

	<p align="center">ADVISORY NEIGHBORHOOD COMMISSION 3C GOVERNMENT OF THE DISTRICT OF COLUMBIA <i>CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS MCLEAN GARDENS • WOODLEY PARK</i></p>
<p><i>Single Member District Commissioners</i> 01-Lee Brian Reba * 02-William Kummings * 03-Anne Marie Bairstow 04-Roger Burns * 05-Leila Afzal * 06-Trudy Reeves * 07- Victor Silveira 08-Catherine May * 09-Nancy MacWood</p>	<p align="right">4025 Brandywine Street, NW Washington, DC 20016-1843 Website http://www.anc3c.org Email all@anc3c.org</p>

MINUTES
Advisory Neighborhood Commission 3C
May 17, 2010 Public Meeting
Second District Police Station
7:30 p.m.

- I. **Establishment of Quorum:** At 7:31 p.m., Commissioner Anne-Marie Bairstow acknowledged that, with six of nine commissioners being present, a quorum had been established and called to order Advisory Neighborhood Commission 3C's (ANC3C) regular monthly meeting on May 17, 2010. The meeting was held in the Second District Police Station, 3320 Idaho Ave., NW, Washington, D.C. Other Commissioners present were Leila Afzal, Lee Brian Reba, Roger Burns, Nancy MacWood and Victor Silveira. Commissioner William Kummings arrived at 7:32 p.m.; Commissioner Catherine May at 7:37 p.m.; and Commissioner Trudy Reeves arrived at 7:41 p.m.

- II. **Verification of Notice:** Commissioner Bairstow verified that proper notice was published on the ANC3C website, community listservs, and in the Northwest Current newspaper.

- III. **Approval of Agenda:** Commissioner Bairstow proposed the following changes to the published agenda: Under Commission Business, move item a.) Demonstration of new voting equipment to Announcements; and move item d.) Consideration of BZA application #18071 by Washington Ballet to the second item under Commission Business. Other changes included the addition of item h.) Consideration of Indique's application for ABRA license renewal; and the addition of item i.) Consideration of a new laptop for the ANC office. Commissioner Bairstow moved approval of the amended agenda, seconded by Commissioner MacWood. Motion passed by voice vote, 7-0.
 - I. Establishment of Quorum
 - II. Verification of Notice
 - III. Approval of Agenda
 - IV. Announcements
 - a. *Demonstration of new voting equipment by Kathy Fairley of the DC Board of Elections and Ethics*
 - V. Officer's Reports
 - a. April 2010 meeting minutes
 - b. Quarterly Financial Reports

- VI. Community Forum
- VII. Commission Business
 - a. *See Announcements*
 - b. *Consideration of BZA application #18071 by Washington Ballet School for building at 3704 Porter Street NW*
 - c. Consideration of HPRB application for side addition at 3552 Quebec Street NW
 - d. Consideration of BZA variance for a carport at 2745 Macomb Street NW
 - e. Consideration of grant application for John Eaton ES spring musical
 - f. Consideration of resolution appealing Zoning Administrator decision to subdivide lot at 2910 Garfield Street NW
 - g. Consideration of alley signs for 2700 block of Woodley Place
 - h. *Consideration of Indique's application for ABRA license renewal*
 - i. *Consideration of purchasing new laptop for ANC office*
- VIII. Committee and SMD Reports
- IX. Adjournment

IV. Announcements.

- a. *Demonstration of new voting equipment.* Alison McLaughlin from the D.C. Board of Elections & Ethics described the process of testing and selecting new touch-screen voting equipment that meets federal certification requirements. The new machines will be in use for the September 2010 primary elections. The touch-screen equipment simultaneously produces a paper record. In response to a query from Commissioner MacWood, Ms. McLaughlin stated that the paper records will allow BOEE to immediately review and address problems such as screen calibration and candidate selection, e.g. "voter forensics." Commissioners and members of the audience were invited to try the model equipment. Sample ballots and fact sheets were disseminated. New provisions for Early Voting and Same Day Voter Registration were briefly described (for details go to www.boee.dc.gov)
- b. Commissioner Bairstow reported that several local restaurants have applied for liquor license renewals:
 - i. June 7 hearing / comments due May 24: Paragon Thai, Cafe Deluxe
 - ii. June 14 hearing / comments due June 1: Siam House, Savoy Suites Hotel
 - iii. June 21 hearing / comments due June 7: Rajijii Curry, Medaterra, Murphy's of DC, Dino's, Indique
 - iv. June 28 hearing / comments due June 14: Little India, The Shoreham, Firehook Bakery
- c. Commissioner Reeves reported that the Mayor's office would hold a press conference tomorrow (May 18) at 2:45 p.m. to announce the start of construction for the new dog park at Newark & 39th Streets. A diagram of the park layout was presented to the Commission and meeting attendees; the changes include a road which provides ADA access and allows trash trucks to enter the park. Since a curb cut would impact residential parking along Newark Street, Commissioner Reeves is exploring other options with DPR and DDOT.

