

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

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I. CALL TO ORDER

Chair Nancy MacWood called to order Advisory Neighborhood Commission 3C (ANC3C's) regular monthly meeting for September 19, 2005 at 7:36 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 Bruce Beckner, Dia Black, Catherine May, Sheila Hogan, Deborah Jane Lindeman and Stephanie Zobay. Commissioner Reeves arrived at 7:45 p.m. and Commissioner Fechter arrived at 7:50p.m.

II. VERIFICATION OF NOTICE

Chair MacWood 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 7:36 p.m. Chair MacWood acknowledged that a quorum (at least five members of the commission) was present.

IV. APPROVAL OF AGENDA

Commissioner Lindeman moved to remove the HPRB Application of 2816-24 Connecticut Avenue from the agenda as ANC3C had received no updated plans, nor had any revisions been filed with HPRB. **After receiving a second, the motion passed without opposition.** Chair MacWood moved for approval of the corrected agenda:

- A. Ratification of Waiver Agreement with Aidan Montessori School
- B. Historic Preservation Review Board Applications for:
 - i. 3215 35th Street, N.W.
 - ii. 3711 Idaho Avenue, N.W.
- C. Board of Zoning Application for 2815 Ordway Street, N.W.
- D. Public Space Application for 3600 Fulton Street, N.W.
- E. ANC 3C resolution commenting on the District Department of Transportation's Wisconsin Avenue Transportation Study
- F. ANC 3C resolution concerning greater enforcement of parking regulations
- G. ANC 3C resolution concerning a left turn traffic signal from southbound Wisconsin Avenue at Rodman Street into Sidwell Friends School.

Commissioner Beckner seconded the motion. **The agenda was unanimously approved (9-0).**

V. ANNOUNCEMENTS

- A. Chair MacWood announced that the District of Columbia Office of Planning will be holding a community meeting at Wilson High School, located at 3950 Chesapeake Street, N.W., on Wednesday, September 21, 2005 from 6-9 p.m. to discuss the D.C. Comprehensive Plan Revisions. The Comprehensive Plan is the Land Use document for the District of Columbia and determines how all the land in the District is used. Three alternative sites will also host this meeting and these sites can be obtained by contacting the DC Office of Planning.
- B. Chair MacWood announced that the Ward 3 Democratic Committee will host a panel discussion on the Comprehensive Plan on September 20, 2005 at 7:30 p.m. at St. Columbia's Church.
- C. Chair MacWood announced that she has heard from Stop and Shop, Inc., parent company of Giant Foods, regarding the renovation of the Giant on Wisconsin Avenue. Senior Vice President, John Colavolpe, indicated that Giant has every intention of renovating the store on Wisconsin Avenue. He asked that Chair MacWood serve as the liaison between Giant and the community. Possible developers include Streetworks, who did Bethesda Row. Commissioner Lindeman inquired if other community associations can be involved in the discussions. Chair MacWood responded that everyone in the community will have an opportunity to be more involved because Mr. Colavolpe will attend the November ANC public meeting. Commissioner Zobay informed the community that the Giant on Connecticut would be closing for 4 months beginning in October 2005 for renovations.

VI. GUEST: WARD 3 COUNCILMEMBER KATHY PATTERSON

- A. Councilmember Patterson announced she had placed copies of the Ward 3 Newsletter on the community table as well as copies of her new monthly newsletter which addresses specific issues of the Education, Libraries, and Parks and Recreation Committee, which she chairs. Email information is available on how to receive these newsletters electronically.
- B. Councilmember Patterson also thanked the community for their support of the Hurricane Katrina evacuees. Needs are met through local community list serves. Thanks also go to Hudson Trail Outfitters in Ward 3 which provided the bags and locks at a discounted rate for families living at the Armory.
- C. Councilmember Patterson indicated some upcoming issues:
 - 1. Judiciary follow-ups looking at what should DC be doing - What is our emergency response system in the face of a hurricane or disaster?
 - 2. DCPS Facilities Bill- this bill proposed by Councilmember Patterson provide a 10 year financing package to address facility needs.

