

## Hummel, Robert

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**From:** Jack Dawley <jdawley@northlandresidential.com>  
**Sent:** Tuesday, January 18, 2022 4:21 PM  
**To:** Hummel, Robert  
**Cc:** Jack Dawley  
**Subject:** [EXTERNAL]RE: Letter To Planning Board 1/15/2022 for Jan. 18 Hearing on McLean Zone 3

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Rob and Board Members all,

Below is my response to the Newberg email(s) regarding buffering.

As a matter of zoning, the requirement is address buffering between Olmsted Dr. and the immediately abutting Zone 2. It is a stretch to extend this issue beyond the Z2/3 interface to where Z3 abuts the Bowl.

- 1) Upham Bowl has a total perimeter of over 2,000', (nearly 4/10ths of a mile) and is roughly 800' long and 350' wide. Of the perimeter, the Woodlands accounts for nearly half at 992'LF; the Hospital frontage is 863'LF (all of which is edge of roadway), and the Zone 3 edge along Upham Bowl is just 166'LF or 8.3% of the total perimeter.
- 2) It should be noted that Mr. Newburg's home is +500' distant from the western edge of Zone 3 and 25' higher in elevation than the edge of the bowl at the existing paved parking area.
- 3) The hospital pedestrian path and use predates both the Woodlands and all Zone 3 proposals.
- 4) The current use of the property along the Z3 frontage is for parking with decrepit paving and derelict fixtures.
- 5) The formerly proposed condition for the B1&2 pod was a 38 car parking lot. This lot almost certainly would have been for by ARC for staff parking use since it was remote from the CCRC facility. That means cars in/out at 7:00/3:00/11:00, day-in day-out.
- 6) Formerly proposed and permitted conditions have been of public record for 20+ years. Each Woodlands owner bought with the current use and conditions in full view and no reasonable expectation other than the area would be continued to be used for parking.
- 7) As a base-line the current proposal is materially better.
  - a. Objections to seeing people walking on the path is a non-starter: this use predates all development and continued un-interrupted.
  - b. Objections to seeing two new homes with Bowl fronting decks is to object to the very condition they enjoy along with the view each of the Woodlands Bowl facing homes have of each other. It's part of condominium living in this context. Their homes borrow views of Upham Bowl. To begrudge the addition of two more homes as replacements to derelict and/or expanded parking is, most generously, disingenuous.
- 8) The two proposed homes on the Bowl (Blds #1 & #2) are similar in size, form layout, etc, etc to the 14 WBH units that presently face the Bowl: Rear oriented living spaces, decks facing the open space, etc, etc, etc. This is a like-to-like use if there ever was one.

- 9) Finally, many Woodlands homeowners use the path to access the bowl, so encasing it in a buffer is a disadvantage to them.

Jack

John C. Dawley  
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**From:** Joseph Newberg [mailto:Joseph.Newberg@outlook.com]  
**Sent:** Sunday, January 16, 2022 2:22 PM  
**To:** S. Pinkerton (s.pinkerton@verizon.net) <s.pinkerton@verizon.net>; Hummel, Robert <rhummel@belmont-ma.gov>  
**Cc:** Jack Dawley <jdawley@northlandresidential.com>  
**Subject:** FW: Letter To Planning Board 1/15/2022 for Jan. 18 Hearing on McLean Zone 3

Dear Messrs. Pinkerton, Hummel and Dawley,

Due to the shortness of time before the Jan. 18 hearing on Zone 3, I wanted to make sure you all see as soon as possible the few comments below, which I emailed to Rob Hummel last night.

If any of you have questions prior to the meeting, I am happy to answer them.

With many thanks for your attention, and all your work so far!

Respectfully,

Joe Newberg  
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**From:** Joseph Newberg <[Joseph.Newberg@outlook.com](mailto:Joseph.Newberg@outlook.com)>  
**Sent:** Saturday, January 15, 2022 5:20 PM  
**To:** Joseph Newberg <[joseph.newberg@outlook.com](mailto:joseph.newberg@outlook.com)>  
**Subject:** Letter To Planning Board 1/15/2022 for Jan. 18 Hearing

Dear Mr. Hummel,

1/15/2022

This is for you, and for transmission to the Planning Board and Mr. Dawley before than January 18 hearing.

