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August 17, 2000

Ms. Sheila Cross-Reid, Chairperson
Board of Zoning Adjustment
441 - 4th Street, N.W.
Room 210
Washington, DC 20001

Re: BZA Application No. 16559
Field School Special Exception

Dear Ms. Reid and Fellow Board Members:

Enclosed is NAFG's response to the latest filing by the Field School on August 10, 2000 relating to concluding remarks and turn lane projects. Mrs. Shugrue will be submitting a separate response to the Board regarding her issues with the proposed location of the School.

Sincerely,

Richard L. Aguglia

Richard L. Aguglia

Enclosure

cc: Phil Feola, Esq. (by hand)
Ken Woodcock (by fax)
Alan Swendiman, Esq. (by fax)
Jeff Bolotin, Esq. (by fax)
ANC 3D c/o Eleanor Lewis (by mail)

BZA
Case No. 16559
Exhibit No. 475

Board of Zoning Adjustment
District of Columbia
CASE NO.16559
EXHIBIT NO.475

RESPONSE OF NAFG TO THE FIELD SCHOOL'S COUNSEL'S CONCLUDING REMARKS AND REQUESTED INFORMATION REGARDING TESTIMONY OF JAMES LONG, DELON HAMPTON AND ASSOCIATES

In response to the submission filed by the Field School's counsel on August 10, 2000, Neighbors Against Foxhall Gridlock (NAFG), through counsel, state as follows:

CONCLUDING REMARKS OF COUNSEL

The Field School's counsel summarizes his 3 page closing remarks by stating that the School will not create an objectionable condition due to noise, number of students, traffic or other objectionable conditions and this is good land use for the site. While NAFG believes that it has more than adequately rebutted these unfounded conclusions through expert testimony and other witnesses and evidence, the Board should take note that support for counsel's conclusions are essentially based on the fact that the school is a "good" school which deserves this site. No one has argued that the Field School is not a "good" school. The School's counsel is attempting to divert the Board's attention from the test it must apply and the test that the School has not met. The site is too small for the School and has inadequate public transportation; the neighborhood is "drowning" in educational institutions which are destroying its residential character and leading to traffic gridlock; and a Foxhall Road entrance for the School is too dangerous because of the steep slope and poor sight lines of the road at this location.

The School's counsel also underscores that the School has worked hard to address all of the community concerns and has received ample support from various community groups and D.C. agencies as compared to the "meager" seven residents, excluding lawyers and experts, who

testified in opposition to the application. Again, the School's counsel is attempting to divert the Board's attention away from the standards it (the BZA) must apply while failing to acknowledge that:

1) ANC 3D voted 6 to 0 to oppose the application because of inter alia traffic concerns. The ANC's decision is entitled to great weight. Each ANC member represents roughly 2,000 residents. There are 7 ANC memberships in ANC 3D, with one membership vacant. Accordingly, the ANC has spoken for some 12,000 to 14,000 residents.

2) The Palisades Citizen's Association ("PCA") has approximately 1,100 households as members according to its past President, not some 15,000 as the School's counsel alleges. PCA voted in favor of the School's application on March 7, 2000, based on the Gorove Slade SECOND traffic analysis, that is, when no left turns would be allowed into the north entrance of the School during the AM peak rush hour, except for School shuttle buses and emergency vehicles, with the assistance of a crossing guard for enforcement purposes. See attached PCA resolution. It is unknown whether PCA's general membership would vote in favor of the School's FOURTH traffic analysis prepared by Gorove Slade which does not include a crossing guard and closes the northern entrance, which closure in part persuaded ANC 3D to disapprove the School's application. PCA's own traffic committee noted that the PCA motion to approve the School's application was no longer valid in light of significant changes to the traffic plan. See attached. Further, PCA's own past president, Cary Ritter, testifying before this Board (July 25, 2000; Tr. at 173) conceded that the general membership has not had a meeting on the traffic plan changes. Finally, it should be noted that the School site falls outside the PCA boundaries.

3) The Spring Valley/Wesley Heights Citizens Association, through its President, testified against the School's application because of potential traffic gridlock. The Association is composed of about 1,250 households.

4) Many of the proponents of the School who testified are parents of students, students themselves, or parents who desire that their children attend the School and whose testimony boils down to the fact that the School is a "good" school.

5) The Foxhall Crescents South Gate Homeowner's Association is a party to this case, represented by Mr. Bolotin, and is composed of 22 families. (Mr. Bolotin has reviewed and concurs in this response.)

6) Over 75 families in the Foxhall neighborhood are contributing to or support NAFG's opposition.

7) The 44th Street alliance supports the School only because the sole entrance/exit will be on Foxhall Road and not on 44th Street.

8) George Watson, the President of the Wesley Heights Historical Society, which supported the School's application, indicated that he was personally concerned about traffic hold-up because of a short 3 car stacking lane and stop light at the school site. (July 25, 2000; Tr. at 186.)

In sum, the Board should not be swayed by the quantity of irrelevant testimony but by the quality of relevant testimony.

MRS. SHUGRUE'S SITUATION

Mrs. Shugrue and her counsel, Mr. Swendiman, will respond separately to Mrs. Shugrue's problems with traffic congestion and pollution to her property.

