

Minutes of ANC 3E October 8, 2009 Meeting

Chairperson Bender convened the Commission meeting at 7: 40 pm. Commissioners Sam Serebin, Mathew Frumin, Lucy Eldridge and Beverly Sklover were also present.

Announcements:

Chairperson Bender announced that a Neighborhood Watch training meeting was scheduled for 7:30 pm at St. Columba's on October 16, 2009. He urged residents to consider attending, and noted that reducing crime requires a partnership between police and residents.

Open Forum:

A resident asked about the relevance of a drawing that Safeway completed showing the view of its proposed store expansion from an immediate neighbor's perspective. Chairperson Bender noted that he asked Safeway to publish the drawing on the Internet so that residents could understand the impact of the proposed project on adjacent neighbors.

Commissioner Eldridge expressed disappointment at the rejection of Dr. Hartsock's nomination to become Director of Parks and Recreation. Commissioner Sklover agreed and expressed outrage at the manner in which Dr. Hartsock was treated by specific council members. She alluded to charges that Dr. Hartsock was discriminated against on the basis of sex and race. Commissioner Sklover urged the ANC to go on record against the action taken by the Council and specifically the treatment by some elected officeholders.

Agenda:

Crime Report

Lt. Gregory, head of PSA 202, presented the crime report. Lt. Gregory said there were no additional robberies since the last monthly meeting. MPD Officer Williams urged residents to remove items from cars because there have been 28 automobile burglaries in the last few months and a large number were smash and grab from the windows. Lt Gregory indicated that residents who had bikes stolen should check in with Second District because a number of bikes had been recovered.

Regulations Regarding Designation of Historical Districts

Bob Leland, a resident of Chevy Chase, DC outlined how he and other opponents were successful in efforts to reject historic designation of their neighborhood. Leland explained that in that effort a survey of neighbors was very important. There was some discussion of whether such surveys capture informed opinions and whether they are a good vehicle to assess opinion. Commissioner Frumin said that they at least offered the views of the people most intimately affected. He noted that while such surveys were useful that it was also positive that the proposal to institutionalize such surveys still allowed the City Council to override a local vote if it – as an elected body – deemed such an override appropriate. Commissioner Eldridge pointed out that in the Chevy Chase survey, particularly in the area in her SMD, the vote against designation was overwhelming.

Chairman Bender read a portion of the ANC 3/4G letter opposing historic designation that he believed was equally applicable to applications for designation of historic landmarks. Commissioner Serebin agreed with Commissioner Frumin that ANC3/4G's understanding of appeal to Council as a safety valve made sense.

Commissioner Eldridge moved a resolution supporting the cover letter and resolution passed by ANC 3/4G. She suggested, however, that the resolution in support of ANC 3/4G be limited to the comments on the designation of historic districts. Commissioner Bender stated that he would oppose such an amendment but would support the proposed resolution as written. Commissioner Eldridge agreed to move the resolution as written. Commissioner Sklover seconded the motion and the resolution passed 5-0.

Historic Designation of Janney Elementary School

Commissioner Sklover read a proposed resolution supporting the Tenleytown Historical Society's (THS) application to designate Janney Elementary School as an historic landmark, with the proviso that Janney improvements be implemented in the most expeditious possible time frame. Commissioner Bender then read a proposed resolution opposing THS' application. Commissioner Sklover stated that she believed both Janney's building and site merited designation. She noted that designation of the site could prevent development from encroaching on Janney's soccer field. Chairperson Bender contended, by contrast, that designation could adversely affect Janney's planned modernization; that although Janney was well-loved by generations of children and parents, it was not historically distinctive; and that using designation as a tool to prevent development was inappropriate.

A representative of Janney's School Improvement Team (SIT) stated that the SIT opposed designation because designation risked slowing or increasing the cost of Janney's modernization without offsetting benefit.

Although Commissioner Sklover, in her comments and proposed resolution, linked designation of Janney to preventing development, a THS representative denied any intent on THS' part to link the two.

Commissioner Frumin contended that it would be inappropriate to use designation as a vehicle to prevent debate over the merits of mixed-use development over the library. Any proposed use of Janney's soccer field as part of such development would, he said, doubtless incite the "mother of all battles" in the neighborhood but that such an issue should be the subject of an open debate.

