Chandra Hardy
2001 Foxhall Road, NW, Washington DC, 20007

March 27th, 2005

Mr. Geoffrey Griffis
Chair, Board of Zoning Adjustment
441 4th Street, NW, Suite 210-S
Washington, DC 20001

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Dear Mr. Griffis

RE: Application #17276

In order to redress the adverse impact of the proposed development on me as the adjacent property owner, I am submitting a list of reasonable conditions for the consideration of the Board of Zoning Adjustment.

1. **Permanent Perimeter Fence**

I am asking the developers to install a permanent perimeter fence along the two adjoining sides of my property and the development.
I am asking for this because I have concerns about my security and privacy. Many homeless people live in Glover Archibald Park and many of them have lived next door on the Phillips property as indicated in the photos provided to the BZA. I am concerned that some of them will relocate to the adjacent Whitehaven Park that abuts my property. I am also concerned that residents from the development will try to take a short cut to Foxhall Road by going across my property.

2. **Tree Protection**

I am requesting that the developers allow experts engaged by me to review the plans for the construction of roads, retaining walls and houses in the area adjacent to my property to enable me to reach agreement on the measures to be taken to protect valuable old trees on my property.

I have consulted several experts and I have their permission to quote them. [1] I consulted arborists (John Austin of Green Gardens, and Tatiana Metody, Landscape Designer) and I was told that the large poplars (over 40" calipers) have a root zone of 60 feet. I consulted an architect, Don Velsey and engineers (M. Patel and H. Singh) at Potomac Construction

[1] On the day before the hearing on March 8th, 2005, a landscape architect who had given me advice said that I could not use his name because we did not have a contract. It was for this reason that I felt obliged not the mention people who had not given me permission to use their name.

BZA
Case No. 17276
Exhibit No. 61

Board of Zoning Adjustment
District of Columbia
CASE NO. 17276
EXHIBIT NO. 61

Company about the 25 feet long retaining wall. I was told that at least 4 concrete and steel columns would be needed (even for a gravity wall) to support the wall depending on the amount of fill needed for the road which was rising from 210 feet to 250 feet. **The conclusion was that the concrete foundations for the wall could damage the trees.**

I am also asking for protection if the contractor fails to follow the guidelines of the arborist for the developers or if workers accidentally cut into the root zone or otherwise damage the trees.

3. **Protection during the period of Construction**

I stated in my testimony that I believe that I will be adversely affected by the noise, dust and visual pollution during the construction period because of where I am located in relation to the development. I believe that the jurisdiction of the BZA to assess the adverse impact on neighboring property includes the impact during the construction period. I find nothing in the regulations that stipulates that the Board must consider the adverse effects on neighboring property only **after** the development is completed.

I have tried to reach agreement with the developers on this and other issues but this has not been possible. I am therefore re-submitting the list of conditions that I submitted on February 8th, 2005 (Exhibit 28) and I have also signed the list of conditions on Construction Management submitted by my neighbors and ANC3D.

4. **Storm Water Management**

I have asked to be shown the grading and storm water plans for the area of the development that runs along Foxhall Road so that I can have them reviewed by an engineer and assured that I will not be adversely affected. I am asking for information to enable me to prevent a problem instead of having to deal with it after the fact.

I have also asked for the details of the agreement between the developers, DDOT and the NPS on the plan to "install a catch basin at the southern boundary of the property and pipe the storm water run-off to the existing drain at Whitehaven and Foxhall Road". Installing this pipe will entail a major traffic disruption in front of my house and I would like to know if the pipe will be included in the repair of the road which is planned to begin this spring. Or is the road going to be dug up after it has been repaired, when this will happen, and will the road be restored to its original condition?

Sincerely,

Chandra Hardy

Chandra Hardy

March 28th, 2005

TO: Mr. Geoffrey Griffis
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