• Sender: Please print your name and address in the box below
■ A signature upon delivery
■ A record of delivery kept by the Postal Service for two years
Important Reminders:

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Administrator

September 26, 2003

Fort Lincoln Association
1131 University Blvd. West, Suite 101
Silver Spring, Maryland 20902

Re: 2865 & 2867 31st Place, N.E.

Dear Sir:

A recent inspection of the referenced premises by a representative of this office, disclosed that the following item is necessary in accordance with the1999 DCMR-12B, Section 1101.2.

- There is an erosion problem around the catch basins in the rear of 2865 and 2867 31st Place, N.E. The area around the catch basin needs to be filled to the level of the drain to prevent the standing of water at the drains. The leveling of the soil will also prevent the water from flowing to the property of 2865 and 2867

The work shall be completed and reported to the Plumbing Inspection Branch for inspection within (5) days from date of receipt of this notice.

Failure to comply may result in a Fine and Assessment of property.

Sincerely,

Denvert H. Boney

Denvert H. Boney
Chief, Plumbing Branch

Inspected by: Franklin Gaines
442-4604

BZA
Case No. 17192
Exhibit No. 41-A

Board of Zoning Adjustment
District of Columbia
CASE NO.17192
EXHIBIT NO.41A1

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs

Office of the Director

September 11, 2003

Albert Malvin
2865 31st Place, NE
Washington, DC 20018

Dear Mr. Malvin:

This letter is to acknowledge receipt of your e-mail dated September 10, 2003, regarding 2863 31st Place, NE.

This matter has been referred to Denzil Noble, Administrator for the Building and Land Regulation Administration. You may contact Mr. Noble or his assistant Diana Dorsey on (202) 442-4677 or by e-mail Diana.Dorsey@dc.gov.

You should receive a response from within seven (7) business days from the date of this letter. If you have not received a response, please feel free to contact Joseph McCarley, Customer Service Advocate on (202)-442-8947 for further assistance.

Sincerely,

Gwendolyn L. Davis
Customer Service Manager

Cc: IQ#182294

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS



Building and Land Regulation Administration
Office of the Administrator

September 16, 2003

Albert Malvin
2865 31st Place, N.E.
Washington, DC 20018

RE: 2863 31st Place, N.E.

Dear Mr. Malvin:

This is in reference to your complaint regarding improper water runoff and water drainage at the above address. Please be advised that this matter falls under the purview of the Department of Health, Storm Water Management Division. If you wish to contact the Department of Health, please call Mr. Collin Burrell on (202) 535-2243.

On behalf of the Department of Consumer and Regulatory Affairs, we appreciate your patience. If we may further assist you, please feel free to contact us.

Sincerely,

Denzil L. Noble
Administrator

Cc: Theresa Lewis
Correspondence File

IQ# 182294

Government of the District of Columbia
Department of Health

Watershed Protection Division

December 17, 2003

Mr. Albert Melvin
2865 31st Place NE
Washington, DC 20018

Dear Mr. Melvin,

As you requested, I have attached a copy of the Site Inspection/Investigation Report documenting the findings and recommendations/actions of the Watershed Protection Division, pursuant to your complaint. Based on our recommendations in the attached report, a comprehensive resolution may require cooperation among neighbors of the impacted properties.

If you have any further questions, please contact Pamphile Akpata of my staff at (202) 724-5364.

Sincerely,

Collin R. Burrell, Chief
Inspection and Enforcement Branch

Attachment

Government of the District of Columbia
Department of Health

Watershed Protection Division

DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH ADMINISTRATION
BUREAU OF ENVIRONMENTAL QUALITY
WATERSHED PROTECTION DIVISION

SITE INSPECTION/INVESTIGATION REPORT
AT
2865 31st Place N.E.
Washington, D.C. 20002

The purpose of this report is to document the findings and recommendations of the Watershed Protection Division (WPD) from the site inspection of Albert Malvin's residence located at 2865 31st Place N.E. conducted on September 15, 2003. The inspection was initiated by a complaint that was forwarded to WPD by Scott, Juan from District of Columbia Department of Consumer and Regulatory Affairs (DCRA) Office.

NATURE OF COMPLAINT

On September 15, 2003, WPD received a request from DCRA to investigate an erosion complaint at 2865 31st Place N.E. Mr. Albert Malvin whom alleged that "Improper storm water runoff" is causing a drainage problem on his property located at above address lodged the complaint.

