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Alderman Marc C. Laredo, Chair, Land Use Committee
Members, Land Use Committee
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

March 16, 2015

Regarding: #366-14 Arman Chitchian petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition and reconfigure an existing two-family dwelling to two side-by-side attached dwellings, which will increase the Floor Area Ratio from .24 to .42 where .36 is allowed, at 143 LINCOLN STREET, Ward 5, NEWTON HIGHLANDS, on land known as SBL 52, 1, 18, containing approximately 11,775 sf of land in a district zoned SINGLE RESIDENCE 2.

Dear Members of Land Use Committee,

I urge you to **REJECT** Docket item #366-14, a Special Permit to construct two side-by-side attached dwellings that will increase the Floor Area Ratio from .24 to .45 where .36 is allowed, at 143 LINCOLN STREET, Ward 5, NEWTON HIGHLANDS. The petitioner is proposing an increase in SF from 2973 to 5267 SF.

The project is undesirable and should be **REJECTED** based on the following conflicts with Newton's zoning ordinances:

- 1) There is insufficient "public convenience and welfare" that will be served by this project. By increasing the size of this structure by 77%, the project will greatly exceed the FAR limits for this neighborhood. The proposed structure will be highly inconsistent with the size, scale, and design of other structures in the neighborhood. In general, the FAR of other lots in this neighborhood is between .20 and .30, so this proposed increase in FAR to 0.45 is substantially out of character and in derogation of the size, scale, and design of this neighborhood.
- 2) The vertical extension of the proposed structure not only increases the height of the structure by 6-8 feet, but it increases the bulk of the third floor. Newton zoning code regarding non-conforming uses (Sec 30-21) notes that in order for a change in a structure to be not substantially detrimental to the neighborhood, dormers should not extend above the height of the existing roof peak and that they should not add more than 400 SF of floor area. In this proposal, the third floor will be enlarged to add over 1000 SF of floor area. Therefore, the bulk of this third floor does not comply with the spirit of the zoning ordinance and is overly massive, out of character, and detrimental to the surrounding neighborhood.
- 3) Similarly, at least one of the proposed rear decks exceeds 200 SF in size, increasing coverage to the lot, reducing open space, and being out of character with the surrounding neighborhood.
- 4) The proposed new addition ("Unit B") extends within 25 ft of the front setback to Mountfort Road, encroaching approximately 2 feet further forward towards the public right of way. This would create an adverse situation regarding neighborhood setbacks that should not be permitted.

- 5) The project proposes converting a substantial amount of the lot facing Mountfort Road into a paved driveway and additional space that could accommodate parking for many cars. Although the proposal's plan for a 2-car garage is within the scale and scope of such a project, the plans call for at least 4 additional parking spaces within the Mountfort Road setback. The actual area set aside for parking identifies a space approximately 43 ft wide, potentially allowing 4-5 cars to park side by side in the setback. The overall size of this driveway is excessive and inconsistent with most other properties in the neighborhood, many of which have driveways wide enough for one car.

Many members of our community place value on preserving the dominant historical character of Newton Highlands. We oppose the intrusion of structures that are inconsistent and that poorly integrate with their surroundings, because this type of construction will not be in harmony with our neighborhood and will create an adverse effect. The proposed massive structure, though in a single residence zone, is for two attached dwellings that would replace a single house containing two dwelling units. The proposal represents a substantial change in design of the existing house and is inconsistent with the character of the surrounding neighborhood. The house presented in this proposal is inappropriate for this lot and this location.

Furthermore, there remains no compelling reason why Newton's FAR standard should be overridden in making a determination regarding this proposed project.

And the petitioner's request should be rejected to create huge parking capacity in what amounts to the front yard of this project. Any resubmitted plans should eliminate both of the parking spaces that currently appear alongside the detached garage.

I would like to urge the Land Use Committee to **REJECT** this Special Permit. In reviewing the issues presented in this memo and by others from the community, it should be apparent that the proposal for this site fails to comply with the conditions, limitations, and safeguards of Newton's relevant zoning ordinances that exist in order to protect or benefit neighborhoods.

Sincerely,

Srdjan S. Nedeljkovic, M.D.

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