



**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

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Minutes  
ANC 3/4G Special Public Meeting on  
Maret School's BZA application (Case No. 20643)  
February 24, 2022  
Zoom Meeting 7:00 – 8:45 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).

[00:02:11](#)      **Zoom Meeting Procedures**

The Commission has met virtually since the beginning of the COVID pandemic almost two years ago. Only commissioners have audio and video until members of the audience can be recognized. Audience members are asked to make sure their full names appear in the list of

participants. They are asked to put their questions in the Q&A and their comments in the Chat. The meetings are recorded and will be posted on the ANC's YouTube page.

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### **Limits on a Special Meeting**

Commissioner Speck explained that the session was a special public meeting for the limited purpose of discussing and hearing from the community about the Commission's draft resolution and proposed conditions for Maret's proposal to build a sports field at the Episcopal Center for Children at 5901 Utah Avenue NW. The proposal is before the Zoning Board of Adjustment. Under the Commission's bylaws, "no other topics may be acted upon at that meeting, except by unanimous consent of the Commissioners at the beginning of the meeting."

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### **Adoption of Agenda**

The Commission adopted the agenda limiting discussion to the Maret-ECC proposal. The vote was 6 (Yes), 0 (No), 0 (Abstentions).

[00:05:44](#)

### **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):

"Our goal tonight is to provide the opportunity for the commissioners to discuss the ANC's proposed Resolution and statement of conditions 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. It will also provide the Maret School the opportunity to have the

facilities it needs to provide the athletics experience for students which is integral to its educational mission.

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 as a party to regulatory proceedings such as that being conducted by the BZA in this case. Tonight's meeting is the last of three ANC special meetings and is being conducted in preparation for the ANC's final submission to the BZA on this project.

Tonight's meeting is an informational forum for commissioners to discuss the proposal, present their views of the Resolution and Condition and provide the opportunity for public comment on its draft. The Commission has also received comments from interested parties. The commission may decide to vote tonight or to consider comments on the draft and modify the draft accordingly for a final vote at a regular meeting.

ANC Chair Speck will now address the procedures for tonight's meeting. “

[00:08:07](#)                      **Procedure for the Special Meeting**

Chair Speck provided the following statement about where the night's session fits in the sequence of meetings the Commission has conducted on Maret's BZA application, details about how the session would be conducted and information about the calendar going forward:

“This is the third of three special meetings on the Maret application. Each meeting is intended to assist the Commission in forming its recommendations to the BZA. In the first meeting on February 1st, we heard from the parties. In the second meeting on February 16th, commissioners heard from the key District agencies that are responsible for reviewing Maret's application — the District Department of Transportation (reviewing Maret's Comprehensive Transportation Review), DDOT's Urban Forestry Division (reviewing Maret's Tree Preservation Plan and Tree Transplant Plan), and the Department of Energy and Environment (reviewing Maret's stormwater management plans).

Tonight's meeting is focused on the proposed resolution and conditions, which represent the culmination of many months of work. The ANC's only purpose tonight is to consider what the Commission will advise the BZA about Maret's application. The agenda allots 40 minutes for commissioner discussions, but the ANC may not use all of that time since the draft

resolution speaks for itself. Commissioners assume that attendees have reviewed the draft resolution that has been posted on the ANC's website, listservs, and NextDoor.

After the commissioners have discussed the resolution, the ANC will go to attendees' comments and questions. The Commission expects that a number of attendees will want to speak and so will limit each speaker to two minutes. The Chair will indicate when the time has expired. In order to be recognized, the Commission asks that attendees wishing to speak raise their hands. Attendees will be elevated to panelists with audio and video in groups of about five. Please do not repeat points that have been made by other speakers.

The Commission asks attendees to limit questions and comments to the four corners of the resolution and conditions. It has dozens of letters and emails from people on both sides expressing their reasons for opposing or supporting the project, so it's not necessary to repeat any of those general statements at this meeting. At 3:00 pm today, Friends of the Field emailed the Commission an eight-page written submission addressing the draft resolution, along with six exhibits, most of which have been submitted to the Commission previously. The commissioners will review and consider these submissions before finalizing a resolution. It is not necessary to repeat the points in that submission in tonight's meeting.

What will help the Commissioners is clear, concise comments or questions about specific paragraphs in the resolution and conditions. The ANC won't be counting the numbers of supporters and opponents to see who has the most speakers, so participants should not feel that they have to speak up for their side so that they can have the larger tally. Commissioners also welcome comments in the chat, which will be saved at the end of the meeting and post on the ANC's website after the meeting.

