

**ADVISORY NEIGHBORHOOD COMMISSION 3-C
GOVERNMENT OF THE DISTRICT OF COLUMBIA**

Cathedral Heights · Cleveland Park · Massachusetts Ave. Heights · McLean Gardens · Woodley Park

**2737 DEVONSHIRE PLACE, NW
WASHINGTON, DC 20008
(202) 232-2232 FAX: (202) 232-0667
anc3cmail@gmail.com**

I. CALL TO ORDER

Vice-Chair Bruce Beckner called to order Advisory Neighborhood Commission 3C (ANC3C's) regular monthly meeting on July 17, 2006 at 7:37 p.m. The meeting was held in the community room at the Second District Police Station, 3320 Idaho Avenue, NW, Washington, DC 20008. Other commissioners present included Dia Black, Avi Fechter, Sheila Hogan, Deborah Jane Lindeman, Catherine May, and Stephanie Zobay. Commissioner Trudy Reeves arrived at 7:39 p.m.

II. VERIFICATION OF NOTICE

Vice-Chair Beckner verified that the proper notice was published in the Northwest Current and posted on the Cleveland Park list serve, the Woodley Park list serve, and the ANC3C website.

III. ESTABLISHMENT OF QUORUM

At 7:37 p.m. Vice-Chair Beckner acknowledged that a quorum (at least five members of the commission) was present.

IV. APPROVAL OF AGENDA

Vice-Chair Beckner moved the following agenda for approval:

A. Commission Business

1. Consideration of a renewal alcoholic beverage license, #16425, for Cathedral Liquors, 3000 Connecticut Avenue, NW.
2. Consideration of application HPA #06-334 to Historic Preservation Review Board for a rear screened porch that replaces an existing deck at 3227 33rd Place, NW.
3. Consideration of application HPA #06-___ to Historic Preservation Review Board to enclose an existing two-story rear porch, rear deck and stairs, replace rear bay window with French doors, and replace windows on the third-story front dormers at 3113 Macomb Street, NW.
4. Consideration of application HPA #06-337 to construct a side screened porch and to add a front portico at 3320 Rowland Place, NW.
5. Consideration of a Public Space application to retroactively approve permits for an existing retaining wall behind 2939 Newark Street, NW.
6. Consideration of a request by Sidwell Friends School to extend their construction hours on the renovation and new construction of the Sidwell Middle School at 37th and Tilden Streets, NW to 6:00am to 9:00 pm seven days a week.

B. Community Forum

1. Consideration of a resolution addressing complaints about the Wisconsin Avenue Metro bus lines.

The motion was seconded by Commissioner Zobay. Commissioner Lindeman asked that a resolution regarding postponement of public space applications for JBG be considered.

The agenda was unanimously approved by a vote of 8-0.

Commissioner Lindeman moved the agenda be reconsidered to include a resolution requesting the return of Inspector Solberg as Acting Commander of the Second District. The motion was seconded by Commissioner Black. Commissioner Lindeman moved the amended agenda and received a second from Commissioner Fechter.

The amended agenda was unanimously approved by a vote of 8-0.

V. ANNOUNCEMENTS

Lieutenant Kelvin Cusick provided a PSA 204 update. Captain Paula Edmiston was also in attendance. The new acting Commander is Inspector Kevin Keagan. The District of Columbia has issued a Crime Emergency, as the number of violent crimes in the entire city has increased. However, crime has actually decreased by 6% in PSA 204. A crime emergency means that officers will work six days per week, with an increase in officers on the evening and night shifts. More foot, bike, and Segway patrols will be employed.

Commissioner Lindeman inquired about an increase in theft from auto, and wondered if it was a seasonal trend. Lt. Cusick stated it was a response to summer and increased tourists. Commissioner Lindeman also requested safety literature for her SMD and commented on the need for severe pruning of vegetation to promote public safety. Lt. Cusick stated to contact him regarding the overgrown vegetation. He can be reached at 202-282-0038 or by email at Kelvin.cusick@dc.gov.

Commissioner Hogan inquired if a curfew for minors was in effect. Lt. Cusick stated that the curfew is in effect for minors under 17 years of age from midnight until 6AM, seven days a week. A driving curfew is in effect for minors under 18 years of age. Citizens may call the non-emergency number, 311, to report violations. Minors accompanied by an adult over the age of 21 are not in violation of the curfew.

