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APT. 531
WASHINGTON, D.C. 20016

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June 28, 2002

D.C. Office of Zoning
441 4th Street, NW
Suite 210 South
Washington, D.C. 20001

RE: No. 16875 -- Filing of Enclosed Motion

To Whom It May Concern:

I respectfully request that you include the enclosed Motion to Re-Open Hearing, Declaration in Support, and Accompanying Exhibits in the package of materials being sent to the Zoning Board in preparation for its July 2, 2002 meeting.

As the following chronology illustrates, I have labored very diligently to file these materials as quickly as possible for consideration by the Zoning Board at its meeting.

- On Thursday, June 20, 2002, I received a copy of Applicant's Management Plan via U.S. Mail. It was filed on June 17, 2002. I also prepared a Petition based upon this Management Plan and circulated copies in my neighborhood.
- On Monday, June 24, 2002, only four days later, I filed an eleven-page, double-spaced Preliminary Response to the Management Plan, along with two exhibits, as ordered by the Board.
- Two days later, on June 26, 2002, I filed an original and twenty copies of my thirteen-page, single-spaced Proposed Findings of Fact and Conclusions of Law, along with 4 exhibits, again pursuant to the Board's order.
- Today, two days later, I am requesting that you accept for filing an original and twenty copies of the enclosed fifteen page, double-spaced Motion; seven-page, single-spaced Declaration in support; and accompanying nine exhibits.

As the above makes clear, I have labored very diligently to complete and submit this filing as quickly as possible.

Thank you for your assistance.

Sincerely,

Peter C. Choharis

cc. Brigitte L. Adams

BZA
Case No. 16875
Exhibit No. 42

Board of Zoning Adjustment
District of Columbia
CASE NO.16875
EXHIBIT NO.42

District of Columbia Board of Zoning Adjustment
Re: Application 16875
All Souls Memorial Episcopal Church Application for
Special Exception to Lease Commercially its Parking Lot

MOTION TO RE-OPEN HEARING AND VACATE SCHEDULE
BASED UPON
(1) APPLICANTS'OMISSION OF MATERIAL FACT AND INACCURATE OR MISLEADING STATEMENTS OR MISSTATEMENTS OF FACT; (2) LACK OF NOTICE TO AFFECTED PERSONS; (3) AND NEW FACTUAL DEVELOPMENTS

Pursuant to Title 11, Sec. 3107.3, Party Opponent Peter C.Choharis ("Choharis") hereby moves to re-open the hearing and to vacate the schedule in the above-captioned application for special exception based upon (1) Applicant All Souls Memorial Episcopal Church ("All Souls" or "the Church") representatives' multiple omissions of material fact and inaccurate or misleading statements or misstatements of fact, (2) lack of notice to affected persons residing in homes and buildings in the immediate vicinity of the subject All Souls parking lot; and (3) the development of new facts and information that bear directly on neighborhood and community opposition to the subject Application.

In support of this motion, Choharis submits the following Points and Authorities and Declaration and Exhibits attached hereto.

POINTS AND AUTHORITIES

1. All Souls's Material Omissions of Fact and Inaccurate and Misleading Statements or Misstatements of Fact

It is fundamental to due process and administrative law that a hearing must be fair and must provide all parties with an opportunity to argue the merits based upon an accurate record. Just as fundamental, an administrative agency must be able to base its decision upon an accurate and complete record. Far from providing this Board

with all necessary information, the record – including testimony from multiple witnesses for All Souls – contains false, misleading, or incomplete information that goes to the very basis of the Application.

As explained more fully below, among the ways All Souls corrupted the record were its:

- failure to inform this Board of All Souls's prior, illegal leasing of its Parking Lot, including valet parking – even when directly asked at the May 29, 2002 Hearing ("Hearing")

- repeated false testimony about the very reason for its Application: that the Woodley Park Community Association ("WPCA") asked the Church to lease its Parking Lot to businesses and neighbors, when in fact the WPCA did not

- failure to reveal that All Souls told both the WPCA and ANC that it would lease the Parking Lot in the manner it had before, when in fact All Souls had never leased 17 parking spaces from midnight Sunday through midnight Friday

- failure to reveal that it never informed the neighbors along the streets surrounding the Parking Lot that it intended to seek WPCA and ANC support so that the neighbors could make their views known at those meetings

- failure to correct its Application Statement of Existing and Intended Use – the basis upon which the District of Columbia Office of Planning (and possibly other government agencies) based its support of the Application – which said that "business owners and their employees" asked the Church to lease its Parking Lot, when All Souls expressly disavowed that justification for its Application during the Hearing

The effect of All Souls's multiple omissions of material fact and inaccurate statements of fact denied Choharis a fair proceeding[1] and this Board a chance to obtain accurate information. Indeed, the cumulative effect of the corrupted record is

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[1] Choharis notes that the case file was only provided to him after his opportunity to cross-examine the All Souls's witnesses had ended. *See* Tr. 82. Choharis respectfully requests that the Board consider the resulting severe limitations on Choharis's ability to cross-examine effectively opposing party witnesses, as the Board considers the equities of this Motion to Re-Open the Hearing and Vacate the Schedule.

undeniable. It left this Board with the grossly mistaken impression of widespread community support for the Application when, in fact, there is widespread opposition. See Exs. 5-7 attached to Choharis Declaration. At the end of the Hearing, Chairperson Griffis told Choharis:

> "So I would ask you . . . that you also be aware and speak to your neighbors and figure out how this issue has come with such support and [sic] this point and left you alone hanging out there in your opposition."

Tr. 132. When Choharis and two neighbors did just that, they discovered that the overwhelming majority of people did not know of the Church's plan to lease its Parking Lot and nearly everyone they asked, more than 70 neighbors, opposed the plan.

Furthermore, Chairperson Griffis was not the only Board member to rely upon inaccurate or incomplete information. Member Zaidan inaccurately believed that the neighbors surrounding All Souls "have already been notified about [All Souls's proposal to lease parking spaces] properly." Tr. 126. Indeed, Member Zaidan based his decision not to keep the Hearing open based upon this inaccurate information and the mistaken representations by All Souls of wide community support: "I don't think that going out, allowing the opportunity to go out and stir people up who have already been notified about it properly is going to do any benefit." *Id.*

But Case file No. 5 (a map showing the homes within a 200 foot radius of the Parking Lot to determine who must be served with notice of the Hearing), indicates that a substantial number of neighbors on Woodley Place and Cathedral Avenue were not served. Indeed, when Choharis and two neighbors canvassed the neighborhood with a Petition opposing the Application, dozens of people reported that they had never heard of

the Church's proposal to lease its parking lot. See Declaration of Peter C. Choharis in Support of Motion to Re-Open Hearing attached hereto ("Declaration" or "Decl.") Par. 31.

In short, re-opening the Hearing is the only way that this Board can base its decision on an accurate and complete record, that the overwhelming neighborhood opposition to the Application will be heard, and that Choharis will receive due process.

The Declaration sets forth in great detail the numerous material omissions of material fact and inaccurate, incomplete, or false statements made by All Souls's witnesses during the Hearing. Rather than duplicate that detail here, the following is a summary.

1.1 All Souls never divulged that it had been leasing its Parking Lot illegally prior to seeking an application for a special exception.

As the Declaration (at pars. 4-12) explains, All Souls had been renting its Parking Lot illegally – including, at one time, for valet parking -- until a neighbor complained. Decl. par. 5, 10. Yet, not one of the four witnesses divulged this information to the Board. All Souls's 2001 Annual Report, excerpted as Ex. 1, clearly identifies its former illegal practice. *See, e.g.*, p. 8 ("Our efforts to secure a zoning exception that will enable us once again to use our parking lot for commercial purposes is proceeding . . . ."); pp. 14 and 16. Indeed, despite writing page 8 of the 2001 Annual Report, All Souls witness and Senior Warden Michael McGee (Tr. 28) did not see fit to inform this Board that the Church had previously and illegally leased its parking lot.[2]

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[2] Nor did any of the four witnesses mention the Church's prior leasing of the Parking Lot for valet parking and the neighbors' angry complaints about the dangers posed by it, Decl. par. 10, when Chairperson Griffis asked about Nema Shafik's letter asking that the Parking Lot not be used for valet parking. *See* Tr. 34.

Even more troubling, when Choharis asked Rev. John David van Dorn ("Rev. van Dorn") directly, "you haven't rented it [Parking Lot] like this before, have you?," Rev. van Dorn answered, "We've had times in the past cars have – it's been full of people." Tr. 68. Put charitably, this answer was unresponsive, incomplete, and evasive. Nor did any of the other three witnesses correct the record.[3]

All Souls went to the WPCA seeking support for its proposal (and not the other way around) at the end of April, 2001 – apparently only **after** the City threatened it with daily fines if it did not stop leasing the Parking Lot. See Ex. 3; Decl. par. 6.

Had All Souls revealed this information at the Hearing, especially after being asked directly, Choharis and this Board could have (1) explored the Church's true motivation for seeking a special exception and (2) exposed the Church's trumped-up reasons for its Application, discussed below. Moreover, Choharis could have explored (3) who had leased parking spaces previously and illegally, (4) whether they were on the "list" of business owners who had expressed an interest in leasing parking spaces (Tr. at 51, 62), (5) whether these business owners were the ones who All Souls claimed on its Application Statement of Existing and Planned Use (Case file No. 3) had asked the Church to lease the Parking Lot, (6) whether those who had illegally leased spaces or their relatives or social acquaintances were members of the WPCA and ANC (in fact, Choharis learned that members of both organizations knew at least one illegal parking

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[3] All Souls again responded incompletely when answering Chairperson Griffis's question, "And then during the week, the church doesn't have functions that would have need for [parking] spaces?" Tr. 51. Ms. Adams testified, "**No**, there is once a month a vestry meeting, but it's our expectation and also because based on the applicants that we're receiving for parking spaces, that those spaces would be available during the evening hours." (emphasis added). In fact, All Souls has numerous scheduled meetings, events, and services on weekdays and evenings, not just a vestry meeting once a month. *See* Decl. par. 15; Ex. 2.

tenant and wanted to help him), and (7) whether those who had illegally leased spaces and/or were on the "list" for the 17 spaces were the "residents in the neighborhood" that All Souls insisted supports its Application (Tr. 126). Unable to develop the record on these issues and other critical issues, Choharis was deprived of his due process right to cross-examine meaningfully witnesses and to develop his case in opposition. Worse, this Board was deprived of the truth.