DELON HAMPTON & ASSOCIATES TURN LANE PROJECTS

Counsel for the Field School submitted a list of projects that were prepared by Delon Hampton & Associates allegedly regarding turn lane projects with shorter tapers than that proposed for the Field School project. However, the list does not indicate whether the projects involved slopes or downgrades greater than 2% or sight line stopping problems like those associated with the Field School. Counsel for NAFG placed two calls to counsel for the School this week and faxed a letter last week seeking clarification of these issues. However, no response was received. As a result, we asked our traffic engineer, Fred Hanscom, to select two sites at random, one on the list provided (River and Falls Road intersection) and one described at the end of the hearing by Mr. Long (access plan for Covenant Life Church; July 25, 2000 Tr. at 322).

Mr. Hanscom determined that the improvements to the Falls and River Road intersections met all AASHTO guidelines. Mr. Hanscom also found that there was no turn lane/access plan for the Covenant Life Church. In fact, there is a sign at the entrance of the Church advising motorists that they cannot turn left exiting the Church, ostensibly because of sight line problems. Mr. Hanscom's random review of projects provided by Mr. Long substantiates NAFG's contention that conformance to AASHTO guidelines is the industry standard and is indicative of a safe practice.

Respectfully submitted,

HUNTON & WILLIAMS

By: Richard L. Aguglia

Richard L. Aguglia

August 17, 2006

DATE

NEW FROM THE DC PUBLIC LIBRARY: CityCAT 2K



Residents can now access all of the resources of the DC Public Library online from terminals at our Palisades branch library or, on your own, from the library's home page at www.dclibrary.org. You can find our city's entire book catalogue on CityCat 2K. Elsewhere on the same DC library site are such items of interest as a detailed history of the Palisades branch library, a useful list of "Frequently Asked Questions" about Washington (under "Washingtoniana"), and a Yahoo link (in answer to a question about housing in DC) that will search out the sales prices since 1987 for every DC house. Browsing will turn up other helpful information. The Martin Luther King Memorial Library, our main branch at 901 G Street NW, has the following divisions and special collections for research in person or on the web site : Art, Audiovisual, Biography, Black Studies, Business, Economics & Vocations, Children's Room, History, Travel & Geography, Language & Literature, Music & Recreation, Periodicals, Newspapers, Philosophy, Psychology & Religion, Popular Library, Sociology, Education & Government, Technology & Science, Washingtoniana & the Washington Star Collection, and Young Adult Services Division. Our own Palisades historian Harold Gray is a known denizen of the Washingtoniana collection. Coming, in the near future, will be the ability of library cardholders to renew and reserve books on a secure part of CityCat 2K.

—P. McG.

OUR CENSUS

In March, Census 2000 will begin in the Palisades and around the country. The Constitution requires a census every10 years for the purpose of realigning the voting districts throughout the country.

The first census was taken in 1790, the year after the Constitution was declared in effect. This year's census will be the first fully computerized census, from data collection to the final results on the Internet. Optical scanners will be used to input information from the millions of forms to be distributed next month. Census has a very interesting Website: www.census.gov.

You will receive one of two possible forms, called the short and the long forms. The six page Short Form will be sent to 83 percent of the approximately 118 million households in the U.S., and the Long Form to the rest. The Short Form asks for limited information—age, sex, race, "Hispanic origin," household relationships, and whether the home is owned or rented. The 12 page Long Form requests economic and social information in addition to the Short Form information.

On March 6 letters will be sent to every household announcing the census. Then, on March 13, one of the two forms will be sent to residents. To follow up, on March 22, reminder letters will be sent asking that the forms be completed and remitted.

On April 27 door-to-door canvassing will start to collect forms not already returned. Cooperation is important for reasons in addition to nation-wide representation, a right we have not yet received in DC. The city's Wards are realigned depending on new census data. Moreover, more that $180 billion dollars in Federal program funds are distributed depending on this data.

—Doug Ormerod

THE PCA BOARD RESOLUTION ON THE FIELD SCHOOL:

Be it resolved that the Board of the Palisades Citizens Association supports the Board of Zoning Adjustment Submission by the Field School contingent upon the following conditions:

1. No left turns be allowed into the north entrance of the school during the hours of 7:30-9:30 am. The only exception would be emergency vehicles and the School sponsored shuttle bus. The Field School will provide a crossing guard to enforce this restriction and to ensure smooth traffic flow.

2. The Field School will support the PCA in opposing the proposed traffic signal at Foxhall Road and W Street, but support the proposed traffic light at Whitehaven Street and Foxhall Road.

MEMORANDUM

TO: Penny Pagano, President
Palisades Citizens Association

FROM: Alma Gates, Chair
Palisades Traffic Committee

DATE: July 2, 2000

RE: Traffic Concerns and Field School

A comparison of the March 9, 2000, May 22, 2000 reports and June 7, 2000 Amendment from the Department of Public Works and Andrew Altman follows. In addition I have added some concerns arising from areas not covered in the reports and some questions that need further clarification. Please feel free to circulate this to members of the Board as it should be discussed at the July meeting prior to the ANC meeting. Also the motion by The Palisades Citizens Association is no longer valid as it was based on the March 9th memorandum and the DPW traffic plan for the school has changed significantly. **The recommendations cited in Andrew Altman's June 7, 2000 Amendment bear careful study and consideration.**

cc: **PCA Traffic Committee**
Eleanor Roberts Lewis
Patrick Shaughness
Patrick Burke, MPD