Commissioner Hogan also inquired as to the legality of firecrackers. Lt. Cusick stated that firecrackers are illegal in the District of Columbia but fireworks are not.

VI. COMMISSION BUSINESS

- A. *Consideration of a renewal alcoholic beverage license, #16425, for Cathedral Liquors, 3000 Connecticut Avenue, NW.*

Commissioner Zobay stated she had not received any comments regarding this application and moved for approval. The motion was seconded by Commissioner Fechter. The motion was unanimously approved by a vote of 8-0.

B. Consideration of application HPA #06-___ to Historic Preservation Review Board to enclose an existing two-story rear porch, rear deck and stairs, replace rear bay window with French doors, and replace windows on the third-story front dormers at 3113 Macomb Street, NW.

Tom Flanagan, owner, made the presentation to the Commission. He stated that he had received approval from Cleveland Park Architectural Review Committee (“ARC”) and Ann Brocket in the Historic Preservation Office. Commissioner May asked if he had supporting letters from the neighbors. Mr. Flanagan stated that the neighbors he spoke with voiced no objection. Commissioner Fechter moved the acceptance of the application. The motion was seconded by Commissioner May.
The motion was unanimously approved by a vote of 8-0.

C. Consideration of application HPA #06-334 to Historic Preservation Review Board for a rear screened porch that replaces an existing deck at 3227 33rd Place, NW.

Commissioner Fechter moved to table the application as there was no one present to present the project to the Commission. The motion was seconded by Vice-Chair Beckner.

The motion was unanimously approved by a vote of 8-0.

D. Consideration of application HPA #06-337 to construct a side screened porch and to add a front portico at 3320 Rowland Place, NW.

Mr. Ellsworth, owner, made the presentation to the Commission. He stated that pending changing the roof type to a shed roof, ARC approved the plan. Five surrounding neighbors have been apprised of the project and have voiced no objection. Vice-Chair Beckner introduced a resolution approving the project. The motion was seconded by Commissioner Lindeman.

The resolution was approved by a vote of 8-0 as follows:

Commissioner Beckner - yes	Commissioner Lindeman – yes
Commissioner Black - yes	Commissioner May - yes
Commissioner Fechter - yes	Commissioner Reeves – yes
Commissioner Hogan - yes	Commissioner Zobay - yes

E. Consideration of a Public Space application to retroactively approve permits for an existing retaining wall behind 2939 Newark Street, NW.

Mr. Kopff, owner of 2939 Newark St. NW made the presentation to the commission. He stated that the retaining wall had been built 20 years prior and has recently been inspected by a structural engineer. The findings of the engineer determine the wall to be sound. Vice-Chair Beckner introduced a resolution to approve the application to Public Space and the motion received a second from Commissioner May.

The resolution was approved by a vote of 8-0 as follows:

Commissioner Beckner - yes	Commissioner Lindeman – yes
Commissioner Black - yes	Commissioner May - yes
Commissioner Fechter - yes	Commissioner Reeves – yes
Commissioner Hogan - yes	Commissioner Zobay - yes

F. Consideration of a request by Sidwell Friends School to extend their construction hours on the renovation and new construction of the Sidwell Middle School at 37th and Tilden Streets, NW to 6:00 am to 9:00 pm seven days a week.

Vice-Chair Beckner began the discussion by stating that the noise ordinance in the DC Code permitted work from 7:00 am to 7:00 pm, Monday – Saturday, and no work was routinely permitted on Sunday. At the Construction Liaison Committee Meeting on July 11, Sidwell requested an extension of the hours to permit work on the middle school from 6:00 am to 9:00 pm seven days a week. Yesterday, the Commission learned that the attorney representing Sidwell Friends School had applied for an extended hours permit from the Department of Consumer and Regulatory Affairs (“DCRA”) and the permit was granted on the spot. According to the DC Code, there are stringent conditions to follow when issuing an extended hours permit, which include providing notice to the ANC.

Commissioner Reeves noted that the application for extended hours only applies to the Middle School construction and not the garage project. Sidwell would like to get the building finished by the time school starts on September 11. The public schools begin on August 28, and Hearst Elementary is across the street.

