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May 5, 2010

Anthony Hood
Chairperson
District of Columbia Zoning Commission
441 4th Street NW, Suite 210S
Washington, DC 20001

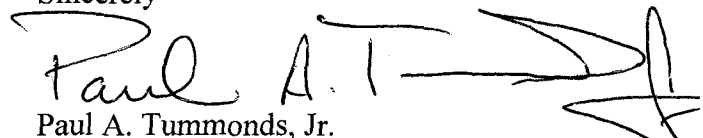
Re: **Consolidated PUD and Zoning Map Amendment Application**
Case No. 09-03 – Construction Mitigation Measures to be Undertaken by the Applicant

Dear Chairperson Hood and Members of the Zoning Commission:

As requested by the Zoning Commission at the conclusion of the April 21, 2010 public hearing in the above-mentioned case, Skyland Holdings, LLC (the "**Applicant**") hereby submits information on the construction mitigation measures that will be undertaken during the period of construction activity on the Skyland property. The attached document outlines the actions and steps that the Applicant will undertake to mitigate any adverse impact on adjacent properties, including the properties of the Fort Baker Drive Neighbors, resulting from construction activity related to the development of the PUD project on the Skyland property.

These proposed actions and steps will be incorporated into the proposed Findings of Fact and Conclusions of Law which the Applicant will submit to the Zoning Commission on May 14, 2010.

Sincerely



Paul A. Tummonds, Jr.

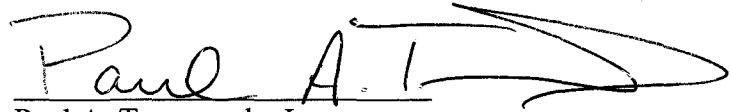
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ZONING COMMISSION
District of Columbia

CASE NO. 09-03
EXHIBIT NO. 112

Certificate of Service

I certify that on May 5, 2010, a copy of the foregoing document was hand-delivered, sent via E-Mail, or mailed to the addresses listed below.


Paul A. Tummonds, Jr.

Ft. Baker Drive Residents
c/o Martin Sullivan, Esq.
25830 Collins Avenue
Chestertown, MD 21620 (Via E-Mail and Standard Mail)

ANC 7B
c/o Yvonne Moore, Chairperson ANC 7B
3200 S Street, SE
Washington, DC 20020 (Via Hand Delivery)

And

Robert Richards, Vice Chair, ANC 7B
3524 Carpenter Street, SE
Washington, DC 20020 (Via Hand Delivery)

ANC 8B
1809 Savannah Street SE, Suite A
Washington, DC 20020 (Via Standard Mail)

D.C. Office of Planning
c/o Maxine Brown-Roberts
2000 14th Street, NW
4th Floor
Washington, DC 20009 (Via Standard Mail)

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ZONING COMMISSION CASE NO. 09-03
CONSTRUCTION MITIGATION MEASURES TO BE
UNDERTAKEN BY THE APPLICANT

This document outlines the actions and steps that the Applicant will undertake to mitigate any adverse impact on adjacent properties, including the properties of the Ft. Baker Drive Neighbors, resulting from construction activity related to the development of the PUD project on the Skyland property.

Monitoring of Construction Activity Impacts

The Fort Baker Drive Neighbors have expressed concern that ground vibration from construction activity on the Skyland property will adversely impact their homes. The vibrations caused by the proposed construction involve construction related vehicular traffic and soil compaction, there will be no blasting or pile driving on the Skyland property. One way to protect structures from vibrations is to dig isolation trenches between the construction activity and the structures to be protected. In this case, the topography of the tree preservation area and the large ravine that are located between the structures on the Fort Baker Drive Neighbor properties and the area of construction activity on the Skyland property create a natural isolation trench.

In order to assure that construction activity on the Skyland property is not adversely impacting the structures on the Fort Baker Drive Neighbors' properties, the Applicant proposes to station seismographs at critical locations (on the Fort Baker Drive Neighbor properties if granted permission by those owners) between the active construction and the nearby structures. Instruments with instant display will be monitored full time when construction begins. When it is established that the construction activity does not exceed appropriate vibration thresholds, continuous reading instruments will then be stationed at the critical thresholds to establish a record of construction induced vibrations.

