



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

Meeting Minutes

January 18, 2018, 7:30 pm

The meeting convened at about 7:30 PM. Commissioners Bender, Ehrhardt, McHugh and Quinn were in attendance. Commissioner Hall arrived afterwards.

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

Ian Maggard, the Ward 3 Liaison to the Mayor’s Office of Community Relations, invited the community to join Mayor Bowser on Saturday, January 20 at 10 am at the Palisades Library ribbon cutting. Commissioners asked Mr. Maggard about the Amazon second headquarters selection and if the city was going to create an Office of Nightlife.

An attendee asked if the Commission would consider a statement in support of Johnson’s Garden Center. Commissioner McHugh stated he attended a meeting with American University (the landlord at Johnson’s) regarding the issues and asked the Commission to consider a resolution at a subsequent meeting calling on the DC Government to explore ways to support small, local businesses such as Johnson’s. Commissioner Bender asked Mr. Maggard about legislation pending in the Council that would provide grants to help small businesses with their operating costs. Maggard said that business could be certified as a Certified Business Enterprise (CBE); the city is required to do a percentage of their purchases from CBEs.

Presentation by 2nd District Police

Sgt. Sipillari from the 2nd District provided an update on crime trends in the area over the last 30 days. The crime rate in PSA 202 is down from last year to this year. In the last 30 days there were no Violent Crimes and 27 Property Crimes in PSA 202. An attendee asked for traffic enforcement for cars parked in the bike lane on Fort Drive near Wilson HS during the evening hours. Commissioners asked for traffic enforcement for cars parked illegally on Wisconsin Ave in Tenleytown and Friendship Heights during the evening rush hour; asked police to visit the park at Wisconsin and Grant Rd after school – a constituent reported a daily gathering of HS students and they suspect drugs are being used.

Discussion of and possible vote on letter in support of Tenley Tiger Run

Judy Corcillo, a Wilson High School parent, stated that the race will benefit Wilson’s track teams and will take place on Sunday, April 22 beginning at 9 am. The race is open to the community and the route is unchanged from last year. Ms. Corcillo mentioned that the city has increased the requirements for

MPD Officers to protect the race course, so the organizers might apply to the Commission for a grant to help cover the increased costs. An attendee asked if Wilson had considered combining races with Janney to save on the costs for hiring the off-duty MPD officers. Commissioners asked whether homes along the race route receive advance notice of the event and road closures. Commissioner Bender moved and Commissioner Quinn seconded a motion to approve a resolution letter in support of the race. The motion was approved 4-0.

Presentation on DC College Savings Plan

David Rydzeski gave a presentation on the DC College Savings Plan. The plan offers a tax deferred vehicle to save for educational expenses. Anyone can invest in the plan but DC residents that file as individuals can deduct \$4,000 per year off of their DC taxes; DC residents who file jointly can deduct \$8,000 from their DC taxes. It offers tax deferred growth and withdrawals so long as the funds withdrawn are used for educational expenses. The new tax law allows you to use the accounts to pay up to \$10,000 per year for K-12 private schools.

Attendees asked about the new management company and their fees, if a DC oversight board for the Plan exists, and about limits to withdrawals. Commissioners stated that there was limited notice about the change in management of the plans and the change in investment vehicles; asked about extending the program to early childhood education; the types of funds available; and if DC provides a tax break for withdrawals for K-12 education, given that this would function as a voucher. Mr. Rydzeski stated that to his knowledge DC had not yet endorsed such a tax break. Additional information on the funds can be found at <http://dc529.com> and Mr. Rydzeski will be happy to answer any question that residents might have.

Discussion of and possible vote on resolution regarding application from Tenleytown Historical Society to designate as a historic landmark the entire block of low-rise apartments on Harrison St between Wisconsin Avenue and 44th St

Commissioner Bender noted that an application has been made by the Tenleytown Historical Society (THS) to designate all the apartment buildings on the 4400 block of Harrison St as historic landmarks. Representatives for THS and the building owners were in attendance. The HPRB meeting has been postponed to February so a vote will be taken by the Commission whether to support the application at the next ANC meeting.

Jane Waldmann from THS stated that landmarking does not prevent changes to a building. Rather, once a building is landmarked, any changes need to be approved by the Historic Preservation Office (HPO). The buildings on Harrison St were designed by Appleton P. Clark and built in 1936. Originally, there were 10 buildings with 4 apartments in each which, she said, was intended as housing for working people. One of the buildings was razed a few years ago. Kendra Parzen from EHT Tracerics, a historical preservation consulting firm THS used to write the application, stated their research indicates the buildings meet the criteria for nomination as a multiple property documentation (MPD) form. These buildings were some of the first "Sanitary" apartments built in the area and represent the time period that saw the completion of the that trolley line that connected the village of Friendship Heights to the rest of the city thus allowing for the growth and development of the area.

Commissioners asked Ms. Parzen questions regarding the qualifications needed to be considered a Master Architect; the intent of the Historic Preservation Act; where the line lies between the needs of the community to preserve historic properties and the rights of the property owners; about whether a building needs to be considered unique or unusual in order to necessitate preservation; who pays for the review at the HPO once a building is landmarked; if there are any changes to insurance premiums once a building is designated; if the Harrison St apartments were marketed to minorities; and about the use of a contractor to write the nomination.

