

## ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS  
c/o Lisner-Louise-Dickson-Hurt Home 5425 Western Avenue, NW Washington, DC 20015  
[www.anc3e.org](http://www.anc3e.org)

December 10, 2009

Ms. Deborah K. Nichols  
District of Columbia Auditor  
Office of the District of Columbia Auditor  
717 14<sup>th</sup> Street, NW, Suite 900  
Washington, DC 20005

DEC 14 2009

RE: ANC3E Fourth Quarter 2009 Financial Report

Dear Ms. Nichols:

Enclosed please find ANC 3E's FY 2009 Fourth Quarter Financial Report with the following accompanying attachments: (1) Treasurers Reports for the relevant months with printouts for the Non-Profit Checking and Savings Account Statements for the relevant months; (2) Minutes for the meetings in the relevant months; and (3) Copies of the Agendas for the meetings during the Quarter. Attached also, please find the adopted budget for FY 2010.

As you will see, the only charges in the Quarter related to bank fees which were mistakenly imposed on both of our accounts. Wachovia had assured us those would be stopped and reversed and in October they were.

Please contact me at 202.247.0819 or [mfrumin@ndi.org](mailto:mfrumin@ndi.org) if you have any questions or concerns. Thank you for your ongoing assistance to our ANC.

Sincerely,

  
Matthew Frumin  
Treasurer, ANC 3E

Enclosures

PERIOD COVERED: July-September 2009

ANC: 3E

SUMMARY OF RECEIPTS AND DISBURSEMENTS

BALANCE FORWARD (from "ending balance" of previous Quarterly Report): \$39,983.40

RECEIPTS:

District Allotment	\$0.00
Interest	\$0.00
Other (e.g. cancel stale checks)	\$0.00
Transfer from Savings	\$0.00
<b>Total Receipts</b>	<b>\$0.00</b>
<b>Total Funds Available</b>	<b>\$39,983.40</b>

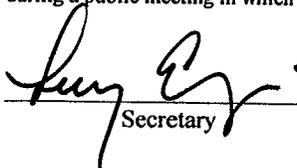
DISBURSEMENTS:

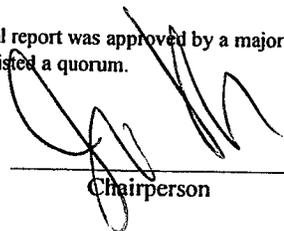
1. Net Salary and Wages	\$0.00
2. Workers Compensation	\$0.00
3. Insurance:	
A. Health	\$0.00
B. Casualty/Property	\$0.00
4. Total Federal Wages Taxes	\$0.00
5. State (DC, MD, VA) Wage Taxes Paid	\$0.00
6. Unemployment Insurance Contributions	\$0.00
7. Tax Penalties Paid	\$0.00
8. Local Transportation	\$0.00
9. Office Rent	\$0.00
10. Telephone Services	\$0.00
11. Postage and Delivery	\$0.00
12. Utilities	\$0.00
13. Printing and Copying	\$0.00
14. Flyer Distribution	\$0.00
15. Purchase of Service	\$0.00
16. Office Supplies	\$0.00
17. Office Equipment: A. Rental	\$0.00
B. Purchase	\$0.00
18. Grants	\$0.00
19. Training	\$0.00
20. Petty Cash Reimbursement	\$0.00
21. Transfer(s) to Savings Account	\$0.00
22. Bank Charges	\$317.42
23. Other (Attach explanation)	\$0.00
<b>Total Disbursements</b>	<b>\$317.42</b>

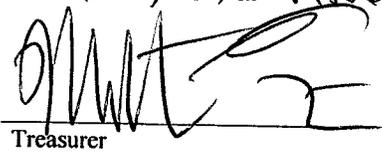
ENDING BALANCE (Should agree with checkbook balance at end of period) \$39,665.98

Certification:

I hereby certify that this quarterly financial report was approved by a majority of Commissioners (vote: 5-0) on November 5, 2009 during a public meeting in which there existed a quorum.

  
Secretary

  
Chairperson

  
Treasurer

<u>CHECK #</u>	<u>DATE</u>	<u>PAYEE</u>	<u>AMOUNT</u>	<u>CATEGORY</u>	<u>PURPOSE</u>	<u>DATE APPROVED</u>
	7/9/2009	Bank Fee	\$109.14	22		
	8/11/2009	Bank Fee	\$104.32	22		
	9/10/2009	Bank Fee	\$103.96	22		

**SAVINGS ACCOUNT**

<b>Balance Forward:</b>		<u>\$4,931.77</u>
<b>Receipts:</b>		
Transfer(s) From Checking Account	<u>\$0.00</u>	
Other (Interest Earnings, etc.)	<u>\$0.60</u>	
Total Receipts		<u>\$0.60</u>
<b>Total Funds Available</b>		<u>\$4,932.37</u>
<b>Disbursements:</b>		
Transfer(s) to Checking	<u>\$0.00</u>	
Other	<u>\$312.96</u>	
Total Disbursements		<u>\$312.96</u>
<b>Ending Balance:</b>		<u>\$4,619.41</u>

CHECKING AND SAVINGS ACCOUNT DEPOSITS		
<small>Please list each bank deposit made this quarter into the ANC's checking and savings account</small>		
Deposits to Checking Account (Include transfers from savings account)		
Source	Amount	Date
District Allotment		
Interest		
Other		
Savings		
Deposits to Savings Account (Include transfers from checking account)		
Source	Amount	Date
Checking account		
Other	\$0.21	7/31/2009
	\$0.20	8/31/2009
	\$0.19	9/30/2009

