ANC 5A ADVISORY NEIGHBORHOOD COMMISSION 5A

SLOWE SCHOOL DEMOUNTABLE
14TH & IRVING STREETS, N.E. ▼ WASHINGTON, D.C. 20017
TELEPHONE 202-635-6563 ▼ FAX 202-635-6565

January 16, 2001

VIA FACSIMILE to (202) 727-6072
Original Mailed

OFFICERS

Norma M. Broadnax
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Ruth Y. Goodwin
Vice Chairperson

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Recording Secretary

Mary M. Baird Currie
Correspondence Secretary

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Treasurer

COMMISSIONERS

5A01 James W. Johnson
5A02 Norma M. Broadnax
5A03 Joseph L. Bowser
5A04 Tim Thomas
5A05 Dareck D. Parks
5A06 Mary M. Baird-Currie
5A07 William Terry Forrest
5A08 Allen L. Robinson, Jr.
5A09 Betty Floyd
5A10 Ruth Y. Goodwin
5A11 Karen M. Lancaster
5A12 Robert (Bob) King

Ms. Jerrily R. Kress
Director
Board of Zoning Adjustment
441 4th Street, NW Suite 210-S
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2001 JAN 16 PM 1:31

Re: BZA Application 16531

Dear Ms. Kress:

In case our request for an extension of time dated January 10, 2001, is not granted, to permit Advisory Neighborhood Commission 5A, (hereinafter, "ANC 5A") sufficient time to consult with the community and for ANC 5A to hold its regularly scheduled meeting on January 24, 2001, to decide whether or not to proceed in this case, ANC 5A hereby files this Motion to the Board of Zoning Adjustment requesting reconsideration and a rehearing in this matter, for the following reasons:

1. ANC 5A was not given the opportunity to present closing argument at the hearing in this matter on February 23, 2000, which prejudiced our ability to fully present our case.

2. New evidence regarding the environmental impact of the Boys Town expansion has been discovered regarding the Anacostia Watershed Network, requiring that additional testimony be received about the potentially negative environmental impact of any construction on the Boys Town property, and perhaps requiring that an environmental impact study be completed before any construction on the Boys Town site is begun.

3. On June 6, 2000, in the 1600 block of Michigan Avenue, N.E., just a few blocks from the Boys Town property, a deer was killed by a motorist. A copy of the police report is attached as Exhibit 1. This incident requires that additional evidence be gathered regarding the potential negative impact of the Boys Town expansion on the habitat and wildlife in the neighboring area.

4. The Decision and Order dated December 21, 2000, was not received by ANC 5A in a timely manner, and not until January 4, 2001, and did not appear to have been mailed nor was it received in accordance with our regular procedures. Therefore, ANC 5A has not had sufficient time to respond to this Decision and Order.

BZA
Case No. 16531
Exhibit No. 85

Board of Zoning Adjustment
District of Columbia
CASE NO.16531
EXHIBIT NO.85

5. We recently discovered that the property owners within 200 feet of the Boys Town location, who are represented by the Concerned Neighbors of North Michigan Park in this case, were not made parties to this case, and, therefore, that the organization cannot represent its members and oppose BZA's Decision and Order, unless its Motion to obtain party status will have a greater burden to properly represent these residents, which we believed were being represented by the Concerned Neighbors of North Michigan Park.

6. The BZA's Decision and Order does not accurately detail the specific complaints made about the Boys Town operations and Boys Town's nearly total disregard of the concerns of the community's residents, as these concerns were presented at the BZA's February 23, 2000 hearing.

7. The BZA's Decision and Order issued on December 21, 2000, does not enforce the BZA's own requirements placed upon Boys Town as delineated in its April 12, 2000 Order (Memo To The File), but instead grants the special exception, even though Boys Town did not fulfill the BZA's own specific conditions stated in this Order. ANC 5A specifically noted in its letter dated September 19, 2000, BZA Exhibit 66, the very specific reasons that the special exception should be denied based upon Boys Town's lack of compliance with the BZA's Order dated April 12, 2000. A copy of ANC 5A's letter is attached as Exhibit 2.

   Further, the history of Boys Town's prior actions with regard to ignoring the BZA's previous Orders, specifically the prior Order dated June 2, 1993, was apparently not seriously considered by the BZA in making its current decision. The basis for the BZA's justification of granting this special exception belies the BZA's prior experience with the Applicant in that the Applicant routinely has not complied with the BZA's previous Orders.

