ADVISORY NEIGHBORHOOD COMMISSION 3C
GOVERNMENT OF THE DISTRICT OF COLUMBIA
CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS
MCLEAN GARDENS • WOODLEY PARK

Single Member District Commissioners
01-Allen Hahn; 02-Kurt Vorndran; 03-Sally MacDonald
04-Richard C. Bartel; 05-John Welsh; 06-Trudy Reeves
07-Sheila Hogan; 08-Nancy Nord; 09-Nancy MacWood

2737 DEVONSHIRE PLACE, NW
WASHINGTON, DC 20008
TEL 202/232-2232 • FAX 202/232-2232
Email anc3c@starpower.net
Listserv http://groups.yahoo.com/group/anc3c
Website http://www.anc3c.org

June 8, 2004

By Facsimile and Mail

Geoffrey Griffis, Chairman
Board of Zoning Adjustment
D.C. Office of Zoning
441 4th Street, NW, Suite 220
Washington, DC 20001

Re: ANC 3C Resolution 2004-018 Regarding a Construction Management Plan For Sidwell Friends School
BZA Application 17149

Dear Mr. Griffis,

Advisory Neighborhood Commission 3C held a Special Meeting on Monday, June 7, 2004 to consider additional issues related to the Sidwell Friends School's application to the Board of Zoning Adjustment for a special exception. This meeting and its agenda were advertised, and a quorum was present. I have attached a resolution that was unanimously approved by ANC 3C at this meeting. This resolution follows Resolution 2004-017, which was approved by the commission at the regular May 2004 meeting, and which was submitted to the BZA last month.

ANC 3C appreciates the opportunity to submit both resolutions for great weight consideration by the BZA. If you have any questions, please contact me at 966-5333 or nmacwood@aol.com.

Sincerely,

Nancy J. MacWood
Chair, ANC 3C

BZA
Case No. 17149
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO. 17149
EXHIBIT NO. 37

Enclosure

cc: Mike Saxenian, Sidwell Friends
Karen Perry, Chair, ANC 3F
Mrs. Talley, Hearst Elementary
George Idelson, Cleveland Park Citizens Association
Lois Orr, Cleveland Park Historical Society
Mary Dyess, President, McLean Gardens Condominium Board of Directors
Barbara Beelar

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ANC 3C Resolution No. 2004-018

PROPOSED CONSTRUCTION MANAGEMENT PLAN
FOR SIDWELL FRIENDS SCHOOL
BZA APPLICATION NO. 17149

WHEREAS ANC 3C unanimously approved Resolution 2004-017, which endorsed the Sidwell Friends School master plan as presented in BZA Application 17149; and

WHEREAS ANC 3C held a Special Meeting, which was advertised and which had a single agenda item, namely further consideration of issues associated with BZA Application 17149:

BE IT RESOLVED that ANC 3C has taken action on a construction management plan at the Special Meeting, at which a quorum was present, and that such plan is attached and is a further condition of ANC 3C support for the Sidwell Friends School BZA Application 17149.

Attested by  Chair, on June 8, 2004

Nancy J. MacWood

This resolution was unanimously approved (7-0) by ANC 3C at a special public meeting on June 7, 2004, at which a quorum was present.

Sidwell Friends School Construction Management Plan
Drafted and Approved by ANC 3C
June 7, 2004

This Construction Management Plan (Plan) provides the framework, limits, and enforcement for each of the Sidwell Friends School's (School) construction projects, which will be built in sequence over a number of years. The Plan shall become a condition of any zoning Order that is written pursuant to a special exception granted by the Board of Zoning Adjustment (BZA) for construction of a Middle School addition, new gym, new Quaker Meeting House, parking garage, and other renovations on the school's campus pursuant to BZA Application No. 17149. Unless specifically noted, the following applies to each and every construction project pursuant to BZA Application No. 17149.

Establishment of Construction Liaison Committee

A Construction Liaison Committee (Committee) shall be established consisting of two representatives each from the Sidwell Friends School, one each from the Washington Home, the Hearst Elementary School, the Hearst Recreation Committee, and the Cleveland Park Citizens Association. One ANC representative each will be selected by Advisory Neighborhood Commission 3C and Advisory Neighborhood Commission 3F. One representative shall be selected by the McLean Gardens' complexes: The Village at McLean Gardens and the McLean Gardens Condominium Association. One representative each shall be selected by the owners of the houses on the 3600 and 3700 blocks of Quebec Street; the owners of houses on the 3500 and 3600 block of Tilden Street, 3900 block of Idaho Avenue, and 4000 and 4100 block of 37 Street; and the owners of houses on the 3600 and 3700 block of Upton Street to participate on the Committee. This Committee shall be in effect for all construction projects. Members of the Committee may appoint an alternate. The Committee shall determine its rules of procedure, including proper notice and the constitution of a quorum.