Inspection on September 26,2003

On, September 26,2003 Mr. Pamphile Akpata of WPD conducted an inspection and site investigation of the existing development located at the above referenced location pursuant to Mr. Alvin's complaint. Mr. Akpata's inspection revealed that storm water runoff was discharging onto the lower area in the back of Mr. Alvin's property from the higher areas in the rear of his house as well as the rear of the adjacent house at 2865 31st Street N.E.

Inspection on October 22, 2003

By revisiting the property on October 22, 2003, we found that the house at 2863 31st Place N.E. does not have a yard drain system to collect all runoff and drain water into the existing drainage system.

RECOMMENDATIONS

Re-grade the back yard at 2865 31st Place NE to allow positive drainage to the yard inlet. Re-grade the back yard at 2863 31st Pl to provide a positive drainage toward the yard drain at 2865 31st Place NE or install a new yard drainage system to collect all runoff of that property.

In addition the back of the two properties needs to be re-graded, to allow the water to flow toward the existing storm water drainage system located in the grass area at the beginning of the block.

A building permit is required for all land disturbing activity. If the yards are graded to allow concentrated flow or flow in a channel, swale or pipe across property boundary, a drainage easement is required.

Prepared by: Watershed Protection Division
12/03/2003

51 N Street, NE, 5th Floor, Washington D.C. 20002 (202) 535-2240

Concerned Citizens of Hillside Condo II Condominium
Fort Lincoln Newtown

October 19, 2004

Mr. Geoffrey Griffis
Chairman
Board of Zoning Adjustment
441 Fourth Street, NW
Suite 210 South
Washington, DC 20001

Dear Chairperson Griffis:

We as residents of the Fort Lincoln Community, Hillside II are *not in opposition of the proposed construction of the new townhouse community* but *have concerns relative the effects the new construction will have on our* homes. As homeowners, we are experiencing extensive problems of corrosion and standing water due to inappropriate grazing and poor soil conditions. Our concern is that without the appropriate study, a Geo-Technical Study, any extensive movements to the *poor* soil and the proximity of the new construction to our properties may have an adverse effect upon our existing problems. See Exhibit 1-38.

Based upon the reports submitted to the Zoning Board relative the construction of the new townhouses the following was reported:

> *...The soil conditions of the property are unstable due to the type of clay sediments underlying the top. Because of the unstable nature of the soil conditions and the need to "level-out" portions of the property to make it suitable for development due to steep grade changes throughout the property, retaining walls are necessary. ....With the construction of townhomes on the upside of the hill and the unstable nature of the clay sediments throughout the property, retaining walls are necessary in order to keep the homes from sliding down into the next row of townhomes...The retaining walls will also be constructed with inlets on the top of the walls which will catch water drainage from the upper portions of the property and draw it away from homeowner's rear yard in the lower portions of the property. .....Thus besides providing slope stability for the Townhome Project, the retaining walls will also serve to contain and channel storm water runoff on the property.*

BZA
Case No. 17192
Exhibit No. 41-B

According to an assessment made by the Watershed Protection Division, Properties located at 2861and 2863 do not have a yard drain system to collect all runoff and drain water into the existing drainage system and need to be regarded. See Exhibit 39. It should also be noted that the properties located at 2861 has a retaining wall that is contributing to the water problem. The following recommendation was made:

> Re-grade the back yard at 2865 31st Place, NE and 2861 to allow positive drainage toward the existing storm water drainage system located in the grass area at the beginning of the block.

This problem has contributed to premature setting of the structure located on the 2800 block of 31st place resulting in the structure cracking. Moreover, the standing water in the yards located at 2861 and 2865 has contributed to termite infestation and the breeding of mosquitoes. The mosquito problem is of extreme importance because of West Nile. See Exhibits 2-38. Also illustrated in the exhibits is the massive corrosion Hillside II Condominium is experiencing. The soil is corroding under the structures and the clay is washing from under the structures onto the sidewalks and parking lots.

