



Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION
3/4G

CHEVY CHASE, BARNABY WOODS, HAWTHORNE

COMMISSIONERS

3/4 G-01 - Abraham Clayman, Secretary
3/4 G-02 - Chanda Tuck-Garfield, Treasurer
3/4 G-03 - Randy Speck, Chair
3/4 G-04 - Rebecca Maydak
3/4 G-05 - Gerald Malitz
3/4 G-06 - Dan Bradfield
3/4 G-07 - Christopher Fromboluti, Vice-Chair

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Minutes: ANC 3/4G Public Meeting, June 10th, 2019, Chevy Chase Community Center, 5601 Connecticut Ave, NW, Washington, DC 20015 (Video of this meeting is available at <https://bit.ly/31pWVOJ>.) The Commission meetings are video recorded for YouTube to be available to the public. Speakers and Commissioners — but not audience members — are included in the video.

Summary:

Commander Duncan Bedlion discussed decreasing thefts from automobiles and related crimes in PSA 201.

The Commission voted 6-0 to support the Class C Liquor License Renewal application for Little Beast Bistro.

The Commission heard from Councilmember Brandon Todd, representatives from city agencies, representatives from Oxford House, and residents regarding concerns about two Oxford House locations on Moreland St. Commissioner Tuck-Garfield stated that an additional meeting would be held before July 4th.

The Commission heard from DCRA Director Earnest Chrappah and residents about concerns related to 5301 and 5303 Connecticut Ave. NW.

Present: Commissioners Bradfield, Malitz, Fromboluti, Tuck-Garfield, Clayman, and Maydak. A quorum was declared. Commissioner Fromboluti chaired the meeting in Commissioner Speck's absence.

Attendance: Approximately 60 people attended the meeting.

Adoption of Agenda (00:00:00)

Commissioner Fromboluti made a motion to add two items to the agenda: announcements by Duncan Bedlion, Commander of the 2nd District of the Metropolitan Police Department and a liquor license renewal for Little Beast Bistro. With those modifications, the Commission adopted the agenda by a vote of 6 to 0. The two items were inserted before announcements by the community. By the end of the meeting, the two agenda items regarding the Chevy Chase Community Center and the Commission's communication strategy were removed due to the meeting needing to end by 9:15pm.

Commissioner Announcements (00:03:00)

Chairman Speck (presented by Commissioner Fromboluti):

Report on Modernizing the District's Electricity Delivery System — The Public Service Commission (PSC) will hold a Town Hall Meeting on June 13, 2019, to discuss the final report from the MEDSIS (Modernizing the Energy Delivery System for Increased Sustainability) Stakeholder Working Groups. This report (available at <http://bit.ly/2WMgsJv>) outlines how the District can build an improved, more sustainable, more reliable, and overall better electric energy delivery system. The MEDSIS groups addressed the changing energy environment, including increased renewable energy, electrification of the transportation system, and reduced dependence on fossil fuels. The meeting will be held at the PSC, 1325 G Street, NW, Suite 800 at 6:00 pm. More information is available at <http://bit.ly/2QO0DwC>.

Ingleside Reaches Construction Milestone — More than five years ago, the ANC began working with Ingleside at Rock Creek to prepare for this retirement community's major expansion, including a state-of-the-art Health Services building, two new Independent Living buildings, and a new Center for Healthy Living. Ingleside broke ground in October 2017, and construction has proceeded on schedule and in strict accordance with the 16-page agreement that the ANC negotiated. On June 14, 2019, Ingleside will complete work on the first major structure — the Health Services building. Residents will then be able to begin using new assisted living residences, memory-support assisted living residences, long-term care suites, rehabilitation suites, a medical services suite, and additional underground parking. After gaining some experience with these facilities, Ingleside may offer some of these services to non-residents as well. The two Independent Living buildings and the Center for Healthy Living are on schedule for completion by the end of 2019, and Ingleside will hold a grand opening ceremony in early 2020.

Commissioner Fromboluti:

Don Fraser, a United States Congressman from Minnesota, died on June 2nd, 2019. Congressman Fraser was instrumental in creating Advisory Neighborhood Commissions in Washington, DC as part of the Home Rule Act.

