



Loiederman
Soltesz Associates, Inc.

November 21, 2011

Mr. Justin Bellow
Government of the District of Columbia
Department of Consumer and Regulatory Affairs
Office of the Zoning Administrator
1100 4th Street, SW
Washington, DC 20024

Re: 3 D.C. Village Lane, SW
Job# B1111984

Dear Mr. Bellow:

We are in receipt of your November 18, 2011 plan review comments, received via e-mail, from the District Office of the Zoning Administrator pertaining to the above referenced project. Your comments have been addressed through either plan revisions and/or comment responses.

Responses below provided by Mrs. Bonnie Watson (Chaney Enterprises, Applicant)

801.7 The following additional uses shall be permitted as a matter of right in a C-M District, subject to the standards of external effects in § 804:

(b) An asphalt plant located in D.C. Village on the part of parcel 253/26 west of Shepherd Parkway, S.W., and east of the Anacostia Freeway (D.C. Village site") if the plant was located in Square 705, Lot 802 on November 21, 2005 and was relocated to the D.C. Village site, provided that the plant:

- (i) Meets the requirements of 802.17 (a) through (h); and
- (ii) Displays no signs visible from the Anacostia Freeway.

802.17 A facility that manufactures, processes, mixes, stores, or distributes concrete or asphalt or the materials that are used to make concrete or asphalt shall be permitted, provided that the following requirements shall be met:

- (a) No portion of the facility, including the land used by such facility, shall be located within two hundred feet (200 feet) of a residential property line or of any property that is a public park or is used for retail, office, church, school, or institutional purposes;

The closest residentially zoned property is more than 1,300 feet from the facility lease line and there is no property within 200 feet of a property that is a public park or that has any of the uses referenced.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18416

EXHIBIT NO. 6

- (b) There shall be no truck access, parking, standing, or queuing to the facility from any street or block-long portion of a street for which fifty percent (50%) or more of the abutting properties on either side are used for residential purposes;

Truck access to the facility will be along DC Village Lane and Shepherds Parkway. There is no more than 50 % residential zoning abutting these roads. All parking, standing and queuing will be limited to the interior of the leased area. There will be no queuing of vehicles along the public way.

- (c) No truck dumping or picking up concrete or asphalt or related materials shall park, stand, or queue for the facility along any public right-of-way. Vehicular traffic resulting from operations at the facility shall not obstruct traffic and the location of the facility shall provide access from a paved street with a road base capable of withstanding anticipated load limits;

No dumping, picking up of concrete or related materials will impact any public right of way as all of this activity will be confined to within the leased area.

- (d) Any facility located within five hundred feet (500 feet) of a residence district shall not be in operation between 7:00 p.m. and 7:00 a.m. Hours of operation shall include the arrival and departure of trucks;

The concrete batch plant is located within the lease area at a distance of 1,400 feet from the closest residentially zoned property.

- (e) The use shall not have unacceptable adverse impacts on the character of the neighborhood due to traffic, parking, or other objectionable conditions;

The facility is compatible with the surrounding neighborhood and zoning and will not negatively impact the character of the neighborhood due to traffic, parking, or other objectionable conditions.

- (f) The facility shall meet the "Standards of External Effects" pursuant to § 804;

Please see responses to requirements from Section 804, below.

- (g) The facility shall be enclosed on all sides by a fence or wall at least ten feet (10 feet) in height. The public view side and the side of the facility facing residence districts or nearby or adjacent property used as a public park or for retail, office, church, school, or institutional purposes shall be landscaped and shall have an opaque screen, fence or wall, not less than ten feet (10 feet) in height. The use of barbed wire or razor wire that is visible from residential or public space is prohibited;

The current plan for a 7 foot fence has been changed to reflect a 10 foot high fence which will be opaque in the appropriate locations. (See Revised Plans submitted on/about November 18, 2011). Landscaping has been provided on the revised plan based upon your cursory review of November 14, 2011. Thank you for your response and approval to the landscape/fencing sketch we sent you previously. You will note

that the final drawings which we provided show the same fencing/landscaping in accordance with the preliminary sketch.

(h) Landscaping standards shall be applied as follows:

(1) A landscape area of evergreen trees shall be maintained in the front, side and rear yards, and along all public rights-of-way; Landscaping has been provided in accordance with a previous sketch reviewed and approved by Mr. Bellow per his November 14, 2011 e-mail to Mr. Ed Carroll of LSA.

(2) The landscaping shall be maintained in healthy growing condition; and

Proposed landscaping, as shown on the landscaping plan, shall be maintained in a healthy growing condition and any mandated tree which dies shall be replaced in accordance with Section 804; 804.6.

(3) The trees shall be a minimum of eight (8) feet in height when planted; and Landscaping has been provided (8' height) in accordance with a previous sketch reviewed and approved by Mr. Bellow per his November 14, 2011 e-mail to Mr. Ed Carroll of LSA.

(i) An asphalt facility shall not be located in Squares 3582, 3584, and 3518.

Thank you.

804 STANDARDS OF EXTERNAL EFFECTS (C-M)

804.1 All uses established in a C-M District under authority of § 801.7 and any uses accessory to those uses shall be operated so as to comply with the standards of external effects in this section.

Will be implemented as mandated by DC Zoning.

804.2 The volume of sound inherently and recurrently generated shall not exceed the standards in §§ 804.3 through 804.6 at any point along the boundaries of the zone district in which the use is located.

