



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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Meeting Minutes

ANC 3/4G Public Meeting

September 23, 2019

Chevy Chase Community Center, 7:00-9:00 pm
5601 Connecticut Avenue, NW
Washington, DC 20015

Summary:

- The Commission voted 5-0 to approve a resolution supporting the Veteran Retirement Income Tax Exclusion Amendment Act of 2019, which would exempt the retirement income of veterans from District income tax.
- The Commission voted 5-0 to support a special exemption at 3917 Military Road NW to build an addition consistent with an existing one-foot side yard variance.
- The Commission voted 5-0 to approve testimony for the DC Council Committee on Facilities and Procurement's Public Oversight Roundtable on Advisory Neighborhood Commissions on September 25, 2019.
- The Commission heard updates from staff at the Department of Consumer and Regulatory Affairs regarding vacant properties at 2900 Military Road, NW and 5301 and 5303 Connecticut Avenue, NW and the steps DCRA was taking to abate the identified violations those properties.

Introductions and Adoption of Agenda (00:00:00)

The meeting was called to order at approximately 7:00 pm. Commissioner Speck reviewed the meeting procedures. Commissioners introduced themselves. Commissioners Clayman, Fromboluti, Maydak, Malitz, and Speck were present. Commissioners Bradfield and Tuck-Garfield were absent. 17 people attended the meeting. The agenda was adopted with no changes by a vote of 5-0.

Commissioner Announcements (00:05:12)

Commissioner Speck announced that on Saturday, October 5th three miles of Georgia Ave NW – from Missouri Ave NW to Barry Place NW – will be closed to traffic and devoted to walking, biking, fitness classes, demonstrations, and other activities.

Commissioner Speck announced that during the week of September 30, 2019, Washington Gas hopes to complete a major pressure test on the main gas transmission line under 30th Street NW. This is the line that Washington Gas has been replacing over the last eight months. Commissioner Speck and residents met with Councilmember Brandon Todd on September 23, 2019 and reached an agreement with Washington Gas about how the disruption will be minimized for the remainder of the work and how Washington Gas will keep the work area clean moving forward.

Commissioner Fromboluti provided an update on 5301/5303 Connecticut Ave NW. The building has been completely demolished. As a result of the demolition, dust containing lead paint was scattered in the nearby area. As a result of this, DCRA has shut the project down until further notice.

Commissioner Malitz provided an update regarding rodents and disposal of trash from public DC trash cans in the area. Commissioner Malitz noted that street cans in the area were not emptied of trash most recently over a 4 day period and the trash was overflowing and falling onto the street. Commissioner Malitz contacted Dee Smith in Councilmember Mary Cheh's office and Jessica Wertheim in the Mayor's office in order to resolve this issue which has been ongoing both for this one-time and to prevent it from happening in the future.

Community Announcements (00:12:35)

Jessica Wertheim, the Ward 3 liaison in the Mayor's Office of Community Relations, introduced herself. She reiterated that she was responding to Commissioner Malitz's concern about trash removal from city trash cans and encouraged residents to contact her with any concerns.

Dee Smith, deputy chief of staff in Councilmember Mary Cheh's office, introduced herself. She also reiterated that Councilmember Cheh's office was aware of the problem and was working with the Department of Public Works to ensure that the trash was removed and would be addressed to prevent future occurrences.

Andrea Rosen, a resident, made an announcement regarding the Comprehensive Plan. The DC Grassroots Planning Coalition will be holding a study circle to provide information to interested residents. The study circle will take place on Saturday, October 5th from 1:30 pm – 3:30 pm at the Cleveland Park Congregational Church at 3400 Lowell St. NW.

Tribute to Northwest Current publisher Davis Kennedy (00:19:15)

Jessica Wertheim, on behalf of the Mayor, presented a letter to Davis Kennedy, publisher of the Northwest Current, in recognition of his service in that role. Commissioner Speck thanked Mr. Kennedy for the coverage provided in the Current, particularly coverage related to matters that came before the ANC.

Discussion and possible vote on a resolution relating to parking signage and markings on the west side of the 5300 block of Connecticut

This agenda item was tabled because the interested resident was not present.

