

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
MARCIE COHEN, Vice Chair
MICHAEL G. TURNBULL, FAIA,
Commissioner (AOC)
PETER MAY, Commissioner (NPS)
ROBERT MILLER, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

MAXINE BROWN-ROBERTS
JOEL LAWSON, Associate Director,
Development Review

The transcript constitutes the minutes from the Public Hearing held on June 19, 2014.

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1 P-R-O-C-E-E-D-I-N-G-S

2 6:40 p.m.

3 CHAIRMAN HOOD: Good evening,
4 ladies and gentlemen. This is a public hearing
5 of the Zoning Commission for Thursday, June the
6 19th, approximately 6:40 p.m.

7 My name is Anthony Hood. Joining
8 me are Vice-Chair Cohen, Commissioner Miller,
9 Commissioner May and Commissioner Turnbull.
10 We're also joined by the Office of Zoning staff,
11 Ms. Sharon Schellin; the Office of Planning,
12 Mr. Lawson and Ms. Brown-Roberts.

13 Can I have your attention, please.
14 We've called the meeting to order.

15 This proceeding is being recorded
16 by a court reporter. It is also Webcast live.
17 Accordingly, we must ask you to refrain from any
18 disruptive noises or actions in the hearing
19 room including the display of any signs or
20 objects.

21 Notice of today's hearing was
22 published in the *D.C. Register*, and copies of

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1 that announcement are to my left on the wall
2 near the door.

3 This continuation hearing will be
4 conducted in accordance with provisions of 11
5 DCMR 3022 as follows: We will begin tonight
6 with preliminary matters, a report of the
7 Advisory Neighborhood Commission,
8 organizations and persons in support,
9 organizations and persons in opposition. Then
10 we'll have rebuttal and closing by the
11 Applicant.

12 The following time constraints will
13 be maintained in this meeting: Applicant will
14 have -- oh, I'm sorry. We've already done that
15 part. We will go to the ANC again.

16 The Commission intends to adhere to the
17 time limits as strictly as possible in order to
18 hear the case in a reasonable period of time.
19 The Commission reserves the right to change the
20 time limits for presentations if necessary.
21 Not time shall be ceded.

22 All persons appearing before the

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1 Commission are to fill out two witness cards.
2 These cards are located to my left on the table
3 near the door. Upon coming forward to speak to
4 the Commission, please give both cards to the
5 reporter sitting to my right before taking a
6 seat at the table.

7 When presenting information to the
8 Commission please turn on and speak into the
9 microphone, first stating your name and home
10 address. When you are finished speaking,
11 please turn your microphone off so that you're
12 microphone is no longer picking up sound or
13 background noise.

14 In addition, there should be no
15 direct contact whatsoever with a Commissioner
16 concerning this matter, be it written,
17 electronic or by telephone. Any materials
18 received directly by a Commissioner will be
19 discarded without being read. Any calls will
20 be ignored.

21 The staff will be available
22 throughout the hearing to discuss procedural

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1 questions. Please turn off all beepers and
2 cell phones at this time so not to disrupt these
3 proceedings.

4 Did we do this? Let's do it again
5 tonight. Would all individuals wishing to
6 testify please rise to take the oath?

7 MS. SCHELLIN: Please raise your
8 right hand.

9 (The witnesses were sworn)

10 MS. SCHELLIN: Thank you.

11 CHAIRMAN HOOD: At this time the
12 Commission will consider any preliminary
13 matters. Does the staff have any preliminary
14 matters?

15 MS. SCHELLIN: We have one
16 submission that the Commission has before it
17 that was filed by Barry Farms Tenants and Allies
18 Association, if the Commission would like to
19 consider that.

20 CHAIRMAN HOOD: Commissioners,
21 this is our Exhibit 45, which was submitted at
22 a request of denial of party status with the

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1 Barry Farms Tenants and Allies Association.
2 We actually don't have a rule where we can
3 reconsider our party status, but we can do
4 anything on our own motion. I will tell you
5 that a lot of the information here, as far as
6 I'm concerned, some of it's not germane to
7 zoning, but I will say that some of these
8 questions were asked; and I made this statement
9 at the last hearing, it's important.

10 And we went to 11:00, and I know that's
11 why we started with the ANCs tonight, because
12 a lot of seniors were here and I know they didn't
13 want to stay out downtown here until 11:00.
14 And we actually would not have gotten finished
15 that case anyway. So that's why we let
16 everyone know earlier.

17 But a lot of things that I read
18 through the record that were concerns have been
19 addressed. They were addressed that night.
20 And where we missed is that when -- and I know
21 the public doesn't have all the time to be down
22 here all the time, but I can assure you that a

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1 lot of the questions that residents who had
2 concerns had were asked that night by this
3 Commission. And it's unfortunate.

4 So I would encourage everyone to
5 watch D.C. Office of Zoning's Web site and see
6 what happened and see the questions that were
7 asked, because we have some of the same concerns
8 that were mentioned in some of -- because I can
9 tell you, when I looked at the submission for
10 party status, it was not -- a lot of it was not
11 germane to zoning. But I will tell you that I
12 asked Mrs. -- and I want to thank the Applicant.
13 I asked them to respond to Mrs. -- I was
14 reading -- Mrs. Saker?

15 MS. SCHELLIN: Sanker.

16 CHAIRMAN HOOD: Sanker. Ms.
17 Sanker. Is Ms. Sanker here?

18 MR. SANKER: (Off microphone)

19 CHAIRMAN HOOD: Work with me, man.
20 You need to come up further. Can you come right
21 here?

22 MS. SANKER: (Off microphone)

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1 CHAIRMAN HOOD: I know. Oh,
2 you're Mr. Sanker? Oh, well, come to the
3 table. Come to the table.

4 MR. SANKER: Fifty-four years.

5 CHAIRMAN HOOD: Come to the table.

6 MR. SANKER: (Off microphone)

7 CHAIRMAN HOOD: I'm trying to stay
8 in the mic. I'm trying.

9 MR. SANKER: You're not talking
10 directly in the phone.

11 CHAIRMAN HOOD: You want me to stay
12 like this?

13 MR. SANKER: (Off microphone)

14 CHAIRMAN HOOD: Okay. Have a seat
15 right there, sir. I want you to sit right
16 there.

17 MR. SANKER: (Off microphone)

18 CHAIRMAN HOOD: Yes, I'm doing the
19 best I can. I'm going to work with you.

20 MR. SANKER: (Off microphone)

21 CHAIRMAN HOOD: Okay. Okay.
22 Have a seat. Have a seat. I'm going to do the

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1 best I can.

2 MR. SANKER: (Off microphone)

3 CHAIRMAN HOOD: Have a seat. Have
4 a seat.

5 MR. SANKER: (Off microphone)

6 CHAIRMAN HOOD: Okay. Okay.
7 Have a seat, sir.

8 MR. SANKER: (Off microphone)

9 CHAIRMAN HOOD: Okay, sir.

10 MR. SANKER: (Off microphone)

11 CHAIRMAN HOOD: Okay. Okay. I
12 understand. Okay. But let's you and I get on
13 the same page. Let's you and I get on the same
14 page, because sometime I have to look at what's
15 before me and see what I'm looking at so I can
16 remember. Okay? I need to look down and see
17 submissions. So that's why I do this.

18 MR. SANKER: Yes, understood,
19 but --

20 CHAIRMAN HOOD: But if I'm doing
21 this, I can't look at the submissions.

22 MR. SANKER: Well, when you look

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1 down, but then you -- when you talk, you talk
2 through your -- in the mic. So I don't hear
3 what you're saying. I'm just trying to explain
4 to you, but it look like -- it's a hard thing
5 for you to --

6 CHAIRMAN HOOD: You know what I'm
7 going to do, I'm going to --

8 MR. SANKER: (Off microphone)

9 CHAIRMAN HOOD: Yes, but I'm going
10 to do this, since there's a issue here: I don't
11 want to make an issue. I'm going to see if we
12 can get a chair. If you sit up here with me --
13 and I mean that.

14 MR. SANKER: (Off microphone)

15 CHAIRMAN HOOD: What? No, I'm
16 saying if you sit up here with me, then that way
17 you would be able to hear you when I'm saying
18 something. Do we have a deal?

19 MR. SANKER: But you (off
20 microphone)

21 CHAIRMAN HOOD: But if you're
22 sitting by me, you'll be able to hear me. Am

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1 I right? I'm going to bring you up. This is
2 unprecedented. I hope my colleagues don't
3 mind. I'm going to do this for you because you
4 can't hear me. But if you're sitting -- if you
5 come up here and sit by me, you'll be able to
6 hear me.

7 MS. SCHELLIN: He can sit under a
8 speaker.

9 CHAIRMAN HOOD: Oh, okay.

10 MS. SCHELLIN: There's a speaker
11 here.

12 CHAIRMAN HOOD: Where's the
13 speaker? Okay. If you sit -- come around this
14 way.

15 (Simultaneous speaking)

16 (Laughter)

17 CHAIRMAN HOOD: Ms. Sharon, I need
18 you to help me make sure that Mr. Sanker can hear
19 me. And if anybody else has that problem, if
20 you all don't mind, because we have much respect
21 for our seniors. Okay?

22 Can you hear me, Mr. Sanker?

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1 MR. SANKER: I hear you now.

2 CHAIRMAN HOOD: Because I'm in the
3 mic.

4 MR. SANKER: Yes, I hear you when
5 you're talking now.

6 CHAIRMAN HOOD: Okay.

7 MR. SANKER: If you keep talking
8 like that, I will hear you.

9 CHAIRMAN HOOD: I'm going to do my
10 best. I am going to do my best, believe me.

11 Okay. Thank you. Again, the
12 questions that were given to us, there was a
13 request made by me of Mrs. Sanker's questions.
14 And I want to thank the Applicant for providing
15 those questions for the record. So again,
16 those are kind of some of the things that I
17 mention. When people leave -- the hearing
18 starts at 6:30, and you leave at 7:00, you miss
19 a lot. Now if you're going to stay until 9:00,
20 starting to leave out. So that's enough said
21 on that.

22 We have Commissioners of

1 reconsideration. I will tell you as I looked
2 at Exhibit 45, it does not, as far as I'm
3 concerned, meet the test, but we do the rules.
4 I think what I would like to do first to find
5 out -- Barry Farms Tenants and Allies
6 Association, if they could come forward and let
7 me see are they community -- who's their
8 representative? If they can come forward.
9 Who's going to be asking the questions? If you
10 can come forward.

11 You're Ms. Belt?

12 MS. BELT: Yes.

13 CHAIRMAN HOOD: Okay. Turn your
14 microphone and introduce yourself.

15 MS. BELT: I'm Detrice Belt and I'm
16 the chair on the Barry Farms Tenants and Allies
17 Association.

18 CHAIRMAN HOOD: Okay. How long
19 have you all been in existence?

20 MS. BELT: It's been about two
21 years.

22 CHAIRMAN HOOD: Okay.

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1 MS. BELT: And there are resident
2 members of the Resident Council that are
3 members of the Barry Farms Tenants and Allies.
4 So there's no like discrepancy with the two
5 organizations.

6 CHAIRMAN HOOD: So you will be the
7 one asking questions?

8 MS. BELT: Yes.

9 CHAIRMAN HOOD: And you only will
10 be cross-examination and everything, correct?

11 MS. BELT: Yes.

12 CHAIRMAN HOOD: Okay.
13 Commissioners -- and I will tell you that I'm
14 not willing to change my mind on what I received
15 here, because this is really not germane. It's
16 really not. There are a few things in there
17 that are zoning, and typically we don't do that.
18 We don't usually go back on -- I looked at your
19 submission again. The uniqueness is what we
20 look at. This is not the first case we've done.
21 But I think after thinking about it -- we're
22 human -- I'm human, too. And after thinking

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1 about it, you're not down here all the time and
2 those things probably should have been -- even
3 though that's not a factor that we can look
4 into, we have to look at what's required by law.

5 So I'm going to ask my colleagues if
6 any of the three who -- I would be inclined to
7 reconsider and give them a chance to -- give
8 them party status and ask them if they have any
9 questions.

10 VICE-CHAIR COHEN: I do.

11 CHAIRMAN HOOD: Vice-Chair Cohen?

12 VICE-CHAIR COHEN: Thank you. How
13 many members of your --

14 MS. BELT: We have now, I want to
15 say, 50 members.

16 VICE-CHAIR COHEN: And all of them
17 are residents?

18 MS. BELT: Yes.

19 VICE-CHAIR COHEN: Okay. But they
20 didn't sign that petition --

21 MS. BELT: What petition?

22 VICE-CHAIR COHEN: -- that you

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1 submitted.

2 MS. BELT: Oh, okay. Yes, but I
3 have the membership forms.

4 VICE-CHAIR COHEN: Okay. And so I
5 just have a question as to what is your
6 relationship with the Resident Council then,
7 because that was --

8 MS. BELT: Well, we sat down and
9 talked to them. They're stance on this
10 redevelopment is that they are going with the
11 city's plans. And the difference with the
12 Barry Farms Tenants and Allies, we oppose it.
13 We do not want the redevelopment. So there's
14 residents in Barry Farms that do not want the
15 redevelopment. And then you have some who do
16 want it redeveloped. So that's the
17 difference.

18 VICE-CHAIR COHEN: So all 50
19 members are against?

20 MS. BELT: Yes.

21 CHAIRMAN HOOD: And I think again
22 that goes to the germaneness of the zoning case.

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1 This is a land use case. I think that's already
2 been decided. Some type of development. It's
3 up to us to figure out the density, the size and
4 how it's going to work. So those are the things
5 that at least this Commissioner looked at when
6 we looked at your application.

7 MS. BELT: Okay.

8 CHAIRMAN HOOD: Because
9 technically whether there's a development
10 there or not, the question is what type of
11 development. That's not within the
12 jurisdiction of the Zoning Commission.

13 MS. BELT: Okay. We have
14 questions.

15 CHAIRMAN HOOD: We're not the all
16 all, the fix all. The city's already decided
17 to do some type of development. We decide the
18 massing, if it's sufficient for that land or
19 not.

20 MS. BELT: Yes.

21 CHAIRMAN HOOD: So that's where
22 your -- and I'm just saying it so the next case

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1 you want to make sure it's germane to land use.

2 MS. BELT: Yes. Okay.

3 CHAIRMAN HOOD: Okay?

4 MS. BELT: Okay. So,
5 Commissioners, I would reconsider --

6 COMMISSIONER TURNBULL: Mr. Chair,
7 I just have one question. On Exhibit 35 where
8 you submitted some signatures --

9 MS. BELT: Yes.

10 COMMISSIONER TURNBULL: -- I think
11 there were nine signatures --

12 MS. BELT: Yes.

13 COMMISSIONER TURNBULL: -- it
14 looks like two of them don't live in Barry
15 Farms. At least two.

16 MS. BELT: Oh, okay. Yes. So
17 those were residents that lived in Barry Farms
18 and they were moved to Matthews Memorial and
19 they do not like living there and they want to
20 get back to Barry Farms.

21 COMMISSIONER TURNBULL: And what
22 about the other seven?

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1 MS. BELT: So they wanted to come to
2 the meeting and put their name on the
3 submission. But that's not -- they're not
4 members. I have membership forms for the Barry
5 Farms Tenants and Allies.

6 COMMISSIONER TURNBULL: Well, see,
7 I think that would have been good for us to get.

8 MS. BELT: Oh, okay.

9 COMMISSIONER TURNBULL: I mean I
10 think we really -- that's what gives you the
11 strength in your submission is if we actually
12 see those, then that makes us more confident.

13 CHAIRMAN HOOD: Mr. Turnbull, make
14 sure you speak right into the mic.

15 COMMISSIONER TURNBULL: Yes, sir.

16 CHAIRMAN HOOD: You'll get in
17 trouble like me.

18 (Laughter)

19 COMMISSIONER TURNBULL: Okay. I
20 don't want to get in trouble. I get in enough
21 trouble.

22 Anyways, that's the kind of

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1 evidence or the kind of backup that when the
2 Commission looks at a document like this we can
3 say, yes, they definitely represent a
4 significant portion of people and we can grant
5 you party status.

6 So on -- I think as what the Chair
7 was saying, on the first face -- we're looking
8 at it on its face value at first. It was like,
9 well, we saw a couple of names that just didn't
10 make sense, so we didn't -- it doesn't give
11 credence to your support that we can give you
12 for this. But you can provide us evidence that
13 50 people are part of the organization?

14 MS. BELT: Yes, and I also thought
15 that like he said the other night, on Tuesday,
16 I thought that he said like -- I thought that
17 people not only in the community, people that
18 are uniquely affected by this could be on the
19 list of my -- the people, the members or the
20 people who wanted to -- these people just wanted
21 to come out and testify, too, people that live
22 in Matthews Memorial.