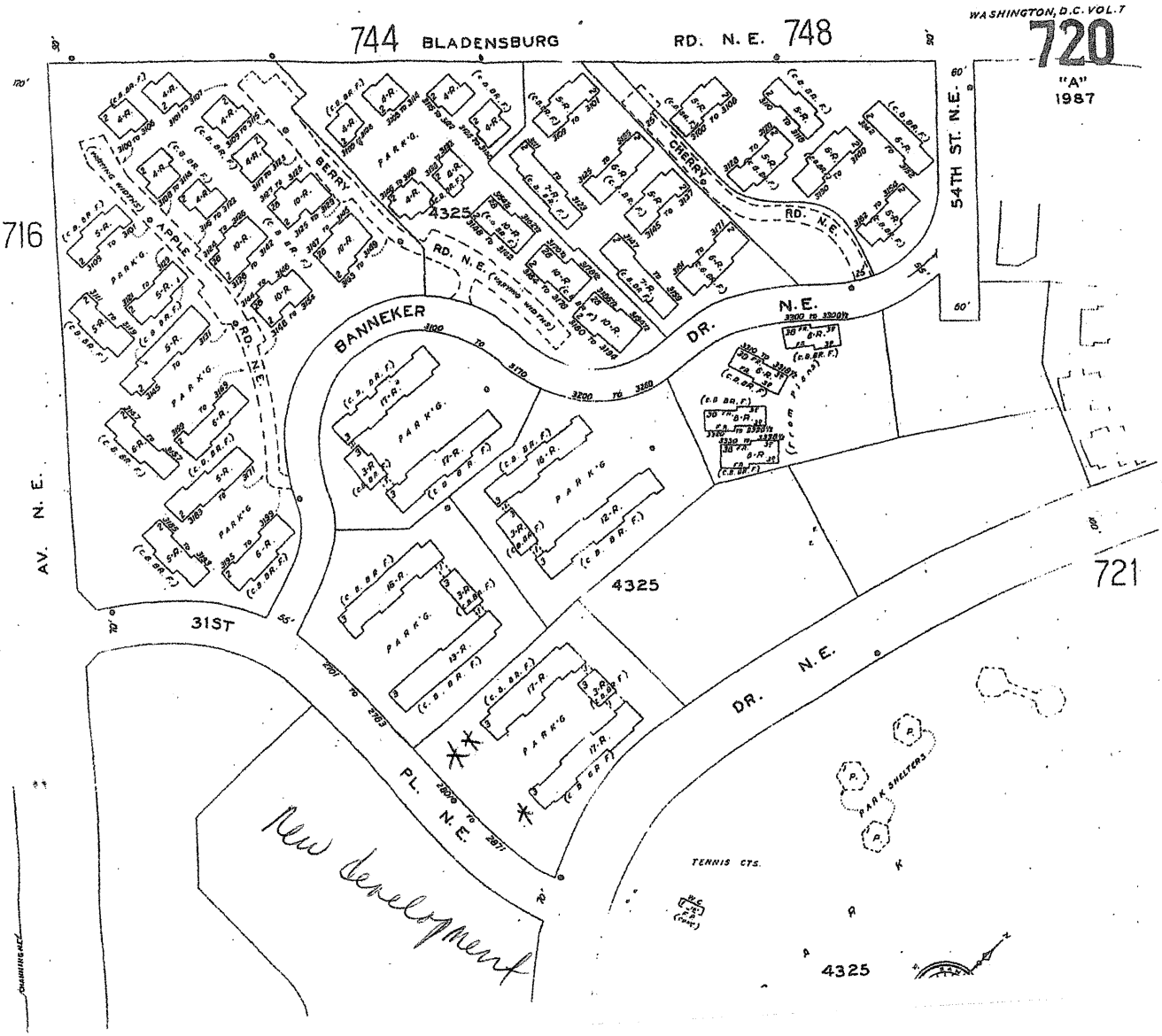
We are asking that selected members of the Hillside II Condominium work closely with the developer and planning team to insure that the construction of the new townhouses will not have an adverse effect upon existing structures.

Sincerely,

Maria O. Stokes, Ed.D.

Homeowners

EXHIBIT I
Map of Fort Lincoln New Town



* extensive water problem
** extensive carrying

FORT LINCOLN HILLSIDE II CONDOMINIUM

UNBEARABLE LIVING CONDITIONS AT FORT LINCOLN FOR SELECTED RESIDENTS

Exhibits 2-38

FORT LINCOLN CONDOMIMIUM HILLSIDE II

- **CORROSION AS A RESULT OF THE SOIL AND WATER PROBLEM HAS CREATED INTOLERABLE CONDITIONS FOR SOME RESIDENTS. THE FOLLOWING PRESENTATION WILL ILLUSTRATE SOME OF THE PROBLEMS FACED BY SELECTED HOMEOWNERS.**

DOOR TRIM

Door trim destroyed by the effect of water

- Rotten wood
- Termite destruction.