The Commission voted 3-2 to adopt the resolution introduced by Chairperson Bender. The Commission voted 3-2 not to adopt Commissioner Sklover's motion.

Historic Designation of the Rose School.

All commissioners agreed that the Rose School was historically significant and merited designation. Commissioner Eldridge introduced a resolution supporting the application.

Commissioner Frumin noted, however, that money had recently been obtained to renovate the Rose School which has been unused for many years. Among other things, he continued, the renovated Rose School would serve students from Deal Middle School, and might be used as swing space during Wilson High School's modernization. He said that he would be delighted to vote for designation when the renovation is complete, but did not want to vote for designation pre-renovation before he spoke to Deal representatives about their stance on the issue. Because the designation hearing was not set until after the Commission's November meeting, he proposed tabling the resolution until the November meeting.

Commissioner Sklover supported Commissioner Eldridge's resolution and opposed tabling the resolution. Commissioner Serebin said the case for tabling for a month was compelling. Eldridge opposed tabling the resolution. A resolution to table the resolution for a month passed 3 to 2, with Commissioners Bender, Frumin and Serebin voting to table and Commissioners Eldridge and Sklover against tabling.

WMATA Proposals to Alter N8 Bus Route and Provide Gate for Tenley Metro Station

Art Lawson of WMATA presented a plan to add a security gate to the eastside entrance to the Tenleytown Metro entrance. The gate would be used to prevent use of the escalator area during hours Metro did not run. A representative from Cityline at Tenleytown, a residential complex that adjoins the Metro station, expressed strong support for the proposed gates. Commissioners expressed support generally for gates, but asked WMATA to supply information confirming that the particular gate design posed no safety issues. Commissioner Frumin, in particular was concerned about the posts that would be in the walkway to the entrance to the Metro. Mr. Lawson agreed to obtain this information and return to the ANC with a more developed proposal.

WMATA noted that the ANC had also asked whether WMATA could install “bumpy tiles” by the platform to protect blind patrons, and a canopy over the west escalator. Although many stations have bumpy tiles (and canopies), Mr. Lawson said that WMATA could not afford to install either at this time.

Commissioner Frumin stated that installation of bumpy tiles for the blind should be a higher priority than the gates. Commissioner Sklover noted that her husband is legally blind, and strongly agreed with Commissioner Frumin. Mr. Lawson said he believed that installation of the bumpy tiles would cost far more than installation of a security gate. He was unable to provide estimates of the relative costs, however, but promised to supply that information to the Commission in the future.

WMATA also presented several options for addressing problems constituents have raised concerning the N8 bus route. The Commission discussed proposals for keeping service during high usage periods. There was also discussion regarding splitting the route, having bus service until 7:30 pm, and re-routing service on Massachusetts Ave to Westmoreland Circle. Commissioner Sklover moved a resolution asking WMATA to provide further information on three specified options, and to provide a public forum at which WMATA could gather input to make a final decision. The resolution passed by 5-0.

Carriage House Variance

Marty Sullivan, the lawyer for the owner of the carriage house at 4615R 42nd Street, NW, addressed a zoning variance the property’s owner seeks. The Carriage House is currently zoned to permit use as an artist’s studio; the owner would like a variance to use the property as a full-time residence. Although some nearby residents indicated general support for the project via form letters they signed, the owner of one house adjacent to the Carriage House attended the meeting, and enumerated several concerns

with the project. Another adjacent resident sent a detailed letter opposing the variance. Chairperson Bender asked whether the owner had spoken to the neighbors who raised concerns and, if not, whether he would do so and try to resolve the neighbors' concerns. The owner stated that he had not spoken to these neighbors, but would be happy to do so and try to resolve the situation amicably. Because the Commission's November meeting occurred after the scheduled BZA hearing, commissioners asked whether the owner would agree to ask that the BZA hearing be postponed until after he could work with the neighbors and return to the ANC. The owner and his lawyer agreed to do so. Accordingly, Chairperson Bender introduced a motion that would oppose the application but which would be nullified, without prejudice, if the owner met the conditions described above. Commissioner Frumin seconded the motion and it passed unanimously 4-0.

ANC Business

The Commission tabled approval of the July regular and special meeting minutes

The Commission approved the financial report for September 4-0.

The Commission adjourned at midnight.

Respectfully submitted,

Jon Bender, Chair