

DORN C. MCGRATH, JR., FAICP
2710 BRANDYWINE STREET, NW
WASHINGTON, DC 20008
TEL: 202-966-9559 FAX: 202-966-0593

July 23, 2004

The Honorable Carol Mitten
Chair, Zoning Commission
Government of the District of Columbia
441 Fourth Street, NW, Suite 210S
Washington, DC 20001

RE: Case Number 02-19

Dear Ms. Mitten:

Thank you for the opportunity to testify last evening on the matter of the Tree and Slope ordinance for the designated sector of Ward 3. Enclosed is a corrected copy of my written testimony, properly reflecting your status. I apologize for the error addressing my testimony incorrectly to you.

I would like to augment my comments briefly.

After hearing the clumsy presentation on the canopy analysis that the Office of Planning proposes to apply to the Forest Hill sector, I am obliged to comment further. It was clear that OP lacks the technical capability to support the canopy analysis process that they attempted to describe to you. They represent a very frail reed upon which the Zoning Commission would have to rely in any litigation that might question their judgment in applying the canopy analysis approach. As a former chairman of the Department of Geography at the George Washington University (6 years), and having established a complete GIS Laboratory at the University, which provides instruction for graduate students in GIS and canopy analysis techniques, I feel well qualified to offer this observation.

It was fortunate that you had the benefit of more systematic presentations on the subject of tree protection and the vagaries of canopy analysis from Mr. James Urban, who is a nationally known landscape architect with extensive experience in this field. I urge you to consider his remarks and those of Mr. George Clark very carefully.

It is unfortunate that the Office of Planning analyses described to you last evening seemed to treat the Forest Hills area as a flat surface rather than the very hilly and rocky terrain that actually comprises the designated sector. Moreover, the maps presented by OP were misleading in failing to reflect the arboreal context in which Forest Hills exists adjoining Rock Creek Park and its tributary lands. I strongly support the remarks of Mr. Murphy of the National Park Service, whose comments on this aspect of Tree and Slope regulation were well-reasoned.

I hope that these comments will be helpful to you. I must also express my respect for your patience in enduring yet another long evening hearing.

Sincerely,



Dorn C. McGrath, Jr.

Professor Emeritus

ZONING COMMISSION
District of Columbia

Enclosure

CASE NO. 02-19
EXHIBIT NO. 370

ZONING COMMISSION
District of Columbia
CASE NO. 02-19
EXHIBIT NO. 370

STATEMENT ON FOREST HILLS TREE AND SLOPE OVERLAY DISTRICT

Case No. ZC - 02 - 19

Zoning Commission Hearing - - July 22, 2004

Good Evening, Madam Chairman and Commissioners.

I am Dorn C. McGrath, Jr., FAICP. For several years I served as Chairman of the Committee of 100 on the Federal City and I am very familiar with planning and zoning issues in the District. I have lived in Forest Hills at 2710 Brandywine Street, NW. for more than 14 years and I am thoroughly familiar with conditions in the neighborhood. I am a member of the Forest Hills Citizens Association and have attended several prior meetings of the Association at which the Office of Planning and its consultants have made presentations of their plans and analyses to the neighborhood and the general public.

Tonight I must express my opposition to the flawed plan for a "percentage of canopy coverage" offered by the Office of Planning. I am convinced that the OP's canopy coverage approach is flawed because it would result in actual reduction of the Forest Hills tree canopy if used as the OP has proposed in a city in great danger of losing its "greenness" through ill-advised property development, neglect of existing trees and parks, and poor enforcement procedures. My concerns are borne out by statements in the American Forest's letter of July 19, 2004 that OP has misrepresented, perhaps because of OP's preconceived approach, some of the information on the city's tree canopy that the American Forest analysts provided at the request of the Office of Planning. The letter from the Vice President of the American Forest organization is in your hands, and therefore I will not repeat his objections to the OP Final Report.

I am particularly concerned that the OP seems not to have understood the scope of the objections of some vocal citizens who seem to oppose the Forest Hills Citizens Association proposal for a tree and slope overlay. The Association's carefully conducted survey puts their objections in proper perspective, but OP wrongly describes the neighbors as "sharply divided." This is not true.

The record of the OP in dealing with the city's neighborhoods is not good. OP's "top-down" approach in its planning for nearly every neighborhood fails to respect the fact that many citizens have many good ideas and the capacity to understand the dynamics of the city as least as well as the

City's professionals. Sometimes OP representatives seem not to take seriously the careful testimony prepared by able citizens who may, for very good reasons, oppose some of the City's specific planning and zoning proposals or its overall top-down approach. For example, it was not encouraging to see the OP's recorder playing "Solitaire" on her computer during recent testimony by thoughtful Ward 3 residents on the Wisconsin Avenue Corridor Plan.

In summary, I hope that the Commission will support the Forest Hills Association's compromise proposal for a Tree and Slope Overlay District in this critical area of the Nation's Capital. Ours is a city to be protected, not exploited, and we should never lose sight of the fact that the District of Columbia is a relatively small place --only 67 sq. miles-- urgently in need of protection from exploitation. Forest Hills is a special place, with almost suburban qualities, and unequivocal tree and slope protection are needed there.

Thank you for this opportunity to be heard.