Rec'd
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TESTIMONY OF JODIE SMOLIK
2945 Upton Street

My name is Jodie Smolik and I live at 2945 Upton Street. I would like to begin by reading from pg. 2 of Ken Ladens DPW report dated May 21. It states, "We have some concerns about the schools ability to implement all of the proposed traffic mitigation measures, the extent to which these measures would be successful in changing driving patterns, and whether the school will be able to maintain these transportation mitigation measures over the long term."

The Edmund Burke School traffic plan does present serious negative traffic consequences and safety concerns for the neighborhood. The proposed plan is unrealistic and more importantly, unenforceable. It is only words, not actions nor results.

This proposed traffic plan starts as a scheme – with traffic counts being manipulated by errors and bold assumptions so school traffic will magically disappear. I believe that the school will say anything to obtain this special exception.

The use of shuttle buses can easily be questioned, nót only on how many students will use them (the school is saying 40 an incredible assumption based on nothing but that the bus can accommodate easily 10 students). But also where these shuttle sites will be located.

When Burke presented months ago to the ANC that they were going to use the Van Ness Kiss and Ride and Pierce Mill for shuttle sites, I doubted that information because I considered the source. I did not trust what Burke was saying because the school lacks credibility. So I contacted both WMATA and Rock Creek Park. Both organizations told me at the time that they had not given Burke the permission to use these sites and that Burke had never even contacted them. **I would like to present letters that I have to the Board.

In the case of Pierce Mill, I was told by the superintendent's office that not only would they not permit federal park land to be used, but and I quote from their letter, - "This area is used extensively by the public and is already subject to traffic congestion." In WMATAs case, the Kiss n Ride is to be leased by Fannie Mae. I would like to state that I was the person who alerted Ken Laden that the Kiss n Ride was not available and he did question the school. Now I see at the 11th h our, the school has finally gotten around to renting a bus bay leased on June 11. Where was this agreement at the last hearing – it did not exist.

While the Metro chek is a good idea. There seems little incentive for the near 50% of the school population who live in MD and VA to take, especially if they do not live convenient to a Metro line. How many changes on the Metro line? How many stops? Lets take a closer look at this proposed financial incentive – at $1.10 per day, the total year long savings is less than 1% of the total cost of sending a child to Burke. That is such an

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insignificant rebate why would parents change transportation modes? The school's assumption that 36 additional students from VA & MD will accept this financial incentive is implausible. If this incentive has not been implemented, no one can predict.

Traffic & Circulation Plan
To describe the torturous route that parents must travel to the school demonstrates its impracticality. Having to make 5 turns through 4 traffic lights instead of cutting through the public alley with only one turn at Veazey Terrace. This is not the path of least resistance; parents in a hurry will continue to weave through the alleys and residential streets.

What's going to happen to the schools entrance on CT AVE? Anyone who travels on this busy commuter thoroughfare can easily visualize the backups to occur, because they occur NOW. As important, what happens if a parent misses the school queue on CT AVE because of backups? = Simple, they are instructed by Burkes own plan (p 11) to turn right onto Van Ness and travel down the public alley.

Upton Street and alley traffic gridlock would most certainly be worse than it is today. Remember the video? All it would take is ONE CAR trying to make a left turn from Upton to travel downtown on CT AVE to completely throw a monkey wrench into this plan. A blocked intersection at Upton/CT AVE would create backups on Upton that would indeed block the proposed new school driveway and the public alley. (Joe Mehra stated that it would only takes 4 cars to block all school traffic).

There are other impacts on Upton Street as well.Look at the plan – while ingress may be on CT Ave – you'll see that the egress is on Upton!

Safety
Lets talk about safety. There are so many vehicular and pedestrian conflicts, especially on Upton Street. And what about the Burke students who must cross two lanes of school and alley traffic just to get to the school?

Enforcement
How can one traffic officer do it all? Having to direct two lanes of alley traffic; two lanes of traffic traveling east and west on Upton; the two shuttle buses arriving and pulling out in front of the school AND serving as a crossing guard for student and neighborhood pedestrians. While at the same time taking down the tag numbers of Burke pledge violators? It cannot be done!

Where is the traffic officer on CT Ave when it backs up? There is NONE.

This enforcement plan also relies on a candid camera and a 2 page pledge. There are no cameras when the parent drops off the student on Van Ness, 29t Street or further east on Upton– violators cannot be caught on tape!

A compliance committee composed of 3 neighbors, two Burke parents and a school administrator is equally ridiculous. The burden of proof of compliance is on the school – not on the neighbors. How is a group meeting quarterly going to ensure any traffic management plan? Ken Laden has already stated that the video monitoring would have to be once a week NOT once a month as the school has stated. In addition, Mr. Laden states tat he believes the policy is subjective and unlikely to be effective. He states that he is unsure that an enrollment reduction of only four students in the following enrollment period for failure to achieve traffic reduction goals is not a strong enough a sanction. The sanctions should be more directly tied to the traffic concerns and affect current enrollment, not future enrollment.

In addition, look whose providing the information to the compliance committee– the Burke administration, a less than credible source. I can only imagine the disagreements certain to occur.

I have never been involved in an effort such as this – it has been an exhausting process and an educational one too. I have attended more than 18 individual meetings (not including neighborhood meetings) – 5 alone wit DPW, 5 at the ANC and 5 here at the BZA. This process has been so long because of the numerous and last minute changes of Burkes plan. I would like to point out that these changes were not made as a result of the community's desires, but rather the changes were made because of flawed plans – so flawed that even DPW, OP and the ANC have spoken in opposition of the school's proposed expansion. This is a very critical point for the BZA to recognize. Burke keeps saying that it cannot satisfy the neighbors. The Board cannot lose sight of the fact that DPW a government agency specializing in traffic cannot support this expansion because of negative traffic impacts on the neighborood. Ken Laden has reported that there must be a full one-year test of shuttles, metrochek, videotaping, and a compliance committee BEFORE the application is approved by the BZA.

I ask the BZA to consider the following questions when considering this application – Does the BZA need to rush to approve this expansion without the benefit of a Metro check and shuttle bus being implemented in addition to a complete compliance plan created with real input and enforcement from the neighborhood? The school could certainly return to the BZA after an academic year of compliance.

There has been a lot of talk that this would present a hardship on the school. I would like to state for the record that it would not. I know that the school has waived its BZA contingency on at least one of the properties and has in fact purchased it already. It can also easily afford to purchase the remaining properties. It is important to note that the school has generated well more than $1 million in just 3 years alone just by being out of compliance with student enrollment. There seems to be a great financial incentive to be out of BZA compliance.

I was encouraged recently by the NW Current headline, Burke pledges to cut traffic or enrollment. That's what this case if about. Students = traffic. This proposed expansion

plan with 360 students cannot be mitigated – it is too much traffic and too many students for the neighborhood.

My final question to the BZA – Shouldn't the BZA orders be abided by? What real redress is there for the neighborhood? Like the Burke school's proposed pledge – are these orders mere words, with no actions or consequences? Unfortunately it seems to be so because that is how this case came to you today because 270 students at Burke became 300, if approved for expansion, we can only expect the 360 will become 400 and the shuttle and metrocek will eventually disappear because no one will use them. What remains is the adverse impact on the neighborhood.

I am not here out of spite. I am a neighbor asking for a livable street. Therefore I request that the BZA not grant this special exception to the Burke School.

Metrocek - $1.10 per day x 170 days = $187
Tution – $17,000