3. Charter School Hearing- DC has 48 charter schools and it is time to take another look at the law and see what needs updating or adjusting.
- D. Community concerns included:
1. Department of Parks and Recreation spent \$700 thousand dollars on Hearst Park (or Hearst Recreation Center) and the only thing to show for it is the resurfacing of the tennis courts and 4 new lights that were not needed and the community did not want. Can Councilmember Patterson meet with the Hearst Community and help them figure out where the money went and what can they do to receive funds for providing a playground?
 2. Congratulations on getting hazardous rail shipments banned, but what is the status of this law? The Federal Government and CSX are in court with the District of Columbia over the legality of this law. Temporarily there is a ban on hazardous materials being transported over the North/South rail lines which run in close proximity to the Capital. These materials are transported over the East/West lines which run through Wards 4 and 5. One hopeful outcome is a national rerouting policy.
 3. CERT Training- Millicent Williams is the contact for those who want to participate in the free 20-hour course teaching emergency disaster training. Ms. Williams can be reached at 727-7200. Can Councilmember Patterson aid in setting up a training session in the community?
 4. DCPS issues and/or residence/building issues – (a) According to Commissioner Lindeman, several DCPS classrooms are still without air conditioning. This is not illegal, necessarily, as there are no indoor-air quality standards whatsoever in the District of Columbia for schools, residences, or other buildings, but it does make for unbearable conditions for students and staff, alike. Thus the indoor air quality may actually be worse than the outdoor air quality, whether due to excessive heat or the presence of pollutants, mold, and other airborne substances. This is particularly bad for people with respiratory problems, including asthma, which is a pervasive problem for both children and adults. We need legislation to protect the health of residents of the District of Columbia. (b) According to Commissioner Lindeman, many schools have enrollments that exceed their Certificates of Occupancy. DCPS needs to review and update all Certificates of Occupancy to ensure that schools are in compliance with DC Codes. (c) According to Commissioner Lindeman, no safety standards exist regarding child-safety bars on windows in residences, schools, or other buildings to protect children from falling out of windows. Every year during hot weather, we hear of children being fatally injured from falling out of windows. We need legislation enacted that would compel building owners to install safety bars on windows of all residences, schools, and other buildings where children are present.
 5. Abandoned cars- DC tow trucks are dumping cars on our neighborhood streets after towing them from other areas and they sit, abandoned, for weeks. What is the policy with respect to where a towed car may be

placed and can Councilmember Patterson assist in removing the abandoned cars in our neighborhoods?

VII. COMMUNITY FORUM

Chair MacWood asked if anyone wanted to address the commission under the Community Forum.

- A. 3501 Quebec Street, N.W.: Roger Myers acknowledged that while owners received approval for a fence and retaining wall, the fence was not to act as a visual barrier. Inspection of the permit file at DCRA reveals no record of fees being paid, the stamps are not accurate. Jim Graham and his assistant, John Adams, are working on trying to get the law enforced, but in the meantime, neighbors are asking ANC 3C to work with Council members Patterson and Graham to enforce compliance with building permits. Commissioner Beckner inquired whether inspectors had been sent to the site, and stated he would follow up on this matter.
- B. (address) Idaho Street, N.W.: Violanda (Last Name) stated that Christ Church of Washington was allowed to rent space in a residential neighborhood to a charter school for the period of one year without input from neighboring residents. Now the church has signed a 3 year lease with a charter middle school and, again, no neighborhood residents have been consulted. Is there a process to involve the community as there is when a private school locates in a residential neighborhood? Ms. also provided a written [Position Paper](#) to the Commission. Commissioner Hogan noted that this is a city wide issue and thanked the neighbors for organizing themselves on this issue. Chair MacWood acknowledged that ANC 3C would work with the neighbors in a systematic way. Commissioner Hogan stated that there should be a system to recycle funds into public facilities, such as renting out underutilized public schools to charter schools. Commissioner Lindeman noted that there is also a need to consider the secondary health risks of the students, such as no physical activity space which contributes to weight problems and diabetes.
- C. 2918 29th Street, N.W.: owner began construction of a porch which replaced a deck in the back of the house in May 2005. Complaints by neighbors as to encroachment issues, permit issues, and zoning issues have been met by inaction on the part of DCRA. Commissioner Zobay read and moved a resolution on this matter. The resolution was seconded by Commissioner Black. **The motion was unanimously approved (9-0).**

VIII. COMMISSION BUSINESS

- A. Ratification of Waiver Agreement with Aidan Montessori School: Chair MacWood announced that with respect to this issue, the commission was not taking comments from the community as Commissioners Zobay and Lindeman had held a neighborhood meeting 5 days prior and the issue had been debated at prior ANC 3C meetings. Commissioner Zobay introduced consideration of a resolution supporting Aidan Montessori School's BZA application for a modified student enrollment order consistent with that

outlined in the Waiver Agreement. Chair MacWood clarified there were three issues before the commission with respect to Aidan Montessori School: ratification of the Waiver Agreement, ratification of the Amendment to the 1995 Agreement, and the BZA application.

Commissioner Beckner offered a motion that the Waiver Agreement be considered first. Commissioner Fechter moved a motion that ANC3C approve the Waiver Agreement and the Amendment to the 1995 Agreement and that ratification of the documents be conditional upon approval of the Amendment to the 1995 Agreement by the Woodley Park Community Association, Aidan Montessori and ANC 3C. In addition, ANC3C grants the Chair the authority to sign all the documents on behalf of ANC3C. Chair MacWood inquired as to the provisions of the Amendment to the 1995 Agreement. Commissioner Zobay explained that the Amendment allowed ANC3C to initiate binding arbitration to settle future disputes that could not be resolved via negotiations between Aidan and ANC 3C. Chair MacWood stated that all three parties to the Amendment should have equal rights and that Aidan as well as WPCA should have the option of asking for binding arbitration in the event of an irreconcilable difference/dispute.