1.2 All Souls repeatedly and falsely claimed as the very basis for its Application that the WPCA asked the Church to lease its parking lot, thereby purposely creating a false impression of widespread demand for the Application

All Souls repeatedly and falsely testified during the Hearing that the basis for its Application was WPCA's asking the Church to lease its Parking Lot and that the Church was applying for a special exception in order to respond to the community's request for more parking. For example, in response to my question, "Why is the application here?," meaning what is the basis for All Souls's Application, Ms. Adams answered: "The church has been approached by the Woodley Park Community Association which adopted a resolution in April 2001 asking the church to put to use its otherwise vacant parking lot during the week." Tr. 61.

In doing so, Ms Adams repeated the false testimony that she gave during her opening remarks to the Board: Tr. 32 (""the Woodley Park Community Association approached the church and asked that it ease some of the parking congestion in the neighborhood by opening its lot to residents and to some of these business owners and business employees in the area during the week"); Tr. 33 ("So the proposal that the

church has made, on the recommendation of the Woodley Park Community Association, is for weekday parking in the lot on a contract basis . . . ."

But in fact, the WPCA did not ask the Church to lease its Parking Lot in order to relieve parking congestion. Rather, All Souls sought support from the WPCA. *See* Decl. at pars. 17-18.

Moreover, despite Ms. Adams testifying falsely three times about the reason and justification for the All Souls Application for special exception, none of All Souls's three other witnesses ever corrected the record -- just as three other witnesses failed to correct Reverend van Dorn's testimony regarding prior leasing of the Parking Lot. See Tr. generally.

On June 19, 2002, Choharis called Ms. Adams and informed her that I believed All Souls' repeated testimony about the WPCA approaching the Church and asking it to lease the Parking Lot was false and that All Souls' failure to reveal that it had previously leased the Parking Lot illegally was a material omission of fact. See Decl. at par. 23.

Far from denying that its prior testimony was false three separate times, All Souls has beaten a hasty retreat. Nearly a month after the Hearing, and only after Choharis confronted the Church's lawyer with the truth, All Souls now meekly asserts that "The Woodley Park Community Association ("WPCA") was informed of the Church's Application." All Souls's Statement of Facts and Conclusions of Law at 2.[4] Banished

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[4] All Souls's Statement of Facts and Conclusions at 2 also claims that "hundreds of neighborhood residents eligible to vote on WPCA matters attended [and that] the WPCA unanimously adopted a Resolution endorsing the plans of the Church." The minutes of the meeting reveal, however, that it was an Executive Committee meeting. *See* Ex. 3 attached to Declaration. At a June 20, 2002 WPCA Executive Committee, President Ron David informed me and others that only Executive Committee members can vote at an

from the Church's last filing is any mention of it responding to the WPCA's entreaties to lease the Parking Lot.[5]

The exposure of All Souls's prior lies is lethal to its Application. The WPCA's fictional approaching the Church to lease its Parking Lot in order to meet the community's need for more commercial parking was the **only reason** offered by All Souls for its Application at the Hearing. *See* Tr. 32, 33, 61. Absent this reason, there is **no stated basis** upon which to approve the Application. The exposure of these lies also explains why more than 70 people have registered their opposition to the Church's plan in a very short period of time, which again should be lethal to the Church's Application. *See* Decl. at pars. 29-33.

Executive Committee Meeting. The WPCA website indicates that there are only a handful of officers of the WPCA. See Ex. 4.

[5] Nor has All Souls been forthcoming with this Board about the Church's plan to **increase the number of parking spaces from 19 to 21**. For example, in its Management Plan (at 2), All Souls incorrectly states that there are "21 parking spaces" currently. It repeats this in its Statement of Facts and Conclusions of Law at 6. At the Hearing, All Souls said fuzzily, "the parking lot is structurally complete. The striping is in a somewhat different configuration at the moment, but new striping is planned . . . ." Tr. 37.

Perhaps again relying upon the Church's representations, the Office of Planning Memorandum (Case file No. 25) at 4 erroneously states, "to use up to 17 parking spaces on a 21-space parking lot . . . ." *See also* Tr. 81 (John Ward, Office of Planning) (""the 21 parking spaces that we had discussed in there currently and historically exist in the parking lot. I mean, they're not new.")

In fact, there are currently **only 19** parking spaces. Decl. par. 14. Currently, there are only two parking spaces immediately to the right of the entrance to the Parking Lot. According to posted signs, they are reserved for the "Rector" and the "Parish Administrator." These spaces run east-west parallel to the Parking Lot entrance. The Church proposes to replace these two spaces with four spaces running north-south, perpendicular to the entrance. *See* Case file No. 8, Proposed parking plan, spaces numbered 18-21. *See* Decl. par. 14. Thus, All Souls plans not only to expand the use of the lot by commercially leasing it from midnight Sunday through midnight Friday, but also to increase the number of parking spaces.

1.3 All Souls only admitted that its Application Statement of Existing and Intended Use – the basis upon which the District of Columbia's Office of Planning based its support of the Application – was incorrect after being forced to do so on cross-examination at the Hearing

All Souls' Application for Special Exception Statement of Existing and Intended Use (Case file No. 3) states: "The Church has been approached by a number of business owners and their employees who drive in from other neighborhoods to open its available parking spaces for weekday parking for non-Church purposes."

The District of Columbia Office of Planning ("OP") relied upon this statement in the All Souls's Application when the OP justified its support of the Application despite the Parking Lot's failure to meet the requirements of Zoning Regulation Sections 213.2 and 213.3:

> "Neither of the commercial districts is within 200 feet of the Church, nor is the parking lot separated from either of the commercial district [sic] only by an alley. However, it is the owners of some of the businesses in the two referenced commercial districts, and their employees, who are seeking to contract parking arrangements with the Church, because the Woodley Park neighborhood lacks sufficient parking to accommodate the demand for parking spaces."

Memorandum at 6 (Case file No. 25) *See also id.* at 4 ("Area business owners, on behalf of employees, have approached the church about the possibility of using portions of the Church's parking lot for employee parking.")

As noted above, All Souls denied both the Board and Choharis a full and fair opportunity to investigate what business owners and employees had previously leased parking spaces. As a result, neither could investigate whether they were the same "business owners and their employees" who All Souls claimed in its Application Statement of Existing and Intended Use had asked the Church to lease parking spaces. Thus, Choharis was denied the opportunity to uncover whether All Souls was attempting

to use those with whom it had conducted prior illegal business dealings to support its Application.

More importantly, Alls Souls's testimony during the Hearing disavowed any business owners approaching it to lease parking spaces. Accordingly, the only other basis in the record for All Souls's Application has also been withdrawn.

All Souls's repeatedly testified that the WPCA approached the Church and asked it to lease parking spaces (Tr. 32, 33, 61). This testimony directly contradicts All Souls's Application at 1, which states that "[t]he Church has been approached by a number of business owners and their employees . . . to open its available parking spaces for weekday parking." (Case file No. 3). Indeed, Ms. Adams adamantly denied that the business community approached the Church and instead insisted that it was "the Woodley Park Community Association, and that is a body of neighbors, your neighbors" that did so. Tr. 61. When further pressed, Ms. Adams explained that her testimony that "[w]e've been approached by business owners and business employees from the commercial area down the street interested in renting or you know, parking in our lot during the week" was not meant to suggest that the business community was included in the Woodley Park Community Association's alleged overture to the Church asking it to rent spaces. Tr. 61. Ms. Adams said, "What I mean to say is that we've been approached by some business owners asking that they be able to use our lot . . . ." Tr. 62. To emphasize that business owners were not included when the WPCA allegedly asked the Church to lease parking spaces, Rev. van Dorn interjected, "I do know that the Woodley Park Community Association meets in the church . . . . I know no businesses represented there." Tr. 62.

Neither of All Souls's other two witnesses testified otherwise or corrected or modified these statements in any way.

All Souls' repeatedly disavowed, then, that the business community asked the Church to lease its parking spaces. And as demonstrated above, nor did the WPCA approach All Souls and ask it to lease its parking spaces. Thus, there is no evidence in the record that has not been disavowed or discredited of any sector of the community asking the Church to lease spaces. That is hardly surprising since the business community has more than a thousand available spaces for lease closer to the business district than the Parking Lot and the neighbors overwhelmingly oppose the proposal. *See* Decl. pars. 29-33; Exs. 5-7. With the only two reported bases for the special exception that had been offered by the Church now gone, there is no basis to approve the Application.