CORROSION

- CORROSION IS CAUSING THE STAIRS TO CRUMBLE



CORROSION

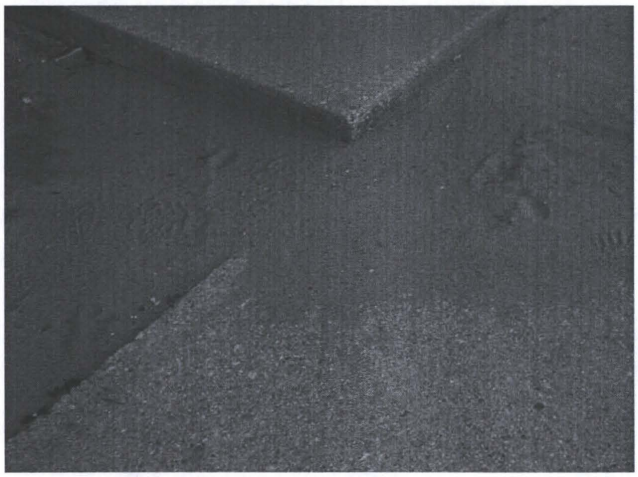
CORROSION IS CAUSING THE SIDEWALKS TO CRACK



CORROSION

- **CLAY RESIDUE**

  WHEN IT RAINS IT WASHES FROM UNDER THE STAIRWELLS



CORROSION

- MORE CRUMBLING STAIRWELLS AND SIDEWALKS DUE TO **CORROSION**



CORROSION

MORE RESIDUE

- WHAT IS THIS DOING TO THE FOUNDATION ? IS THERE ANY SOIL LEFT?



CORROSION

- WHEN WILL THE STAIRWELL CRUMBLE COMPLETELY?



CORROSION

- DOES THIS POSE A RISK TO HOMEOWNERS



CORROSION

- MORE
  CORROSION



CORROSION

- AND MORE!



CORROSION

AND MORE!



CORROSION

- **CORROSION** HAS CAUSED THE STAIRWELL TO PULL AWAY FROM THE ENTRY TO THE UNIT



- NOW IS THIS SAFE?

CORROSION

- AND AGAIN!



CORROSION

- AND AGAIN!
- SEE THE CLAY?



CORROSION

- AND AGAIN!



CORROSION

AND AGAIN!



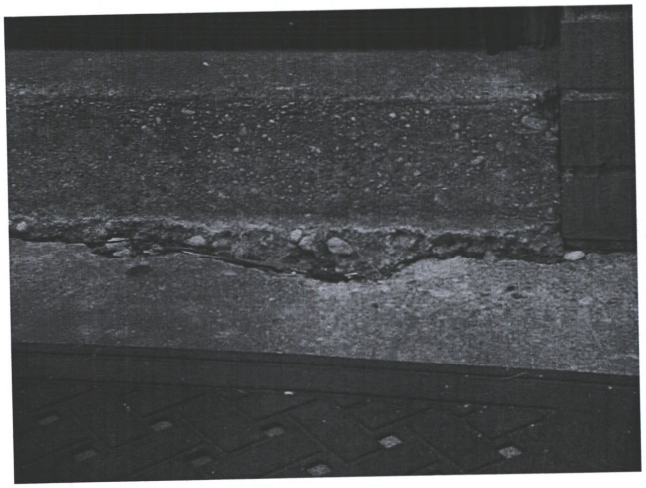
CORROSION

- AND AGAIN!