Commissioner Zobay agreed and withdrew her resolution pertaining to Aidan's BZA application. Commissioner Black seconded Commissioner Fechter's motion. **The motion was approved by a vote of 8-0, with Commissioner Lindeman voting present.**

Chair MacWood thanked Aidan Montessori School and their Counsel for their involvement in resolving this matter. Commissioner Lindeman thanked the community for their concern. Community member Ed Brooks submitted a

- B. Consideration of Historic Preservation Review Board Applications:
1. 3215 35th Street: Chair MacWood readdressed a revised HPRB application for a proposed addition to the existing structure. Community concerns addressed the height of the addition. After a short presentation by the architect, Chair MacWood read and moved a resolution which offered no position by ANC3C on the addition, but urged HPRB to provide an opportunity for the neighbors to explain their objections. Commissioner Reeves seconded the motion. **The motion was approved by a vote of 8-1.**
 2. 3711 Idaho Avenue: This HPRB application was discussed at the July 2005 meeting of the ANC 3C and was mistakenly placed on the agenda for September 19, 2005.
 3. 3506 35th Street: This HPRB application was inadvertently omitted from the agenda. Commissioner Beckner introduced an HPRB application for an addition to the rear of the existing house.

Commissioner Beckner read and moved his resolution. The motion received a second from Commissioner Reeves. **The motion was approved by a vote of 7-0, with 2 abstentions.**

- C. Consideration of Board of Zoning application for 2815 Ordway Street: Commissioner Beckner introduced consideration of a resolution approving a Board of Zoning Adjustment special exception application to permit the building of a deck which would exceed the 50% lot coverage maximum. Commissioner Beckner moved his resolution. The motion was seconded by Commissioner Black. **The motion was approved by a unanimous vote of 9-0.**
- D. Consideration of Public Space Application for 3600 Fulton Street: A short presentation was made by the architect of this project outlining replacing an existing fence with a new fence to be located along the property line. Prior Public Space approval for a small retaining wall had been granted and the new fence would sit on top of this retaining wall and continue around the yard. Chair MacWood questioned whether the construction of the fence required public space approval. Commissioner May moved a motion that the project be approved. The motion received a second from Commissioner Reeves. **The motion was approved by a unanimous vote of 9-0.**
- E. Consideration of resolution on ANC 3C comments to the District Department of Transportation on the Wisconsin Avenue Transportation Study: Chair MacWood introduced consideration of a resolution with an attachment outlining the position of ANC 3C with respect to the Traffic Study. Major issues include extending the comment period and the inclusion in the report of the impact of the development scenarios on each part of the corridor included in the study. Commissioner Lindeman wanted to know why adjacent areas of the community, which received traffic from the Wisconsin Avenue corridor, were not included the study. Chair MacWood moved her resolution. Commissioner Reeves seconded the motion. **The motion was approved by a vote of 8-1.**
- F. Consideration of a resolution regarding greater enforcement of parking regulations: Commissioner May introduced consideration of a resolution requesting the DC parking enforcement officers to enforce current parking restrictions in the neighborhood bounded by Massachusetts Avenue, Garfield Street, and 34th Street. Commissioner Lindeman offered a friendly amendment to change the school year from 2005 to 2005-06. Commissioner May accepted this change. Commissioner Fechter offered a friendly amendment to reflect the parking enforcement officers' enforcement of appropriate existing parking regulations. Commissioner May accepted the change. Discussion centered on broadening the scope of the resolution to include areas around all schools and not just around St.

Albans. Given the traffic problems encountered by neighbors of St. Albans Commissioner May was clear that this resolution address this area in particular, and that a more general resolution could be discussed at the next ANC3C meeting. Commissioner May moved the resolution and Commissioner Reeves seconded. **The motion was approved by a vote of 6-3.**

G. Consideration of a resolution regarding a left turn traffic signal at Rodman Street: Commissioner Reeves introduced consideration of a resolution requesting the District Department of Transportation to design and install a left turn signal, southbound on Wisconsin Avenue into the Sidwell Friends School parking garage (scheduled completion spring 2006), that can be programmed and/or triggered by standing traffic. Commissioner Reeves read and moved her resolution and received a second from Commissioner Black. **The motion was approved by a unanimous vote of 9-0.**

IX. OFFICERS' REPORTS

No Officers' reports were offered for consideration.

X. COMMITTEE REPORTS

Chair MacWood gave an update on the Administrator search. Five candidates have been selected to be interviewed, based on their qualifications. Commissioner Lindeman voiced her disapproval of interviewing candidates during the day when other commissioners had to work.

XI. SINGLE MEMBER DISTRICT REPORTS:

No SMD reports were offered for consideration.

XII. ADJOURNMENT

Chairman MacWood moved to adjourn. Commissioner Beckner seconded. By a unanimous vote of 9-0, the meeting adjourned at 10:15p.m.