Carolyn Brown, with Donohoe Sterns representing the owners of 4339 Harrison St, stated that the owners are unanimously opposed to the designation and believe the buildings do not meet the criteria for designation. Brown stated that the buildings do not represent the city's or community's pattern of development as the zoning for the area is almost all single family residential and no other apartments buildings were built in the area around Wisconsin Ave. Brown stated that the apartments are not in a style to be considered garden-style; were not workforce housing but in fact inhabited by many wealthier individuals; don't exemplify the sanitary housing movement apartment style and had restrictive racial covenants placed on the buildings, unlike actual sanitary housing movement buildings. Moreover, she noted, many examples of actual sanitary housing movement buildings exist across the city. Brown stated the owner of 4339 Harrison St submitted an application to demolish the building and build a new building in its place, as a matter-of-right. The historic designation application put a stop to those plans. The owners worked with HPO to develop a compromise project whereby they would obtain a lot occupancy variance to utilize approximately 75% of the lot and a height variance so that they could end up with a similar-sized project to their original plans. The Office of Planning (OP) opposed these variances. The existing zoning is R-A-2, which allows for 60% lot occupancy, a height limit of 50 feet, and a 1.8 FAR.

Attendees asked about the lawyer fees associated with opposing a designation application. An attendee/owner spoke out about the designation of the building as a reaction to the style of the building that was built in place of the razed apartment building.

Commissioners: stated that historical designation should depend on whether the owner supports the nomination; worried that historic preservation can have unintended consequences; stated they believe the designation should be used for buildings that are unique or at least unusual and there are many similarly-styled buildings throughout the city; asked about the possibility of retaining just the façade and then having the flexibility to build behind it; asked if it is still used as workforce housing; noted the irony that the application states that the buildings are important because they were built during a time when the neighborhood was evolving but the designation would prevent further evolution; does not believe the designation benefits the community; worried about the costs to the owners of the designation and increased routine maintenance costs and the potential loss of money when trying to sell the property; believe the lots would be perfect for a mixed-use development given their proximity to the Metro; believe that the threat of historic designation does impose important restrictions on the properties; believe the historic preservation process has been arbitrary and capricious; questioned what is compelling about this site; noted that given how broadly the law is written any old building could qualify for landmark designation; were troubled that fewer than 10 out of thousands of nominations were not given historic designation since the law was enacted; were troubled by the racial covenants that were in place on these properties; and would like the Commission to consider a resolution to object to the process that was taken to try to gain the owner's agreement to the designation. Many Commissioners noted that the proposed WMATA bus depot designation has been pending for more than a decade and

has prevented sale or development of that property and there have since been two other nominations on that same block.

Presentation by Quiet Clean DC on pending bill to ban gas-burning leaf blowers

Griff Johnson, representing Quiet Clean DC, stated that most gas-burning leaf blowers have 2-stroke engines that emit carcinogenic emissions that are dangerous to the operator and the community. Older blowers, and many of those currently in use, are loud and can cause hearing damage. He noted that many operators are first-generation Americans that might be in a vulnerable position to ask for hearing protection and/or have language barriers that prevent them from understanding the hazards associated with the blowers and their jobs. The blowers also have excessive wind force that kicks pesticides, fertilizers, spores, allergens, lead, etc., into the air. Mary Cheh introduced a bill to the DC Council last year that would phase out the use of gas-powered blowers over the next four years. The bill is co-sponsored by Councilmembers McDuffie, Grosso, Allen, and Bonds and Quiet Clean DC believes they have enough votes on the Council to pass but the bill has not been given a hearing date. He asked the Commission to consider adopting a resolution asking the Council to give the bill a hearing date.

Attendees asked for a list of landscaping companies that use only battery-operated leaf blowers and asked about the cost of battery-operated leaf blowers vs gas-burning leaf blowers. Various Commissioners: noted that battery-operated leaf blowers still kick up pollutants and are quieter but still noisy; wondered about the disposal of the battery operated units; asked about the bill's effect on the use by homeowners; asked if other communities have adopted these restrictions; if there has been any push-back by the industry; how groups representing landscaping workers feel about the bill; asked why battery-operated leaf blowers are quieter than gas-powered ones; asked about the hazards associated with lawn mowers and weed whackers; and opined that perhaps gas-powered lawn mowers and weed whackers should also be eventually banned given the damage they do to the environment.

ANC Business

- Approval of December 2017 meeting minutes - Commissioner Hall moved and Commissioner Bender seconded a motion to approve the December 2017 Meeting Minutes. The motion was approved by a vote of 5-0-0.
- Approval of January 3, 2018 meeting minutes - Commissioner Hall moved and Commissioner Bender seconded a motion to approve the January 3, 2018 Special Meeting Minutes. The motion was approved by a vote of 5-0-0.
- Approval of security fund resolution – Commissioner Quinn moved and Commissioner Ehrhardt seconded a motion to approve the resolution. 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 \$512.50 to Sherry Cohen for administrative services, \$9.80 to Commissioner Quinn for postage, \$29.81 to FedEx for copying services, and \$25.00 for the ANC Security Fund. The expenditures were approved 5-0-0.
- Approval of 2018 meeting schedule and officers – Commissioner Bender moved and Commissioner Quinn seconded a motion to have a draft meeting schedule for the second Thursday of each month. Commissioner Bender moved and Commissioner Quinn seconded a motion to retain the same slate of officers for 2018. Both motions passed by a vote of 5-0-0.

The meeting was adjourned at approximately 10:30 pm by unanimous consent.