

THE PALISADES CITIZENS ASSOCIATION

POST OFFICE BOX 40603 PALISADES STATION WASHINGTON, DC 20016
PHONE/FAX: 202-363-7441 WWW.PALISADESDC.ORG

March 23, 2006

Mr. Geoffrey Griffis, Chair
DC Board of Zoning Adjustment
441 N. 4th Street NW
Washington, DC 20001

RE: Application No. 17309
Hearing date: April 11, 2006

Dear Chairman Griffis and Members of the Board:

I write this letter to communicate the Palisades Citizens Association's strong opposition to application 17309 for a special exception requested by Dorchester Associates LLC [Morton Bender et al] to configure a development of homes on three contiguous parcels on Chain Bridge Road NW. These parcels all lie within the Chain Bridge Road/University Terrace Overlay, a fragile area of terrain set aside in 1999 to protect the heavily wooded nature, trees, slopes and watershed of this area of the city.

We understand that this matter will be discussed at your meeting scheduled for April 11, on the basis of a revised application that the applicant submitted on December 23, 2005. Our review of the revised documents indicates this proposal would not be in conformity with DC law. It violates the Chain Bridge Road / University Terrace Overlay.

There are additional problems with this plan. In addition to the unnecessary destruction of many healthy trees, the proposal does not adequately address storm water running off into the properties of adjacent neighbors, for which an inadequate "conceptual" plan was offered. There are safety concerns on Chain Bridge Road. There will be a significant impact of this super sized development on adjacent Battery Kemble Park. These are only a few of the concerns that Palisades Citizens Association members have raised.

An arborist retained by the community has concluded that the grading, excavation, and construction of the stormwater management system proposed by the applicant would fatally damage several large trees within the protection of the overlay.

As noted in our prior correspondence sent in April 2005 and January 2006, the Palisades Citizens Association is on record as opposed to this application. In April of 2005, the general membership and the board of directors, the latter in a unanimous vote, voted to oppose this application. We reiterate our opposition to this development as proposed, and urge the BZA to uphold the overlay.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17309

EXHIBIT NO. 125

Board of Zoning Adjustment
District of Columbia
CASE NO. 17309
EXHIBIT NO. 125

The Palisades Citizens Association last heard from Mr. Bender in April, 2005. One major disappointment has been the absence of any subsequent dialogue with Mr. Bender or his representatives to develop an approach in harmony with the law and the neighborhood. We stand ready to engage Dorchester when and if they would like to discuss this matter with us.

Mr. Bender has not met his burden of proof in his revised application. The Palisades Citizens Association urges the BZA to deny Dorchester Associates' plans to create this high density development of expensive, oversized houses. The proposed development is inconsistent with this neighborhood and will have significant negative impacts on the community.

Thank you for your consideration of our position.

Sincerely,

A handwritten signature in black ink, appearing to read "Spence Spencer". The signature is fluid and cursive, with the first name "Spence" and last name "Spencer" clearly distinguishable.

Spence Spencer
President
Palisades Citizens Association

CC: Robert Sussman, President, Chain Bridge Road/ University Terrace Preservation
Committee
ANC-3D
Kathy Patterson

SUSAN K. CARHART
ATTORNEY AT LAW
5027 ESKRIDGE TERRACE, N.W.
WASHINGTON, D.C. 20016

March 29, 2006

Geoffrey Griffis, Chairman
DC Board of Zoning Adjustment
441 N. 4th Street N.W.
Washington D.C. 20001

RE: BZA Application No. 17309
Dorchester Associates

Dear Chairman Griffis,

On April 11, the Board will consider the application of Dorchester Associates for a special exception to District zoning laws in order to construct thirteen houses in my neighborhood at 2762 Chain Bridge Road.

Chain Bridge Road is an historic and lovely road. It has a rural character unmatched anywhere else in Washington, D.C. A large part of its attraction is the eclectic architecture (every home is different, from cottages to prim Victorians to a few "French country" houses, even a Bauhaus-inspired modern). Perhaps the most important part of its charm, however, is the rolling land and massive trees. Both are able to be enjoyed not only all along Chain Bridge Road, but especially in that historic Civil War site, Battery Kemble Park, which is directly across from the building site at issue.