8. Finding of Fact #17 is incorrect, and, therefore, provides an erroneous basis for the BZA's decision. There are only 6 youths currently housed in the residential care home, and not 15 as noted in this Finding of Fact. This fact was misrepresented by Boys Town's counsel (Transcript, page 233, line 25), and likely led to the BZA's erroneous finding. The increase requested by Boys Town in actuality represents a fourfold increase in the number of youth to be housed in the residential care home, from 6 to 24, and not an increase from 15 to 24. Therefore, additional testimony is required in order to determine the potential impact of this planned fourfold increase in the residential care home program at Boys Town.

9. A careful review of the minutes presented as those of a Community Advisory Liaison Committee, do not clearly delineate which attendees are staff, work on contract for Boys Town, or which attendees are actually the directly affected property owners within 200 feet of the Boys Town facility. No Community Advisory Liaison Committee meeting actually had more than a few attendees who could have possibly been local property owners based upon the minutes submitted to the BZA. This activity sponsored by Boys Town appears so far to have been meaningless and ineffective, and yet the BZA Decision and Order implies that an ongoing dialogue between the community, the ANC, and Boys Town has been developed despite all the testimony and complaints which were received at the February 23, 2000 hearing, to the contrary. We request that additional testimony is needed in order to properly ascertain the true nature of Boys Town's efforts to develop a Community Advisory Liaison Committee.

For all of the above reasons, we ask that the BZA grant ANC 5A's request for reconsideration and a rehearing on the BZA's Decision and Order issued on December 21, 2000.

Sincerely,

Norma M. Broadnax
Chairperson, ANC5A

Tim Thomas
Commissioner, SMD 5A-04

cc: Phil T. Feola
Paul A. Tummonds, Jr.
ShawPittman
2300 N Street, N.W.
Washington, DC 20037-1128

Honorable Vincent B. Orange
Councilmember Ward 5
Council of the District of Columbia
441 4th Street, NW Suite 702
Washington, DC 20001

Ms. Cynthia Reid
Concerned Neighbors of North Michigan Park
P.O. Box 29091
Washington, DC 20012-0091

175471

PD 10 Rev. 7/88 Prescribing Directive G.O 401.3

TRAFFIC ACCIDENT REPORT

Metropolitan Police Department, Washington, D. C.

1. DATE OF ACCIDENT	2. TIME (USE MILITARY)	3. DAY OF WEEK	4. DATE OF THIS REPORT	5. TYPE OF ACCIDENT (CHECK ALL THAT APPLY, EXCEPT FOR PROPERTY DAMAGE)	6. COMPLAINT NUMBER
6/6/00	2225	TUE	6/6/00	01 ☐ FATALITY 02 ☐ INJURY 03 ■ PROP. DAMAGE ONLY 04 ☐ D.C. PROPERTY 05 ☐ NON-COLLISION 06 ☐ HIT AND RUN 07 ☐ PEDESTRIAN	078-715

7. ACCIDENT OCCURRED ON (STREET, HIGHWAY, INTERSECTION, OR PLACE FROM NEAR POST, MARK)	8. DISTRICT	9. B & A	10. NO. VEHICLES DRIVEN	11. NO. OCCUPIED PARKING	12. NO. OF OCCUPANTS (INCLUDING DRIVER)
1600 blk Michigan Ave. N.E.	50		1	0	Veh. 1 1 2 ___ 3 ___ 4 ___

13. IN TIME & CONSTRUCTION ZONE	14. ON STREET 01 ☐ AT INTERSECTION 02 ☐ WITHIN 150' OF [ILLEGIBLE] 03 ■ NOT AT INTERSECTION	15. OFF STREET 04 ☐ PUBLIC SPACE 05 ☐ PRIVATE PROPERTY	16. ANYONE FLEEING? 06 ☐ YES ■ NO	17. PHOTOS TAKEN? ☐ YES ■ NO BY WHOM, NUMBER
☐ YES ■ NO				

STRIKING OBJECT

1. Driver / Pedestrian / Fixed Object

18. NAME OF DRIVER/PEDESTRIAN (LAST, FIRST, MIDDLE) AND TYPE OF PROP. (FIXED OBJECT) AND DESCRIBE DAMAGE IN NARRATIVE	19. SEX ☐ 01 M ☐ 02 F	20. BIRTHDATE
Edwards, Derrick		10/11/71