As usual, the Commission can take questions in the Q&A. In responding to questions, commissioners will again stick with the four corners of the resolution and conditions and will not get into extraneous issues.

In order for the ANC to consider the comments tonight, commissioners do not expect to take a vote on a final resolution in this meeting. They plan to take all of the comments into account and prepare a revised final draft that the ANC will again post on its website, listservs, and NextDoor. The Commission invites people to submit any additional written comments after this meeting, if they wish. The Commission is under a tight schedule set by the BZA. The Commission must submit its resolution at least one week before the hearing on March 9th — i.e., by March 2nd. Thus, the ANC will add the vote on the final resolution to the agenda for the Commission's regular meeting on February 28th. Of course, anyone also can express their views directly to the BZA through March 8th by sending an email to [BZAsubmissions@dc.gov](mailto:BZAsubmissions@dc.gov), or they may sign up to testify at the March 9th hearing on the BZA's website.

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## Description of the Draft Resolution

Chair Speck reiterated that the Commission assumed that most or all participants had reviewed the draft resolution and conditions that had been publicly posted prior to the meeting. He provided the following summary description:

“This resolution is the product of an extensive process by the Commission to understand Maret’s application, the concerns that have been raised, and the impacts of proceeding with the proposed sports field on all the affected parties. The background portion of the draft resolution (paragraphs through 15) describe all the steps that the Commission has taken to review this application and to hear from the community. Commissioners — especially Commissioner Higgins and I — have spent hundreds of hours in this process.

Paragraph 17 of the draft resolution describes the basis for the Commission’s analysis:

While the immediate neighbors have a significant interest in the projects’ impacts on them, theirs is not the only interest the Commission must consider. The Commission has an obligation to weigh all of the impacts on the community. . . . Indeed, each commissioner took an [oath](#) to “exercise my best judgment and . . . consider each matter before me from the viewpoint of the best interest of the District of Columbia as a whole.”

Beginning in paragraph 18, the draft resolution analyzes and reaches conclusions about the following topics: (1) the long-term financial stability that this project provides for ECC, permitting it to resume its educational mission; (2) the plan for both a multipurpose field and a baseball field rather than a single multipurpose field; (3) the extent to which the fields will be used by Maret, its lessees, and the community; (4) the management of stormwater; (5) the management of traffic and its impact on pedestrians and bicyclists; (6) the plans to preserve or transplant heritage trees; (7) the noise expected as a result of the project; (8) the use of turf rather than grass fields; and (9) the disruption created by construction of the fields.

Finally, the draft resolution attaches 21 pages of conditions that cover a broad range of topics related to the project: (1) the design of the project, including details such as the removable goal posts, the security fencing, the protective netting, landscaping, tree relocation, stormwater mitigation, the type of turf field, the type and location of bleachers, and permeable materials for the parking lot and sidewalk; (2) lighting, the scoreboard, and noise abatement; (3) use and access to the fields, including which hours are permitted for each use;

(4) transportation and parking; (5) management of construction-related impacts; (6) dispute resolution, and (7) the duration of the conditions.”

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### **Commission Discussion of Draft Resolution and Conditions**

Commissioners Chang and Zeldin began the discussion by emphasizing that the documents were not just the work of Chair Speck and Commissioner Higgins, who have been point for the ANC on this issue, but included the input of the whole Commission. “The commissioners have all reviewed, edited, commented on and now agree to the draft resolutions and conditions,” said Zeldin. “That’s the consensus of where we are at the moment, subject to further discussion.”

Saying he may have been a little less involved in the process than other members of the ANC, Commissioner Gosselin asked whether the Commission is confident that ECC, which suspended operations in 2019, will reopen as a result of the financial inflow from Maret for lease of the field. Chang replied that she repeatedly raised this question in previous meetings and was told that the center will re-open this fall with a goal of 20 to 25 students. She also said that the Maret proposal should be compared, not with the property’s current dormant status, but with what’s likely to happen in the future. ECC officials have said they intend to use the property to raise money in order to reopen. Chang said that means the property will not remain in its current state.

Higgins read portions of a letter from ECC board chairman William Simons that “When word got out that we had paused operations, we were approached with many offers to buy or lease our property. All these plans would have been far more disruptive to the neighborhood than a sports field.” Higgins said the letter concludes: “ECC will not be deterred from our longstanding mission of helping special-needs children. Change will come to our...land in one form or another. We cannot afford to have it remain as is...”

