

BY HAND DELIVERY

February 11, 2003

District of Columbia Zoning Commission
Room 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: Forest Hills Tree and Slope Overlay District/Zoning Commission
Case No. 02-19

RECEIVED
D.C. OFFICE OF ZONING
2003 FEB 11 PM 12:18

Dear Members of the Commission:

These comments are submitted to the District of Columbia Zoning Commission ("the Commission") by the undersigned residents of Forest Hills. We are all members in good standing of the Forest Hills Citizens Association (FHCA). We wish to comment specifically on the process by which the FHCA President, and possibly other officers and a small number of members, offered the Forest Hills Tree and Slope Provisions (FH/TSP) overlay to the Commission. We believe this process was seriously flawed and requires the Commission to reconsider its decision to accept the initial set-down of the FH/TSP last April.

If Commissioners believe the Forest Hills community wants a tree and slope overlay, please be aware that in fact there is no community consensus in favor of the FH/TSP, or any other TSO proposed to date. Therefore, the Commission should return the whole issue to the Forest Hills community pending a community-developed consensus.

I. The TSO Was Filed "On Behalf of" a Citizens Association that Never Sanctioned that Offering

After months of debate within Forest Hills, the following facts have now emerged. On April 5, 2002, attorney Richard Netler of Robins, Kaplan, Miller & Ciresi filed a petition to create a tree and slope overlay in Forest Hills "on behalf of" the FHCA. However, neither the membership of the FHCA nor even some of its executive officers were informed of the intent of one or more of the officers of the FHCA to make this filing.

The FHCA membership never sanctioned the April 5 offering of the TSO. No vote or poll of the FHCA membership has ever been taken. A TSO has never been an agenda item at any FHCA membership meeting (as distinct from general community meetings), nor have FHCA officers sought membership approval of their intent to seek a Commission "set down" of the TSO. The outgoing FHCA President can provide no minutes of any FHCA membership meeting, either in

ZONING COMMISSION
District of Columbia
Case 02-19
Exhibit 311

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EXHIBIT NO. 311

advance of the April 5 filing or at any time to date after that filing. FHCA officers, past and present, continue to merely *assert* that the membership supports the filing. However they will not (probably because they cannot) substantiate that assertion despite efforts by FHCA members to obtain factual evidence of support (see Tab 1). The Commission should not be misled into thinking that, because some FHCA individuals claim the TSO was filed on behalf of the organization, that the neighborhood supports the TSO.

Second, Ms. Barbara Simons continually misrepresented her position within the FHCA to the Commission, and thus her authority to speak on behalf of its members. Ms. Simons' two-year term as President of the FHCA ended on June 1, 2002. Despite the fact that the FHCA constitution makes no provision for any extension of terms, or any capacity of an "acting President" pending new elections, Ms. Simons continued to file documents with the Commission in which she identified herself as "President" of the FHCA (as opposed to "Acting President" or, more accurately, "member," or "Forest Hills resident"). In oral testimony regarding the TSO at the Commission hearing on case number 02-19, she did not correct others who referred to her as "President" of the association.¹ Only after an FHCA member of over five years questioned her on this matter in writing were new elections called.

Third, Ms. Simons and others have misled the Commission regarding the extent of Forest Hills community support for the TSO. In a document submitted to the Commission and dated August 26, 2002², Ms. Simons, again inappropriately using the title of FHCA President, claims the FHCA "has over 900 members." (It should be noted that the FHCA has three categories of "members": households, individuals 65 years old and older, and businesses.³ So Ms. Simons' statement implied the organization had a mix of *households*, senior citizens and businesses that totaled "over 900.") Following the late-November 2002 FHCA election (which should have occurred in May or June of 2002), Ms. Simons, and the newly-elected President, George Clark, stated that a quorum was 34 members, and a quorum was present. The FHCA constitution requires a 10% quorum to enact official business. This would suggest FHCA membership actually totals 340 at most. Which is it -- 900 members or 340? The answer matters because either Ms. Simons is misleading the Commission by suggesting that over 900 members of the FHCA support the TSO, or she is misleading FHCA members by suggesting that only 34 members at a meeting was sufficient to constitute a quorum.

¹ See DC Zoning Commission, "Forest Hills Tree and Slope Overlay," Case No. 02-19, Transcript of hearing held June 27, 2002 (hereafter, "June 27 transcript") at 101.

² See Case No. 02-19 Exhibit 195.

³ www.foresthillssdc.org/Membership.htm.

In a document to the Commission regarding the TSO dated September 5, 2002, Ms. Simons, again inappropriately using the title of FHCA President, claims the filing of the TSO petition was “ratified by the FHCA Executive Committee.” However, she fails to mention that this ratification occurred *after* the filing. Furthermore, one member of the FHCA Executive Committee wasn’t even made aware of this vote until after it had occurred. Ms. Simons also states that, “The FHCA does not routinely take votes of its members before it takes a position.” This statement alone is very telling. Aside from brushing aside FHCA Constitutional provisions, this statement indicates a general lack of respect for FHCA members as a whole on a matter that clearly will have a significant impact on every piece of property in the neighborhood.

As a technical matter⁴ it may not matter to the Commission that the (now former) FHCA President and other officers acted without authorization, but by accepting this application, the Commission is essentially endorsing an act premised on a misrepresentation of fact, committed by some individuals with motives clearly of a personal nature⁵ on their unsuspecting neighbors. The Commission should not allow itself to be used by individuals seeking personal benefits, however well-intentioned that have such potentially widespread negative effects on an entire neighborhood – and on neighbors who do not support the endeavor. The Commission should insist the FHCA officers, past and present, substantiate their assertions of support. If they cannot, the Commission should send the matter back to the community for a new start.

⁴ While technically the Commission may not care that the FHCA acted without authority, it should matter to the Commission that it did so. When a legally incorporated association makes representations in an administrative or judicial setting about its actions, those actions are not entitled to weight unless they were taken under that association’s rules of notice, quorum, etc., and were, thereby duly adopted. The FHCA submission constituted a misrepresentation of fact—namely, that it represented the will of the members of the association. This is material to the submission, and on this basis alone the FH/TSP must be returned to the community for reconsideration.

⁵ Specifically, we believe proponents filed the TSO with the Commission on April 5 to stop a developer from getting a building permit for 2900 Albemarle Street, a lot in Forest Hills near to the homes of at least one FHCA member, Alex Walworth. Ms. Walworth had been advocating for some time for action to prevent development on 2900 Albemarle. For example, at a meeting of the ANC on March 18, 2002, minutes show that she reported on the subdivision of 2900 Albemarle Street, “which overlooks her property,” into two lots and cutting down of large trees by Zuckerman Brothers and “urged actions to protect trees, slopes, neighborhood character and privacy.” There was nothing the ANC could do to block development on that lot, so Ms. Walworth, who we are told paid the attorney fees to file the petition with the Commission, and her FHCA friends took the unilateral step of filing the petition on April 5 (see Submission to the Zoning Commission by the Forest Hills Neighbors for Responsible Preservation, Forest Hills Tree and Slope Overlay, Case No. 02-19, Commission Exhibit No. 253, testimony of Robert Maudlin, ANC 3F03, Tab 5 at 2 and minutes to ANC 3F meeting, March 18, 2002).

II. The Recent ANC Commissioner Election Demonstrates Division within the Community on the TSO

Some of the strongest support for the TSO comes from residents of the ANC 3F03 single-member district represented by Commissioner Robert V. Maudlin. Nevertheless, Commissioner Maudlin has steadfastly opposed the TSO filing and called for returning the issue to the community. Mr. Maudlin's 2002 re-election bid was challenged by a second candidate, Poul Arendal. As can be seen in the candidates' pre-election flyers to the neighborhood (attached at Tab 2), it was clear to all that the TSO issue was the defining issue: Mr. Arendal supports the TSO; Mr. Maudlin believes it should be returned to the neighborhood for further consideration before the Commission puts it into effect.

Thus, the November 5, 2002 election results give an indication of community feeling on the TSO and, by extension, the FH/TSP. Commissioner Maudlin won reelection with a vote of 337 (50.37 percent of the total cast) against challenger Arendal's 325 votes (48.58 percent). As Commissioner Hood rightly concluded, the community is deeply divided on the issue.⁶

III. The Commission Record Demonstrates Division

The Commission record in this matter itself contains strong evidence of deep division within the community regarding a TSO. As the Forest Hills Neighbors for Responsible Preservation noted in its submission to the Commission filed September 26, 2001 (see Commission Exhibit No. 253, Tab 5), 150 households sent the Commission post cards or signed petitions indicating their opposition to the TSO, while 30 percent fewer homeowners -- 105 -- submitted indications of support for the TSO. Nevertheless, 20 witnesses were allowed only one evening to testify before the Commission in opposition to the TSO, while 30 witnesses, including four from the FHCA, were given two evenings to provide testimony in favor of the TSO.

Indeed, an overwhelming majority of homeowners in four squares south of Soapstone Valley Park signed petitions to have their lot squares excluded from the TSO.⁷ We updated the survey this January and February. Today, opposition to the FH/TSP remains strong. Neighborhood residents now request seven squares be excluded from the Overlay (Squares 2049, 2231, 2232, 2238, 2239,

⁶ Anthony Hood, Vice Chair and Commissioner, DC Zoning Commission, "Forest Hills Tree and Slope Overlay," Case No. 02-19, Transcript of hearing held October 28, 2002 (hereafter, "October 28 transcript"), at 115-117.

⁷ The squares requesting exemption are 2239, 2244, 2245, and 2246. See Submission to the Zoning Commission by the Forest Hills Neighbors for Responsible Preservation, Forest Hills Tree and Slope Overlay, Case No. 02-19, Commission Exhibit No. 253, testimony of William Kelly, Tab 3, p. 9).

2244, and 2246; Petitions are attached at Tab 3). A total of 44 households representing 48 of the 62 lots south of Soapstone not owned by foreign embassies or the United States government⁸ (77 percent of the total) signed the petition opposing the overlay. They include all of the lot owners in Square 2231, in 10 of 19 lot owners in Square 2238 (Tilden, Upton, 28th Street) oppose the FH/TSP and want to be excluded; 16 of 19 in Square 2239 (Upton, Linnean), five of five in Square 2244 (Tilden Place), all of Square 2245 (Hillwood), and 15 of 17 in Square 2246 (Lenore Circle). The request of these homeowners should be accepted.

Opposition to a tree and slope overlay has not eroded with the publication of the FH/TSP on December 13. Registered opposition has even increased. As noted above, in January and February 2003 we surveyed as many of our immediate neighbors as we could manage to approach on weekends,⁹ informing them of the contents of the FH/TSP¹⁰ and asking them to indicate their position by signing new petitions. This time, 161 households (229 individual signatures) returned petitions to us to pass to you asking that you return the matter to the community for reconsideration (see summary list of households and copies of petition signatures at Tab 3). Some of us own more than one lot in Forest Hills, so as a percentage of total lots in the Overlay district, we are significant, at least one out of four lots and more likely much higher. [It is important to note that opposition to the FH/TSP is most certainly larger than the 161 households we were able to reach in the last month. For one thing, we were unable to get in touch, despite several efforts, with a number of the households who registered opposition to the TSO after it was first set down. Their absence from the list in Tab 3 does *not* signal that they now support the FH/TSP. In addition, the Commission should not assume that property owners, who have not registered their opposition, support the FH/TSP. It is much more likely that silent property owners remain unaware of the FH/TSP.] Thus, opposition to the FH/TSP is much greater than "30 people making noise," as Commissioner Parsons dismissively asserted,¹¹ and the Commission has an obligation to consider seriously our request to return this matter to the community for further thought.

