Bardin, Sara Jo (DCOZ)

From: john finney [finneyj@worldnet.att.net]
Sent: Monday, April 15, 2002 8:28 PM
To: andrew.altman@dc.gov; robert.collins@dc.gov
Cc: oanc@onebox.com; RCollins-planning@dcgov.org; sbenjamin@dcoz.dcgov.org
Subject: Courtesy Would Make Planning Easier

Dear Mr. Altman and Mr. Collins:

With a debilitating sense of discouragement, I write to suggest a little courtesy on the part of the planning office would go a long way in strengthening the efforts of the ANC's and your office on steps to promote a renaissance for our city.

If I am discouraged it is because I think ANC3D was handled discourteously by your planning office in the St. Patrick's case and because I feel your office ignored or distorted the recommendations of citizens who volunteered countless hours trying to develop planning goals for the jurisdiction embraced by ANC3D.

On April 4, on my own initiative, I sent a copy of ANC3D's letter on the St. Patrick's case, thinking it might be helpful to the person drafting the planning office's position on St. Patrick's request. Courtesy would have dictated that the planning office send our ANC a copy of its report on the St. Patrick's case. It was only by happenstance--and the alertness of a neighbor perusing the BZA files--that I obtained just a few days ago a copy of your office's April 9 submission to the BZA.

It is more than a lack of respect shown for an elected body of the D.C. government. I think the disrespect may be illegal as well as discourteous. I think your office may be bound by section 1-309 of the District code to inform affected ANC's of its actions--and certainly the filing of a report with the BZA on a zoning case is "an action." I will seek legal clarification on this point by sending a copy of this message to the newly constituted Office of Advisory Neighborhood Commissions.

I have the feeling of being used--and then misused-- by your office in participating in the drafting of a Strategic Action Plan (SNAP) for Cluster 13. Out of our deliberations came consensus on a priority objective "to control expansion beyond their current boundaries" of schools and institutions within Cluster 13, which roughly covers the same territory as ANC3D. A group of us from Ward 3 discussed this objective with the Mayor (I know Mr. Collins was present) and the case of St. Patrick's school was specifically mentioned. The Mayor expressed interest in the objective and said he would refer it to Mr. Altman's office. The Mayor's interest and the SNAP's recommendations must have gotten lost somewhere between the mayor's office and the Office of Planning. They certainly got distorted. Control, by my definition, means to limit. But in a semantic legerdemain, your report bypasses "control" and argues that since the SNAP report did not "prohibit", therefore it was possible to approve of St. Patrick's expansion and still somehow not violate the SNAP's priority recommendation.

You should re-read that sentence on the bottom of page 6 for its density of thought and glaring grammatical mistakes. It suggests that the report was hurriedly prepared and not reviewed carefully. The report is full of inconsistencies. On page 4, for example, it states that a board fence buffer on the south side would be "detrimental to the occupants of the house and the fence would block light to house (cq)" But then on page 5, in talking about the "high probability" that the students "could get loud at times" and toss frisbees into neighboring yards, it states: "Having some type of buffer between the properties may help the situation. Then on page 7, the report says "the only area of concern regarding noise is the impact on the neighbor to the south of the subject site and we believe that it may be solved by some type of buffer that will not block light and air to that property." The report does not specify what kind of a buffer could be installed that would block the noise (and frisbees) but not light and air to the adjoining property.

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BZA
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Exhibit No. 251

While arguing that the noise from the school would not be objectionable under section 206.2, the report also lays down the condition that St. Patrick's should not conduct a summer school at the MacArthur Boulevard site. Why no summer school if not to give nearby residents a respite from the noise?

It's too late now. Tomorrow afternoon the BZA will hold its hearing, and your representative will sit up at the podium as if a superior party to the proceedings. I sometimes wonder why your representative is not sitting down in the audience with other parties to the case, such as an ANC. But that's a debate for another day that could lead us into a discussion of whether the SNAP network is duplicating the work of the ANC's, with the crucial difference that your office reports only to the mayor while the ANC'S report to the people. But meanwhile, it is too bad you did not send along an advance copy of your report. I might have been able to correct some of the grammatical mistakes and point out the contradictions and inconsistencies.

No longer voluntarily yours,

John Finney