

**ANC 3/4G Public Meeting
Monday, February 13, 2017
Chevy Chase Community Center, 7:00 to 9:00 pm
5601 Connecticut Avenue, NW
Washington, DC 20015**

Adoption of Agenda: The agenda was adopted by a vote of 6 – 0.

Present: Speck, Maydak, Fromboluti, Tuck-Garfield, Bradfield, Clayman. A quorum was declared. Approximately 65 people attended the meeting.

The Commission welcomed new Commissioner Abe Clayman, who represents SMD 3/4G01 (Hawthorne and Barnaby Woods).

Commissioner Announcements:

Community Center Meeting -- On February 28, the ANC will sponsor another in its series of meetings on the future of the Community Center and the surrounding area. The meeting will be held at the Community Center from 7:00 pm to 9:00 pm, and all are invited to attend. (This meeting is separate from the ANC's regular meeting on Monday, February 27.)

Bus Turnout: Preliminary work has begun on restoration of the bus turnout building just south of Chevy Chase Circle. ANC 3/4G has been working with WMATA, the DC Historic Preservation Office (HPO), and Historic Chevy Chase DC for several years to have repairs made on the bus depot. With our encouragement, WMATA applied for and received a Federal Highway Administration grant to make the repairs. After a lengthy planning and review process, HPO approved the plans, concluding that "the detailed scope of work indicates that the majority of the existing historic fabric will be repaired and that that which is beyond repair will be replaced in-kind." HPO "concurred with FHWA's determination that this undertaking will have 'no adverse effect' on historic properties."

Oregon Avenue Watershed Green Streets Project: On February 7, DDOT held its first public meeting on a green streets project in the Oregon Avenue Watershed, which bounded very roughly by Western Avenue, Oregon Avenue, the north side of St. John's campus, Utah Avenue, Rittenhouse Street, and Broad Branch Road (e.g., parts of SMDs 3/4G01, 3/4G02, and 3/4G04). The project plans call for installation of "green infrastructure," including bioretention areas with vegetation and drainage to the ground water and permeable pavements so that water can seep into the ground before it reaches storm drains. They have identified 60 proposed sites in this area and will choose about 30 to be built. The construction budget is "more than \$1 million and less than \$5 million." DDOT's Project Engineer, Ty Asfaw, will make a short presentation at our February 27 meeting, and there will be another public meeting in late-spring. This project will need to be coordinated with multiple other projects in the same area, particularly DC Water's sewer reconstruction and DDOT's Oregon Avenue reconstruction.

Oregon Avenue Reconstruction: Paul Hoffman, DDOT's Program Manager, will be also be at our February 27 meeting to discuss plans for coordinating the Oregon Avenue reconstruction project with the other multiple projects that will impact residents. He indicated that DDOT will also hold a community meeting "before the Ides of March" that will be dedicated to discussing the plans for the Oregon Avenue Reconstruction.

Bench to Honor Julian Bond: Our efforts to get a resolution from DDOT still have not been successful. The Deputy Chief of Staff, Todd McIntyre, reported the following on February 10: "Unfortunately, since this requires a different approach than is usually the case where an entity sponsors and requests a permit

for such an installation, we have been working through a process and policy for us to do it. We expect to have resolution on that in the next couple of weeks." We hope to hear from DDOT soon.

Community Announcements:

Ian Maggard and Phil McAuley, from the Mayor's Office of Community Relations and Services, announced the upcoming budget engagement forums. The nearest meeting will be held at 6:30 pm on February 23rd at Wilson High School. Other meetings will be held at the Department of Employment Services (4058 Minnesota Avenue, NE) at 1:00 pm on February 25th, and on February 27th at 6:30 p.m. at the Columbia Heights Educational Campus (3101 16th Street, NW).

Jay Thal expressed a concern about what he considers to be DPR's unwillingness to listen to concerns from senior citizens. The Chair indicated that this topic would be addressed later on the Commission's agenda.