1.4 All Souls obtained support from the WPCA and ANC-3 based upon its inaccurate representation that it would lease its parking lot in the same manner as it had before it sought to lease the parking lot legally

Because All Souls never revealed to the Board or Choharis that it had previously leased parking spaces, there was no opportunity to develop the record about All Souls' prior, illegal "practice of renting out a limited number of parking spaces." Ex. 3, Minutes of WPCA Executive Committee meeting, April 19, 2001; Decl. 26. But as these Minutes reveal, the WPCA's resolution "was passed supporting the church's efforts to obtain the necessary variance that would be in line with its existing practice of renting out a limited number of parking spaces . . . ." Ex. 3 at 2. Similarly, the ANC Resolution 2002-009 (Case file Ex. No. 26) ("ANC Resolution") was based on All Souls' representations to the

Commissioners that its proposed leasing of its parking lot would be conducted in the same manner as before. *See* Decl. pars. 27-28.[6]

However, the evidence shows that All Souls never rented 17 parking spaces between midnight, Sunday to midnight, Friday as it now proposes. *See* Decl. par. 13. Accordingly, the WPCA's and ANC's approval of All Souls' proposal to rent parking spaces was based upon conditions that All Souls' Management Plan did not meet.

1.5 Party Opponent Choharis has suffered prejudice as a result of All Souls's multiple material omissions of fact and multiple inaccurate, misleading or misstatements of fact

Alls Souls's omission of material fact and incomplete, inaccurate or false statements of fact deprived Choharis of his right to a fair Hearing in a number of respects. Alls Souls's testimony created a false impression among the Board of broad community support for its Application (see Tr. 131-132) when, in truth, there is widespread opposition among the neighbors. (Exs. 5-7). This false impression also contributed to this Board's denying Choharis's request to keep the Hearing open so that he could provide evidence of neighborhood opposition. *See, e.g.*, Tr. 126. As a result, Choharis was forced to spend an enormous amount of time and money preparing this Motion, Declaration in Support, and supporting Exhibits. *See* Decl. pars. 38-39. In addition, the false and inaccurate testimony skewed the Hearing, cut off lines of inquiry, and undermined Choharis's ability to conduct effective cross-examination. Thus, Choharis could not effectively develop his case in opposition.

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[6] Further undermining the ANC's support is the fact that the ANC Resolution expressly relied in part upon "the full support of the Woodley Park Community Association," (Case file No. 26), which was itself premised upon unfulfilled representations.

It is fundamental that, in order for a hearing to have integrity, the testimonial record must be sound. That is why all U.S. federal and state courts may impose severe sanctions for false, misleading or purposely incomplete or inaccurate testimony. An appropriate sanction for this Board would be to deny All Souls' Application outright. Short of that, re-opening the Hearing seems more than reasonable. Indeed, justice requires it.

2. Dozens of Neighbors Never Received Notice of this Board's Hearing and None of the Neighbors were informed of the Church's Intent to Seek Approval from the WPCA or ANC.

As noted above, Case file No. 5 (a map showing the homes within a 200 foot radius of the Parking Lot), indicates that a substantial number of neighbors on Woodley Place and Cathedral Avenue were not served with notice of the Board Hearing. Indeed, when Choharis and two neighbors canvassed the neighborhood with the Petition, dozens of people reported that they had never heard of the Church's proposal to lease its parking lot. Decl. at pars. 31-32.

Moreover, 65 neighbors signed a Petition stating:

> Absence of notice. None of us received notice that the Church was seeking support of its proposal to lease commercially its parking lot from the Woodley Park Community Association or ANC-3. Nor did the Church ever seek our views on leasing the parking lot before approaching these organizations

Ex. 5. Three other neighbors sent e-mails either asking that their names be added to the Petition or saying that they never received notice. Ex. 6. Indeed, the ANC Resolution itself does no state that it provided "proper notice," even though an ANC "report" is required to do so by statute. *See* Title 11, Section 3115.1(c) (requiring provision of

information indicating "whether the proper notice of [the ANC meeting to consider the application] was given by the ANC.")

Given how many neighbors have been completely blindsided by the Church's Application, it is only just to re-open the Hearing to consider their views.

3. New Facts and Information Bear Directly on the Neighborhood's Opposition to the Application

Barely a week ago, on June 20, 2002, All Souls for the first time revealed exactly how it planned to operate the Parking Lot if permitted to lease up to 17 spaces from midnight Sunday through midnight Friday. Prior to that, neither the neighbors – nor the WPCA or ANC -- had any idea of the Church's management plans.

It was for this reason that Choharis waited to receive the Management Plan before circulating a Petition opposing the Application. This was also the reason why Choharis attached the Management Plan to the Petition: so that the neighbors could understand exactly what All Souls planned. *See* Decl. par. 29.

As Choharis's Response to the Management Plan pointed out, All Souls thought so little of the concerns raised by Choharis and shared by more than 70 of his neighbors that the Church did not undertake a single new obligation – not even undertaking to install one additional light bulb in the Parking Lot. The neighbors responded to the Management Plan by opposing the Application overwhelmingly. Exs. 5-7. Whatever All Souls may have told this Board about community support prior to releasing its Management Plan, it is now undeniable that the neighborhood overwhelmingly opposes the commercial lease of the Parking Lot. *See* Decl. pars. 29-33. This Board should re-

open the Hearing to enter evidence of the neighborhood's current antipathy to Alls Souls' Application.

Conclusion

For all the foregoing reasons, Party Opponent Choharis respectfully requests that this Board re-open the Hearing in order that it may base its decision on an untainted record.

June 28, 2002

Peter C. Choharis

Peter C. Choharis
2771 Woodley Place, N.W.
Washington, D.C. 20008

Currently living at:
3101 New Mexico Ave., N.W.
Apt. 531
Washington, D.C. 20016
202-362-1240

Proof of Service

I, Peter C. Choharis, do hereby state that I hand-delivered a copy of the foregoing (1) Motion to Re-Open Hearing, (2) Declaration of Peter C. Choharis in Support of Motion, and (3) accompanying Exhibits to:

Ms. Brigitte L. Adams
2800 Wisconsin Avenue, N.W., # 208
Washington, D.C. 20007

On this 28th of June, 2002.

Peter C. Choharis

In Re: 16875
Application of All Souls Church for a Special Exception

Declaration of Party Opponent Peter C. Choharis
In Support of Motion to Re-Open Hearing

I, Peter C. Choharis, under penalty of perjury hereby declare as follows:

1. I am the owner of 2771 Woodley Place, N.W., Washington. D.C. which is my legal address.

2. I am currently a Visiting Scholar at the George Washington University School of Law. I have practiced law for more than ten years as a litigator at the law firm of Mayer, Brown & Platt located at 1909 K Street, N.W., Washington, D.C. 20006 and, prior to that, at the law firm of O'Melveny & Myers, located at 555 13th Street, N.W., Washington, D.C. 20004. I have also taught Remedies as an adjunct professor at the Washington College of Law at American University and a seminar on international law at Yale University.

3. I have personal knowledge of the facts stated in this Declaration, and if called as a witness, I could and would testify as follows:

All Souls's Prior Illegal Leasing of Parking Lot

4. Debra Gross ("Gross") is my neighbor and resides at 2746 Woodley Place, N.W. Washington, D.C. During numerous conversations in person and via telephone, Gross informed me that she served for two years on the Woodley Park Community Association ("WPCA"). Unless otherwise noted, the facts in this subsection (Pars. 4-10, 12) are based upon my conversations with Gross.

5. In March, 2001, Gross parked her car in the All Souls Memorial Episcopal Church ("All Souls") Parking Lot ("Parking Lot"), because of work being done in the back of her house. When she tried to retrieve her car from the Parking Lot, an All Souls' officer, Barry Huber, told her that it had been towed. When Ms. Gross asked why other cars in the Parking Lot had not been towed, Huber informed her that they were renting spaces.

6. Not pleased with commercial parking being conducted in a residential neighborhood, Gross called the City to complain. She also asked that her identity not be disclosed. In April 2001, a woman named Yvette from the D.C. zoning office called Gross from the Parking Lot to inform her that she had given the Church two weeks to end its leasing operation; and, if it did not stop, it would face a substantial fine for each day it kept leasing spaces.

7. Despite Gross's request for confidentiality, her name was divulged. A neighbor who was a member of the Church, a gardener working at the Church, and others confronted her on the street and yelled at her for reporting the Church, one person even accusing her of being "an enemy of the Church."

8. Ms. Gross met with the Church Board (vestry) and the rector, Rev. John David van Dorn ("van Dorn") and told them that she opposed commercially parking on the street; but if they wanted to do it, they should at least put up a gate with a card key. Van Dorn and the Board refused to erect such a gate, and Gross replied that she opposed the lease of the Parking Lot.

9. Gross did not become more active opposing the commercial leasing of the Parking Lot, including writing this Board or appearing at this Board's May 29, 2002 Hearing ("Hearing") to oppose it, because of the abuse she had already suffered as a result of her reporting the Church. Nonetheless, van Dorn and the vestry were clear about her opposition.

10. Gross also learned that All Souls had previously allowed the Parking Lot to be used for valet parking. After neighbors complained about the danger posed by valet attendants racing down the alley behind their homes (the alley between Woodley Place and Connecticut) when these neighbors were trying to get out of their garages, walk their dogs, or walk with their children, the Church stopped valet parking.

11. The 2001 Annual Report, All Souls Memorial Church, May 19, 2002 confirms that All Souls had leased its Parking Lot. See Ex. 1, p. 8 ("Our efforts to secure a zoning exception that will enable us once again to use our parking lot for commercial purposes is proceeding . . . ."); *id.*, p. 14 ("As most parishioners know, rental of the parking lot was curtailed until a zoning variance is received from the city."); *id.*, p.6 (reporting actual revenue from parking lot of $5,185 versus budgeted amount of $14,000 as of December 31, 2001).

12. All Souls never revealed to the Board during the May 29, 2002 Hearing ("Hearing") that it had previously leased the Parking Lot– even when I directly asked the Rector of All Souls, Father John David van Dorn. Tr. 68. Nor did the other three witnesses reveal the fact that the Church had previously (and illegally) leased the Parking Lot.