Mike Saxenian, Assistant Head of School, presented the application to the commission. Josh Bernstein, Chair of Sidwell’s Board, Jim Wilson, president of JFW, Inc, and Peter Lanfranchi, VP of Hitt Contracting were also in attendance. Mr. Saxenian stated that the Middle School project has always been on a tight schedule and three things occurred last month to put them behind. First there was the rain, dumping 10” in two days; then when the demolition progressed, asbestos was found hidden in joists around pipes that had to be removed according to standards; third, the original roof was built with light gauge steel that flexed and some of the welding broke when workers accessed the roof, thus the roof had to be replaced as well.

Commissioner Reeves read and moved a resolution supporting the extended hours of work for the Middle School. The motion was seconded by Vice-Chair Beckner. Commissioner Reeves also commented that the permit was issued for inside work only during the extended hours. Commissioner Lindeman offered an amendment whereby Sidwell also would have a construction manger overseeing the project during the evening extended hours, from 7pm to 9pm, Monday-Saturday. This motion was seconded by Commissioner Fechter.

George Idelson inquired whether the workers would be using the garage during the extended hours, as much of the construction noise is generated by cars coming and going. Mr. Saxenian stated that workers should be parking in the garage and that little activity would be on 37th Street NW. Barbara Beelar commented that no time limit was provided for in the resolution. She also indicated that the Washington Home residents, while in ANC3F, needed an advocate in the ANC3C.

Commissioner Fechter asked to call the question. Commissioner May seconded. With respect to the amendment to the resolution concerning evening monitoring, the amendment failed by a vote of 4-3-1 as follows:

Commissioner Beckner - no
Commissioner Black - yes
Commissioner Fechter - yes
Commissioner Hogan - no

Commissioner Lindeman – yes
Commissioner May – no
Commissioner Reeves – no
Commissioner Zobay - abstain

Vice-Chair Beckner offered an amendment that the extended work hours are granted only until school started. In a debate over the extension time frame, Mr. Bernstein commented that they would need the extended hours even if the construction was not finished by the beginning of Sidwell’s school year. Commissioners questioned why the extended hours would be necessary if the building was not finished by the time school began, as that was the point of the extended hours- to complete the building by the time school started. The amendment that the extended hours would ensue only until the ANC meeting on September 18, 2006 was accepted.

The amended resolution was approved by a vote of 5-3 as follows:

Commissioner Beckner - yes
Commissioner Black - no
Commissioner Fechter - no
Commissioner Hogan - yes

Commissioner Lindeman – no
Commissioner May - yes
Commissioner Reeves – yes
Commissioner Zobay – yes

G. Consideration of a resolution to request DCRA to rescind the permit for extended work hours for Sidwell Friends School as the ANC was not properly notified.

Vice-Chair Beckner read and moved a resolution asking DCRA to rescind the permits granted to Sidwell Friends School for extended hours as the permit was granted without allowing the ANC to comment and be afforded “great weight” on the issue. The resolution also asked DCRA to promptly issue a permit based on ANC 3C’s resolution conditionally supporting the permit. Commissioner Fechter offered an amendment to eliminate the re-issuance of the permits, which was seconded by Commissioner Lindeman. After some discussion among the commission, the amendment was rejected by a vote of 5-3 as follows:

Commissioner Beckner - no
Commissioner Black - yes
Commissioner Fechter - yes
Commissioner Hogan - no

Commissioner Lindeman – yes
Commissioner May - no
Commissioner Reeves – no
Commissioner Zobay – no

The resolution was approved by a vote of 6-2 as follows:

Commissioner Beckner - yes
Commissioner Black - yes
Commissioner Fechter - no
Commissioner Hogan - yes

Commissioner Lindeman – no
Commissioner May - yes
Commissioner Reeves – yes
Commissioner Zobay – yes

H. Consideration of a resolution to postpone the Public Space hearing with respect to the JBG public space applications.

Commissioner Lindeman read and moved a resolution requesting that the Public Space Committee postpone the decision on the curb cuts and street tree removal. Commissioner Lindeman noted that JBG recently met with several ANC Commissioners, the Woodley Park Community Association and the Calvert Civic League, in an attempt to achieve some resolution on the issue.

