



ADVISORY NEIGHBORHOOD COMMISSION 3-C GOVERNMENT OF THE DISTRICT OF COLUMBIA

CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS
MCLEAN GARDENS • WOODLEY PARK

Single Member District Commissioners

01-Cheryl A. Opacinch; 02-Kurt Vorndran; 03-Michele Saranovich
04-Richard C. Bartel (Vice Chair); 05-John Welsh; 06-Clifford C. Rohde (Secretary)
07-Lars Hyde (Treasurer); 08-Rosalyn P. Doggett; 09-Nancy J. MacWood (Chair)

2737 DEVONSHIRE PLACE, NW
WASHINGTON, D.C. 20008
TEL 202/232-2232 * FAX 202/232-0667
Email anc3c@worldnet.att.net
URL <http://groups.yahoo.com/group/anc3c>

Minutes of Regularly Scheduled Public Meeting of February 26, 2001

1. The ANC 3-C held its regularly scheduled meeting on Monday, February 26, 2001, at the 2d District Police Station, 3320 Idaho Avenue, NW, Washington, DC.
2. Chair MacWood called the meeting to order at approximately 7:30 p.m.
3. Chair MacWood established a quorum was established. Five Commissioners were present: MacWood, Bartel, Hyde, Rohde, Saranovich.
4. Commissioners Opacinch, Doggett, Vorndran subsequently arrived.
5. Chair MacWood established that proper notice of the meeting was given.
6. Michael Johnson DC Zoning Administrator, addressed the Commission regarding the commercial overlay districts. [During his presentation, Comm. Welsh arrived.] He indicated that restaurants had exceeded the limit established in the Cleveland Park overlay. He complained of insufficient resources. He made no promises on a completing a Woodley Park overlay study. He took questions from the audience and the Commission. He expressed his opinion that Starwood could receive credit for having purchased properties where restaurants once stood, though there is no law allowing this. His office is going to issue a report, on or about March 1, regarding compliance with Cleveland Park overlay districts in ANC 3C. He expressed interest in addressing the next ANC 3C meeting, March 26. He is available at telephone 442-4576, email mjohnson@dcra.dcgov.org, or michaeld.johnson@dc.gov.
7. Stephanie Kinney, of the Stop the Tower Coalition, addressed the Commission regarding her group's opposition to the American Tower tower at Tenleytown. She fielded questions from the Commission and audience.
8. Terry Hernson of the Oyster School at 29th and Calvert streets, NW, addressed the Commission to request a resolution on the removal of various trees in public space, for the purpose of the new school construction. He was informed only recently, and well after construction began, that he would need ANC approval. Commissioner Vorndran moved a resolution that the ANC would not object. Comms. MacWood and Saranovich offered friendly amendments, accepted. Resolution 2001-006, attached, passed by unanimous voice vote (9-0).
9. The Commission discussed, including by receiving audience comments, the new ANC 3-C URL and adequacy of notice of the substance of ANC 3-C meetings.
10. The ANC discussed the renewal of an ABC license for The Vigorelli restaurant. Comm. MacWood moved a resolution indicating that the ANC did not object, contingent on compliance with HPRB order regarding the rooftop deck. Resolution No. 2001-007 passed by 8-1, Comm. Rohde against.

