

Case No. 11-03J - Requesting Party Status for the Board of Directors of 525 Water, a Condominium to appear in all (3) scheduled hearing dates of 2, 6, and 9 November 2017

\*\*\*  
BEFORE THE ZONING COMMISSION OR  
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA  
\*\*\*

**FORM 140 - PARTY STATUS REQUEST**

Before completing this form, please go to [www.dcoz.dc.gov](http://www.dcoz.dc.gov) > IZIS > Participating in an Existing Case > Party Status Request for instructions. Print or type all information unless otherwise indicated. All information must be completely filled out.

**PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.**

Pursuant to 11 DCMR Subtitle Y § 404.1 or Subtitle Z § 404.1, a request is hereby made, the details of which are as follows:

Name:	525 Water, a Condominium Unit Owners Association		
Address:	525 Water St. SW, Washington D.C., 20024		
Phone No(s):	202-488-2120	E-Mail:	525waterbod@gmail.com

I hereby request to appear and participate as a party in Case No.: 11-03J

Signature:	[Signature]	Date:	Oct 19, 2017
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Will you appear as a(n)	<input checked="" type="checkbox"/> Proponent	<input type="checkbox"/> Opponent	Will you appear through legal counsel?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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If yes, please enter the name and address of such legal counsel.

Name:			
Address:			
Phone No(s):		E-Mail:	

**ADVANCED PARTY STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 404.3/Subtitle Z § 404.3:**

I hereby request advance Party Status consideration at the public meetings scheduled for:

**PARTY WITNESS INFORMATION:**  
On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the party's behalf;
2. A summary of the testimony of each witness;
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and
4. The total amount of time being requested to present your case.

**PARTY STATUS CRITERIA:**  
Please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

1. Property affected is First-Stage Planned Unit Development (PUD) consisting of residential condominium constructed by developer in Phase I of Southwest Waterfront Redevelopment (Wharf) and is immediately adjacent (<25ft) to applicants proposed Second-Stage Planned Unit Development (PUD).
2. As both unit owners and Board Members of 525 Water Street, a Condominium, we are representing the interests of 107 unit owners and their families within said Condominium.
3. 525 Water Street., SW is <25 feet from the property that is the subject of the application before the Commission.
4. If the applicants Phase II PUD is approved without deference and approval of the Board of Directors of 525 Water St., a Condominium, the 107 unit owners of said Condominium will suffer grave environmental, economic, and social impacts for the foreseeable future.
5. If our Party Status request is denied, it will negatively impact not only the 107 unit owners but, also their families interests in their home and community indefinitely.
6. As stated in response five (5) above, the daily impact of the applicants Phase II PUD over the span of the next 4-5 years will directly impact the 107 unit owners and their families in 525 Water, a Condominium as opposed to the general public, who only chooses to visit the Wharf at their discretion and convenience.

**Board Member Listing**  
**525 Water, A Condominium**  
As Of: Thu Oct 19, 2017

**Board President: Bradley Neilley Sr**

Unit Address: 525 Water St SW #220  
Mailing Address: 525 Water St SW #220  
Washington DC, 20024  
Second Owner: Cathy McBarnette-Neilley

**Term: 07/13/2017 to**

Home Phone:  
Work Phone: Ext:  
Mobile Phone: (732) 261-8796  
Other Phone:  
Email: bradneilley525@gmail.com

**Vice President: Dennis Korber**

Unit Address: 525 Water St SW #110  
Mailing Address: 525 Water St SW #110  
Washington DC, 20024  
Second Owner: Robert Rubenkonig Jr

**Term: 07/13/2017 to**

Home Phone:  
Work Phone: Ext:  
Mobile Phone: (301) 789-5418  
Other Phone:  
Email: dkorber525@gmail.com

**Secretary: Lori Farrell**

Unit Address: 525 Water St SW #109  
Mailing Address: 525 Water St SW #109  
Washington DC, 20024  
Second Owner:

**Term: 07/13/2017 to**

Home Phone:  
Work Phone: Ext:  
Mobile Phone:  
Other Phone:  
Email: lorifarrell525water@gmail.com

**Treasurer: Marsha Baker**

Unit Address: 525 Water St SW #316  
Mailing Address: 525 Water St SW #316  
Washington DC, 20024  
Second Owner:

**Term: 07/13/2017 to**

Home Phone:  
Work Phone: Ext:  
Mobile Phone: (678) 592-8787  
Other Phone:  
Email: w99baker@yahoo.com