21. ADDRESS (STREET, ROOM, APT. NO., CITY AND STATE IF OUTSIDE D.C.)		
1509 Madison St. NE #302 Hyattsville, MD		
22. HOME PHONE: 336-9019	23. PERMIT NUMBER AND STATE: E-367-179-488-782 / MD.	24. BUS. PHONE: 7247235

OWNER

25. MODEL: 2.5TL	26. MAKE: Acura	27. YEAR: 1996	28. BODY: 4DR	29. COLOR: Green	30. TAG NO., STATE/YEAR: GHH-103 MD 01	31. VEH. ID NO. (VIN): JH4UA2650TC014977

32. NAME OF OWNER (VEH./PROP.), (LAST, FIRST, MIDDLE), IF DRIVER ENTER "DRIVER"	33. PHONE NO.
DA Ragonese, Christophe	2467-5769

34. ADDRESS (STREET, ROOM, APT. NO., CITY AND STATE IF OUTSIDE D.C.)	35. OWNER NOTIFIED? ■ YES ☐ NO
5602 14th Ave. #103 Hyattsville, MD	

2. Driver / Pedestrian / Fixed Object

36. NAME OF DRIVER/PEDESTRIAN (LAST, FIRST, MIDDLE) AND TYPE OF PROP. (FIXED OBJECT) AND DESCRIBE DAMAGE IN NARRATIVE	37. SEX ☐ 01 M ☐ 02 F	38. BIRTHDATE

39. ADDRESS (STREET, ROOM, APT. NO., CITY AND STATE IF OUTSIDE D.C.)		
40. HOME PHONE	41. PERMIT NUMBER AND STATE	42. BUS. PHONE

OWNER

43. MODEL	44. MAKE	45. YEAR	46. BODY	47. COLOR	48. TAG NO., STATE/YEAR	49. VEH. ID NO. (VIN)

50. NAME OF OWNER (VEH./PROP.), (LAST, FIRST, MIDDLE), IF DRIVER ENTER "DRIVER"	51. PHONE NO.

52. ADDRESS (STREET, ROOM, APT. NO., CITY AND STATE IF OUTSIDE D.C.)	53. OWNER NOTIFIED? ☐ YES ☐ NO

OWNER

3. Driver / Pedestrian / Fixed Object

54. NAME OF DRIVER/PEDESTRIAN (LAST, FIRST, MIDDLE) AND TYPE OF PROP. (FIXED OBJECT) AND DESCRIBE DAMAGE IN NARRATIVE	55. SEX ☐ 01 M ☐ 02 F	56. BIRTHDATE

57. ADDRESS (STREET, ROOM, APT. NO., CITY AND STATE IF OUTSIDE D.C.)		
58. HOME PHONE	59. PERMIT NUMBER AND STATE	60. BUS. PHONE

OWNER

61. MODEL	62. MAKE	63. YEAR	64. BODY	65. COLOR	66. TAG NO., STATE/YEAR	67. VEH. ID NO. (VIN)

68. NAME OF OWNER (VEH./PROP.), (LAST, FIRST, MIDDLE), IF DRIVER ENTER "DRIVER"	69. PHONE NO.

70. ADDRESS (STREET, ROOM, APT. NO., CITY AND STATE IF OUTSIDE D.C.)	71. OWNER NOTIFIED? ☐ YES ☐ NO

4. Driver / Pedestrian / Fixed Object

72. NAME OF DRIVER/PEDESTRIAN (LAST, FIRST, MIDDLE) AND TYPE OF PROP. (FIXED OBJECT) AND DESCRIBE DAMAGE IN NARRATIVE	73. SEX ☐ 01 M ☐ 02 F	74. BIRTHDATE

75. ADDRESS (STREET, ROOM, APT. NO., CITY AND STATE IF OUTSIDE D.C.)		
76. HOME PHONE	77. PERMIT NUMBER AND STATE	78. BUS. PHONE

OWNER

79. MODEL	80. MAKE	81. YEAR	82. BODY	83. COLOR	84. TAG NO., STATE/YEAR	85. VEH. ID NO. (VIN)

86. NAME OF OWNER (VEH./PROP.), (LAST, FIRST, MIDDLE), IF DRIVER ENTER "DRIVER"	87. PHONE NO.

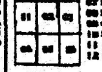
88. ADDRESS (STREET, ROOM, APT. NO., CITY AND STATE IF OUTSIDE D.C.)	89. OWNER NOTIFIED? ☐ YES ☐ NO

Non-Involved Witnesses

90. NAME	ADDRESS	PHONE NUMBER

CODES

91. SEAT LOCATION CODE



01 STATION WAGON REAR
02 MOTORCYCLE/MOPED PASS.
03 OCCUPANT - BUS
10 PEDESTRIAN
11 BICYCLE RIDER
12 OTHER: SKATEBOARD, TRICYCLE, ETC.

