



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

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COMMISSIONERS

3/4G-01 - Lisa R. Gore, Vice Chair 3/4G-02 - John Higgins, Treasurer
3/4G-03 - Randy Speck, Chair 3/4G-04 - Michael Zeldin 3/4G-05 - Connie K. N. Chang
3/4G-06 - Peter Gosselin, Secretary 3/4G-07 - Charles Cadwell

Minutes

ANC 3/4G Special Public Meeting

On Episcopal Center for Children-Maret School Proposal

February 16, 2022

Zoom Meeting 7:00 – 9:13 pm

Meeting [LINK](#)

[00:00:00](#) **Introduction of Commissioners**

The meeting was called to order at 7:00 pm with Commissioner Randy Speck, Chair (3/4G-03), presiding. Also present were Commissioners John K. Higgins (3/4G-02), Michael Zeldin (3/4G-04), Connie K.N. Chang (3/4G-05), Peter Gosselin (3/4G-06), and Charles Cadwell (3/4G-07). Commissioner Lisa R. Gore (3G-01) was absent. Speck declared a quorum (being four Commissioners present).

[00:02:26](#) **Zoom Meeting Procedures and Adoption of Agenda**

The Commission has been meeting virtually since the start of the COVID pandemic and did so again for this meeting.

The session was the second of three special meetings that the ANC planned to hold in February on the proposal by Maret School and the Episcopal Center for Children (ECC) to develop sport fields on a portion of ECC's campus at 5901 Utah Ave. NW. The session was to hear from municipal agencies reviewing key aspects of the proposal.

Under the ANC's bylaws, the agenda for a special meeting can only be modified by the unanimous consent of commissioners. Chair Speck proposed adding one no-Maret-ECC matter to the agenda, discussion and possible vote on Commission testimony to the District Council reviewing the performance of the city's Office of Planning. Commissioners consented and the modified agenda was adopted 6 (Yes), 0 (No), 0 (Abstain).

[00:05:36](#) **Background on Maret-ECC Proposal**

Commissioner Higgins, whose single member district includes the Episcopal Center for Children (ECC), provided the following background on Maret School's BZA application (Case No. [20643](#)) to build sports fields at the ECC campus:

“Our goal tonight is to provide the opportunity for relevant DC agencies to present information related to the proposal to convert the property at the Episcopal Center for Children (ECC) on Nebraska Avenue to a sports field. ECC and Maret School have reached an agreement whereby Maret will lease the property and undertake the conversion project. Maret has applied to the DC Board of Zoning Adjustment – the BZA -- to obtain permission to alter the field based on the DC residential zoning law exemption provision for educational organizations. This proposal has generated significant interest in the community, including concerns about the zoning exemption being sought by the partners. The BZA process will also involve assessment of the project by other DC agencies.

Briefly, the Episcopal Children's Center is committed to its mission to provide educational and child development assistance to children with significant “special ed” needs. The center paused its operation as a result of Covid, overlaid with a deficiency in funding. The leasing agreement with Maret will provide an opportunity for ECC to resume its mission to assist special needs children.

Issues of interest and concern include hydrology and stormwater management , traffic intensity, noise impacts, other aesthetic concerns, and perceptions that such a facility simply is inappropriate in a residential setting.

By law, the ANC, is authorized to contribute to regulatory proceedings such as that being conducted by the BZA in this case. Tonight's forum will further public understanding of the

role of the DC Department of Transportation – DDOT; the Office of Urban Forestry; and the Department of Energy and Environment (DOEE) as contributing agencies to this BZA proceeding. On March 9, 2022, the BZA will conduct a public hearing on this case, which will incorporate contributions from these agencies.

Tonight’s meeting is an informational forum. It is not an advocacy proceeding. No Commission action will be taken tonight, nor will any ANC action depend solely on this forum – it is one step in a process. On February 24, 2022, this ANC will conduct a special meeting to consider the commission’s position on the application of Maret School at the BZA.”

