

## Overview: Historic District and Abutters

This section deals with the fact that the Orr Block directly abuts the Newtonville Historic District. This district is important architecturally and has its own particular character; it also houses people who are direct abutters to the Orr block and are highly concerned about how the project would affect them.

- *Abutters and Historic District*

Meghan Smith and other material

*¾ Orr Block abutters have strong and legitimate concerns about Washington Place. A letter describes their concerns. The abutters are also part of a Historic District. A development the scale of Washington Place should not be located adjacent to this district.*

- *Letter from An Abutter*

Patrick Slattery

*¾ An abutter who owns a rental property adjacent to the site voices numerous concerns, including about problems arising from the construction process itself.*

## The Newtonville Historic District And Abutters' Comments

The Orr Block directly abuts the Newtonville Historic District. It should go without saying that a project the scale of Washington Place would be a poor fit with this particular Historic District, which "consists almost entirely of residential structures, most dating from the late-19th and early-20th centuries..on moderate-sized lots. But we have not seen serious attention paid by the city to the unfortunate juxtaposition of the Orr parcel and the District.

Here is a full description taken from the city website:

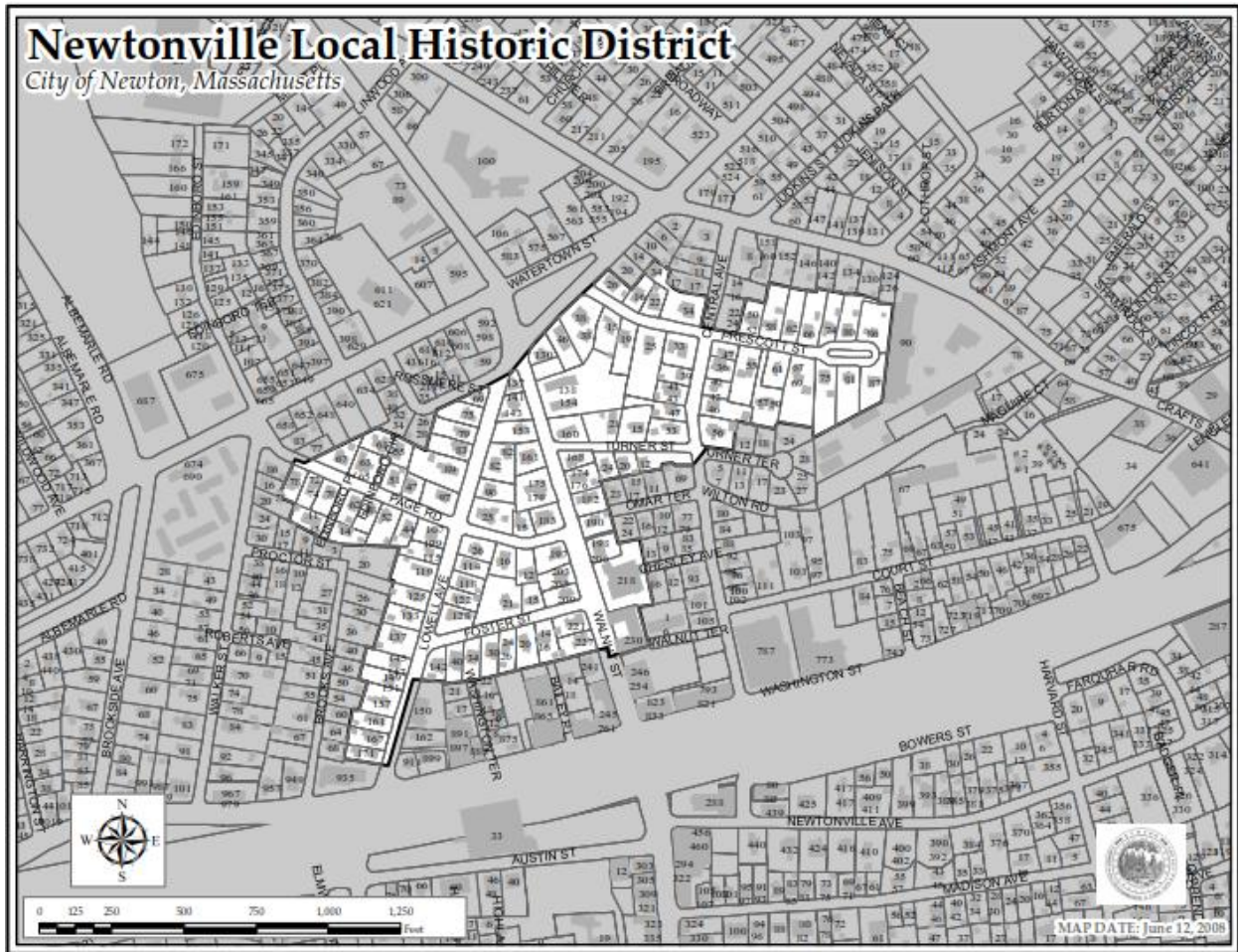
<http://www.newtonma.gov/gov/planning/histpres/districts/newtonville.asp>

