

**MINUTES
ADVISORY NEIGHBORHOOD COMMISSION 3F
NORTH CLEVELAND PARK/FOREST HILLS
PUBLIC MEETING**

Capital Memorial Church
3150 Chesapeake Street, N.W.
Washington, D.C. 20008
June 17, 2002

1. CALL TO ORDER [7:30 pm]

Chair Wiss called the meeting to order. Commissioners Kogan, Perry, Maudlin, Bardin, Mitchell and Strauss also were present. With all seven of the commissioners present, Chair Wiss declared a quorum.

2. AGENDA

The proposed agenda was approved on motion of Commissioner Perry, seconded by Commissioner Bardin. 7-0-0.

3. MINUTES [7:36 pm]

Minutes of May 20, 2002, meeting were approved 6-0-1 on motion of Commissioner Bardin, seconded by Commissioner Perry (Commissioner Mitchell abstaining).

4. ANNOUNCEMENTS [7:37 pm]

- A. Commissioner Mitchell announced that he will not seek re-election to the ANC in November.
- B. Marvin Tievsky, President of the Friendship-Tenleytown Citizens Association announced that Will Der Missian of DOT will speak at the Tenleytown Library at 7:30 pm on June 18.
- C. Commissioner Perry announced that the Ward 3 Traffic committee will meet the afternoon of June 18.
- D. Josh Oboler, Head of School of the new Franklin Montessori School at 4473 Connecticut Avenue introduced himself, his school and Education Director Penny Towles.

5. OPEN FORUM [7:42 pm]

- A. Marvin Tievsky of Warren Street expressed concerns about dispersal of equipment that had been stationed at the Tenleytown Fire House, now closed for reconstruction, and asked the ANC to back ANC 3G's letters to city officials, to which Commissioner Wiss had called attention. Michelle Cole, assistant to Ward 3 Councilmember Kathy Patterson, described efforts that her Office is making to keep the equipment in the ward pending completion of renovations (whether on city or federal property).
- B. Jodie Smollick of Upton Street urged signatures on a petition to hold up approval of expansion of institutions in Ward 3 until the task force studying that issue reports.
- C. Sandra Vurnis of 3601 Connecticut spoke against restaurant quotas in Cleveland Park.
- D. Commissioner Perry called attention to the Brief Report on the back of the Agenda that the Levine School has withdrawn its BZA application (and will doubtless apply again later).

6. MPD SECOND DISTRICT REPORT [7:51 pm]

Officer Gillikin supplied statistics for ANC 3F of seven offenses from the beginning of June to June 10. Alex Walworth, of 4420 29th Street, mentioned a mid-afternoon house robbery this week by Audubon Terrace.

ORGANIZATION FOR TREE & SLOPE PRESENTATIONS [7:55 pm]

Chair Wiss asked that people interested in speaking pro and con the Overlay proposal organize themselves, in the outer corridor, during the next agenda item, so as to divide 15 minutes among speakers for each side. Mr. Baughman volunteered to help the "cons" and Mr. Clark the "pros" organize time. Chair Wiss stated that each side could use its time as it wished, including rebuttal time. She deferred a request by one resident to present a "third" view.

7. The WASHINGTON HOME, BZA Application #16836 [7:58 pm]

Chair Wiss explained that the ANC had heard at previous meetings from representatives of The Washington Home (TWH) and from its neighbors (both being in attendance at this meeting) and that tonight the Commissioners would discuss a resolution of position. Commissioner Kogan moved Commissioner Perry seconded attached Resolution 02-26 which was adopted 7-0-0. Clement Dinsmore of 3726 Veazey Street presented petitions of 15 residents of the 3700 block of Veazey Street opposing the Home's application and Henry Guyot of 4108 38th Street presented petitions dated May 1, 2002, of 45 residents of 38th Street, Windom Place, Van Ness and Veazey Streets favoring the application.

LIQUOR LICENSE RENEWALS

The Chair took the liquor licenses out of agenda turned because organization of Tree & Slope positions was not ready and there seemed to be no difficult issues presented by these items.

8. JANDARA 4237 Wisconsin Avenue, ABRA#7970, Class "C" renewal [8:12 pm]

On motion of Commissioner Wiss, seconded by Commissioner Maudlin, the ANC approved a new voluntary agreement [attached]. 7-0-0.