No other commissioners had announcements.

Announcements from Duncan Bedlion, Commander of the 2nd District of the Metropolitan Police Department (00:04:30)

Commander Bedlion reported significant progress with regard to decreasing crimes related to automobiles. In December 2018, PSA 201 reported 274 car break-ins. In January that number decreased to 240. In April, it was 138. In May, 128. June is trending to be below 150. Commander Bedlion reported that the 2nd District is working closely with the 4th District, Montgomery County, and Chevy Chase, MD police departments to deter automobile crime. Commander Bedlion reported 28 arrests for automobile break-ins since January. Commander Bedlion applauded the community for pushing awareness about automobile crime and encouraged neighbors to never leave items in cars.

Commander Bedlion highlighted a recent community walk on Connecticut Ave. with other local police officers. Commissioner Bradfield complimented the 2nd District on this outreach effort and requested to have more such events in the future. There were no questions or comments from residents.

Discussion and possible vote on Class C liquor license renewal for Little Beast Bistro (00:09:00)

Robert Gordon, co-owner of Little Beast Bistro (5600 Connecticut Ave NW), discussed current operations at the restaurant. Little Beast was requesting the ANC's support with its liquor license renewal (#10991). Hours of operations and service would remain the same as originally agreed to when the license was first issued. Mr. Gordon also stated that the restaurant had applied for and received approval for a deck and awning, that it was serving brunch on Saturdays and Sundays and that a three-piece jazz band performed on Thursday nights. Mr. Gordon assured residents and the Commission that he periodically checked the noise level outside the restaurant to ensure it was in compliance with local regulations. No commissioners or residents had questions or comments. The Commission voted to support the license renewal 6-0.

Community Announcements (00:12:30)

Gabrielle Priest, the Ward 4 liaison from the Mayor's Office of Community Relations and Services (gabrielle.priest2@dc.gov, 202-603-7182), announced that Mayor Bowser has

created a Commission on Health Care Systems Transformation (<https://bit.ly/2WzfFfT>) a 27-member group that will develop recommendations on strategies and investments necessary to transform health care delivery in the District of Columbia. Ms. Priest also announced that the Mayor had proposed the Safe Cannabis Sales Act of 2019 (<https://bit.ly/2MH7869>), legislation that would provide clarity and rules on the sale of cannabis in the District. Ms. Priest announced an exclusive mortgage loan option program designed to help DC Government employees achieve homeownership in the District of Columbia (<https://bit.ly/2R9qsaD>).

Councilmember Brandon Todd (Ward 4) thanked Commissioners for their work representing the community. Councilmember Todd noted that the Council had recently taken its second vote on the FY 2020 Budget (<https://bit.ly/31mWmW1>). Councilmember Todd noted that he supported tax credits to support the middle class in DC, investments in infrastructure, and a \$500 tax rebate for senior citizens who purchase hearing aids. Councilmember Todd noted that the Lafayette Field House would be renovated this summer and that he would work with the community to find solutions to stormwater management concerns at Lafayette. He also stated that the Episcopal Center at Utah St. NW and Nebraska Ave. NW was closing its school but that the building was not for sale.

Discussion and possible vote on special exception application at 3615 Military Road, NW (BZA Case No. 20060) proposing to extend the existing bump-out that encroaches into the required side yard setback by four feet. (00:23:30)

Steve Zeddun, owner of the property at 3615 Military Road NW provided architectural drawings showing the proposed bump-out extension. Mr. Zeddun stated that neighbors did not object to the bump-out and provided letters from two nearby neighbors (including the only adjacent neighbor at 3613) stating that they had no objections. Allen Beach asked what year the home had been built and Mr. Zeddun replied that it had been built in 1918. Commissioner Clayman clarified that a side bump-out already existed and that it was being extended towards Military Road. The Commission voted 6 to 0 to support the bump-out extension. The case is scheduled to be heard on the expedited review calendar on July 10th. Commissioner Malitz stated that he would attend the Board of Zoning Adjustment meeting if necessary.