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1 COMMISSIONER TURNBULL: Well, they
2 can do that. Anybody can come --

3 MS. BELT: Right. Okay. So
4 that's what they --

5 COMMISSIONER TURNBULL: -- and
6 testify, but for party status we raise the bar
7 up a little bit more.

8 MS. BELT: Oh, okay. Okay. Okay.
9 So, yes, I didn't know that that was --

10 CHAIRMAN HOOD: And I think --

11 COMMISSIONER TURNBULL: Okay.

12 CHAIRMAN HOOD: Oh, I'm sorry. I
13 didn't mean to cut you off.

14 COMMISSIONER TURNBULL: No, no,
15 I'm okay.

16 CHAIRMAN HOOD: And I think if you
17 go back and watch the video --

18 MS. BELT: Yes.

19 CHAIRMAN HOOD: -- I think you will
20 see that a lot of questions were asked that you
21 probably would have asked.

22 But anyway, be as it may,

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1 Commissioners, I move that we reconsider party
2 status.

3 And, Mr. Freeman, you already
4 mentioned that you didn't have a problem
5 anyway, so we're going to do this. So just have
6 your folks ready to ask questions. And they
7 need to be germane to zoning, not about whether
8 there's going to be a development there or not.
9 That was decided by the city, not the Zoning
10 Commission. We decide land use.

11 Okay. I would move that we
12 reconsider Barry Farms Tenants and Allies
13 Association and ask for a second -- and grant
14 them party status particularly germane to
15 zoning and land use and ask for a second.

16 COMMISSIONER MAY: Can I second
17 that?

18 CHAIRMAN HOOD: No.

19 COMMISSIONER MAY: It has to be one
20 of the three?

21 VICE-CHAIR COHEN: Oh, then I'll
22 second.

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1 CHAIRMAN HOOD: Okay. It's been
2 moved and properly seconded. Any further
3 discussion?

4 (No audible response)

5 CHAIRMAN HOOD: All those in favor?

6 (Chorus of ayes)

7 CHAIRMAN HOOD: Not hearing anyone
8 opposed, Ms. Schellin, would you record the
9 vote?

10 MS. SCHELLIN: Yes, staff records
11 the vote 5-0-0 to reconsider party status -- and
12 grant party status to the Barry Farms Tenants
13 and Allies Association. Commissioner Hood
14 moving, Commissioner Cohen seconding,
15 Commissioners --

16 (Applause)

17 CHAIRMAN HOOD: I'm going to ask no
18 applause. And that's another thing. We have
19 some rules, too. No applause. No --

20 (Laughter)

21 CHAIRMAN HOOD: Come on, you all.
22 Work with us. No, I work during the day, so I

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1 be tired, too. So come on, you all. This is
2 service to the city. I love this city. So
3 come on now. Work with us.

4 MS. SCHELLIN: Again, Commissioner
5 Hood moving, Commissioner Cohen seconding,
6 Commissioners Miller, May and Turnbull in
7 support of the reconsideration. They also
8 asked for a rehearing. Does this motion deny
9 the rehearing?

10 CHAIRMAN HOOD: Yes, well --

11 MS. SCHELLIN: Or are you going to
12 do that separately?

13 CHAIRMAN HOOD: -- I move that we
14 deny any rehearings on the thought of -- again
15 as I stated in the submission, there's no need
16 to have a rehearing. First of all, we haven't
17 finished the first hearing. There's no need to
18 have a rehearing. Can I ask for a second?

19 VICE-CHAIR COHEN: Second.

20 CHAIRMAN HOOD: It's been moved and
21 properly seconded. Any further discussions?

22 COMMISSIONER MILLER: Yes, Mr.

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1 Chairman, but I assume that we will give the
2 party the opportunity that they would have had
3 if they had had party status at the beginning
4 to cross-examine each of the parties that have
5 testified, so far the Applicant, and I guess the
6 Office of Planning and DDOT as well.

7 CHAIRMAN HOOD: That's what
8 we'll -- that's the next thing I'm going right
9 to as soon as we finish this, get through this
10 business.

11 I don't see ms. Cuthbert. Is Ms.
12 Cuthbert here?

13 MS. SCHELLIN: She's here.

14 CHAIRMAN HOOD: Oh, she's hiding
15 all the way in the back. I'm used to you
16 sitting over on the right over here.

17 Okay. Where were we?

18 MS. SCHELLIN: All in favor?

19 CHAIRMAN HOOD: All in favor?

20 (Chorus of ayes)

21 CHAIRMAN HOOD: Not hearing any
22 opposition, Ms. Schellin, would you record the

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1 vote?

2 MS. SCHELLIN: Staff records the
3 vote 5-0-0 to deny the request for a rehearing
4 since this hearing is still going on with the
5 caveat that the Barry Farms Tenants and Allies
6 Association will have the opportunity to
7 cross-examine witnesses that have already
8 testified. Commissioner Hood moving,
9 Commissioner Cohen seconding, Commissioners
10 Turnbull, Miller and May in support of denial.

11 CHAIRMAN HOOD: Ms. Belt, that has
12 never been done before, trust me.

13 COMMISSIONER TURNBULL: And, Mr.
14 Chair, I just want to -- that we will get a list
15 of the full membership then.

16 CHAIRMAN HOOD: Do you have that
17 now?

18 MS. SCHELLIN: Yes, I do.

19 CHAIRMAN HOOD: Okay. Can you
20 submit that to us? And, Ms. Schellin, you
21 don't have go right out, since you're by
22 yourself, and make copies, but we'd like to see

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1 it. You can just pass that one copy. We can
2 review it.

3 Mr. Freeman, if you can -- and
4 bring -- I know Mr. Green is need to come
5 forward, and if you can bring somebody to do
6 some cross-examination?

7 Why don't we start off, Mr. Freeman,
8 with you and Mr. Green? And maybe A&R. Yes,
9 why don't we do that?

10 MS. BELT: Can I have a couple
11 minutes?

12 CHAIRMAN HOOD: Oh, you wasn't
13 expecting that?

14 MS. BELT: I didn't know we were
15 going to do it right now.

16 CHAIRMAN HOOD: Well, why don't we
17 do this: We're going to go ahead with Ms.
18 Cuthbert.

19 MS. BELT: Okay. Yes.

20 CHAIRMAN HOOD: Yes, and you can
21 get yourself together.

22 MS. BELT: Okay.

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1 CHAIRMAN HOOD: And here's the
2 thing: I noticed last time you left the room,
3 Ms. Belt.

4 MS. BELT: Yes.

5 CHAIRMAN HOOD: It's key to stay in
6 the room because in the room is where you get
7 the information.

8 Okay. Ms. Cuthbert?

9 MS. CUTHBERT: Yes.

10 CHAIRMAN HOOD: You can come
11 forward. Ms. Cuthbert, have you all been
12 working with Ms. Belt?

13 MS. CUTHBERT: Ms. who?

14 CHAIRMAN HOOD: Ms. Belt? The
15 young lady who just left out the room. Oh,
16 okay.

17 I'm just curious. How many people
18 are here in support of this application? If
19 you can raise your hand?

20 (Show of hands)

21 CHAIRMAN HOOD: How many people are
22 here in opposition to this application?

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1 (Show of hands)

2 CHAIRMAN HOOD: Okay. All right.

3 Thank you.

4 Okay. Ms. Cuthbert, you may begin.

5 MS. CUTHBERT: Good evening. I'm
6 Mary Cuthbert.

7 CHAIRMAN HOOD: Hold on one second.
8 Okay, Ms. Cuthbert. You may begin.

9 MS. CUTHBERT: Good evening,
10 Commissioners. I'm Mary Cuthbert, the chair
11 for Advisory Neighborhood Commission 8C. I'm
12 sorry that our testimony came in late because
13 we had to hold three meetings to try to get some
14 sense of what this development was about.

15 According to 11 DCMR 301.5, Advisory
16 Neighborhood Commission 8C held a public
17 meeting on May 7th, June 4th and June 20th and
18 the Petey Green Center. There are seven
19 commissioners in ANC 8C. Four commissioners
20 constitute a quorum. The following
21 commissioners were present and voted on our May
22 7th meeting: Mary Cuthbert voted no; Derrick

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1 Colbert, no; Pho Palmer, no; Jeffrey McCoy, no;
2 Theresa Stith, no; Naomi Carthens abstained,
3 who is the single member district for Barry
4 Farms.

5 On June 4th ANC 8C meeting we
6 received no additional information from our May
7 7th meeting if there was any recommendation.
8 We met again on -- there were no additional
9 information at the May 7th meeting, so the
10 recommendation was we meet again on June 10th.

11 At the June 10th meeting A&R
12 presented and the Housing Authority and DMPED
13 addressed the issue of density on the 25.4 acres
14 of land located at Barry Farms/Wade Road Area
15 of Ward 8 to build approximately 1,324 to 1,879
16 units nearly on the 25.4 acres of land.

17 Presently there are 463 units at Barry Farms on
18 the 25.4 acres. And take the same land area A&R
19 wants be build 1,879 units.

20 We understand there will be
21 multi-family units, row dwellings and flats,
22 retail space, educational office use,

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1 community service use. This sounds nice on
2 paper. What is the square footage of all these
3 rooms? I'll tell you, this was a last-minute
4 rush thing.

5 Commissioners understand most of
6 the residents will be of lower means. Why do
7 they have to live in a match box? The developer
8 would not give us the square footage of each
9 unit. The bedroom size will be just the
10 bedroom. That's that. A twin bed, no
11 dresser, no chest, no drawers. The living
12 room, two full-size people would not be able to
13 sit in the living room. The community has been
14 waiting for Barry Farms development for years.
15 Now they have presented to us 1,879 units on 25
16 acres of land. When you multiply 1,870 units
17 by 4, a mother and 3 children; the new average
18 family size, mostly likely will live there.
19 The total people on that 25.4 acres will be
20 7,516 people living on that 25.4 acres of land.
21 That's not a ghetto. It's a hellhole. It's
22 too many units on that 25 acres.

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1 On June 10th, ANC 8C voted to agree
2 on the zoning change only if they reduce the
3 quantity of units to 1,200.

4 Am I correct, commissioners?

5 PARTICIPANT: Correct.

6 PARTICIPANT: Correct.

7 MS. CUTHBERT: Would be allowed
8 liveable size units. They therefore refuse
9 our recommendation. We do not support the
10 zoning change. The vote for this change were
11 Mary Cuthbert, yes; Naomi Carthens, yes;
12 Jeffrey McCoy, yes. I left out one
13 commissioner. I left out -- Pho Palmer
14 abstained, but I left out -- no, I left out
15 Derrick Colbert. I'm sorry. Yes. If they
16 agree to 1,200 units. If you don't agree to
17 1,200 units, we're not going to support the
18 density change. That's where you have to make
19 that change.

20 Come to find out after the Monday
21 meeting you're only going to be building on 23
22 acres because you're going to use 2 acres for

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1 land, for park land. And I don't understand
2 how you expect to build that many houses on that
3 small acres. We need some clarification.

4 The real bottom line is they never
5 came to the ANC and sat down and talked with us.
6 This is the worst piece of development that came
7 before an ANC in the last 30 years. They never
8 sat down to talk with us for us to get clarity
9 on what they're going to build, how many town
10 houses, how many apartments. We never got all
11 that information. We never got the
12 information of relocating the present tenants.
13 What is the process for them to come back?

14 We have a lot of questions that has
15 never been answered. We got a lot of answers
16 on Monday night hearing, but we were never able
17 to really get clarity. So this was a
18 last-minute thing. Any time you meet three
19 times just to get some basic understanding.
20 And we feel that this is not going to be a good
21 development.

22 And I explained to the

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1 commissioners if we voted yes for the density,
2 you have to be careful, they just might not stay
3 with that 1,200, because we do not have it in
4 writing. And that's my concern as the chair of
5 8C and the other commissioners.

6 We still have some questions that
7 needs to be answered. We have a lot of
8 questions. We got traffic questions, we got
9 unit size questions, we need to know how many
10 apartments. They wouldn't answer us. How
11 many apartments? How many town houses? We
12 don't have numbers, and numbers is important
13 when you're developing on the land use.
14 Numbers is important. And they seem not to
15 understand that.

16 We've been waiting on the
17 redevelopment of Barry Farms for, what, 20
18 years? About 20 years. But we want it to be
19 done right. And that's important to me as a
20 commissioner, a resident of Ward 8, in fact to
21 the whole commission. We need some clarity.
22 We need a lot of clarity.

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1 CHAIRMAN HOOD: You finished?

2 MS. CUTHBERT: No, I'm not
3 finished.

4 CHAIRMAN HOOD: Oh, I'm sorry.

5 (Laughter)

6 CHAIRMAN HOOD: Go ahead. You
7 stopped. I thought you was finished.

8 MS. CUTHBERT: We have -- the
9 commissioners gave me some questions to ask
10 here tonight. We didn't even do a benefit
11 package because of such a rush-rush thing. We
12 normally try to do a benefit package with all
13 our developers to make sure they give back to
14 our community, and we have not sat down to
15 discuss that with them.

16 CHAIRMAN HOOD: Do you have a list
17 of questions?

18 MS. CUTHBERT: Yes.

19 CHAIRMAN HOOD: It's obviously,
20 Ms. Cuthbert, I know this is a first stage,
21 preliminary -- a lot of things are preliminary.

22 MS. CUTHBERT: Yes.

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1 CHAIRMAN HOOD: But it's obviously
2 that we're going to ask the Applicant to come
3 back out. I don't know what happened those
4 other three times.

5 MS. CUTHBERT: Right.

6 CHAIRMAN HOOD: But obviously I
7 don't know what went on, because I wasn't there.
8 I probably was here. So I guess those
9 questions you have, just like I did with --

10 MS. CUTHBERT: Yes.

11 CHAIRMAN HOOD: -- Ms. Sanker --

12 MS. CUTHBERT: Yes.

13 CHAIRMAN HOOD: -- is to make sure
14 that those questions are answered. And that
15 may result -- I think we already mentioned about
16 asking the developer and the Applicant to come
17 back out to a meeting at the ANC. And do us a
18 favor, and make sure you have all the questions
19 you need answered, because that's really the
20 forum --

21 MS. CUTHBERT: That is the correct.

22 CHAIRMAN HOOD: -- to get all the

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1 questions, whether zoning or who's going to
2 live on a corner, who's not going to be on the
3 corner. All that's in your ANC meeting, as you
4 well know, because you've been a commissioner
5 for years.

6 MS. CUTHBERT: Right.

7 CHAIRMAN HOOD: So you know about
8 that. Okay. But I don't want to interrupt.
9 I just want you to go ahead. You can go ahead
10 and finish your testimony. Because I guess
11 what I'm saying is this is not the forum to ask
12 them the questions.

13 MS. CUTHBERT: I know it's not.
14 This is about the land use.

15 CHAIRMAN HOOD: Yes, so I'm just
16 letting you know those questions -- it looks
17 like you have --

18 MS. CUTHBERT: Oh, yes.

19 CHAIRMAN HOOD: -- from here I'm
20 trying to look.

21 MS. CUTHBERT: Yes.

22 CHAIRMAN HOOD: -- my glasses work

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1 sometimes.

2 (Laughter)

3 CHAIRMAN HOOD: So I think those
4 questions -- if we could actually get a copy of
5 them also, that would be helpful.

6 MS. CUTHBERT: Okay.

7 CHAIRMAN HOOD: And then you all
8 can do what you want to do when you all meet at
9 the ANC meeting. And make sure you can get them
10 on the agenda at your ANC meeting.

11 MS. CUTHBERT: Oh, we'll make sure
12 they're on the agenda and have the full meeting,
13 because this is an important -- this is the last
14 hurrah for Ward 8 and we have to get it right.

15 CHAIRMAN HOOD: So --

16 MS. CUTHBERT: If we don't get it
17 right this time, it's never going to be right.

18 CHAIRMAN HOOD: When is your next
19 meeting?

20 MS. CUTHBERT: Our next meeting is
21 July 4th.

22 CHAIRMAN HOOD: July 4th?

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1 MS. CUTHBERT: July 4th.

2 CHAIRMAN HOOD: Fourth?

3 MS. CUTHBERT: No, not July 4th.

4 It's July -- I'm sorry, July 2nd. Am I correct?

5 CHAIRMAN HOOD: I was going to say
6 you're won't have too many at that meeting, I
7 don't think.

8 (Laughter)

9 MS. CUTHBERT: Oh, yes, we will.

10 CHAIRMAN HOOD: July the 4th?

11 MS. CUTHBERT: No, not July 4th.

12 We going to be across the street at the
13 pavilion. It's July 7th.

14 CHAIRMAN HOOD: So hopefully you
15 all can work that out, Mr. Freeman, July the
16 7th.

17 MR. FREEMAN: Yes, Mr. Chairman.

18 MS. CUTHBERT: July 2nd.

19 CHAIRMAN HOOD: July 2nd?

20 MS. CUTHBERT: Yes.

21 CHAIRMAN HOOD: Even if you have to

22 call --

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1 MS. CUTHBERT: We'll call a special
2 meeting.