11. Comm. Bartel moved a resolution regarding providing notice to the community via electronic means. Resolution No. 2001-008, attached, passed by a vote of 8-1, Comm. Welsh against.
12. The Commission recessed for ten minutes.
13. The Commission reconvened at 9:40 p.m., with all nine commissioners present.
14. Comm. Hydle, Treasurer, provided his report. Comm. MacWood moved that the treasurer's report –covering 1Q FY 2001, and expenses, be approved. Resolution No. 2001-009, attached, passed by unanimous 9-0 vote.
15. Comm. Rohde, Secretary, provided report. Minutes of January 2001 meeting approved by acclamation.
16. Remainder of Secretary's report delayed to accommodate presence of D.C. Councilmember Phil Mendelson (at-large), who addressed the Commission on redistricting matters, and discussed his role on other substantive matters before the Council. He fielded questions from the Commission and audience.
17. Comm. Saranovich departed. Comm. Doggett stepped out. Seven commissioners remained.
18. Comm. Rohde offered resolution regarding structure and chairs of various standing committees. Friendly amendments from Comms. Bartel and Welsh accepted. Resolution No. 2001-010, attached, passed by unanimous 7-0 vote.
19. Comm. Opacinch stepped out. Six commissioners remained.
20. Comm. MacWood proposed resolution on tower zoning regulations. [Comm. Vorndran left. Five commissioners remained. Comm. Doggett returned. Six commissioners present.] Friendly amendments offered by Comm. Bartel, audience member Peter Espenchied. [Comm. Opacinch returned; seven commissioners present.] Resolution No. 2001-011, attached, approved by unanimous 7-0 vote.
21. Comm. MacWood offered up resolution on tower moratorium. Friendly amendments offered by Comms. Doggett and Hydle accepted. Resolution No. 2001-012, attached, passed by unanimous 7-0 vote.
22. Comms. Opacinch and Doggett depart. Five commissioners remain.
23. New business: Bob Korn, audience member and ANC 3C resident, raised issue of no parking signs on Connecticut Avenue. Comm. MacWood offered resolution to take down signs for failure to notice ANC. Resolution No. 2001-013 approved by unanimous 5-0 vote.
24. Comm. MacWood provided report of National Cathedral School Construction Liaison Committee, regarding damage to at least 10 homes near construction site. Comm. Rohde proposed resolution that Chair write letter to DCRA to investigate complaints of damage. Resolution No. 2001-014, attached with accompanying letter, passed by unanimous 5-0 vote.
25. Due to hour, remaining agenda points eliminated without objection.
26. Meeting adjourned at 11:48 p.m.

Attested by  on April 2, 2001
Clifford C. Rohde, Secretary Date



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Resolution No. 2001-006
Relating to Oyster School Request to Remove Trees

1. Whereas four trees in public space must be removed to provide access to new development at the Oyster School property at 29th and Calvert streets, NW;
2. Be it resolved that ANC 3-C does not oppose the removal of these trees provided that:
 - a. the total caliper inches of lost public space trees are replaced in the public space with at least as many caliper inches as those removed; and
 - b. the trees so removed are replaced with trees of no less than four caliper-inches per tree; and
 - c. the Woodley Park Community Association expresses no objection to the removal of said trees at its next meeting, March 15.

This resolution was approved by ANC 3-C by unanimous voice vote (9-0) at its regular public meeting on February 26, 2001, during which time all nine commissioners were present.

Attested by 

Clifford C. Rohde, Secretary

March 7, 2001
Date



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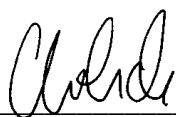
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RESOLUTION 2001-007
REGARDING ALCOHOLIC BEVERAGE CONTROL LICENSE RENEWAL
FOR THE VIGORELLI RESTAURANT

1. WHEREAS The Vigorelli Restaurant on Connecticut Avenue is seeking a renewal of its ABC license; and
2. WHEREAS ANC 3C approved Resolution 2001-002, which stated that the ANC would examine The Vigorelli's compliance with Department of Consumer and Regulatory Affairs regulations and compliance with the Historic Preservation Review Board (HPRB) orders when Vigorelli's ABC license was subject to renewal; and
3. WHEREAS the HPRB has subsequently ordered The Vigorelli to remove an unlawful roof top deck enclosure;
4. BE IT RESOLVED that ANC 3C has no objection to the approval of The Vigorelli's ABC license renewal application contingent on The Vigorelli providing evidence that they have adhered to the HPRB order.

This resolution was approved by ANC 3-C by a vote of 8-1 (Comm. Rohde, against) at its regular public meeting on February 26, 2001, at which a quorum of five commissioners was present.

Attested by , Secretary, on March 6, 2001
Clifford C. Rohde Date



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ANC 3-C Resolution No. 2001-008
Relating to Notice of ANC 3-C Meetings Via Electronic Means

1. RESOLVED, that ANC 3-C Rules are amended to add an ANC 3-C "E-Group" or an ANC 3-C electronic mailing list as an approved method of any required public notice, provided that each such required notice also be in print in a City or Community newspaper.

This resolution was approved by ANC 3-C by a vote of 8-1 (Comm. Welsh, against) at its regular public meeting on February 26, 2001, at which all 9 commissioners were present.