Discussion of concerns raised about leases at 5745 and 5900 Moreland Street to Oxford House (<http://bit.ly/2HFVFOz>) (00:28:05)

Commissioner Tuck-Garfield stated that due to questions from residents and concerns about Oxford Houses at 5745 and 5900 Moreland Street, the ANC had invited residents, Councilmember Todd, representatives from city agencies, and representatives from Oxford House to the meeting to discuss the concerns. Commissioner Tuck-Garfield

stated that the goal of this part of the meeting was for everyone involved to have a chance to speak and that this would be the first meeting of potentially other meetings, if necessary. Commissioner Tuck-Garfield also stated that everyone in the District should have fair access to housing.

Councilmember Todd stated that Oxford House operates at least eight locations in Ward 4. He further stated that residents had raised concerns about density – the number of individual people living in the house. Councilmember Todd stated that he had asked the Department of Behavioral Health and the District of Consumer and Regulatory Affairs to attend the meeting and present what the law allows and what can and cannot happen to address resident concerns. Councilmember Todd stated that Oxford House needed to apply for an exemption because more than six individuals were living in one house.

Ernest Chrappah, Acting Director of the District's Department of Consumer and Regulatory Affairs, spoke to the community. Director Chrappah stated that Oxford House had applied for an exemption and a request for a reasonable accommodation on June 4th and that DCRA would provide a response by July 4th.

Crystal Wright, a resident, asked why Oxford House had not completed its application before concerns were raised by residents. Commissioner Tuck-Garfield stated that city officials, Commissioners, and then residents should speak in that order.

Councilmember Todd stated that his office had sent a letter to DCRA informing them of the potential violation and asking DCRA to enforce the laws now while the application for an exemption was pending.

Director Chrappah stated that he had heard concerns with respect to Oxford House and had sent a letter to Oxford House stating that more than six unrelated people were residing there. Director Chrappah stated that Oxford House was entitled to due process under the law and that they would be allowed to respond. He also referenced a consent decree that the city was operating under with regard to Oxford House. He stated that the ANC meeting was a chance for the community to give input.

Commissioner Clayman asked what Director Chrappah was referring to when he spoke about "reasonable accommodations." Director Chrappah stated that under the law, disabled individuals have a right to ask for a reasonable exemption from certain zoning regulations.

Barbara Bazron, Acting Director of the District's Department of Behavioral Health, stated that DBH has had a positive partnership with Oxford House over their 13 year history in Washington, DC and that the concerns heard recently were the first complaint that she was aware of about Oxford House. Director Bazron stated that there were at least 2400 Oxford Houses nationwide and that individuals living in an Oxford House were

likely to stay clean and sober. Director Bazron clarified that Oxford House was a recovery model and not a treatment model. DBH provides assistance with rent for Oxford House residents for three months. Oxford Houses are visited by DBH staff bi-monthly. Director Bazron stated that residents engage in independent living and that the houses are governed by the residents. No alcohol or drugs are allowed and if they are found, residents are ejected. DBH receives monthly reports from Oxford House.

Paul Malloy, the President and Founder of Oxford House discussed the history of Oxford House and his own experience with living in one. He stated that the average relapse rate for Oxford House is 20% compared with 80% for other models. He also stated that the Fair Housing Act prevents discrimination against the handicapped and that Oxford House residents were protected by this law and by Supreme Court decisions because they were considered disabled under the law.

Steve Polin, an attorney working with Oxford House, stated that the DC Human Rights Act further protects residents with drug and alcohol abuse disorders. The Fair Housing Act provides that reasonable accommodations must be made with regard to Oxford House residents. He stated that because clergy members may live together with up to 15 individuals that Oxford House members must be afforded the same protection and that this requirement was made legally binding via a consent decree after the Justice Department sued the District.

Commissioner Fromboluti asked why DCRA was involved if Oxford House could legally have up to 15 individuals living together. Mr. Malloy replied that the Supreme Court ruled that Oxford House was not subject to the DCRA regulation limiting residences to six unrelated individuals.

Director Chrappah stated that all residents must abide by legal rules and regulations.

Councilmember Todd stated that the chief concern he had heard was that two Oxford Houses were situated on the same block creating what neighbors say is a stressed density issue.

Commissioner Fromboluti stated that he regularly walked past an Oxford House on Military Rd. NW and never noticed anything concerning nor had he heard any complaints.