3 CHAIRMAN HOOD: That's what I'm
4 saying.

5 MS. CUTHBERT: We'll call a special
6 meeting just that we can sit down and understand
7 what are they planning to put on that land? How
8 are they planning to put it? Is it really going
9 to benefit the citizen of Ward 8 and are many
10 of our people of lower means will be able to come
11 back? And how many are they going to sell?
12 How many going to rent to everyday people?
13 That's all we -- and we need the clarity. We
14 need the size. We need everything. And they
15 refuse to answer it. You have three meetings
16 and I still can't tell you nothing about the
17 project other than how many units they want to
18 build.

19 CHAIRMAN HOOD: Okay. I don't
20 want to ask you are you finished again, but are
21 you complete?

22 (Laughter)

1 MS. CUTHBERT: I think one of my
2 commissioners want to --

3 PARTICIPANT: No.

4 MS. CUTHBERT: No, you -- Jeffrey?
5 Oh, Commissioner, okay, Watson.

6 MR. LEONARD WATSON: Good evening,
7 Chairman Hood and fellow Commission Members.
8 My name is Leonard Watson. I'm a former
9 Advisory Neighborhood Commissioner in Ward 8.
10 Currently I am a community activist in our ward.
11 I am honored to have the unique opportunity to
12 appear before you this evening to offer my
13 sincere testimony regarding the Barry
14 Farms/Wade Apartments redevelopment project.

15 I strongly oppose and would
16 vehemently object to this Commission allowing
17 the development team on this particular project
18 the right to expand the density of this
19 historical property unless they agree in
20 writing to very specific terms and conditions
21 that shall be requested by the Advisory
22 Neighborhood Commission 8C, whom I give my full

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1 support in this matter, coordinating with
2 Parkchester Development and Redevelopment with
3 much less density.

4 There is some confusion regarding
5 the scope of the project. As you know, the
6 Barry Farms Small Area Plan includes Barry
7 Farms Dwellings, Wade Apartments and the
8 Parkchester Apartments. The Small Area Plan
9 called for a redevelopment of 1,100 units on all
10 three of these subdivisions. However, the PUD
11 application before you builds 1,600 units on 2
12 of the 3 subdivisions: Barry Farms Dwellings
13 and Wade Apartments. This is a tremendous and
14 unwanted increase in the density of this
15 community in Ward 8. This does not compute and
16 I am surprised the Office of Planning supports
17 this overbearing density load for this location
18 given that the present director of the Office
19 of Planning was acutely involved in creating
20 the Barry Farms Small Area Plan.

21 I am thoroughly perplexed why there
22 is no coordination of this PUD application with

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1 the future of Parkchester. It was June 4th,
2 2014 when Jaymar Joseph of NHP Foundation
3 appeared before Advisory Neighborhood
4 Commission 8C seeking a support letter in
5 securing a \$13,000 grant for the total
6 rehabilitation of Parkchester Apartments. He
7 further presented that their project was
8 separate from the case before you.

9 Simply put, I want to know why there is
10 no coordination of the full scope of
11 development in the boundaries of this area,
12 including that of the future development at
13 Parkchester as called for in the Barry Farms
14 Small Area Plan which sets requirements on this
15 project's legislative, and of equal
16 importance, as what is presented in the PUD
17 application.

18 For example, I want to know whether
19 or not the United States Coast Guard is part of
20 this endeavor. It is my understanding that the
21 Coast Guard is seeking to build an academy on
22 this site with a focus on youth fitness and job

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1 career readiness. Hopefully you can get the
2 Applicant to address these particular issues --
3 lack of information regarding this PUD.

4 Turning attention back to the
5 Applicant redevelopment plan, I want you to
6 know the area medium income range, AMI, for this
7 project. Additionally, I want you to know the
8 square footage of each residential unit. The
9 development team never provided satisfactory
10 answers before the AC Board of Commissioners.
11 Hopefully the development team will provide you
12 with the answers to these very important
13 questions this evening.

14 Moreover, our historical community
15 does not want any match box mini replica of
16 Manhattan, New York in our backyard.

17 What's the definition of a
18 replacement unit? Is it actually displacement
19 in disguise? The District of Columbia Housing
20 Authority says that there is a one-for-one unit
21 replacement when they take on development
22 projects such as Barry Farms/Wade Apartments.

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1 This statement is very misleading and nothing
2 could be farther from the truth.

3 For instance, at Barry Farm you have
4 39 families occupying 4-bedroom units and 10
5 families in 6-bedroom units. The development
6 team presented our community that they will be
7 building some three-bedroom units maximum.
8 They never stated the exact number of
9 three-bedroom units they would be building.
10 Therefore, the unit composition at Barry Farm
11 will change and families that are currently
12 living in four and six-bedroom units will be
13 displaced from the community. This tragedy
14 should never be allowed to happen on your
15 Commission watch.

16 Experience shows that housing
17 promises have been broken. Oftentimes, the
18 District of Columbia Housing Authority
19 officials likes to compare Barry Farm/Wade
20 Apartments development site to the Arthur
21 Capper/Carrollsborg because they both have a
22 similar 25-acre footprint. This reason is

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1 that at Capper they built 81 units per acre with
2 a total projected number of 2,025 to be
3 completed at the end of this project. On the
4 other hand, they are projecting to build 68
5 units per acres totaling 1,700 units on Barry
6 Farm/Wade Apartments site.

7 What they fail to mention or seem to
8 be overlooking is the central fact that only 600
9 units have been built on the Capper site to
10 date. I doubt it very seriously that the
11 Capper community would allow another 1,425
12 units to be built on that particular site in the
13 future. Nevertheless, the Barry Farm/Wade
14 Apartments redevelopment project should not be
15 overly saturated with housing units.

16 Furthermore, I would venture to say
17 that the AMI for the Capper redevelopment was
18 probably far different AMI levels that are
19 being proposed by the development team for the
20 Barry Farm/Wade Apartments redevelopment
21 project. The Office of Planning asked the
22 Applicant in this PUD on at least three

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1 occasions to provide the unit affordability
2 breakdown in terms of bedroom size, AMI and
3 phasing residents back into Barry Farms. The
4 Applicant has so far rushed OP staff to decide.

5 The Zoning Commission ought to
6 include in any final order a directive
7 condition that requires DCHA to collectively
8 discuss and agree in writing that is legally
9 bound with Barry Farm residents depicting a
10 future plan before, during and after
11 construction for all residents living at Barry
12 Farms right now. Without this, OP staff and
13 the Zoning Commission would not be living up to
14 the American Institute of Certified Planning
15 Code of Ethics.

16 First source agreement is worthless
17 when contractors bring in journeymen. Under
18 the Employment and Training Section 2403.9(e)
19 the Applicant states that they will enter into
20 a first source employment agreement with the
21 development -- with the Department of
22 Employment Services, DOES, in an effort to

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1 provide employment opportunities for local
2 residents.

3 While this generally approach
4 sounds good, DOES has a very poor track record
5 when it comes to matching resident job skills
6 with employment opportunities. More
7 importantly, most contractors will bring their
8 work force with them on development projects.
9 The first source contract agreement only
10 applies to 51 percent of quote/unquote "new
11 hires." Therefore, we need some assurance
12 from the development team that a certain
13 percentage of the job opportunities will be
14 made available to local community residents
15 guaranteed. Otherwise, resident
16 self-sufficiency becomes a mere hopeless
17 dream.

18 Conclusion. Without answers to my
19 pressing inquiries and the continued disregard
20 of a certain future for current Barry Farms
21 residents, the PUD application fails to muster
22 adequate compliance with the Barry Farms Small

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1 Area Plan, The D.C. Comprehensive Plan, the
2 American Institute of Certified Planning
3 Ethics and D.C. law. The Zoning Commission
4 ought to reject this PUD until there are some
5 probative findings on the case record with
6 regards to key planning topics and contested
7 issues raised by me, other individuals, groups
8 and parties in this important zoning matter.
9 Thank you.

10 (Applause)

11 CHAIRMAN HOOD: Ms. Cuthbert, I
12 don't want to ask you again. Are you all
13 finished or --

14 MS. CUTHBERT: (No audible
15 response)

16 CHAIRMAN HOOD: Okay. You're
17 finished?

18 MS. CUTHBERT: Yes, we are.

19 CHAIRMAN HOOD: Okay. Let's see
20 if any Commissioners have any questions, any
21 cross-examination or -- well, not cross. Any
22 questions. Vice-Chair Cohen?

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1 VICE-CHAIR COHEN: Thank you. It
2 was mentioned that Barry Farms -- we just talked
3 about redeveloping it for many, many, many
4 years. And so, I guess my first question would
5 be -- and it has to be done right. So no one
6 objects to the fact that there is a plan and that
7 the Housing Authority said last -- was it last
8 week or Monday night, that they needed to have
9 approval of the Zoning Commission to get
10 financing, because I do know that Leonard knows
11 this. I'm sorry, Mr. Watson knows this.

12 MR. LEONARD WATSON: You know me
13 well enough to say Leonard, Marcie.

14 VICE-CHAIR COHEN: There's
15 something that is called GAP financing. You
16 can't get the price of construction down far
17 enough for people to be able to afford what
18 would normally be charged for rent. ACCs are
19 needed, vouchers are needed, cross-subsidies
20 are needed. There's a lot of things that are
21 needed. So what I'm hearing tonight is that a
22 number of your questions are much more relevant

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1 for what happens at a stage 2 PUD as opposed to
2 a stage 1.

3 So I guess my question to would be
4 it's a cart-before-the-horse type of concerns
5 that we have. And as far as your concern is,
6 what would be more important, starting the
7 process and continuing to negotiate -- because
8 you're going to have a second chance at the
9 stage 2 and you're going to have more time to
10 work with the development team. So my question
11 is what is more important to all of you now?

12 MR. LEONARD WATSON: I'll yield to
13 the chair, if you want to answer.

14 MS. CUTHBERT: I'm thinking.

15 MR. LEONARD WATSON: Take your
16 time. You're old enough.

17 VICE-CHAIR COHEN: Well, let me
18 just put it this way: Mr. Watson, you had a
19 very thorough testimony and you also have much
20 experience with various Hope VI -- formerly
21 Hope VI projects, now whatever they're called,
22 Promise Neighborhoods. So and I know

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1 Capper/Carrollsbury has run out of money on the
2 very affordable level, but there will be
3 continuing building. So my question is was it
4 better to have the old Capper/Carrollsbury or
5 is it -- I shouldn't probably be asking this
6 question because it doesn't deal exactly with
7 Barry Farm, but I'm trying to get at the
8 importance of moving ahead as opposed to
9 stalling once again.

10 MR. LEONARD WATSON: Well, Marcie,
11 I appreciate your question, but at the end of
12 the day it's about the Barry Farm residents.
13 We don't oppose the redevelopment, but I'm not
14 going to be opposed to the community which I
15 reside in. And therefore financing is just one
16 aspect of this PUD. Financing -- and in this
17 situation we're dealing with a moving target,
18 the moving target being no answers are being
19 provided. This Commission is not for -- not
20 development. We understand that development
21 is made by the mayor and his administration.
22 We understand that.

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1 But at the end of the day, we don't
2 want to be confronting our neighbors and be told
3 with the egg on our face, such as Anthony Hood
4 was when he dealt with -- back in Ward 5 when
5 he dealt with Montana Terrace. People still
6 complaining about they never got back, and they
7 haven't gotten back until today. And I could
8 speak to all of the Hope VI pieces. And you
9 look across the city. The most residents that
10 got back on any Hope VI property is Henson
11 Ridge. Henson Ridge. When you look at the
12 properties in terms of Arthur
13 Capper/Carrollsborg, bare minimum. Bare
14 minimum. You've got to go past that.

15 Ellen Wilson went through a
16 cooperative. She only had 10 families get
17 back. To date only one is there in the
18 entire -- and they was not astute enough to have
19 a representation to say if the co-op rent go up,
20 public housing doesn't remain the same. And as
21 a consequence they shot they self right in the
22 foot and they are -- 9 of those 10 families are

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1 on the street.

2 Also, you're dealing with Willow
3 Creek. Willow Creek does not have a whole lot
4 of returning residents. Yesterday I was at the
5 senior building, and that's a good thing, that
6 to date the residents at Willow Creek cannot
7 even use their community room. You have
8 everybody using the community room but the
9 residents of Willow Creek.

10 VICE-CHAIR COHEN: I think it's
11 important. We did ask the Housing Authority to
12 provide us with information regarding the
13 return rate.

14 MR. LEONARD WATSON: Yes, I heard
15 you. I heard you, too. I was for here four
16 hours. I have no problem with that. But at
17 the end of the day it's not my desire to stop
18 development. That's the administration call.
19 The Zoning Commission has nothing do with that.

20 But in terms of density,
21 Parkchester was a part of the Small Plan -- Area
22 Plan. Now they out the loop. And you have

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1 another guy begging for 13 million for the
2 support of this Commission to redevelop
3 Parkchester. And I cannot understand for the
4 life of me how you're going to do a
5 redevelopment project at Parkchester and to not
6 disturb these residents out here. That's
7 impossible. Because they're talking about
8 getting new streets and the like.

9 VICE-CHAIR COHEN: Again, I think
10 that it's very important --

11 MR. LEONARD WATSON: But I'm not --
12 to answer your question, I'm not just going to
13 yield to the question of financing, because
14 that's not my concern. That's the development
15 concern. And I'm quite sure with all the
16 development team that I seen with A&R, with the
17 history of building Hope VIs and the
18 preservation expert, that's their job to get
19 financing. Not mine.

20 VICE-CHAIR COHEN: No, I think my
21 point was regarding the difference between a
22 phase 1 and phase 2.

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1 MR. LEONARD WATSON: I understand
2 that very clearly, Marcie. I understand it
3 very clearly. And I know we get another bite
4 at the apple in the second phase, but at the same
5 token if this Commission don't want the second
6 phase to be brought up until the first phase
7 signing and dealt with, then that's the
8 position I'm going to stand with. I'm going to
9 stand with this Commission. Because we can go
10 back and we --

11 VICE-CHAIR COHEN: You answered my
12 question, so you don't need to --

13 VICE-CHAIR COHEN: Thank you.

14 (Simultaneous speaking)

15 MR. LEONARD WATSON: -- because the
16 Chairman has already said I'm going to send him
17 back out there. So they're going to get
18 another bite at the apple.

19 VICE-CHAIR COHEN: Okay. Thanks.

20 MR. LEONARD WATSON: Thank you,
21 Marcie.

22 CHAIRMAN HOOD: Mr. Watson, I said

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1 I was going to ask them to go back.

2 MR. LEONARD WATSON: Well, they're
3 going to come back.

4 CHAIRMAN HOOD: But I get in
5 trouble where every time I say I'm going to do
6 something. I asked them, but I'm sure they
7 will. They've already --

8 MR. LEONARD WATSON: They didn't
9 have no problem with you certifying the other
10 board to come forward when you had just downed
11 them on Monday -- Tuesday -- Monday.

12 (Laughter)

13 MR. LEONARD WATSON: So I know
14 you're sensitive, because you could have took
15 the position hard nose in stone and not let them
16 come forward. So you yield and let them -- that
17 shows compassion.

18 CHAIRMAN HOOD: And you know what,
19 I appreciate you bringing up the point, because
20 a lot of people left when they don't know that
21 I've been through what they're talking about.

22 MR. LEONARD WATSON: Right.

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1 CHAIRMAN HOOD: So I'm there. I'm
2 not going to punish Mr. Green and them, but I've
3 been there.

4 MR. LEONARD WATSON: I know.

5 CHAIRMAN HOOD: I know it feels to
6 end up empty handed, so I understand that.
7 Okay. I know. Do me a favor, don't mention
8 that again because I -- Montana -- that --

9 (Laughter)

10 CHAIRMAN HOOD: -- strikes a nerve.

11 Okay. Let me stay on the mic.
12 Commissioners, any questions of the ANC?

13 (No audible response)

14 CHAIRMAN HOOD: Any questions of
15 the ANC? Commissioner May?

16 COMMISSIONER MAY: Yes, the first
17 one is the -- I mean, I assume that the ANC
18 supported the Small Area Plan that called for
19 1,100-and-some units. Is that right?