*"Newtonville has been recognized as an architecturally important and intact historic neighborhood displaying examples of many late 19th and early-20th century residential architectural styles. In 2002 the Newton Board of Aldermen approved the formation of the Newtonville Local Historic District in accordance with the General Laws of Massachusetts and Newton City Ordinances. By formally recognizing the area, the City clearly acknowledged the historical significance and architectural integrity of the area contained within the boundaries of the district. The Newtonville Local Historic District has an intact historic fabric with a variety of styles representative of its primary period of growth and development as a streetcar suburb of Boston. The study which formed the basis of the historic designation describes the cohesive nature of the neighborhood that results from the overall massing, scale, lot size, setbacks and craftsmanship of its structures.*

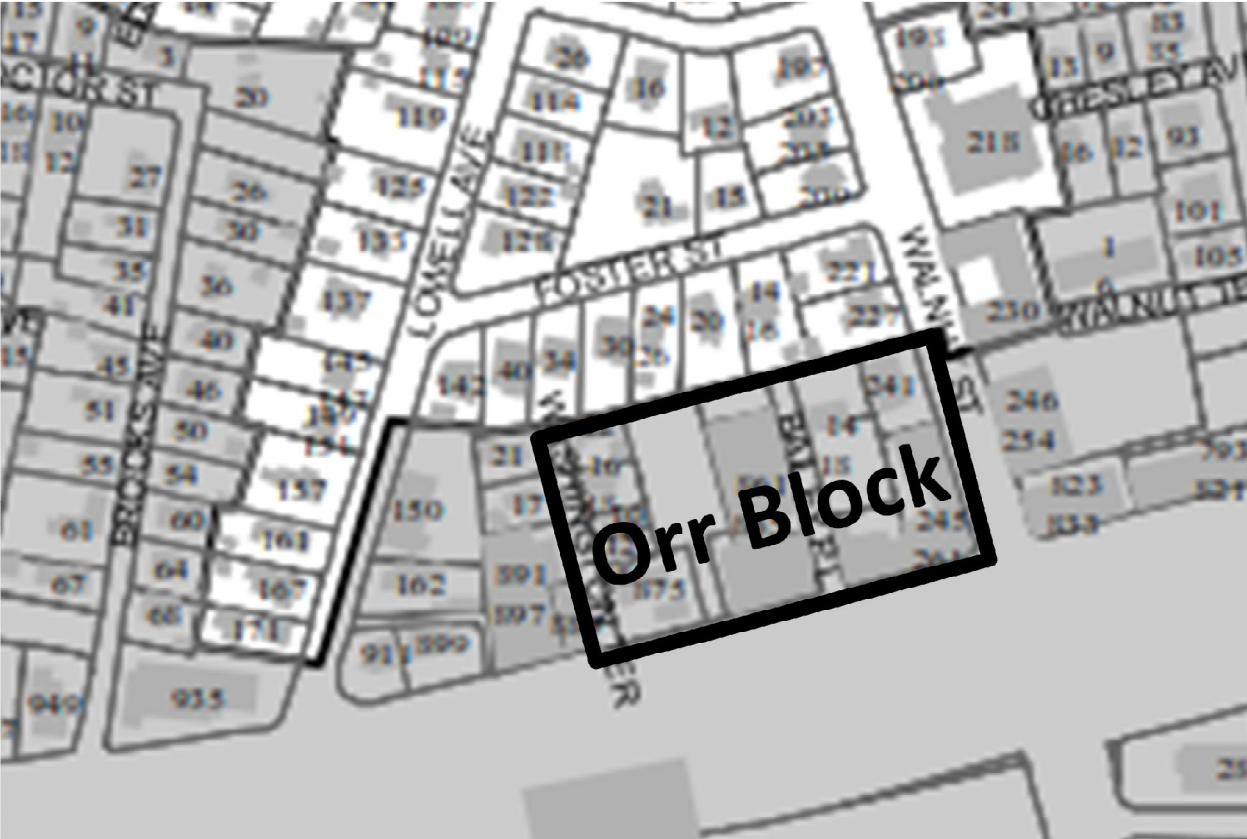
*"The Newtonville Local Historic District consists almost entirely of residential structures, most dating from the late-19th and early-20th centuries. The dwellings are characteristically large detached houses, which were originally built as single-family homes on moderate-sized lots. Queen Anne, Colonial Revival, and other revival styles from the late 19th and early 20th centuries are predominant in this historic neighborhood."*