**ADVISORY NEIGHBORHOOD COMMISSION 3E**  
**Monthly Treasurer's Report**  
**for September 2009**

**WACHOVIA**  
**NON-PROFIT CHECKING ACCOUNT**

**Beginning Balance September 1, 2009** **\$39,769.94**

Deposits

Withdrawals

Bank Commercial Services Charges -\$103.96

Bank Charges

Net Withdrawals	_____	(103.96)
<b>Ending Balance September 30, 2009</b>		<u><u><b>\$39,665.98</b></u></u>

**WACHOVIA**  
**Money Market Account**

**Beginning Balance September 1, 2009** **\$4,723.36**

Deposits 0.00

Interest \$0.19

Withdrawals -104.14

Net Withdrawals	_____	(103.95)
<b>Ending Balance September 30, 2009</b>		<u><u><b>\$4,619.41</b></u></u>



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**ACCOUNT ACTIVITY**

Account

Action

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- [View Rewards](#)
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**Find Transactions**

Date Range:  - OR -   to   
 (MM/DD/YYYY) (MM/DD/YYYY)

Sort By:

Note: You have up to 90 days of account history available.  
To view up to 7 years, go to [View Paper Statements](#)

Posted Balance 10/05/2009 : \$39,665.98 \* Available Balance as of 10/06/2009 : \$39,665.98 \*\*

Check Card Holds : [View Details](#)

**Transactions for: NON PROFIT CHKG \*1348**

Date ▾	Type	Description	Withdrawals	Deposits	Balance
09/10/2009	Other	COMMERCIAL SERVICE CHARGES FOR AUGUST 2009	\$103.96		\$39,665.98
					1 - 1 of 1

\* Includes transactions that have cleared your account as of the close of the previous business day. See help with this page for more details.

\*\* Transactions that have been authorized but not yet posted are included. See help with this page for more details.

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**ACCOUNT ACTIVITY**

Account SM BUS MM \*3794



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- [Order Checks](#)
- [Check Search](#)
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**Find Transactions**

Date Last 15 days  - OR -  09/01/2009 to 09/30/2009  
 Range: (MM/DD/YYYY) (MM/DD/YYYY)  
 Sort By: All Transaction Types



Note: You have up to 90 days of account history available.  
To view up to 7 years, go to [View Paper Statements](#)

Posted Balance 10/05/2009 : \$4,619.41 \* Available Balance as of 10/06/2009 : \$4,619.41 \*\*

Check Card Holds : [View Details](#)

**Transactions for: SM BUS MM \*3794**

Date ▾	Type	Description	Withdrawals	Deposits	Balance
09/30/2009	Deposit	INTEREST FROM 09/01/2009 THROUGH 09/30/2009		\$0.19	\$4,619.41
09/10/2009	Other	COMMERCIAL SERVICE CHARGES FOR AUGUST 2009	\$104.14		\$4,619.22
					1 - 2 of 2

\* Includes transactions that have cleared your account as of the close of the previous business day. See help with this page for more details.

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**ADVISORY NEIGHBORHOOD COMMISSION 3E**  
**Monthly Treasurer's Report**  
**for July 1, 2009 through August 31, 2009**

**WACHOVIA**  
**NON-PROFIT CHECKING ACCOUNT**

Beginning Balance July 1, 2009 \$39,983.40

Deposits

Withdrawals

Bank Commercial Services Charges	-\$109.14
Bank Commercial Services Charges	-\$104.32

Bank Charges

Net Withdrawals	(213.46)
Ending Balance August 31, 2009	\$39,769.94

**WACHOVIA**  
**Money Market Account**

Beginning Balance July 1, 2009 \$4,931.77

Deposits	0.00
Interest	\$0.41
Withdrawals	-208.82

Net Withdrawals	(208.41)
Ending Balance August 31, 2009	\$4,723.36



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**ACCOUNT ACTIVITY**

Account

Action

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- [Order Checks](#)
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- [View Rewards](#)
- [Go to Customer Service Page](#)

**Find Transactions**

Date Range:   - OR -   to    
 (MM/DD/YYYY) (MM/DD/YYYY)

Sort By:

**Note:** You have up to 90 days of account history available.  
To view up to 7 years, go to [View Paper Statements](#)

Posted Balance 08/31/2009 : \$39,769.94 \* Available Balance as of 09/01/2009 : \$39,769.94 \*\*

Check Card Holds  : [View Details](#)

**Transactions for: NON PROFIT CHKG \*1348**

Date ▾	Type	Description	Withdrawals	Deposits	Balance
07/09/2009	Other	COMMERCIAL SERVICE CHARGES FOR JUNE 2009	\$109.14		\$39,874.26
					<b>1 - 1 of 1</b>

\* Includes transactions that have cleared your account as of the close of the previous business day. See help with this page for more details.