**2nd Vice President: Willie Beale Jr**

Unit Address: 525 Water St SW #302  
Mailing Address: 525 Water St SW #302  
Washington DC, 20024  
Second Owner:

**Term: 07/13/2017 to**

Home Phone: (202) 868-1545  
Work Phone: Ext:  
Mobile Phone:  
Other Phone:  
Email: whbeale@comcast.net

## Jacqueline R. Deane

---

**From:** Marsha Baker <w99baker@yahoo.com>  
**Sent:** Tuesday, October 17, 2017 5:41 AM  
**To:** Willie Beale  
**Cc:** Jacqueline R. Deane; Brad Neilley; Dennis Korber; Lori Farrell  
**Subject:** Re: VERY IMPORTANT: Wharf Phase II

Thanks Will. Please apply

Sent from my iPad

On Oct 16, 2017, at 11:30 PM, Willie Beale <[whbeale@comcast.net](mailto:whbeale@comcast.net)> wrote:

Forgot to copy Jackie.....Also, I will contact the Zoning Office in the a.m. for more info, including submission of application for Party Status.

Best,  
Will

Begin forwarded message:

**From:** Willie Beale <[whbeale@comcast.net](mailto:whbeale@comcast.net)>  
**Subject:** VERY IMPORTANT: Wharf Phase II  
**Date:** October 16, 2017 at 11:06:48 PM EDT  
**To:** Brad Neilley <[bradneilley525@gmail.com](mailto:bradneilley525@gmail.com)>, Dennis Korber <[dkorber525@gmail.com](mailto:dkorber525@gmail.com)>, Marsha Baker <[w99baker@yahoo.com](mailto:w99baker@yahoo.com)>, Lori Farrell <[lorifarrell525water@gmail.com](mailto:lorifarrell525water@gmail.com)>  
**Cc:** Andy Litsky <[alitsky@aol.com](mailto:alitsky@aol.com)>

All,

I've just returned from tonight's ANC mtg and learned about a very important part we can play in the construction of Phase II. We can participate as a PARTY in the zoning hearings set for 2, 6, and 9 Nov. Apparently, PARTY status has special privileges as it applies to participation in the hearings for approval of Phase II. The specifics are annotated in the attached Public Hearing Notice (starts at bottom of page 3).

The bad news: we have TWO days to apply for PARTY status for the first hearing on 2 Nov. More bad news: I will be out of country on 2 Nov and not able to attend.

Please take a look at the attached and lets quickly discuss our plan of attack. Lastly, Andy Litsky, cc'd herein, is the Chair of our ANC (Advisory Neighborhood Commission) and the Commissioner of our SMD (Single Member District)

Andy - thanks for the info. The below listed personnel (e-mail addresses in TO line) are Board Members at 525 Water. None of us are PN Hoffman employees and all took office effective mid July 2017. Any words of wisdom and or guidance is greatly appreciated.

Brad Neilley - President  
Will Beale - Vice President  
Dennis Korber - Vice President  
Marsha Baker - Treasurer  
Lori Farrell - Secretary

Best,  
Will

<Public Hearing Notice for Wharf II.pdf>

## Jacqueline R. Deane

---

**From:** Brad Neilley <bradneilley525@gmail.com>  
**Sent:** Tuesday, October 17, 2017 12:34 PM  
**To:** Lori Farrell  
**Cc:** Marsha Baker; Jacqueline R. Deane; Dennis Korber; whbeale  
**Subject:** Re: VERY IMPORTANT: Wharf Phase II

I am ok with it also.

Brad

On Oct 17, 2017 11:41 AM, "Lori Farrell" <[lorifarrell525water@gmail.com](mailto:lorifarrell525water@gmail.com)> wrote:  
Approve

Sent from my iPhone

On Oct 17, 2017, at 11:26 AM, Dennis Korber <[dkorber525@gmail.com](mailto:dkorber525@gmail.com)> wrote:

i'm ok with this; doesn't hurt to be part of the PARTY even if we don't have anything to complain about.

On Tue, Oct 17, 2017 at 11:02 AM, whbeale <[whbeale@comcast.net](mailto:whbeale@comcast.net)> wrote:  
Lori, et al

The application I intend to submit for us will give us "rights" to approve or oppose any and all of Phase II.