One of the objections of the Friends of the Field neighborhood group that opposes the project is that the proposal puts the site to what it says is too intensive a use because Maret is seeking to incorporate two fields at the site, a baseball diamond and a soccer/lacrosse/football field. The opponents say they want only one field. Noting that the Maret design has the two fields overlapping each other, Gosselin asked whether that means they could “only operate one at a time.”

Zeldin said that is true for organized sports events, but that during periods when the community can use the facility the fact there are two fields could attract somewhat more use. He said that at least in part the opponents object to two fields because it pushes the useable space closer to the edge of the property and thereby reduces the buffer between the facility and neighboring properties.

In response to concerns about intensity of use, Maret in December cut back on the amount of time the fields would be available for use. Gosselin asked whether those cutbacks are reflected in the draft resolution. Speck said that both those changes and some small additional cutbacks that the school agreed to in January are in the resolution.

One of the major sticking points between Maret and the Friends group is over stormwater management at the site. The city currently requires a stormwater management system that can handle a storm that occurs on average only every 15 years. The Friends want one that can handle a 50-year storm. Maret has said it is designing the system for a 25-year storm. Gosselin asked whether there is a District-level or national standard for a 25-year storm. Speck answered that the city currently can require more stringent standards than 15 years in some cases and is studying whether to tighten its standard in all cases.

Later in the session, Commissioner Cadwell raised a general concern related to the stormwater issue about the ANC and standards more stringent than those already in law or regulation. Cadwell said there was not a problem in this instance because Maret has agreed to a 25-year standard. But he cautioned that the Commission should not supplant experts and regulatory officials by imposing more stringent standards than current ones.

Commissioners discussed whether there is any reason to think the noise level at the Maret-proposed fields would be any greater than those at other athletic fields such as those at Lafayette Elementary School, the former Georgetown Day School off McArthur Boulevard or Maret's fields at its Woodley Park campus.

The Friends group submitted photographs of more than 30 fields in the city located in residential areas. Zeldin noted that more than 20 of the 30 appear to have artificial turf and that those that do not look as if they are in poor condition. Opponents have objected to the use of artificial turf.

Speck said that among the conditions in the Commission resolution is the requirement that Maret negotiate to reduce or end its hold on the Jelleff field in upper Georgetown, which has been a sore point with that neighborhood.

#### [00:51:26](#)      **Community Questions and Discussion**

The Commission began this segment of the meeting by answering questions that attendees had placed in the Q&A queue.

Q from Paul Fisher: “I would like to add an additional wrinkle for consideration. If the ANC were to vote to approve this deal going forwards, and Maret vacates the lease after 10 or 20 (or 30) years, how is the neighborhood going to be protected from the maintenance of the sports complex being neglected? ECC has gone bankrupt once, has not provided a solid business plan for their resurrection, and the finances of how this field lease to Maret will permanently shore up their finances has not been explained at all. If they succeed in their goal of putting literally tons of toxic artificial turf on the property, this will require regular maintenance and periodic replacement. ECC did not maintain the storm water protections that were required by the BZA when they built their Media Center. It was technically illegal for them to do this, but more importantly is what happens if they repeat this behavior in the future. Maret has signed a 10 year lease with the option to extend 4 times, so they are only committed for 10 years.”

A: Speck said that the Commission’s proposed conditions includes a duration provision that says that as long as the property continues to be used as an athletic field the conditions “go with the property ” and continue to apply to whoever owns or operates it. He later noted that several of the questioner’s remarks were inaccurate, including that ECC had gone bankrupt.

Q from Thomas Downs: “The Chairman (Speck) was on the Public Space Committee meeting today. Thanks for your patience. During the hearing a DDOT employee (a member of the public space committee) mentioned that DDOT has completed a 15 page report on the DDOT transportation response issues raised in the review. She stated that that report will be released tomorrow. The question is will the ANC take this report as part of its decision making process before making a decision?”

A: Speck noted that Higgins was also at the Public Space Committee meeting. He said that DDOT officials told the ANC they would release the report on February 25, 2022 and the Commission would take it into account in preparing a final draft of the resolution and conditions to be voted on at its February 28, 2022 meeting.

Q from David Patton: “How many (ECC) students can be served by what level of payments from Maret School? This is an important question raised by Commissioner Gosselin.”