Mr. Malloy stated that 353 individuals resided in Oxford Houses in the District currently.

Kim Hutchison of Oliver St. stated that she was concerned that there were two Oxford Houses on one street and that the burden of Oxford Houses should be shared throughout the city. She asked for reasonable limits to be placed on Oxford Houses within the city.

Commissioner Maydak asked whether any other street in the city had two Oxford House

locations and a representative of Oxford House said no.

Andrew Blume of Oliver St. stated that DBH had provided \$308,000 in grants to Oxford House. He stated that 19 male recovering addicts were present at the two houses and that the average occupancy of other houses on the street was about three. He stated that no counselors or staff were present on site. He stated he was concerned that a large number of individuals potentially with mental illnesses or criminal histories would be living together. He stated that no specific criminal conviction would prohibit an individual from living in an Oxford House. He was concerned that Oxford Houses would jeopardize the safety of nearby residents and the property values of nearby homes. He stated that he believed applicants should be screened and that residents should be required to have criminal background checks, sex offender checks, and drug testing. He also called for reasonable notice to be given to nearby residents.

Commissioner Tuck-Garfield stated that another meeting would be held to discuss this matter before July 4th. Note: After the meeting, Councilmember Todd and Commissioner Tuck-Garfield had a phone conversation on Tuesday, June 11th to discuss next steps. They will convene a round table/meeting the week of June 19th at the Chevy Chase Community Center hosted by both the Councilmember and Commissioner Tuck-Garfield that focuses on Moreland Street/DCRA process regarding housing occupancy and to answer other questions submitted by residents. The exact time of the meeting will be announced by Councilmember Todd's office.

Presentation by the Acting Director of the Department of Consumer and Regulatory Affairs, Ernest Chrappah, on the agency's recent enforcement and consumer protection enhancements (<http://bit.ly/2VgxEHq>). Additionally, Director Chrappah answered questions about enforcement issues in our ANC, starting with the ongoing problems at 5301-3 Connecticut Avenue. (01:24:00)

Director Chrappah stated that DCRA was attempting to move all services online and that the agency receives 575,000 requests annually. He provided resources and handouts explaining the services that DCRA offers.

Commissioner Fromboluti asked about 5301 and 5303 Connecticut Avenue and shared pictures of the properties. Commissioner Fromboluti stated that he was concerned that the buildings had been in disrepair for years, that a man had exposed himself to children and that many letters, emails, and phone calls had been made to the owner and to DCRA but that the properties remained in disrepair. Commissioner Fromboluti asked Director Chrappah for a solution.

Director Chrappah stated that the property had been visited by DCRA 24 times, boarded up, secured, and that one was declared vacant and one was declared blighted. He stated

that legal constraints prevent the agency from doing more than they have done.

Teddi Ann Galligan, a resident, stated that kids frequently walked by and that no children should see anyone exposing themselves from within the building. She stated that she requested a camera be installed by the owner but that nothing was done.

Jacob Sesker of Jenifer St., expressed similar concerns and also stated that a man had been seen exposing himself at 5103 Connecticut Ave. He was concerned that MPD had not caught the individual and that incidents continue to occur.

Nanci Link, a resident, stated that the properties should be taxed at a higher rate to incentivize the owner to act.

Director Chrappah stated that the properties were being taxed at the appropriate rate.

Michelle Wohl of Jenifer St. stated that she was concerned that the buildings were demolished without the proper safety protocols in place.

Charles Muscarillo, Michael DeLont, and Jordan Meissner also spoke and raised similar concerns about the buildings.

Commissioner Fromboluti stated that he would speak with the owner of the property during the week and discuss next steps.

Commission Business (02:03:40)

1. The Commission voted 6 to 0 to approve the minutes from its May 13th meeting.
2. The Commission voted to approve the following checks by a vote of 6 to 0: \$199.99 for GoDaddy security certificate.
3. Items for June 24, 2019 meeting may include: report and recommendations from the task force on developing a communications strategy for the Commission, report from Wayne Wilson and DDOT on reconstruction of Oregon Avenue. NW

The meeting adjourned at approximately 9:15pm.

Signed:

Randy Speck
Chair

Abe Clayman
Secretary