[00:08:23](#) **Procedure for the Special Meeting**

Chair Speck provided the following statement about the sequence of meetings the Commission has scheduled on Maret’s BZA application and details of how the night’s session would be conducted:

“This is the second of three special meetings on the Maret application. Each meeting will assist the Commission in forming its recommendations to the BZA. In the first meeting on February 1, 2021, the ANC heard from the parties. This meeting will give commissioners an opportunity to hear from and ask questions of the key District agencies responsible for reviewing Maret’s application — the District Department of Transportation or DDOT (reviewing Maret’s Comprehensive Transportation Review), DDOT’s Urban Forestry Division (reviewing Maret’s Tree Preservation Plan), and the Department of Energy and Environment or DOEE (reviewing Maret’s stormwater management plans). DOEE declined our invitation to this meeting because it does not formally provide a review to the BZA, but it did provide answers to written questions that we gave them, and we will be discussing those responses and whatever follow up questions commissioners may have. The February 24, 2022 meeting will review the Commission’s draft resolution advising the BZA of the Commission’s position on Maret’s application. The ANC expects to make a draft of the resolution available in advance of the meeting, and will take questions and comments from the parties and the community.

The Commission must file its position with the BZA no later than March 2, 2022. Parallel with the Commission’s preparation of a resolution to the BZA, the ANC is continuing to talk with the parties in an effort to reach agreements on at least some of the outstanding issues.

This meeting will be divided into three parts: DDOT, Urban Forestry, and DOEE. Please put questions to agency representatives in the Q&A, and commissioners will try to ask them. Again, any comments should go in the chat, not the Q&A.”

[00:11:45](#)

DDOT on Maret's Transportation Analysis

Aaron Zimmerman, a site development program manager with the planning and sustainability division of the District Department of Transportation (DDOT), said the agency requires developers to submit a Comprehensive Transportation Review (CTR) or multi-modal traffic study that the agency reviews to try to understand the effects of project on the city's transportation network and propose adjustments to the Board of Zoning Adjustment (BZA). Maret's CRT for this project can be found [here](#).

Zimmerman said DDOT worked with Maret to determine the scope of the CRT, including what the study area should be and reasonable assumptions. The agency is now reviewing Maret's document and will issue a report by the end of the week of February 21, 2022 that could include suggestions of conditions of approval that the school would have to comply with to win BZA approval.

During questioning, Chair Speck asked whether it would improve safety if a "No Left Turn" sign was installed to discourage cars leaving the proposed parking lot and turning onto Nebraska Avenue. Zimmerman said the CTR showed only two or three cars making a left and suggested a sign was unnecessary unless a problem cropped up.

Speck asked whether, given that the curb cut for the proposed lot is near the top of a hill rising out of Rock Creek Park, drivers leaving the lot will have adequate sight lines to see traffic on Nebraska. Emma Blondin, another DDOT official said that parking will be prohibited in the immediate area around the parking lot exit in order to ensure that drivers can see. She said that Maret has proposed to move the pick-up and drop-off zone for buses to the west on Nebraska to improve sight lines.

Speck asked whether DDOT is considering any traffic-calming measures such as road narrowing from Nebraska Avenue. Blondin said the agency is considering curb extensions, which essentially are bump-outs of the sidewalks at nearby intersections.

Reading from the meeting Q&A, Speck asked whether a decision by the National Park Service to permanently close Beach Drive would have an effect on Nebraska Avenue traffic. Zimmerman said Beach Drive was "pretty far away" and he did not expect much effect. Speck said the concern is not just Beach Drive, but the combination of a permanent closure and the reopening of Oregon Avenue, which has been under construction. He asked whether the analysis takes this into account. Zimmerman said that he didn't think it would have a big effect. Blondin said many changes to traffic patterns are occurring because of the pandemic and they are difficult to predict.

Citing the Q&A, Commissioner Gosselin said that DDOT's work seemed to be almost exclusively focussed on vehicle traffic. He asked whether the agency's report will deal with, for example, sidewalk markings to alert pedestrians as they approach the parking lot exit or a pedestrian cross on Nebraska Avenue across from the field. Blondin said DDOT examined the idea of a mid-block pedestrian crossing at the field and concluded

there would be too much going on with cars entering and leaving the parking lot and buses dropping off teams to add such a crossing.