It was to protect these trees and land that the Chain Bridge Road/University Terrace Tree and Slope Overlay was created. The proposed development is so massive and out of character and the impact on the land so severe as to be destructive. There are serious problems of storm water run-off, damage to healthy trees, and road safety. To shoehorn 13 massive homes into the space available can have only one purpose -- to maximize profits for the developer -- with no consideration of the effect this will have on the nature of the neighborhood or the quality of life. To allow such out-sized development is to render the Tree and Slope Overlay useless.

Chairman Griffis, you and the Board have the power to render a landmark decision on how citizens can protect the best qualities of our city through the democratic procedures inherent in our Tree and Slope Overlay process. I trust you not to fail to uphold the power of your office. We are not against development. We are for development that protects and preserves the best this city has to offer. This is not just for the people in this neighborhood, but also for all who come to enjoy Battery Kemble Park.

Thank you for your consideration.

Sincerely,

Susan Carhart

2505 Chain Bridge Road, NW
Washington, DC 20016-3305
March 29, 2006

Geoffrey Griffis, Chairman
DC Board of Zoning and Adjustment
441 N. 4th Street NW
Washington, DC 20001

RE: Dorchester Associates (BZA Application No. 17309)

Mr. Griffis,

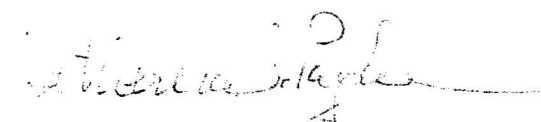
My family moved to Palisades in 1951. We have lived here ever since. Since 1954, I have lived at 2505 Chain Bridge Road NW. I have seen many changes in the five decades that I have lived here. I am writing to you now to plead that you will not approve the proposal to build 13 houses on the 2762 Chain Bridge Road site. The experiences of my family as we have had to contend with the massive development in our neighborhood make me petition you today.

Until the massive construction projects of the past several years, my basement was dry. It was dry in the most dramatic of rainstorms and through flooding waters throughout the area. Once the water table was changed by the destruction of sixty-five trees (65) across the street on the property of the Sherier family (for whom the street was named), each large rain makes me hold my breath.

I am old enough to realize that changes will take place. However, the Palisades has always had the integrity of houses to the scale of the streets and land. Our Battery Kemble Park is one of our neighborhood treasures. It is of great concern that the proposed massive houses will damage healthy trees as well as further shift the water table by cutting down trees to place the houses. I urge you to protect the vitality of this DC neighborhood by protecting our trees and slope overlays.

Please feel free to contact me for additional information or testimony regarding the protection of this important and much loved Palisades community.

Sincerely,



Katherine Sheldon Pughe
katherinepughe@comcast.net

ANDREA MITCHELL

April 10, 2006

Mr. Geoffrey Griffis
Chairman
Board of Zoning Adjustment
441 N. 4th Street, NW
Washington, DC 20001

Fax: 202/727-6072

Re: Application of Dorchester Associates (BZA Application No. 17309)

Dear Chairman Griffis,

I am a thirty-year resident of Chain Bridge Road, NW, residing at #2710, and am writing about the application of Dorchester Associates to construct thirteen very large homes near by on our street, directly across from our cherished Battery Kemble Park. I attended the previous BZA meeting which was continued until today, and since I am unavoidably traveling to Boston, wanted to submit my views in writing for your consideration.

I believe strongly that this application will be a critical test of whether an historic green space, the Civil War battlement known to generations of dog lovers, sledders and nature buffs as Battery Kemble Park, will suffer the latest example of the "McMansion" syndrome. Eight years ago, our neighborhood won a tree and slope protection zoning "overlay" to limit development and protect mature trees in the semi-rural neighborhoods adjacent to the park. Now you must decide whether to permit the construction of thirteen mega-mansions, some of which will tower over the park, within that district. Hanging in the balance is whether the protected trees on the largest undeveloped site in the Palisades area are to be saved. My neighbors and I believe the outcome could be a bellwether for many District neighborhoods struggling to save their trees.

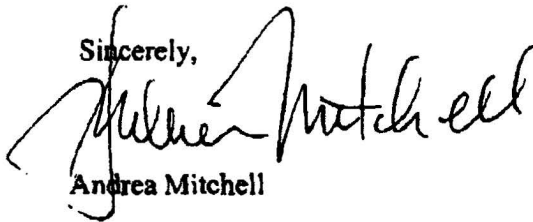
You are all familiar with the site in question. As you know, it has existed for more than half a century essentially as a beautiful private park, with but one fairly modest home hidden toward the rear. The developer has now taken down that house in preparation for a massive development that will permanently alter the entire area, even the adjoining historic schoolhouse once attended by the descendants of freed slaves.