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**ACCOUNT ACTIVITY**

Account: NON PROFIT CHKG \*1348

Action

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  - [Transfer Funds](#)
  - [Pay Bills](#)
  - [View Paper Statements](#)
  - [Order Checks](#)
  - [Check Search](#)
  - [View Rewards](#)
  - [Go to Customer Service Page](#)

**Find Transactions**

Date: Last 15 days - OR -  08/01/2009 to 08/31/2009  
 Range: (MM/DD/YYYY) (MM/DD/YYYY)  
 Sort By: All Transaction Types

Note: You have up to 90 days of account history available.  
 To view up to 7 years, go to [View Paper Statements](#)

Posted Balance 08/31/2009 : \$39,769.94 \* Available Balance as of 09/01/2009 : \$39,769.94 \*\*

Check Card Holds : [View Details](#)

**Transactions for: NON PROFIT CHKG \*1348**

Date	Type	Description	Withdrawals	Deposits	Balance
08/11/2009	Other	COMMERCIAL SERVICE CHARGES FOR JULY 2009	\$104.32		\$39,769.94
					1 - 1 of 1

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Account

Action

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- [View Paper Statements](#)
- [Order Checks](#)
- [Check Search](#)
- [View Rewards](#)
- [Go to Customer Service Page](#)

**Find Transactions**

Date  - OR -   to   
 Range: (MM/DD/YYYY) (MM/DD/YYYY)  
 Sort By:



Note: You have up to 90 days of account history available.  
To view up to 7 years, go to [View Paper Statements](#)

Posted Balance 08/31/2009 : \$4,723.36 \* Available Balance as of 09/01/2009 : \$4,723.36 \*\*

Check Card Holds : [View Details](#)

**Transactions for: SM BUS MM \*3794**

Date	Type	Description	Withdrawals	Deposits	Balance
07/31/2009	Deposit	INTEREST FROM 07/01/2009 THROUGH 07/31/2009		\$0.21	\$4,827.66
07/09/2009	Other	COMMERCIAL SERVICE CHARGES FOR JUNE 2009	\$104.32		\$4,827.45
					<b>1 - 2 of 2</b>

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**ACCOUNT ACTIVITY**

Account

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- [Transfer Funds](#)
- [Pay Bills](#)
- [View Paper Statements](#)
- [Order Checks](#)
- [Check Search](#)
- [View Rewards](#)
- [Go to Customer Service Page](#)

**Find Transactions**

Date:  - OR -   to   
 Range: (MM/DD/YYYY) (MM/DD/YYYY)  
 Sort By:

Note: You have up to 90 days of account history available.  
 To view up to 7 years, go to [View Paper Statements](#)

Posted Balance 08/31/2009 : \$4,723.36 \* Available Balance as of 09/01/2009 : \$4,723.36 \*\*

Check Card Holds

**Transactions for: SM BUS MM \*3794**

Date ▾	Type	Description	Withdrawals	Deposits	Balance
08/31/2009	Deposit	INTEREST FROM 08/01/2009 THROUGH 08/31/2009		\$0.20	\$4,723.36
08/11/2009	Other	COMMERCIAL SERVICE CHARGES FOR JULY 2009	\$104.50		\$4,723.16
					<b>1 - 2 of 2</b>

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## Minutes of ANC 3E September 10, 2009 Meeting

Chairperson Bender called the meeting to order at 7:40pm. Commissioners Eldrige, Frumin, Serebin and Sklover were present.

### **ANNOUNCEMENTS**

Chairperson Bender announced that the District Department of Environment is co-sponsoring a program with Mary Cheh and others at University of the District of Columbia on greening your home. The date and time is September 12<sup>th</sup> from 10 am-2 pm.

Samantha Nolan from the Citizens' Advisory Council (CAC) announced that the CAC would hold its annual awards dinner for Second District officers on September 29<sup>th</sup> at Maggiano's. She noted that MPO Williams would receive an award that night.

Chairperson Bender announced that commissioners had met with Safeway representatives regarding the company's planned modernization of its Tenleytown store, pursuant to a PUD, and had suggested that Safeway (1) reduce the new store's footprint near the back of its lot to reduce the burden on nearby neighbors; (2) seek LEED Gold status to minimize the new store's burden on the environment; and, (3) turn the orphaned triangle of land across 42nd St. from Safeway into a pocket park with a fountain by closing the small piece of 42<sup>nd</sup> St. between Safeway and the triangle (with DC government support), and installing a fountain and seating.

## **OPEN FORUM**

An adjacent neighbor of the Tenleytown Safeway expressed concern that Safeway wanted to keep its modernized store open 24/7 and sell liquor. Another resident voiced concern about traffic issues possibly associated with the modernized store. Commissioner Eldridge indicated that the question of Safeway's plans should be an issue set for another meeting

Chairperson Bender asked a representative from ABRA who attended the meeting about the law regarding issuance of a liquor license to vendors near schools (Georgetown Day School's upper school is directly adjacent to Safeway). The representative said grocery stores are exempt from laws that otherwise prohibit sale of liquor close to a school.

A resident suggested that the ANC work closely with DDOT and Safeway before construction begins to address traffic concerns. Chairperson Bender and other commissioners agreed.

## **POLICE REPORT**

MPO Williams stated that Lt. Gregory, who is in charge of PSA 202, could not attend the meeting because she was in training. Chairperson Bender asked MPO Williams to provide details of the three recent armed robberies reported on MPD's listserv. MPO Williams stated that because she is on the Midnight shift, she had not yet been briefed on the robberies.

Chairperson Bender stated that he had alerted Cmdr. Klein that the ANC and the community would want to hear a report on this subject at the ANC meeting, and even suggested that Cmdr.

Klein or one of his captains attend. All commissioners expressed concern, indicating that the issue of these crime was vitally important to them and residents.