V. Officer's Reports.

- a. *April 2010 meeting minutes.* Commissioner Afzal moved that the minutes be approved; Commissioner Reeves seconded. The motion was approved by voice vote, 9-0.
- b. *Quarterly Financial Reports.* Commissioner Reeves reported that the ANC has \$40,200 on hand, \$23,792 in checking and \$20,408 in savings. Commissioner Kummings moved to approve the report; Commissioner Afzal seconded. The motion was approved by voice vote, 9-0.

VI. Community Forum.

- a. John Poole, president of the Cleveland Park Historical Society, presented a grant request to the ANC for plantings and improvements to the stairway between 30th Street and Ashley Terrace. This heavily-used pedestrian passageway suffered from neglect and erosion; DDOT recently made repairs, installed a handrail and new pavement. However no funds are available for landscaping to prevent future erosion. CPHS is raising private funds towards the \$4,600 fee for landscaping. The ANC grant will help meet the shortfall. A fundraiser will be held on June 3 at Cereal Bowl restaurant on Conn. Avenue. The grant request will be considered at the June ANC3C meeting.

VII. Commission Business

- a. See *Announcements.*
- b. *Consideration of BZA application #18071 by Washington Ballet School for building at 3704 Porter Street.* Commissioner MacWood reviewed the special exception and variance requested by the Washington Ballet to house seven out-of-town students and two adults at the home it owns on 3704 Porter Street, adjacent to the school on Wisconsin Avenue. WB executive director Russell Allen and general counsel Roy Kaufman were also present.

Commissioner MacWood raised concerns about additional cars parking in the neighborhood, an R-2 residential zone for which WB was requesting the special exception and variance. Mr. Allen replied that WB student residents will not be allowed to have cars, and that language to that effect would be added to the lodging agreement.

Commissioner MacWood then moved a resolution that ANC3C had no objection to the special exception and variance; Commissioner Reba seconded the motion.

Mr. Allen suggested changing the resolution language to "support" the application rather than "have no objection to." Commissioner Burns inquired whether other schools imposed similar restrictions on students; when told yes, he asked whether a restriction against cars was being made clear during the recruitment process. Mr. Allen replied that it was, and that next year it would be an explicit part of WB's signed agreements signed with students and their parents.

Commissioner Silveira, expressing concern that students were being unfairly restricted, introduced an amendment requiring all residents to park on site.

This amendment was approved by roll call vote, 6-3. Commissioner May then raised concerns about the impact of this requirement; Commissioner Reeves pointed out the adult House Mother, a year-round resident, would be eligible for a Residential Parking Permit and thus able to park on the street. Commissioner Reba said there was confusion about the effect of the motion and moved for reconsideration. Commissioner Bairstow seconded the motion to reconsider, which was approved by roll call vote, 7-2. A third roll call vote was taken whether or not to adopt the amendment proposed by Commissioner Silveira; the vote was 8-1 against adoption of the amendment.

Commissioner MacWood moved an amended resolution that supported Washington Ballet's application for a special exception for two adult residents, and for a variance to allow seven students to reside at 3704 Porter Street NW, with the condition that students are not allowed to bring cars to the campus; Commissioner Bairstow seconded the motion, which was approved by the fourth and final roll call vote, 9-0.

- c. *Consideration of HPRB application for side addition at 3552 Quebec Street.*
Commissioner Afzal introduced a resolution supporting the efforts of the homeowner of 3552 Quebec Street, a non-contributing property in the Cleveland Park Historic District, to continue work with the HPRB and HPO to ensure that the proposed side addition and current driveway are consistent with the rhythm and character of the historic district. Commissioner MacWood seconded the motion, which was approved by roll call vote, 9-0.
- d. *Consideration of BZA variance for a carport at 2745 Macomb Street.*
Commissioner Burns explained that the homeowner had hired a contractor to demolish and replace the garage, but the job was left half finished. The homeowner then lost the right to replace the structure without BZA approval. The footprint of the old and new garage are exactly the same as the property next door. Commissioner Burns moved that the ANC support the BZA application; Commissioner Reba seconded the motion, which was approved by roll call vote, 9-0.
- e. *Consideration of grant application for John Eaton ES spring musical.*
Commissioner MacWood moved a resolution to support the request from John Eaton Elementary School for \$3,000 to support the 2010 spring musical. Commissioner Reba seconded the motion. During discussion, Michelle Koerner from the parents' association explained the \$3K request, in contrast to the usual \$1K request made to the ANC in previous years, was due to loss of funding from the D.C. Arts & Humanities program. The HSA raised additional funds, and musical sets were downscaled, but funds were needed to meet the shortfall. Commissioner May noted how much larger this request was in comparison to previous years, and expressed concern that this higher level could in future be viewed as a precedent. Commissioner Burns suggested that the ANC could possibly grant the current request based on the school's novel circumstance, and make clear in the minutes that the ANC did not intend this higher level to be a precedent. Ms. Koerner stated that the school would seek funding from additional community resources as well as

submit a new application to Arts & Humanities in 2010. The motion was amended to note the special need for additional funding in 2010; it was approved by roll call vote, 9-0.