⁸ This does not include one vacant property that is currently being renovated for resale.

⁹ It should be noted that this was a very cold time of year, compounded with snowy/icy conditions (one of us fell and fractured a wrist in the door-to-door effort!), but we forged ahead with persistence and energy because we know opposition to the TSO runs deep in Forest Hills and we wanted you to be fully aware of it. We knew that the FHCA would not so inform you. And unlike the FHCA, we understand the importance of documenting the opposition.

¹⁰ The FHCA eventually (this January) mailed their members a notice that the Commission had published a new version of the TSO on December 13 and was inviting comments. The FHCA mailing did not mention that many of the changes it suggested to the original filing, and which undoubtedly contributed to support for the TSO, were not accepted by the Commission and not included in the December 13 draft.

¹¹ October 28 transcript at 117.

IV. An FHCA Meeting on November 21 Demonstrates Deep Division in the Neighborhood Stemming from the TSO

A long-overdue meeting of the Forest Hills Citizens Association was held on November 21, 2002, to elect new officers. As noted above, the terms of the last set of officers had expired June 1, 2002. That meeting turned into a stormy session, in large part due to the division within the community regarding the TSO. Three members of the FHCA sought election to officer positions of the FHCA in part on the grounds that the FHCA Executive Officers were not adequately representing the views of Forest Hills residents regarding the TSO. These members sought votes, either in person or by proxy, in support of their candidacy (see attached flyer mailed to TSO opponents in the neighborhood in advance of the FHCA meeting at Tab 4).

The acting officers of the FHCA, however, prevented most of these members from even voting in that election, let alone running against their hand-picked slate of candidates, all TSO supporters.¹² Needless to say, with a large number of TSO opponents suddenly prevented from voting in officer elections run by the former officers who were all TSO supporters, the meeting was acrimonious. Attached is a letter to the editor of the *Northwest Current* by the three candidates who were shut out of the voting process describing what happened that night (see Tab 5).

V. Conclusion

The time has not yet come to apply a TSO to the Forest Hills neighborhood. No consensus exists that the Forest Hills community wants the TSO, even as revised and published by the Commission on December 13. If broad community support is the Commission's reason for supporting a TSO for Forest Hills, there is no such support and the Commission should return the initiative to the community until there is.

Sincerely,

Warren Watts and Jane Halpern, 3054 Harrison Street, N.W., Forest Hills
Clarice Feldman, 4455 29th Street, NW, Forest Hills
James and Karen Foreit, 4140 Linnean Ave., NW, Forest Hills

¹² They announced a "special rule" for that meeting: only FHCA members from the *preceding* FHCA defined fiscal year could vote in the election! Anyone who had joined after June 2002 was thus conveniently (for the hand-picked slate) disenfranchised. The sole purpose of this rule was to eliminate all the new members who opposed the TSO from voting.

Mark and Laura Baughman, 4835 Linnean Ave., NW, Forest Hills
Robert and Carole Maudlin, 2906 Ellicott Terrace, NW, Forest Hills
Eugene and Katharina Gurenko, 3001 Audubon Terrace, NW, Forest Hills
James Riley, 4926 30th Street, NW, Forest Hills
Stuart Sloame, 4508 28th Street, NW, Forest Hills
Daniel Yergin, 2959 Davenport Street, NW, Forest Hills
George Magher, 2901 Ellicott Terrace, NW, Forest Hills
William and Cindy Kelly, 4204 Lenore Lane, NW, Forest Hills

Barbara Simons, President
Forest Hills Citizens Association
4401-A Connecticut Avenue NW #209
Washington, DC 20008

12 September 2002

Dear Mrs. Simons:

As a member of the Forest Hills Citizens Association (FHCA) for over five years, I have concerns with the process leading to FHCA sponsoring and filing the Forest Hills Tree and Slope Overlay, District Case No. 02-19. There has been an apparent lack of opportunity by FHCA members to be involved in the decision to sponsor this overlay petition prior to submission to the District of Columbia Zoning Commission on 5 April 2002.

The petition calls for major changes in zoning specific to Forest Hills that will impact residents. This would not seem to be a routine matter, but one requiring FHCA members to, at the least, have the chance to review and comment on this petition prior to any decision of sponsorship, and subsequent filing to the Zoning Commission.

Therefore, I would respectfully request that I be provided with any and all minutes of any FHCA meetings that have occurred, either involving membership as a whole or of only the Executive Committee, in which the Forest Hills Tree and Slope Overlay issue was discussed.

These minutes and related materials can be mailed to me at the address below my signature. If necessary, other arrangements can be made so that I may obtain these materials. Please contact me at either phone number below should this be the case.

For your information, I am also a member of the Forest Hills Neighbors for Responsible Preservation (FHNRP).

Sincerely,



Warren R. Watts

3054 Harrison ST NW
Washington, DC 20015
(202)363-0415 (h)
(202)877-0854 (w)

Cc: Mr. Alberto P. Batista, Secretary to the Zoning Commission
Charles and Susan Gellert, Vice President, FHCA
Barbara Kogan, Secretary, FHCA
Thomas Whitely, Treasurer, FHCA



Forest Hills Citizens Association

Dedicated to the enhancement, maintenance, protection, and promotion of
a positive community spirit in the Forest Hills neighborhood.

September 28, 2002

VIA HAND DELIVERY

Warren R. Watts
3054 Harrison Street, N.W.
Washington, D.C. 20015

Re: Forest Hills Tree and Slope Overlay District
Case No. 02-19

Dear Mr. Watts:

I have your letter of September 12, which was delivered to the Forest Hills Citizens Association post-office box, and was recently delivered to me.

Although an initial check of our membership records could find no listing for you, a subsequent check revealed that you share a membership with Jane Halpern and are therefore listed alphabetically under Ms. Halpern's name.

With respect to your present inquiry, we are currently in the process of gathering and compiling the data you have requested.

Very truly yours,

Barbara M. Simons
Barbara M. Simons
President

cc: Alberto P. Bastida, AICP
Secretary to the Zoning Commission

Ms. Barbara Simons
Forest Hills Citizens Association
4401-A Connecticut Avenue NW #209
Washington, DC 20008

17 October 2002

Ms. Simons:

I am a member of the Forest Hills Citizens Association (FHCA). On 12 September 2002, I requested copies of any and all minutes of any FHCA meetings, either involving membership as whole or of only the Executive Committee, in which the Forest Hills Tree and Slope Overlay issue was discussed (District Case No. 02-19). On 28 September 2002, I received a hand-delivered letter signed by you in response to my request, in which you acknowledged my membership in the FHCA and indicated those materials were being "gathered and compiled." To date, I have yet to see any of these materials. As an FHCA member, I would appreciate receiving these materials promptly, or at the least, an estimate on when I can expect to receive them.

I have a number of questions regarding the activities of the FHCA from 2001 to the present that I hope you will answer. These questions center on various Articles in the FHCA Constitution and FHCA Executive Committee adherence to those Articles. For the record, my reference is the FHCA Constitution dated July 1998. If a more recent, amended FHCA Constitution is now in effect, please provide a copy of that amended Constitution, and any FHCA meeting minutes regarding those amendments.

First, Article V, Dues and Fiscal Period, section one states that "The annual dues shall be payable in June." To date, I have not received a notice for payment of annual dues for the year 2002, nor has any other FHCA member I've spoken with. Have you mailed such invoices? If so, what is the total number of FHCA members who have paid dues for 2002?

Second, Article VII, Meetings, section one states that, "The annual meeting shall be the regular Spring meeting." I was not informed of a Spring meeting this year. Was one held? If not, what is the reason for not holding this meeting as required in the FHCA Constitution? I am aware the FHCA held two "town meetings" this past spring for the Forest Hills community as a whole, but nothing in the Constitution provides that such meetings can substitute for an annual meeting.

Third, Article VII, Meetings, section two states that, "There *shall* be at least three meetings, including the annual meeting, at such place and time as may be designated by the Executive Committee" [emphasis added]. To the best of my knowledge, there have been no FHCA membership-specific meetings held this year. Please advise me if I was not informed of such meetings and, if they did in fact take place, provide me with the minutes to those meetings.

Fourth, Article VI, Officers, section three states in part that, "Officers shall be elected at the annual meeting and hold office for two years." The information I have indicates that

the last such election was held at the annual meeting in 2000. Since no annual meeting was held this year, and as a result, no election has occurred, and the FHCA Constitution makes no provision for an automatic extension of officer terms in the absence of the called-for elections, it would appear that your term as President of the FCHA, as well as the terms of the other officers of the FHCA Executive Committee have expired. If you believe they have not, please explain under what or whose authority you continue to serve as President of the FHCA.

The issues raised above lead to a number of serious concerns regarding the FHCA and its role in the civic affairs of Forest Hills and the District of Columbia as a whole. It would appear that the FHCA Executive Committee, with you as the elected President, has failed to abide by the FHCA Constitution. Furthermore, the extraordinary delay in providing me with minutes to any FHCA meeting relating to the Overlay leaves the distinct impression that there were, in fact, no such meetings.

It would also appear that as the current two-year term expired 1 July 2002, none of the FHCA Executive Committee members, elected at the June 2000 Annual Meeting, are currently in office. Despite this, you have continued to act as President of the FHCA. In particular, you have continued to sign documents, and attend hearings regarding the Forest Hills Tree and Slope Overlay (District Case No. 02-19), using the title of President of the FHCA. This would appear to be, at the least, inappropriate.

We have now been in correspondence for over one month. A prompt response to these issues would be appreciated, and is anticipated. To that end, I am mailing this letter to both the FHCA's Connecticut Avenue address, and to your home address, to avoid any potential delay in your receiving it. I would also appreciate responses from other members of the FHCA Executive Committee.

In closing, I ask that your response be sent through the US Postal Service. Your previous letter was left on the front porch of my house, where the wind could have easily blown it away, or some other factor could have led to my not finding it. Your responses can be mailed to:

Warren R. Watts
3054 Harrison ST NW
Washington, DC 20015

Sincerely,

Warren R. Watts

Cc: Charles and Susan Gellert
Barbara Kogan
Thomas Whitely



Forest Hills Citizens Association

Dedicated to the enhancement, maintenance, protection, and promotion of
a positive community spirit in the Forest Hills neighborhood.

Mr. Warren Watts
3054 Harrison Street, N.W.
Washington, D.C. 20015

Dear Mr. Watts:

This is in response to your recent letter in which you have asked a number of questions regarding the Forest Hills Citizens Association.