Attested by

Clifford C. Rohde, Secretary

March 5, 2001

Date



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Resolution 2001-009
Relating to Treasurer's Report

1. Be it Resolved that ANC 3-C designates all of its officers as signatories on its checking account at Bank of America; and
2. Be it Further Resolved that ANC 3-C authorizes the payment of \$93.00 (ninety-three dollars) to the ANC Security Fund to bond the Chair and Treasurer; and
3. Be it Further Resolved that ANC 3-C approves the quarterly report for the first quarter of fiscal year 2001, October through December 2000, as prepared by the Treasurer; and
4. Be it Further Resolved that ANC 3-C authorizes the Treasurer to establish a petty cash fund in accordance with the ANC law and the DC Auditor's guidelines, to put \$200.00 (two hundred dollars) into the fund, and to act as Petty Cash Custodian pending other arrangements; and
5. Be it Further Resolved that ANC 3-C approves the following additional payments:
 - a. \$130.00 (one hundred and thirty dollars) to CFM Management for office rent, March 2001; and
 - b. \$110.00 (one hundred and ten dollars) to John W. Dear P.C. for accounting services, March 2001; and
 - c. \$143.50 (one hundred and forty-three dollars and fifty cents) to Mary Scohera for personal services, if she is to be treated as a contractor; or that sum, less federal and DC tax withhold plus unemployment insurance, if she is to be treated as an employee; plus \$13.56 for reimbursement for postage and shipping and copying; and
 - d. \$51.65 (fifty-one dollars and sixty-five cents) to Verizon for telephone service as of February 16; and
6. Be it Further Resolved that ANC 3-C directs the Treasurer to prepare a budget for fiscal year 2001 and present it at the Commission's March 2001 meeting.

This resolution was approved by ANC 3-C by unanimous voice vote (9-0) at its regular public meeting on February 26, 2001, during which time all nine commissioners were present.

Attested by

Clifford C. Rohde, Secretary

March 5, 2001

Date



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Resolution 2001-010
Relating to ANC 3-C Standing Committee Structure and Chairs


1. BE IT RESOLVED that the ANC 3-C Rules are revised to provide for the establishment of 12 (twelve) standing committees, as follows:
 - a. ANC Administration
 - b. Consumer Affairs
 - c. D.C. Budget & Revenue
 - d. Education
 - e. Environment
 - f. Human Services
 - g. Planning and Zoning
 - h. Preservation & Landmarks
 - i. Public Safety
 - j. Public Utilities
 - k. Recreation
 - l. Transportation

2. BE IT FURTHER RESOLVED that ANC 3-C elects the individuals in the following table as the Chair or Chairs of the Standing Committees (note that three Chairs were elected at the ANC 3-C meeting of January 22, 2001):

Committee	Chair (all are commissioners unless otherwise noted)
ANC Administration	Lars Hyde (elected at 1/22/01 meeting)
Consumer Affairs	Rick Bartel
D.C. Budget & Revenue	Kurt Vorndran
Education	Cliff Rohde
Environment	Michele Saranovich
Human Services	Michele Saranovich
Planning and Zoning	Roz Doggett and Nancy MacWood (elected at 1/22/01 meeting)
Preservation & Landmarks	Cheryl Opacinch and Pam Aycock (not a Commissioner) (elected at 1/22/01 meeting)
Public Safety	Nancy MacWood

Public Utilities	Peter Espenschied (not a commissioner). Rick Bartel, Commissioner, is committee member.
Recreation	Cliff Rohde
Transportation	John Welsh and Peter Espenschied (not a commissioner)

This resolution was approved by ANC 3-C by unanimous voice vote (9-0) at its regular public meeting on February 26, 2001, during which time all nine commissioners were present.