9. CAFÉ DI MAMA, 4483 Connecticut Avenue, ABRA#33579, Class "C" renewal [8:14 pm]

On motion of Commissioner Perry, seconded by Commissioner Maudlin, the ANC approved a new voluntary agreement [attached]. 7-0-0.

10. IL TESORO, 4400 Connecticut Avenue, ABRA#34765, Class "C" renewal [8:15 pm]

On motion of Commissioner Wiss, seconded by Commissioner Bardin, the ANC approved a new voluntary agreement [attached]. 7-0-0.

11. FOREST HILLS TREE & SLOPE PROTECTION OVERLAY, ZC Case No. 02-19 [8:17 pm]

After some further preliminary discussion, presentations were made as follows:

[starting at 8:30 pm] "Pro" - George Clark of 4525 28th Street, Dorn McGrath of 2710 Brandywine;

[starting at 8:39½ pm] "Con" - Karen Foreit of 4140 Linnean, Mark Baughman of 4835 Linnean, Cindy Kelly of 4205 Lenore Lane;

[starting at 8:53 pm] "Pro" George Clark, Virginia Worthington of 2830 Upton, Nicholas Lardy of 2811 Albemarle;

[starting at 8:57 pm] "Con" Andrew Stevenson of 2955 Albemarle;

[starting at 8:59 pm] "Pro" George Clark.

James Flug of 2904 Brandywine then spoke for two minutes in favor of delay.

Cindi Kelly submitted a petition that Squares 2244, 2245, 2246 and 2239 be deleted from the Overlay district signed by certain owners and/or occupants of lots in those Squares.

Commissioner discussion started at 9:05 pm concerning the petition for an overlay, the overlay that is currently pending (i.e., as set down by the Zoning Commission on April 19, 2002, for public hearing on June 27, 2002), and recommendations of the ANC's Ad Hoc Committee on Tree & Slope Protection Overlays to amend the currently pending overlay.

Commissioner Bardin moved and Commissioner Perry seconded a resolution that "this Commission recommends that the Zoning Commission adopt the changes in the pending Overlay which are recommended by the Ad Hoc Committee Report and complete its proceedings on the Overlay as expeditiously as feasible".

Commissioner Maudlin moved and Commission Kogan seconded a motion to substitute a resolution that "ANC 3F requests and urges the DC Zoning Commission to reject the FHTSPOD" [Forest Hills Tree and Slope Protection Overlay District". The motion to substitute failed, 2-5-0 (Commissioners Kogan and Maudlin in the affirmative).

Returning to the original resolution, mover and seconder accepted a "friendly amendment" by Commissioner Strauss recasting the resolution to read that "this Commission recommends that the Zoning Commission adopt the changes in the pending Overlay which are recommended by the Ad Hoc Committee Report, carefully weigh additional amendments that may be proposed, and complete its proceedings on the Overlay as expeditiously as feasible" and adding a final WHERE-AS clause.

Commissioner Strauss then moved and Commissioner Maudlin seconded addition of a second resolving clause that this Commission "neither supports nor opposes the overlay as set down by the Zoning Commission on April 19, 2002". The motion failed, 3-4-0 (Commissioners Kogan, Maudlin and Strauss in the affirmative).

Resolution 02-27 [attached] then carried, 4-2-1 (Commissioners Kogan and Maudlin dissenting; Commissioner Strauss abstaining).

12. PUBLIC SPACE APPLICATION FOR DRIVEWAY CUTS AT 2900 AND 2902 ALBEMARLE STREET [10:00 pm]

The ANC approved Resolution 02-28 [attached] on motion of Commissioner Kogan, seconded by Commissioner Strauss, 5-0-2 (Commissioners Maudlin and Mitchell abstaining).

13. TREASURER'S REPORT [10:20 pm]

Treasurer Mitchell presented reports for April and May for the commissioners' information.

14. OTHER BUSINESS

There was some discussion about hiring office staff and whether to meet in July.

15. ADJOURNMENT [10:35 pm]

On motion of Commissioner Bardin, seconded by Commissioner Perry, the ANC adjourned. 6-0-0. Next meeting: September 17, 2002, at 7:30 pm at the Capital Memorial Church (unless a July and/or August meeting proves necessary).

Respectfully submitted,

/s/ David J. Bardin

David J. Bardin, Secretary
Approved: September 17, 2002