20 MS. CUTHBERT: No.

21 COMMISSIONER MAY: You didn't?

22 MS. CUTHBERT: No. When you see

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1 the first set of nos, that's when they told us
2 they were going to do 1,700, 1,750 units. The
3 Small Area --

4 COMMISSIONER MAY: I'm talking
5 about this --

6 MS. CUTHBERT: No, the Small Area
7 Plan? No, we didn't support that.

8 COMMISSIONER MAY: That was passed
9 by the Council many years ago? You didn't
10 support that? It was passed in 2006. This.
11 Did you support this?

12 MS. CUTHBERT: I believe I did.

13 COMMISSIONER MAY: Yes, you did.

14 MS. CUTHBERT: Yes.

15 COMMISSIONER MAY: Well, I assumed
16 you would have, because otherwise it would have
17 been --

18 MS. CUTHBERT: Yes.

19 COMMISSIONER MAY: Yes, I did.

20 COMMISSIONER MAY: -- more
21 controversy back then.

22 MS. CUTHBERT: Yes, I did.

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1 COMMISSIONER MAY: All right. So
2 and of course it called for only 1,111 units,
3 or something like that.

4 MS. CUTHBERT: Yes.

5 COMMISSIONER MAY: Yes. And the
6 Applicant, Mr. Green, testified about the size
7 of the replacement units and the square
8 footages. Are you saying that you've never any
9 of that information before?

10 MS. CUTHBERT: Never. They never
11 gave it to us at a meeting, and we had three of
12 them.

13 COMMISSIONER MAY: Okay. And so I
14 don't know whether you have had a chance to
15 consider the size of those units, but I looked
16 at what they had for -- you know, how big an
17 average three-bedroom unit would be and so, and
18 they seem fairly normal. I mean, have you had
19 a chance to think about that at all?

20 MS. CUTHBERT: Not really. You
21 know why? Because when we were asking the
22 question at the first meeting --

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1 COMMISSIONER MAY: Right.

2 MS. CUTHBERT: -- and at the third
3 meeting --

4 COMMISSIONER MAY: Yes.

5 MS. CUTHBERT: -- they still did
6 not give us a size unit, of what sizes they were
7 building.

8 COMMISSIONER MAY: Right, how big a
9 three-bedroom would be --

10 MS. CUTHBERT: Yes, how big --

11 (Simultaneous speaking)

12 COMMISSIONER MAY: -- how big a
13 two-bedroom would be and so on?

14 MS. CUTHBERT: Right, they
15 wouldn't give it to us. I got a call -- this
16 letter was written on the 18th. When was this
17 letter written? I have the date up there? I
18 got a call to tell me what size the units were.

19 COMMISSIONER MAY: On what day was
20 that?

21 MS. CUTHBERT: I believe it was
22 on -- 10th, 11th, 12th -- about the -- was it

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1 the 14th? It was on a Wednesday.

2 COMMISSIONER MAY: Of this month?

3 MS. CUTHBERT: Right.

4 COMMISSIONER MAY: Okay. All
5 right. I mean, it seems --

6 MS. CUTHBERT: And see, but they
7 wouldn't answer our questions.

8 COMMISSIONER MAY: Right.

9 MS. CUTHBERT: We asked these
10 questions.

11 COMMISSIONER MAY: Right. Okay.
12 I mean at least in terms of replacement units
13 it does sound like they're talking about
14 reasonably-sized units. I think the question
15 of how many units overall can be built on the
16 site is clearly a legitimate question. I mean,
17 when you think about -- you're saying 68 units
18 per acre. That's a lot of units. And
19 depending on how many of them might be town
20 house units then versus apartments, it could
21 be -- it's a pretty tight mix. But we'll have
22 to get more information from them about that.

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1 So I appreciate your raising that issue.

2 MS. CUTHBERT: Thank you,
3 Commissioner May.

4 CHAIRMAN HOOD: Any other
5 questions up here? Commissioner Miller?

6 COMMISSIONER MILLER: I really
7 don't have any questions, but I just wanted to
8 thank you for your participation, and many of
9 the questions and issues that you've raised,
10 including the size of the units. I think we did
11 hear testimony Monday night that the average
12 size of the multi-family was going to be 900
13 square feet and the average size of the -- or
14 the range for the row houses would be 1,600 to
15 2,000. At least that's what my notes that I was
16 just looking at -- but they said they would
17 provide us more information on that.

18
19 And I also asked the question Monday
20 night; I think you were here, about the -- would
21 it be -- for the replacement unit would it
22 proportionate to the number of bedrooms that

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1 the residents currently have. I think they
2 were going to provide us more information on
3 that, but I think they did say that if there is
4 a demand or need for four, five, six-bedroom
5 units, that they would be providing that. But
6 they did also present testimony that the
7 average -- of a survey of the existing Barry
8 Farms residents, that the average household
9 size was 2.7 currently.

10 So we're going to be getting more
11 clarity, which I think will help you all and us
12 as we go forward in this process.

13 We also asked, Mr. Watson, about the
14 AMI levels beyond the replacement units for the
15 current residents, which we know are below 30
16 percent AMI, and probably well below 30 percent
17 AMI. But they also said they would get back to
18 us on the numbers of how many of the 30 to 50,
19 50 to 80, or whatever it is. So I appreciate
20 you coming down.

21 And I guess maybe one question, how
22 did you arrive at the 1,200 figure? Was it

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1 based on the Small Area Plan number that --
2 because it was closer to the Small Area Plan
3 number?

4 MS. CUTHBERT: Each commissioner
5 picked the number of how many units should be
6 on that square of 25 acres, and we came -- like
7 I said 1,000, one said 1,100, and a couple of
8 them said 1,200. So we voted on each number and
9 1,200 came up with the best number for us to --
10 average number for us to -- units to be on that
11 property, that 25 acres. Because when you
12 start multiplying four little people at the
13 beginning of the moving in, and then in five
14 years you have four big people. See, people
15 don't think the little people grow, but they
16 grow. And that would be too many people on that
17 23 acres of land moving around.

18 MR. LEONARD WATSON: I might also
19 add, Mr. Miller, for the record, I mean, you
20 take out the parks, the streets and all that,
21 etcetera, you're actually going to have -- for
22 building purpose it will be 19.7 acres. So

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1 you're talking about putting all those -- X
2 amount of units, 1,600 units on 19.7 acres.
3 And I wanted to put that in the record to make
4 sure I'm -- because the mayor gave you high
5 number. But it's 19.7.

6 COMMISSIONER MILLER: I appreciate
7 that, but the open space is there to serve the
8 residents who are adjacent to it.

9 MR. LEONARD WATSON: That's
10 correct.

11 COMMISSIONER MILLER: So you can
12 look ways, but I see it as the full 25 acres,
13 because all of that is for the residents mostly
14 who are there and to create decent space between
15 housing buildings and structures.

16 MR. LEONARD WATSON: And that will
17 remain to be seen.

18 COMMISSIONER MILLER: Yes.
19 Right. You're right. And just for the record
20 to kind of -- I mean, I think the application
21 that's before us -- I think a prehearing
22 statement talked about this range of units

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1 between 1,300-and-some and 1,800-and-some, but
2 the application as I understand before us
3 currently and the testimony Monday night from
4 the Applicant was it was up to 1,692 units,
5 which I think Mr. Watson's testimony referred
6 to. Just for the record. That's what I
7 understand is before us. We'll see if the
8 Applicant --

9 MS. CUTHBERT: But the thing is
10 when you say "up to" --

11 COMMISSIONER MILLER: Right.

12 MS. CUTHBERT: -- that means you
13 can build up to, and that's what we wanted to
14 make -- I made clear to the commissioners who
15 are new as a commissioner, when you vote on the
16 change of the density, they can build the amount
17 that's there unless the Zoning Commissioners
18 require them to a limited amount of number.

19 So when we started throwing out how
20 many units they want on that property to think
21 about that.

22 COMMISSIONER MILLER: Okay. I

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1 understand. I appreciate that. Thank you.

2 CHAIRMAN HOOD: Okay. Any other
3 questions up here?

4 COMMISSIONER TURNBULL: Yes, Mr.
5 Chair.

6 CHAIRMAN HOOD: Mr. Turnbull?

7 COMMISSIONER TURNBULL: I think I
8 just want to echo my colleague's concern. I
9 want to thank you for coming down and showing
10 your great involvement in this project.

11 And I think a lot of the questions
12 that we asked Monday, I think we've got a lot
13 of information coming back. So hopefully
14 that's going to clarify a lot of the issues not
15 only for us, but for you, too. But thank you
16 again.

17 CHAIRMAN HOOD: Okay.
18 Chairperson Cuthbert, let me just ask, have
19 you -- I know we heard Monday Mr. Green's
20 testimony. Tonight we were provided a written
21 copy. Do you have that?

22 MS. CUTHBERT: No.

1 CHAIRMAN HOOD: Okay. Well,
2 that's fine. Just make sure you obtain a copy,
3 because before they come back out there, I want
4 you to hear exactly what he said so you all --
5 Mr. Watson and other commissioners, you can all
6 can work with that.

7 He spoke about it on Monday, but
8 tonight we have it in writing. And some time,
9 even myself, I'm sure all of us, we have to read
10 stuff over and over again some time until we
11 make sure we get it and understand exactly
12 what's being said. And so I would suggest that
13 you do that. Okay?

14 MS. CUTHBERT: Okay.

15 CHAIRMAN HOOD: Hold on. Don't
16 leave your seat. We might have some questions.
17 We now have a party. Let's see, does the
18 Applicant have any questions of the ANC?

19 MR. FREEMAN: We don't have
20 questions. We'll respond to some of their
21 comments in our rebuttal.

22 CHAIRMAN HOOD: Okay. Does Ms.

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1 Belt?

2 MS. BELT: No, I don't have any
3 questions.

4 CHAIRMAN HOOD: Ms. Belt, you don't
5 have any questions? Okay.

6 All right. Thank you. Ms. Belt,
7 we're ready for you. Thank you all, ANC. We
8 appreciate it.

9 MR. LEONARD WATSON: Thank you.

10 CHAIRMAN HOOD: Let me say this;
11 and this is just my side editorial, as Mr. Barry
12 said the other night, when I was first asked to
13 get on the Zoning Commission, you know what I
14 told him? He said it. No, I didn't know -- I
15 didn't even know what zoning was, honestly. So
16 I've been encouraging people my 16, 17 years now
17 of being here. My term is up in 2018. And I
18 think this is important.

19 I know a lot of people are having
20 conversations, Ms. Belt, as you come forward.
21 I think it's important that we do our own
22 homework and learn for ourselves. Okay?

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1 People can come in your neighborhood and start
2 telling you stuff, but I think it's also
3 important that you learn exactly what zoning is
4 and what applies to you. Don't let everybody
5 come into your area and tell you what's best for
6 you. I would suggest that you come up to speed
7 and learn about zoning, because zoning impacts
8 each and every one of your lives. Okay? It's
9 nice to have some help, but do your own
10 homework.

11 Okay. Vice-Chair Cohen?

12 VICE-CHAIR COHEN: Yes, under our
13 training modules -- if you get to a computer,
14 go on our Web site and there is a very good
15 training module, I can tell you, that helped me
16 when I first started.

17 CHAIRMAN HOOD: I almost said
18 something, but I'm not going to say it.

19 (Laughter)

20 CHAIRMAN HOOD: No, I'm not going
21 to say that.

22 Okay. Mrs. Belt. No, I'm just

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1 playing. We've got to have a little fun even
2 though we're very serious of what we do.

3 Ms. Belt, now this is
4 cross-examination where you ask zoning
5 questions of the Applicant of what you heard.
6 Well, what you heard or what's in the case file
7 from Monday. Okay?

8 MS. BELT: So how does it work
9 first?

10 CHAIRMAN HOOD: Ask your first
11 question. Let's start from there.

12 MS. BELT: Okay. So I have a fist
13 full of --

14 CHAIRMAN HOOD: Yes, identify
15 yourself. I'm sorry. Identify yourself.

16 MS. BELT: Okay. I'm Detrice Belt
17 and I'm the chair of the Barry Farms Tenants and
18 Allies Association. And I have questions for
19 OP. Is that okay?

20 CHAIRMAN HOOD: Okay. Do you have
21 any questions for the Applicant?

22 MS. BELT: And also is it okay if

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1 somebody comes up here with me?

2 CHAIRMAN HOOD: Who is that?

3 MS. BELT: A friend. Support.

4 CHAIRMAN HOOD: Oh, okay. Come on
5 up and support her.

6 (Laughter)

7 CHAIRMAN HOOD: You were doing --
8 you needed that. I understand. Yes. Yes,
9 okay. My friends usually leave me when I get
10 on the hot seat.

11 (Laughter)

12 MS. BELT: Okay. So the
13 Applicant, do you mean A&R or DCHA?

14 CHAIRMAN HOOD: Yes, anybody who
15 was on the --

16 MS. BELT: Okay. Okay. So, yes,
17 I have questions for the Applicant.

18 All right. My first question is
19 Exhibit 23 on the record says a notice to Barry
20 Farm residents from DCHA regrading the zoning
21 hearings, correct?

22 CHAIRMAN HOOD: And that's for the

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1 Applicant?

2 MS. BELT: Yes. That's my first
3 question.

4 CHAIRMAN HOOD: Okay.

5 MS. BELT: Want me to read it again?

6 CHAIRMAN HOOD: Yes.

7 MS. BELT: Okay. Exhibit 23 on the
8 record shows a notice to Barry Farm residents
9 from DCHA regarding the zoning hearings,
10 correct?

11 MR. FREEMAN: Yes.

12 MS. BELT: Okay. Doesn't this
13 notice say that DCHA has, quote, "developed a
14 conceptual plan based on BF resident input and
15 thoughts as well as other important
16 considerations?

17 MR. FREEMAN: Yes, that's what the
18 notice says.

19 MS. BELT: What were or are these
20 other important considerations?

21 MR. QUMSEYA: Good evening. And
22 I'm sorry, your name is Ms. Belt?

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1 MS. BELT: Belt. Yes.

2 MR. QUMSEYA: Okay. I'm going to
3 answer in just a second. And I just want to
4 record, were you part of any of the meetings on
5 Barry Farm?

6 VICE-CHAIR COHEN: Identify
7 yourself first.

8 MR. QUMSEYA: I'm sorry. My name
9 is -- apologize. My name is Feras Qumseya.
10 I'm with A&R Development. We -- some of these
11 consideration we are -- just to answer her
12 question directly, we began our part of the
13 community engagement process in October of last
14 year where we had a kick-off public meeting with
15 the community at Excel School Academy where we
16 had a listening session to just understand,
17 introduce ourselves and understand what some of
18 the things that the community would either like
19 or dislike about their community in terms of
20 public safety, in terms of amenities they'd
21 like to see.

22 And then we had a tour to go and

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1 visit some of the properties that the Housing
2 Authority has partnered with other private
3 sectors and some of our projects to show the
4 residents some of the different styles of
5 developments that we have done.

6 And then we had -- this was in
7 November, and there was a steering committee,
8 and I believe Ms. Cuthbert was on that tour, as
9 well as members who live in -- residents who
10 live in Barry Farm, but also members of the
11 steering committee.

12 And then we held a series of
13 meetings at the community and we held a
14 charette. And in these meetings we discussed
15 topic-by-topic from public space, from safety,
16 from density, from transportation with our
17 transportation experts come. And we came back
18 in January with a draft plan. I believe it was
19 January 9th. And we had 109 people showed up
20 to that meeting. And we presented the draft
21 and we took more input. And then we came back
22 with more -- with a refined concept.

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1 And then we continued to hold a series of
2 meetings at the steering committee level up
3 to -- I don't recall the date, probably up until
4 March of April. The Housing Authority can
5 comment on that. And so all of that. We held
6 over 30 meetings and we would be happy to submit
7 for the record everything that was covered in
8 detail.

9 And I think some of the testimony
10 tonight will talk about the level of the
11 planning effort and some of the community input
12 that was taken.

13 MS. BELT: Throughout your
14 submission to the record you referred to,
15 quote, "replacement units," right?

16 MR. GREEN: Yes.

17 MS. BELT: What do you mean by
18 "replacement unit?"

19 MR. GREEN: Steve Green for the
20 District of Columbia Housing Authority.
21 Replacement units are -- is perhaps not a
22 defined term, but colloquially means a unit --

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1 there are 444 public housing, or otherwise
2 known as ACC units on Barry Farm. And we are
3 replaced 444 of those units at the site -- or
4 we intend to, we promise to, at the site or in
5 the immediate surrounding neighborhood. So
6 any one of those units that are developed in
7 accordance with that would be considered a
8 replacement unit.