- f. *Consideration of resolution appealing Zoning Administrator decision to subdivide lot at 2910 Garfield Street NW.* Commissioner Kummings introduced a resolution to have the ANC join in an appeal to the BZA regarding the Zoning Administrator's decision to sub-divide the lot at 2910 Garfield into two lots. Commissioner Reba seconded the motion.

Richard DeKaser, next door neighbor at 2914 Garfield Street, said he first learned of the sub-division when an application for a raze permit was posted one month ago on the front door of 2910; another neighbor found marketing materials for two homes on a realtor's website. Mr. DeKaser was unsuccessful in reaching the Zoning Administrator by phone.

Commissioner Kummings, Mr. DeKaser and John Goodman with the Woodley Park Community Association were informed by Zoning Administrator Matthew LeGrant that he had approved the sub-division in November 2009 using his authorized discretion to allow a "minor deviation" of the 5000 square foot zoning requirement for R-1-B properties. They also learned that Mr. LeGrant had not viewed the property in person, nor was there any indication that a member of his staff had viewed the property in person. Furthermore, there was no evidence that an analysis had been performed of how the proposed sub-division would affect neighboring properties.

Commissioner Kummings stated that the central issue for ANC3C was BZA's lack of notice to the ANC and interested parties. He also noted that the executive board of the Woodley Park Community Association had voted to join in the neighbors' appeal.

Commissioner Bairstow stated that the project deserved careful scrutiny; she noted that the ANC was prohibited by statute from joining in any court action but could join in an appeal to the BZA. She proposed an amendment to the resolution, committing ANC funds in pursuit of the BZA appeal not to exceed \$3,000 of the estimated \$5,000 cost.

The resolution was approved by a roll call vote, 9-0.

- g. *Consideration of alley signs for 2700 block of Woodley Place.* Commissioner Reba circulated a map and described the growing problem of drivers avoiding congestion on Connecticut Avenue and Calvert Street by cutting through two alleys, often at high rates of speed. He asked the ANC to consider funding "Caution: Children" signs, noting that DDOT did not handle alley signage. He also noted the number of emails to the ANC from neighbors asking for financial support from the ANC to produce these signs.

Commissioner May stated that the alley traffic is a dangerous situation requiring DDOT to develop solutions, including traffic calming and signage.

Commissioner Bairstow suggested that ANC3C write to DDOT, asking for an on-site evaluation. Commissioner Reba then moved that the ANC send an urgent request to DDOT to direct immediate attention to the unsafe conditions in both alleys and to work closely with the ANC and neighbors to assess and resolve the problems. Commissioner MacWood seconded the motion, which was passed by unanimous voice vote.

h. *Consideration of Indique's application for ABRA license renewal.*

Commissioner Afzal reported that there was community concern about the outdoor seating at Indique that may be in violation of the Public Space boundaries. She introduced a resolution supporting Indique's application for a liquor license renewal but objecting to its café license renewal until it is in compliance with Public Space; Commissioner May seconded the motion, which was passed by roll call vote, 9-0.

- i. *Consideration of purchasing new laptop for ANC office.* Commissioner Bairstow recommended replacing the five-year Dell laptop with a new HP Pavilion model capable of supporting the projector and for expanded digital storage of ANC records. Commissioner Reeves noted that the budget must be amended for this purchase. Commissioner May moved that the budget be amended for up to \$2,000 to purchase the laptop with a three-year extended warranty. Commissioner Afzal seconded the motion, which was approved by unanimous voice vote.

VIII. Committee and SMD Reports.

SMD-04 Burns: Commissioner Burns reported that the street lamp in Rock Creek Park at Beach Drive's Klinge Road exit, which was reported last month to be burnt out, has now been fixed. In the course of arranging for this repair, Commissioner Burns discovered that, through a quirk of Ward boundaries, the strip of land that the street lamp is on is in Ward 4, despite the fact that all surrounding areas are in either Ward 3 or Ward 1, and only residents of those latter two Wards make regular use of that Beach Drive exit. Commissioner Burns intends to request of the City Council that this be rectified when Ward boundaries are re-drawn in the coming year during the decennial redistricting.

Administration Committee: Commissioner Silveira suggested that the ANC study options for digital storage of its records, noting the historical value of much of the material in the office. He offered to explore scanning and storage options, and asked the Administrator to prepare a short summary of items on file, including linear inches of materials on file and in storage. Commissioner Reba referred to the D.C. Archivist in the Office of the Secretary as an important starting point. It was also agreed that the ANC would cancel delivery of the D.C. Register.

Transportation Committee: Commissioner May offered to arrange a separate meeting with ANC commissioners and DDOT officials concerning the recent truck study.

- IX. Adjournment.** Commissioner Kummings moved that the meeting be adjourned; Commissioner Reeves seconded. The motion to adjourn was approved by voice vote, 9-0, and the meeting was adjourned at 10:50 p.m.