

	<p>ADVISORY NEIGHBORHOOD COMMISSION 3C GOVERNMENT OF THE DISTRICT OF COLUMBIA CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS MCLEAN GARDENS • WOODLEY PARK</p>
<p>Single Member District Commissioners 01-Lee Brian Reba; 02-William Kummings; 03-Anne Marie Bairstow 04-Josh Hart; 05-Leila Afzal; 06-Trudy Reeves 07- Richard Rothblum; 08-Catherine May; 09-Nancy MacWood</p>	<p>4025 Brandywine Street, NW Washington, DC 20016-1843 P: (202) 657-5725 F: (515) 474-8595 Website http://www.anc3c.org</p>

MINUTES
Advisory Neighborhood Commission 3C
April 20, 2009 Public Meeting
Second District Police Station
7:30PM

- I. **Establishment of Quorum:** At 7:33 PM Commission Chair Anne-Marie Bairstow acknowledged that a quorum (8 of 9 commissioners) had been established and called to order Advisory Neighborhood Commission 3C’s (ANC 3C) regular monthly meeting on April 20, 2009. The meeting was held in the Second District Police Station, 3320 Idaho Ave., NW, Washington, DC. Commissioners present were Leila Afzal, Josh Hart, William Kummings, Catherine May, Nancy MacWood, Lee Brian Reba, and Trudy Reeves. Richard Rothblum arrived at 8:21 PM.

- II. **Verification of Notice:** Commissioner Bairstow verified that proper notice was published on the ANC 3C website, community listservs, and in the Northwest Current newspaper.

- III. **Approval of Agenda:** Commissioner Reeves edited the agenda by replacing item g. *“Introduction of proposed by-laws change to place term limits on the offices of Treasurer and Chair”* with *“Clarification of ANC3C Resolution 2009-001 in regards to the Friendship Shopping Center PUD”*. Commissioner Bairstow, seconded by Commissioner Afzal, moved to approve the following amended agenda. Motion passed by voice vote, 8/0.
 - I. Establishment of Quorum
 - II. Verification of Notice
 - III. Approval of Agenda
 - IV. Announcements
 - V. Officer’s Reports
 - a. March 2009 meeting minutes
 - VI. Community Forum
 - VII. Presentations
 - a. Presentation about Avon Walk for Breast Cancer May 2-3: this two-day walk will run on several sidewalks in ANC 3C. No streets will be closed. [Molly Gascoigne, Avon Walk]

- b. Presentation by Penny Pagano about Community Council for the Homeless at Friendship Place
- c. Presentation by WASA about Rock Creek Sewer Separation pre-construction activities [Michael Thorstenson, WASA]
- d. Presentation by Earl Eustler of the Urban Forestry Administration (UFA) about the work of UFA

VIII. Consent Calendar

- a. Consideration of HPRB application for one-story, rear addition at 2712 Woodley Place

IX. Commission Business

- a. Voluntary Agreement regarding ramp and lift at 2712 Woodley Place.
- b. Consideration of grant request for John Eaton annual musical [Kim Bayliss, Easton HSA]
- c. Consideration of Oyster-Adams VAMOS 5K, a fundraising run to take place on Sunday, October 18 [Maria Elena Nawar, Oyster-Adams]
- d. Consideration of a BZA application for a special exception for an addition at 3127 Newark Street
- e. Consideration of liquor license request by Weygandt Wines, a proposed wine store to be located in the Park 'n Shop in Cleveland Park
- f. Consideration of liquor license change in hours by Ireland's Four Fields to change the opening hours to 10am (from 5pm) and to extend patio hours to 2 a.m. on weekdays and 3 a.m. on weekends
- g. ~~Introduction of proposed by-laws change to place term limits on the offices of Treasurer and Chair~~ Clarification of ANC3C Resolution 2009-001 in regards to the Friendship Shopping Center PUD

X. Committee and SMD Reports

XI. Adjournment

IV. **Announcements:**

- a. Commissioner Bairstow announced the upcoming ABRA hearings for three liquor license renewals (June 1, 2009 and June 15, 2009).

V. **Officer's Reports:**

March 2009 meeting minutes: Commissioner Bairstow introduced the March 2009 minutes which were previously emailed to all commissioners. No corrections were suggested. Commissioner Bairstow, seconded by Commissioner May, moved that the minutes be approved. The motion was approved by voice vote 9/0.

VI. **Community Forum:** No community reports.

VII. **Presentations:**

- a. In lieu of the absence of Molly Gascoigne, a representative from Avon Walk, Commissioner Bairstow made an announcement that the Avon

Walk for Breast Cancer would take place May 2nd-3rd and will run on several sidewalks in ANC 3C. No streets will be closed.