Anthony Cassillo indicated that oversight hearings for the Office on Aging would be held on February 16 (contact Oscar Montiel, omontiel@dccouncil.us, to testify) and for DDOT on March 13 (contact Aukima Benjamin, abenjamin@dccouncil.us). Testimony may also be submitted after the hearing. The Chair urged residents to let the Council know particularly their concerns about DDOT, which have been discussed in many Commission meetings.

Elizabeth Engel indicated that the Friends of Lafayette Recreation and Park will meet at the Community Center on Wednesday, February 15, 2017, at 7:00 pm.

Anne Renshaw asked that the Commission look into the continuing problem with speeding on Military Road.

Special election rules to fill the commissioner vacancy in ANC 3/4G05: Two candidates -- Jerry Malitz and Naveen Sidhu -- completed valid petitions to run for the vacant commissioner position for ANC 3/4G05. Thus, our Commission must hold an election or -- technically, a "vacancy filling procedure" -- to determine who will be the commissioner for ANC 3/4G05.

Chair Speck indicated that most of the procedures for filling the vacancy are governed by statute. The first step is for the Commission to adopt a resolution setting the conditions for the election. The draft resolution, which was posted on the ANC's website and on the community listserv, sets the election for the ANC's regular meeting on February 27, 2017, in the Community Center from 7:05 pm to 7:45 pm. Only registered voters living in SMD 3/4G05 will be eligible to vote, and they must have a voter identification card listing SMD 3/4G05, or they must be on the voter registration list provided by the Board of Elections. Someone from the ANC Office or the Board of Elections will verify the eligibility of each voter. There will be no absentee ballots, and anyone wishing to vote must come to the meeting.

Voters will deposit their ballots in a ballot box located in the meeting room. After the voting period ends at 7:45, votes will be counted by two impartial vote counters, and results will be submitted to the Chair and read aloud. The Commission will then vote on a resolution naming the winner and asking the Board of Elections to declare the vacancy filled. All registered voters in ANC 3/4G05 are encouraged to participate in this election on February 27.

The resolution establishing the procedures for the special election to fill the vacancy in SMD 3/4G05 was passed by a vote of 6 to 0.

DDOT's Notice of Intent to make changes at the intersection of Reno Road, Ingomar Street, and 39th Street:

Commissioner Fromboluti briefly reviewed the Commission's extensive consideration of community concerns about this intersection over the past two years or more. Most recently, ANC 3E discussed DDOT's Notice of Intent (NOI) at its meeting on February 9. Commissioner Fromboluti also mentioned that a newly available accident report indicated that in 2013 through 2015 there were an equal number of accidents from both directions on 39th Street. The NOI solution thus only addresses Southbound traffic on 39th Street which is only 50% of the problem.

Commissioner Fromboluti then allocated equal time for comments from those who supported the NOI and from those who opposed it.

Several residents spoke first in support of DDOT's proposed solution in the NOI -- to make 39th Street one-way northbound -- which they believed would significantly improve the current situation but may still be an "imperfect solution." They said that this would be the least disruptive approach because it would not require the traffic on Reno Road to stop at the intersection. They were concerned that a four-way stop would increase air pollution and would cause drivers to seek other routes through the neighborhood to avoid the congestion at the stop sign -- the only one on the full length of Reno Road. They cited speed on Reno Road as one cause of accidents and suggested speed humps or speed cameras to control traffic. The supporters of the NOI emphasized that there is no consensus about what should be done, so it would be prudent to take the smallest step first. They also support traffic calming measures and pedestrian protections. They believe that under the NOI proposal, southbound traffic on 39th Street would flow mostly to the easiest route to Reno Road -- i.e., on Jenifer -- not to 38th Street. They suggested that the accident data showing an equal number of accidents from either direction on 39th Street was misleading because the primary problem from southbound traffic could contribute to accidents northbound.