Attested by  _____ March 5, 2001
Clifford C. Rohde, Secretary Date



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RESOLUTION 2001-011
REGARDING REGULATIONS AFFECTING ANTENNAS, ANTENNA TOWERS
AND THE STRUCTURES ON WHICH THEY ARE INSTALLED

1. WHEREAS the District of Columbia Zoning Commission is considering how to update current zoning regulations affecting antennas, antenna towers and the structures on which they are installed; and
2. WHEREAS the Zoning Commission has indicated it is undertaking this process in order to protect the safety and health of the public, and/or the character of the District's communities; and
3. WHEREAS the National Capital Planning Commission in establishing regulations for construction of antennas and antenna towers on federal land has emphasized that antennas and antenna towers be installed and operated in accordance with FCC standards, be located so as to minimize the adverse effects of radio frequency emissions and exposure to electromagnetic fields (EMFs); and
4. WHEREAS ANC 3C has consistently expressed its concern that the need for new and expanded telecommunications services must be accommodated so as to achieve maximum protection to the public from low and high frequency radiation; and
5. WHEREAS ANC 3C wants to preserve and protect the character of District of Columbia neighborhoods
6. BE IT RESOLVED that ANC 3C strongly urges the Zoning Commission to adopt the following additions to zoning regulations regarding antennas, antenna towers and the structures on which they are installed in all zoning districts in the District of Columbia:
 - a. Antenna towers shall be permitted only by special exception provisions of the zoning regulations.
 - b. Setbacks for all antenna towers shall be at least 1/6 the height of the tower on all lot lines surrounding the tower.
 - c. Setbacks for all antenna towers constructed in or near residential areas, hospitals, schools, nursing homes or other structures with a population that is vulnerable to exposure to low or high frequency radiation shall exceed the 1/6 setback on all lot lines.
 - d. Allowable aggregate radiation levels issuing from all antennas as shown by professionally certified field measurements supplied by the applicant on any structure shall not exceed the levels determined by the Federal Communications Commission (FCC) as within safe exposure levels.

- e. Antenna additions to existing towers shall only be permitted if the radiation levels issuing from the antenna and the aggregate of antennas as shown by professionally certified field measurements supplied by the applicant on that structure are within the exposure levels determined to be safe by the FCC.
 - f. Renewal approvals shall include verification that the existing tower still meets FCC safety standards and the maximum standards for the safety, health and welfare of the public available to the telecommunications industry.
 - g. Replaced, non-functioning or abandoned antennas or antenna towers shall be dismantled.
 - h. The installation of antennas or antenna towers shall be prohibited in or on landmark or historic district properties, with the exception of antennas on private residences as provided by current regulation.
7. BE IT FURTHER RESOLVED that ANC 3C authorizes the Chair, or her designee, to testify before relevant District and federal bodies on behalf of the Commission regarding antennas, antenna towers and the structures on which they are installed.

This resolution was approved by ANC 3-C by unanimous voice vote (7-0) at its regular public meeting on February 26, 2001.

Attested by , Secretary, on March 26, 2001
Clifford C. Rohde Date



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RESOLUTION 2001-012
URGING THE EXTENSION OF THE TOWER CONSTRUCTION
MORATORIUM CITYWIDE

1. WHEREAS ANC 3C has supported District of Columbia Council action to suspend construction of a antenna tower by American Tower in Ward 3;
2. WHEREAS the District of Columbia Zoning Commission has scheduled a roundtable to discuss updating regulations regarding antennas, antenna towers and the structures on which they are installed;
3. WHEREAS the Zoning Commission has indicated that it is updating these regulations in order to protect the safety and health of the public and/or the character of the District's communities;
4. WHEREAS there is a pending application to build a new tower in the Penn Branch Shopping Center in Dupont Park in Ward 7;
5. WHEREAS the construction of this tower is opposed by citizens' groups in Dupont Park;
6. BE IT RESOLVED that ANC 3C strongly urges the District of Columbia Council to extend throughout the District of Columbia the moratorium on antenna tower construction until the Mayor of the District of Columbia develops a comprehensive plan to protect the safety, health and welfare of the public, and the Zoning Commission has implemented new regulations pertaining to antennas, antenna towers and the structure on which they are installed.
7. BE IT FURTHER RESOLVED that ANC 3C authorizes the Chair, or her designee, to provide written or oral testimony before relevant District bodies on behalf of the Commission consistent with this and related resolutions, regarding antennas, antenna towers and the structures on which they are installed.

This resolution was approved by ANC 3-C by unanimous voice vote (7-0) at its regular public meeting on February 26, 2001.