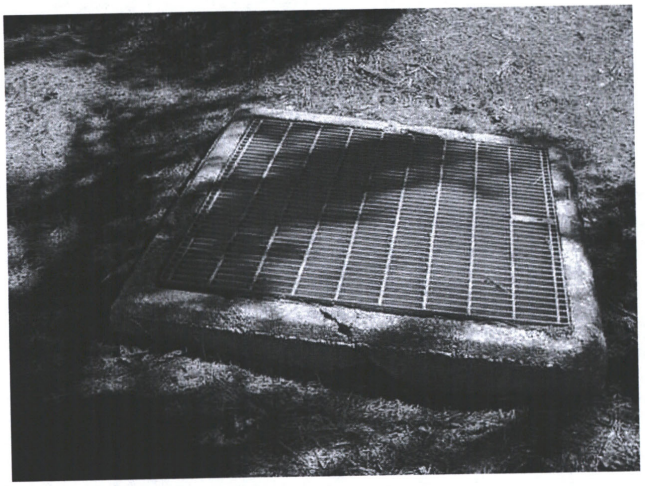
CORROSION

- WILL THE STAIRWELL EVENTUALLY CRUMBLE COMPLETELY?

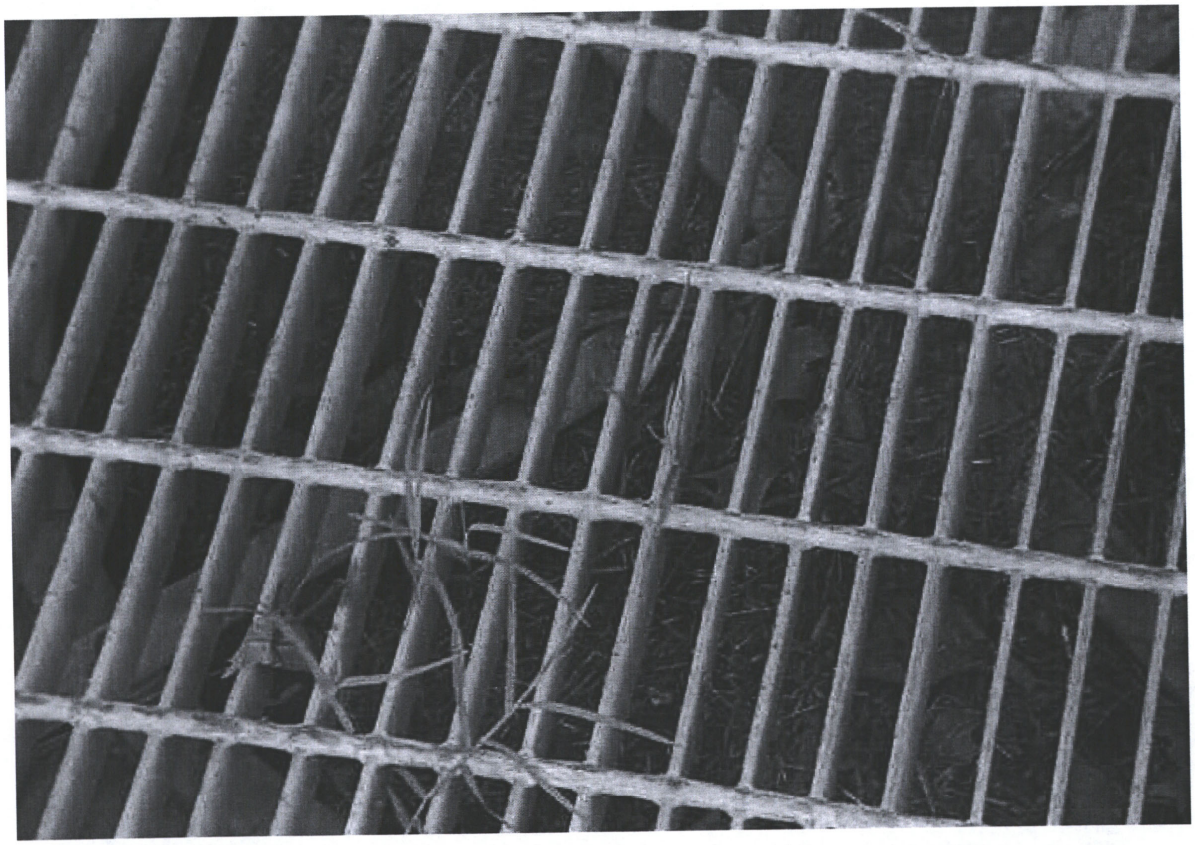


STROM DRAIN

- DID THE DRAINS EVER WORK? WAS IT INSTALLED CORRECTLY?
- WHERE WERE THE DEVELOPERS AND MANAGEMENT COMPANIES?



INORPERABLE STROM DRAIN



CLOSE-UP SHOT OF STROM DRAIN