An approximately equal number of attendees opposed the NOI. They noted that more than 130 residents have now signed a petition opposing DDOT's proposed solution. They criticized the NOI because it does not address the significant pedestrian hazard at this intersection, which students at Wilson, Deal, and Blessed Sacrament use. There are no protected pedestrian crossings anywhere on Reno Road between Fessenden and Military Road. They suggested that the one-way block of 39th Street may cause additional hazards because of the contra-flow bike lane and because some drivers are likely to ignore the one-way restriction and drive illegally (as they have done on the one-way block of 32nd Street south of Military Road). Diverting traffic to Jenifer is also hazardous because it is a neighborhood bikeway. One resident at the corner of 39th and Jenifer said that diverting traffic to Jenifer was likely to make this intersection more dangerous. The NOI opponents also cited speed on Reno Road as a core problem that will not be addressed by the NOI. The opponents further called for greater trimming of the bushes and trees to improve visibility. Some opponents also suggested that mini-circles should be considered as a speed control measure.

The Commissioners acknowledged the absence of any consensus solution but emphasized the need to address this serious safety concern before someone is badly injured or killed. We have gone too long without any significant attempt to remedy this unsafe intersection. The Commission particularly lamented the lack of underlying DDOT analyses or studies that would be useful in assessing the proposed NOI. At the Chair's request, almost all of the attendees -- both supporters and opponents of the NOI -- agreed that if DDOT determined that the only way to create adequate sight lines would be to remove the two trees on the southeast corner of Reno Road and 39th Street, they would support the removal. An attendee objected, however, because she didn't believe the trees are the real impediment to sight lines.

Given the lack of any clear consensus and the need for additional data and information from DDOT, the Commission agreed to defer consideration of a resolution on the NOI until its February 27 meeting. In the meantime, the Commission would seek more information from DDOT and would attempt to meet with DDOT to find the best solution. A question was raised about whether the NOI was valid since it is not currently posted on DDOT's website (and may not have been posted appropriately before). The Chair indicated that regardless of whether the NOI was properly posted, the ANC and any others wishing to offer comments should submit them to DDOT before February 28. DDOT has indicated that it will provide an email address to which comments may be submitted, and all comments -- even those previously submitted -- should be sent to that address, which will be posted on the ANC's website.

Magruders' application for a Special Exception (BZA Application No. 11212A) to continue its 56 accessory parking spaces for a ten-year term:

As at the Commission's December 13, 2016 meeting, Magruders' owner, Mr. Ki Yoon, made a presentation regarding the application to renew the special exception for Magruder's parking lot, including approval for ten years rather than five years, as was the case in past special exceptions. Mr. Yoon said that the primary reason for this request was the cost of the application process -- about \$15,000, including attorney's fees. Mr. Yoon indicated that he has made significant improvements to the lot and is committed to maintaining it. He noted that if any concerns arise (e.g., with respect to noise, cleanliness, or other problems), Magruders must renew its liquor license every three years, and such concerns can be raised in that context.

The Chair indicated that former Commissioner Mary Rowse had submitted an email opposing a ten-year term for the special exception, citing the parking lots at other area businesses as precedent for shorter terms. The Chair indicated, however, that CVS has a special exception for its parking lot that is for 10 years, and by order of the BZA -- over the ANC's and DCRA's objections -- Safeway was granted a special exception for its parking lot that has no time limit. Thus, a ten-year special exception for Magruders will be comparable to other businesses along Connecticut Avenue.

Commissioner Bradfield offered a motion that the Commission support Magruders' application for a ten-year special exception (including other conditions that are stated in the application). Commissioner Bradfield will represent the Commission. The motion was approved by a vote of 6 to 0.