- b. Presentation by Jean Michel Giraud and Penny Pagano about Community Council for the Homeless at Friendship Place. The Friendship Place hospitality center is located at 4713 Wisconsin Ave N.W., is open seven days a week, and provides shelter, medical and psychiatric care, and administrative functions for over 500 people per year. Information and donation forms can be found at <http://www.cchfp.org>. The Community Council for the Homeless takes in-kind donations and informed the commissioners that it was considering requesting a grant from ANC 3C to fund its outreach efforts. Questions were taken from commissioners.
- c. Presentation by Michael Thorstenson from WASA about Rock Creek Sewer Separation pre-construction activities. Currently, the project is planned to begin in fall of 2009, with a duration of six months. The planned sewage and rainwater separation is anticipated to reduce yearly overflows of sewage into Rock Creek from around 30 to less than four. During the project, portions of Connecticut Avenue N.W. and Cathedral Avenue N.W. will be torn up potentially causing traffic and parking disruptions. Commissioner MacWood motioned that ANC 3C send a letter to DDOT asking that ANC 3C be involved in the future discussions with DDOT and the project's contractors in regards to traffic flow/control plans, seconded by Commissioner Afzal. The motion passed by voice vote, 9-0. WASA will also be performing private sewer separation services to homeowners free of charge and will be restoring all affected streets and sidewalks to their current condition once the project is completed. Commissioner Reba inquired with WASA officials in attendance as to how to handle an unrelated emergency situation concerning flooding in an SMD-01 alley.
- d. Presentation by Earl Eustler of the Urban Forestry Administration (UFA) about the work of UFA in Ward 3. The UFA is responsible for planting, maintenance, and removal of street trees, as well as emergency maintenance of trees at DCPR facilities. Mr. Eustler stressed the importance of watering newly planted trees. Guidelines and other information can be found at <http://trees.ddot.dc.gov>. Street tree maintenance or removal requests can be made through the Service Request Center at <http://src.dc.gov> or by dialing 311. Questions were taken from the commissioners and the audience concerning newly planted trees that had died, specific cases of street trees in ANC 3C, possible future procedures for planting, maintenance, or removal notices, and the trimming of trees around parking and traffic signs.

VIII. Consent Calendar

- a. Consideration of HPRB application for one-story, rear addition at 2721 Woodley Place. Commissioner Reba proposed including the approval of a voluntary agreement (VA) in the resolution. The VA between ANC 3C and the owners of the property would ensure that the front of the house

would be returned to its current condition once the use of a planned lead walk and elevator was no longer necessary by the current or future owners. It was determined that the addition of the lead walk and elevator without prior approval is legally permissible under the Fair Housing Act; however, the owners would like to enter into the voluntary agreement as an act of good-faith. Following discussion, the commissioners agreed to include in the resolution concerning the rear addition the following statement:

“WHEREAS, Adrian and Dorothea Sabety, including their Power of Attorney, Marian Sabety applied to HPRB to adjust the front entrance in order to accommodate current living needs by installing a lead walk and vertical elevator lift”

Commissioner Reba moved a resolution to approve the HPRB application, seconded by Commissioner Bairstow. The motion was approved 9/0 by roll call vote:

Reba	Yes
Afzal	Yes
Bairstow	Yes
MacWood	Yes
Hart	Yes
Rothblum	Yes
May	Yes
Reeves	Yes
Kummings	Yes

IX. Commission Business

- a. Voluntary Agreement regarding ramp and lift at 2712 Woodley Place. See item a. of the Consent Calendar.
- b. Consideration of grant request for John Eaton annual musical [Kim Bayliss, Easton HSA]. Funds provided by an ANC 3C grant would be used for costumes for the spring musical to be held on May 8th, 9th, and 10th and would help defray the total cost, estimated to be \$5,000 to \$7,000. Commissioner MacWood moved a resolution, Commissioner Afzal seconding, to approve the \$1,000 grant request. The motion was approved 9/0 by roll call vote:

Reba	Yes
Afzal	Yes
Bairstow	Yes
MacWood	Yes
Hart	Yes
Rothblum	Yes
May	Yes
Reeves	Yes

Kummings Yes

- c. Consideration of Oyster-Adams VAMOS 5K, a fundraising run to take place on Sunday, October 18th, 2009. A presentation was made by Maria Elena Nawar of Oyster-Adams Bilingual School. Streets in ANC 3C will be closed for approximately one hour during the morning of October 18th, 2009. Commissioner Bairstow moved a resolution, Commissioner May seconding, in support of the fundraising run. Commissioner Hart and Commissioner Reeves left the room at 9:23 PM and returned after the vote, Commissioner Hart at 9:30 PM and Commissioner Reeves at 9:35 PM. Commissioner Bairstow was present for the vote, but recused herself on the grounds that her children attend Oyster-Adams. The motion passed 6/0 by roll call vote:

Reba	Yes
Afzal	Yes
MacWood	Yes
Rothblum	Yes
May	Yes
Kummings	Yes

- d. Consideration of a BZA application for a special exception for an addition at 3127 Newark Street. The exception would increase the lot occupancy from 40 percent to 43 percent and reduce the required side yard setback from eight feet to six feet. The exception would allow for the addition of a screen porch to the existing structure. The neighbors have been informed of the proposed exceptions and have approved of the plan. Commissioner Afzal moved a resolution, seconded by Commissioner Reba, to approve the Board of Zoning Adjustment application. The motion passed 9/0 by roll call vote:

Reba	Yes
Afzal	Yes
Bairstow	Yes
MacWood	Yes
Hart	Yes
Rothblum	Yes
May	Yes
Reeves	Yes
Kummings	Yes

- e. Consideration of liquor license request by Weygandt Wines, a proposed wine store to be located in the Park 'n Shop in Cleveland Park. The request is for a Class A liquor license for a store to be located at 3519 Connecticut Ave N.W. According to the Weygandt Wines representative Todd Ross and counsel Michael Fonseca, the store would feature high-end wines currently unavailable in the Washington, D.C. market. Questions were taken from the commissioners in regards to the potential impact the store would have on parking, the size and frequency of

delivery trucks using the rear loading dock, the layout of the store including the size of the in-store warehouse, and the proximity to other liquor stores. In attendance were the owners of Cleveland Park Wine and Liquor and their counsel who protested the approval of the license on the grounds that extensive advertising to surrounding areas would bring in too many and cause traffic and parking issues. A similar case regarding a liquor license application for a Total Beverage near Chevy Chase Circle was cited as precedent. Concern was expressed by the commissioners in regard to the proximity of Gan HaYeled nursery school to the proposed store. Commissioner Hart, seconded by Commissioner Reeves, moved a resolution to approve the ABRA application. Commissioner Afzal, seconded Commissioner Bairstow, moved an amendment to the resolution that would highlight the proximity of the nursery school. The amendment was approved 9/0 by roll call vote:

Reba	Yes
Afzal	Yes
Bairstow	Yes
MacWood	Yes
Hart	Yes
Rothblum	Yes
May	Yes
Reeves	Yes
Kummings	Yes

Commissioner Hart, seconded by Commissioner Bairstow, moved the amended resolution. The resolution was approved 8-0 by roll call vote, with Commissioner Reba abstaining:

Afzal	Yes
Bairstow	Yes
MacWood	Yes
Hart	Yes
Rothblum	Yes
May	Yes
Reeves	Yes
Kummings	Yes

- f. Consideration of liquor license change in hours by Ireland's Four Fields to change the opening hours to 10am (from 5pm) and to extend patio hours to 2 a.m. on weekdays and 3 a.m. on weekends. The application for the change in operating hours had not been filed with ABRA by the owner and therefore ANC 3C could not act on proposed changes. However, the commission held a discussion to determine possible concerns with changing the operating hours. Until recently fined by ABRA, Ireland's Four Fields had been operating before and after the hours printed on its license and is seeking to extended the printed hours in order to be compliant. Commissioners and neighbors suggested the

implementation of a voluntary agreement as a condition of the approval of the proposed operating hour changes.

- g. ~~Introduction of proposed by-laws change to place term limits on the offices of Treasurer and Chair.~~ Clarification of ANC3C Resolution 2009-001 in regards to the Friendship Shopping Center PUD. Commissioner Reeves, seconded by Commissioner Reba, moved a resolution that would clarify ANC 3C resolution 2009-001 by stating that it was not the intent of ANC 3C to allow the Macomb-Wisconsin Overlay to limit the PUD. Commissioners expressed concerns over the significant effects the resolution might create and the lack of public notice about the resolution. Commissioner MacWood, seconded by Commissioner Rothblum, motioned to table the resolution. The motion failed 4/5 by roll call vote and debate continued:

Reba	No
Afzal	Yes
Bairstow	No
MacWood	Yes
Hart	No
Rothblum	Yes
May	No
Reeves	No
Kummings	Yes

After continued discussion to clarify the language, the resolution was approved 7/2 by roll call vote:

Reba	Yes
Afzal	No
Bairstow	Yes
MacWood	No
Hart	Yes
Rothblum	Yes
May	Yes
Reeves	Yes
Kummings	Yes

X. **Committee and SMD Reports:** No reports.

XI. **Adjournment:** Commissioner Bairstow moved that the meeting be adjourned, Commissioner Afzal seconding. The motion to adjourn was approved 9/0 by voice vote, and the meeting was adjourned at 11:30 PM.

The next meeting of ANC 3C will be held on May 18th at 7:30 PM in the Community Room of the Second District Police Station.

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These minutes were approved by a vote of 7-0 on May 18, 2009 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.