ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS
CHEVY CHASE WAKEFIELD FORT GAINES

c/o Lisner-Louise-Dickson-Hurt Home 5425 Western Avenue, NW Washington, DC 20015
https://anc3e.org

Meeting Minutes
December 15, 2022, 7:30 pm

The meeting convened via Zoom at 7:34 PM. Commissioners Bender, Cohen, and Quinn were in attendance. Commissioners Gianinno and Hall joined later.

Announcements / Open Forum– opportunity for members of the community to raise issues of concern or importance to the 3E neighborhood

Commissioner Bender stated he spoke with the developers for Mazza Gallerie and they said TJ Maxx has not formally ended their lease and there is a chance they will re-open when development is done.

Commissioner Bender thanked LC Miles for her work as the Director of Tenleytown Main Street (TMS) over the last 7 years. She is leaving the position to become Councilmember-elect Frumin's Chief of Staff and Bender wished her well in her new position.

Leigh Catherine Miles, Executive Director of TMS announced that the Kyle Todd will be the Interim Executive Director of TMS starting on January 2.

An attendee stated that the Memorandum of Understanding for 5333 Wisconsin Ave does not include an agreement that the residents will that the tenants will not park on streets. He stated that Federal Realty promised during the ANC meetings that they wouldn't park on streets and believes it will become an issue. Commissioner Quinn replied that no one raised the issue during the amenities discussions. Commissioner Bender asked Commissioner Quinn to reach out to Federal Realty to see if they will agree to that in writing.

An attendee asked what is going on with GDS's over enrollment issue and asked the community be kept up to date on what is going on and what remedies are being considered. Commissioner Bender replied that he is in discussion with them and before the ANC votes on anything formal we would have a public meeting and get community's input.

An attendee asked for an update on the status of the two AU ANC seats. Commissioner Bender replied that both of the seats were filled by write-in candidates. Rohin Ghosh won one seat. The other seat was tied after election date, was resolved by the Board of Elections (BOE) by a coin flip. Diego Carney won that seat. Jeff Denney will be filling ANC seat that was carved out from ANC3F.

Commissioner Cohen stated he missed last meeting and wanted the record to reflect the fact that if he was at the meeting, he would have voted in favor of the Federal Realty PUD application for 5333 Wisconsin Ave and thanked Commissioners Bender and Quinn for their work on that issue.

Presentation by 2nd District Police

Lt Marlon Ollivierre introduced himself as the new police Lieutenant overseeing PSAs 201 and 202 and provided an update on crime in PSA 202 over the last 30 days. Over that time period, all crimes went down by 3% from the year before, but Thefts from Autos jumped by 75% from 4 to 7. There was one unarmed robbery of a convenience store and there was one Assault with a Dangerous Weapon/Gun (two people got into a verbal altercation then one pulled a gun on the other which turned out to be a BB gun and an arrest was made).

Constituents had no questions or comments.

Commissioners asked:

- if any arrests made in connection with the recent Jackson-Reed lockdown (someone discharged a weapon on the street in front of the school and a person of interest was identified but has not been arrested. It was noted that the discharge of a weapon does not end up in the crime statistics.);
- for details on the arrest on noon Sunday in Tenleytown for intent to commit first degree sexual abuse or assault. (A man groped a woman doing missionary work and was arrested on the scene.);
- Lt Ollivierre to notify us of violent crimes even if it does not appear in the statistics, including simple assaults and discharge of weapons; and
- asked for traffic enforcement in the mornings at the stop sign on northbound on 42nd at Brandywine Street.

Discussion of and possible vote on resolution regarding application for special exception to permit an addition to a house on a nonconforming lot at 4704 46th St NW

Jeremy Pelofsky, the owner of the property, stated that he and his wife would like to build an addition on the back of their house in place of an existing patio to expand their kitchen and add a bedroom and bathroom above it. The addition will not be visible from the front of the house, and they have support of their neighbors. Their architect, Jeff Haines stated that under the proposed plans, the addition will not meet rear setbacks as it will be 14.5 feet from the existing one-story garage. They understand the ANC would like them to install a storm water management system and they proposed installing a dry well in lieu of the rain barrels the ANC suggested. Haines clarified in response to a Commissioner question that, although he stated in a filing to the BZA that the addition would result in a decrease of permeable space below the permitted level, that was incorrect as he has made changes that will result in no loss of permeable space.

An attendee asked if the addition will be staged from the alley and if the construction trucks will block the alley. Haines replied that they do not envision the contractors blocking the alley for more than a half hour at a time, when deliveries are being unloaded and they will work with contractor to make sure that the alley is not blocked.