Issues, such as Saturday work, that arise between meetings shall be decided by a majority of the Committee through email communication that occurs at least two days prior to the need for a decision. However, Saturday work can occur once per month without agreement of the Committee. Notice of Saturday work must be given to the Committee and the neighborhood. If weather has prevented work for 2 full days during the same calendar week, work on a subsequent Saturday will be allowed, with notice to the Committee and the neighborhood. Saturday work hours shall be limited to 9AM to 5PM.

Schedule: Meetings shall begin as soon as the Board of Zoning Adjustment (BZA) announces its decision. There shall be at least one meeting each month during construction, unless a majority of the Committee agrees to meet less often. Any three (3) Committee members can call a meeting more often that once a month. Meetings must have a quorum and minutes must be taken and distributed to the public in a manner determined by the Committee. There shall be at least three (3) public meetings per year during construction activity designed to share information and hear concerns from the public.

Responsibilities: Committee shall have oversight of pre-construction surveys, including the selection of an engineer (paid by school) to determine zone of impact for each construction project; oversight of implementation of the Plan; and enforcement of the Plan. Committee shall maintain a file of all applicable D.C. ordinances related to each construction project, and make

them available through links from the School website to the community. Committee shall report to ANC 3C and ANC 3F during an ANC public meeting on the status of each construction project at least once during each project.

Pre-Construction

In order to ensure that neighboring properties are protected from damage due to construction activities or hydrology interference, the School shall have an engineer (selected by and reporting to Committee and paid by the School) determine the zone of impact for each new building prior to construction. The zone of impact shall be based on the anticipated construction activity, potential hydrology impact, and allowance for unplanned construction activity, such as blasting and pile driving that could impact a determination of the zone of impact. Each property owner (included institutional owners) shall be informed by School by certified mail that they are within the zone and offered pre-construction survey, at no cost, to be conducted by the engineer. The School shall send a second certified mailing notice if there is no response to the first mailing. Any owner who does not respond within 30 days of the certified mailing shall be deemed to have been properly notified and to have declined the survey. The surveys shall serve as a baseline against which to measure impacts from the construction on each property within the zone of impact. Each surveyed owner shall be furnished a copy of his/her survey prior to the beginning of construction.

Construction

Communication: School shall designate a representative, who is authorized to address complaints, to be the key contact for members of community regarding construction activities. Representative shall have a local office, and 24-hour phone, fax and voice mail, and be accessible during all business hours, and for emergencies at any time. School shall report all complaints within a time specified by the Committee to a designated neighborhood Committee member. Contact information shall be posted on perimeter of construction area in plain sight. Emergency matters shall be handled immediately and non-emergency matters within one business day. A schedule of construction activities shall be prepared and posted on the construction bulletin boards at Wisconsin Avenue and also on 37th Street and on the school web site. The schedule, which shall be posted every week, shall list the construction activities for the following 2 weeks of construction.

Work Hours: Construction work shall only be conducted between 7AM to 5PM, Monday through Friday. Saturday work can occur once per month, 9AM to 5PM. More frequent Saturday work must be approved by the Committee and, if approved, shall be limited to 9AM to 5PM. Saturday work can occur once per month without agreement of the Committee, but notice must be given to both the Committee and the neighborhood. If weather prevents work for two full days during the same calendar week, work on a subsequent Saturday will be allowed with notice to the Committee and the neighborhood. No noisy behavior or activities that might disturb neighbors shall be allowed prior to the beginning of or after construction hours. Construction area shall be secured and vacated by 6PM on weekdays and Saturdays. There shall be no work on Sundays.

Parking: School shall be responsible for requiring contractors and sub-contractors to provide and require either on-site parking or other non-street parking for all workers or others involved in construction activities. No parking on neighborhood streets shall be allowed. School shall also require that contractors and sub-contractors ensure that operators of all construction

vehicles are properly licensed and have not had their license revoked from any of the surrounding jurisdictions and that the vehicle owners are properly insured for liabilities that may occur.