A: Revisiting the discussion earlier in the evening, Speck and Gosselin said that ECC expects to re-open with 20 to 25 students and ramp up over time to about 35 students.

Q from former ANC commissioner Rebecca Maydak: “I thought when (ECC) ceased operations, it was because the funding and therefore supply of students dried up?”



A: Speck said that that was not his understanding. He said the problem was that the funding was inadequate for ECC to continue operating. It was not that there weren't students in need who now going to schools outside the District. "There's plenty of demand out there still," he said.

Q: from anonymous attendee: "Was the ANC ever approached by the ECC to assist them with getting paid by the District Dept. of Education for the services provided the children referred to the ECC?"

A: Speck said that the issue was not getting paid but that the reimbursement rate or stipend being paid by the District was not enough to cover the ECC's costs. Speck said he did have conversations with EEC officials at the time they suspended operations, but does not remember being asked for ANC assistance.

Q from Bruce Sherman: "Re ECC's financial viability, have the commissioners seen the ECC-Maret lease? Do you understand the financial terms? If so, are you assured by the terms or other data you might have separately as to ECC's viability?"

A: Speck said that the Commission has not seen the lease and does not understand the terms. "We have been trusting EEC's board to be protecting ECC's interests," he said.

Q from Bruce Sherman: "What would happen to the Maret arrangement if ECC were not able to sustain itself and ceased operations permanently?"

A: Speck said that he doesn't think ECC will shut down permanently. Gosselin asked what would happen to the lease if it did. Speck said he thought that any successor to ECC would be legally required to honor the lease with Maret.

The Commission took questions from the audience by bringing people on screen.

John Axelrod, who lives on Rittenhouse Street, said that the draft resolution calls for the establishment of a task force of residents from the surrounding streets, including 28<sup>th</sup> Street, Nebraska Avenue, Rittenhouse Street and Utah Avenue. He said that, as drafted, the ANC would make the appointment. He asked that residents of the various streets be allowed to elect their representatives.

Cynthia Collier asked whether the 25-year standard that Maret says the stormwater management system will be designed to handle is the standard as it is now defined or as it may be defined in the future. Speck said that the intention is that it be the standard at the time that the city issues permits for the work.

ANC 2E Commissioner Elizabeth Miller thanks the commissioners for including the Jelleff Field provision. Jenny Backus, who lives across from the site, said she wished the Commission had advocated for more time for youth sports leagues to use the property.

Claudia Russell said that ECC had a covenant dated September 17, 2002, for the media center, one of the buildings on the campus. It required ECC to maintain an infiltration pit located just east of the media center and do an annual inspection of the observation well and inlet manhole and other requirements for maintenance. However, Brian Ruhl, the engineer hired by Maret to help it with current proposal, said on January 31, 2022, that ECC had not maintained the pit/tank due to its financial situation. Given that history, Russell said she is concerned about what will happen to the stormwater management system that Maret installs. She asked “if Maret’s lease is not renewed, what assurances do we have that this large stormwater management system will be maintained?”

Speck asked for details of the 2002 covenant and the pit. He said the ANC would ask ECC about it. Chang suggested that the Commission might consider requiring ECC to establish an escrow account to ensure it can handle any maintenance responsibilities that would fall to it if Maret did not renew its lease on the property in any of the 10-year increments short of the 50-year life of the agreement.

Bruce Sherman said that Maret’s traffic consultant had failed to take into account how the re-opening of Oregon Avenue after several years of being shut and the potential permanent closure of Beach Drive would affect traffic around the site.

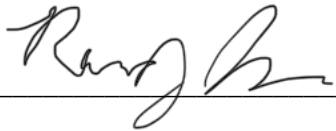
Zeldin asked whether commissioners felt comfortable that Maret had answered questions about the traffic issues that Sherman raised. Speck said that he expected DDOT to address the issue in its report. He said that in previous meetings about traffic concerns the firm Maret hired to analyze traffic asserted it had built in conservative assumptions that would take care of added volume because of Oregon Avenue and Beach Drive.

Molly Bryant, who lives on Utah Avenue and whose son went to the Episcopal Center, spoke in favor of the proposal as a means of reopening the center. “I’ve never ever met a school like ECC as far as what it brings to the table for families who have children with special needs,” she said. “I truly love ECC.”

[1:44:07](#)

**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 March 28, 2022, by a vote of **5** yes, **0** no, **0** abstentions.



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Randy Speck, Chair



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Peter Gosselin, Secretary