The developer (PN Hoffman/Madison Marquette) typically goes through zoning hearings to get approval for the structures and various misc items as it builds out a PUD or Planned Unit Development. As a Board, we have rights to be a party to the hearing. How much we participate is solely on us. For example, if we want to cross examine witnesses on a public fountain, walkway, traffic light, or anything else that is in the developers plans, this is our opportunity. The ANC's position is to question anything that they believe will negatively or adversely impact the community.

I think it's in our best interest to thoroughly review the Phase II proposal and attend the hearings to address things we may not like. If, in fact, we like everything the developer plans to do, we should still apply as a party so that when/if the ANC asks for additional filings, for example, those filings are also sent to us for approval or disapproval.

Last night's ANC mtg clearly showed how happy the ANC Commission is with Phase I, at this juncture. However, they voted to withhold approval of plans for Phase II until misc issues are resolved. I expect them to reiterate these issues at the hearings next month. Understand, these issues will get resolved in large part b/c of the cordial relationship and "can do" attitude the developer has imparted on the ANC in the last 4-5 years. As we all know, its part of doing good business.

We are in a unique position to approve/disapprove things that will impact our community for many years to come. A single community member cannot impact these hearings.

I need approval from all of us to apply as a party. Our deadline is in two days...19 Oct. If application is not received by the zoning commission, we'll have to be happy with whatever Phase II brings us. Please give me your vote by COB today. Apologies for the long email....my thumbs are hurting:)

Best,  
Will

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Lori Farrell <[lorifarrell525water@gmail.com](mailto:lorifarrell525water@gmail.com)>

Date: 10/17/17 7:06 AM (GMT-05:00)

To: Willie Beale <[whbeale@comcast.net](mailto:whbeale@comcast.net)>

Cc: "Jacqueline R. Deane" <[jdeane@cmc-management.com](mailto:jdeane@cmc-management.com)>, Brad Neilley <[bradneilley525@gmail.com](mailto:bradneilley525@gmail.com)>, Dennis Korber <[dkorber525@gmail.com](mailto:dkorber525@gmail.com)>, Marsha Baker <[w99baker@yahoo.com](mailto:w99baker@yahoo.com)>

Subject: Re: VERY IMPORTANT: Wharf Phase II

I'm not sure what the involvement is, but I think I'm available those days in Nov.

Lori

Sent from my iPhone

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Andy - thanks for the info. The below listed personnel (e-mail addresses in TO line) are Board Members at 525 Water. None of us are PN Hoffman employees and all took office effective mid July 2017. Any words of wisdom and or guidance is greatly appreciated.

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Will Beale - Vice President  
Dennis Korber - Vice President  
Marsha Baker - Treasurer  
Lori Farrell - Secretary

Best,  
Will

<Public Hearing Notice for Wharf II.pdf>





**DISTRICT OF COLUMBIA**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
 One Judiciary Square  
 441 Fourth Street, NW  
 Washington, DC 20001-2714  
 (202) 442-9094 Phone (202) 442-4789 Fax



Case Number(s): 11-031

**CERTIFICATE OF SERVICE**

You must send copies of any papers you file at OAH to the other party. By signing this form, you are stating that you sent copies.

My Name: 525 Water, a Condominium Unit owner's Association

My Address: 525 Water St. SW  
Washington DC 20024  
 City State Zip Code

My Telephone Number(s): 202-488-2120

My Fax #: \_\_\_\_\_

I have sent a copy of this document to the other party PN Hoffman (their name), on

10/19/17 (date):

- By **Fax** to this number: \_\_\_\_\_
- By **Mail** to the address below, OR
- By **Hand-delivery** to the address below

680 Water St SW  
 (Address of other party)

Washington DC 20024  
 City State Zip Code

[Signature] 10-19-17  
 My Signature Date  
 V. P. BOD 525 WATER ST. SW



**DISTRICT OF COLUMBIA**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
 One Judiciary Square  
 441 Fourth Street, NW  
 Washington, DC 20001-2714  
 (202) 442-9094 Phone (202) 442-4789 Fax



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My Address: 525 Water St. SW  
Washington DC 20024  
City State Zip Code

My Telephone Number(s): 202-488-2120

My Fax #: \_\_\_\_\_

I have sent a copy of this document to the other party ANC WD (their name), on

10/19/17 (date):

- By **Fax** to this number: \_\_\_\_\_
- By **Mail** to the address below, OR
- By **Hand-delivery** to the address below

1101 4th St. SW Suite W130  
(Address of other party)

Washington DC 20024  
City State Zip Code

[Signature] 10-19-17  
My Signature Date  
V.P. 130D 525 WATER ST., SW