Also discussed with the officers in attendance was a rash of 20 to 30 bikes stolen in the area. The community asked what was being done regarding this issue.

Chairperson Bender noted that he had repeatedly asked MPD to institute patrols by officers on bicycles, with emphasis on patrols of the many alleys in the area. Such patrols, he said, would not only deter crime in alleys, where most residents' bicycles were stolen from, but would enable officers to meet residents and point out vulnerabilities around their houses, garages, and sheds.

MPD Williams also indicated that they were still having thefts from the Wilson Aquatic Center's locker rooms

Samantha Nolan, chair of the Citizens' Advisory Council in MPD's Second District, said she was trying to set up a neighborhood watch program in PSA 202. Chairperson Bender commended this initiative and urged residents to attend the planned training programs.

In closing, all commissioners reiterated their concern about lack of information. Chairperson Bender indicated a special meeting to update the community might be in order, and asked the officers to follow up with the ANC and community on this issue.

## **AGENDA ITEMS**

### **VISITOR PARKING PASS PILOT PROGRAM**

DDOT representative Damon Harvey introduced a pilot program for Ward 3 that will enable residents living in area zoned for residential parking permits to receive one additional permit they can give to visitors. Mr. Harvey provided his contact information so that residents could contact him with questions or concerns; his direct phone line is 202-671-0493, and his e-mail address is [Damon.harvey@dc.gov](mailto:Damon.harvey@dc.gov).

A resident raised concerns about existing scarcity of spaces. Other residents asked whether there was a way to connect the passes to particular addresses as a way of ensuring that passes are used only in front of houses, rather than throughout the ANC. Chairperson Bender stated that the ANC might want to have Mr. Harvey come to another meeting in a few months to exchange views with the commissioners and residents as to how the pilot was working out.

### **MARVELOUS MARKET**

Marvelous Market presented a request for ANC support of their application for a wine and beer license. Commissioner Sklover stated a desire to be specific about the hours permitted in the ABRA license. Concerns were expressed that support from the ANC coincide with the hours ultimately sought from ABRA as there were still details that seemed to be in flux or were unclear. An ABRA representative in attendance made clear that the ABRA license being requested would coincide with the hours of operation and would not at a later date be adjusted to allow for later serving of alcohol. It was confirmed that the application indicates the hours of

service to be the market's hours of operation. Commissioners noted that, so far, Marvelous Market was an asset to the community. Commissioner Sklover presented a motion to support the application. Commissioner Eldridge noted that in prior years the Commission had only voted "not to oppose" applications for liquor licenses, rather than to support them. Commissioner Serebin asked what the rationale was for wording it as "not oppose," rather than support. No Commissioners in attendance knew the reason, but Commissioner Eldridge indicated that was the tradition. Commissioner Serebin indicated that if the tradition was due to Puritan reasons he didn't like it. The commissioners voted 5-0 to support the application, provided there were no deviations from the hours as presented at the meeting.

#### **TRAFFIC CALMING STUDY**

A resident of 43<sup>rd</sup> Street, NW, between Albemarle and Chesapeake, discussed concerns about speeding traffic on his street, and presented a petition signed by more than half of the residents on those blocks seeking a traffic calming audit. Chairperson Bender stated that he has been working with DDOT for several months to obtain an ANC-wide traffic safety study, during which residents from all streets in the ANC could raise concerns, and in which DDOT and the ANC could assess the need for traffic calming and related initiatives systemically, rather than on a block-by-block basis. He continued that DDOT had recently informed him that it intended to initiate such a study soon, and that 43<sup>rd</sup> Street might either be subsumed in that study or, if the study was delayed, addressed separately. Chairperson Bender moved that the Commission support the 43<sup>rd</sup> Street residents request for a traffic calming audit, but recommend that it be conducted within the framework of a broader study if feasible. The motion passed unanimously.

#### **TENLEY LIBRARY**

Representatives from and for DCPL appeared to present DCPL's request for two variances (one related to not being able to meet the minimum required number of parking spaces, and the second related to the need to build on a strip of land not currently zoned commercial) needed to build the new Tenley library.

Concern was voiced by commissioners as well as residents that there were not adequate parking spaces for the aging population as well as those who are disabled, and that the one handicapped space being provided was the furthest from the entrance.

The commissioners discussed the preference for additional spaces set aside for handicapped persons. Commissioner Frumin urged the library to evaluate parking space utilization after the library opens to see what is really needed. Commissioner Frumin also urged that library personnel consider parking at Best Buy or Whole Foods instead of using one of the spots in front of the library.

Commissioner Serebin voiced strong disdain for the lack of consideration for the handicapped, and indicated that at a minimum another space needed be set aside for those with special needs, and that such an additional space (if not all the spaces be set aside for such a purpose) should be closest to the library entrance.

Library representatives were open to considering such changes, and offered to designate the spot closest to the entrance as "handicapped only," despite the relatively small size of the space.

Commissioner Sklover introduced a motion that the ANC would support the application for zoning relief provided that the additional space was designated for handicapped use only, and

that the variance being requested asking for the ability to build on an area not zoned for commercial be granted for a distance no greater than 11 feet plus perhaps a few inches. The motion passed 5-0

#### **5019 41<sup>ST</sup> STREET ADDITION**

A request for a special exception for the residence of 5019 41<sup>st</sup> street (between Fessenden and Garrison Street) was presented to add a second story addition. It was made clear in the vast majority of the neighbors, including the most directly effected neighbors, had signed letters supporting construction of the second story addition. Commissioner Eldridge introduced a motion to grant support. The motion passed 5-0.