Discussion and possible vote on proposed testimony before the Council’s Committee on Finance and Revenue on the “Veteran Retirement Income Tax Exclusion Amendment Act of 2019” (B23-0129) (<http://bit.ly/2A9E120>) (00:24:50)

Commissioner Speck summarized the effect of the Veteran Retirement Income Tax Exclusion Amendment Act of 2019. The legislation, introduced in February 2019, would exempt any veteran’s retirement income from personal income taxes in the District effective December 31, 2019. This issue is of particular importance to ANC 3/4G because retired veterans live in the ANC, particularly at the Knollwood Military Retirement Community.

Paul Bricker, Knollwood’s Chief Operating Officer, gave us more background on the bill and the reasons why Knollwood residents support it. He spoke in support of the legislation. Mr. Bricker commented that the legislation is in effect, a “down payment” toward attracting retired veterans to the District. Mr. Bricker noted that an increased number of retired veterans would bring benefits to the District.

Commissioner Maydak asked whether Maryland and Virginia exempt retirement income. Mr. Bricker stated that neither state does so completely but that Maryland does in part.

Commissioner Speck asked about when a hearing on the legislation would occur. Mr. Bricker stated that he and others had met with the staff of the DC Council’s Business and Economic Development Committee and was hopeful that a hearing would occur soon.

Commissioner Malitz asked how other states tax retirement income for veterans. Mr. Bricker stated that states vary in how they tax retirement income, with some exempting all pension income and others only part. Commissioner Malitz also asked about what attracts veterans to the District and whether they have indicated that a tax exemption would make a difference. Mr. Bricker responded that transportation services, amenities, and the welcoming community were all elements that attract residents to retire in the District and that taxes play a part in those decisions.

The Commission voted 5-0 to approve a resolution supporting the passage of the Veteran Retirement Income Tax Exclusion Amendment Act of 2019.

Discussion and possible vote on application for a special exception at 3917 Military Road NW to build an addition consistent with an existing one-foot side yard exception (00:38:15)

This agenda item was delayed until later in the meeting because the interested resident was not present. This item was then taken up at 7:40 pm.

Robert Sale and Katherine Leland, residents 3917 Military Road NW, requested a special exemption from the Board of Zoning Adjustment to construct a second floor addition over an existing first floor structure that extends one foot into the required side-yard setback.

Commission Fromboluti asked about whether the neighbor on the affected side is in support. Mr. Sale stated that the neighbor on that side has no objection.

Commissioner Speck stated Allen Seeber, a resident, had emailed him to voice his support and the support of other nearby residents for the special exemption.

The Commission voted 5-0 to support the special exemption.

Discussion and possible vote on Commission testimony before the Council's Facilities and Procurement Roundtable on Advisory Neighborhood Commissions in Wards 3 and 4 (00:45:45)

Commissioner Clayman presented draft testimony for the ANC to deliver at the Council's Committee on Facilities and Procurement's Public Oversight Roundtable on September 25, 2019. In summarizing the testimony, Commissioner Clayman noted that ANC 3/4G had led a lengthy community engagement effort on redesigning the Chevy Chase Community Center, had worked closely with residents on a host of issues, and had created multiple methods of communication to update residents on important local issues.

Commissioner Maydak suggested that the testimony be edited to reflect the ANC's position that city agencies must consult with the ANC when discussing neighborhood issues with individual residents if those issues had come before the ANC previously.

The Commission voted 5-0 to approve the testimony with the modifications suggested.

Update on the Community Center design and construction logistics (00:55:05)

Commissioner Fromboluti announced that because of delays in the plan to modernize the Chevy Chase Community Center, it is likely that the project would cost an additional \$400,000 because of increased construction costs in the last year.

Commissioner Malitz stated that he was concerned that the project was continuously delayed without detailed explanation.

Commissioner Speck stated that he had not received a response when he emailed the Department of General Services about whether the notice to proceed had been issued. He said that the Commission would continue to push the District agencies to move forward on this project.

Presentation and discussion on vacant property at 2900 Military Road, NW and the Department of Consumer and Regulatory Affairs' notice of immediate abatement (00:59:45)

Commissioner Speck provided a summary of concerns about the property at 2900 Military Rd. NW. On February 7, 2019, DCRA issued a permit (Permit Number B1905301) for the property at 2900 Military Road, NW. Demolition work on the interior began in February, though there was no separate demolition permit to address control of dust, lead, or other contaminants.