The resolution was approved by a vote of 8-0 as follows:

Commissioner Beckner - yes	Commissioner Lindeman – yes
Commissioner Black - yes	Commissioner May - yes
Commissioner Fechter - yes	Commissioner Reeves – yes
Commissioner Hogan - yes	Commissioner Zobay – yes

Commissioner Lindeman also noted for the record that the resolution to appeal the permits granted to JBG by DCRA did not include appealing the permit for enclosing the 24th Street loading dock, and that the only context in which the loading dock was mentioned was in relation to the fact that it previously had been rejected by the BZA in a zoning variance case. Commissioner Lindeman went on to explain that if ANC3C had wanted to appeal any permits that had been issued for the enclosure of the loading dock, those permits would have had to have been appealed on or before June 2, 2006. Commissioner Lindeman noted that JBG issues had been on the agenda for the May 2006 meeting of ANC3C, but she postponed all consideration of JBG issues till the June 2006 meeting, fully aware that there was a 60 day time limit for appealing anything under the zoning regulations.

Commissioner Lindeman stated that some constituents, however, still did not believe that ANC3C would not appeal permits for enclosure of the loading dock, so she moved a resolution stating ANC3C absolutely would not appeal any permits for enclosing the loading dock. No second was received for the resolution, so it failed.

NOTE: Commissioner Fechter left at 10:44pm.

I. Consideration of a resolution urging Chief Ramsey to reinstate Inspector Solberg as Commander of Second District Metropolitan Police Department.

Commissioner May read and moved a resolution urging Chief Ramsey to reinstate Inspector Solberg as Commander of the Second District MPD. The motion was seconded by Commissioner Lindeman. Commissioner May noted that the intent of the resolution was to respectfully request the return of Inspector Solberg and neither to condone prejudicial profiling nor to challenge Chief Ramsey's investigation. Commissioner May also read a letter from the Cleveland Park Citizens Association ("CPCA") to Chief Ramsey and the response received by CPCA from Chief Ramsey.

The resolution was approved by a vote of 6-0-1 as follows:

Commissioner Beckner - abstain	Commissioner Lindeman – yes
Commissioner Black - yes	Commissioner May - yes
Commissioner Fechter - absent	Commissioner Reeves – yes
Commissioner Hogan - yes	Commissioner Zobay – yes

J. Consideration of a resolution to hire a new administrator.

Commissioner Zobay read and moved a resolution to hire Ms. Susanna Murley as Administrator for ANC3C. The motion was seconded by Commissioner Beckner. With minor edits, the resolution was approved by a vote of 7-0 as follows:

Commissioner Beckner - yes	Commissioner Lindeman – yes
Commissioner Black - yes	Commissioner May - yes
Commissioner Fechter - absent	Commissioner Reeves – yes
Commissioner Hogan - yes	Commissioner Zobay – yes

VII. COMMUNITY FORUM

A. Consideration of a resolution addressing complaints about the Wisconsin Avenue Metro bus lines.

Commissioner Reeves read and moved a resolution supporting the proposal to split the Wisconsin Avenue bus line, served by Metro buses 30, 32, 34, 35 and 36. The motion was seconded by Commissioner May. Commissioner Reeves noted that the WMATA board has approved funding to split the line between Friendship Heights and SE Washington into two separate bus lines that will join at Federal Triangle (13th Street and Pennsylvania Avenue, NW). Comments included concern for loss of riders, due to the extra burden on riders of having to change buses to arrive at their destination.

The resolution was approved by a vote of 4-0-3 as follows:

Commissioner Beckner - abstain	Commissioner Lindeman – abstain
Commissioner Black - abstain	Commissioner May - yes
Commissioner Fechter - absent	Commissioner Reeves – yes
Commissioner Hogan - yes	Commissioner Zobay – yes

VIII. OFFICERS REPORTS

- A. Minutes from May 2006 and June 2006: Commissioner Zobay moved to table the vote on the minutes as all commissioners have not had time to comment on them. The motion received a second from Commissioner Reeves. The motion was unanimously approved.
- B. Treasurer's Report: Commissioner Reeves presented the 3rd Quarter Treasurer's Report and moved for approval. Commissioner Zobay seconded the motion. The motion was unanimously approved. The approved report is attached to these minutes.

IX. SINGLE MEMBER DISTRICT REPORTS

- ANC3C-06: Commissioner Reeves stated that the tennis courts at 39th Street, NW and Newark Street, NW are going to be resurfaced this summer.
- ANC3C-09: Commissioner May reported that St. Sophia's has committed to terminating the leases with the group houses they own and will renovate the houses as single-family dwellings.

July 17, 2006

X. ADJOURNMENT

Commissioner Black moved to adjourn. Commissioner May seconded, and by a unanimous vote of 7-0, the meeting adjourned at 11:38 P.M. on July 17, 2006.