November 16, 2003

Mr. Geoffrey Griffis
Chairman
D.C. Board of Zoning Appeals
441 4th Street, NW
Washington, DC 20001

Dear Mr. Griffis:

Enclosed is a copy of a letter I sent by fax to Mr. Kenneth Ellerbe on November 13. It addresses an exchange you had with my wife, Carol, during her testimony before you on November 4 (which I mistakenly described as a Planning Department meeting).

Since you invoked Exhibit 103 as an apparent rebuttal of Carol's testimony regarding the potential fire and emergency access dangers presented by the NCRC expansion, I trust you will insert this letter and the enclosure as part of the record. I assume also that your Board will now seriously consider the issues Carol raised which, contrary to your assertion, are not at all addressed in Exhibit 103 and that you will defer further action until the Fire and Emergency Services Department have had the opportunity to provide a clear written position on these issues. Thank you for your attention to this matter.

Sincerely,

Joseph A. Bosco

Enclosure

BZA
Case No. 16970
Exhibit No. 313

Board of Zoning Adjustment
District of Columbia
CASE NO.16970
EXHIBIT NO.313

November 13, 2003

Mr. Kenneth B. Ellerbe
Fire and Medical Emergency Services Department
Washington, D.C 2001

Dear Mr. Elbe:

My wife, Carol, and I have been residents of Cleveland Park for 32 years, 28 at our present address on Newark Street. First, we want to thank you and your colleagues for the vital and selfless service you render to our community day-in and day-out which too many of us take for granted. September 11 and other tragedies have reminded us of how much we owe you who put your lives on the line, like the police and the military, to protect the rest of us.

Our concern in writing is a matter of public safety as it relates to the proposed major expansion of the NCRC school on Highland Place, right around the corner from us. On a few occasions in the past year or so, we have each witnessed occasions where fire trucks rushing up Newark from your Connecticut Avenue station were unable to get through because cars were parked illegally on the south side of Newark (because of the latest movie at the Uptown or some other reason). We have seen them try to back up and negotiate the turn onto Highland to bypass the obstruction. But an improperly parked car on Highland could easily prevent a hook-and-ladder from negotiating that turn.

We understand that you were asked to drive one of your large pieces of equipment up Highland during school time and were unable to do so without great difficulty and delay because of cars parked at and near the school—and this was prior to the actual peak times at the beginning and end of school. Imagine the situation with a large number of SUV's or vans lined up to drop off or pick up children at the school and it is not difficult to see a scenario where a tragedy could occur because of blocked or impeded emergency access.

Carol raised these concerns at the Planning Department hearing on November 4. Chairman Griffis responded by asking whether she was familiar with Exhibit 103 (attached), a memo from you in your former capacity as Fire Marshall to the Director of Planning. Mr. Griffis clearly suggested in his comments to Carol that the Fire Department had approved the project specifically from a safety standpoint, *including the question of street access.* (See attached transcript). But our reading of that letter suggests that it dealt only with compliance of the building design with the Building Code and did not address the issue of emergency access at all.

Considering the public safety stakes involved here, we ask that you please clarify your intention in writing the letter. If it meant to deal with access, we would appreciate a fuller explanation of how you see resolution of the problems we have described. In this day and age, from the space shuttle to less dramatic events, we have seen enough

examples of people in responsible positions ignoring perfectly predictable disasters even after being warned of the dangers. We pray that this situation will never be such a case, but we would like your assurance as to how you see the problem and its solution. The neighbors have made two brief videos, which demonstrate the problems, and we would welcome the opportunity to have you view them as well as to come to the site itself.

Thanks for your consideration of this matter, and again, for all you do for us each day.

Sincerely,

Joseph A. Bosco
3121 Newark Street, NW
Washington, DC 20008

Exhibit 8

GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
WASHINGTON, D.C. 20001

MEMORANDUM

TO: Andrew Altman
Director
Office of Planning

FROM: Kenneth B. Ellerbe
Fire Marshal

DATE: January 3, 2003

SUBJECT: BZA Application No. 16970

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The D.C. Fire and EMS Department has reviewed the above application.

The applicant is requesting to build an addition in the rear of the existing building, two stories in height with the first floor being located partially below grade. We recommend approval of this request, provided the building addition meets the requirements of the D.C. Building Code.

If you have any questions concerning this review, please contact my office at 727-3659.