Nearby residents immediately raised concerns about the condition of the house and the dust and possible contaminants caused by the demolition work. Commissioner Speck contacted the owner of the property, Michael Watson, who assured him that the property would be cleaned up. The demolition completely gutted the interior of the house and removed all windows and doors on both the ground and second floors.

Over the summer, all work at the site ceased, and the property became overgrown with weeds and an untrimmed hedge. On June 28, 2019, DCRA issued a Notice of Violation for “excessive vegetative growth” over the “entire property” and for an “unsecured property” with “open 2nd level windows.” DCRA trimmed the hedges and notified the owner that he would be responsible for those costs.

Commissioner Speck emailed the owner and asked him to explain why work had stopped and why the property had been left vacant and neglected. A fence with a dark screen had been erected around the property, and the dark screen, coupled with overgrown hedges, blocked the sight line for cars turning from 29th Street to Military Road. Again, the owner said that he would address these violations and that he was awaiting DCRA permit approval to continue work.

On September 6, 2019, Commissioner Speck went by the site just as crew was removing the chain link fence that had surrounded the property. The workmen indicated that the fence was being removed because the owner had not paid the rental fee. At that same time, the owner, Mr. Watson, arrived. Commissioner Speck told him that without a fence, the property was now a hazard, and he needed to remedy it promptly. Mr. Watson said that he would get a new fence installed by the beginning of the following week. Commissioner Speck advised DCRA of the property’s condition and the need for an inspection immediately.

Commissioner Speck also asked Mr. Watson why he had not proceeded with work on the house, and he again said that there was a delay in getting the permits approved, which he attributed to the general DCRA delay. Commissioner Speck asked Mr. Watson to send him the application information, and he would contact DCRA to see what is causing the holdup. Mr. Watson did not send the requested information.

On September 10, 2019, a DCRA inspector issued a “Notice of Immediate Abatement” to the owner and boarded up the first-floor open windows and doors to make the house more secure. The owner was to be responsible for the cost of this abatement. The second floor windows remained open to the elements. The owner subsequently trimmed the grass and hedges and reinstalled the fence. No other work has been done on the house.

The ANC invited both Mr. Watson and a DCRA representative, Donald Sullivan, to discuss the situation with the property at 2900 Military Road. Neither Mr. Watson nor any representative was present at the meeting.

Donald Sullivan, program manager for building abatement at DCRA, did attend and described DCRA’s actions with respect to this property. Mr. Sullivan stated that DCRA had classified the building as vacant, would conduct a follow-up investigation of the property, and was levying the maximum possible fines possible against the property owner. Mr. Sullivan stated that the property would be made weather-tight and that multiple liens had been placed on the property.

Commissioner Speck asked what would happen if owner is unable to pay fines or goes out of business. Mr. Sullivan stated that Department of Community and Housing Development is working with DCRA to find a buyer for properties that are vacant. Mr. Sullivan stated that if a developer purchases the property it will often end up starting a new cycle of problems. Their objective is to get families into vacant homes.

Commissioner Speck stated that the Commission appreciated the actions of DCRA and its prompt responses to concerns raised by the Commission.

Inez Saki-Tay, community outreach specialist for DCRA, also answered questions about 5301 and 5303 Connecticut Ave NW. DOEE issued cease and desist order and reported that the developer has come into compliance. The developer was required to submit a mitigation plan, and once that plan was submitted to

DOEE it was approved and developer was stated to be in compliance. She did not know, however, whether DOEE had determined the that mitigation plan had actually been implemented.

Commission Fromboluti asked whether the owner was paying the vacant property tax rate. Mr. Sullivan stated that the owner was. Commissioner Fromboluti and Mr. Sullivan discussed concerns about 5301 and 5303 Connecticut Ave NW.

Commission Business (01:26:00)

The Commission voted 5-0 to approve the minutes from the September 9, 2019 meeting.

The Commission voted 5-0 to approve the following checks:

- \$100.65 to Randy Speck (to purchase a whiteboard for the Commission)

The Commission discussed the following matters as potential agenda items for the October 28, 2019 meeting:

- The budget for ANC 3/4G for FY 2020.
- The ANC's quarterly report.
- Discussion and possible vote on a resolution relating to parking signage and markings on the west side of the 5300 block of Connecticut

The meeting adjourned at approximately 8:30 pm.

Signed:

Randy Speck
Chair

Abe Clayman
Secretary