

## Public Comments

### Item 1:

Commissioner Josh asked why Lasell could not build this project on their existing property. The answer given was a misrepresentation.

There is a preexisting agreement on the size of the buildings in the Village and the proposed building is larger than what they can build on their property. This will be discussed briefly in this letter.

We only have the front portion of the agreement attached, not the appendix, but I would encourage the commission to read the previous agreement with the city to ensure that it does not approve something larger and more egregious than the city itself would allow.

This agreement outlines several conditions:

**a) Number of buildings approved shall remain the same as in the plan unless allowed by regular newton zoning**

This means that they could build this project on their existing land, but would have to renegotiate the terms of the existing agreement. Otherwise, normal zoning rules would be required.

**b) Maximum building coverage is 30%, Minimum amount of open space shall be 30%**

It is unclear that the proposed Robin Dell exceeds the coverage and open spaces from the information provided.

**c) The agreement discusses the number of units and says no more than 188 independent living units**

**d) If Lasell Village elects to treat the buildings connected by walkways or basements as separate buildings, then the set back calculations required by Footnote 1 of Table 2 shall be made based upon the building length and building width for each individual building without regard to the walkways or basements; provided, however, that no part of any connector which is located above grade shall intrude into the setback established by the average of the setback requirement calculated for the two buildings that are connected by that connector.**

**e) With the exception of the building marked "IV" on the Plan, no building or structure at Lasell Village shall exceed 36 feet in height. The height of the building marked "IV" shall not exceed 60 feet and shall be permitted to have one additional story above the first three stories (excluding the basement) for every 150 feet of distance from streets and/or abutting properties measured from the closest point for the building marked "IV" to the nearest exterior lot purposes of this Agreement, Lake Avenue not a street as that term is defined in line of the site. For as shown on the Plan is the Newton Zoning Ordinance, and the centerline of Lake Avenue shall be deemed to be the external lot line of the site. The height of the facilities shall be measured in accordance with the definitions of "height" and "grade" contained in the Ordinance and in this Agreement.**

The proposed building is not the Building IV and therefore cannot be four stories.

However, if one were to apply the logic that the proposed Robin Dell property be merely similar to the existing Lasell Village, then it should still be only three stories tall. If it were 4 stories, then it should be 150ft away from all buildings. Based on submitted drawings the proposed Robin Dell is not 150 ft from all abutters and therefore more egregious than the original city agreement. It appears that it is only 145 ft from 210 Grove street.

Further, Lasell University (the applicant) is wearing the wrong shoes. This is a Lasell Village project and the reasons for the application are those of Lasell Village, not Lasell University.

Michael has already acknowledged his intent to lease 216 and 222 into the future. This is the only presented plan to commission.

Lasell University and Lasell Village have done this before. In fact, the city agreement clearly states this.

**“The Village's campus shall not be held in common ownership and control with any contiguous land owned by the College. So long as the corporate relationship between the College and the Village is as presently constituted, ownership by the Village of its campus shall not constitute such common ownership and control. This severance of ownership shall occur before a building permit is requested for any of the facilities shown on the Plan”**

Therefore, I am making it clear to the commission that in my opinion it should clearly already know that 216 and 222 are and will be legally be considered abutters to the new Lasell Village building at 24 Robin Dell. Therefore, the new building should be 150 ft from 216 and 222 as well. To do otherwise would reward the practices of showing up where different shoes depending on what the perceived benefits are for the circumstance.

This was pointed out to the commission last meeting. If a neighbor of the apartment complex purported to be the owner of the apartment complex to build an additional unit in their backyard for the greater good of newton (more affordable housing), the commission would clearly reject this applicant.

f) in accordance with Footnote 2 of Table 2, a 60-foot vegetative buffer shall be maintained from the external lot lines of Lot 1 as shown on the Plan.

The 60 ft buffer should exist on all sides of the new building including between the new building and 216 and 222 as they are abutters, not campus to Lasell Village.

Further, the proposed building requires a fire road behind 210 Grove. It is not clear that this has been discussed in the public meeting, but the fire road would destroy the 60 ft vegetative buffer that current exists making the building 85 out of compliance with the city agreement.

Further, the University has stated at a commission meeting that a retaining wall will be built between the fire road and 210 Grove street, but this has not been put in writing or even documented in an email. Further, the current suggested plan as shown by Lasell University's application is that 210 Grove is to give up some of its property along the back of the property to screen the new project as screening at the new building from Lasell University property was suggested to be ineffective given the difference in grade. It would take >20+ years for such trees planted on Lasell University property to be effective was the reason given.

Shown here is a line of trees being plants on our property to screen the new project. It also shows the fire road would destroy the existing vegetative buffer.



**Item 2:**

I believe the renderings are still maintaining a dilation greater than 1 to pull the property back from the street. I have brought this up many times and now believe it is intentional to minimize the visual impact.

LASELL VILLAGE  
PROPOSED RELOCATION OF 24 ROBIN DELL - VIEW FROM GROVE STREET



**Item 3:**

Barbara said something like: "in short, this is not redrawing the district as that requires 2/3 vote and they did not vote." But in practical sense, this is redrawing the district to allow for a "large residential housing for Lasell Village (as noted by comments made by the architect). Paul also said if you draw a straight line from 85 to 125, then this new building is set back... the word setback implying it is separated from the historic area. There appears to be no real setback on this line, but regardless, one can see how this building was designed to fully encompass this visual chop-off line. It is quite obviously chopping off part of the historic district and giving it to the neighbor, Lasell Village.

It is hard to describe this as anything else.



An equally simple thing that is more accurate than the provided reason why this is not redrawing the historic district would be: "Lasell Village wants to appropriate the land jutting into Lasell Village for more housing. The Lasell Village management should go to the city council that has authority to redraw the boundary by offering to move the historic house into the adjacent properties that the Lasell University owns and provide the necessary negotiated considerations."

This ongoing process to consider allowing an external neighbor to apply for changes to historic property by wearing the wrong shoes is quite complicated and would require greater sophistication than would normally be found on a historic commission. The neighbors previously sent legal research by those skilled in these matters to aid the commission. This law firm concluded that this application should be denied.

In addition, the 24 Robin Dell house has been poorly maintained and is an eyesore with the clear intention of waiting till the request to demolish (that existed many years ago) would be approved. This should not be rewarded.

Finally, I would expect that if this application be denied, Lasell Village will next try to deal with the city council to redraw the historic boundaries. By working through the commission in this manner, it appears that Lasell Village may get greater concessions that would be possible through working with the city given the terms of the proceeding agreements.

This application should be denied. But it definitely should not be approved with provisions that are more favorable with respect to building mass, setbacks, vegetative buffers, stories, and open space than what the city previously negotiated.

Sincerely  
Steve Weiss  
210 Grove St

**Endnote.**

Apologies for the quick wording of this document. I have been on travel.