92. INJURY CODE
00 UNKNOWN
01 FATAL
02 DISABLING
03 NON-DISABLING
04 MINOR
05 COMPLAINT OF PAIN BUT NO VISIBLE INJURY

93. SEAT BELT/BAG CODE
00 USE UNKNOWN
01 NOT INSTALLED
02 NOT FASTENED
03 FASTENED
04 AIR BAG (ONLY)...
05 BELT/BAG FAILED
06 AIR BAG DEPLOYED
07 CHILD RESTRAINT

94. EJECTION CODE (THROWN FROM VEH.)
00 UNKNOWN
01 NO
02 PARTIAL
03 TOTAL

PERSONS INVOLVED

95. NAME/ADDRESS/PHONE NO. (INCLUDE ALL OPERATORS/PASSENGERS AND PEDESTRIANS INVOLVED EVEN IF NOT INJURED)	AGE	SEX	POSITION IN VEH. NO.	CODE 91.	CODE 92.	CODE 93.	CODE 94.	96. DEFENDANT AT FAULT? ■ YES ☐ NO	97. CHARGED TO INSURANCE? ☐ YES ☐ NO
D-1	28	M	1	01	04	00	05	01	☐ YES ■ NO / ☐ YES ■ NO
								☐ YES ☐ NO	☐ YES ☐ NO
								☐ YES ☐ NO	☐ YES ☐ NO
								☐ YES ☐ NO	☐ YES ☐ NO
								☐ YES ☐ NO	☐ YES ☐ NO
								☐ YES ☐ NO	☐ YES ☐ NO
								☐ YES ☐ NO	☐ YES ☐ NO

Exhibit 1

INJURED TO HOSPITAL

45. Name of Injured Person	Where Taken (Hospital)	By Whom	Status	TES Notified (Name)	Teletype Notified (Name)	Relative Notified (Name)
			01 ☐ Admitted 02 ☐ Released			
			01 ☐ Admitted 02 ☐ Released			
			01 ☐ Admitted 02 ☐ Released			
			01 ☐ Admitted 02 ☐ Released			
			01 ☐ Admitted 02 ☐ Released			
			01 ☐ Admitted 02 ☐ Released			
			01 ☐ Admitted 02 ☐ Released			

VEHICLE NO. 1

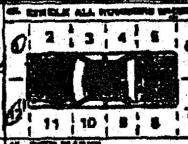
46. DIRECTION OF TRAVEL AND STREET (MUST BE SAME AS IN NARRATIVE / DIAGRAM): W. on Michigan Ave

48. VEHICLE WAS: 01 ☐ LEFT ON SCENE 02 ☐ TOWED BY 03 ☐ DRIVEN AWAY BY

NAME: Edwards, Derrick

49. LOCATION TOWED TO

47. CIRCLE ALL NUMBERS WHERE THERE IS DAMAGE



13 Hood
14 Roof
15 Trunk
16 Undercarriage
17 Overturned
18 Other (Explain in Narrative)

48. SIDE MARKS

TO IMPACT 00 AFTER IMPACT 00

VEHICLE NO. 2

46. DIRECTION OF TRAVEL AND STREET (MUST BE SAME AS IN NARRATIVE / DIAGRAM):

48. VEHICLE WAS: 01 ☐ LEFT ON SCENE 02 ☐ TOWED BY 03 ☐ DRIVEN AWAY BY

NAME:

49. LOCATION TOWED TO

47. CIRCLE ALL NUMBERS WHERE THERE IS DAMAGE



13 Hood
14 Roof
15 Trunk
16 Undercarriage
17 Overturned
18 Other (Explain in Narrative)

48. SIDE MARKS

TO IMPACT _____ AFTER IMPACT _____

VEHICLE NO. 3

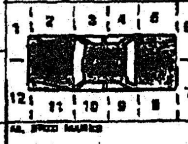
46. DIRECTION OF TRAVEL AND STREET (MUST BE SAME AS IN NARRATIVE / DIAGRAM):