I am writing to re-iterate several comments I have made in writing since the commencement of the Zone 3 hearings. Since I do not see these reflected in the latest Buffering Plan submitted by the Developer, I would like to call them specifically to the attention of the Planning Board and ask that they be addressed on January 18 and in the final documentation before the Board grants Design and Site Plan approval.

These requests are modest, but important. While I speak only for myself, my requests seek to protect all of those who abut Upham Bowl, but are not in the small group of direct abutters (Eckert/Rome/Chin/Esbah) and are not represented by them. I have not been invited to any of the direct discussions that small group has had with the Developer, nor have I been consulted by them.

Most of these requests have been submitted to you, for the Board, with details, and even diagrams, in the past, so I will be brief:

1. Larger Trees: The proposed (and appreciated) 5 new maples (3-3.5 inch caliper) along the new fence area from 12 Meadows Lane to the side of Building 1 should be larger. (The same comment was made --and accepted-- for the Chapel area, by Mr. Haglund). The current sizing will not provide adequate screening of this "gap" area for many years. Addition of some evergreens in this area would also be welcome, to provide all season screening. The "gap" allows site lines of traffic, lights, and the like from my unit at 16 S.Cottage Rd., and also for at least two units on the South side of Upham House, and this issue can and should be easily addressed. I would ask that the Planning Board incorporate these requirements into the Buffering Plan prior to approval.

2. Replacement of Large Historic Tree in the Bowl: The Board should consider asking the Developer to work with the McLean Hospital to replace with a suitable new tree the large old historic tree that died and was removed from the bowl only a few years ago. This was roughly behind 6 Meadows Lane. That tree provided--and if replaced would someday provide again--suitable and historic buffering of our bowl-abutting properties from sight lines to Olmstead Drive. It would be a very welcome exercise of historic upkeep and stewardship by the Hospital, even if at Developer expense, and would alone contribute substantially to the desirable buffering. I would encourage the Board requesting this as part of the buffering plan.

3. Costs and Responsibilities: The Developer's latest Buffering Plan, worked out with the small group of direct abutters, provides for a 120 ft stone wall, patio screening at two units, and additional plantings at 4 units. The expense and execution of the stone wall is the Developer's, but the plantings and patio screening is addressed only by a "dump some money and run" approach, leaving it to the owners and the Condo Association to undertake any work, and apparently any later upkeep, replacement and maintenance. I ask that the documentation (i.e., REA and the Buffering Plan), clearly spell out that: the Developer and thereafter Zone 3 be required to maintain, repair and replace as and when necessary (i) the new stone wall; (ii) any new patio screening, and (iii) the new (additional) shrubs --all of which would be beyond our present Condo Community Standards, and which are in response to buffering obligations imposed on the Developer, not on the Condo Association.

I ask that the Planning Board incorporate such clarity into the documents prior to approval. Again, I am speaking only for myself, and not for the Association, but this is a concern I am also expressing to it.

4. Snow Maintenance. Zone 2 has two emergency-only access/egress areas, one at lower South Cottage and one at Meadows Lane. Since access and egress to/from those areas is by Olmstead Drive and over its sidewalks, Zone 3 should have the express obligation to clear such access, with at least the same priority as it has to clearing Olmstead Drive. Removal and storage of the snow from such areas should also be required by Zone 3. I do not see any such provision even for just clearing those entrance/exit points, in the snow management plan. Indeed, if there is any provision for snow storage, it is to suggest that snow will be hauled away by Zone 3 only if it cannot be dumped by zone 3 on abutters land. Inadequate provision for snow storage within Zone 2 has been severely limited by the design of Zone 2, and access by Zone 2 via Olmstead Drive to places it owns for storage outside of the egress areas (e.g., behind the stone wall that wraps along 71 S Cottage), has--after initially being available-- been denied by the Hospital and presumably also will be by the Developer. I suggest that Zone 3 be required to clear the two exit/egress areas, and they can put the snow behind that wall (assuming the Condo Association has no objection, which it should be asked).

None of these requests seem to be onerous. At the least, they merit desirable clarifications. But they all should be specifically addressed, and if accepted be incorporated into the REA and/or Buffering Plan prior to Design and Site Plan Approval.

It would of course be helpful and appreciated to know where these items stand.