9 MS. BELT: Okay. Help us better
10 understand this definition. Looking at a
11 replacement unit, a family of six, for example,
12 this family currently has a five-bedroom unit
13 at Barry Farms where they can stay without any
14 imposed conditions; i.e., can live at Barry
15 Farms despite credit score, career history or
16 petty crime history. For this PUD proposal
17 will this family be able to return to Barry
18 Farms and move back into a five-bedroom unit
19 without any newly imposed conditions?

20 MR. GREEN: Well, generally
21 speaking, yes. The imposed conditions you
22 reference --

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1 PARTICIPANT: He lies.

2 CHAIRMAN HOOD: I would ask that
3 you -- whoever that was; I don't even know who
4 it was, but just keep your passion -- I mean,
5 some of these issues are very passionate, trust
6 me, but let's try to make sure we get the answers
7 and questions. Okay.

8 MR. GREEN: A resident is required
9 to stay in compliance with their lease, just
10 like any resident in a rental situation is
11 required to stay compliant with their lease.
12 And that's the only condition that we ask, that
13 people be in compliance with their lease. Any
14 resident who currently lives at Barry Farm, who
15 wants to return to Barry Farm and meets the
16 requirements for a certain size bedroom unit we
17 intend to accommodate those bedroom size units.

18 MS. BELT: Can you define --

19 CHAIRMAN HOOD: Let me just ask
20 this: And I had a concern of what I got from --
21 in the responses. I saw it says "generally."
22 Let's get back to the question. What does

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1 "generally" mean? I might have -- that went
2 right over my head.

3 MR. GREEN: Generally lease
4 compliant, I don't -- I can't speak to every
5 specific requirement of the lease. That's
6 all.

7 CHAIRMAN HOOD: Okay. Basically
8 when you -- I'm looking at submissions from Ms.
9 Sanker, and it said "generally" there, too.
10 And that actually raised a flag for me. What
11 does "generally" mean? Are you pertaining to
12 the lease, or is it something else? Are there
13 going to be new requirements?

14 MR. GREEN: No, no new
15 requirements.

16 CHAIRMAN HOOD: No new
17 requirements? Okay. So I think that's
18 what --

19 MR. GREEN: Compliance with the
20 lease.

21 CHAIRMAN HOOD: Okay. And that's
22 anywhere. Okay. All right. Thank you.

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1 Next?

2 MS. BELT: It was like two parts,
3 but I was going say what is lease compliance,
4 but I guess that's basically what you just had
5 asked him. What is lease compliance?

6 MR. GREEN: Compliance with the
7 terms of the lease. I think that just -- I
8 think what we're dancing around here is the fact
9 that some folks probably live in a unit and are
10 not 100 percent lease-compliant. Do we choose
11 to be perhaps what might be considered overly
12 aggressive and move towards action on every
13 minor little non-conformance with a lease?
14 I'll give you -- we don't.

15 For instance, a person may have an
16 unauthorized person staying longer,
17 unauthorized to mean in terms of the lease,
18 longer than it says in the lease. And I'm not
19 an operations expert, but I think there's a
20 specific number of days someone can stay as a
21 guest without being added to a lease. If
22 someone stays instead of -- stays an extra five

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1 days, we're not enforcing that part of the
2 lease, nor do we think would that be an issue
3 in terms of being lease-compliant coming back.
4 I think that there's a certain test of
5 reasonableness and rational reasonableness
6 here that applies.

7 MS. BELT: Okay. So good. So if
8 it's --

9 CHAIRMAN HOOD: Ms. Belt, I'm going
10 to be frank and honest.

11 MS. BELT: Okay.

12 CHAIRMAN HOOD: A lot of this is not
13 zoning, but I'm just going to let it -- so let's
14 just go. But here's the other thing: If I'm
15 looking at the questions you're
16 asking --

17 MS. BELT: Yes.

18 CHAIRMAN HOOD: -- if we ask all
19 these questions, we're going to have come back
20 July the 10th to finish this case. No, and I
21 mean that's the date that we have planned. So
22 I just want you to --

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1 MS. BELT: Okay. Oh, okay.
2 That's fine. Yes.

3 CHAIRMAN HOOD: -- make sure you go
4 to the questions that are to zoning.

5 MS. BELT: Okay. Yes.

6 CHAIRMAN HOOD: Okay.

7 MS. BELT: So like your answer you
8 just said, is it in writing anywhere like as far
9 as if it's not certain things that is considered
10 lease compliance? Is it in writing anywhere on
11 the record?

12 MR. GREEN: I'm not aware of it.

13 MS. BELT: Okay. On page 8 of your
14 statement of support dated April 10, 2014 in
15 response to the Office of Planning comments you
16 say, quote, "the PUD will meet the requirements
17 of the District's inclusionary zoning
18 regulations," correct?

19 MR. GREEN: Yes.

20 MS. BELT: Isn't it the case that IZ
21 units are already required by D.C. law?

22 MR. GREEN: Yes.

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1 MS. BELT: Okay. Are you counting
2 the reconstruction of replacement public
3 housing units towards IZ requirements?

4 MR. GREEN: No.

5 MS. BELT: Are you aware that the
6 Office of Planning on at least three occasions
7 in writing on the record has requested that you
8 provide information about the relocation
9 planning and phasing for residents living at
10 Barry Farms affected by this PUD?

11 MR. FREEMAN: I think it was twice,
12 but yes.

13 MS. BELT: Why have you not
14 responded to OP's request for information about
15 this key issue of relocation and phasing?
16 Isn't this a critical problem in developing
17 this area and for filling the PUD?

18 MR. FREEMAN: We have responded,
19 and I'll let Mr. Qumseya talk a little bit
20 about -- or Mr. Green generally talk about the
21 phasing. And we did testify to that Monday
22 night as well.

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1 CHAIRMAN HOOD: Let me ask you
2 this, Ms. Belt. Did you hear when they
3 testified to that Monday night?

4 MS. BELT: No.

5 CHAIRMAN HOOD: You missed that?
6 Were you here?

7 MS. BELT: No, I didn't him testify
8 about that.

9 CHAIRMAN HOOD: I mean, my question
10 is were you here when they testified?

11 MS. BELT: Yes, I was here when they
12 testified.

13 CHAIRMAN HOOD: So you heard the
14 whole Applicant's case?

15 MS. BELT: No.

16 CHAIRMAN HOOD: Okay. All right.

17 PARTICIPANT: He didn't answer the
18 question.

19 MS. BELT: Yes, he said he was going
20 to have one of them answer it.

21 PARTICIPANT: (Off microphone)

22 CHAIRMAN HOOD: We really don't

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1 need any help right now from the audience.

2 PARTICIPANT: (Off microphone)

3 CHAIRMAN HOOD: Yes, but we don't
4 need any help right now from you. We really
5 don't, because you've been helping us since
6 Monday. I think we got it.

7 (Laughter)

8 MR. QUMSEYA: On the relocation
9 questions what we've discussed on Monday is
10 that we're going to give examples on
11 relocations plans, and we are working with the
12 Housing Authority to come up with past
13 experiences on relocation and provide them to
14 the Commission as soon as possible.

15 MR. GREEN: And in terms of phasing
16 we -- it is -- I think the answer is generally
17 you try to create in a first phase enough
18 critical mass to create a -- to attract folks
19 to come back. You don't want to build 25 units.
20 You can't reasonable build 1,000 units or 700,
21 or even 500 units at a time without --
22 generally, I think a first phase is probably in

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1 the neighborhood of about 300 units, give or
2 take.

3 But that's in execution and that is
4 really dependent upon your ability to finance
5 it and to obtain the gap financing, the same gap
6 financing referenced earlier. And there's a
7 large gap financing sort of in the initial
8 stages because of the infrastructure cost,
9 because you generally have to put in enough
10 infrastructure, greater than just the units
11 you're doing.

12 So it's really -- I think it's --
13 that's sort of a reasonable approach, at least
14 what others might consider a reasonable
15 approach to a phasing, as how you might look at
16 a phasing.

17 MS. BELT: Okay. Also on page 13
18 of the February 20 support statement you say
19 there is insufficient access to approximate
20 regional transportation, right?

21 MR. FREEMAN: Which question are
22 you -- you're reading it kind of fast. I'm

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1 trying to --

2 MS. BELT: On page 13.

3 PARTICIPANT: Of the February 20
4 support statement.

5 MR. FREEMAN: The answer to that is
6 yes, that's what that statement says.

7 MS. BELT: So what do you mean by
8 "insufficient access?" Isn't the Anacostia
9 Metro and many bus lines only located only a
10 block from Barry Farms?

11 MR. FREEMAN: I can answer that.
12 Again, that statement is referring to the
13 infrastructure. It's referring to the
14 intersections. It's referring to the safety
15 of those intersections. It's referring to the
16 difficulty with crossing the existing streets
17 that actually access the Metro.

18 MS. BELT: Okay. And isn't it the
19 case that within the past year a key throughway
20 at Barry Farms, Firth Sterling, was blocked off
21 for vehicular traffic?

22 MR. GREEN: Yes, I think it was

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1 blocked off by the District of Columbia.

2 MS. BELT: Hasn't this blockage
3 diverted a critical bus line making it harder
4 for Barry Farms residents, especially seniors,
5 to access public bus transportation?

6 MR. GREEN: It absolutely has, and
7 we've argued with the Department of
8 Transportation to get it removed.

9 MS. BELT: How many separate
10 individual lots or parcels of land involved in
11 this PUD application?

12 MR. FREEMAN: I can confirm that
13 information for the record. There may be 60 to
14 100. I don't have the exact number in front of
15 us.

16 MS. BELT: And of these lots isn't
17 it the case that seven of these lots are vacant
18 and owned by the District of Columbia?

19 MR. GREEN: There are a number of
20 lots that are vacant and owned by the District
21 of Columbia that's approximately that number.
22 We can certainly confirm whether it's seven,

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1 but it's about that number.

2 MS. BELT: Is it fair to say that as
3 the Applicant you are requesting the District
4 to include these seven public parcels of vacant
5 land as a development incentive to be able to
6 move forward on this PUD?

7 MR. GREEN: I don't know that
8 it's -- I'm not sure I understand the question.
9 It's not an incentive. It's just vacant land
10 that is I think in some people's view better
11 occupied than left vacant.

12 MS. BELT: In other words, you are
13 asking for District land not already controlled
14 by DCHA to realize this PUD development, right?

15 MR. FREEMAN: No, the District is a
16 part of the Applicant, so the District has
17 signed an application forms and they are a part
18 of this case.

19 MS. BELT: What is the fair market
20 value of the District land you want as an
21 incentive to move forward on this PUD?

22 MR. GREEN: Well, again we don't

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1 believe that it's an incentive to move forward,
2 but we don't have an appraised value of the
3 property. And the District is -- I don't know
4 whether the District does or not.

5 MS. BELT: Your April 10 statement
6 of support on record shows responses to OP's
7 comments, right?

8 MR. FREEMAN: Yes.

9 MS. BELT: One response to OP on
10 page 8 of your statement says that the phasing
11 of the project will, quote, "be subject to
12 market conditions." What market conditions do
13 you speak of here?

14 MR. GREEN: We speak of a whole
15 variety of market conditions, and I'll give you
16 two probably good examples. One is the market
17 conditions that existed in 2008 when you
18 couldn't borrow money from a bank if your name
19 was Donald Trump, probably. I don't mean to
20 be -- to oversimplify it, but it was very
21 difficult to secure any kind of financing for
22 real estate projects.

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1 Another part of that same period of
2 time in our recent history was the price that
3 investors paid for low-income housing tax
4 credits dropped from \$1 to \$1.05 per credit to
5 \$0.65, if you could get them to do it, which was
6 very difficult. So the sort of -- there's a
7 subsidy that we -- part of the overall
8 development program called Low-Income Housing
9 Tax Credits that are not part of any -- directly
10 from the HUD or from the District government.

11 As a very major part of developing
12 this plan, it's a matter almost as a matter of
13 right with a four percent bond program. And
14 these credits, the price of these credits vary
15 from as much as 50 percent in the last 5 years.
16 At that lower number these would be extremely
17 difficult to do. So that's a market condition.

18 Another condition or market would
19 be if interest rates go from the current 3, 4,
20 5 percent that you borrow at to 8, 9, 10, 11
21 percent. I hate to admit how old I am, but I
22 did see a market -- now be careful now, Mr.

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1 Hood -- there was a time when there was -- in
2 the '80s where I saw interest rates go up to 18
3 percent, and development basically just
4 stopped. So those are the kinds of market --
5 and that's an extreme, but market -- at 10 or
6 12 percent interest rate, which wasn't unheard
7 of not that long ago, it would probably be very
8 difficult to do so. So those are the kinds of
9 market conditions that we're referring to.

10 MS. BELT: Continuing on page 13 of
11 your February 20th statement on the record, you
12 claim that Barry Farms is, quote, "poised for
13 a positive transformation" due to, quote, "new
14 funding sources," correct?

15 MR. FREEMAN: Yes, that's what the
16 statement says.

17 MS. BELT: What are these new
18 funding sources?

19 MR. GREEN: Well, one source I
20 think is the opportunity for the Choice
21 Program. It's a Federal Government program
22 that is in its second or third year that offers

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1 up to \$30 million grants for the redevelopment,
2 large-scale development.

3 MS. BELT: How does your claim of
4 new funding sources match up with your April 10
5 statement on the record where in response to OP
6 you say that the financing of the project is,
7 quote, "extremely difficult to project five
8 years in the future?"

9 MR. GREEN: I think I just -- yes,
10 I think it is -- answered it. There are
11 opportunities for subsidy. That's the
12 financing that I made reference to just in the
13 answer to the previous question. But in answer
14 to the question prior to that I just talked
15 about the market conditions, which are also
16 part of financing. And I think we all wish we
17 had a crystal ball about interest rates and that
18 kind of market conditions. Certainly Mr.
19 Buffett seems to have a pretty good handle on
20 those kinds of projections. But all kidding
21 aside, it is difficult to know what those market
22 environment conditions are going to be like

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1 five years from now. They are definitely
2 different five years today from five years
3 before. And that period of time is very
4 different than it was five years prior to that.

5 MS. BELT: On page 14 of this
6 February 20th, 2014 statement of support you
7 say that you submitted this PUD after a process
8 that included, quote, "community fact
9 finding," correct?

10 MR. FREEMAN: Yes, that's what the
11 statement says.

12 MS. BELT: Please describe some of
13 the facts you found.

14 MR. FREEMAN: I think Mr. Qumseya
15 testified to that.

16 MR. GREEN: I can add some other
17 specific things that we found. On one of the
18 tours that we took folks on we found a lot of
19 people very interested in a two over two
20 product. That's something that was developed.
21 It showed in station by the William C. Smith
22 Company where you have a two-story

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1 owner-occupied unit over a two-story
2 owner-occupied unit. And it's a product you
3 don't see too much around the District. You
4 see some conversions of condominiums or row
5 houses that have been converted into that. But
6 on a wholesale basis, you don't see it very
7 often. And it was a question -- it was an
8 interesting responses had a lot of really
9 overwhelming support for it. So one of the
10 things you'll see is in our plan, as described
11 by Mr. Bell here on Monday evening, was a whole
12 series of two-over-two units.

13 A second one was the desire for open
14 space. One of the original ideas that had been
15 proffered by a planner involved in the project
16 was a series of small parks, and a lot of people
17 showed a desire, expressed a desire for a much
18 larger sort of central park. So those are two
19 specific items in addition to that which Mr.
20 Qumseya mentioned.

21 MS. BELT: Okay. Did your fact
22 finding tell you how many four, five and

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1 six-bedroom units exist at Barry Farms right
2 now?

3 MR. GREEN: We already knew that.
4 As I testified in my original, we're as the
5 property owner aware of the bedroom
6 configuration.

7 MS. BELT: What is the highest rent
8 paid by a Barry Farms resident or family?

9 MR. GREEN: I don't know that. I
10 can certainly try to find it out, but I don't
11 know it.

12 MS. BELT: What is the maximum unit
13 size and number of bedrooms that your PUD
14 application process? Is it three bedrooms,
15 four bedrooms or five bedrooms?

16 MR. GREEN: Well, the bedroom
17 configuration is not specific at this time.
18 One of the things I like about this PUD -- and
19 it's -- because it is as -- I think it's
20 consistent with almost every stage 1 PUD
21 application I've been involved with, which has
22 been a number of them, but certainly there have

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1 been others. But one of the things that I think
2 is really good about this plan, and the planners
3 that have been involved in it and my partners
4 here will testify that I've been insistent on,
5 is that we have a level of specificity which
6 allows us to have a -- show different product
7 type.

8 We have developed a plan which is in
9 great more detail than what was originally
10 submitted. I will also note that the density
11 of which is less than what was originally
12 submitted back in March in response to some of
13 the community concerns we heard, but also shows
14 you very specifically the town house
15 configuration.

