



Carrollsborg Square Condominium Association  
 1804 T Street NW  
 Suite One  
 Washington DC 20009

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D.C. OFFICE OF ZONING

2007 JUL -9 PM 3:37

July 3, 2007

BY FAX AND MAIL

District of Columbia Zoning Commission  
 c/o Anthony Hood, Acting Chair  
 4414th Street, N.W., Suite 210  
 Washington, DC 20001

**Re: "Waterfront" PUD, First Stage PUD Modification and Partial  
 Second Stage PUD Application. Z.C. Case No. 02-38A**

Dear Members of the Commission:

On behalf of a party, Carrollsborg Square Condominium Association, Inc. (hereinafter the "CSCA"), I am writing to note our objection to the lack of opportunity to cross-examine the Applicant's witness, the architect, Shalom Baranes, during the Rebuttal portion of the public hearing held on June 14, 2007. CSCA had some important questions for Mr. Baranes which it did not get the chance to ask. Other parties to the case may also have had questions.

As this was my first Zoning Commission hearing, I was surprised that parties were not allowed to cross-examine after the Rebuttal portion of the hearing. I would greatly appreciate the opportunity to cross-examine Mr. Baranes. I noticed other parties attempt to get the attention of the Chair to be recognized after Mr. Baranes' testimony concluded. The meeting was adjourned without any opportunity for any of the parties to cross-examine the witness.

When prepared, the transcript should reflect that the Chair made no mention of the parties' right to cross-examine Mr. Baranes. I believe that the omission of the right to cross-examine was entirely unintentional, but it nevertheless was prejudicial to all of the parties and deprived them of a valuable right under Zoning Commission Procedures.

In view of the procedural irregularity and the desire of CSCA and perhaps other parties to cross-examine the rebuttal witness, I request that the public hearing be reconvened in the near future to permit cross-examination of Mr. Baranes. It should not take very long to conclude the Rebuttal portion of the case and thus cure the clear defect in the record in this case. In addition, I suggest that the submissions of proposed Findings of Fact, Conclusions of Law and Decision presently due by July 12, 2007 be extended to a date more than seven (7) days after the transcripts of the complete public hearings have been made available.

web site: [www.carrollsborgsquare.org](http://www.carrollsborgsquare.org)

ZONING COMMISSION  
 District of Columbia  
 email: [board@carrollsborgsquare.org](mailto:board@carrollsborgsquare.org)

CASE NO. 02-38-A  
 EXHIBIT NO. 83

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Very truly yours,



Henry Baker  
President, CSCA Board of Directors

### PROOF OF SERVICE

I hereby certify that on July 3, 2007, a copy of the foregoing request from Carrollsburg Square Condominium Association, Inc. was served on the following parties:

Advisory Neighborhood Commission 6D  
25 M Street, S.W.  
Washington, DC 20024

Via Hand Delivery

Max Skolnik  
ANC Commissioner  
700 7<sup>th</sup> Street, SW #610  
Washington, DC 20024

Via Hand Delivery

Tiber Island Cooperative Homes, Inc.  
429 N Street, SW  
Washington, DC 20024  
Attention: Paul Greenberg  
Fax (202) 488-7742

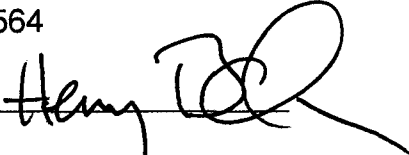
Via FAX and MAIL

Michael McGovern  
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1320 19th Street, NW, Suite 300  
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Via FAX and MAIL

Holland & Knight LLP  
2099 Pennsylvania Avenue. N.W., Suite 100  
Washington. D.C. 20006  
Attention: Whayne S. Quin  
Fax (202) 955-5564

Via FAX and MAIL

  
Henry Baker  
President, CSCA Board of Directors