48. VEHICLE WAS: 01 ☐ LEFT ON SCENE 02 ☐ TOWED BY 03 ☐ DRIVEN AWAY BY

NAME:

49. LOCATION TOWED TO

47. CIRCLE ALL NUMBERS WHERE THERE IS DAMAGE



13 Hood
14 Roof
15 Trunk
16 Undercarriage
17 Overturned
18 Other (Explain in Narrative)

48. SIDE MARKS

TO IMPACT _____ AFTER IMPACT _____

VEHICLE NO. 4

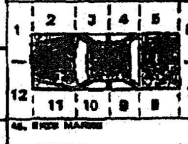
46. DIRECTION OF TRAVEL AND STREET (MUST BE SAME AS IN NARRATIVE / DIAGRAM):

48. VEHICLE WAS: 01 ☐ LEFT ON SCENE 02 ☐ TOWED BY 03 ☐ DRIVEN AWAY BY

NAME:

49. LOCATION TOWED TO

47. CIRCLE ALL NUMBERS WHERE THERE IS DAMAGE



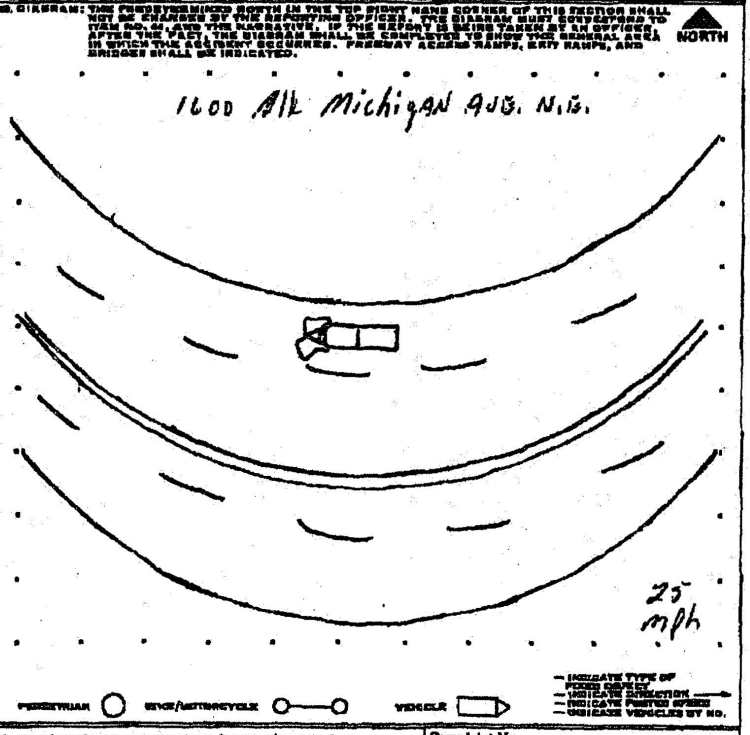
13 Hood
14 Roof
15 Trunk
16 Undercarriage
17 Overturned
18 Other (Explain in Narrative)

48. SIDE MARKS

TO IMPACT _____ AFTER IMPACT _____

50. DIAGRAM: THE PERPENDICULAR SIGHT IN THE TOP RIGHT HAND CORNER OF THIS SECTION SHALL NOT BE CHANGED BY THE REPORTING OFFICER. THE DIAGRAM MUST CORRESPOND TO ITEM NO. 51 AND THE NARRATIVE. IF THE REPORT IS BEING TAKEN BY AN OFFICER, AFTER THE FACT, THE DIAGRAM SHALL BE COMPLETED TO SHOW THE GENERAL AREA IN WHICH THE ACCIDENT OCCURRED. FREEWAY ACCESS RAMPS, EXIT RAMPS, AND BRIDGES SHALL BE INDICATED.

NORTH



NOTE: This report is used for statistical analysis of vehicular accidents and the prevention thereof. The data given represents the opinion and conclusions of the reporting officer based on his/her judgement after considering all of the facts disclosed through his/her investigation of this accident.

Complaint No. 073-215

Page 1 of 1 Pages

Complaint No. 073-215

Police Action	Dr./Ped.	Arrest/NDI Number	Charge (Report must support the charge.)	DA/SUPERVISOR ESUSP - HEARING DATE	DPW 40-1 Issued?	What Traffic Signs Present?
	No.					
	No.					