Based upon sound data and analysis performed at an equivalent ready mix batch plant facility, sound levels from the concrete batch plant located within the lease area at a distance of 1,457 feet from zone district boundaries shall not exceed acceptable levels at the boundaries of the zone district at any point along the boundaries of the zone in which this use is located. At this boundary line the conservatively estimated sound shall be no more than 49 dba.

- 804.3 Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association on May 12, 1958.

The sound data and analysis referenced in the response to 804.2 were performed with a sound level meter that meets or exceeds the standards prescribed by the American Standards Association on May 12, 1958.

- 804.4 Objectionable sounds of an intermittent nature shall be controlled so as not to become a nuisance to adjacent uses.

None anticipated but controls will implement if and as mandated.

- 804.6 Except as provided in § 804.7, maximum sound pressure levels shall not exceed those provided in the following table:

OCTAVE (cycles per second)	MAXIMUM SOUND PRESSURE BAND LEVEL IN DECIBELS (0.0002 dynes per square centimeter)
0-74	72
75-149	67
150-299	59
300-599	52
600-1,199	46
1,200-2,399	40
2,400-4,800	34
Above 4,800	32

The maximum sound pressure levels shall not exceed those provided in the table.

At the boundary line the conservatively estimated sound shall be no more than 49 dba.

- 804.7 Where a C-M District abuts an M District, the standards in § 825 shall apply along the zone boundary separating the C-M and M Districts.

Not applicable.

- 804.8 The emission of any smoke from any source to a density greater than that density described as No. 2 on the Ringelmann Smoke Chart shall be prohibited. The Ringelmann Smoke Chart, published by the Bureau of Mines, U.S. Department of the Interior, in Information Circular 8333, shall be adopted by reference and made a part of this title.

It is not anticipated due to the nature of equipment to be used on this site that any visible emission of smoke would be expected. However, as mandated by Section 804.8, the Ringelmann Smoke Chart will be adopted for use at the facility.

- 804.9 The emission of any odorous gases or other odorous matter or steam in quantities that are offensive or noisome at any point along the boundaries of the zone district in which the use is located shall be prohibited.

None anticipated but will implement as mandated.

- 804.10 No noxious, toxic, or corrosive fumes or gases shall be permitted to escape or to be discharged from any use permitted in a C-M District.

None anticipated but will implement as mandated.

- 804.11 No objectionable amounts of cinders, dust, or fly-ash shall be permitted to escape or to be discharged from any use permitted in a C-M District.

Emission control equipment on the ready mix batch plant is a fabric filter (baghouse). This efficiency of this baghouse for controlling dust from operations at the batch plant is 99.9% as per the manufacturer's specifications. Application for Permit to Construct/Operate Process equipment has been filed with DDOE Air Quality Division. Additionally, best management practices on site will include sweeping and wetting down surfaces to control fugitive emissions from other sources (i.e., truck tires, aggregate storage bins). Sediment and Erosion control measures include swales to capture site runoff, a 4-tiered sediment basin system that collects and allows settling of captured sediment and a stormwater management pond. All three of these measures as well as emission control equipment and best management practices on site work together to stop any objectionable amount of dust, fly-ash or sediment from escaping the site.

- 804.12 No direct or reflected glare or heat from any source shall be detectable in objectionable amounts beyond the boundaries of the zone district in which the use is located.

None anticipated but will implement as mandated.

- 804.13 Every use shall be operated so that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point along any boundary of the zone district in which the use is located.

None anticipated but will implement as mandated.

Mr. Justin Bellow
DC Office of the Zoning Administrator
November 14, 2011
Page 6

If you should have any technical questions, or need any further assistance, please contact me at your earliest convenience.

Sincerely,

Loiederman Soltesz Associates, Inc.

A handwritten signature in black ink, appearing to read "R.E. Carroll".

Ed Carroll, P.E.
Vice President and Director
of Environmental Engineering

401 Post Office Road, Suite 103
Waldorf, Maryland 20602
301.870.2166
ecarroll@LSassociates.net

cc: Page Wyrrough, Chaney Enterprises
Bonnie Watson, Chaney Enterprises

GOULSTON & STORRS
A PROFESSIONAL CORPORATION
PARALEGAL ACCOUNT
1999 K STREET, NW SUITE 500
WASHINGTON, DC 20006-1101

15-120/540

9314

DATE May 25, 2012

PAY TO THE
ORDER OF

DC Treasurer

\$ 540.00

five hundred forty and

00/100

DOLLARS

Security
Features
Included.
Details on back

NOT VALID FOR AMOUNTS OVER \$1000.00

Bank of America.



FOR

15437.0001 - filing fee - BZA #18416

May 25, 2012

AUTHORIZED SIGNATURE

SAFEGUARD SECURE
SAFEGUARD SECURE

GOULSTON & STORRS
A PROFESSIONAL CORPORATION
PARALEGAL ACCOUNT
1999 K STREET, NW SUITE 500
WASHINGTON, DC 20006-1101

15-120/540

9313

DATE May 25, 2012

PAY TO THE
ORDER OF

DC Treasurer

\$ 500.00

five hundred and

00/100

DOLLARS

Security
Features
Included.
Details on back

NOT VALID FOR AMOUNTS OVER \$1000.00

Bank of America.



FOR

15437.0001 - filing fee - BZA #18416

May 25, 2012

AUTHORIZED SIGNATURE

SAFEGUARD SECURE
SAFEGUARD SECURE