The Applicant will request access to the Fort Baker Drive Neighbor properties in order to conduct surveys before and after the commencement of the excavation and compaction work on the Skyland property. The pre- and post-excavation and compaction surveys shall be prepared by an independent professional, with the same independent professional conducting both surveys. The surveys are intended to provide the Applicant and the Fort Baker Drive Neighbors a reference point from which to determine the effect, if any, that excavation and compaction work on the Skyland property had on the Ft. Baker Drive Neighbor properties. The surveys will be performed at the Applicant's sole cost and expense. Each survey report shall be provided to the Applicant and to the appropriate Ft. Baker Drive Neighbor property owner. If the Applicant is not permitted access to the property of a Fort Baker Drive Neighbor, the Applicant is not required to perform the above-noted surveys for that particular property.

Responsibility for Damage to Adjacent Properties

The Applicant agrees to repair, at its own expense and as promptly as reasonably possible, any damage to the properties of the Ft. Baker Drive Neighbors, and any improvements

thereon, caused by and resulting from the excavation and compaction work conducted on the Skyland property.

Site Management

The Applicant will erect and maintain construction fencing and barricades in order to screen and secure the site during the construction process. A minimum amount of lighting, directed away from the properties of the Ft. Baker Drive Neighbors, will be provided on the Skyland property at night. These lights will be sufficient to provide necessary security and to comply with federal and municipal safety standards.

The Applicant has created specific erosion control devices to protect the slope located between the area of construction activity and the Fort Baker Drive Neighbor properties while construction activity will be occurring on the Skyland property. These controls include: the creation of the Tree Preservation Area; a diversion dike that will push the runoff away from the slope above the Fort Baker Drive swale; a sediment trap which will remove sediment from the runoff; and a pipe slope drain that will convey the runoff via a pipe down the slope to 28th Street for connection to the public street storm drain system. All of these measures are designed to divert water away from the Ft. Baker Drive Neighbor properties during construction activities on the Skyland Property.

The Applicant will remove rubbish and construction debris continuously during the construction period during the normal construction workday and during periods of weekend construction work. In addition, the Applicant will monitor and police the construction site daily or more often as required to ensure cleanliness. The Applicant will also undertake a program of pest control to ensure that no increase in pest activity occurs during the construction period. In the event that other animals (including, but not limited to, deer, possum, raccoons) are found on the Skyland property, the Applicant will contact the appropriate representatives of the District of Columbia's Animal Control Division to safely and humanely remove those animals. All excavation or back fill trucks will be covered before proceeding from the Skyland property onto city streets. Dust and debris will be removed from the Skyland property on an as needed basis.

The Applicant will use its best efforts to ensure that construction related traffic will not travel on Akron Place, SE or Ft. Baker Drive, SE. The Applicant will use its best efforts to ensure that construction-related traffic will not impede rush hour traffic on Good Hope Road, SE, Naylor Road, SE and Alabama Avenue, SE near the Skyland property. A flagperson will be assigned to expedite movement of construction related traffic, if any consistent traffic backups occur on any of these streets. Parking for all construction workers will be provided on the Skyland property. No construction related parking will be permitted on the adjacent neighborhood streets.

Applicant's On-Site Construction Representative

The Applicant shall designate a representative to be the key contact during the period of construction on the Skyland property. The Applicant's Representative (the "Representative") will have a local office and will be accessible during all business hours. At any time construction activity is occurring on the Skyland property, the Representative or his/her designee

shall be available on-site or by telephone to receive communications from the Ft. Baker Drive Neighbors. In addition, a name and telephone number of a person designated by the Applicant to contact in case of emergency during hours in which no construction activity is occurring shall be readily available to the Ft. Baker Drive Neighbors. The Representative and his/her designee will be able to answer questions and receive comments about the site activities and address any concerns the Ft. Baker Drive Neighbors might have throughout the construction process.