Everyone has known that development of the tract was inevitable, but we saw reason to hope, especially given our successful efforts to protest neighborhood trees, that it might be limited to fewer homes on much larger lots. Our neighborhood group envisions a "greenway" around the property—a periphery marked by steep grades and many large trees—with home construction taking place on the site's two distinct and largely treeless plateau areas. The greenway would also serve to soften the view of the development both for its neighbors and for visitors to Battery Kemble Park.

But no greenway figures in the plan now pending before you. It ignores the topographic contours, with home sites extending out over the grades on the periphery as well as occupying the plateaus. Although the Bender plan purports to comply with all environmental regulations, including the overlap for tree preservation, the threat to trees is real and lies in a maze of details such as grading and digging unavoidably associated with building thirteen huge homes in a crowded space.

Our neighborhood preservation committee has proposed alternatives to the developer that would preserve the trees and spare neighbors and visitors to Battery Kemble Park the sight of three and four-story homes looming over both an historic street and the wooded paths that have been a retreat for Washingtonians for more than a century. We pray that the BZA acts on the facts of the case and rejects the Bender project as now conceived.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Mitchell". The signature is fluid and cursive, with a large initial "A" and "M".

Andrea Mitchell

Cc: Spence Spencer
Palisades Citizens Association
Fax: 202/342-0986

April 10, 2006

Geoffrey Griffis
BZA Chairman
441 N. 4th Street, NW
Washington, DC 20001

Dear Mr. Griffis:

My husband Bruce and I are long-time residents of Palisades and frequent users of Battery Kemble Park.

I write to express our firm opposition to the application of Dorchester Associates (BZA Application No. 17309). Battery Kemble is a neighborhood resource, which would be significantly adversely effected by the construction of a large number of mammoth houses on the property on Chain Bridge Road. The granting of the application would authorize damaging the trees in what remains of the park, violate the overlay, and add unmanageable traffic to a very constrained space.

Sincerely,



Harriet Babbitt
5169 Watson Street, NW
Washington, DC 20016
Telephone: 202-403-2005
Fax: 202-363-2958

cc: Spence Spencer

April 4, 2006

Dear Mr. Griffis,

We are writing in reference to the application from Mr. Bender and Dorchester Associates (BZA Application No. 17309) for a special exception to the D.C. Zoning Laws.

The Battery Kemble Park is beautiful and a delight amid all the concrete surrounding it; families and hikers enjoy the changing of the seasons, sledding and walking their dogs. The park will be negatively impacted if the Chain Bridge Road/University Terrace Tree and Slope Overlay is disregarded. There are steep slopes already in the park and those could become even steeper and more eroded, if an exception is granted to the developer. The Chain Bridge Road/University Terrace Tree and Slope Overlay is there to protect the trees, shrubs, flowers, animals and to help keep the watersheds clean. Every square foot of soil, trees, etc., removed from the Overlay, impacts the Potomac, which impacts the Bay. There have already been houses in the area built disregarding the tree protection. We must discontinue the negative cycle of irresponsible developers; they are in it for the short-term and the money. We owners, are here for the long-term and don't want to see our resources wasted.

Let's not let Mr. Bender and Dorchester Associates have an exception to the Chain Bridge property that will set a precedence for other developers to think that D.C. does not uphold its zoning laws, nor tree protection acts, and is in favor of unscrupulous developers.