16 In that town house configuration
17 you can have two-over-twos. You can have four
18 stories which accommodate very large bedroom
19 units. You can have smaller flat so that you
20 can accommodate smaller one and two-bedroom
21 units. So that there is a great deal of
22 flexibility in the plan. But the important

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1 thing is that as designed the town house
2 configuration accommodates all of the bedroom
3 sizes that we anticipate.

4 We don't know the number of ones,
5 twos, threes and fours. And we don't have
6 any -- currently have fives or how many sixes
7 will be required, but I am confident that we
8 have a design that accommodate all of those
9 different bedroom configurations. Our
10 business is to provide -- to accommodate the
11 needs of our residents, and we take it quite
12 seriously.

13 MS. BELT: Okay. On page 26 of the
14 February 20th statement you also say that you
15 are, quote, "working closely with human capital
16 service providers to accommodate the needs of
17 current residents during the redevelopment
18 process," correct?

19 MR. FREEMAN: Yes, that's what the
20 statement says.

21 MS. BELT: Who are these human
22 capital service providers and what needs are

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1 they accommodating for current residents?

2 MR. GREEN: Well, I know that the
3 Far Southeast Family Collaborative is one of
4 them.

5 MS. BELT: Okay.

6 MR. GREEN: But the contracts that
7 are held are held directly by the District of
8 Columbia Government, and I'm not as familiar
9 with the details. Do you know for us?

10 MR. FREEMAN: Well, if necessary we
11 can submit that for the record.

12 MR. GREEN: Okay.

13 MS. BELT: How have the
14 identified needs been met by the human capital
15 service providers?

16 MR. FREEMAN: We'll submit that in
17 writing.

18 MS. BELT: How would you describe
19 the living conditions at Barry Farms right now?

20 MR. GREEN: I'd say they go from --
21 they have a wide range of okay to some that are
22 very -- not very good at all.

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1 MS. BELT: And about these living
2 conditions, isn't it true that BF residents
3 have been notifying DCHA for years about
4 necessary maintenance and repairs?

5 MR. GREEN: I can't speak to that.
6 I can speak to what's happened in the last 18
7 months. And as I testified on Monday night, we
8 have over 3,000 -- I think I gave the exact
9 number of work orders. I do know as of March
10 of this year -- no, as of last month only had
11 about 100 -- approximately 140, 150 outstanding
12 work orders, if it was that many; I think it was
13 slightly less, which I didn't testify. But I
14 also testified that the work order volume out
15 of Barry Farm is about three times the average
16 for a comparable-sized development, which
17 tells us that the units are in very -- under a
18 poor and physically stressed and deteriorated
19 condition.

20 One of the problems at Barry Farm
21 that is unique to it is that they are wood frame
22 structures. A number of our other properties

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1 are brick. And these buildings were built in
2 1943. They were built with a crawl space for
3 the most part underneath, and a great deal of
4 the ventilation for that crawl space has been
5 destroyed over time and covered up, which is by
6 renovations done 20 years ago. And it's
7 causing a significant amount of problems. But
8 these are aging structures built in 1943. They
9 have lasted much longer than I think those that
10 built them anticipated that they would.

11 MS. BELT: I don't have any more
12 questions.

13 CHAIRMAN HOOD: Okay. Do you have
14 any questions of Office of Planning?

15 MS. BELT: Yes.

16 CHAIRMAN HOOD: Okay. Go right
17 ahead.

18 MS. BELT: Okay. The Office of
19 Planning is supposed to represent the interests
20 of the public before the Zoning Commission,
21 correct?

22 MS. BROWN-ROBERTS: That's part of

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1 what we do.

2 CHAIRMAN HOOD: Okay. Next
3 question.

4 MS. BELT: And isn't it true that
5 key OP staffers are officially certified
6 planners per the guidelines and protocols of
7 the American Institute of Certified Planners?

8 MR. LAWSON: I'm sorry, that's just
9 not relevant.

10 CHAIRMAN HOOD: Next question.

11 MS. BELT: Okay. Mrs. Sinaga?
12 She's not here, Mrs. Steingasser? I don't know
13 to say it.

14 MS. BROWN-ROBERTS: No, she's not
15 here.

16 MS. BELT: Okay. And isn't the
17 D.C. Comprehensive Plan supposed to guide OP's
18 evaluation and reporting on PUD applications
19 like the one before you today?

20 MS. BROWN-ROBERTS: Yes.

21 MS. BELT: Doesn't the Comp Plan
22 refer to Barry Farms as part of a large tract

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1 of land, quote, "established in 1867 to provide
2 freed slaves with an opportunity to become home
3 owners?"

4 MS. BROWN-ROBERTS: Yes.

5 MS. BELT: Please tell us who lives
6 at Barry Farms now. What are the demographics
7 of the people who live at Barry Farms now?

8 MS. BROWN-ROBERTS: I don't know.

9 MS. BELT: Has the Office of
10 Planning evaluated and coordinated an
11 evaluation with Department of Housing and
12 Community Development, other city agencies
13 and/or the Applicant to determine what kind of
14 gentrification pressures a project of this
15 magnitude and change in economics will bring to
16 those currently living at Barry Farms, as well
17 as onto the surrounding Ward 8 communities?

18 MS. BROWN-ROBERTS: I'm not sure
19 exactly what you're trying to get at. We have
20 worked with Housing and other agencies over
21 time in looking at the proposed redevelopment
22 of Barry Farms as part of the Small Area Plan

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1 that was done in -- that was approved in 2006
2 and as part of the submission.

3 MS. BELT: What programs or
4 measures have OP staffers reviewers and
5 evaluated or perhaps coordinated review with
6 DHCD, other city agencies and/or the Applicants
7 who ensure assistance to current Barry Farm
8 residents in avoiding dislocation or personal
9 hardship during the proposed PUD project
10 implementation?

11 MS. BROWN-ROBERTS: We haven't
12 undertaken any studies. As you see in our
13 report we had some questions for the Applicant,
14 and we submitted those.

15 MS. BELT: Is OP aware of any
16 written anti-displacement plan whereby the
17 current residents of Barry Farms are guaranteed
18 temporary housing units within the
19 neighborhood during project construction?

20 MS. BROWN-ROBERTS: The Applicant
21 has sort of told us about the overall relocation
22 plan. We are aware of the relocation plan that

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1 went to the Matthews Memorial, and so we have
2 asked similarly to -- what the Commission has
3 asked for is to have a look at that plan and see
4 if it would be relevant to the remainder of the
5 project.

6 MS. BELT: Is OP aware of any
7 written anti-displacement plan whereby the
8 current residents of Barry Farms are guaranteed
9 a right to return to the new units within this
10 project, units at the same size as they
11 currently have and under the same covenants and
12 criteria conditions as they currently exist?

13 MS. BROWN-ROBERTS: No.

14 MS. BELT: Doesn't the
15 Comprehensive Plan emphasize avoiding
16 displacement during the conversion of
17 affordable housing like Barry Farms to a new
18 mixed-income community as that being proposed
19 in that PUD application?

20 MS. BROWN-ROBERTS: Yes.

21 MS. BELT: Would it be fair to say
22 that this PUD application before the Zoning

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1 Commission flows from the city's New
2 Communities Initiative?

3 MS. BROWN-ROBERTS: Yes, it is one
4 of the projects within that initiative.

5 MS. BELT: Doesn't the Barry Farms
6 Small Area Plan describe this new community as
7 one that would not only protect current
8 affordable housing, but also expand affordable
9 housing units?

10 MS. BROWN-ROBERTS: Yes, I think
11 so.

12 MS. BELT: And isn't it the case
13 that the Comp Plan says that affordable housing
14 production is a civic priority district?

15 MS. BROWN-ROBERTS: I don't know.
16 I have to look at that.

17 MS. BELT: But this plan doesn't
18 produce more affordable housing units. It
19 simply aims to replace existing affordable
20 housing units, correct?

21 MS. BROWN-ROBERTS: As far as I
22 know they're going to do the replacement and

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1 there may be other affordable units at higher
2 AMI than the 30 percent. But I haven't seen all
3 the statistics on that as yet.

4 MS. BELT: How much did the Barry
5 Farms Small Area Plan play into your support of
6 setting down this PUD application and overall
7 support for the project?

8 MS. BROWN-ROBERTS: We reviewed
9 the plan and we thought that it was reflective
10 of that plan.

11 MS. BELT: And isn't it true that
12 the current director of OP, Ellen McCarthy, was
13 OP director at the time of the Barry Farms Small
14 Area Planning meetings and key to producing the
15 final report in 2006?

16 MS. BROWN-ROBERTS: Possible, but
17 I don't remember offhand.

18 MS. BELT: How many of the
19 unidentified initial goals of Barry Farms Small
20 Area Plan have been met in the eight years since
21 this Small Area Plan was produced?

22 MS. BROWN-ROBERTS: I don't know.

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1 MS. BELT: Has OP conducted any
2 evaluation, review or analysis of the
3 implementation of the human capital plan
4 properties -- priorities found in your Small
5 Area Planning for Barry Farms?

6 MS. BROWN-ROBERTS: I'd have to
7 check with our Neighborhood Planning Section
8 for an answer for that.

9 MS. BELT: In the OP report dated
10 June 6th, 2014 OP reports that DCHA expects a
11 return rate of the former residents to the new
12 Barry Farms to be higher than the return rate
13 in other Hope VI projects.

14 MS. BROWN-ROBERTS: Yes, that was
15 told to us by the Department.

16 MS. BELT: Has OP through
17 coordination with DHCD, other city agencies
18 and/or the Applicant done any evaluation or
19 independent review of the return rates of the
20 other Hope VI projects?

21 MS. BROWN-ROBERTS: We spoke to
22 Housing and they said that they had done some.

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1 And again, that was something that we'd asked
2 for.

3 MS. BELT: Did OP receive any
4 reports or conduct any coordination with DHCD,
5 other cities and/or the Applicant to determine
6 the barriers to residents returning in these
7 other public housing redevelopment projects?

8 MS. BROWN-ROBERTS: No, we didn't
9 do any independent studies.

10 MS. BELT: Why not?

11 MS. BROWN-ROBERTS: Because that's
12 something that we depend on the Housing
13 Authority to do. It's not something that we
14 do.

15 MS. BELT: Isn't it the case that
16 OP's June 6th report says the new development
17 will replace existing public housing units at
18 Barry Farm and Wade Apartments through
19 one-for-one replacement, although not all
20 replacement units must be on site?

21 MS. BROWN-ROBERTS: Yes.

22 MS. BELT: Does OP know how many of

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1 the affordable units currently on site at Barry
2 Farms and Wade Apartments will be replaced off
3 site?

4 MS. BROWN-ROBERTS: The Applicant
5 had told us that there were replacement housing
6 that was done at Matthews Memorial and I think
7 at Sheridan.

8 MS. BELT: What legal statuses or
9 Zoning Regulations is OP aware of that
10 authorizes any of the affordable replacement
11 units proposed in this PUD application be
12 placed off site?

13 MS. BROWN-ROBERTS: I don't know
14 the question.

15 MS. BELT: What legal statutes or
16 Zoning Regulations is OP aware that authorizes
17 any of the affordable replacement units
18 proposed in this PUD application be place off
19 site?

20 MS. BROWN-ROBERTS: I know there's
21 no zoning authority right now. I don't know if
22 there's another legal --

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1 MS. BELT: Okay. The June 6th OP
2 report states, quote, "the Applicant
3 anticipates financing some of the apartments
4 through the Low-Income Housing Tax Credit
5 Program which provide affordable units to
6 households at 60 percent of the area medium
7 income or below. What does 60 percent AMI or
8 below mean in terms of annual actual income?

9 MR. LAWSON: The AMI fluctuates
10 year by year. I think right now -- actually I
11 shouldn't guess. We can get that information
12 to you. I know that it fluctuates and it varies
13 by household size as well. So it would be 60
14 percent of that number.

15 MS. BELT: Has OP evaluated and/or
16 coordination evaluation with DHCD or any other
17 city agency or the Applicant to compare the
18 proposed affordability and AMI levels with the
19 actual income levels of the residents currently
20 living at Barry Farm community, as well as the
21 impact surrounding communities?

22 MS. BROWN-ROBERTS: No.

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1 MS. BELT: Isn't it true that OP's
2 March 21st, 2014 Setdown Report asks the
3 Applicant for much more information for the
4 phasing plans, particularly concerning the
5 replacement of affordable housing, the
6 duration of the affordable housing covenants
7 and at what income levels this housing will
8 help?

9 MS. BROWN-ROBERTS: Yes.

10 MS. BELT: And now in the June 6th
11 report isn't it fair to say that OP is still not
12 satisfied with the level of information about
13 affordability and the phasing plan yet provided
14 by the Applicant?

15 MS. BROWN-ROBERTS: We had asked
16 for it again.

17 MS. BELT: And in this June 6th
18 report you state that the Applicant should
19 provide this critical planning information,
20 quote, "for the overall development at the
21 submission of the second stage submission?"

22 MS. BROWN-ROBERTS: Yes, that's

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1 correct.

2 MS. BELT: But isn't it true that OP
3 supports the Applicant in asking the Zoning
4 Commission to grant flexibility in submitting
5 the second stage of this PUD application
6 perhaps five years after it's due by law?

7 MS. BROWN-ROBERTS: Yes.

8 CHAIRMAN HOOD: Ms. Belt, one of
9 the things that you want to do in your
10 cross-examination, you want to make sure that
11 your convincing this Commission of why the land
12 should not be used or should not be done that
13 way, or the density shouldn't be that way. I'm
14 looking for those kind of questions. You want
15 to help us.

16 MS. BELT: Okay.

17 CHAIRMAN HOOD: Okay?

18 MS. PONDEXTER-MOORE: I'm sorry,
19 the things that she's asking for --

20 CHAIRMAN HOOD: What's your --
21 could identify yourself?

22 MS. PONDEXTER-MOORE: I'm sorry,

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1 my name is Schyla Pondexter-Moore, Empower DC
2 and a member of the Tenant and Allies on the
3 allies side. And I'm just saying that Ms.
4 Belt -- she came up with these questions because
5 these are in the PUD. We sat and read that PUD,
6 the master planning, from front to back all
7 night, all day. It took us a whole week.

8 CHAIRMAN HOOD: Okay. I
9 understand that --

10 MS. PONDEXTER-MOORE: And she's
11 asking questions --

12 CHAIRMAN HOOD: -- but I threw her
13 a hint.

14 MS. PONDEXTER-MOORE: -- in the
15 PUD.

16 CHAIRMAN HOOD: I threw her a hint,
17 and I don't normally do that. I threw her a
18 hint. So you can take it or you can leave it.

19 MS. BELT: Yes, this is all new to
20 me, so I don't --

21 CHAIRMAN HOOD: And that's why I
22 said that.

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1 MS. BELT: Okay. But I do have
2 like a -- I mean, if you want --

3 CHAIRMAN HOOD: Oh, no, I have your
4 questions.

5 (Simultaneous speaking)

6 CHAIRMAN HOOD: I have your
7 questions.

8 MS. BELT: Yes, I have that I wrote,
9 but I'm a lay person. I don't know. This is
10 new to me.

11 CHAIRMAN HOOD: And that's why I
12 stopped you --

13 MS. BELT: Okay.

14 CHAIRMAN HOOD: -- to inform you
15 that at the end of the day --

16 MS. PONDEXTER-MOORE: These are
17 relevant questions to the PUD.

18 CHAIRMAN HOOD: You're missing my
19 point, young lady. And first of all, I want to
20 hear from Ms. Belt. Okay? So what I'm saying
21 to you is when you're cross-examining you want
22 to make sure that what you're doing is to try

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1 to convince the Commission.

2 MS. BELT: Okay.

3 CHAIRMAN HOOD: That's what --
4 you're convincing us.

5 MS. BELT: Oh, okay. Yes, so I
6 don't know.

7 CHAIRMAN HOOD: You can ask --
8 that's why --

9 MS. BELT: I'm just thinking at the
10 end that you're going to ask them some questions
11 and you can try to figure that out.

12 CHAIRMAN HOOD: We did the other
13 night. We already asked our questions.

14 MS. BELT: Yes, but I got turned
15 down, so that's what made me -- that discouraged
16 me. That really did. And I see why a lot of
17 people don't come out from the community.