13. From speaking with neighbors, my understanding is that during the time that the Church illegally leased the Parking Lot, it never leased seventeen (17) parking spaces. Nor did it lease 17 spaces at all times of the day and night from midnight, Sunday through midnight, Friday.

Current Weekday and Weeknight Use of Parking Lot

14. Upon personal observation, there are currently only 19 parking spaces in the Parking Lot. All Souls's Management Plan (at 2) incorrectly states that there are "21

parking spaces" currently. All Souls's Statement of Facts and Conclusions of Law at 6 repeats this. These statements are inaccurate. There are currently **only 19** parking spaces demarcated. There are only two parking spaces immediately to the right of the entrance to the Parking Lot. According to posted signs, they are reserved for the "Rector" and the "Parish Administrator." These two spaces run east-west parallel to the Parking Lot entrance. The Church proposes to replace these two spaces with four spaces running north-south, perpendicular to the entrance. *See* Case file No. 8, Proposed parking plan, spaces numbered 18-21. All Souls plans not only to expand the use of the lot by commercially leasing it from midnight Sunday through midnight Friday, but also to increase the number of parking spaces.

15. Every week during weekdays and evenings, All Souls uses the Parking Lot for Church meetings, meetings by such groups as Alcoholics Anonymous and the Woodley Park Community Association, and services. See Ex. 2. The Parking Lot is no way underutilized.

16. For example, I personally observed at 7:30 pm on June 25, 2002, 13 cars parked in the Parking Lot and a fourteenth vehicle, a van, parked illegally in front of the Parking Lot entrance. I was told by a woman in the parking lot that the "Church was having a meeting."

17. In order to park legally on Woodley Place or on Cathedral Avenue, automobiles must have a zone sticker. I see daily cars without the correct zone stickers with parking tickets.

Woodley Park Community Association and ANC-3 Purported Support

18. In a telephone conversation with Martin G. Murray ("Murray"), the President of the Woodley Park Community Association ("WPCA") in April, 2001, Murray told me that All Souls approached the WPCA and asked to make a presentation about leasing the Parking Lot. When I asked if WPCA approached All Souls and asked the Church to lease the Parking Lot, Murray said, "I **wouldn't** characterize it as us [WPCA] coming to them [All Souls]." (emphasis added). Murray elaborated that a woman from All Souls with a name that sounded like "Mother Hubbard" [Mother Hayden, the former assistant rector] presented reasons for why the Church wanted to rent its parking spaces.

19. The minutes of the WPCA Executive Committee Meeting of April 19, 2001 (Ex. 3) substantiate Murray's account that the WPCA did not approach All Souls and ask it to lease the Parking Lot, but that All Souls went to the WPCA seeking its support.

20. Ms. Adams testified repeatedly and inaccurately during the Board's May 29, 2002 hearing that the Woodley Park Community Association approached All Souls asking the Church to lease parking spaces. In answer to my question, "Why is the application here?," meaning what is the basis for All Souls's Application, Ms. Adams answered: "The church has been approached by the Woodley Park Community Association which

adopted a resolution in April 2001 asking the church to put to use its otherwise vacant parking lot during the week." Tr. 61.

21. In doing so, Ms Adams repeated the false testimony that she gave during her opening remarks to the Board: Tr. 32 (""the Woodley Park Community Association approached the church and asked that it ease some of the parking congestion in the neighborhood by opening its lot to residents and to some of these business owners and business employees in the area during the week"); Tr. 33 ("So the proposal that the church has made, on the recommendation of the Woodley Park Community Association, is for weekday parking in the lot on a contract basis . . . ."

22. Despite Ms. Adams's falsely testifying three times about the reason and justification for All Souls's Application for special exception, none of All Souls's three other witnesses ever corrected the record -- just as three other witnesses failed to correct Reverend van Dorn's testimony regarding prior leasing of the Parking Lot. See Tr. generally.

23. On June 19, 2002, I called Ms. Adams and asked that I meet with her, Rev. van Dorn and other representatives of All Souls to discuss the fact that All Souls had never revealed that it had previously leased its Parking Lot – despite my direct question of Reverend van Dorn – and the repeated and false testimony that the reason for All Souls's Application was in response to the WPCA's request for the Church to lease its parking lot. Ms. Adams denied my request for a meeting.

24. All Souls in its Statement of Facts and Conclusions of Law at 2, which was signed by Ms. Adams, now merely claims that "The Woodley Park Community Association ("WPCA") was informed of the Church's Application."

25. All Souls's Statement of Facts and Conclusions at 2 also claims that "hundreds of neighborhood residents eligible to vote on WPCA matters attended [and that] the WPCA unanimously adopted a Resolution endorsing the plans of the Church." The minutes of the meeting reveal, however, that it was an Executive Committee meeting. See Ex. 3. At a June 20, 2002 WPCA Executive Committee, President Ron David informed me and others that only Executive Committee members can vote at an Executive Committee Meeting. The WPCA website indicates that there are only a handful of officers of the WPCA. See Ex. 4.

<u>All Souls's Failure to Reveal Plans to WPCA and ANC</u>

26. Former WPCA President Murray also said that All Souls did not indicate that it planned to lease 17 parking spaces from midnight, Sunday through midnight, Friday, rather "[i]t was more like the status quo being returned rather than something different for the neighborhood." Again, the Executive Committee Minutes substantiate Murrays's recollection: "A resolution was passed supporting the church's efforts to obtain the necessary variance that would be in <u>line with its existing practice</u> of renting out a <u>limited number of parking spaces</u> . . . ." Ex. 3 (emphasis added).

27. I have been told that All Souls similarly told the ANC that it would lease the parking lot in the same way that it had previously done. When I called ANC Commissioner Cheryl Opacinch, who introduced the ANC Resolution supporting the Church's proposal, to complain that neither I nor any other of the other neighbors along Woodley Place were ever told that the ANC planned to consider the Church's proposal, Ms. Opacinch told me not to worry, that the Church had been leasing parking spaces for years, and that nobody ever objected. When I responded that All Souls now planned to rent 17 spaces from midnight Sunday through midnight Friday and that it had never done so before, she expressed disbelief and said she would call the Church's attorney, Ms. Adams.

28. In a June 25, 2002 telephone conversation, ANC Commissioner Kurt Vorndran told me that the expectation of the ANC was that All Souls would lease its Parking Lot in the same manner as in the past. Again, according to Gross, at no time did All Souls previously lease 17 out of 21 parking spaces, illegally or otherwise. (Par. 12) Indeed, the parking lot currently has 19 parking spaces, not 21. It will have to be repainted and reconfigured to accommodate such spaces. See Tr. 37 and All Souls' proposed parking plan.

Overwhelming Neighborhood Opposition to Parking Lot Proposal

29. After I received All Souls's Management Plan on Thursday, June 20, 2002, I prepared copies of a petition outlining five concerns of the neighborhood -- 1. Safety, 2. Noise, 3. Character of the Neighborhood, 4. Traffic, and 5. Loss of Neighborhood Parking Spaces. ("Petition") Ex. 5. The Petition also summarized the Management Plan's treatment of these concerns and explained why the Management Plan's response was either inadequate or lacking. The sixth reason listed for opposing the Application is the lack of notice by the WPCA, ANC, or the Church that the WPCA and ANC would consider the Church's proposals. **I also appended the operative portions of the Management Plan, pages 7-19, behind the Petition so that neighbors could read for themselves the Church's Management Plan and judge its adequacy**. In order to avoid needless copying, I have omitted pages 7-9 of the Management Plan from Ex. 5.

30. I made several copies of the Petition and gave them to two neighbors, Mary Conte, who also wrote a letter (Case File No. 23, attached at Ex. 7), and Timothy Budd. I also gave several copies to Karen Kirsch and her husband, Neal Kirsch, President of the Woodley Park Place Condominium Association, located at 2801 Connecticut Avenue. Neal Kirsch wrote an e-mail letter in opposition (attached at Ex. 6). Finally, I sent Neal Kirsch an e-mail attachment copy of the Petition without the Management Plan attached.

31. Due to time constraints, Conte, Budd and I were only able to spend a few hours during the course of two evenings circulating the Petition. Nonetheless, sixty-five people signed the Petition. In addition, all three of us believe more people would be willing to sign the Petition if we had more time to circulate it. I personally was thanked by dozens of neighbors for opposing the Church's proposal and for bringing this issue to their

attention for the first time. Budd also told me that very few people had heard about the Church's plan prior to seeing the Petition.

32. Neal Kirsch also told me that he had never heard about the Church's plan, despite being the President of a Condo Association with 35 units, "20 of which directly face the church parking lot which is about 30 feet away across the alley." Kirsch e-mail/letter attached at Ex. 6. In addition to Kirsch and his wife's opposition, four other condo residents – including one who was traveling abroad -- sent e-mails asking to register their opposition.

33. Thus, in less than a week, 71 people living around the All Souls Parking Lot have registered their opposition to the Church's Application to lease commercially its Parking Lot. Gregory J. DeNinno, who like me lives directly across the street from the Parking Lot, has written a letter explaining in greater detail his reasons for opposing the Application. See Ex. 7.

Petition for Speed Bumps

34. In my testimony at the Hearing, in Choharis's Response to Management Plan at 8-9, and in Choharis's Proposed Findings of Fact and Conclusions of Law at Par. 21, p. 4, I referred to a petition being circulated in the neighborhood to install speed bumps on Woodley Place in response to the danger posed by speeding cars and by cars going up the one-way street in the wrong direction. Attached as Ex. 8 is a copy of that petition.