1. Dues. The dues provision of the FHCA Constitution (that "annual dues shall be payable in June") has been traditionally interpreted to mean that annual dues shall become payable in June -- and not before. You will also note that the Constitution makes no mention of "dues notices", and it sets no date after which dues may not be paid. Thus, your 2001-02 dues were mailed to FHCA on August 20, 2001 (see enclosed), and a number of dues payments for the 2001-02 fiscal year were received as late as April of this year. Incidentally, you have asked for the number of members who have paid dues "for 2002". Unfortunately, you have failed to indicate whether by "2002" you intended fiscal 2001-02 or fiscal 2002-03.

2. Meetings. Meetings for the 2001-02 fiscal year were held as follows: (1) a meeting at Hillwood Museum on October 11, 2001 (neither you nor Jane Halpern attended); (2) a meeting at the Netherlands Embassy on April 16, 2002 (again, neither you nor Jane Halpern attended); and (3) a meeting at the Capital Memorial Church on May 13, 2002 (once again, neither you nor Jane Halpern attended; in fact, in the entire five years of your membership in the Association, neither you nor Jane Halpern has attended a single meeting.) Although the purpose of the October 2001 Hillwood meeting was essentially social in nature, the purpose of the two meetings held this year was (quoting from Article III of the FHCA Constitution):

"to keep the Forest Hills community informed of developments and issues affecting the citizens of Forest Hills and the city as a whole"; and

"to secure adequate laws and regulations for the advancement, care, protection and welfare of the Forest Hills area and to develop the most advantageous neighborhood plans for the Forest Hills area." (Emphasis supplied.)

3. Minutes. In response to your request for minutes, my search of the FHCA archives has failed to uncover any books of minutes. Certainly, no minute book was ever turned over to me upon my becoming president, although other items such as ledger books, bank books, etc. were turned over. In any event, since the FHCA Constitution contains no requirement that minutes of meetings be kept, our Secretary, upon assuming office, stated that she would not be keeping minutes.

4. Terms of Office. The law is well-established that, in the absence of an express provision to the contrary, an officer elected to a specific term of office continues to hold over and legally exercise the powers of that office until his or her successor has been chosen (see American Jurisprudence; Corpus Juris; and cases cited therein.) The FHCA Constitution contains no such express provision to the contrary.

Very truly yours,

Barbara M. Simons

Barbara M. Simons
President

Enclosures

Forest Hills Citizens Association
Attn: Mr. George Clark
4301-A Connecticut Avenue NW #209
Washington, DC 20008

8 January 2003

Mr. Clark:

As stated in a previous letter to you, I do not consider you to have been legitimately elected President of the Forest Hills Citizens Association (FHCA) due to irregularities in the 21 November 2002 FHCA election. However, in order to further FHCA and Forest Hills communication and goals, this letter is directed to your attention. To expedite this effort, this letter is being sent to you at the email address provided with your name on the FHCA election meeting Nominating Committee's nominee's handout, as well as to the FHCA address above.

1. Please provide the rationale and reasoning behind the disenfranchisement of FHCA members in good standing- members who had paid their FHCA dues- at the 21 November 2002 FHCA meeting, held for the purpose of electing new FHCA Executive Committee Officers for two year terms beginning in FHCA fiscal year 2002-2003. This includes not only members in attendance at that meeting, but those unable to attend who desired to vote by proxy.
 2. At the 21 November 2002 FHCA meeting, the FHCA Nominating Committee nominees included two Secretarial positions. The FHCA Constitution specifically states, "The officers of the Association shall consist of a president, vice-president, secretary and treasurer whose duties shall be such as pertain to their respective offices." Under what authority was a second secretarial position created?
 3. You and Barbara Simons, the outgoing FHCA President, had a letter published in the 11 December 2002 edition of the Northwest Current. Regarding the 21 November 2002 FHCA election, that letter states, "a quorum was 34 households." In an 26 August 2002 document filed with the District of Columbia Zoning Commission regarding case number 02-19, "Forest Hills Tree and Slope Overlay" (FH/TSP), Ms. Simons, using the title of FHCA President despite her term having expired more than two months previously, stated that the FHCA "has over 900 members."
- Since a quorum is defined in the FHCA Constitution as consisting of ten percent of the members, simple arithmetic would indicate that one or the other figure is incorrect. Specifically, thirty-four (34) is much less than one-tenth (0.10) of nine hundred (900). I am well aware of the distinction between FHCA members as defined in the FHCA Constitution (household, those over 65 years of age, business, and honorary), and the number of individuals that might be members of a household.
4. To again quote from your and Ms. Simons letter in the 11 December 2002 Current, "The majority of the association members support the overlay." As an FHCA member for over five years, I find this statement puzzling. In a document dated 5 September 2002,

signed by Ms. Simons, again using the title of "President" of the FHCA despite her term having expired several months earlier, which was submitted to the District of Columbia Zoning Commission regarding the Forest Hills Tree and Slope Overlay (FH/TSP), Case No. 02-19, Ms. Simons wrote, "The filing of the petition was ratified by the FHCA Executive Committee. The FHCA does not routinely take votes of its members before it takes a position." Since this statement clearly indicates FHCA membership as a whole was not made aware of the intent to file this petition, your and Ms. Simons' statement of FHCA majority support can only be based on data compiled after the filing.

Anyone can claim majority support on any issue- demonstrating it and providing definitive, factual data in support of such a claim is quite another matter. Therefore, I am respectfully requesting, as a dues paying household member of the FHCA of over five years, that you provide me with the data, and any analysis of that data, utilized to support your and Ms. Simons' assertion that a majority of FHCA members support this or any tree and slope overlay. Alternatively, please prove me with timely access to this data and any associated analysis.

In addition, please provide the date at which the FHCA Executive Committee ratified the filing of the FHTSO petition, and who, if any, members of the Executive Committee at that time (FHCA fiscal year 2001-2002) may not have been present.

5. Due to the unresolved issues above, I am requesting timely access to FHCA membership lists for any and all FHCA fiscal years, as allowed in the FHCA Constitution for carrying out the purposes of the Association. I am also requesting timely access to any and all FHCA records, such as meeting minutes, which should be available to any FHCA member in good standing. This access is needed to research, and hopefully clarify, this and other issues regarding the FHCA.

6. Putting aside (for the purposes of these questions only) any issues on the legitimacy of the recent FHCA election, what issues do you and the other current FHCA officers intend to focus on in the future? How do you intend to involve FHCA members in any initiatives? Do you plan to at least inform FHCA members of who the FHCA officers are as a result of the election held at the 21 November 2002 FHCA member meeting?

Your responses to these issues can be sent to myself at my home address as follows:

Warren R. Watts
3054 Harrison ST NW
Washington, DC 20015

You can also email me at: wrv@att.net

Sincerely,


Warren R. Watts

Robert V. Maudlin
Commissioner - 3F03
Advisory Neighborhood Commission
2906 Ellicott Terrace, N.W.
Washington, D.C. 20008
(202) 363-5204
maudlin@alum.mit.edu

October 24, 2002

Dear Neighbor:

I have represented ANC3F's Single Member District 3F03 for the past four years and I am a candidate for reelection on November 5, 2002. SMD 3F03 includes 4411 and 4501 Connecticut Avenue and most of the area of single family homes bordered by Nebraska Avenue/Broad Branch Road to the north, Rock Creek to the east, Soap Stone Valley Park to the south and Connecticut Avenue to the west.

During the past four years I have established liaison with a number of government agencies and community organizations. I have been active in dealing with a variety of issues that have come before ANC3F including the following.

- Communications - To improve communications with the community I designed and have maintained ANC3F's web site since 1999.
- Construction - I have opposed construction of oversized houses.
- Institutions - I have opposed expansion of institutions and the location of new institutions in residential areas.
- Recreation - I worked with the Department of Parks and Recreation to involve the community in the design and restoration of the Forest Hills playground after it was demolished.
- Traffic - I have worked with DPW, DDOT and NPS:
 - To install traffic calming measures on Albemarle Street.
 - To install traffic controls at the Forest Hills playground.
 - For additional study of the proposed closing of Beach Drive.
 - To suspend work on proposed reconstruction of Broad Branch Road.
- Tree and slope overlay - I have urged the Zoning Commission to return the issue to the community for careful study and discussion in order to reach a consensus on what is needed to meet the needs and the desires of the Forest Hills residents.

In seeking reelection I offer my experience and commitment to keep Forest Hills an outstanding residential community.

I ask for your support and your vote on November 5, 2002. I look forward to continuing to represent you during the next two years.

If you have any questions or comments I can be reached by phone, E-mail or mail at the above address.

Very sincerely yours,


Robert V. Maudlin



VOTE POUL ARENDAL FOR ANC COMMISSIONER 3F03

on November 5 at Capital Memorial Church, 3150 Chesapeake Street, NW

Dear Forest Hills Neighbor,

I ask for your support in the November 5 election for ANC 3F03 Commissioner. My family has lived in Forest Hills since 1982, and we care deeply about the future of our neighborhood. I have a J.D. from American University and an MBA from University of Utah. I am a semi-retired, self-employed consultant. From 1975-95 I worked as a financial policy analyst for the World Bank, and from 1997-98 I worked as an attorney in the White House Office of Counsel to the President. I also worked for the Democratic National Committee and the Gore2000 Presidential Campaign.

MAJOR ISSUES:

♦ **We must support smart growth for Forest Hills.** Aggressive in-fill developments have resulted in subdivision of lots, clear cutting of mature trees, razing of existing homes and construction of very large houses on smaller lots, that are incompatible with the existing neighborhood. I support the **Forest Hills Tree and Slope Overlay (Overlay)**, and any other measure, which would prevent or reduce the adverse impact of development on the surrounding open space, parkland, streams, and other natural areas. I am not opposed to development and know that more houses will be built, but I believe in fostering compatibility between new construction and the existing neighborhood.

Although my opponent has consistently opposed the Overlay,¹ on October 28, the Zoning Commission approved it. The Overlay will be open for comments before the Zoning Commission takes final action early next year. A few issues remain unresolved, e.g., the front yard setback, minimum lot size, and the exact area covered by the Overlay. If elected, I will take a very active role in the final approval process of the Overlay.

♦ **We must support vital and diverse businesses along Connecticut Avenue that serve the needs of our neighborhood.** I will work toward making the area more inviting. I will be supportive of businesses that add value to the neighborhood.

♦ **We must work for better and safer roads.** I worry about the increased flow and speed of traffic on residential streets. I support measures that would direct the non-local traffic to the major thoroughfares and slow down speeders. Street surfaces are generally in poor condition and should be repaired and better maintained. This is especially true after developers have dug them up for access to the various utilities. Tree branches blocking street lighting, street signs, and endangering utility lines should be trimmed regularly.

Win or lose I will continue to work on these issues. I will also expand the dialogue with the residents in Albemarle House² and the Park Connecticut to better understand unique issues affecting them.