[01:04:05](#) **Urban Forestry Division on Maret's Tree Plan**

Maret has filed two plans relating to trees on the site, a Tree Transplant Plan [here](#) and a Tree Preservation Plan [here](#). Earl Eutsler, the chief forester with the division, said that heritage trees with circumferences of 100 inches or more, have a special status under the city's 2016 Tree Canopy Protection Act and must be protected or transplanted if they are viable. He said trees of this size that are failing and pose a hazard can be removed. Speaking about the ECC site, Eutsler said "There are a great many trees that are actually in fairly poor condition." He said 13 heritage trees have been deemed hazardous, and Maret proposes to remove them. There are four trees on the field and another two in the immediately adjacent area near public parking that Maret proposes to transplant or protect.

Eutsler said that the city and tree companies have gained a good deal of experience with transplant of large trees since the canopy law and have had good success in keeping transplant alive and flourishing, including three at the former Fannie Mae site off Wisconsin Avenue and a tree at the Folger Shakespeare Library at 201 East Capitol St. SE. Maret has hired the same firm that handled Fannie Mae and Folger Shakespeare trees to do the transplants at the ECC site.

Commissioner Higgins asked about whether the city can require planting of new trees to offset ones that are removed. Eutsler said that it can in connection with parking lots, but those requirements don't come under his auspices. He said that the city used to permit developers to do offset planting elsewhere in the city to make up for canopy loss at a particular site, but legal provisions allowing off-site planting were repealed.

Commissioner Gosselin asked about whether the curb cut and parking threatened the root ball of the heritage tree near the front of the site along Nebraska. Eutsler said that in general not disturbing a tree is preferable, but called the Maret plan for helping that tree as "plausible."

Reading from the Q&A, Chair Speck asked what is the fine that the city imposes if the transplanted heritage trees do not survive for a minimum of three years. Eutsler said the minimum fine would be \$30,000 per tree.

[01:34:52](#) **DOEE on Maret's Stormwater Management Plan**

Chair Speck said that officials of the Department of Energy and the Environment (DOEE) declined an invitation to speak with the ANC because they said, they aren't directly responsible for advising the Board of Zoning Adjustment (BZA) on proposals, but do it through the Office of Planning. The Commission sent DOEE questions and received

responses in a February 16, 2022 email. Commissioner Higgins read each question and the agency's answer, which commissioners then discussed.

The DOEE email is included below:

“Good Afternoon Mr. Speck,

Below are our responses to your questions. Please let me know if you have any additional questions.

1. Please explain how DOEE's permitting process relates to the BZA process. For instance, is it typical that the BZA order requires completion of the project in accordance with the DOEE permit? At what stage in a project does an applicant typically apply to DOEE for a stormwater management permit?

Response: DOEE reviews stormwater management plans for compliance when the project applies for a building permit, which is when reviews are conducted by DCRA and other sister agencies. Comments on a BZA case are usually high-level and based on sustainability goals due to the engineering plans not having been fully developed yet. We strongly encourage applicants to voluntarily meet with our stormwater team early in the design process to discuss general stormwater management strategies prior to submission for the building permit, which this project did in January.

2. What are the applicable regulatory requirements that Maret will have to satisfy in order to obtain the necessary permits for this project? Are these regulatory requirements modified in any way by the goals set forth in DOEE's Climate Ready DC Report (https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/CRDC-Report-FINAL-Web.pdf)? CLIMATE READY DC – Washington, D.C. Climate Ready DC LETTER FROM MAYOR MURIEL BOWSER Climate change is no longer a distant threat. In order to prepare Washington, DC for the future, we can and must respond to new and substantial challenges (doee.dc.gov)? If there are changes in regulatory requirements, will Maret have to meet the regulatory requirements as of the time the permit is issued?

Response: As far as stormwater management is concerned, this project will generally need to:

- Retain the 1.2-inch storm (Hold runoff on site until it soaks into the ground or evaporates)
- Detain the 2-year storm, which is 3.2 inches (Release runoff slowly into the sewer system no faster than if the entire site were an undeveloped, grassy meadow)

- Detain the 15-year storm, which is 5.2 inches (Release runoff slowly into the sewer system no faster than the existing conditions)

This athletic field can be exempted from the 1.2-inch retention standard only if the field is made available for use by the general public. Otherwise, it is regulated the same as the rest of the project. DOEE will base regulatory requirements on the time in which a project is submitted for building permit. We have not yet updated our storm sizes to account for regional climate change projections but are currently analyzing the impact of doing so.

