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March 6, 2006

Board of Zoning Adjustment
441 4th Street, NW
Suite 210-S
Washington, DC 20001

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17383
EXHIBIT NO. 70

Attn: Geoffrey Griffis, Chair

Re: Application No. 17383,
The Lab School of Washington KCE Job No. 2003-00-102

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Gentlemen:

I certainly do not wish to be drawn into a fight, other than assisting the Board in reviewing the Lab School application for parking relief and other accommodation.

This letter is in response to Alma Gates' letter of February 23, 2006, which we just received. We have included text from her letter in *italics*, with our respective comments directly below each item in normal font, as well as some additional comments as follows:

- Ms. Gates is incorrect in her statements regarding my meetings with Mr. Finney (for which Ms. Gates was not present); he in fact did suggest we look at the parallel public parking spaces, which is where the idea came from. I met with him twice, talked on the phone with him 3 times to discuss the plan, and showed him freehand sketches in another meeting.

- We met with Larz Exthorn and the DC transportation engineers to review their comments (we had submitted the plan to them) and made changes to the plan to suit DCDOT requirements.

- Subsequent to Mr. Finney's death, I discussed the plan with Ms. Gates and an associate (Board Member) in a meeting at Ms. Gates' house at a picnic table in the back yard and not only showed them the plans, but explained them and left her a copy of the plans; we then made changes to that as Ms. Gates requested. We talked not only about the plan, but also about issues between Ms. Gates and the Director of the Lab School.

Ms. Gates, in her letter of February 23, 2006, wrote:

"Applying the applicable law to the present situation, the frivolous nature of Ms. Prince's allegations are clear. The November 22, 2005 ANC meeting was a public

Board of Zoning Adjustment
District of Columbia
CASE NO. 17383
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meeting as to which proper public notice was given. The ANC never left the stage where we normally sit during our meetings in the Sibley Hospital Auditorium. However, as we began our deliberations very late into the evening somewhere around 10:30 PM, it appeared there was some confusion among the commissioners as to the matters upon which the commission was being asked to make recommendations. The commission had heard a large amount of conflicting testimony from The Lab School, including conflicting information about the number of students and faculty, the number of existing and proposed parking spaces and the school's long term plans. The commissioners spent a relatively short amount of time (not the one hour alleged by Ms. Prince) trying to clarify amongst themselves the best way to delineate the issues for the purposes of formulating a resolution or resolutions. No official action was taken in private. It was not the commissioners' intention to decide issues or adopt agreed-upon positions; rather we were seeking to clarify the issues for consideration. Following the short conference, the commission chair publicly proposed a resolution at the meeting which divided the Lab School's application into four areas for consideration and the commissioners formally voted on the resolution in public. Significantly, during this process, although Ms. Prince was in the audience, no objection was made by her or by Mr. Kilsheimer, a Lab School trustee who was also in the audience."

In fact, I was in the audience as Ms. Gates notes, and the commission turned their backs to the audience, arranged their chairs in a circled wagon plan and held panel conversations for more than one hour – possibly time flew when the commission was negotiating with themselves.

Please feel free to contact this office should you require further clarification.

Very Truly Yours,

Allyn E. Kilsheimer, PE
President,
KCE Structural Engineers, PC

AEK/mgh

cc:	Alma Gates	ANC 3-D
	Sally Smith	The Lab School of Washington
	Allison Prince	Pillsbury Winthrop Shaw Pittman