My candidacy is supported by: Lenora C. Alexander, Paquita & John Attaway, Jim Baller & Marlene Berlin, Jules Bassin, Joan & Bill Benesch, Janet & Nicholas Berry, Leslie Buhler & Robert Berendt, Amy Berger, Jan Buresh, Jim Casserly & Kathy Flynn, George & Mary Clark, Bill McElwain & Susan Crudgington, Joyce DeRoy, Mel & Margery Elfin, Dorothy Fall, Eldon & Emily Greenberg, Brendan & Karen Herron, Anne Hobler, Daniel R. Kane, James & Susan Kemp, Barbara Lardy, GERALYN & Martin Lobel, Saeed Marefat, James & Carol McHale, Arthur & Elaine Melmed, Douglas Mitchell, Linda & Joel Mulhauser, John Eldred & Kathryn Pauli, Ron & Barbara Plesser, Kent & Patti Ravenscroft, Alice Rivlin, Joan & Barry Rosenthal, Ann I. Schneider, Christy Schmidt, Joel Swerdlow & Marjorie Share, Barbara Simons, David & Linda Swanson, Alex & Andy Walworth, and Diane Wattenberg.

Sincerely,

Poul Arendal
3120 Appleton Street, NW

Phone: (202) 537-0849; Fax: (202) 537-3068
E-Mail: Poul.Arendal@Verizon.net

¹ Commissioners Robert V. Maudlin, ANC 3F03, and Phil Kogan, ANC 3F01, stated that "... the proposed overlay area is inappropriate for the Forest Hills neighborhood and should be rejected by the Zoning Commission ..." June 17, 2002 Minority Report to the D.C. Zoning Commission, www.anc3f.org/TSONinL&Rs.htm

**Forest Hills Residents Who Oppose the FH/TSP and Want the Commission
to Return the Matter to the Community for Further Consideration;
Residents in Italics Further Request their Squares Be Removed from the
Overlay District**

Address	Residents
2852 Albemarle Street, NW	Beverly and Daniel Rezneck
2936 Albemarle Street, NW	Jacob H. and JoAnne Zeigler
2938 Albemarle Street, NW	Joetta G. Jacobsen
2940 Albemarle Street, NW	Morris E. Krucoff
2945 Albemarle Street, NW	Susan K. and Robert B. Bell
2947 Albemarle Street, NW	Harvey Shulman
2949 Albemarle Street, NW	Tirachai Kambhu and Kanitta Meesook
2955 Albemarle Street, NW	Andrew K. and Julia K. Stevenson
3010 Albemarle Street, NW	Gerald G. McAninch
3001 Audubon Terrace, NW	Katharina M. and Eugene N. Gurenko
3003 Audubon Terrace, NW	James M. and Virginia W. Newmyer
2918 Brandywine Street, NW	Alvin J. Lorman and Ann Elkington
2930 Brandywine Street, NW	Adam E. and Laurine H. Sieminski
3100 Brandywine Street, NW	Nina and Max Hirshfeld
4600 Broad Branch Road, NW	Martina Bradford
3222 Broad Branch Terrace, NW	Michael Lav
3400 Broad Branch Terrace, NW	Roland G. and Dora M. Henderson, Jr.
2801 Chesterfield Place, NW	Peter E. Halle
2809 Chesterfield Place, NW	Carol Warner
2905 Davenport Street, NW	Marisa Cavich and Kelly Kramer
2909 Davenport Street, NW	Dion T. Diamond and Shirley Diamond
2944 Davenport Street, NW	Mary Barcella
2947 Davenport Street, NW	John W. Rollins
2950 Davenport Street, NW	Nancy D. Rosan
2959 Davenport Street, NW	Daniel Yergin and Angela Stent Yergin
3001 Davenport Street, NW	Edward H. Vazquez
3021 Davenport Street, NW	Anne and Ernest Wallworth
3039 Davenport Street, NW	S. Kristina and James Hamilton
3060 Davenport Street, NW	Cora Buell
3054 Davenport Street, NW	Orit Frenkel and Claude Fontheim
2801 Ellicott Street, NW	Carl E. Anderson, Jr. and Mary Ann McLaurin, MD
2811 Ellicott Street, NW	Harold J. and Barbara Berman
2824 Ellicott Street, NW	Barry Feinstein
2832 Ellicott Street , NW	Michael Potts
2908 Ellicott Street, NW	Mildred Miller
2915 Ellicott Street, NW	Maurice Lipnick
2919 Ellicott Street, NW	Albert A. Foer
2928 Ellicott Street, NW	Paul D. and Marilyn M. Pearlstein
3000 Ellicott Street, NW	Dennis Sequeira
3033 Ellicott Street, NW	C. Zanoan
3102 Ellicott Street, NW	Andrew Weissman
3225 Ellicott Street, NW	Susan Green and Richard M. Daly
3229 Ellicott Street, NW	Edward R. and Susan I. Levin

3245 Ellicott Street, NW	Robert and Hale Krasne
2900 Ellicott Terrace, NW	H. W. and Evelyn Radin
2901 Ellicott Terrace, NW	G. R. Magher, Jr.
2904 Ellicott Terrace, NW	Sr. Martha Salas and Sr. Dolores Pacindo
2906 Ellicott Terrace, NW	Robert V. and Carole M. Maudlin
2907 Ellicott Terrace, NW	Sr. Stella Symanski and Sr. Carmen Martine;
2912 Ellicott Terrace, NW	William Kurstin, MD and Sally Kurstin
2922 Ellicott Terrace, NW	Dr. Charles W. and Sauanna M. Clark
2900 Fessendon Street, NW	Robin Rose and Judith Penski
2910 Fessendon Street, NW	Leslie and Carl T. Rowan, Jr.
2914 Fessendon Street, NW	Julian Berringauf
2916 Fessendon Street, NW	Marsha Cohen and Alan Fischl
2918 Fessendon Street, NW	Emily Feistritz
2922 Fessendon Street, NW	Steve Prieto and Richard Kennedy
2926 Fessendon Street, NW	John Castellot, Sr.
3108 Fessendon Street, NW	Marueen O'Bryan
3301 Fessendon Street, NW	Clarice Levy
3307 Fessendon Street, NW	Irwin Levy
3240 Fessendon Street, NW	Gary M. Israel
3403 Fessendon Street, NW	John C. Knight
3405 Garrison Street, NW	Charles Gilligan and Marilyn Keefe
3425 Garrison Street, NW	Patricia T. Rosenman
3050 Harrison Street, NW	Mike Schroer
3051 Harrison Street, NW	Jane M. Hill
3054 Harrison Street, NW	Warren Watts and Jane Halpern
3055 Harrison Street, NW	Armando and Mariana Lourenco
3058 Harrison Street, NW	Amy Ross
3059 Harrison Street, NW	Nathalie Stephenson
3063 Harrison Street, NW	Robyn Stone
3067 Harrison Street, NW	Stephen and Nancy Arbuthnot
4201 Lenore Lane, NW (Sq. 2246)	Cynthia Kelly
4205 Lenore Lane, NW (Sq. 2246)	Cynthia Kelly
4209 Lenore Lane, NW (Sq. 2246)	Cynthia Kelly
4213 Lenore Lane, NW (Sq. 2246)	Mary H. and Blaire Corkran
4217 Lenore Lane, NW (Sq. 2246)	Maurice Sislen
4221 Lenore Lane, NW (Sq. 2246)	Allan Gerson
4225 Lenore Lane, NW (Sq. 2246)	John Harmon
4229 Lenore Lane, NW (Sq. 2246)	Joanne and Dan Blaylock
4231 Lenore Lane, NW (Sq. 2246)	Gerald Goldman
4237 Lenore Lane, NW (Sq. 2246)	Susan Vallon
4243 Lenore Lane, NW (Sq. 2246)	Deane Shatz
4010 Linnean Ave., NW (Sq. 2239)	Lisa Graves
4012 Linnean Ave., NW (Sq. 2239)	Marjory Searing
4018 Linnean Ave., NW (Sq. 2239)	Gunter Augustin
4020 Linnean Ave., NW (Sq. 2239)	Raymond D. and Sandra M. Fowler
4022 Linnean Ave., NW (Sq. 2239)	Alan and Lynn Greenwald
4024 Linnean Ave., NW (Sq. 2239)	Ann and Christopher Sheldon
4100 Linnean Ave., NW (Sq. 2239)	Mona and David M. Stente
4101 Linnean Ave., NW (Sq. 2244)	Margaret Miller
4110 Linnean Ave., NW (Sq. 2239)	Boisey Barnes
4120 Linnean Ave., NW (Sq. 2239)	Thomas and Lucinda Goldman

4140 Linnean Ave., NW (Sq. 2239)
4150 Linnean Ave., NW (Sq. 2239)
4155 Linnean Ave., NW (Sq. 2245)
4158 Linnean Ave., NW (Sq. 2239)
4201 Linnean Ave., NW (Sq. 2246)
4205 Linnean Ave., NW (Sq. 2246)
4207 Linnean Ave., NW (Sq. 2246)
4209 Linnean Ave., NW (Sq. 2246)
4530 Linnean Ave., NW
4555 Linnean Ave., NW
4817 Linnean Ave., NW
4820 Linnean Ave., NW
4821 Linnean Ave., NW
4831 Linnean Ave., NW
4835 Linnean Ave., NW
4850 Linnean Ave., NW
4909 Linnean Ave., NW
4915 Linnean Ave., NW
4921 Linnean Ave., NW
5117 Linnean Ave., NW
5123 Linnean Ave., NW
5124 Linnean Ave., NW
5141 Linnean Ave., NW
5207 Linnean Ave., NW
5213 Linnean Ave., NW
5214 Linnean Ave., NW
5176 Linnean Terrace, NW
2600 Tilden Place, NW (Sq. 2244)
2604 Tilden Place, NW (Sq. 2244)
2605 Tilden Place, NW (Sq. 2244)
2610 Tilden Place, NW (Sq. 2244)
2400 Tilden Street, NW (Sq. 2231)
2829 Tilden Street, NW (Sq. 2238)
2506 Upton Street, NW (Sq. 2239)
2510 Upton Street, NW (Sq. 2239)
2610 Upton Street, NW (Sq. 2239)
2700 Upton Street, NW (Sq. 2239)
2800 Upton Street, NW (Sq. 2238)
2814 Upton Street, NW (Sq. 2238)
2828 Upton Street, NW (Sq. 2238)
2870 Upton Street, NW (Sq. 2238)
4010 28th Place, NW (Sq. 2238)
4500 28th Street, NW
4505 28th Street, NW
4511 28th Street, NW
4512 28th Street, NW
4517 28th Street, NW
4508 28th Street, NW
4705 29th Place, NW
4015 29th Street, NW (Sq. 2238)
4408 29th Street, NW

James R. and Karen Gail Foreit
Nancy and John Palmer
Fred and Rebecca Fisher for Hillwood Museum
Robert L. Miller, Jr. and N. Choy
Mari Aponte
Tom Patton
Mimi Dawson
Roberta Colton
Joanne Young and Bruce Foreman
Joseph T. and Joan T. Mancuso
Jill Merrick and Melinda Bickerstaff
S. I. Nadler
Wayne Horvitz
Lorraine Brown
Mark and Laura Baughman
Michael I. and Jacqueline King
Ronna Beck
Lee G. and Trina L. Rubenstein
David Falk
Paul Walters
Kathleen Gibbons
Betty Anne Williams
Darwin L. and Karen G. Walker
Linda Klein
Micah and Beth Naftalin
Nicole O'Connor
Daniel Shapiro
Laura Blumenfeld and Baruch Weiss
Bernard Koteen
M. A. Jones
Christy Wise
Bernard J. Sussman
John B. Lawson
Emma Coleman Jordan
David Lipton and Susan Galbraith
Lynn R. Coleman
L. P. and David Simone
H. Barth
Alain Chetrit
Willis Harley
N. E. Krucoff
Wendy Om
Carl and Debra Rauh
Diane L. Renfroe
Leonard and Helen Kemp Zax
G. Giotao
Valerie Leatherwood
Stuart Sloame and Ellen J. Seeherman
J. Disoutl
Judy Wohlberg
Stanley I. and Mabelle Z. Grand