3. Are the elements of Maret's stormwater management plan at this conceptual stage consistent with the EPA-DOEE RiverSmart program in terms of LID (Light Impact Development) and the 1.2-inch rainfall standard?

Response: The proposed stormwater management plan includes some bioretention facilities, tree planting, and tree preservation, all of which are considered LIDs. These practices are like those in the RiverSmart program, though more engineered. Though we were not provided any design calculations, the conceptual plan we reviewed appeared to generally provide sufficient stormwater management if the athletic field is exempt from the 1.2-inch standard. If the field is not exempted, we agreed the site likely needs more stormwater management by either adding facilities or making proposed facilities larger.

4. On stormwater management issues, is it your understanding that the Office of Planning provides DOEE's preliminary comments to the BZA for its consideration of an application? Does DOEE typically provide written comments on an application to the Office of Planning?

Response: Yes, DOEE typically provides written comments on BZA applications to the Office of Planning. We typically comment on the extent to which (and advocate for improvements on) a project will further DOEE's sustainability goals, such as those in Sustainable DC.

5. What is the practical difference in designing a stormwater management system to a 15-year storm, a 25-year storm, or a 50-year storm? What projects in the District, if any, have been designed for a 50-year or greater storm?

Response: Practically speaking, designing for larger storms means facilities and infrastructure will increase in size. For example, a project might need bigger pipes to convey larger storms; a bioretention will need to hold more stormwater by being designed deeper or with a larger footprint. Typically, the 15-year storm is the largest storm size DOEE requires designers achieve since this is the capacity of the District's sewer pipes. On a case-by-case basis, we require designing to the 100-year storm if it appears a project may cause

flooding to a downstream property. Other agencies may base design requirements on different storm sizes.

1/24/22: Comments on BZA case (Julienne Bautista via Connor Rattey to the Office of Planning)

- DOEE’s major concern – will the field be publicly accessible? DOEE would want to see the fields available to the public during non-school daylight hours
- If the field is publicly accessible, the proposed practices of detention and a bioretention to treat the parking lot runoff appear to meet project requirements
- If the field is private, expanding the bioretention for the parking lot will be required. This will take away parking spaces and will require patrons to potentially park on the adjacent streets
- Any stormwater calculations were not discussed at this meeting
- Please keep DOEE in the loop regarding heritage tree transplanting and any tree preservation or tree planting plans

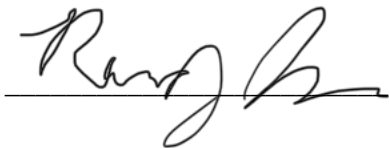
Kind Regards,
Julienne Bautista, P.E.
Branch Chief, Building Permit and Plan Review
Regulatory Review Division
Department of Energy & Environment”

[01:52:20](#) **Discussion of ANC Testimony About Office of Planning**

Commissioner Chang described extensive testimony she had drafted for a February 24, 2022 Council oversight hearing on the performance of the city’s Office of Planning (OP). Chair Speck said Chang would have to tighten the draft to meet the Council’s rule of five minutes for oral testimony on behalf of an organization. Commissioner Zeldin offered language calling on OP to make good on the Council’s directive for it to devise a method to examine small area plans and other documents through a racial equity lens. Commissioner Gosselin said there should be a focus on Chevy Chase’s experience with OP over the past 18 months undergoing a small area planning process, but as drafted the testimony was primarily about what neighborhoods with upcoming small area plans should learn from this community’s experience. Chang agreed. The ANC approved the testimony on the condition that Chang and Gosselin would work on the text so it fulfilled both goals. The vote was 6 (Yes), 0 (No), 0 (Abstain).

[02:12:32](#) **Adjourn**

APPROVED at a regular public meeting notice of which was properly given, and at which a quorum of four (4) of seven (7) members was present on February 28, 2022, by a vote of **6** yes, **0** no, **0** abstentions.

A handwritten signature in black ink, appearing to read "Randy Speck", written over a horizontal line.

Randy Speck, Chair

A handwritten signature in black ink, appearing to read "Peter Gosselin", written over a horizontal line.

Peter Gosselin, Secretary