WPCA Executive June 20, 2002 Executive Committee Meeting and President Ron David's Letter

35. In Choharis's Response to All Souls's Management Plan, I wrote:

> Indeed, at an executive committee meeting of the WPCA held on June 20, 2002, at which Ms. Adams was present, the chairperson, Ron David, opined that it was the consensus of the executive committee that it would like to have additional time for the WPCA to consider the Management Plan and he asked Ms. Adams to ask All Souls to agree to a delay of the hearing process before this Board until the WPCA could consider the Management Plan. Ms. Adams informed Choharis that All Souls has refused the WPCA executive committee's request for such a delay.

36. On June 26, 2002, I received a facsimile from WPCA's legal counsel, Tony Nuland, of a June 25, 2002 letter authored by Mr. David (attached as part of Composite Ex 9). In that letter, Mr. David seems to want to disagree with some part of my recollection of his comments after the meeting. (I do not know who sent, or told Mr. David about, the above-quoted paragraph in Par. 35.)

37. I stand by my understanding of what Mr. David said at the WPCA meeting. Also attached at Composite Ex. 9 are my notes taken at the June 20, 2002 meeting that confirm what I heard Mr. David say as well as my June 25, 2002 e-mail exchange with Mr. David that set forth my understanding of what he had said. In his two e-mail replies to me, Mr. David never indicated that my understanding was inaccurate or erroneous. Moreover, on June 27, 2002, Timothy Budd, who also attended the June 20, 2002 WPCA meeting, told me that he remembered Mr. David asking Ms. Adams to ask All Souls to delay the zoning hearing so that the WPCA could consider the matter further.

Prejudice and Cost Suffered In Order To Correct All Souls's Multiple Omissions of Fact and Inaccurate or Misleading Statements of Fact

38. Since the May 29, 2002 Hearing, I estimate that I have spent more than one hundred hours interviewing neighbors, reading the Hearing transcript, drafting and circulating a Petition, calling and corresponding with other neighbors who are opposed to the Application, attending a WPCA meeting, calling WPCA and ANC members, reviewing the case file, collecting exhibits, drafting a motion to re-open the Hearing, and drafting this Declaration to correct the inaccurate record. This does **not** include the time I have spent filing my Response to Management Plan and my Proposed Findings of Fact and Conclusions of Law as part of my responsibilities as a party Opponent.

39. My efforts to correct the corrupted record have also forced me to all but abandon my legal scholarship during the last two weeks.

39. I also estimate that I have spent nearly $200 in out of pocket expenses litigating this case.

Executed on this 28th of June2002 Peter C. Choharis

Peter C. Choharis

Index of Exhibits in Support of Choharis Declaration

Number	Exhibit Description
1	2001 Annual Report All Souls Memorial Church, May 19, 2002 – excerpts
2	All Souls Schedules of Weekly Events – two examples
3	Minutes of WPCA Executive Committee Meeting, April 19, 2001
4	WPCA Officers
5	Petition Opposing All Souls' Application
6	E-mails Opposing All Souls' Application
7	Letters Opposing All Souls' Application
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9	Composite Exhibit: Ron David's June 25, 2002 Letter; Choharis's Contemporaneous Notes of June 20, 2002 WPCA meeting; E-mail exchange between Choharis and David

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Exhibit 1



2001 Annual Report

All Souls Memorial Episcopal Church

May 19, 2002

The Senior Warden

"I NOTE THAT THE FINANCIAL HEALTH OF THE PARISH IS RECOVERING. YET, WE ARE NOT OUT OF THE WOODS. WE ARE STILL FACED WITH A SIGNIFICANT CONTRACTION, FOR EXAMPLE, OF OUR MUSIC PROGRAM. THE BUDGET FOR MAINTENANCE WON'T STAND MANY EMERGENCIES."

Since our last annual meeting, the world has changed. We have changed as a parish against a background of a nation and world more vulnerable and, paradoxically, more nurturing than it seemed in May, 2001.

In retrospect, our worsening financial situation last Spring and the administrative concerns over keeping the parish operating so the rector could enjoy a well-deserved sabbatical seem embarrassingly prosaic in light of the tragedy of September 11, the lost and shattered lives, the heroism and self-sacrifice of the rescuers and the continuing sacrifices of our military and their families. But, since this a report on the state of this parish, I confine my remarks to the more prosaic and immediate.

Having touched on the subject of finances, I note that the financial health of the parish is recovering. We are not yet out of the woods. We are still faced with a significant contraction, for example, of our music program. The budget for maintenance won't stand many emergencies. Fortunately, we have been able to correct the water damage in the Undercroft and spruce up the paint. The electrical work planned in earlier budget cycles was finally completed this year, removing a significant threat of fire caused by inadequate electrical service.

Our efforts to secure a zoning exception that will enable us once again to use our parking lot for commercial purposes is proceeding at the pace dictated by the District government. This effort, if successful, will restore a substantial income stream. We owe our appre-

The Treasurer

"IN SUM, ALL SOULS COMMITTED ITSELF TO A ROBUST PLEDGE CAMPAIGN AND BUDGET. THERE WERE SEVERAL UNEXPECTED CIRCUMSTANCES, BUT THROUGH PRUDENT STEWARDSHIP, THE CHURCH COMPLETED 2001 IN THE BLACK WITH A SLIGHT BALANCE . . . . THE PARISHIONERS AND THE VESTRY ARE TO BE COMMENDED FOR THE YEAR."

In retrospect, 2001* was an exceptional year for All Souls Memorial Church. The Vestry adopted the most aggressive budget ever ($500,100). Bolstered by a successful pledge campaign that realized 95 percent of its projected goal overall, total operating revenue contributions slightly exceeded budget.

Earned revenue, as compared to operating revenue, on the other hand, was 68 percent short of projections ($10,980 actual vs. $48,000 projected). This was due primarily to two factors: one outside the control of the Vestry and one Vestry-initiated. As most parishioners know, rental of the parking lot was curtailed until a zoning variance is received from the city. In addition, the Vestry elected not to withdraw $32,000 of endowment interest since cash reserves on hand were sufficient to cover all 2001 expenses. The Vestry opted to leave the routine annual transfer in the endowment until 2002 due to economic market conditions.

Combining income from the two major categories—operating revenue contributions and earned revenue—All Souls reached 94 percent of projected budget ($468,411 vs. $500,100). This percentage rate was acceptable to the Vestry since operating expenses were only 88 percent of budget ($426,211 actual vs. $483,345 budgeted).

* The first third of 2002 will be reported on during the annual meeting.

INCOME & EXPENSE—*December 31, 2001*

OPERATING REVENUE CONTRIBUTIONS:	Budget	Actual	Over/(Short)	% of Budget Realized
Pledges	389,000	368,412	(20,588)	95%
Plate	40,000	50,113	10,113	125%
Memorials	-------	7,131	7,131	7131%
Bequests	15,000	22,585	7,585	51%
Flowers	2,600	5,036	2,436	194%
Music	2,000	1,337	(663)	67%
Fellowship	2,000	2,602	602	30%
Other	1,500	215	(1,285)	215%
Total Operating & Contributions	452,100	457,431	5,331	1.2%
EARNED REVENUE:				
Endownment Transfer	32,000	------	(32,000)	0%
Interest	1,000	1,570	570	57%
Parking Lot	14,000	5,185	(8,815)	37%
Church Use	1,000	1,510	510	51%
Bazaar	------	2,290	2,290	2290%
Other	------	425	425	425%
Total Earned Revenue	48,000	10,980	(37,020)	22%
TOTAL OPERATING REVENUES:	500,100	468,411	(31,689)	-6%

OPERATING EXPENSES:	Budget	Actual	Over/(Under)	% of Budget Spent
Salaries & Benefits	260,552	247,497	(13,055)	95%
Professional Fees	19,500	18,672	(828)	96%
Outreach & Services	54,478	51,477	(3,001)	94%
Worship	18,675	18,453	(222)	99%
Fellowship	5,200	4,801	(399)	92%
Office Supplies/Services	33,275	28,671	(4,604)	86%
Facilities	91,665	56,646	(35,019)	62%
Total Operating Expenses	483,345	426,217	(57,128)	88%
EXCESS TOTAL OPERATING REVENUE OVER OPERATING EXPENSES	16,755	42,194	25,439	

	Budget	Actual	Over/(Under)
Restricted Revenue	20,000	31,972	11,972
Restricted Expenses	------	66,027	66,027
Restricted Revenue Total	------	(34,054)	------
TOTAL CASH RESERVE FOR 2001	------	8,140 [1]	------

1. Net carry forward to 2002.

Exhibit 2

All Souls

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+ Pastoral Care
+ Worship

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Weekly Events Sche

Today -- 5/26	*Pentecost 2--Second Sunday after Pe*
	Guest Celebrant: the Rev. Dr. F Carlyle Cato
	Holy Eucharist, 8:30 and 11:00
	Childcare, 10:00 a.m.
	Endowment Fund Board meeti a.m.
	No Choir until September
	No Adult Forum until Septemb
	No Sunday School until Septem
	AA Meeting, Conference room,
Monday	AA Meeting, conference room,
Tuesday	Staff meeting, 9:30 a.m.
Wednesday	Christ House Breakfast, 7:00 a.r
	Low Mass at noon
	Christ House dinner, 4:00 p.m.
	Centering Prayer, 6:45 p.m.
Thursday	Matins, 7:15 a.m.
	Low Mass, 7:30 a.m.
	St. Mary's Court, 7:00 p.m.
Friday	
Saturday	Farmer's Market, 9:00 a.m.-1:00
	Mariotti & Woodall Wedding, 2
Next Sunday -- 6/9	*Pentecost 3--Third Sunday after Pen.*
	Holy Eucharist, 8:30 a.m. & 11:
	Childcare, 10:00 a.m.
	No Choir until September
	No Adult Forum until Septemb
	No Sunday School until Septem
	Blackwelder Funeral, 2:00 p.m.
	AA Meeting, Conference room,