4455 29th Street, NW
4515 29th Street, NW
4518 30th Street, NW
4535 30th Street, NW
4610 30th Street, NW
4614 30th Street, NW
4620 30th Street, NW
4719 30th Street, NW
4808 30th Street, NW
4812 30th Street, NW
4926 30th Street, NW
4928 30th Street, NW
4930 30th Street, NW
4935 30th Street, NW
5151 33rd Street, NW
5157 33rd Street, NW

Clarice and Howard Feldman
Tony Szull
Daniel Kaufmann and Anne Dronnier
Hilda Faizi
Frank and Carla M. Van Der Kemp
Christine Stoessel
Glen D. Nager
Annette Polan
Larry Smith
Michael Berenson
Carole F. and James P. Riley
Solanges Vivens
Roslyn A. Mazer and David Holzworth
Barbara Kaufmann
Mary Dalheim and Marc Schildkraut
James D. Bishop

NORTH OF SOAPSTONE PARK

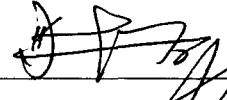
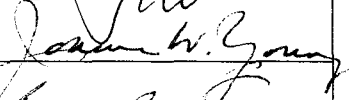
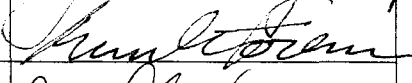
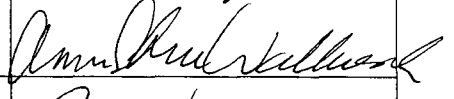
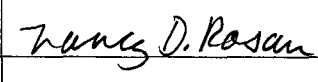
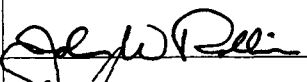
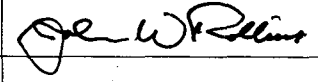
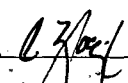
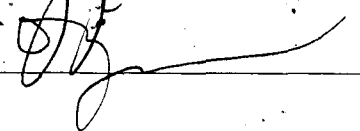
PETITION

I reside within the proposed Forest Hills Tree and Slope Protection (FH/TSP) Overlay District. I do **NOT** support the proposed FH/TSP as published in the December 13, 2002 D.C. Register. The proposed FH/TSP should be returned to the community so that Forest Hills residents can participate in developing a revised plan that addresses unanswered critical issues.

	Name	Address	Telephone	Signature
1.	Jill MERRICK	4817 LINNEAN AVE	202.537-9731	Jill Merrick
2.	MELINDA BICKERSTAFF	4817 LINNEAN AVE	202/364-8214	Mel S. Bickstaff
3.	Wayne J. Hoist	4831 LINNEAN AVE. N.W.	(202) 363-5099	Wayne J. Hoist
4.	Laura Baughman	4835 Linnean Ave. NW	202 966 7734	Lmbaughman
5.	MARK BAUGHMAN	4835 LINNEAN AVE. NW	202 966 7734	Mark Baughman
6.	ANGELA STENT YERGIN	2959 DAVENPORT ST NW	202-364-5323	Angela Stent Yergin
7.	Mary Barcella	2944 Davenport St NW	202-686-6560	Mary L. Barcella
8.	Edward H. VAZQUEZ	3001 Davenport St., NW	202-966-9804	Edward H. Vazquez
9.	Cora Buell	3060 Davenport St NW	202-244-3928	C. Buell
10.	Orit Frenkel	3054 Davenport St. NW	202-686-2852	Orit Frenkel
11.	Claude Fontheim	3054 Davenport St. NW	202-686-2852	Claude Fontheim
12.	Hilda Fairzi	4535 30th St. N.W	202-363-1459	Hilda Fairzi
13.				

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	Name	Address	Telephone	Signature
1.	Daniel Kaufmann	4518 30th St. NW	237-0972	
2.	Anne Dronnier	4518 30th St NW	473 2253	
3.	Joanne Young	4530 Lincoln Ave. NW	966-7748	
4.	Bruce Foreman	4530 LINCOLN Ave. NW	966-7748	
5.	Armed Wallwork	3021 Davenport St NW	244-9288	
6.	Ernest Wallwork	3021 Davenport St NW	244-7919	
7.	Nancy D. Rosan	2950 Davenport St, NW	364-0604	
8.	 John W. Reilly	2947 Davenport St, NW	244-7950	
9.	C. Zanyon	3033 KILCOTT ST, N.W	537-9385	
10.	Daniel Yung	2959 Davenport St, NW	364 5223	
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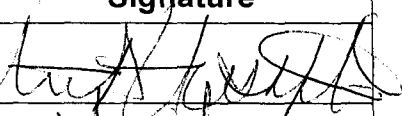
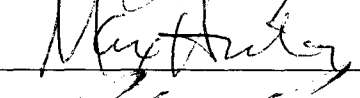
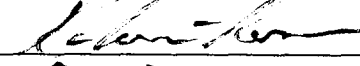
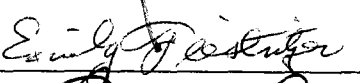
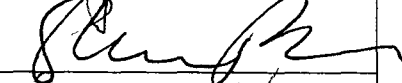
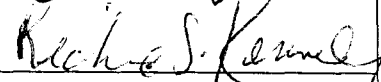
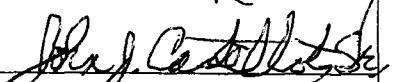
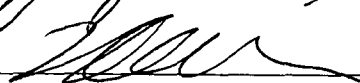
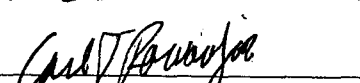
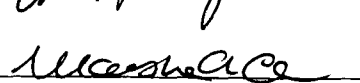
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	Name	Address	Telephone	Signature
1.	Andre Weissman <i>Andre Weissman</i>	3102 Elliott St. NW Washington DC 20008	3635423	<i>Andre Weissman</i>
2.	Kathleen Gibbons	5123 Linnell Ave. NW Washington DC 20008	537-0985	<i>Kathleen Gibbons</i>
3.	John C. Knight	3403 FESSENDEN ST. N.W	244-6887	<i>J.C. Knight</i>
4.	David Levy	3307 Fessenden St NW	363-4324	<i>David Levy</i>
5.	Clarice Levy	3301 Fessenden St	362 5922	CLARICE LEVY
6.	Gary M. Isak	3240 Fessenden St NW	202-244-8795	GARY M. ISAK
7.	Maureen C. Bryson	3105 Fessenden St NW	202-363-0331	Maureen C. Bryson
8.	Carol Warner	2809 Chesterfield Pl. NW	202-244-9263	Carol Warner
9.				
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	Name	Address	Telephone	Signature
1.	Nina Hirsfeld	3100 Brandynway St NW	686 0940	
2.	Max Hunter	3100 Brandynway St NW	686 0940	
3.	Robert Jose	1700 Brandynway St NW	202 966 1772	
4.	Judy Penski	" "	" "	
5.	Emily Feistritz	2918 Fessenden St. N.W.	202-966-8922	
6.	Steve Prieto	2922 Fessenden St. N.W.	202 244-3068	
7.	Richard Kennedy	2922 Fessenden St. N.W.	202 244-3068	
8.	JOHN CASTELLON, SR.	2926 " "	(202) 244-3083	
9.	Leslie Lewan	2910 Fessenden St NW	202 537 0434	
10.	Carl Trawan Jr	2910 Fessenden St NW	202 537 0434	
11.	Marla Chan	2916 Fessenden St NW	202 363 1195	
12.	Alan Fische	" "	" "	
13.	Julien Bonyauf	2914 Fessenden St	202 244 5089	

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	Name	Address	Telephone	Signature
1.	LONNA BECK	4909 LINNEAN AVE. NW. WASH. DC 20008	202-966-6554	Lonna Beck
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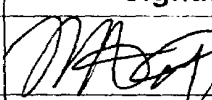
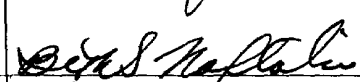
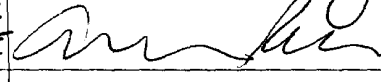
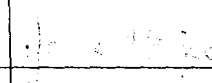
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	Name	Address	Telephone	Signature
1.	CARL RAUH	4500 28 th ST NW	656-1135	Carl Rauh
2.	STUART SLOANE	4508 28 th ST, NW	744-1159	Stuart Sloane
3.	Tony Szulc	4515 29 th ST NW	363-1547	Tony Szulc
4.	John D. Smith	4705 29 th ST, NW	362-7756	John D. Smith
5.	Ellen J. Seeherman	4508 28 th ST NW	202/244-1159	Ellen J. Seeherman
6.	DIANE L RENTAOE	4505 28 th ST. N.W.	202 537-8095	Diane L. Rentaoe
7.	Valerie Leatherman	4517 28 th ST., NW	202/364-0022	Valerie Leatherman
8.	Gwen Gourao	4572 28 th ST NW	(202) 244-2948	Gwen Gourao
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	Name	Address	Telephone	Signature
1.	Micah Nafatalin	5213 Linnemore NW Wash DC 2006	364-9733	
2.	Beth Nafatalin	11	11	
3.	GEORGE BALSA	3050 HARRISON ST. WASHINGTON, DC 20015	338-0667	
4.	Amy Post	3050 HARRISON ST NW WASH DC 20015	966-9220	
5.	Jane Harrison	3054 Harrison St NW	703-200-1111	
6.				
7.				
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	Name	Address	Telephone	Signature
1.	CLARKE FELDMAN	4455 29th St NW	202-362-4266	Clarke Feldman
2.	HOWARD FELDMAN	4455 29th St NW	202-362-4266	H. Feldman
3.	S. I. NADLER	4820 LINNEAN AVE NW	202-363-1851	S. I. Nadler
4.	LORRAINE BROWN	4831 Linnean Ave, NW	202-966-0994	Lorraine Brown
5.				
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1.	Warren R. Watts	3054 Harrison ST NW 20015	363-0415	<i>Warren R. Watts</i>
2.	ARMANDO LOURENÇO	3055 Harrison ST, NW, 20015	363-3902	<i>Armando Lourenço</i>
3.	MARIANA LOURENÇO	3055 Harrison ST, NW, 20015	363-3902	<i>Mariana Lourenço</i>
4.	DARWIN L. WALKER	5141 LINNEAN AVE NW 20008	244-0817	<i>D. Walker</i>
5.	KAREN G. WALKER	5141 Linnean Ave., NW 20008	244-0817	<i>KAREN G. WALKER</i>
6.	Linda Klein	5207 Linnean Ave NW	966-0629	<i>Linda Klein</i>
7.	Mark O'Connor	5214 Linnean Ave. NW	966-8017	<i>Mark O'Connor</i>
8.	~~STEPHEN ARBUTHNOT~~	3067 HARRISON ST NW	966-7336	<i>Stephen Arbuthnot</i>
9.	NANCY ARBUTHNOT	3067 HARRISON ST NW	966-7336	<i>Nancy Arbuthnot</i>
10.	MIKE SCHROER	3050 HARRISON ST NW	966-9227	<i>Mike Schroer</i>
11.	Robyn Stone	3063 Harrison St. NW,	364-2817	<i>Robyn Stone</i>
12.	NATHALIE STONE	3050 Harrison St. NW	364-2817	<i>Nathalie Stone</i>
13.	Jane M. Hill	3051 Harrison ST NW 20015	966-7546	<i>Jane M. Hill</i>

