighborhoods in terms of building height" and "does not adversely affect its surroundings" - all findings that must be made before granting the zoning change and special permit requests by the developer. See the previous email from my wife, below.

In the report from the last meeting, there is an inadvertent error in the statement of my request about the visuals - I asked that they demonstrate the views from our homes, not just from our backyards.

Thank you for your consideration of this request.

Robert Smith

[40 Foster Street](#)

From: Elizabeth Smith ·
 Date: Tue, Feb 21, 2017 at 9:28 PM
 Subject: Orr Block 3D Model
 To: mlaredo@newtonma.gov
 Cc: Nadia Khan <nkhan@newtonma.gov>

Dear Chair Laredo,

As abutters to the proposed Orr Block project, we are writing about the “3D Massing Model” that was prepared by the developer, as required in the Newton Zoning Ordinance.

We believe that the “film” version of the virtual model presented at the 2/7/17 Land Use Committee meeting was incomplete and not a fair representation of the size and scale of the project relative to the homes on Foster Street. In particular, it did not show any views of project from the homes of the abutters, which had been a specific request made by us of the developer.

With Nadia Khan’s assistance, we tried to download the software program for the virtual model but have not been able to utilize it to provide a complete and more accurate representation of the impact of the project on our residential neighborhood. We are concerned that members of the Land Use Committee (and other City Councilors) are likely to have the same difficulty that we have had, and that the virtual model is therefore not providing key information that is necessary for voting on the zoning change and special permits.

The 1/27 draft board order included this finding in paragraph 1(f):

The petitioner submitted neighborhood views and a 3D massing model, and the Council finds that the Project’s architectural characteristics and massing are respectful to the surrounding neighborhood village context including the adjacent Newtonville Historic District, and “should not damage the valued qualities of that which exists in the vicinity”, or cause adverse impacts from shadows or the blocking of views.

It is our understanding that this paragraph was deleted from the more recent draft board order because the 3D massing model had not been presented in a way to justify that finding

The zoning ordinance and special permit requests require findings that the project is “compatible with the character and land uses in the surrounding neighborhoods”; “appropriately integrated with these neighborhoods in terms of building height, streetscape character, and overall design, while providing appropriate setbacks, buffering or screening from nearby properties, especially residential ones”; “compatible in visual scale to its surroundings”; and “does not adversely affect its surroundings.

We respectfully request that arrangements be made for a more complete demonstration of the 3D massing model at a public hearing of the Committee in which specific views and perspectives of the project can be provided. This should include views from the back of our homes along Foster Street, several of which are two family or intergenerational homes with primary living areas (and views of the project) on the 2nd and 3rd floors. (At the 2/7 Committee meeting, a member of the development team stated that views from our back

yards had already been provided, but these were from the ground level only, with plantings that were not a part of the final plans included in Schedule B.

If this is the responsibility of the City's Planning Department, we would request that the Department work with the neighbors to produce the needed perspectives as soon as possible.

Thank you very much for your consideration, and special thanks to Nadia for her continual efforts to be helpful.

Elizabeth B. Smith

[40 Foster Street](#)

Sent from my iPad

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.