Attested by

Clifford C. Rohde

, Secretary, on

March 26, 2001

Date



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RESOLUTION 2001-013
REGARDING THE IMPROPER INSTALLATION OF NO PARKING SIGNS
ON CONNECTICUT AVENUE, NW

1. Wherefore sections 3 (b) and 3 (c) of the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000 require 30 days written notice of (proposed) governmental action to affected ANCs; and
2. WHEREAS permanent signs prohibiting overnight parking (for street cleaning) have been erected on Connecticut Avenue, NW, without notice to Advisory Neighborhood Commission 3-C; and
3. Whereas the permanent signs are therefore illegally erected;
4. BE IT RESOLVED that such signs should be removed immediately; and
5. BE IT FURTHER RESOLVED that ANC 3C authorizes the Chair, or her designee, to provide written or oral testimony before relevant District bodies on behalf of the Commission consistent with this resolution.

This resolution was approved by ANC 3-C by unanimous voice vote (5-0) at its regular public meeting on February 26, 2001.

Attested by  _____, Secretary, on March 5, 2001
Clifford C. Rohde Date



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Resolution 2001-014
Authorizing the Chair of ANC 3-C to write a letter to DCRA
Relating to Complaints of Neighbors of Damage to their Homes
Potentially Being Caused by Construction
of the National Cathedral School Athletic Facility

1. Be it resolved that ANC 3-C authorizes the chair of ANC 3-C to write a letter to DCRA requesting the agency to investigate complaints of at least ten neighbors of damage to their homes potentially caused by construction of the National Cathedral School athletic facility, and
2. Be it further resolved that the investigation should focus in particular on vibrations and dewatering as potential sources of the damage being caused.

This resolution was approved by ANC 3-C by unanimous vote (5-0) at its regular public meeting on February 26, 2001, at which a quorum of five commissioners was present.

Attested by  _____, Secretary, on March 5, 2001
Clifford C. Rohde Date



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March 5, 2001

Ms. Carlynn Fuller

Acting Director, District of Columbia Department of Consumer And Regulatory Affairs
941 North Capitol Street, NE, 9th Floor
Washington, DC 20002

Dear Director Fuller:

At its February 26, 2001, meeting, Advisory Neighborhood Commission 3-C (ANC 3C) passed a resolution that unanimously approved authorizing the Chair to contact the D.C. Department of Consumer and Regulatory Affairs (DCRA) to request your assistance in assessing residential property damage that may be related to the Washington National Cathedral School athletic facility construction project.

It has come to ANC 3C's attention that as many as 10 households across the street and around the corner from the project have experienced property damage since the construction project began in December 2000. We have received reports of cracked walls, cracked window frames, split ceramic tiles, cracked bookcase frames, and cracking outside walkways. The reported damage has been progressive and is continuing.

We have been informed that the damage has been reported to the Cathedral and through the Cathedral to Clark Construction Company, which has sent an insurance assessor to inspect at least three of the properties. Nonetheless, we are requesting the Department of Consumer and Regulatory Affairs to inspect and assess the damage to determine whether the damage is being caused by the nearby construction project. Because construction is in the excavation stage, and because the project is being built below the water table, we request in particular that your office examine both vibrations and dewatering as potential sources of the damage being caused.

It is our understanding that the DCRA and the DC Department of Health reviewed all aspects of this project prior to approving its commencement and that your departments are responsible for monitoring compliance with DC regulations during the construction phase of the project. We think it appropriate, given the reported damage, that DCRA, perhaps in consultation with Department of Health, immediately investigate the potential relationship between the reported damage and the construction project.

ANC 3C further requests that you report your findings to us in writing as soon as your evaluation is completed. We anticipate that your department will address our concerns quickly so that the project can reach a successful conclusion and the residents can be insured that any damage resulting from the project will not continue.

On behalf of ANC 3-C, I look forward to your response and thank you in advance for your consideration of this request.

Sincerely,

[signature on original]

Nancy MacWood
Chair, ANC 3C

Cc: The Honorable Anthony Williams, Mayor
Councilwoman Kathy Patterson
Councilman Phil Mendelson
Dr. Ivan Walks, Director, Department of Health
Richard S. Dirksen, National Cathedral School
Lars Hyde, Commissioner, ANC/SMD 3C07
Cliff Rohde, Commissioner, ANC/SMD 3C06