18 CHAIRMAN HOOD: Oh, no they come
19 out.

20 MS. BELT: Because it discourages
21 you when you have somebody like you who say that
22 you're from the community or a community guy --

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1 and then I was really hurt by that. You told
2 me I did everything, follow all the rules --

3 VICE-CHAIR COHEN: Excuse me.

4 MS. BELT: -- and then you told me
5 I could not --

6 VICE-CHAIR COHEN: Excuse me.

7 MS. BELT: -- ask these questions
8 on Monday when I --

9 (Simultaneous speaking)

10 VICE-CHAIR COHEN: Excuse me. I'm
11 going to ask that you stop because I don't
12 think --

13 MS. BELT: Well, I was talking to
14 him.

15 VICE-CHAIR COHEN: I know, but he
16 doesn't have to prove himself to anybody.

17 MS. BELT: And I don't have to prove
18 anything either.

19 VICE-CHAIR COHEN: So let's just
20 go --

21 MS. BELT: Okay.

22 VICE-CHAIR COHEN: -- he tried to

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1 be helpful.

2 MS. BELT: So I can finish with the
3 questions?

4 VICE-CHAIR COHEN: Yes.

5 CHAIRMAN HOOD: Hold on. Here's
6 what I'm going to do.

7 MS. BELT: Okay.

8 CHAIRMAN HOOD: I tried to be
9 helpful and -- you can continue the questions.

10 MS. BELT: Okay.

11 CHAIRMAN HOOD: Okay?

12 MS. BELT: All right.

13 CHAIRMAN HOOD: And let me just say
14 this: No, I think this needs said because
15 you're a lay person, like you said, just like
16 I am --

17 MS. BELT: Yes.

18 CHAIRMAN HOOD: -- and what I try to
19 do is when I see people come down here who are
20 like I was 16 years ago, I try to help them.

21 MS. BELT: And I appreciate it.

22 CHAIRMAN HOOD: Because you're not

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1 the only person I've said that to, trust me.
2 All you got to do is look at the video stream.
3 I've said that before.

4 MS. BELT: Okay.

5 CHAIRMAN HOOD: Okay?

6 MS. BELT: Yes.

7 CHAIRMAN HOOD: You may continue.

8 MS. BELT: So this means OP is
9 supportive of a delayed public information
10 stream and delayed civic planning by the
11 Applicant which results in a highly uncertain
12 future for current Barry Farm residents causing
13 social destabilization for these affected by
14 elders, families and children?

15 MS. BROWN-ROBERTS: We support the
16 project.

17 MS. BELT: I'm sorry? I didn't
18 hear you.

19 MS. BROWN-ROBERTS: I said we
20 support the project.

21 MS. BELT: Have Office of Planning
22 staffers, say in the last three years, visited

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1 the housing units at Barry Farms?

2 MS. BROWN-ROBERTS: I have been
3 over to Barry Farms. I haven't gone into any
4 of the units, but I have been over there to
5 meetings.

6 MS. BELT: Does OP have any recent
7 written reports about the physical state of the
8 Barry Farm units either conducted by your
9 office or by the Applicant or DHCD?

10 MS. BROWN-ROBERTS: No.

11 MS. BELT: The OP report dated June
12 6th, 2014 says that this PUD application at
13 Barry Farm would involve a public housing site,
14 quote, "that has deteriorated over the years?"

15 MS. BROWN-ROBERTS: Yes.

16 MS. BELT: Why has the Office of
17 Planning allowed the city administration to
18 neglect the housing units at Barry Farms over
19 the years?

20 MS. BROWN-ROBERTS: We didn't
21 testify to that. I'm not going to answer that.

22 MS. BELT: Okay. Doesn't this

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1 show that city planning is resulting in
2 demolition through neglect at Barry Farms?

3 MS. BROWN-ROBERTS: I'm not going
4 to answer that.

5 MS. BELT: Your --

6 MR. LAWSON: Sorry, I'll answer
7 that just very quickly.

8 MS. BELT: Okay.

9 MR. LAWSON: Office of Planning has
10 no involvement in that. We have no control
11 over that. You're asking the question of the
12 wrong agency.

13 MS. BELT: Your June 6th report
14 states that the 10 multi-family buildings would
15 have heights of generally 65 feet, then claimed
16 that it's five stories tall, right?

17 MS. BROWN-ROBERTS: There are a
18 variety of heights, I think.

19 MS. BELT: Okay. Are you saying
20 that each floor of these buildings are 13 feet
21 in height?

22 MS. BROWN-ROBERTS: No.

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1 MS. BELT: Doesn't the allowable
2 building envelope of the proposed C-2-A PUD
3 mimic that of the C-2-B or C-3-A districts?
4 Please explain.

5 MS. BROWN-ROBERTS: No, I'm not
6 sure of the question. I'm not understanding
7 it.

8 MS. BELT: All right. Right now
9 there are 400 units of residential housing at
10 Barry Farms, correct?

11 MS. BROWN-ROBERTS: I think so.

12 MS. BELT: Isn't this PUD
13 application seeking to build 1,600 units of
14 housing?

15 MS. BROWN-ROBERTS: Yes.

16 MS. BELT: Has OP evaluated or
17 coordinated the evaluation of the adverse
18 impacts the proposed PUD will have on the
19 surrounding environment and infrastructure?

20 MS. BROWN-ROBERTS: We looked at
21 the zoning. We looked at the infrastructure
22 that's being proposed and we thought that -- and

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1 that's why we are supporting the application.

2 MS. BELT: Doesn't the Comp Plan
3 say that the availability of safe, decent,
4 affordable housing will, quote, "determine
5 whether the District's vision for an inclusive
6 city will be realized?"

7 MS. BROWN-ROBERTS: Yes.

8 MS. BELT: To live up to the D.C.
9 Comprehensive Plan, let alone basic human
10 rights and ethics, will OP compel all pertinent
11 city agencies, including the Applicant, to
12 remodel and fix all the persistent problems at
13 the current Barry Farm dwellings until a
14 phasing plan and second stage PUD is developed
15 collectively with the residents and be BFTAA?

16 MR. LAWSON: OP can't compel other
17 agencies.

18 MS. BELT: I don't have any more
19 questions.

20 CHAIRMAN HOOD: Okay. What I'd
21 like to do now, if you can hold your seat --

22 MS. BELT: Sure.

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1 CHAIRMAN HOOD: -- let's proffer
2 your experts, and then you can go ahead and do
3 your presentation.

4 MS. BELT: Okay. So how do you
5 profit?

6 PARTICIPANT: (Off microphone)

7 MS. BELT: Okay.

8 CHAIRMAN HOOD: Yes, we have
9 your --

10 MS. BELT: Okay. The experts?
11 Okay.

12 CHAIRMAN HOOD: Yes, your experts.
13 Who do you have? We have our submission of your
14 experts.

15 MS. BELT: We have Will --

16 CHAIRMAN HOOD: Let's run
17 through --

18 MS. BELT: Will is the one is one I
19 have.

20 CHAIRMAN HOOD: You only have one
21 expert?

22 MS. BELT: Yes. Yes.

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1 CHAIRMAN HOOD: Which one is it?

2 MS. BELT: Will.

3 CHAIRMAN HOOD: Will?

4 MS. BELT: I forgot his last name.

5 CHAIRMAN HOOD: Full name?

6 MS. BELT: Will Merrifield.

7 CHAIRMAN HOOD: So your other
8 experts you're not trying to proffer?

9 MS. BELT: No, they're not here
10 tonight. They were here on Monday ready.

11 CHAIRMAN HOOD: Okay. They're not
12 here tonight? Okay.

13 MS. BELT: And also --

14 (Simultaneous speaking)

15 CHAIRMAN HOOD: Let me just say
16 this: I hear you saying the way things were
17 going Monday, and we talked about it earlier,
18 we would have never got to it.

19 MS. BELT: Yes.

20 CHAIRMAN HOOD: Yes, we wouldn't
21 have got to it Monday anyway.

22 MS. BELT: Okay.

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1 CHAIRMAN HOOD: Okay. So let's --

2 MS. BELT: I also have --

3 CHAIRMAN HOOD: You have --

4 MS. BELT: This is the only time for
5 experts, right?

6 CHAIRMAN HOOD: Yes, bring all your
7 experts up. We're doing to do your experts.
8 We're going to do the party in opposition. And
9 you have Will -- what's his name? Oh, Will
10 Merrifield? Yes.

11 MR. FREEMAN: We might have some
12 comments on their proffered experts.

13 MS. BELT: As the experts. That's
14 what we're trying to figure out. Is this only
15 the experts?

16 CHAIRMAN HOOD: Hold on. Bring
17 all the people that you proffered in your
18 submission that are here tonight --

19 MS. BELT: Okay.

20 CHAIRMAN HOOD: -- as experts to
21 the table, and we're going to go through what
22 is a series of whether or not we're going to

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1 accept your proffer as experts or not.

2 MS. BELT: Okay.

3 CHAIRMAN HOOD: Okay? So what are
4 you going to proffer Mr. Will Merrifield as, an
5 expert on what?

6 MS. BELT: On failures of the New
7 Community Program and D.C. housing crisis.

8 CHAIRMAN HOOD: I mean, on failures
9 of -- help me understand. On failures of what?

10 MS. BELT: The New Communities
11 Program and D.C. housing crisis.

12 VICE-CHAIR COHEN: I don't --

13 MS. BELT: Look, she already going
14 to say something because you already -- wait,
15 wait, wait, wait, wait, because they always
16 say --

17 (Simultaneous speaking)

18 MS. BELT: This is why --

19 VICE-CHAIR COHEN: Excuse me.
20 This is my job to ask questions. Okay?

21 MS. BELT: And this is my life.

22 VICE-CHAIR COHEN: I know many

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1 residents of Barry Farms from years and years
2 ago, so please just hold it so I can do my job.
3 And I've listened to you, so I would appreciate
4 you listening to me now.

5 PARTICIPANT: Can't hear you,
6 ma'am.

7 CHAIRMAN HOOD: Talk in the mic.

8 VICE-CHAIR COHEN: I'm sorry. I
9 really will do so, sir.

10 I see that you, Mr. Merrifield, you
11 are an expert on legal aid and support regarding
12 tenants' rights. Do you have zoning
13 experience, sir?

14 MR. MERRIFIELD: What I was asked
15 to do here tonight and what I think is very
16 relevant to the hearing tonight is talk about
17 affordable housing in general. Affordable
18 housing is part of a -- one of the public
19 benefits and amenities under this PUD.

20 As such, we should talk about whether or not the
21 affordable housing that they say they're going
22 to deliver in the PUD is sufficient and is

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1 actually deliverable. That's what I was going
2 to testify on tonight.

3 What I do at the Washington Legal
4 Clinic for the Homeless is I work for the
5 Affordable Housing Initiative. So I work -- I
6 try to advocate for the creation and the
7 preservation of affordable housing --

8 VICE-CHAIR COHEN: Okay.

9 MR. MERRIFIELD: -- which --

10 VICE-CHAIR COHEN: Thank you. You
11 answered my question.

12 CHAIRMAN HOOD: Okay.
13 Commissioners, they're proffering Mr.
14 Merrifield as an expert in -- well, couldn't be
15 affordable housing. You just -- okay.

16 COMMISSIONER MAY: Well, I mean
17 that's what I heard was is that you're being
18 proffered as an expert in the delivery or the
19 non-delivery of affordable housing. Do I
20 understand that correctly?

21 MR. MERRIFIELD: I believe so, yes,
22 and the policy around affordable housing.

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1 COMMISSIONER MAY: Okay. So
2 typically --

3 MR. MERRIFIELD: D.C. affordable
4 housing --

5 COMMISSIONER MAY: Sure.

6 MR. MERRIFIELD: -- policy for
7 low-income individuals.

8 COMMISSIONER MAY: Okay. So I
9 mean an expert on policy I'm not so sure about.
10 You talked about the -- I mean, if you're
11 talking about the policy within the District,
12 that's not necessarily what is needed in a
13 zoning case. What actually would be relevant
14 is if you have experience in other past
15 affordable housing projects and in the delivery
16 of them or something like that. I mean, that's
17 the sort of expertise that I think would be
18 helpful, because you could testify from your
19 own experience about what works and what does
20 not work.

21 MR. MERRIFIELD: Sure.

22 VICE-CHAIR COHEN: So maybe since

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1 it's not in your very brief résumé, which is
2 exceedingly brief for what we get normally, can
3 you talk to that and make a --

4 MR. MERRIFIELD: Yes, I can talk
5 about other New Communities projects in D.C.,
6 specifically Northwest One, and how that
7 project was -- what was promised in that project
8 and what was actually delivered in that project
9 to provide context.

10 COMMISSIONER MAY: So what was your
11 involvement in that project?

12 MR. MERRIFIELD: I was not involved
13 in the project, but I know the specifics of the
14 project as a person who works on affordable
15 housing in D.C.

16 COMMISSIONER MAY: Okay. Again,
17 that's not really what we usually see, but go
18 ahead.

19 MR. MERRIFIELD: Sure.

20 COMMISSIONER MAY: No, I mean, I am
21 interested in hearing what he has to say briefly
22 about Northwest One.

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1 (Simultaneous speaking)

2 CHAIRMAN HOOD: -- you have to say
3 about New --

4 MR. MERRIFIELD: So, I mean, we're
5 talking about New Communities. New
6 Communities, I don't think anybody would
7 quibble with the statement that New Communities
8 has been a failure in the District of Columbia.

9 COMMISSIONER MAY: No. No, no,
10 no. No, I'm asking you about your very
11 specific experience on Northwest One and what
12 you can tell us about that.

13 MR. MERRIFIELD: The

14 COMMISSIONER MAY: I'm not looking
15 for generalities --

16 MR. MERRIFIELD: Sure. The
17 master --

18 COMMISSIONER MAY: -- about
19 whether the community is a failure or not.

20 MR. MERRIFIELD: The master plan
21 for Northwest One was approved in 2006. It
22 promised to deliver -- give me one second to

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1 find it in my testimony. It promised to
2 deliver 280 replacement units in 2006. Until
3 now there's been 30 out of the 280 replacement
4 units delivered since 2006 in Northwest One.

5 One of the development projects in
6 Northwest One is 2 M Street. 2 M Street was a
7 building owned by William C. Smith that the
8 District provided \$16.8 million to William C.
9 Smith to provide --

10 COMMISSIONER MAY: So this sounds
11 like your testimony. Again, I'm trying to
12 understand your --

13 CHAIRMAN HOOD: Yes, this is --

14 (Simultaneous speaking)

15 COMMISSIONER MAY: -- experience.

16 MR. MERRIFIELD: I thought you
17 asked me about the specifics of Northwest One.

18 COMMISSIONER MAY: This is
19 supposed to be about you. You're being
20 qualified as an expert, so I'm asking about what
21 your expertise is.

22 MR. MERRIFIELD: My --

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1 COMMISSIONER MAY: So how does your
2 expertise play into this?

3 MR. MERRIFIELD: My -- sure.

4 COMMISSIONER MAY: I mean, did you
5 study it? Was your -- I mean, how many hours
6 did you spend on it?

7 MR. MERRIFIELD: Sure.

8 COMMISSIONER MAY: I mean,
9 anything that talks about what you did.

10 MR. MERRIFIELD: Yes, so for the
11 last three years as a staff attorney at the
12 Washington Legal Clinic working for the
13 Affordable Housing Initiative I've studied and
14 analyzed affordable housing policy in the
15 District of Columbia. Part of those projects
16 was -- some of the projects that I've analyzed
17 have been the New Communities Initiative. So
18 I believe I can speak to the past successes or
19 failures of the New Communities Initiative to
20 give context to this specific PUD and whether
21 or not the housing that's being promised is
22 projected to be deliverable based on past

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1 projects.

2 COMMISSIONER MAY: All right. I'm
3 not going to keep pressing for any further
4 answers. Does anybody have any other
5 questions?

6 CHAIRMAN HOOD: Mr. Freeman, do you
7 have any objections?

8 MR. FREEMAN: Yes, we object
9 vehemently to him being qualified as an expert
10 in affordable housing or D.C. housing policy.
11 The information he just described that would
12 make him an expert would essentially make me an
13 expert. I could read that information and
14 testify to that. There's nothing in his
15 biography that suggests that he has any
16 personal involvement in the development of
17 affordable housing policy, in the delivery of
18 affordable housing or in any other issue that
19 would be relevant to the analysis of what the
20 Zoning Commission has to review in this case.
21 Obviously, he's entitled to testify, but I
22 don't think he should be given expert status,

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1 which I believe should mean something in this
2 case.

3 CHAIRMAN HOOD: Okay. Any other
4 comments up here?

5 (No audible response)

6 CHAIRMAN HOOD: Any other
7 comments?

8 (No audible response)

9 CHAIRMAN HOOD: Okay.
10 Commissioners, I don't think this rises to the
11 level of expert, but what I do think it does --
12 as I've stated, we can give him a right to
13 testify and we will take his testimony as we do
14 others.