Darken the appropriate block in each category.

11. TYPE OF COLLISION
00 UNKNOWN; 01 RIGHT ANGLE; 02 LEFT TURN HIT VEH.; 03 RIGHT TURN HIT VEH.; 04 REAR END; 05 SIDE SWIPED; 06 HEAD ON; 07 PARKED VEHICLE; 08 FIXED OBJECT; 09 RAN OFF ROADWAY; 10 LEFT TURN HIT PED.; 11 RIGHT TURN HIT PED.; 12 STRAIGHT HIT PED.; 13 BACKING HIT MOVING VEH.; 14 BACKING HIT PARKED VEH.; 15 BACKING HIT STOPPED VEH.; 16 BACKING HIT PEDESTRIAN; 17 NON-COLLISION ACCIDENT; 18 OTHER

12. ROAD SURFACE
01 CONCRETE; 02 ASPHALT; 03 BRICK; 04 GRAVEL; 05 DIRT; 06 OTHER

13. ROAD TYPE
01 STRAIGHT; 02 CURVE; 03 LEVEL; 04 GRADE; 05 CREST; 06 UNDERPASS; 07 RAMP; 08 BRIDGE; 09 OTHER

14. PEDESTRIAN ACTION
00 UNKNOWN; 01 WITH SIGNAL IN CROSSWALK; 02 AGAINST SIGNAL IN CROSSWALK; 03 IN CROSSWALK, NO SIGNAL; 04 FROM BETWEEN PARKED CARS; 05 NOT IN CROSSWALK; 06 NO UNMARKED CROSSWALK; 07 OTHER

15. TRAFFIC CONTROLS
00 UNKNOWN; 01 FLASHING; 02 YIELD; 03 STOP SIGN; 04 SIGNAL; 05 NONE; 06 OFFICER; 07 TURN RESTRICTED; 08 OTHER

26. ROAD CONDITION
00 UNKNOWN; 01 REPAIRING; 02 DRY; 03 WET; 04 ICE/SNOW

27. STREET LIGHTING
00 UNKNOWN; 01 DEFECTIVE; 02 NONE; 03 STREET LIGHTS ON; 04 STREET LIGHTS OFF

28. LIGHT CONDITION
00 UNKNOWN; 01 DAWN/DUSK; 02 DARK; 03 DAYLIGHT

29. TRAFFIC CONDITION
00 UNKNOWN; 01 HEAVY; 02 MEDIUM; 03 LIGHT; 09 OTHER

30. WEATHER
00 UNKNOWN; 01 FOG/MIST; 02 CLEAR; 03 RAIN; 04 SNOW; 05 SLEET

31. PEDESTRIAN CLOTHING
01 UNKNOWN; 02 DARK CLOTHING; 03 WEARING LIGHT CLOTHING

40. DRIVER/PEDESTRIAN CONDITION
00 UNKNOWN; 01 FATIGUED; 02 ILL; 03 PHYSICAL DEFECT; 04 APPARENTLY ASLEEP; 05 APPARENTLY NORMAL; 06 OTHER

41. SOBRIETY
01 HAS NOT BEEN DRINKING; HAD BEEN DRINKING AND 02 OBVIOUSLY DRUNK; 03 ABILITY IMPAIRED; 04 NOT IMPAIRED; 05 (IMPAIRMENT UNKN.); 06 OTHER

42. BLOOD ALCOHOL CONTENT
Dr./Ped. 1 _____ Dr./Ped. 3 _____
Dr./Ped. 2 _____ Dr./Ped. 4 _____

43. CONTRIBUTING CIRCUMSTANCES - MARKEN THE PRIMARY FACTOR FOR ALL VEHICLES AND "P" ALL SECONDARY FACTORS
01 SPEED; 02 DEFECTIVE BRAKES; 03 FOLLOWING TOO CLOSE; 04 AUTO RIGHT-OF-WAY; 05 PED. RIGHT-OF-WAY; 06 IMPROPER TURN; 07 YIELD SIGN; 08 STOP/GO LIGHT; 09 FLASHING LIGHT; 10 DIRECTIONAL LIGHT; 11 STOP SIGN; 12 ALCOHOL INFLUENCE; 13 IMPROPER PARKING; 14 WRONG WAY-ONE WAY ST.; 15 WRONG SIDE OF STREET; 16 IMPROPER STARTING; 17 OTHER DEFECTS; 18 PEDESTRIAN VIOLATION; 19 NO VIOLATION; 20 DRIVER INATTENTION; 21 CHANGING LANES W/O SAFE.; 22 FAIL TO SET PARKING BRAKE; 23 OPEN DOOR TO TRAFFIC; 24 DRUG INFLUENCE; 25 IMPROPER BACKING; 26 DEFECTIVE LIGHTS; 27 PEDESTRIAN DRUNK; 28 ROAD DEFECTS; 29 DRIVER VISION OBSTRUCTED; 30 WRONG TURN ON RED; 31 OTHER