On the following pages are maps of the Historic District and a statement by a group of abutters. The abutters reside in the Historic District.

# Map of Newtonville's Historic District



Zoom in: the Historic District abuts the Orr Block / Washington Place



## Comments from Orr Block Neighbors at 12/15/16 Land Use Committee Hearing:

Thank you for this opportunity to speak this evening. As abutters and close neighbors to the Orr Block, we support mixed use development on this site, including the creation of new housing, especially units that are affordable to individuals and families. However, we continue to oppose each of the proposed plans for the site to date as the developer continues to be unwilling to reduce the density, scale and height of the project in any meaningful way.

- We also oppose the developer's requests for rezoning and special permits that would allow for such a tall and dense project – 5 stories and 171 (or 164) units – and believe that it is out of proportion to Newtonville as a village. The developer could create a thoughtful and much more fully embraced project within existing zoning that could still include a significant percentage of affordable units. We are especially proud of the fact that Newtonville has provided affordable housing over the years and want to see it continue to do so.
- As we have looked at the criteria for Mixed Use Districts and development under City ordinances, we continue to believe that neither the developer nor the Planning Department has given enough consideration to the purpose of mixed use development, which includes encouraging “comprehensive design within the site and with its surroundings” and which “protects neighborhoods from impacts of development”.
- We have heard justification for the proposed height of the development being based on the width of Washington Street, and we have seen numerous depictions of the development plans from Washington and Walnut Streets, both during the day and at night. Frankly, until more recently, more attention has been given to what the development would “look like from the south, east and west”, and whether is “fits with” Washington as a street, than to its impact on those of us who live in what is a City Council-designated Historic District neighborhood who will have to live with, day in and day out, what is built here.
- More specifically, as abutters and other close neighbors, we have respectfully asked that the developer prepare renderings that look at the proposed project from the northern/Foster Street perspective and not just from our back yards with proposed plantings that might or might not survive. How will it look at night when five and four stories and parking lots are lit behind our homes? How will it look from our second and third floors? We have yet to see this but have serious concerns given the massiveness and height of the proposed project. While we appreciate the new rendering for what the back of the development would look like from the parking lot, we believe that the project is still too close to our homes, being only 45 feet away on the Walnut Street side.