#### **ANC BUSINESS**

The June minutes were presented and reviewed. Chairperson Bender moved to approve them, and the motion carried by a vote of 5-0

The Treasurer's report was presented, reviewed, and approved by a vote of 5-0

The ANC 3E November meeting was re-scheduled for November 5<sup>th</sup> instead of the 8<sup>th</sup>

Commissioner Eldridge moved to table July minutes until the October meeting. Vote was unanimous 5-0 to do so.

Treasurer Frumin sought approval of petty cash fund. The motion was seconded, and unanimously passed 5-0

The meeting adjourned at 10:10pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Jon Bender', written in a cursive style.

Jon Bender, Chair

## Minutes of ANC3E July 30, 2009 Special Meeting

The meeting was called to order at 12:00 noon by Chairperson Jon Bender. Commissioners Matthew Frumin, Sam Serebin and Lucy Eldridge were also present.

Discussion of, and possible vote on, application for special exception to build addition to rear of house at 4355 Fessenden Street, NW (BZA Case No. 17956)

The Owner of 4355 Fessenden Street, Northwest, together with his architect, presented plans for the renovation and expansion of this single family house located at the corner of Fessenden and 44th Street. Many neighbors from the block were present at the meeting and voiced their concerns about the impact the proposed addition would have on their ability to enjoy their property.

There was a detailed and lengthy discussion between the commissioners, the applicant and his architect, and the neighbors regarding many topics, including: whether the applicant will actually occupy the premises (some believed that he would not live there despite his representation to the contrary); the precise length of the

shadows the proposed structure would cast; whether there were two bedrooms on the first floor (as the plans indicate) or just one (as the applicant stated was the case, conceding that the plans contained an error); the importance of conducting a hydrology study to make sure that the construction will not aggravate the existing water problems on the block; and the unsightly fence that sits on the property, which, to the pleasure of all the neighbors, the applicant agreed to take down.

In order to resolve the differences between the neighbors and the applicant, a number of the Commissioners suggested that the parties agree to postpone the BZA hearing so that an agreeable solution could be reached, thus obviating the need to oppose the request for the special exception. Although the applicant expressed a willingness to talk to neighbors, he was not inclined to agree to delay the hearing as he could not be guaranteed a specific date for a continuance. The applicant said that he had waited eight months to get to this point.

Commissioner Bender offered a resolution opposing the application as presented, but asking for a postponement of the hearing to allow the neighbors an opportunity to work out an agreeable alternative design. Commissioner Frumin proposed modifications to the draft resolution to acknowledge that the applicant had appeared and devoted

considerable time to listening to and attempting to respond to concerns from the neighbors and to account for new information received in that exchange. Chairperson Bender accepted the “friendly” amendments to his resolution. Commissioner Serebin seconded it as modified and the resolution passed unanimously.

Discussion of, and possible vote on, IONA proposal to install series of public benches at Tenleytown locations

IONA Senior Service's submitted an application to the DC Department of Transportation for Enhancement Funding to install 28 benches in Tenleytown. Consistent with its mission to help older people live with dignity and independence, IONA is asking the District for money to support the installation of benches in the neighborhood for the benefit of seniors who shop, walk, and live in the area. IONA is flexible with the precise placement of the benches and will consult with adjacent property owners and also with the DC office of Cultural Tourism regarding their placement so as not to interfere, if possible, with the Tenleytown Heritage Trail.

Commissioner Frumin introduced a resolution supporting the application but urging that care be taken to make sure that the

proposed benches be welcomed by the relevant adjacent property owners. Chairperson Bender seconded the motion and the resolution passed unanimously.

### ANC Business

#### Approval of quarterly report for the April 1, 2009 to June 30, 2009 quarter

Commissioner Eldridge moved that the quarterly report be approved; Chairperson Bender seconded the motion and it passed unanimously.

#### Approval of Treasurer's report

Commissioner Eldridge moved to adopt the June Treasurer's report; Chairperson Bender seconded the motion and it passed unanimously.

#### Approval of June 2009 Meeting Minutes

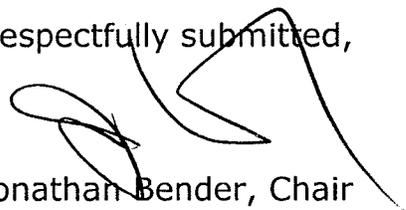
Discussion deferred until next meeting.

Approval of contract for staff

Discussion deferred until next meeting.

There being no further business, the meeting adjourned at approximately 1:45 pm.

Respectfully submitted,

  
Jonathan Bender, Chair

## Minutes of ANC3E July 9, 2009 Meeting

The meeting was called to order at 7:36 pm by Chairperson Jon Bender. Commissioners Beverly Sklover, Matt Frumin, Sam Serebin and Lucy Eldridge were also present.

### Announcements:

Commissioner Sklover reported that she had been in contact with the developers of the Lord & Taylor "Home plate" project on Western Avenue to discuss the green construction they had agreed to undertake.

Ned Hoyt, a current resident of Belt Road, notified the community that he is considering purchasing the 5013 Belt Road property, where he would build a house for him and his family. He wants to build something that would be acceptable to the neighbors. If he can design a house that will satisfy him and his neighbors, he will close on the property.