Liturgical ministers for June 2nd

Acoyltes:	8:30	Nancy Charlton, Kevin LeGra Minos, Nicolas Cueter, Gary C
	11:00	*CR1*--Joe Howell, *T1*--Travis R *T1*--Mat Moten, *T2*--Not Assig *T2*--Not Assigned, *Book*--Landi *CR2*--Mike McGee, *Thur*--Paul *BB*--Victoria Woodall
Lectors:	8:30	(OT) Kevin LeGrand, (NT) N:

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Weekly Events Sche

Today -- 6/23	*Pentecost Fifth Sunday after Pentecost* Baptism of Emily Nicole Lopatki 11:00 Holy Eucharist, 8:30 and 11:00 a. Childcare, 10:00 a.m. No Choir until September No Adult Forum until Septembe No Sunday School until Septemb AA Meeting, Conference room, 3
Monday	AA Meeting, conference room, 8
Tuesday	Staff meeting, 9:30 a.m. Vestry meeting, conference room
Wednesday	Christ House Breakfast, 7:00 a.m. Low Mass at noon Centering Prayer, 6:45 p.m.
Thursday	Matins, 7:15 a.m. Low Mass, 7:30 a.m.
Friday	
Saturday	Farmer's Market, 9:00 a.m.-1:00 p
Next Sunday -- 6/30	*Pentecost 6--Sixth Sunday after Pentec* Baptism of James Alexander Brac Sophie Grace Murdock at 11:00 Holy Eucharist, 8:30 a.m. & 11:0(Childcare, 10:00 a.m. No Choir until September No Adult Forum until Septembe No Sunday School until Septemb AA Meeting, Conference room, 3 Cole/Blair wedding, 3:30 p.m.

Liturgical ministers for June 23rd

Acoyltes:	8:30	Nancy Charlton, Kevin LeGra Minos, Nicolas Cueter, Gary C
	11:00	*CR1*--Bill Glew, *T1*--John Willi *T1*--Chuck Helman, *T2*--Not A *T2*--Not Assigned, *Book*--Gary *CR2*--Paul Carter, *Thur*--Heidi I
Lectors:	8:30	(OT) Cynthia Evans (NT) Alii Kinabrew, (PP) John Kinabrew
	11:00	(OT) Jennifer Johnston, (NT) I Suggs, (PP) George Barnum

Exhibit 3

Minutes of WPCA Executive Committee Meeting
Thursday, April 19, 2001

Meeting Convened – Martin Murray, the president, opened the meeting at 7:05 pm at the Maret School. Approximately 50 persons attended. In addition to Murray, other executive committee members present were: Abby Martin (secretary), Armen Tashdinian (treasurer), Sally MacDonald (immediate past president); at-large members Jane Howard, Camille Kurtz, Tony Nuland, and Ronnie Rosenwasser; Barbara Ioanes (nominations committee chair), and Detective Nelson Morais (crime awareness).

Woodley Park Crime Discussion – Assistant US Attorney Rachel Carlson Leiber, who is assigned to the 2nd Police District, opened a discussion of area crime. Among other things, she said she hopes her office can operate as a clearinghouse on crime and urged residents to share information with her. During the give-and-take, detectives and police officers from the 2nd district also provided information. The discussion covered such areas as the substantial increase in robberies in the area, sentencing for armed robbery, the graffiti problem, and rotating of police officers every six months.

Committee Reports – Reports included the following:

Marilyn Mural: David White has talked with the building's owner and the artist who agreed to restore the mural. The restoration will cost approximately $5,000 to $6,000.

Oyster School: As a result of the new construction and landscaping plan, 21 new replacement trees will be planted, around the school and in the neighborhood.

Call Boxes: DPW will begin work on call boxes, including putting on primer, in June. All boxes in the WP area have been "adopted." The call box workshop had not yet been scheduled.

Treasurer's Report: The association's total balance (as of April 19) stood at $12,658.95. Tashdinian said the Shoreham West had contributed $500. Murray said he hopes to encourage contributions from other condo associations.

All Souls Church Parking Lot – The Reverend Andrea Hayden, assistant rector of All Souls, asked the WPCA for support for the variance the church intended to apply for related to use of the parking lot for non-church-related functions. A resolution was

passed supporting the church's efforts to obtain the necessary variance that would be in line with its existing practice of renting out a limited number of parking spaces to area residents and merchants and providing a site for a weekend farmer's market.

Redistricting – Councilmembers Jim Graham (Ward 1) and Phil Mendelson (at-large) led a discussion of redistricting in DC, which is constitutionally required following the 2000 census, and its potential impact on Woodley Park's two wards (1 and 3), both of which gained population during the 1990s. So that all 10 wards will have approximately the same population, Wards 1 and 3 will have to lose residents to other wards and boundaries will be redrawn. The entire redistricting process must be completed by July 1. Mendelson was to begin public hearings on redistricting April 23.

By-Laws and Minutes – A few additional changes were approved to the proposed by-laws which were to be presented to the membership for approval at the general meeting in May. The minutes for the March meeting were approved.

Meeting Adjourned – The meeting was adjourned at 9:45 pm.

Abby Martin, Secretary
June 16, 2001

Exhibit 4

Woodley Park
Community Association

PO BOX 4852 WASHINGTON, DC 20008

Home
Membership
Officers
City Services
Links
ANC 3C
SafetyBrochur

OFFICERS

President: Ron David wpcadc@hotmail.com

Vice President: Roy Woodall; Treasurer: Mary Beth Handsman; Secre Abby Martin; *At-Large members*: Camille Kurtz, Kathleen McCarthy, I Rosenwasser, Tony Nuland.

Past President: Martin Murray; Crime Awareness: Nelson Morais; Bus Liaison: Larry Aurbach; Traffic Impact: Jim Listorti; Horticulture: Valer Caracelli; Historical Committee: Judy Waxman; Oyster School liaison: loanes; Acorn editor: Guenter Riegler; Community Group Liaison: Sal MacDonald; Webmaster: David White Mrblanc@aol.com

To contact any of the officers of the WPCA, please use:
wpcadc@hotmail.com

Copyright: Woodley Park Community Association

Webmaster: David White

Updated: June 22, 2002

Exhibit 5

PETITION OPPOSING COMMERCIAL LEASE
OF ALL SOULS CHURCH PARKING LOT

After reviewing the attached, relevant portions of the Church's proposed Management Plan for the commercial lease of 17 out of 21 parking spaces from Sunday, midnight through Friday, midnight, we the undersigned neighbors oppose the Church's application for the following reasons:

Pages 7-19 of the Church's Management Plan were attached. [redacted] and available for review by all the Signatories.

1. Safety. Unattended cars, especially without a gate to control access, are a magnet for crime – both car theft and breaking and entering into cars. The Church's Management Plan (pp. 11-12) ignores the fact that, according to the Metropolitan Police Department, there were 52 incidents of auto thefts and vandalism in the neighborhood ("Reporting Area 238") during the past year, June 13, 2001 to June 13, 2002. The Plan's reliance on the prospect of "potential loss of parking privileges [and] police patrols" will not protect the neighborhood from crime. (p. 16).

2. Noise. The sound of car alarms, slamming car doors and trunks, the parking lot chain dropping, and loud voices will all be magnified by the tall apartment buildings behind the parking lot that project noise toward the street. The Church's Management Plan rejects posting a 24-hour guard; inaccurately claims that 17 additional cars "will not introduce any new sounds;" and calls upon "residents . . . to contact the police and report the nuisance or effect an arrest of the offending party" even in the middle of the night. (p. 18). The neighbors should not have to choose between ignoring loud noises from car alarms and parking tenants or racing to the parking lot in the middle of the night to confront or have arrested "unruly and disruptive" parking tenants. (p. 18).

3. Character of the neighborhood. Because of limited outdoor space, many residents enjoy their front porches for recreation. Additional traffic, and accompanying pollution and noise, will disturb the neighborhood's quiet character. The Church's Management Plan does not adequately address this issue.

4. Traffic. Woodley Place is a one-way street that already suffers from considerable traffic. Some neighbors are circulating a petition for the city to install speed bumps to try to reduce the speeding that regularly occurs. Seventeen additional cars will add to this traffic. The Church's Management Plan inaccurately claims that 17 additional cars will reduce vehicular traffic because they "will go directly to the Parking Lot" rather than circling the street for parking. (p. 19). This falsely assumes that each of these drivers would otherwise "circle the block in search of parking" rather than use one of the four available commercial lots – all of them closer to the business district; park somewhere else; or use the Metro. (p. 19). It also ignores the fact that the neighborhood will actually suffer a loss of parking spaces if the Church's proposal is adopted.

5. Loss of Neighborhood Parking Spaces. The Church hosts or conducts numerous, regular meetings throughout the week, including AA, Woodley Park Community Association, and religious services. Those attending these meetings currently park in the Church lot. But if the Church leases 17 spaces, many of these people will seek parking in the neighborhood, thereby depriving residents of already scarce parking. The Church's Management Plan ignores this issue and utterly fails to mention these meetings and week-day services. Instead, the Plan focuses on special church events such as funerals and weddings, and dismisses these additional "Church events [as] infrequent and not anticipated to pose a substantial problem for the weekday [parking] tenants." (p. 15). The Church is silent on the problems posed for the neighbors.

6. Absence of notice. None of us received notice that the Church was seeking support of its proposal to lease commercially its parking lot from the Woodley Park Community Association or ANC-3. Nor did the Church ever seek our views on leasing the parking lot before approaching these organizations.

