

4211 Military Rd, NW
Washington, DC 20015
December 13, 2002

Carol J. Mitten, Director
Office of Zoning, Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

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Dear Commissioners:

This letter is in reference to case #ZC 02-17. My wife and I have been granted party status in that case, but we have ceded all of our time to the attorney representing FhORD. I am very concerned that during last night's hearing, Mr. Firstenberg may have misled you in his response to Commissioner's Hood's questions about the details of a construction management agreement.

In a letter to you on October 25th my wife and I explained that the plan described in Mr. Firstenberg's submission did *not* adequately address our concerns over possible damages to our house, that it did not adequately address more general neighborhood concerns about construction issues, and that we were working with other close neighbors to draft a more adequate plans. We sent a copy of this letter to Stonebridge Associates on the same date so that they were well aware that we had these concerns. We have subsequently spent many hours drafting debating various drafts. Last week we sent our attorney, Mr. Hitchcock, a summary of principles that we felt were important to include in any acceptable agreement. When Mr. Hitchcock presented these to the Stonebridge attorney, we were told that Stonebridge was not interested in getting involved in what could be a lengthy negotiation unless it was understood going in that any individual neighbors who sign such an agreement will withdraw their opposition and support the application. As we have made abundantly clear, our objections to the upzoning have to do with the scale and density of the project and the character of the neighborhood. This is a completely separate issue from our worry about construction damages to our homes. We continue to hope that you will maintain the current zoning on the site. However you decide that issue, however, PLEASE insist that any PUD granted to Stonebridge be conditional on their signing a construction management agreement THAT ADEQUATELY ADDRESSES THE CONCERNS OF THE CLOSEST NEIGHBORS.

Sincerely,


Steven T. Kuhn

cc Cornish Hitchcock

ZONING COMMISSION
District of Columbia
Case 02-17
Exhibit 190

ZONING COMMISSION
District of Columbia
CASE NO.02-17
EXHIBIT NO.190