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<u>Beverly Reznick</u>	<u>2852 Albemarle St NW</u>	<u>Beverly M. Reznick</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Daniel Reznick</u>	<u>2852 Albemarle St NW</u>	<u>Daniel Reznick</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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<u>Jacob H Zeigler</u>	<u>2936 ALBEMARCE ST NW</u>	<u>Jacob H Zeigler</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>JoAnne Zeigler</u>	<u>"</u>	<u>JoAnne Zeigler</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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Joella Glanville 2938 Albemarle St. N.W. Joella Glanville
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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MORRIS E. KRUCOFF	2940 Albemarle ST. N.W.	M. E. Krucoff
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
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Josan K. Bell
NAME (PLEASE PRINT CLEARLY)

2945 Albemarle St NW
ADDRESS

Josan K. Bell
SIGNATURE

Robert B. Bell
NAME (PLEASE PRINT CLEARLY)

2945 Albemarle St NW
ADDRESS

Robert B. Bell
SIGNATURE

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TR/KM

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TIRACHAI KANBHU	2949 ALBEMARLE ST.	TR/KM
NAME (PLEASE PRINT CLEARLY)	ADDRESS N.W.	SIGNATURE
KANITTA MEESOCK	WASH. D.C. 20008	Kanitta Meesock
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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ANDREW K. STEVENSON 2955 ALBEMARLE ST. NW [Signature]
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

Julia K. Stevenson 2955 Albemarle St. NW [Signature]
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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GERARD G. McNEVINCH 3010 ALDENALE ST. NW Shirley A. McNevinch
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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MARTINA M. GURENKO 3001 AUDUBON TERRACE NW M. Gurenko
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

EUGENE N. GURENKO 3001 AUDUBON TERRACE NW E. Gurenko
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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<u>JAMES M. NEWMYER</u>	<u>3003 AUDUBON TER, NW</u>	<u>James M. Newmyer</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Virginia W. Newmyer</u>	<u>3003 Audubon Ter, NW</u>	<u>Virginia W. Newmyer</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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<u>ALVIN J. LORMAN</u>	<u>2819 BRANDYWINE ST NW</u>	<u>[Signature]</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Ann Elkington</u>	<u>2819 Brandywine</u>	<u>[Signature]</u>
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for 202 22F 4547

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ADAM E SIEMINSKI 2930 BRANDYWINE ST NW *AESieminski*
 NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

LAURIE H SIEMINSKI 2930 BRANDYWINE NW *LHSieminski*
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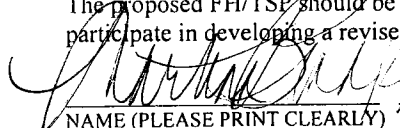
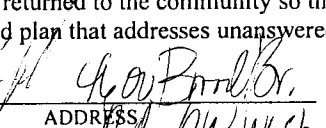
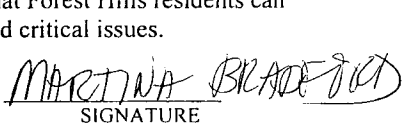
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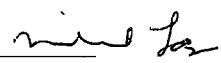
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Michael Lav
NAME (PLEASE PRINT CLEARLY)

3222 Broadblanch Terrace
ADDRESS


SIGNATURE

NAME (PLEASE PRINT CLEARLY)

ADDRESS

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<u>Dora M. Henderson</u>	<u>3400 BROAD BRANCH TER. N.W.</u>	<u>Dora M. Henderson</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>D.M.H. Family Trust</u>		
<u>ROLAND G. HENDERSON JR.</u>	<u>3400 BROAD BRANCH TER. N.W.</u>	<u>Roland G. Henderson Jr.</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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<u>Peter E. Halle</u>	<u>2801 Chesterfield Pl.</u>	<u></u>
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_____	_____	_____
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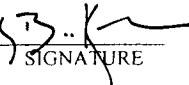
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MARIJA CANICH	2905 DAVENPORT ST, NW	
NAME (PLEASE PRINT CLEARLY)	ADDRESS WASH, DC 20008	SIGNATURE
KELLY KRAMER	(SAME AS ABOVE)	
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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<u>Dion T. Diamond</u>	<u>2909 DAVENPORT</u>	<u>Dion T. Diamond</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Shirley Diamond</u>	<u>2909 Davenport, NW</u>	<u>Shirley Diamond</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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<u>S. KRISTINA HAMILTON</u>	<u>3035 Davenport St. NW</u>	<u>S. Kristina Hamilton</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>James Hamilton</u>	<u>"</u>	<u>James Hamilton</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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<u>Carl E. Anderson Jr</u>	<u>2801 Ellcott St NW</u>	<u>[Signature]</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Mary Ann McHann</u>	<u>2801 Ellcott St NW</u>	<u>[Signature]</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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HAROLD J. BERMAN 2811 ELLICOTT ST NW
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

Barbara Berman 2811 Ellcott St NW
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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Barney FEINSTEIN 2824 ELLICOTT SD B Feinst
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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MICHAEL POTTS 2832 ELLICOTT ST. [Signature]
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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Mrs. M. O'Reilly Miller 2908 H. C. St. N. - Billie Miller
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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Maurice Libnick *2915 Ellicott Street* *Maurice Libnick*
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE
D.C. 20008

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<u>PAUL D. BEARSTEIN</u>	<u>2928 Ellcott St NW</u>	<u>[Signature]</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>MARILYN M. BEARSTEIN</u>	<u>2928 Ellcott St NW</u>	<u>AGREES BUT</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
		<u>IS OUT OF TOWN.</u>

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DENNIS SEQUEIRA

NAME (PLEASE PRINT CLEARLY)

3000 ELLICOTT ST. NW WASHDC

ADDRESS

[Signature]
SIGNATURE

NAME (PLEASE PRINT CLEARLY)

ADDRESS

SIGNATURE

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SUSAN GREEN
NAME (PLEASE PRINT CLEARLY)

3225 ELLICOTT ST, NW
ADDRESS

SIGNATURE

RICHARD M DALY
NAME (PLEASE PRINT CLEARLY)

3225 ELLICOTT ST, NW
ADDRESS

SIGNATURE

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<u>Edward R. Levin</u>	<u>3229 Ellicott St. N.W.</u>	<u>Edward R. Levin</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Susan I. Levin</u>	" "	<u>Susan I. Levin</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

I vigorously oppose this Overlay. It is much more than needed to protect trees, it confiscates private property, and it is the work of a few "nosy neighbors" who want

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<u>Robert Krasne</u>	<u>3245 Eliott St NW</u>	<u>Ramcasse</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Hale Krasne</u>	<u>3245 Eliott St NW</u>	<u>Hale Krasne</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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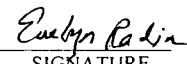
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<u>H. W. RADIN</u>	<u>2900 ELLICOTT TER NW</u>	<u></u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Evelyn Radin</u>	<u>2900 ELLICOTT TER NW</u>	<u></u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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G.L. Wagoner Jr. 2901 RUNCOTT TER NW [Signature]
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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Sr. MARTHA SALAS 2904 ELICOTT TERR. NW. Sr. Martha Salas
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

Sr. Dolores PACINDO 2907 ELICOTT TERR. NW. Sr. Dolores Pacindo
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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ROBERT V. MAUDLIN 2906 ELLICOTT TERRACE 
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

Carole M. Maudlin 2906 Ellicott Terrace 
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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Sr. Stella Symanski 2907 Ellicott Terr. NW.
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

Sr. Carmen Martinez 2907 Ellicott Terr. NW.
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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<u>William Kurstin MD</u>	<u>2912 Ellicoth Ter. NW</u>	<u>(Signature)</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>SALLY KURSTIN</u>	<u>2912 Ellicoth Ter. NW</u>	<u>(Signature)</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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<u>Mr. Charles W. Clark</u>	<u>2922 Elliott Ter. NW</u>	<u>Charles W. Clark</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Shawna M. Clark</u>	<u>2922 Elliott Ter. NW</u>	<u>Shawna M. Clark</u>
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Charles Gilligan	3405 Garrison St. NW	Charles W. Gilligan
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
Marilyn Keefe	3405 Garrison St NW	Marilyn Keefe
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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PATRICIA T. ROSENMAN 3425 CARLETON ST. NW Patricia T. Rose
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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<u>AND SHELDON</u> NAME (PLEASE PRINT CLEARLY)	<u>4024 LINNEAN AVE. NW</u> ADDRESS	<u>[Signature]</u> SIGNATURE
<u>CHRISTOPHER SHELDON</u> NAME (PLEASE PRINT CLEARLY)	<u>4024 LINNEAN AVE. NW</u> ADDRESS	<u>[Signature]</u> SIGNATURE 1/28/3

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THOMAS CHODURA	4120 LINNEAN AVE	[Signature]
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
[Signature]	4120 LINNEAN AVE	[Signature]
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
LUCINDA GOLDMAN		

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Rebuilds
(from
damage)

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too chaotic → Special Exceptions of FH/TSP

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Joseph T. Mancuso	4555 Linnean Ave, N.W.	
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
Juan T. Mancuso	4555 Linnean Ave, N.W.	
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

January 26, 2003

Mr. Alberto Bastida
Office of Zoning
441 4th Street, N.W.
Washington, D.C. 20001

Dear Mr. Bastida,

After thoroughly reviewing the FH/TSP published in DC Register on December 13, 2002, I found inconsistencies that will ostensibly create problems in the future without revisions. The scope of my concern addresses two scenarios. The first entails the situation wherein due to natural, or other disaster, the entire structure, accessory building or previous addition needs replacement. The second involves a future determination to replace in total, for whatever reason.

The orderly construct of a uniform Forest Hills lot, in particular a uniform corner lot does not reflect many existing lots. The proposed parameters established for the "Renovation/Building Provisions of FH/TSP" do not reflect existing building and site variations. For example, most homes could not meet these parameters if they were built today. In essence, if replacement was required, in whole or part, in either of the two scenarios outlined above, the provisions require the owner to file for Special Exception.