Pages 7-19 of the Church's Management Plan were attached and available to be reviewed by all the signatories. – Victor C. Khouri

	NAME	ADDRESS
1.	Victor C Khouri	2771 Woodley Place NW
2.	Jeanne W Samuel	2276 Cathedral Ave
3.	Suzanne Mey	2829 Connecticut Ave
4.	Elise Sibbl	2769 Woodley Pl NW
5.	Carl Schatz	2769 Woodley Pl NW
6.	[illegible]	2773 Woodley Place NW
7.	Meg J. Hart	2360 Cathedral Ave NW #B
8.	[illegible]	2767 Woodley Place NW

	NAME	ADDRESS
9.	Nikka	2767 Woodley Place NW
10.	Jason Sfaelos	2747 Woodley Place, NW
11.		2741 WOODLEY PL, NW
12.		2743 Woodley Pl, NW
13.		2739 Woodley PL NW
14.		2737 Woodley Pl. NW
15.		2737 Woodley Pl. NW
16.		2729 Woodley Pl NW
17.		2729 Woodley PL NW
18.		2725 Woodley Place N.W
19.		2725 Woodley Place N.W.
20.		2723 Woodley Pl, NW
21.		2721 WOODLEY PL NW
22.		2700 Woodley, Pl.
23.		2759 Woodley Pl. NW

	NAME	ADDRESS
24.	Kristen Miller	2716 Woodley
25.	Julia Byrd	2716 Woodley
26.	Abbey Keenan	2716 Woodley
27.	Courtney Bosnoff	2716 Woodley
28.	dg (gross)	2746 woodley
29.	[illegible]	[illegible]
30.	[illegible]	2270 Cathedral Ave
31.	Greg Fant	2747 Woodley Place

5. Loss of Neighborhood Parking Spaces. The Church hosts or conducts numerous, regular meetings throughout the week, including AA, Woodley Park Community Association, and religious services. Those attending these meetings currently park in the Church lot. But if the Church leases 17 spaces, many of these people will seek parking in the neighborhood, thereby depriving residents of already scarce parking. The Church's Management Plan ignores this issue and utterly fails to mention these meetings and week-day services. Instead, the Plan focuses on special church events such as funerals and weddings, and dismisses these additional "Church events [as] infrequent and not anticipated to pose a substantial problem for the weekday [parking] tenants." (p. 15). The Church is silent on the problems posed for the neighbors.

6. Absence of notice. None of us received notice that the Church was seeking support of its proposal to lease commercially its parking lot from the Woodley Park Community Association or ANC-3. Nor did the Church ever seek our views on leasing the parking lot before approaching these organizations.

	NAME	ADDRESS
32	Mary T. Conte	2738 Woodley Pl. NW
33	Ivana Nyct	2734 Woodley Pl, NW
34	[illegible]	2730 Woodley Pl NW
35	Elizabeth Pika	2724 Woodley Pl, NW
36	Helen Spilliotis	2722 Woodley Pl NW
37	J. G. White	2718 Woodley Place NW
38	Marth C Pappas	2710 Woodley Pl NW.
39	Nan Beckley	2708 Woodley Pl. NW

	NAME	ADDRESS
40.	Michael Kachmar	2715 Woodley Pl, N.W.
41.	Susan Samuels	2713 Woodley Pl NW.
42.	Lucia	2717 Woodley PL N.W
43.		2727 Woodley Pl NW
44.	Maribeth Hanson	2755 Woodley Pl NW
45.	Bill Goodman	2761 Woodley Place, N.W.
46.		2763 Woodley Pl.
47.	Steve Block	2750 Woodley Pl. NW
48.	Deena M. Pers	2738 Woodley Pl. NW
49.		2732 Woodley Pl. NW
50.		2746 Woodley Pl NW

5. Loss of Neighborhood Parking Spaces. The Church hosts or conducts numerous, regular meetings throughout the week, including AA, Woodley Park Community Association, and religious services. Those attending these meetings currently park in the Church lot. But if the Church leases 17 spaces, many of these people will seek parking in the neighborhood, thereby depriving residents of already scarce parking. The Church's Management Plan ignores this issue and utterly fails to mention these meetings and week-day services. Instead, the Plan focuses on special church events such as funerals and weddings, and dismisses these additional "Church events [as] infrequent and not anticipated to pose a substantial problem for the weekday [parking] tenants." (p. 15). The Church is silent on the problems posed for the neighbors.

6. Absence of notice. None of us received notice that the Church was seeking support of its proposal to lease commercially its parking lot from the Woodley Park Community Association or ANC-3. Nor did the Church ever seek our views on leasing the parking lot before approaching these organizations.

	NAME	ADDRESS
51.	[signature]	2270 Cathedral Ave
52.	Ashleigh Holzgen	2266 Cathedral Ave NW
53	[signature]	2264 Cathedral NW
54	[signature]	2260 Cathedral Ave #3
55	Ella Hoffman	2256 Cathedral #2
56	John C. Ford	2250 CATHEDRAL #1
57	Wendy Bowers	" #2
58	[signature]	" #3

	NAME	ADDRESS
59		2246 Cathedral Ave NW
60		2242 Cathedral Ave NW
61	Charlotte Seward	2236 Cathedral Ave NW
62		2220 Cathedral Ave NW
63		2218 Cathedral Ave NW
64		2218 Cathedral Ave NW
65		2208 Cathedral Ave



Exhibit 6

From: Neal_Kirsch@discovery.com | **Block Address** | **Add to Address Book**
Subject: All Souls Church Parking Lot Zoning Application
To: pchoharis@yahoo.com
CC: kkirsch@nab.org
Date: Thu, 27 Jun 2002 08:05:07 -0400

President of Woodley Park Place Condominium. and wife Karen

Peter:

As a resident of 2801 Connecticut Avenue, NW, unit #35, I am writing to say that both my wife Karen and I oppose the Church's proposal for a zoning variance for their parking lot. We are concerned about the increased noise and potential for crime. We attended the Executive Committee meeting of the WPCA on Thursday, June 20 to register our concern that this proposal was never presented to us and we felt that no approval should be given until the affected neighbors have been properly consulted.

I am also writing as President of the Woodley Park Place Condominium Association at 2801 Connecticut Avenue NW. Our association has 35 units of which 20 directly face the church parking lot which is about 30 feet away across the alley. I have just received some documentation on the church's plan which I have passed along today via e-mail. Already some residents have responded unfavorably to the proposal. We have our regularly scheduled monthly board meeting Thursday night the 27th where we will be discussing this issue. However, I understand that this issue is on a fast track for discussion which would preclude most of the association members from becoming familiar with the issue and providing their valuable opinions.

I think it would only be fair to the residents of Woodley Park Place if the zoning board could re-open the hearing on this issue.

Thanks and regards,

Neal Kirsch
2801 Connecticut Avenue NW #35
Washington, DC 20008

****

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Date: Thu, 27 Jun 2002 02:09:23 -0700 (PDT)
From: "chuck elder" <chuckelder6@yahoo.com> | **Block Address** | **Add to Address Book**
Subject: PARKING LOT
To: pchoharis@yahoo.com

I, Charles Elder live at Woodley Park Place Condo #25 and I am oppose to the "Parking Lot Plan" of the church. Presently, I am abroad and I am keeping in touch by e-mail.

Thank you,

68th opposing

Chuck Elder

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From: "Porter, Donna A" <dporter@ora.fda.gov> | **Block Address** | **Add to Address Book**
To: "'pchoharis@yahoo.com'" <pchoharis@yahoo.com>
Subject: Church Parking Lot
Date: Tue, 25 Jun 2002 09:09:32 -0400

64th Opposing

Pete,

I am opposed to the zoning change for the church parking lot.

Donna Porter

2801 Connecticut Ave. #26

202-387-3198

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Subject: Church Parking Lot
To: pchoharis@yahoo.com
From: CGrymes@colliershannon.com | **Block Address** | **Add to Address Book**
Date: Tue, 25 Jun 2002 09:54:06 -0400

Hi Peter,

I am opposed to the zoning change for the church. Please add my name to the petition. Thanks.

70 opposing

Regards,
Christie Grymes

2801 Connecticut Ave. NW #1
Washington, DC 20008
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Date: Tue, 25 Jun 2002 16:38:25 -0400
From: "Bruce C Read" <bruce_c_read@fanniemae.com> | **Block Address** | **Add to Address Book**
To: "Peter Choharis" <pchoharis@yahoo.com>
CC: "Neal Kirsch" <neal_kirsch@discovery.com>
Subject: [Fwd: Church Parking Lot]

[redacted] 71st opposing

Peter, I am in support of denying the zoning change. There is no reason
that a non-profit property owner should get the benefit of a change in
zoning in order to allow a commercial leasing operation in a residential
neighborhood. Your petition lists a number of rebuttal-type reasons for
denying the application, but the strongest argument is this basic point:
a commercial lot in a dense residential neighborhood makes no sense. In
addition, who knows what the modified zoning designation would allow in
the future?