Commissioners: offered a friendly amendment to have the draft resolution clarify that the project will not result in the loss of permeable space and noted that River Smart has a program that offers rain gardens and rain barrels to homeowners at discounted rates.

Commissioner Hall moved, and Commissioner Bender seconded a motion to approve the amended resolution in support of the special exception application. The motion was approved by a vote of 4-0-1 with Commissioner Gianinno not voting.

Discussion of and possible vote on resolution or letter regarding proposal by AU to install a sound barrier on its Jacob Field

Commissioner Bender stated that AU presented their proposal at the November ANC meeting and Commissioner Gianinno wrote a resolution in support. She summarized the project and stated that she hopes the field can be made available to people and organizations in the community.

Attendees had no comments. A Commissioner stated they thought the requirement for the sound wall arose from a self-centered attitude by a neighbor and noted that AU has been a good neighbor and their track is open to the community.

Commissioner Gianinno moved, and Commissioner Bender seconded a motion to approve the resolution in support of the application to install a sound barrier at Jacob Field. The motion was approved by a vote of 5-0-0.

Introductory presentation from new DC Department of Licensing and Consumer Protection

Isaac Boateng, the Ward 3 Account Manager provided an overview of the new DC Department of Licensing and Consumer Protection. This is a new agency was created October 1 and spun out of DCRA. They register business and professional licenses and conduct inspections to make sure all required licenses are valid. Their goal is to process business licenses within one day. He noted that all contractors doing work in DC must be registered here and stated that if a contractor is doing work on a home and they are not registered here, the homeowner is fined. He also noted that homeowners that rent their properties (short or long-term) must be licensed. He went over the steps for obtaining a license. He ended by noting that he has been working with Commissioner Cohen to make sure all of the tobacco shops in the area are operating appropriately and noted that DC has banned flavored tobacco.

Attendees had no questions or comments. Commissioners: asked if they perform the same jobs they did before the reorganization or something different (they all do the same jobs and are now two separate agencies); noted that they will be doing a walk-through of the ANC with the Director of DLCP on December 20; asked for the contact information for Boateng's counterpart in the Department of Buildings (Jason Williamson, Jason.williamson@dc.gov); and noted that they are not happy about the new smoke shop going into the Haan Cleaners building but will reach out to the business and remind them of these rules regarding flavored cigarettes and vaping (Boateng stated that their license does not reflect that they will be a smoke shop and referred the issue for investigation).

Mr. Boateng can be reached at Isaac.boateng@dc.gov

Update from Donahoe on plans to build mixed use project on the Fox 5 lot

Jad Donohoe provided a status update of their project at 5151 Wisconsin Ave. He stated that Ralph Choueiri will be the project manager. They submitted their permit applications in November and expect

approval in March, hazardous material abatement is completed and they are in the process of disconnecting the utilities, they expect their raze permit to be issues next month but demolition work won't start for a few months, and they expect new construction to start the second quarter of 2023 and last for 24 months.

An attendee stated the UIP workers park all over the neighborhood and there is no enforcement and the trucks for UIP mostly follow the established truck routes, but not always and stated we need an enforcement mechanism and agreement. Donohoe replied that he sets expectations with his sub-contractors early and they rely on feedback from the community.

Commissioners: asked that they keep sidewalk open (they plan to have a covered walkway or sidewalk available during the construction and plan to use the rear parking lot rather than take space in front of building); asked what route the trucks will take to/from the parking lot (they have driveway access from both Harrison and Garrison Streets and can use one for entry and other for exit and trucks won't have to turn around/no backup beepers will be needed); asked where will their workers park as the lot is currently being used for parking by workers on the Upton Place construction (the parking lot will be used by construction workers and as the Upton Place construction advances, construction workers can use the parking lot there); asked if they have a plan to notify nearby neighbors of upcoming activities (they can give monthly notifications of upcoming activities to the nearby neighbors); and asked how much retail the site will have and if they have started to look for businesses to rent the space as Commissioners would like to see it rented to a minority/woman owned/inclusive business (there will be 1745 sq ft. of retail at the corner for a café or coffee shop).

ANC Business

- Approval of November 2022 and December 1, 2022 Meeting Minutes - Commissioner Bender moved, and Commissioner Cohen seconded a motion to approve the Draft November 2022 Meeting Minutes and December 1, 2022 Meeting Minutes. The motion was approved by a vote of 5-0-0.
- Approval of expenditures - Commissioner Quinn moved, and Commissioner Bender seconded a motion to approve payments of $607.50 to Sherry Cohen for administrative services. The motion was approved by a vote of 5-0-0.

The meeting was adjourned by acclimation at 9:37 PM.