In our particular situation, we occupy a corner lot, which is not uniform in that the resulting footprint does not form a rectangle. The lot is more like a trapezoid. The resulting configuration for each of the two side yard boundaries taper with respect to the sidewall of the house plus addition, and rear of the garage. Consequently the side yard setback parameters being promulgated do not reflect the practical necessity of including the averages of the combination of both side yard setbacks. Promulgating the legislation without relief would result in either a non-rectangular dwelling or a significantly reduced footprint for a rectangular dwelling. Lack of clarity now will cause consternation and unnecessary time delay and expense in the application for Special Exception that will require docketing before the many agencies who have other exigencies of greater priority.

Additionally, the front yard setback for each corner is problematic for the non-uniform corner lot as the building restriction line (BRL) for either the front or the side should be the reference point from which the structure may be built. Reference being made to other structures in either direction is impractical and in some examples impossible, in particular when there is only one other house or no other house on the front of a Square thereby precluding the reference "...must be equal to or greater than the average setback of structures on that same side of the street."

In summary, relief as outlined above would preclude the taking away of a property right that was manifest in the early 20th century, a less restrictive era wherein uniformity was

not a fundamental governmental concern. I would suggest that the revisions/inclusions be as follows:

Front Yard Setback:

ADD the underlined... To build on a uniform corner lot...i.e., a lot abutting the streets forming a right angle at the resultant intersection, your setback on each side street must be equal to or greater than the average setback of all the structures on the same side of the street if there are two other houses, otherwise the BRL shall be the reference in all other circumstances.

... To build on a non-uniform corner lot... i.e., a lot abutting the streets forming either an acute or obtuse angle at the resultant intersection, the BRL shall be the reference.

Side Yard Setback

For non-uniform corner lots, the average width (lot boundary-to-existing structures) of each tapering side yard beginning from each respective BRL to the point of intersection shall establish the allowable setback.

If you wish to contact to me to discuss any of the above, I may be reached at 202-874-2296 or e-mail me at J-Mancuso@att.net .

Yours truly,



Joseph J. Mancuso, P.E.
4555 Linnean Ave., N.W.
Washington, D.C. 20008

Lot 20 Square 2251

Robert V. Maudlin
Commissioner - 3F03
Advisory Neighborhood Commission
2906 Ellicott Terrace, N.W.
Washington, D.C. 20008

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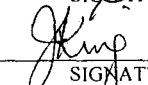
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MICHAEL I. KING	4850 LINNEAN AVE NW	
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
JACQUELINE KING	4850 LINNEAN AVE NW	
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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Lee G. Rubenstein 4915 Linnear Ave NW EST 827
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

Trina L. Rubenstein 4915 Linnear Ave NW J. Rubenstein
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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David Falk 4921 Linnean Ave NW David Falk
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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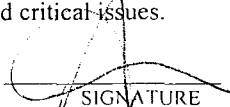
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PAUL WALTERS 5117 LINDEN AVE 
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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Betty Anne Williams 5124 Linnean Terr. NW Betty Anne Williams
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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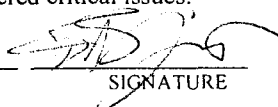
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<u>Daniel Shapiro</u>	<u>5176 Linnem Terrace</u>	
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE

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<u>CARL RAUTI</u>	<u>4500 28th ST NW</u>	<u>[Signature]</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>DEBRA RAUTI</u>	<u>4500 28th ST NW</u>	<u>[Signature]</u>
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STANLEY J. GRAND
NAME (PLEASE PRINT CLEARLY)

4408 29th ST, NW WASH, D.C.
ADDRESS

SIGNATURE

MADIELE E. GILAND
NAME (PLEASE PRINT CLEARLY)

4408 29th ST, N.W.
WASHINGTON D.C.
20008
ADDRESS

SIGNATURE

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FRANK VAN DER KEMP 4610 30th SW NW
NAME (PLEASE PRINT CLEARLY) ADDRESS

SIGNATURE

CARLA M. VANDER KEMP 4610 30th NW
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Christine Stoessel 4614 30th St NW Christine M. Stoessel
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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GLEN D NAGER 4620 30TH ST, NW [Signature]
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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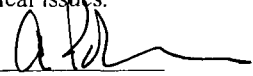
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ANNETTE Polan 4719 30th St 
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

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LARRY SMITH
NAME (PLEASE PRINT CLEARLY)

4808 30th St. N.W.
ADDRESS

[Signature]
SIGNATURE

NAME (PLEASE PRINT CLEARLY)

ADDRESS

SIGNATURE

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Michael Berenson 4912 36th St NW Michael Berenson
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NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>James P. Riley</u>	<u>4926 30th St. NW</u>	<u>James P. Riley</u>
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SOLANES VIVENS 4928-30th ST NW [Signature]
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<u>ROSLYN A. MAZER</u>	<u>4930 30th St NW</u>	<u>[Signature]</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>DAVIDO HOLZWORTH</u>	<u>4930 30TH ST NW</u>	<u>[Signature]</u>
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Barbara Kaufman 4935 - 30th St - N.W. - 2000
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<u>Mary Dalheim</u>	<u>5151 33 St. NW</u>	<u>[Signature]</u>
NAME (PLEASE PRINT CLEARLY)	ADDRESS	SIGNATURE
<u>Marc Schickelkraut</u>	<u>5151 33rd St. NW</u>	<u>[Signature]</u>
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Don't take our word for it. Read the FH/TSP for yourself. You will find it on the ANC web site at www.anc3f.org. If you have ideas or particular concerns, please feel free to contact us at the above address, phone or fax number, or by e-mail.

We encourage you to sign the petition below, which we will deliver to the Commission when we file comments: use the address or fax number above.

PETITION TO THE ZONING COMMISSION

I reside within the proposed Forest Hills Tree and Slope Protection (FH/TSP) Overlay District. I do **NOT** support the proposed FH/TSP as published in the December 13, 2002 D.C. Register. The proposed FH/TSP should be returned to the community so that Forest Hills residents can participate in developing a revised plan that addresses unanswered critical issues.

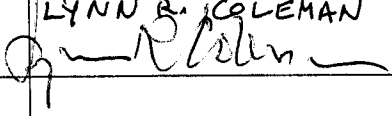
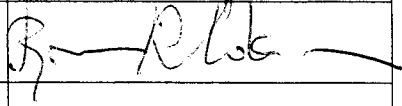
James D Bishop 5157 33rd St NW James D Bishop
NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

NAME (PLEASE PRINT CLEARLY) ADDRESS SIGNATURE

SOUTH OF SOAPSTONE PARK

PETITION

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	Name	Address	Telephone	Signature
1.	Roberta Colton	4209 Linnean Avenue, NW Washington, DC 20008	(202) 244-0607	Roberta F. Colton
2.	LYNN B. COLEMAN 	2610 Upton St, N.W. Washington, D.C. 20008		
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	Name	Address	Telephone	Signature
1.	Harley Shuman	2947 Alhambra St NW Wash DC 20008	202-362-4020	Harley Shuman
2.	Judy Wotkara	4013 29th St. NW	202-362-6332	Judy Wotkara
3.	Keller Hanley	2828 Upton St NW	202-245-0536	Keller Hanley
4.	Wesley D.	4016 28th Plac NW	202-364-2773	Wesley D.
5.	Seane Shatz	4243 Lenore Lane NW	202-364-2929	Seane Shatz
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	Name	Address	Telephone	Signature
1.	ALLAN GERSON	4221 Lenox Lane	202 966 8557	[Signature]
2.	Gerald Gildner	4231 Lenox Lane	202 686 5776	[Signature]
3.	JOHN PRIGON	4205 LINNEN	202 364 0351	[Signature]
4.	Fred Fisher	Holloway Museum 4155 LINNEN AVE	202 686 8500	[Signature] Executive Director
5.	Rebecca L. Fisher Becky Fisher	4155 Linnenn Ave	202 362 5675	[Signature]
6.	Vincent Hoffman	4225 Lenox Lane	202 363 348	[Signature]
7.	Harriet Sisk	4217 Lenox Lane	363 4024	[Signature]
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	Name	Address	Telephone	Signature
1.	Nancy + John Palmer	4150 Linnear Ave	966- ~~81~~ ⁵⁹⁹⁰	Nancy Palmer
2.	Margaret Mulin	4101 Linnear Ave	36 24786	Margaret Mulin
3.	Will Cherry	4158 Linnear Ave NW	966-4919	Will Cherry
4.	Robert Miller	4153 Linnear Ave NW	766 4569	Robert Miller
5.	John Greenwald ALAN GREENWALD	4022 LINNEAR AVE NW	244-6793	John Greenwald
6.	Sydney Greenwald	4022 Linnear Ave NW	244-6793	Sydney Greenwald
7.	Christa Wise Christa's Wife	2610 Tilden Pl. NW	237-0661	Christa Wise
8.	Mary Hule Corkran	4213 Lenore Lane. NW	202 - 362 244	Mary Hule Corkran
9.	BLAIR CORKRAN	4213 Lenore Lane NW	202 362-2461	Blair Corkran
10.	SUSAN VALLON	4237 Lenore LA NW	237-8238	Susan Vallon
11.	Lara Blumenthal	2600 Tilden Place NW	²⁰² 537-1902	Lara Blumenthal
12.	Nina Lauer	4207 Linnear Ave NW	766-1710	Nina Lauer
13.	Rui C. Aponte	4201 Linnear Ave NW	363-2050	Rui C. Aponte

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	Name	Address	Telephone	Signature
1.	MONA SZENTE	4100 LINNEAN AVE. N.W.	202-364-2273	Mona Szente
2.	DAVID M SZENTE	4100 LINNEAN AVE. N.W.	202-364-2273	David M Szente
3.	JAMES R. FOREIT	4140 LINNEAN AVE. NW	202-237-2460	James R. Foreit
4.	KAREN GAIL FOREIT	4140 LINNEAN AVE NW	202-237-2460	Karen Gail Foreit
5.	LISA GRAVES	4010 Linnean Ave NW	202-237-7728	Lisa Graves
6.	Emma Coleman Jordan	2506 Upton St.	202-966-8737	Emma C. Jordan
7.	N.E. KRUZOFF	2870 Upton St, NW	202-262-2008	N.E. Kruzoff
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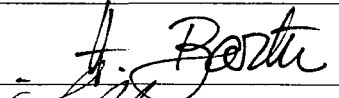
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	Name	Address	Telephone	Signature
1.	H. A. JONES	2605 TILDEN PLACE	244-8446	
2.	Bernard Koken	2604 TILDEN PLACE	363-2271	
3.	Bernard J Summen	2400 TILDEN ST NW	362 4342	Bernard Summen
4.	John B. Lam	2829 TILDEN ST. NW	244-6294	John B. Lam
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	Name	Address	Telephone	Signature
1.	H. BARTH	2800 Upton St	(202) 966-8460	
2.	L. P. SIMONE	2700 Upton St NW	202-364-7333	
3.	DAVID SIMONE	2700 UPTON ST., NW	202.364.7333	
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	Name	Address	Telephone	Signature
1.	CYNTHIA C. KELLY	4205 LENORE LN, NW	363-8541	Cynthia C. Kelly
2.	CYNTHIA C. KELLY LENORE LN POOL & TENNIS CLUB, INC.	4201 LENORE LN, NW	363-8541	Cynthia C. Kelly
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	Name	Address	Telephone	Signature
1.	Margory Searins	4012 Linnean Ave NW	202 966 4217	Margory E Searins
2.	GUNTER AUGUSTIN	4018 LINNEAN AVE NW	202 363 4598	Gunter
3.	Raymond D Fowler	4020 LINNEAN AV, NW	202 244-8337	Raymond D. Fowler
4.	Shadwin M Fowler	4020 Linnean Ave NW	202-244-8337	Shadwin M. Fowler
5.	Bernard Cohen	2604 Tilden Place NE	202-363-2271	Bernard Cohen
6.	Baruch Weiss	2600 Tilden Place NW	202 537 1402	Baruch Weiss
7.	Borisee Mame	4110 Linnean Ave NW	202 767 0146	Borisee Mame
8.	Cynthia C Kelly CYNTHIA C KELLY	4209 Kenmore Lane, NW	202-363-8841	Cynthia C Kelly
9.	LEONARD ZAT	4511 28 TH St, NW	202 244-4317	Leonard ZAT
10.	Heidi Karp	4511 28 TH St NW	202 4317	Heidi Karp
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	Name	Address	Telephone	Signature
1.	Joanne Blaylock	4229 Kenne Lane NW	202-537-0154	Joanne Blaylock
2.	Dan Blaylock	4229 Kenne Lane NW	202-537-0154	DB
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impervious surface limit cannot prevent you from enlarging a house that existed on December 13, 2002.