### Open Forum:

A resident inquired about the status of the red brick building (the old Boys and Girls club) on the corner of Chesapeake Street and Belt Road

Michelle Fox from the Mayor's office stated that that she is looking into restoration of the site.

Update from PSA 202:

Representatives from the Metropolitan Police Department PSA 202 presented crime stats. Residents were reminded to lock the doors to their homes, to not leave anything of value in plain view in their cars (GPSs are big ticket items) and to register their bikes with the national registry so that in the event one is stolen, it can be tracked if it is recovered.

Discussion of, and possible vote on, application filed by Tenley Town Historical Society (THS) to designate Janney Elementary School and the Jesse Reno School historic landmarks.

The Tenleytown Historical Society presented its application requesting historic landmark designation of both the Janney Elementary School, located at 4130 Albermarle Street, and the Jesse Reno School, located at 4820 Howard Street. On behalf of THS, Jane Waldman discussed the history of Janney and Carolyn Long spoke about the Jesse Reno School. Much of the discussion surrounded the impact historic designation could have on the Janney expansion plans and the Reno School updates that may be necessary to make the building usable by

Deal Middle School students. Concerns were raised that historic designation could impede Janney's ability to make the necessary improvements. Supporters of landmark status responded to these concerns. Ms. Waldman claimed that historic designation protects a site from alteration that diminishes its historic significance; it does not preclude alteration. And Dave Maloney from the Historic Preservation Office (HPO) explained that DC historic preservation laws contemplate the adaption of historic properties for current use and that historic designation would not prevent necessary expansion. He also explained that under a relatively new provision in the DC law, HPRB is required to review modernization plans of certain government building regardless of the landmark status. Thus, even without historic designation, the Janney expansion would be subject to review by HPO.

In response, residents and some commissioners expressed concern that even if historic designation did not foreclose necessary renovation and expansion, it could impose a greater burden on the process by: adding layers of review, increasing costs and potentially limiting design and construction options.

Commissioner Frumin asked what benefit, if any, designation conferred beyond that conferred by the purely collaborative HPO

review process to which Mr. Maloney pointed. Ms. Waldmann replied that the mandatory HPO review was a relatively new requirement, while the designation process had been around for many years; accordingly, she continued, the designation law was less likely to be rescinded over the long term than the mandatory HPO review law. Commissioner Bender then asked why THS could not withdraw its current application, permitting Janney to be modernized without the expense and potential disruption associated with designation, and then refile the application after Janney's modernization was completed. THS representatives did not reply. Mr. Maloney replied that THS could do that, but he did not expect that they would given the mission of the organization and the importance its members place on it.

Opponents of designation were clear that they wanted to see the mission of the school be accorded greater deference and protection than that afforded the building.

Mr. Maloney agreed to delay the hearing on THS' nomination to allow time for further discussion regarding Janney's expansion plans and the impact, if any, historic designation might have on those plans. Thus, there was no vote on the application.

Discussion of, and possible vote on, possible dog park at Chevy Chase Park.

A group of 40-50 dog owners came before the ANC seeking support for their continued use of the Chevy Chase Park baseball field as a dog park in the early morning hours, a practice that has been in place for more than 20 years. According to members of the group, police enforcement of the prohibition of such use has been stepped up recently, apparently in response to telephone calls by some neighbors complaining about the dogs.

The dog owners said that they clean up after the dogs and that they also pay someone to come in on a regular basis to clean the field and that once or twice a week they spray the area with disinfectant. Some residents who use the field for little league said that they still find dog droppings on the field. The dog owners conceded that there are a few users who do not clean up after themselves, but countered that the group's formal process for keeping the field clean (including the regular "poop sweeps") actually provides for a cleaner field than if the dogs did not use it in the mornings because the dog owners who use the field in the mornings pick up more droppings left behind by other people who use the field for their dogs at other times and without permission or subject to any agreement.

Members of Capital City Little League, who practice and play on the baseball field, were asked to weigh in on their feelings about the dogs' use of the field. Although they did not endorse the concept (and said that there was still dog waste on the field), they did not oppose the request.

Commissioner Serebin introduced a resolution asking DPR to make it legal for the dog owners to run their dogs off leash on the baseball field from 6:30-8:30am. The resolution also provided that the dog owners would form a non-profit cooperative to help regulate the use of the field which would require coordination with DPR to establish rules regarding usage and clean-up procedures.

The resolution passed 4-0, with Commissioner Eldridge abstaining.

Marvelous Market requests a letter in support of their getting a liquor license.

Commissioner proposed a resolution to support Marvelous Market's application for a temporary 45 day license to sell beer and wine. The resolution passed 4 -0.

At the close of the Marvelous Market discussion, Commissioner Eldridge had to leave the meeting to attend to family matters.

Discussion of, and possible vote on, request for extension of PUD for Akridge project on Wisconsin Avenue between Harrison and Jennifer Streets.

Commissioner Sklover pointed out that the original ANC opposed the Akridge PUD 4-1. She pointed out that there was nearly a year before the existing PUD would expire and asked why they were applying for an extension now. The representative of Akridge claimed that the needed certainty and that PUD extensions are routinely given.

Commissioner Frumin acknowledged that his position could seem odd in that he did not object to the density of the proposed project, but that he was concerned that elements of the public amenities package no longer made sense and wanted to have a process pursuant to which they could be brought up to date. He suggested that the beneficiaries should be determined by need at the time when the funds are to become available, and there should be a mechanism to insure that the value of the amenities do not erode. He expressed disappointment that Akridge had been unwilling to agree to terms that could have achieved that.