- We also have heard how the proposed development will “knit Newtonville together”. While this may sound good, we wonder what this really means. Many of us who have lived in Newtonville for years walk around the village and cross the Walnut Street or Lowell Avenue bridges all the time. Building an oversized project will not change the division of Newtonville by the Mass Pike. In fact, there is an unfair irony that the presence of the highway, something we have had to live with over the years, is now being used as a justification for this site being “especially appropriate” for a 5-story development, something we do not support.
- In terms of Newtonville as a whole, we know that the village already has one MU4 development on Austin Street that has yet to even break ground. As we said above, there will be more development in Newton, but especially in village centers and bordering residential neighborhoods. It needs to be compatible with the surrounding community, appropriate in size and spread throughout the City. Just because a particular developer has chosen a particular site does not mean that what the developer wants should rule the day, with the City in a continual reactive mode.
- There also are serious concerns about traffic. The traffic studies are not plausible for anyone who lives in or drives through the area on a regular basis. This is particularly questionable since the impact of the Austin Street and Court Street projects are still unknown. It is premature to approve this development (which is more than twice the size of the Austin Street project) prior to assessing the effect on traffic and other impacts on Newtonville.
- Finally, many Newtonville residents also remain concerned that a development of this scale will set a precedent, not only for the Washington St. corridor but also other parts of Newton. At the most recent Planning and Development Board meeting, the City planner present was asked if any impact study had included the possibility of other MU4 developments in Newtonville – the answer was “no”. This is an important question to consider.

In conclusion, we do not see any compelling reasons to grant a change in zoning for the Orr Block site and urge you to keep the development within the current zoning. We also want to thank our own City Councilors for the time they have taken to hear and discuss our perspectives and concerns.

Sincerely,

*Meghan Smith*, 34 Foster Street, on behalf of herself and:

Ellen Fitzpatrick	20 Foster Street	Mari and John Wilson	30 Foster Street
Francesca Koss	137 Lowell Avenue	Robert and Elizabeth Smith	40 Foster Street
Bette White	14 Foster Street	Patrick and Gerald Slaterly	221 and 227 Walnut Street
Adel and Bonnie Foz	16 Page Road		

Letter from An Abutter  
Patrick Slattery

June 7, 2016

From:  
Patrick J. Slattery Trustee  
P&K Realty Trust  
143 Bridge Street  
Newton MA 02458

Patrick J. Slattery Owner  
221 Walnut Street  
Newtonville MA 02460

To:  
The Honorable Marc C. Laredo  
And All Honorable Members of The Land Use Committee  
The Land Use Committee  
1000 Commonwealth Ave  
Newton Center MA 02459

RE: The Proposed Project at Orr Place on Washington and Walnut Street in  
Newtonville MA 02460

I would like to begin by stating that I support the right of any landowner in Newton to improve and develop their land according to the current zoning laws of The City of Newton. I further add that any reasonable development that fits the size and character of the village, one that is of clear benefit to the community, is one that I would support.

Sadly the proposed development on Washington and Walnut Street, commonly referred to as The Orr Block does not meet these criteria. So, with regret, I urge this Honorable body to not grant any Special Permit or any Waiver of the current zoning laws of The City of Newton.

I object to the proposed development on Washington and Walnut Street, commonly referred to as The Orr Block for the following reasons.

1. The size of this development is greatly beyond what the village of Newtonville can accommodate. This fact is self evident by the nature of the requests made in this proposal. It is clear that this development will place huge demands on the village in terms of city services, traffic, and the daily life of the community.