44. VEHICLE TYPE
00 UNKNOWN; 01 PASSENGER AUTO; 02 TAXI CAB; 03 BUS; 04 MOTORCYCLE; 05 TRUCK/TRACTOR; NO. OF TRAILERS; NO. OF WHEELS; 06 BICYCLE; 07 POLICE PATROL WAGON; 08 POLICE MOTORCYCLE; 09 POLICE SCOOTER; 10 POLICE SCOUT CAR - ONE MAN; 11 POLICE SCOUT CAR - TWO MAN; 12 POLICE CRUISER - MARKED; 13 POLICE CRUISER - UNMARKED; 14 POLICE-OTHER; 15 FIRE ENGINE; 16 AMBULANCE; 17 PEDESTRIAN - ON FOOT; 18 TOWED OBJECT; 19 NON-COLLISION; 20 MOPED; 21 OTHER (EXPLAIN IN NARRATIVE. INCLUDES SKATEBOARDS, TWISTY CARS, PLAY VEHICLES, ETC.)

47. DRIVER ACTIONS
00 UNKNOWN; 01 BACKING; 02 TURNING RIGHT; 03 TURNING LEFT; 04 STOPPED/STANDING-TRAFFIC LANE; 05 PARKED; 06 ENTERING/LEAVING PARKED POSITION; 07 MAKING "U" TURN; 08 MERGING; 09 RAN OFF ROAD; 10 CHANGING LANES; 11 GOING STRAIGHT; 12 OVERTAKING; 13 SLOWING/STOPPING; 14 AVERTING; 99 OTHER

48. NARRATIVE: Give a concise statement, in your own words, of the facts that are not covered in this report, or to clarify any items that are not satisfactorily explained. Use Continuation Sheet of report for additional space. If statements are taken, use PD 118 (Def./Suspect Statement), or PD 119 (Compl./Witness Statement). If accident occurred in a construction zone, describe type of construction.

D-1 states while travelling Westbound on Michigan Ave. N.E. a deer ran in front of his vehicle at which time he struck the deer knocking it ACROSS the Roadway subsequently killing it. ACA officer Baisley #101 Responded to the scene and took possession of the deer.

49. SIGNATURE OF REPORTING OFFICER	BADGE NO.	UNIT	50. SIGNATURE OF REVIEWING OFFICIAL	BADGE NO.	UNIT	51. REVIEWER	52. DISTRIBUTION
[signature]	4380	5D	Sgt. S. O'Brien	S-67	5-D	[signature]	2

ADVISORY NEIGHBORHOOD COMMISSION 5A

SLOWE SCHOOL DEMOUNTABLE
14TH & IRVING STREETS, N.E. ▼ WASHINGTON, D.C. 20017
TELEPHONE 202-635-6563 ▼ FAX 202-635-6565

September 19, 2000

00 SEP 19 P5:00

OFFICE OF ZONING

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5A12 Robert (Bob) King

VIA FACSIMILE to (202) 727-6072
Original Mailed

Ms. Jerrily R. Kress
Director
Board of Zoning Adjustment
441 4th Street, NW Suite 210
Washington, DC 20001

Re: BZA Case No. 16531, Father Flanagan's Boys Town of Washington, 4801 Sargent Road, NE

Dear Ms. Kress:

Transmitted herewith is the report of Advisory Neighborhood Commissioner Timothy Thomas, SMD 5A-04, regarding the above-referenced case.

A regularly scheduled ANC 5A Committee-of-the-Whole meeting was held on September 7, 2000 at the ANC 5A office.

Eight commissioners were present and voted unanimously to support the recommendation of Commissioner Thomas that the application be denied. Seven members present constitute a quorum.

If there are any questions please do not hesitate to call.