Requests for senior activities at the Chevy Chase Community Center:

Loretta Kiron indicated that a group of seniors had been asked by DPR staff to prepare a list of additional free programs at the Community Center that senior citizens would like for DPR to support. Ms. Kiron described programs in four areas: physical fitness, seminars/lectures and talks on timely topics, art classes, and an activities room (including a seniors' program manager at the Community Center to manage these programs). She focused on the possibility of initiating these programs in the short term, recognizing that the ANC was investigating the community's needs for the long-term future of the Community Center. Deean Rubin, president of the Chevy Chase Citizens Association, indicated that she would work with the seniors to help provide several of the programs that they were seeking. Commissioner Maydak noted the need to coordinate any requests to DPR through the ANC so that DPR gets a consistent message about community needs. Commissioner Tuck-Garfield emphasized that the ANC is committed to supporting seniors, recognizing that there are fewer facilities dedicated to seniors in Ward 3 and Ward 4 west of the Park. Commissioner Speck said that he would prepare a letter to the Director of DPR for the Commission's consideration.

CulturalDC art project at Walter Reed:

Samantha May from CulturalDC described art projects that are being planned and implemented at the Walter Reed complex. Among other programs, she encouraged participation in the "Collected Memories" project, which is soliciting stories and experiences from Walter Reed. There will be an art, music, and local food celebration at the campus on April 8, 2017. Ms. May asked the Commission to help disseminate the word about these events at Walter Reed, and the Commission said it would post them on its website (<http://www.anc3g.org/resources/community-resources/>) and on the community list serv.

Proposal for retrocession of the District to Maryland to create Douglass County, Maryland:

David Krucoff described his efforts to promote retrocession of the District's non-governmental core to Maryland as an alternative to Statehood. He is at an early organizational stage and has not yet spoken with policy makers in Maryland about this proposal. He has established a 501(c)(4) organization to work on this proposal and is seeking donations (which are not tax deductible). The Commission emphasized that it was not taking any position on Mr. Krucoff's proposal but was giving him an opportunity to describe this alternative approach to achieving Congressional representation for the District's residents.

Chesapeake Climate Action Network proposed environmental justice legislation:

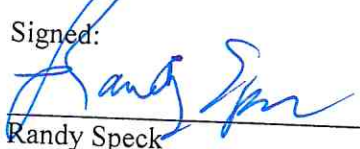
Jeremiah Lowery indicated that the Chesapeake Climate Action Network is working on legislation to introduce at the Council that would establish a carbon fee that would be paid by carbon producers and a compensating dividend system that would return fees to ultimate customers. The legislation would be intended to create market incentives to promote non-carbon emitting energy sources, with any increase in costs for customers offset by dividends paid from the carbon fee. One audience member remarked that there was a bipartisan proposal last week for a carbon tax that might supersede this approach in the District. Mr. Lowery said that more information was available at CheasapeakeClimate.org.


Commission Business:

1. The minutes of January 23, 2017, meeting were approved by a vote of 6 – 0.
2. The Commission approved the October - December 2016 Quarterly Financial Report by a vote of 6 – 0 with the understanding that the beginning balance provided by the DC Auditor's office is incorrect and that the Auditor is working on correcting it.
3. The Commission approved a check in the amount of \$158.01 for IRS Tax Withholding January by a vote of 6 – 0.
4. Items for February 27, 2017 agenda may include: Special election to fill commissioner vacancy in ANC 3/4G05; presentation by At-Large Councilmember Robert C. White; discussion and possible vote on DDOT's NOI for the Reno Road/Ingomar/39th Street intersection, presentation by June B. Kress, Executive Director, Council for Court Excellence, on its "Beyond Second Chances" report; presentation by Ty Asfaw on DDOT's Oregon Avenue Watershed Green Streets project; presentation by DDOT's Paul Hoffman on the status of the Oregon Avenue Reconstruction project in light of other projects; consideration of and possible vote on testimony at DDOT's oversight hearing on March 13.

The meeting adjourned at 9:20 pm.

Signed:


Randy Speck
Chair


Rebecca Maydak
Secretary