Traffic: Wisconsin Avenue shall be the construction entrance for all construction projects, unless the Committee finds that a different entrance is warranted for a project. School shall require all vehicles (including, but not limited to, personal or company vehicles of construction workers) to utilize only arterial roadways for access to and from the site within a 1-mile radius of the campus, except as approved by the Committee. Trucks are not allowed to travel on neighborhood streets, unless specifically authorized by the Committee. Construction-related vehicles shall be allowed to access the construction site no earlier than 6AM. No queuing of trucks shall be allowed on neighborhood streets, and only limited queuing that does not block intersections shall be allowed on Wisconsin Avenue. Flagmen shall be provided to facilitate traffic and the safe arrival and departure of trucks. Pedestrian movement on the sidewalks surrounding the construction area shall not be impeded unless necessary to ensure safety. No construction vehicles shall be allowed on side streets before 7AM except for occasional overnight placement of stationary contracting equipment such as cranes on the west side of 37th Street. Only construction trucks essential for specific construction tasks, such as pouring concrete or crane work, shall be allowed to access Upton, 37th, and Quebec Streets, and then only from Wisconsin Avenue.

Site Management: School shall require the temporary construction of chain link or other fencing around the perimeter of construction area. All construction materials and equipment, including construction storage, trailers, and dumpsters, shall be secured on-site in a manner that poses no potential danger to the community. School shall *inter alia* lock all motorized equipment and vehicles, stack any building materials (i.e., brick, lumber, etc.), and cover any loose fill such as gravel or sand in accordance with industry standards for safety. A minimum amount of lighting shall be allowed at night to provide safety and to comply with federal and local safety standards. The temporary lighting shall be directed away from the Washington Home and residences.

Cleanliness: School shall require daily removal of rubbish, food and drink debris, and construction debris during the normal construction workday and during any other periods of work. All construction workers shall eat and drink on-site or in an eating establishment. School shall locate portable toilets away from neighborhood and service them frequently. Deliveries of equipment or construction materials shall only occur during construction hours unless approved by the Committee. Trucks carrying debris or excavation materials or fill will be covered both entering and exiting the construction site, and they shall be cleaned prior to exiting the site so as to minimize any dust or dirt on the roadways. Removal and replacement of dumpsters shall occur only during approved construction hours. School shall require that any streets that surround the construction area and/or serve as construction routes are kept clean of dirt, any trash and debris resulting from construction activities or workers. Committee shall establish mitigating procedures for control and removal of dust and dirt that impacts properties adjacent to that construction project. School shall develop and implement, as necessary, a rodent control program in cooperation with Committee. School shall offer to clean the outside windows of adjacent property owners at the end of each construction project.

Hazardous Materials/Blasting: If hazardous or toxic materials, including underground storage tanks and asbestos, are identified and need to be abated or removed, School shall immediately and prior to removal notify the Committee, which shall be responsible for notifying any impacted neighbors. Removal shall be conducted in compliance with federal and local Environmental Protection Act standards. If any hazardous or toxic substances are used in

conjunction with construction work, the Committee shall be notified. Such substances shall only be used if they can be used safely and in compliance with all applicable federal and D.C. laws.

Should blasting be required during any construction project, the School shall notify the Committee and neighbors at least 48 hours prior to the blasting. The School shall give at least 24 hours notice (48 hours, if possible) to Committee and neighbors prior to any pile-driving activities.

Special Needs: School shall ensure that drop-off (7:30AM to 8:45AM) and pick-up (3:15PM to 6PM) periods at Hearst Elementary School are not impeded by construction activity, and that construction noise is minimized during standardized testing week. School shall also provide prior notice to the Washington Home for any unavoidable construction activity that might reasonably cause disruption of patients at the Home, and the School will make every effort to reduce and contain noise related to construction activities, including the banging of dump truck gates, since all construction projects are likely to impact one or both of the special needs populations mentioned in this section.

Enforcement

Complaints: The School is committed to speedy resolution of disputes with neighbors. Any construction-related complaint that cannot be resolved within 1 week of School-designated contact person receiving the complaint shall be referred to the Committee. The Committee shall determine legitimacy of complaint and make recommendations to resolve complaint. If complaint is not resolved within 1 month of receiving the complaint, the Committee by majority vote or School can refer the matter to mediation, which will be paid by School. Process of choosing mediator will follow standard practices as outlined by the American Arbitration Society.

Implementation of Plan: If a majority of Committee finds that there is a continuing or repeated violation of the Plan, they shall inform the D.C. Zoning Office or the Zoning Administrator and request a work stoppage until the violation is corrected. All fines and penalties provided for specific construction-related violations shall apply to any violations related to the School's construction projects.

Reimbursement for Damage: The School shall reimburse any reasonable cost to repair in kind any and all damage to public and private property caused in whole or in part by the construction activity. For damage to houses in the zone of impact, the survey shall serve as the baseline to determine the nature and extent of damage. The Committee shall determine on a case-by-case basis whether reimbursement should occur during the construction activity or at the end of the construction activity.