Date: April 6, 2004

To: Geoffrey Griffis

Re: Opposition to NCRC Bifurcation
Response to NCRC's March 23, 2004 Submission

Dear Mr. Griffis,

This paper is a supplement to Reply of the Cleveland Park Neighbors, Gaylord Neely and Linda Badami, Richard Bruce and Sallie R. Beckner, Henry Little and Lydia Mendoza to NCRC's "NCRC Post-Hearing Submission".

NCRC's submissions have again failed to show that construction of 3 separate building projects, slicing off and regrading the entire north side of their lot, increased noise and activity, and permanent construction damage fail to create adverse impacts to abutting and surrounding neighbors.

Placing 6 commercial HVAC units in mansard roofing and pretending that the design will eliminate noise and ignoring that the topography of the lot still keeps the units parallel to neighboring houses is unrealistic and untrue.

Offering that a neighbor in opposition agrees with NCRC's assertion that the school is crowded lacks merit or importance. Even the DC Department of Health agrees the school is overcrowded. If the school were operating within their 1998 BZA Order, they would not be. Further, to solve their self created needs, they have failed to offer a design plan that is less than enormous. The only scaling back that has been offered is 40% of one floor of one of the three buildings. It did not minimize the destruction of topography, trees, loss of light and view, and drastic alteration of a historic residential home and property. Contrary to their last submission, only in recent history has NCRC occupied all the buildings.

Shifting a percentage of the unsafe conditions of Highland Place (and 33rd Place, Ashley Terrace and Newark Street which combined with Highland create NCRC's circular driveway) to the unsafe conditions of Ordway Street does not help safety or congestion.

It is manipulative and misleading to liken the impact between a non-permanent skateboard ramp to an addition (the square footage on the addition's first floor would be greater than the current square footage of the abutting neighbor's, that is our, entire existing first floor) plus a new Maintenance/Bike Building.

1. To build the ramp, six small footers were dug, no topography was changed and no trees were destroyed or threatened.

   To build NCRC's plans, the top of the hill will be sheared off from the back of the existing Main House to the drop of the hill at the northern most edge of the lot

BZA
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Exhibit No. 363

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District of Columbia
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EXHIBIT NO.363

and from the lot line to the existing Playhouse. Four trees will be removed. The trees on the hill and on the Badami/Neely property will be damaged. All the playground equipment there will have to be unearthed and new footers dug in new locations. This degree of excavation will cause enormous erosion damage to the back hill.

2. The skateboard ramp, like swing and basketball hoop, is by nature a passing item in a young person's life. When it was build 1.5 years ago for a sixteen year old, it was assumed he was, and is, leaving for college when he turned 18. Therefore, the ramps usage was for a finite period for one person with occasional use by others. It can easily be removed, and will be.

   The preschool's proposed permanent design concentrates activity and usage, thus noise and traffic, to one area. This applies to the full enrollment of the school, plus to any children and adults after hours. Plus, the maintenance tools and supplies for the upkeep of the largest lot in the neighborhood and the numerous buildings' interior and exterior upkeep would all be kept at the property line, thus dramatically increasing the daily noise at the Badami/Neely home. The use and impacts are designed to be permanent.

During the BZA hearings, we were daily reminded to have no contact with members of the BZA. For NCRC attorneys to have been in contact with the OCC, guiding and directing the arguments that would be then passed to and reiterated by the Chair of the BZA is improper and unethical. Further, for Ms. Monroe to have failed to produce her copies of the correspondence as required by the Freedom of Information Act continues the impropriety.

This entire application should be dismissed.

Respectfully submitted,

Linda Badami and Gaylord Neely
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