Front yard setback: All new residential buildings, accessory buildings (like garages), or additions to buildings must now have a front yard setback equal to or greater than the average setback of all structures on the same side of your block. To build on a corner lot, your setback on each street must be equal to or greater than the average setback of all structures on the same side of that street.

Side yard setback: Before the tree and slope overlay was "set down," you needed an 8-foot side yard on each side. This has been increased to a total of 24 feet for the two sides combined, irrespective of the size or width of your lot, with a minimum of 8 feet on one side. It applies to additions to your house and new construction, whether or not any trees would be affected. Most of us have houses with 5-8 foot side yards now.

Slopes: If your lot slopes more than 25 percent (rises more than 2.5 feet every 10 feet) or has soil that the U.S. Department of Agriculture would classify as "highly erodible," you will need professional certification that your building plans will follow "best geo-technical, structural engineering and arboreal practices" (undefined). You must submit this certification to the Zoning Administrator in the Department of Consumer and Regulatory Affairs.

Special Exceptions of FH/TSP

Want to get a "special exception" from any of these provisions? You will need to ask the Board of Zoning Adjustment (BZA) for a public hearing on your request. (A hearing often takes 3-4 months to schedule.) The FH/TSP instructs the BZA to limit "to the maximum extent possible" tree removal, grading and topographical change and allows the BZA to impose other requirements not included in the tree and slope overlay: "as it deems necessary."

- You will need to demonstrate that there are specific physical characteristics of the lot that justify the exception you seek and that your building will not adversely affect your neighbors.
- You will need to submit a site plan with details of the changes you want to make.
- You will need to submit a statement indicating how you will protect the remaining trees on the lot during construction.
- Your request will need to be reviewed by five (5!!) city and federal agencies: DC Office of Planning; DC Department of Transportation (Tree Maintenance Division); DC Department of Parks and Recreation; DC Department of Consumer and Regulatory Affairs (Soil Erosion and Storm Management Branch), and the National Park Service.

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Don't take our word for it. Read the FH/TSP for yourself. You will find it on the ANC web site at www.anc3f.org. If you have ideas or particular concerns, please feel free to contact us at the above address, phone or fax number, or by e-mail.

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ALAIN CHETRIT
NAME (PLEASE PRINT CLEARLY)

2814 UPTON ST
ADDRESS


SIGNATURE

NAME (PLEASE PRINT CLEARLY)

ADDRESS

SIGNATURE

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We encourage you to sign the petition below, which we will file with the BZA. Use the address or fax number above.

11/30/03
Karen -
Thanks for all
of your hard work!
Sara

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David Lipton
NAME (PLEASE PRINT CLEARLY)

2510 Upton St NW
ADDRESS

[Signature]
SIGNATURE

Sara Gellman
NAME (PLEASE PRINT CLEARLY)

2510 Upton St NW
ADDRESS

[Signature]
SIGNATURE

Special Notice: Forest Hills Citizens Association Meeting

When: November 21, 2002, 7:30 p.m.

Where: Charlie Chiang's Restaurant, 4250 Connecticut Avenue, NW

Why: To Elect New Officers

In the likely event you have not heard directly from the Forest Hills Citizens Association (FHCA), we are sending you this flyer to let you know the FHCA intends to have a long-overdue meeting to elect a new slate of officers (President, Vice President, Secretary, and Treasurer). The terms of the current officers expired as of July 1, 2002.

We are also sending you this flyer to let you know that we intend to run for officer positions. We are doing so because we believe the current slate of candidates – the FHCA has not announced who they are, but we presume they are the last individuals to hold the positions of President, Vice President, Secretary, and Treasurer – has not performed their duties as specified in the FHCA Constitution. If elected, we would commit to ensuring that the FHCA Executive Committee abides by the FHCA Constitution, regularly informs members of events affecting Forest Hills, and involves members in Forest Hills' affairs.

Before you conclude that you don't have time to attend this meeting, know what is at stake. The FHCA, through apparently unilateral actions on the part of the past officers, is at the heart of the Forest Hills Tree and Slope Overlay (TSO).¹ Whether or not you plan to build on your property, the TSO impacts you. We urge you to care about who is running the FHCA because this organization, claiming the Forest Hills neighborhood widely supports the TSO, has pushed the TSO through "the process." In the face of all evidence to the contrary, the current FHCA continues to deny that the community is quite split on the matter.

While we oppose the TSO as currently written, we do not oppose tree and slope protections *per se*. We want to work with each of you to develop an overlay that addresses *real* problems in the neighborhood, not one that creates a new list of problems and that is unenforceable. The Zoning Commission will issue a new version of the TSO any day, triggering a 60-day comment period. There is much to do.

The FHCA Constitution calls for increasing communication among residents, keeping residents informed of developments and issues affecting them, and promoting the interests of the neighborhood within the District of Columbia. We, the undersigned Forest Hills residents, ask for your support in bringing the FHCA back into compliance with its Constitution.

To vote at the meeting, you will need to be a *current* member of the FHCA (i.e., you have paid dues for 2002-2003). Dues for 2002-2003 are \$15.00 (see attached form). To (re)join the FHCA, please mail the dues form to the FHCA address on the form, and bring the receipt on the form with you to the meeting on November 21st as

¹ There are no minutes of meetings indicating members of the organization voted for the TSO.

proof of membership. If you cannot come, please consider giving someone your written proxy in the event we succeed in insisting the FHCA count them as valid votes. **DO NOT MAIL YOUR PROXY TO THE FHCA ADDRESS; GIVE IT TO SOMEONE WHO WILL ATTEND THE MEETING (WE WILL BE HAPPY TO BRING IT WITH US).**

For President: **Warren Watts** lives at 3054 Harrison Street NW. Warren and his wife, Jane Halpern, have been residents of Forest Hills since September 1996. They have also been members of the FHCA for nearly six years, and were unaware of the filing and sponsorship of the TSO by the FHCA President until after the fact. If elected, Warren would work to rescind FHCA “sponsorship” of the TSO pending membership consensus on such sponsorship. He would recommend formation of an FHCA Zoning Subcommittee that would report to the Executive Committee on matters such as a TSO. And he would work to ensure membership involvement in FHCA initiatives through the use of a regularly published newsletter, an FHCA web site and regular communications via e-mail, and standard mail, faxes, and personal contacts. Warren and Jane are members of the Chesapeake Bay Foundation and The Nature Conservancy, and are in no manner associated with real estate development aside from owning their home in Forest Hills.

For Vice President: **Karen Foreit** and her husband Jim have lived at 4140 Linnean Ave., NW for 7 years, since returning to the U.S. after 17 years overseas. They are staunch defenders of civic responsibility and environmental protection, and built their home to minimize its environmental impact. Like other members of this slate, Karen was unaware of the proposed TSO until after its filing, concerned about its provisions, and appalled by the lack of due process and personal attacks mounted by some of its proponents – including the current FHCA leadership. If elected, Karen will work closely with the President to improve membership communication and involvement, improve coordination with the larger community, and ensure that FHCA initiatives put forward to governance agencies including the ANC and the Zoning Commission are first polled with the entire FHCA membership.

For Secretary: **Laura Baughman** has lived with her husband Mark at 4835 Linnean Ave., NW for the past 8 years. Laura didn’t know the FHCA existed until it proposed the TSO. She was amazed that the organization’s officers relied on the *Northwest Current* to communicate with the neighborhood – how many of you regularly read the *Northwest Current*? Instead, the FHCA should send a newsletter to members, and as Secretary Laura would ensure that you get one. Moreover, the current Secretary does not record minutes of FHCA meetings, even meetings held to approve important initiatives such as the TSO. Laura would ensure the organization keeps proper meeting minutes and posts them and other information on the FHCA’s currently non-functioning web site.

*Please help us return this organization to the Forest Hills residents!
We need your support at the FHCA meeting November 21.*

Sincerely,

Warren Watts
202-363-0415

Karen Foreit
202-237-2460

Laura Baughman
202-966-7734

LETTERS TO THE EDITOR

Association should hold new election

Last Thursday, the Forest Hills Citizens Association held officer elections. The elections were held in a manner that undermines the legitimacy of the association and makes a mockery of its claims to speak for its membership. In violation of its own constitution, the association prevented a large number of members in good standing from voting and proceeded with the vote even though it did not thoroughly establish the presence of a quorum.

A stream of violations actually began last spring. The association's constitution requires an annual spring meeting to elect new officers for the next year that begins in June. No such meeting was held. The Nov. 21 meeting was scheduled after one of us challenged the right of the association's acting president to speak for the organization when her term as president had expired. So this was a meeting, held in fiscal year 2002-03, to elect officers for 2002-03. Members had renewed their memberships, and those who were not yet members had sent in checks to join.

That evening, the acting officers announced that only members in good standing from the previous fiscal year could vote, and only members could run for officer positions. According to the association's constitution, members in good standing — members who are current in the payment of dues — can vote.

It appears that they violated the provision of the constitution that no action can be taken unless a quorum is present — 10 percent of the membership. What is the number of members? We don't know. We get different answers every time we ask, ranging from less than 400, to as many as 900. When we challenged the presence of a quorum, our challenge was squashed.

Third, the officers refused to accept proxy votes. We had planned to run for officer positions, and we had collected a number of proxy votes from association members who couldn't attend the meeting.

Final vote count for the announced slate of officers: 28.
Vote count for the opposition slate: none taken.

We believe the elections should be declared null and void and new elections should be held.

We wanted to run for president, vice president and secretary of the association because previous officers acted in an insular, exclusionary manner while claiming to represent the views of association members. They launched an important zoning change, the tree-and-slope overly, that affects every piece of property within its limits without so much as a membership survey to ascertain support or opposition. It is long past time to return the association to its members, rather than a small clique.

Warren Watts
Karen Foreit
Laura Baughman
Forest Hills