

**TESTIMONY OF ALLEN E. NEYMAN, A.I.A., ARCHITECT CONSULTANT
CHAIN BRIDGE ROAD/UNIVERSITY TERRACE PRESERVATION COMMITTEE,
ON BZA APPLICATION NO.17309**

I am Allen E. Neyman, Principal of NSArchitects, 1700 Research Boulevard, Rockville, MD, 20850. NSArchitects is full service architectural design practice specializing in residential and commercial projects. The current business is a continuing practice first established in 1962. I am licensed in and practice architecture in DC, and 6 states.

I have reviewed the proposed design and related documents for the Dorchester proposal. The site design for the Dorchester is, in my opinion, seriously flawed. It is incompatible with, and will result in adverse effects in the neighborhood.

My critique is comprised of 3 simple points: 1. The level of disturbance is too high to protect the natural environs; 2. The proposed pattern of development is dissimilar to the existing neighborhood; and 3. The claim that the lots will conform to subdivision and overlay standards is disingenuous.

1. Level of disturbance. Graphics are presented to demonstrate an alternative view. The first graphic "Proposed Development" shows the buildings' and pavement's (no SW structures or laterals) potential affect on trees. This analysis utilizes a generally accepted method of critical root zone, but it portrays the worst case the standard allows, in which the critical area is defined as 1.5 times the inch diameter of the tree, expressed in feet. Graphic #2 Proposed Development shows the possible (or likely) status of tree cover that would remain after development. And, that is, without assessing the effects of the construction of an SWM system, which would result in more damage.

It has been proposed that tree cutting would be kept to a minimum, but the graphic shows that the level of disturbance is very high, and would be detrimental to almost all existing vegetation. The proposed development will have an adverse affect on the neighborhood, by permanently altering the natural environs. It has not been suggested, nor do I believe, that this environs could ever be restored after construction.

2. Pattern of Development. This plan is about maximizing development, not about creating neighborhoods. It was suggested wrongly in the proposal that this plan is based on the existing pattern of development, that existing houses are as large and larger on tiny lots, and that properties are densely packed, perhaps more so than that proposed. The contention that the existing houses are crowded close together is based on a very selective and misleading sample of properties. But as you have already seen, the record shows that on the average lots are about 22,000 SF and houses 3,500 square feet. Based on the stats, there is no comparison; the development presented is not compatible with the existing pattern. Not all of the existing properties may be to everyone's taste, but then none exploits the limits of development as this proposal intends to do, or with such conspicuous dissimilarity.

To justify the design, the applicant characterized the neighborhood as large houses built close together, but this is generally not the case. While many houses are constructed close to the Chain Bridge Road, these houses are actually spread along the road in many cases and have large and private rear yards. The open

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space. This historic pattern of development started long before zoning was in effect in Washington. The high-density development proposed, compounded by the scale and bulk of structures is foreign to this neighborhood. Thus, rather than ease into a difficult site, this enclave will stand out for its dramatic differences. We all have grave concerns about a storm water plan, apparently based on the bad idea to direct flow of water over the existing main driveway. That driveway was never intended drain water from an acre and half of impermeable surface, and cannot, unless it is radically reconfigured. But that would disrupt the site even more.

Absent is the assertion that the Dorchester plan helps solve some urban problems dealing with sustainability, or, affordability, or health and welfare of the community. So the plan needs at least to be proven compatible with the community and protective of the natural environs. No such proof is offered. The evidence presented shows only how to exploit this area to the maximum.

3. The claim that the proposed lots conform to the subdivision and overlay for lot size and impervious surface is disingenuous. As I understand it, the theoretical subdivision regulations look at compatibility with the neighborhood and protection of the environs. All complying plans do not make good neighborhoods, and that determination is why we are all here, minimal compliance is insufficient. When houses are placed on terraces overlooking another, an additional story or two of bulk and mass are created. Woe is the neighbor who is overlooked, and overwhelmed, figuratively and literally, by any of the proposed buildings. The applicant boasts the plan is "a proposal to leave the site in its natural state." This lacks candor, as well, when a landscape plan is required that would replant most of the site destroyed by development. The applicant said that there would be no grass...on heavily wooded lots. And if there are no trees where are the heavily wooded lots? The plan does not conform to the intent of the zoning and overlay which provides for the accommodation and preservation of the existing environs.

In conclusion, I ask the Board to consider the value of the Concept Subdivision shown in this graphic #3. Relegate construction only to the less sensitive areas; develop these areas, and only these areas; preserve the natural setting and have less adverse impact on the neighborhood. Graphic #4 shows a series of lots by right (also with too big houses, unfortunately) but nevertheless, one that respects the street and existing conditions more carefully. I strongly recommend reducing the number of lots. Graphic #5 finally shows theoretical lots with sensibly scaled buildings. Our plans' major weakness, like the applicant's, is that they rely on the existing driveway for primary access, and as we have seen, it has not been proven possible and many questions remain unanswered. But we were not charged with finding every solution here; this plan merely illustrates that a more sensitive and protective approach to the site is possible. Finally, I recommend that the affects of the retaining walls and terraced contouring be assessed relative to building height, and reduce those heights accordingly, especially at the edge of neighborhoods.

In conclusion, after all, I only have questions. When the Board of Zoning Appeals is asked for a special approval, does giving the minimum and taking the maximum, with regard to the essential metrics of coverage, setbacks, side yards, etc., really meet the intent of the law? Should the applicant bring something more than the minimum requirement? Should we not expect more than another high density, high end deal that benefits only the developer?