- 1A. I specifically object to the size of the project proposed next to my property at 227 Walnut Street. The proposed development would cast a shadow over my house and my carriage house. It would transform the current historic village atmosphere to an oppressive overly-urban character. It further will endanger the health, welfare and safety of my tenants at 227 Walnut Street and the carriage house at 227 Walnut Street by causing ice to build up on my driveway; and preventing the sun from melting such ice.
2. The current site has 5 access roads, providing 5 means of entrance and egress to the site. The current site also mitigates traffic impact by focusing traffic to specific areas on the site, as well as being much smaller in size, the homes on Washington Terrace for example. The proposed development will create a new two lane street that will take the traffic load of the entire development and concentrate it onto two points, one on Washington and one on Walnut Street. This will create traffic bottlenecks on both streets. It is also clear that traffic bottlenecks will occur on the site itself, take the garage for example. The need for the garage will be greatest during rush hours, when general traffic access to the site is needed. The proposal also does not provide a Fire Lane or Emergency Service Access to the site. This endangers the public at large.
- 2A. I specifically object to the traffic caused by creating a new and very busy 2-lane street behind my house at 227 Walnut Street and all the homes on Foster Street. All of our backyards will now face this busy street. The noise will be a great problem. The new traffic congestion will also limit access to my property at 221 and 227 Walnut Street as well as my tenants and all homeowners in the surrounding area. This problem will be greatest during morning and evening rush hour.
3. The proposed garage will face my carriage house (used as a residential dwelling) at 227 Walnut Street. It is clear that this is another traffic bottleneck within the site itself. Will this garage operate with flashing lights and alarm bells? This would be a frequent annoyance to my tenants at 227 Walnut Street and the carriage house at 227 Walnut Street. Also will the constant heavy traffic undermine the foundation of my carriage house at 227 Walnut Street?
4. Where exactly are the loading zones for this proposal? How will loading and unloading be carried out and at what times? Will my tenants at 221 and 227 Walnut Street and all the homeowners of Foster Street be subjected to excessive noise at very early hours of the morning? This would not be just.



5. The current proposal states that the existing trees on the site are to remain. The tree in front of the carriage house at 227 Walnut Street is a danger to the power line to the carriage house at 227 Walnut Street. In the past the branches nearly brought down that power line. This could cause grave bodily injury or even death to my tenants or to the public at large. This tree must be removed. If the power is run underground to my carriage house as part of the proposal; I have no objection to this tree remaining.
6. The parking lots of the current site are in great disrepair. This means that large sections of the parking lots are permeable to water. So a great deal of rain and snow on the site now are absorbed as groundwater. The proposed site will make the entire site impermeable to water. All water runoff will have to go into catch basins. This will have negative impact on the environment. We propose that trees be planted in the parking lot to absorb this water.
7. What is the nature and composition of the border on the north side of the proposed site? What fencing is proposed? What sort of greenery is proposed? How will it be maintained? We object to any planting that will trap animal waste and insects, such as ivy. Will anything be stored in this area? We object to anything hazardous or flammable being stored in this area?

7A. We insist that access must remain unimpeded to the intake and exhaust vents as well as the electric meter to the carriage house at 227 Walnut Street.
8. The entirety of this project is overly car centric with all of the traffic concentrated against the abutters. It is an island unto itself only accessible by car and shut off from the rest of the village.
9. The methods that will be used to build this project may cause severe and perhaps permanent damage to my property at 221 and 227 Walnut Street as well as to surrounding homes. These homes are built on fieldstone foundations. They could be severely damaged by pile driving in the construction of the proposed site. The cost to repair the damage will be higher because the homes are historic Victorian homes. In some cases repair may be impossible. The loss of stained glass for example. This is not a risk or cost that I should have to assume. Nor should other homeowners in the area.
10. Where is the environmental impact study? How will Lead, a neurotoxin and asbestos, a carcinogen be removed? How much needs to be removed? Is the ground around the gas station contaminated? [you could say instead that the gas station ground IS contaminated, as is the soil under the parking lot, and possibly under the buildings.] Will any wildlife be displaced, especially vermin? Is there an underground ledge that will have to be dynamited?

11. Will the excavation of this site undermine any yards or property foundations? I ask this with special regard to 227 Walnut Street and the carriage house at 227 Walnut Street.
12. There should be a buffer zone between the proposed site and my property at 221 and 227 Walnut Street as well as for the surrounding homes.

Once again, I urge this honorable Board to reject this application for the reasons above.

I request written answers to these questions from the Law Firm representing the Party making this request.

I look forward to a new proposal that will be to our mutual satisfaction.

Thank you for your attention to this matter.

Sincerely,

Patrick J. Slattery.