Sincerely,

Leigh Rollins
Martin Janowiecki
2870 Arizona Terr, NW
Washington, DC 20016

cc: Palisades Citizens Association

2813 N. Glade Street, N.W.
Washington, D.C. 20016
March 30, 2006

Geoffrey Griffis
BZA Chairman
441 N. 4th Street, N.W.
Washington, D.C. 20001

Reference: BZA Application No. 17309, Dorchester Associates

Dear Mr. Griffis:

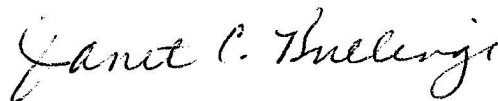
I am writing as an interested *and* concerned member of the Palisades Citizens Association and as a long time resident of this wonderful neighborhood (since 1976). I am in favor of protecting the quality of life in the Palisades and I don't believe that building 13 large homes on the Murphy property at 2762 Chain Bridge Road will do this. I am very much opposed to granting the request of the builder to build large homes and remove beautiful trees. When I walk down Chain Bridge Road I can't believe that I am still in the District of Columbia since it looks like a beautiful country road within the city. This will certainly not be the case should more residences be added to make it a more congested roadway and area. Let's keep the District of Columbia a Special City for Special People.

Granting an exception to the rules will only degrade the neighborhood and enrich the developer's pockets. Bigger is not always better. The Palisades Citizens Association has devoted a lot of time and energy to keeping our neighborhood environmentally aesthetic with the tree protections and slope overlays. To allow the developer's proposals would be against D.C. laws and I believe this has been addressed by the general membership when they voted to oppose this project.

I hope that you will consider all of the requests of all citizens opposed to this project and deny the right to develop this property. I, for one am against it.

Thank you for your consideration.

Sincerely yours,



Janet C. Bullinger

✓ Cc:
Spence Spencer, President
Palisades Citizens Association
P.O. Box 40603 Palisades Station
Washington, D.C. 20016

Timothy and Jill Deal
5721 MacArthur Blvd., NW
Washington, DC 20016
202-244-3177
tdeal@uscib-dc.org

March 30, 2006

Mr. Geoffrey Griffis
Chairman
DC Board of Zoning Adjustment
441 N. 4th St., NW
Washington, DC 20001

Re: Application of Dorchester Associates (BZA Application No. 17309)

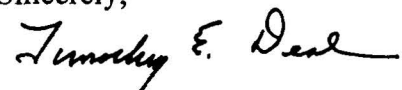
Dear Mr. Griffis:

I am writing to express our strong opposition to the referenced application by developer Morton Bender to build 13 houses on the former Murphy property at 2762 Chain Bridge Road, which is directly across from Battery Kemble Park. We have seen house after house along MacArthur Blvd and throughout the Palisades converted from homes that truly reflect the character and spirit of the area into unsightly MacMansions more appropriate for Potomac than DC. Mr. Bender's request for a special exception to DC zoning laws to accommodate 13 more houses is really the last straw.

As you know, the Palisades Citizens Association (PCA) voted in April 2005 to oppose this project. Since then, not much has changed. The PCA's review of Mr. Bender's revised proposal indicates that it would not be in conformity with DC law, especially the Chain Bridge Road/University Terrace Tree and Slope Overlay. This overlay was designed specifically to protect trees. Cramming 13 more ugly MacMansions, which will no doubt dwarf existing residences, into three and a half acres will not only create a hideous eyesore, but also likely damage healthy trees and violate the overlay. We also understand that there could be other severe problems, among them: (a) storm water running off into the properties of adjacent neighbors; (b) the likely adverse impact on Battery Kemble Park; and (c) safety concerns on Chain Bridge Road.

We believe the BZA should give serious consideration to these matters and reject the application by Mr. Bender. We see no good reason to bend existing rules for the benefit of a developer whose project, when implemented, will lead to the further degradation of our neighborhood.

Sincerely,



Timothy E. Deal

March 30, 2006

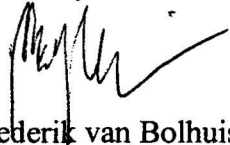
To: Mr. Geoffrey Griffith
BZA Chairman
441 N. 4th Street, NW
Washington, DC 20001

Dear Sir,

As a resident of the Palisades, I am writing to you in connection with the pending application of Dorchester Associates (BZA Application No. 17309). I have grave concerns about the threat to our neighborhood from developers such as these who enrich themselves and then move on, leaving the fabric of our neighborhood destroyed.

With my fellow Palisades residents I am counting on you to uphold our hard-won tree protections and rule against the request for an exception to the DC zoning laws. These laws were designed to prevent exactly developments such as proposed in this case. Your support for the Palisades cause on April 11th will be greatly appreciated.

Sincerely,



Frederik van Bolhuis
5827 Potomac Ave, NW
Washington DC 20016

Tel 202- 473 3298

cc: Spence Spencer, P.C. A