The representative of Akridge responded that there would be a process to look at the amenities later and claimed that the package was among the most generous in the City.

Commissioner Frumin countered that he was not saying update the package now but rather establish a process whereby the package will be updated later and to protect against erosion of value. He noted that meetings were held in 2006 about how to distribute amenities but that actual distribution may not occur until 2013. There is no reason to think the needs will be identical seven years later; indeed, he continued, we know they have changed already.

The representative of Akridge said that economics have held up the project and economic hardship forecloses flexibility on the amenities package.

Commissioner Bender said he too had no problem per se with the density proposed. He said that the fact that the previous ANC opposed the original PUD 4-1 had no bearing since Akridge received approval. He also said that economic hardship does not absolve Akridge of making sure that there is no erosion in the value of the amenities

package because economic hardship is almost always the reason debtors ask for more time, and if such debtors get additional time to pay, they almost always must pay interest to compensate for the additional time.

Commissioner Serebin echoed his fellow commissioners' thoughts both regarding building density and the need to update the amenity package and avoid erosion in value.

Some community members expressed skepticism about the idea of asking for the nominal benefits to be increased to account for the time value of money, arguing that any erosion is speculative.

Commissioner Frumin responded that a mechanism could be developed to measure the change, arguing that the appropriate formula could be discerned easily enough.

A community member claimed that there was no legal precedent for such a request.

Commissioner Bender noted that there was no legal precedent establishing that such a request was improper; indeed, it appeared

that the issue was one of first impression. A community member said they did not understand the position being taken by the ANC, and argued that there is a vast public good coming from this project in terms of streetscape changes and an increased tax base, beyond the amenities package.

Commissioner Frumin acknowledged that there was much positive coming from the project, but said he found it a bad sign that the developer declined to work collaboratively to address the reasonable issues raised by the ANC.

Commissioner Bender indicated that he was disappointed in the response from Akridge and the response from some of the community members who favored the project without reservation. He noted that he too supported the proposed density, but that the Zoning Commission relied upon the provision of a certain level of public amenities in granting the PUD; there was thus an obligation to insure that there was no erosion in the public amenities package due to the delay.

Commissioner Bender proposed a resolution opposing the extension of the PUD and urging Akridge to work with the ANC to update the public

amenities package. Commissioner Frumin seconded. The resolution passed on a vote of 4-0.

Discussion of, and possible vote on, formation of a task force or special committee on environmental issues.

Commissioner Bender suggested that the ANC form a task force on environmental issues to be co-chaired by Beth Burchard, and Sam Serebin. John Wheeler, Tom Quinn, Jon Bender, Richard Yates and Marlene Berlin also expressed interested in being members.

Richard Yates discussed issues relating to trash in the Corridor as well as issues relating to trees and run off. The existence of programs to support composting and use of rain barrels, improving energy efficiency, recycling issues and potential sources of grants were also discussed. For example, the City has a Smart River program pursuant to which it installs rain barrels for a nominal fee, performs storm water audits of properties, and supports the elimination of impervious surfaces on residential properties.

The suggestion was made that ANC 3E should try to show leadership on these issues and therefore a taskforce could be valuable. One idea raised was that ANC 3E routinely check with police officers to learn

how many tickets the police write for littering. An attendee noted that by law such data is supposed to be provided publicly to the Mayor's office.

A member of the community suggested that DPW should do a study around the bus depot on 44<sup>th</sup> Street regarding air quality. This in turn led to a comment relating to traffic enforcement issues arising from tour buses "parking" in the neighborhood.

Commissioner Bender moved to create a taskforce on environmental issues. Commissioner Frumin seconded. The resolution was approved 3-0.

Belt Road sidewalk.

Tabled until next meeting.

ANC Business

Approval of Treasurer's report

Commissioner Frumin presented the financial report for the month of June 2009.

Approval of quarterly report for the April 1, 2009 to June 30, 2009  
quarter

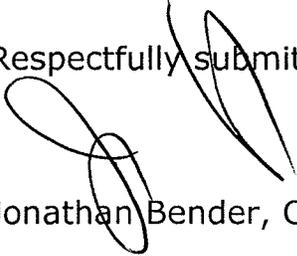
Because Commissioner Eldridge needed to leave the meeting before consideration of ANC business, the quarterly report was tabled to the next meeting.

Approval of June 2009 Meeting Minutes

Approval of the June minutes was tabled.

There being no further business, the meeting adjourned at approximately 11:15 pm.