Bruce Read
2801 Connecticut Avenue, No. 10
Washington, DC 20008

-------- Original Message --------
Subject: Church Parking Lot
Date: Tue, 25 Jun 2002 08:57:46 -0400
From: Neal_Kirsch@discovery.com
To: bruce_c_read@fanniemae.com, staceygrayer@aol.com,
kyriakos@mindspring.com, kfullum@nab.org, mwtob@hotmail.com,
bcread@aol.com, susand@esilsg.org, chuckelder6@yahoo.com,
kayikit@yahoo.com, akowan@hotmail.com, denise.cheung@usdoj.gov,
drebolledo@worldbank.org, eddiea57@aol.com, roblisamez@hotmail.com,
madlin@manatt.com, ppapas@alliedcapital.com, shears@bellatlantic.net,
denisecheung@bigplanet.com, dporter@ora.fda.gov, sujata@erols.com,
adam@steinback.com, adam@sphera.com, abrett@fcc.gov,
Cgrymes@colliershannon.com, tomh@ccsso.org, jvmend@aol.com,
bodipy@aol.com, bethjoyrosenberg@hotmail.com,

Exhibit 7

District of Columbia Office of Zoning
Board of Zoning Adjustment
441 4th Street, NW
Suite 210 South
Washington, D.C. 20001

June 18, 2002

I write this letter in regard to Application # 16875, an application by the All Souls Memorial Episcopal Church (2300 Cathedral Ave NW) to rent parking spaces in its private parking lot. I live directly across the street from the parking lot and was never consulted or advised by the Church as to this application. Eventually, I did see a sign that was posted regarding the application hearing, but my work schedule did not allow me to attend the hearing. I oppose the application. |*

My concerns are very simple. The 2700 block of Woodley Place NW is, for the most part, a quiet residential street. Other than on Sunday mornings, the Church parking lot is also relatively quiet and currently fits in well with the rest of the neighborhood. Converting the private lot into a commercial way station for transient vehicles will greatly disturb the safety and overall character of the street. We surely do not need additional traffic and noise on a street that already is overcrowded with cars in search of on-street parking. Property values will be negatively affected, eroding the District's tax base.

Furthermore, considering that my house is within 50 feet or so of the lot, I would have expected that someone from the Church would have consulted me and the other neighbors on the plan of renting out the lot. Surely the Woodley Park Community Association or ANC-3C should have communicated the proposed plan to the neighborhood. If they had communicated the plan to me, I would have been able to express my opposition earlier in the process. |*

While I recognize that the Church would like to generate additional revenue, it must realize that it is just one of many members of the neighborhood and this pursuit of revenue must not adversely affect the neighborhood in which it is located.

Sincerely,

Gregory J. DeNinno
2773 Woodley Place NW
WDC 20008

- signed petition as well
- lives directly across street

Mary T. Conte
Deena M. Pers

2738 Woodley Place, NW
Washington, DC 20008

Home Phone (202) 797-8107
Email: marinara@erols.com

May 08, 2002

- Signed petition as well
- already filed, Case file No. 23

DC Office of Zoning
Board of Zoning Adjustment
441 4th Street, NW
Suite 210 south
Washington, DC 20001

Board of Zoning Adjustment:

We are writing with concern and opposition to the application of All Souls Memorial Episcopal Church,, ANC-3C, Case No. 16875 scheduled for Public Hearing on May 29, 20002 (1PM-6PM).

Until it was discovered that the All Souls administration was using the church parking lot as a commercial valet lot for neighboring restaurants, a legal "exception" to existing zoning regualtions was not considered. The neighborhood is now being asked to sanction such an "exception".

Allowing a special exception to use the church parking lot for weekday parking amounts to the establishment of a commercial parking lot. This precedent, while seemingly harmless, has the potential for a negative impact on the surrounding neighborhood.

Issues raised by such an action include security, safety and environmental impact. Security issues should not be overlooked. Commercial parking lots are subject to vandalism, and considering that we already have enough of that on the street, we do not need additional incentives.

There are many children and pets in the 2700 block. Additional traffic in the alleyway and on the street is also cause for concern. And, a commercial parking lot on a quiet residential street is environmentally unappealing to those of us who moved to Woodley Place because it was a quiet residential street.

The administration of All Souls has not reached out to the neighborhood in the past; the first and only time the church extended itself to its neighbors was the recent request for contributions and a zoning change.

We doubt that commercial parking would be an issue if the pastor of All Souls Church occupied the house next door to the lot.

Sincerely,

Mary T. Conte
Deena M. Pers

**We pay high property taxes.
We do not want to lower property values
with a commercial parking lot
in the neighborhood!**

Exhibit 8

NEIGHBORHOOD PETITION FOR SPEED BUMPS

We, the undersigned residents of the 2700 block of Woodley Place, request that speed bumps be installed on our block between Cathedral Avenue and Woodley Road. Woodley Place is a neighborhood street with many children, elderly people and beloved pets. Vehicles frequently speed down Woodley Place (one way) and drive up Woodley Place in the wrong direction. Speed bumps will curb these problems and ensure that the residents of Woodley Place are safer.

NAME	HOUSE #	PHONE #	EMAIL	SIGNATURE
Maribeth Handsman	2755	232-7218	mariboo@aol.com	Maribeth A Handsman
Sheila Mooney	2744	387-3662	sheilamooney@erols.com	Sheila Mooney
TIMOTHY VATNE	2753	588-1863	tvatne@yahoo.com	Timothy Vatne
Barbara Cohn	2761	483-8073	BarbaraJCohn@	Barbara Cohn
DEB GROSS	2746	986-3105		
MARCH COLEMAN	2742	387-3212	march.coleman@caporter.com	March Coleman
Joseph G. Block	2750	466-6125	jgblock@venable.com	Joseph G Block
Betty Bird	2754	588-9033	betty.bird@verizon.net	Betty Bird
Janice Ensler	2740	234-3033	Lensteiner	Janice Ensler
Mary Conte	2738	797-8107	marinara@erols.com	Mary T. Conte
Debrah Brutzfelder	2748	232-7665	DR BRETZFELDER@COM	Debrah Brutzfelder
Beth Grant	2752	234-7547	bgrant6@hhh.k12.dc.us	Beth Grant
Greg DeNinno	2773	986-2428	gdeninno@hotmail.com	
Anna Zanovello	2707	797-9618		Anna Zanovello
Peter Chohanis	2771	362-1240	pchohanis@aol.com	
Carl L. Spatano Jr.	2769	667-2946	cspatano@cov.com	

Exhibit 9

Woodley Park
Community Association

June 25th, 2002

To Whom it may concern:

At our June 19th, meeting of the WPCA Mr. Peter Coharis, representing himself as an attorney at law, asked our Executive Committee to rescind an earlier resolution regarding a parking issue at All Souls Church. He was given the opportunity to present his objections. I suggested to the All Souls Attorney present that the objections might be considered by the Church hierarchy and we ended the meeting.

At no time was there either a consensus of the Board, or a vote by the Board to support Mr. Cobaris' position.

Signed,

Ron David, President
Woodley Park Community Association

P. O. Box 4852 Washington, DC 20008
wpcadc@hotmail.com

6/20/02

Ron David - President
Martin Murray, Past President
Mary Beth ——, Treasurer
Executive Board
Bob Martin + Kurt Wunsler - ANC-3

---

c/o Aaron
Executive Committee
comments - if left room about it,
consider it,
+ take into account more infor-
mation
Asked Adam to make decision so might have
an opportunity to consider this at a later time
to consider this appeal.



From: "Ron David" <rondavid@starpower.net> | **Block Address** | **Add to Address Book**
To: "Peter Choharis" <pchoharis@yahoo.com>
CC: "Tony Nuland" <nuland@sewkis.com>
Subject: RE: Parking Lot proposal
Date: Tue, 25 Jun 2002 22:15:49 -0400

Peter:

Sorry to be getting back to you so late. It's been a long, hot day.

I have been asked to refer this matter to the WPCA Counsel. His name is Tony Nuland and he is much more adept at dealing with these issues than I. I am sending a CC to Mr. Nuland so you will have his email address. His phone number is 202-737-8833.

On another matter, I tested the email site to see if I could register and it worked fine. You may want to try from another computer.

Should you have any more problems with registering, I'll be happy to send you a copy of the Acorn. It has a registration form on the back page.

Sincerely,

Ron David

-----Original Message-----
From: Peter Choharis [mailto:pchoharis@yahoo.com]
Sent: Tuesday, June 25, 2002 12:58 PM
To: rondavid@starpower.net
Subject: RE: Parking Lot proposal

Thank you very much, Ron. I truly appreciate your responsiveness and concern. FYI I've tried to sign up a few times on the WPCA website and have had no luck. (It could be Yahoo, which has been experiencing problems.) I'll keep trying!

Peter

Ron David <rondavid@starpower.net> wrote:

Peter:

I've been on deadline most of the morning. Sorry I missed your call. I'll try to get a response to you by this PM.

All the best,

Ron

-----Original Message-----
From: Peter Choharis [mailto:pchoharis@yahoo.com]
Sent: Tuesday, June 25, 2002 12:41 AM
To: rondavid@starpower.net
Cc: wpcadc@hotmail.com
Subject: Parking Lot proposal

Dear Ron:

Just a note to let you know that the Church declined your request that it agree to postpone the Board decision until the WPCA could consider the Church's Management Plan that was previously unavailable to the WPCA and that substantially departs from the Church's prior (illegal) practice upon which the WPCA based its support.

I wonder if you could send me a letter by fax (202-352-1240) or even an e-mail by close of business Tuesday (today) repeating what you said at the close of last Thursday's meeting: that it was a meeting of the Executive Committee and was not empowered to repeal a resoluton passed by the WPCA (and that it lacked a quorum by the time the issue was raised at the meeting), but that it was the unanimous sense of the Executive Committee that the WPCA would like more time to consider the Church's Management Plan and that you requested through the Church's legal counsel that the Church agree to delay the hearing so that the full WPCA could more carefully study the issue.

I apologize about the rush, Ron, but I just learned today when I filed my response to the Management Plan that the staff of the zoning board plans to put a package together Thurs. am for the board's July 2, 2002 meeting.

Thank you again for all your interest in this matter. You should know that I spent 2 1/2 hours walking down my street circulating a petition explaining why we oppose the Church's proposal and a copy of the Church's Management Plan. Most of my neighbors took the time to read both. ALL of them agreed to sign the petition. Only one woman who did not speak English did not understand me sufficiently to sign. I collected more than two dozen signatures. The neighborhood is adamantly opposed to this.

Peter 202-422-8312.

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