Sincerely,

Norma M. Broadnax

Norma M. Broadnax
Chairperson

Enclosure

BZA
Case No. 16531
Exhibit No. 66

FAX Copy

Exhibit 2

SORY NEIGHBORHOOD COMMISSION 5A

SLOWE SCHOOL DEMOUNTABLE
14TH & IRVING STREETS, N.E. ▼ WASHINGTON, D.C. 20017
TELEPHONE 202-635-6563 ▼ FAX 202-635-6565

September 19, 2000

'00 SEP 19 P5:00

Ms. Norma M. Broadnax
Chairperson
Adivisory Neighborhood Commission 5A
14th & Irving Streets, NE
Washington, DC 20002

Re: BZA Case No. 16531, Father Flanagan's Boys Town of Washington, 4801 Sargent Road, NE

Dear Commissioner Broadnax:

The following is my report pursuant to BZA's Public Meeting Minutes dated April 12, 2000, with regard to the following issues:

1. **Water Run Off.** As of September 14, 2000, the date of the last scheduled Community Liaison Committee meeting, site Director, Connie Washington reported that despite BZA's condition that "All storm water run-off controls not directly associated with the proposed new construction must be installed and operating", these controls are not installed and operating.

2. **Noise Abatement.** Although Boys Town has taken some measures to reduce noise from the emergency generator and the cooling tower, several residents at the Community Liaison Committee meeting on September 14, 2000, reported that they are still disturbed by the noise coming from the emergency generator and the cooling tower, despite the alleged measures taken by Boys Town. Therefore, these measures have not been effective in abating the noise from the emergency generator and the cooling tower as they are a continuing disturbance to many of the residents living nearby.

3. **Community Liaison Program.** Although Boys Town's attempted to establish a Community Liaison Program and held several meetings with a so-called Advisory Liaison Committee since April 12th, a motion was passed at the September 14th meeting (the vote was 7 for, 3 opposed and 3 abstentions – which included a vote by Connie Washington, the Site Director of the Sargent Road facility!) that asked did Boys Town actually establish a Community Advisory Committee with proper rules of procedure and clearly defined representation of the community.

ARS

Norma M. Broadnax
Chairperson

Ruth Y. Goodwin
Vice Chairperson

James W. Johnson
Recording Secretary

Mary M. Baird Currie
Correspondence Secretary

Allen L. Robinson, Jr.
Treasurer

COMMISSIONERS

5A01 James W. Johnson
5A02 Norma M. Broadnax
5A03 Joseph L. Bowser
5A04 Tim Thomas
5A05 Dareck D. Parks
5A06 Mary M. Baird-Currie
5A07 William Terry Forrest
5A08 Allen L. Robinson, Jr.
5A09 Betty Floyd
5A10 Ruth Y. Goodwin
5A11 Karen M. Lancaster
5A12 Robert (Bob) King

BZA
Case No. 16531
Exhibit No. 66

The reason for this motion was that the Boys Town's Site Director acknowledged that the so-called Advisory Liaison Committee had no rules of operation; did not have any bylaws, did not follow Robert's Rules of Order; did not have specific membership criteria, and basically that the group that had been meeting as the Advisory Liaison Committee was an "informal" group led by the Site Director, Connie Washington, who set the agenda and kept the minutes. Most of the community's residents who have attended some of these meetings are frustrated by the lack of progress made by Boys Town in resolving the water run off, noise, security and other problems caused by the Boys Town program, and have expressed their concerns that nothing has changed to improve or to deal with these problems to date. Therefore, most of the so-called "members" of the Advisory Liaison Committee do not feel that they have had an opportunity for meaningful input on the so-called Advisory Liaison Committee as it has been currently constituted by Boys Town's Site Director.

4. **Security Plan**: Connie Washington reported to the people who attended the meeting at Boys Town on September 14, 2000, that although Ms. Washington presented a written Security Plan to the group for the first time, she had not coordinated the development of this plan with either ANC 5A nor the Commander of the 5th District Police Precinct as required by the BZA.

Because residents within 200 foot radius of the Boys Town's Sargent Road facility remain very concerned about this project and because they have been unable to work cooperatively with Boys Town, they are requesting that the BZA not grant the special exception requested by Boys Town under Section 303 pursuant to 11 DCMR 3104.1 and Section 303.

Boys Town's inability to meet the BZA's conditions is sufficient reason for the BZA to reject Boys Town's request for a special exception in this circumstance.

Respectfully submitted,

Timothy Thomas
Commissioner ANC 5A-04