ShawPittman

A Law Partnership Including Professional Corporations

PHIL T. FEOLA
202.663.8789 Fax: 202.663.8007
phil.feola@shawpittman.com

October 2, 2000

BY HAND DELIVERY

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

OCT -2 PM 2:46 00

Re: BZA Application No. 16531
Father Flanagan's Boys Town of Washington
4801 Sargent Road, N.E (the "Subject Site")

Dear Members of the Board:

In its submission to the Board of Zoning Adjustment ("BZA") on September 20, 2000, Father Flanagan's Boys Town of Washington ("Boys Town") stated that it would update the Board as to the status of the construction work being performed on the Subject Site immediately before the Board's October 3rd public meeting. This letter provides a status report of this construction work that addresses the Board's concerns regarding water run off from the Subject Site and noise abatement issues.

In regards to the storm water mitigation work being performed in the alley, a new retaining wall on Boys Town property, adjacent to the alley is under construction. The footings for the wall have already been poured despite a delay of several days caused by the heavy rains last week. In addition, this work was further delayed by the refusal of a neighboring property owner, an owner who complained to the BZA about the runoff, to allow the contractor to cross their property, despite previous verbal approvals to permit such access. The construction of the retaining wall, and placement of the french drain, v-ditch, inlet and pipe will continue as quickly as possible and is expected to be completed by the end of October.

The noise abatement measures that are being taken with regard to the cooling tower and emergency generator continue to proceed. The existing enclosure around the cooling tower is being heightened and improved. The existing brick wall will be extended to hide the equipment from the north. The wall will also be increased in height with an EIFS (Exterior Insulation Finishing System) and acoustical batts will be placed on the inside face of the walls. This will

BZA
Case No. 16531
Exhibit No. 70

Board of Zoning Adjustment
District of Columbia
CASE NO.16531
EXHIBIT NO.70

decrease the noise level of the cooling tower equipment markedly. At this time, the footings have been poured for the extension of the brick wall and masons are currently on site constructing the brick wall. The enclosure for the emergency generator was installed last week and is fully operational at this time.

Boys Town believes that this status report provides further evidence that it is satisfying the commitments that it has made to the Board throughout this special exception process. Therefore, Boys Town once again requests that the Board approve this application so that it can continue to provide much needed services to the children of the District of Columbia.

Sincerely,

Phil T. Feola

Paul A. Tummonds, Jr.

cc: Marie Sansone, Esquire
Father Val Peter
Connie Washington
Sharon Robinson

1006775

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this date a copy of the foregoing document was mailed, first-class and postage pre-paid, to ANC 5A, c/oTimothy Thomas, ANC 5A04, 4716 Eastern Avenue, N.E., Washington, D.C. 20017.

Paul A. Tummonds, Jr.

October 2, 2000