Respectfully submitted,



Jonathan Bender, Chair

ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN • AMERICAN UNIVERSITY PARK • FRIENDSHIP HEIGHTS

Meeting Notice

(subject to change)

Thursday, September 10, 2009 7:30 pm

St. Mary's Armenian Apostolic Church  
42nd and Fessenden Streets, NW

1. Announcements
2. Open Forum– opportunity for members of the community to raise issues of concern or importance to the 3E neighborhood
3. Presentation by 2nd District Police
4. Presentation by District Department of Transportation's (DDOT) Damon Harvey regarding the Ward 3 Visitor Parking Pilot.
5. Discussion of, and possible vote on, resident petition requesting DDOT to conduct a traffic calming audit of 43rd Street, NW.
6. Discussion of, and possible vote on, application for liquor license for Marvelous Market, corner of Wisconsin Ave. and River Rd., NW
7. Discussion of, and possible vote on, request for zoning relief to permit deviation from minimum parking requirement at rebuilt Tenley-Friendship Library.
8. Discussion of, and possible vote on, application for special exception to build addition to private home at 5019 41st Street, NW .
9. ANC Business Matters

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Approval of June, July 15, and July 30, 2009 Meeting Minutes

For further information [www.anc3e.org](http://www.anc3e.org)

## ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN • AMERICAN UNIVERSITY PARK • FRIENDSHIP HEIGHTS

### **Meeting Notice**

**(subject to change)**

**Thursday, July 30, 2009**

**12:00 pm**

**Tenley Hill, ANC Room**

**4725 Wisconsin Avenue NW**

1. Discussion of, and possible vote on, IONA proposal to install series of public benches at Tenleytown locations.
2. Discussion of, and possible vote on, application for special exception to build addition to rear of house at 4355 Fessenden Street, NW

### ANC Business

- Approval of Treasurer's report
- Approval of quarterly report for the April 1, 2009 to June 30, 2009 quarter
- Approval of June 2009 Meeting Minutes
- Approval of contract for staff

**ADVISORY NEIGHBORHOOD COMMISSION 3E**  
**TENLEYTOWN • AMERICAN UNIVERSITY PARK • FRIENDSHIP HEIGHTS**

**Meeting Notice**  
**(subject to change)**

**Thursday, July 9, 2009**  
**7:30 pm**  
**St. Mary's Armenian Apostolic Church**  
**42<sup>nd</sup> and Fessenden Streets, NW**

1. Announcements
2. Open Forum– opportunity for members of the community to raise issues of concern or importance to the 3E neighborhood
3. Presentation by 2<sup>nd</sup> District Police
4. Discussion of, and possible vote on, request for extension of PUD for Akridge project on Wisconsin Avenue between Harrison and Jennifer Streets.
5. Discussion of, and possible vote on, application filed by THS to designate Janney Elementary School and the Reno School as landmarks.
6. Discussion of possible dog park at Chevy Chase Park.
7. Discussion of, and possible vote on, formation of a task force or special committee on environmental issues.

**ANC Business**

- Approval of Treasurer's report
- Approval of the June, 2009 Meeting Minutes

For further information [www.anc3e.org](http://www.anc3e.org)

ANC3E FY2010 BUDGET

	2010 Budget	Year-to-date	Difference	
BALANCE FORWARD (from "ending balance" of previous Fiscal Year):	\$39,665.98	\$39,665.98	0.00	A
<b>RECEIPTS:</b>				
District Allotment	\$13,270	\$0	-\$13,270.20	
Interest	\$0	\$0	\$0.00	
Other (e.g. cancel stale checks)	\$0	\$0	\$0.00	
Transfer from Savings	\$0	\$0	\$0.00	
<b>Total Receipts</b>	<b>\$13,270</b>	<b>\$0</b>	<b>-\$13,270.20</b>	<b>B</b>
<b>Total Funds Available</b>	<b>\$52,936</b>	<b>\$39,666</b>	<b>-\$13,270.20</b>	<b>C (=A+B)</b>
<b>DISBURSEMENTS:</b>				
1. Net Salary and Wages	\$0	\$0	\$0.00	
2. Workers Compensation	\$0	\$0	\$0.00	
3. Insurance:				
A. Health	\$0	\$0	\$0.00	
B. Casualty/Property	\$0	\$0	\$0.00	
4. Total Federal Wages Taxes	\$0	\$0	\$0.00	
5. State (DC, MD, VA) Wage Taxes Paid	\$0	\$0	\$0.00	
6. Unemployment Insurance Contributions	\$0	\$0	\$0.00	
7. Tax Penalties Paid	\$0	\$0	\$0.00	
8. Local Transportation	\$0	\$0	\$0.00	
9. Office Rent	\$0	\$0	\$0.00	
10. Telephone Services	\$0	\$0	\$0.00	
11. Postage and Delivery	\$200	\$0	\$200.00	
12. Utilities	\$0	\$0	\$0.00	
13. Printing and Copying	\$500	\$0	\$500.00	
14. Flyer Distribution	\$0	\$0	\$0.00	
15. Purchase of Service	\$12,000	\$0	\$12,000.00	
16. Office Supplies	\$400	\$0	\$400.00	
17. Office Equipment: A. Rental	\$0	\$0	\$0.00	
B. Purchase	\$0	\$0	\$0.00	
18. Grants	\$24,000	\$0	\$24,000.00	
19. Training	\$0	\$0	\$0.00	
20. Petty Cash Reimbursement	\$400	\$0	\$400.00	
21. Transfer(s) to Savings Account	\$0	\$0	\$0.00	
22. Bank Charges	\$60	\$0	\$60.00	
23. Other (Attach explanation)	\$0	\$0	\$0.00	
<b>Total Disbursements</b>	<b>\$37,560</b>	<b>\$0</b>	<b>\$37,560.00</b>	<b>D</b>
<b>ENDING BALANCE</b>	<b>15,376.18</b>	<b>39,665.98</b>	<b>-24,289.80</b>	<b>E (=C-D)</b>
Other:	\$0.00	\$0.00	\$0.00	

If needed for #23:

    Short description of Item C

    Short description of Item D

    Short description of Item E