15 You can still stay at the table.
16 You're part of the presentation, but I don't
17 think it rises to the level of an expert. And
18 I would also, as Commissioner May mentioned, in
19 your previous projects besides policy projects
20 in when you have dealt with affordable housing
21 or where you've been --

22 MR. MERRIFIELD: And --

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1 CHAIRMAN HOOD: No, you don't have
2 to answer. You've done that. You've already
3 elaborated on that. We know where you are.
4 You've already stated your case. You're still
5 going to be able to testify. Okay?

6 So back to you, Ms. Belt. You may
7 begin your presentation.

8 Anybody else? I see Ms. MacWood at
9 the table. Any other witnesses you want to
10 proffer?

11 MS. BELT: Yes.

12 CHAIRMAN HOOD: What are we
13 proffering MacWood as a --

14 MS. BELT: Oh, she's not as an
15 expert.

16 CHAIRMAN HOOD: Not a -- you're not
17 an expert?

18 MS. MacWOOD: No.

19 CHAIRMAN HOOD: Oh, okay. All
20 right. So you may begin. No, hold on. How
21 much time -- Ms. Belt, do you know how much time
22 you have?

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1 MS. BELT: What, three minutes?

2 CHAIRMAN HOOD: No, no, no.
3 You're a party in opposition. You have more
4 than that.

5 MS. BELT: Okay.

6 CHAIRMAN HOOD: How much time --

7 MS. BELT: Yes, what's left? Oh,
8 51 minutes?

9 CHAIRMAN HOOD: You have 51
10 minutes.

11 MS. BELT: Okay.

12 CHAIRMAN HOOD: Okay.

13 MS. BELT: Oh, can I bring up one
14 more person? Josef Fuentes.

15 CHAIRMAN HOOD: Are you going to be
16 proffering him as an expert?

17 MS. BELT: Yes, on the current
18 conditions of Barry Farms housing.

19 CHAIRMAN HOOD: Current conditions
20 of Barry Farms housing.

21 COMMISSIONER MAY: Do we have a
22 résumé?

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1 CHAIRMAN HOOD: Yes.

2 COMMISSIONER MAY: Why am I not
3 seeing it?

4 CHAIRMAN HOOD: It's actually page
5 4.

6 And what are we proffering him as
7 again, Ms. Belt?

8 MS. BELT: On the current
9 conditions of Barry Farms housing.

10 COMMISSIONER MAY: Okay. Mr.
11 Fuentes is an architect. You're a registered
12 architect, right?

13 MR. FUENTES: Yes.

14 COMMISSIONER MAY: Okay. So in
15 your résumé as you submitted it, I mean, it's
16 substantive and it relates to housing.

17 So I can see him being proffered as
18 an expert in architecture.

19 VICE-CHAIR COHEN: I concur with
20 that.

21 COMMISSIONER MAY: But if he's
22 going to testify about the conditions, then

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1 he'd have to demonstrate that what he does is
2 assess buildings for a living, or that he's done
3 a lot of that, or something like that. I mean,
4 proffering him as an expert in architecture is
5 simple enough. Proffering him as an expert on
6 Barry Farms housing conditions is a little bit
7 harder to do.

8 CHAIRMAN HOOD: So are you
9 proffering him as an architect?

10 MS. BELT: Yes, I'm proffering him
11 as an architect.

12 COMMISSIONER MAY: Okay. And do
13 my colleagues agree that his 10 years of
14 experience on a number of housing projects
15 is --

16 VICE-CHAIR COHEN: Yes, I have
17 no -- and I'm sure that -- what can you say about
18 Barry Farms? It's so old and run down? So --

19 CHAIRMAN HOOD: Could you talk in
20 the microphone?

21 VICE-CHAIR COHEN: Sorry, sir.

22 CHAIRMAN HOOD: Okay.

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1 VICE-CHAIR COHEN: Being an
2 expert.

3 MR. FREEMAN: I would just like to
4 note one objection, or really a question. My
5 question is whether Mr. Fuentes has his license
6 in the District of Columbia, because it doesn't
7 say that on his résumé. And secondly, I've had
8 an expert that was denied, an architect that was
9 denied expert status because he was not
10 licensed in the District of Columbia.

11 CHAIRMAN HOOD: I don't think so,
12 Mr. Freeman.

13 MR. FREEMAN: I am very aware of
14 having an expert --

15 CHAIRMAN HOOD: Did we do that
16 because he wasn't licensed?

17 MR. FREEMAN: Yes. I remember
18 that case well.

19 CHAIRMAN HOOD: Okay. I'm not
20 going to say -- anything happens up here,
21 believe me. I'm not going to say we didn't do
22 it, but --

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1 VICE-CHAIR COHEN: Are you
2 licensed in --

3 CHAIRMAN HOOD: He's in New York, I
4 believe.

5 MR. FUENTES: Yes, that's correct,
6 and it's stated in the experience or the
7 accreditations portion in the résumé.

8 CHAIRMAN HOOD: Make sure you all
9 please speak into the microphone.

10 MR. FREEMAN: It does not say that
11 he's licensed in the District of Columbia.

12 CHAIRMAN HOOD: Would you speak
13 into --

14 COMMISSIONER MAY: So I can handle
15 this. Mr. Fuentes, you took the seven-part
16 licensing exam, three hours per exam, all that
17 whole sorts -- same old thing that the NCARB
18 issues, right?

19 MR. FUENTES: That's correct. I
20 am --

21 COMMISSIONER MAY: All right. So
22 it's the same exam that the District issues?

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1 MR. FUENTES: That's correct.

2 COMMISSIONER MAY: Yes. So I
3 don't have any problem with him --

4 (Simultaneous speaking)

5 CHAIRMAN HOOD: Okay. We will --

6 (Simultaneous speaking)

7 COMMISSIONER MAY: -- being not in
8 the District. He's a registered architect.

9 CHAIRMAN HOOD: Unless I hear some
10 objections, we will proffer him as an expert in
11 architecture, but, Ms. Belt, not in the
12 conditions of Barry -- we are not proffering him
13 in the conditions of Barry Farms. Okay.

14 All right. Anything else?

15 (No audible response)

16 CHAIRMAN HOOD: You may begin.

17 MS. BELT: Okay. We, the
18 residents of Barry Farms, demand that no PUD
19 application be approved unless the following
20 are included and enforced to protect the
21 residents of Barry Farms: Redevelopment --

22 CHAIRMAN HOOD: Ms. Belt, I hate to

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1 interrupt.

2 MS. BELT: Oh, I'm sorry.

3 CHAIRMAN HOOD: I want to make sure
4 I have your testimony in front of me. Do I have
5 it?

6 MS. BELT: I don't know if you have
7 this one.

8 CHAIRMAN HOOD: Was it -- because
9 see, what we like to do, we like to make lines
10 and notes.

11 MS. BELT: Right. Okay.

12 CHAIRMAN HOOD: So, people think we
13 don't pay attention, but we actually do. We
14 make notes and --

15 (Simultaneous speaking)

16 MS. BELT: It was on that whole
17 packet of the --

18 (Simultaneous speaking)

19 CHAIRMAN HOOD: So I already have
20 it?

21 MS. BELT: Yes.

22 CHAIRMAN HOOD: What you're

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1 reading from?

2 MS. BELT: Yes.

3 CHAIRMAN HOOD: Hold on a second.
4 Let me get it in front of me.

5 MS. BELT: Okay.

6 CHAIRMAN HOOD: Is it on the
7 package that you gave the other night, or on the
8 one you submitted yesterday?

9 MS. BELT: The other night.

10 CHAIRMAN HOOD: Okay. Give me one
11 second. Give us one second. And that's dated
12 June 12th? No. No. It's a thick packet.
13 It's thicker. Okay. It's dated June 16th
14 with your experts on it?

15 MS. BELT: Yes.

16 CHAIRMAN HOOD: So it's in the
17 back?

18 MS. BELT: Yes. Plan 2, I believe
19 it says, at the redevelopment in place. They
20 might got it.

21 CHAIRMAN HOOD: Nobody has it. Do
22 you have copies?

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1 MS. BELT: Give him that. Give
2 him --

3 CHAIRMAN HOOD: Yes. If you could
4 just give her the four copies. Then we'll work
5 it from there. Thank you.

6 We're going to do an assessment in
7 about 20 minutes. See if we have to come back
8 on the 10th. How many people want to try to
9 push it and get through tonight, or do we want
10 to come back on the 10th? I'm asking now.
11 Let's push it? Okay. I heard somebody say
12 let's push it. I'm sure -- come back. Let's
13 push it. Okay. We're going to do our best.
14 We're going to do another assessment in about
15 30 minutes. We may not get there, so don't beat
16 me up after that part. But I'm not worried.
17 I've been beat up quite a bit.

18 Okay. We're ready. Ms. Belt?

19 MS. BELT: We, the residents of
20 Barry Farms, demand that no PUD application be
21 approved unless the following are included and
22 enforced to protect the residents of Barry

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1 Farms:

2 Redevelopment in place. Residents
3 have long asked that if redevelopment occurs to
4 phase it in a way where residents may stay on
5 site. History has proven time and time again
6 that once residents are relocated, very few
7 return. We love our community and do not wish
8 to be displaced. We are asking that the plans
9 include relocating residents on the property
10 and redeveloping in place.

11 We would like to be shifted as the
12 development takes place and have first priority
13 for the new public housing units. An existing
14 recreation center was demolished and a brand
15 new recreation center was erected from the
16 ground up on site with the residents still
17 living there. The same can be done in this
18 redevelopment.

19 We would like all replacement units
20 to be on site, not scattered. We as a community
21 would like to stay together. If other
22 residents do wish to relocate to another site,

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1 we ask that the existing unit in Barry Farms
2 remain for other families on the waiting list
3 in need of housing.

4 No restraining reentry criteria,
5 added barriers or other additional eligibility
6 for the replacement units. As public housing
7 residents we are not required to pass credit
8 checks and other burdensome criteria to qualify
9 for our housing. For many residents living in
10 public housing and waiting for housing
11 traditional public housing is the only form of
12 housing many qualify for. Traditional public
13 housing fills a gap that no other program does,
14 yet units are being demolished and replaced
15 with units many existing and future residents
16 will not qualify for.

17 We are asking that this PUD not be
18 approved unless it includes and is enforced
19 that the 434 units at Barry Farms are replaced
20 on site with no new reentry criteria. Units
21 are to stay permanently at 30 percent of one's
22 income. The same HUD qualifications used for

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1 the traditional public housing are to be the
2 same qualifications for the replacement units.

3 Retail and other opportunities.
4 The redeveloped property must include a set
5 aside for businesses to be owned and managed by
6 public housing residents and resources,
7 financial and otherwise, should be provided to
8 support these entrepreneurs.

9 That's the end of my --

10 CHAIRMAN HOOD: Thank you very
11 much. Next? I'll tell you what, Ms. Belt, you
12 tell me who's going next. I'm not going to run
13 it. That's your show.

14 MS. BELT: What, I can run
15 something now?

16 (Laughter)

17 MS. BELT: Okay. Well, Will, he's
18 right next to me.

19 CHAIRMAN HOOD: You can run this
20 show, that part of it.

21 MR. MERRIFIELD: Good evening and
22 thank you for the opportunity to testify. My

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1 name is Will Merrifield, and as you well know,
2 I'm a staff attorney with the Affordable
3 Housing Initiative at the Washington Legal
4 Clinic for the Homeless.

5 I wanted to testify tonight in order
6 to address the affordable housing aspect of the
7 Barry Farm PUD application. First though, for
8 context I think it's important to talk about the
9 current state of affordability in D.C.

10 Currently in the District a person
11 making minimum wage must work approximately 137
12 hours per week, 52 weeks a year or earn \$28.25
13 an hour at 40 hours per week to afford a
14 two-bedroom apartment at fair market rent.
15 The reality of this housing market is that if
16 you are a senior citizen on a fixed income, a
17 person with a disability, a minimum or
18 medium-wage worker, you cannot live in D.C.
19 without some sort of housing subsidy. In other
20 words, there needs to be a way to fill the gap
21 for these individuals between what is
22 reasonable to spend on housing and the market

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1 rate.

2 The most effective way to fill this
3 gap is through long-term subsidies.
4 Unfortunately, DCHA's subsidized housing wait
5 list is currently closed and numbers
6 approximately 70,000 households. The
7 consequence of the lack of long-term subsidized
8 housing is the explosion in homelessness that
9 we are dealing with today. Because D.C.'s
10 affordability crisis is so dire, we have to
11 ensure that every local dollar we are putting
12 towards affordable housing is spent
13 efficiently and purposefully to produce
14 long-term deeply affordable units.

15 After reading the statement of the
16 Applicant I have serious concerns about the
17 affordable housing component of this plan.
18 Specifically, I was shocked at the lack of
19 specificity with regard to how the public
20 housing units that the Applicant is proposing
21 to demolish will be replaced. While the
22 statement vaguely references a one-for-one

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1 replacement in a few areas, it does not define
2 what that means.

3 For example, it is not clear whether
4 the project will replace each public housing
5 unit with another public housing unit of the
6 same bedroom size and affordability standard,
7 or whether a replacement unit will be anything
8 that meets the standard of affordable as
9 defined by the District, affordable as opined
10 by the District IZ being 80 percent of the area
11 median income, which is \$107,000.

12 And I think if I'm not mistaken the
13 PUD points out in the affordability section
14 that the only thing it does guarantee is to
15 comply with the District of Columbia's IZ
16 regulations, which is a bunch of 80 percent AMI
17 units. That's deeply troubling when we're
18 talking about demolishing an entire public
19 housing unit.

20 Moreover, it is not clear whether
21 the replacement units will be traditional
22 public housing units or units created through

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1 another affordable housing program like the
2 Low-Income Tax Credit Tax Program. These
3 distinctions are vital to the long-term
4 affordability and also to a perspective
5 tenant's ability to qualify for those units.

6 I'm working with a tenant right now
7 who -- a group of tenants, a tenant association
8 in a building that the tax credits are on the
9 property, but they can't afford to live in a tax
10 credit property because the rents for a tax
11 credit property -- the rent ceilings are
12 outrageous. For somebody making \$42,000, it's
13 1,200 bucks a month. So for tearing down a
14 bunch of public housing units at 30 percent AMI
15 to 50 percent AMI and replacing them with tax
16 credit units, it's not going to be the same
17 thing. And the tax credit units run out. They
18 have 30-year affordability covenants, whereas
19 public housing does not.

20 Additionally, the statement
21 provides no details of how replacement units
22 will be financed. It seems that the Applicants

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1 are counting on receiving federal money through
2 the Choice Neighborhood Program as a
3 precondition to be able to fund the replacement
4 units. However, DCHA has not been awarded this
5 money and they don't know whether they'll be
6 awarded these funds. It's a very competitive
7 program that they're applying for.

8 Lastly, there is no mention of the
9 right to return criteria for existing Barry
10 Farm residents. I fail to see how there could
11 have been meaningful resident engagement in
12 this process if the Applicant does not have
13 financing for the replacement units or a right
14 to return policy in place before they come and
15 ask you all for the right to demolish the
16 property. The rush to have this application
17 approved before these questions are answered
18 makes me very skeptical that this project will
19 be any different than other failed New
20 Community projects in D.C.

21 For example, the Northwest One
22 Communities Master Plan was approved in 2006

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1 and as of January 2014 has produced 30 of 280
2 needed replacement units. One of the
3 Northwest One projects subsidized by the city
4 through New Communities is 2 M Street. D.C.
5 subsidized the developer of 2 M Street \$16.8
6 million to create a building that was supposed
7 to be two-thirds affordable and provide
8 replacement units for displaced Temple Courts
9 residents.

10 Instead, the development is less
11 than a third affordable and only proposes --
12 proposes; it hasn't delivered any of them, but
13 it proposes 59 units. So the city subsidized
14 one of the wealthiest developers in D.C. \$16.8
15 million for 59 replacement units. To put that
16 in perspective, a \$10 million investment into
17 the Local Rent Supplement Program would create
18 667 units of affordable housing and house over
19 1,200 children at a time when we have families
20 living in D.C. General.

21 The developer blamed the bad
22 economy and the inability to find financing for

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1 his failure to deliver the promised affordable
2 units. However, although not able to finance
3 the affordable units, the developer was able to
4 find financing for an indoor basketball court
5 and a rooftop pool for the building, amenities
6 that will allow to demand high market rents in
7 the rapidly gentrified NOMA neighborhood.

8 This example is illustrative of the
9 danger of relying on these public/private
10 partnerships to create affordability, shows
11 why traditional public housing is so important
12 and makes us understand why these PUDs must be
13 specific before they're granted approval. The
14 District should not be subsidizing developers
15 to build luxury apartments under the guise of
16 affordable housing.

17 Also, moving forward; and I know
18 this isn't something for the Zoning Commission,
19 but moving forward I'll put on the record that
20 developers need to be held accountable if
21 they're given subsidies and they don't deliver
22 on those subsidies.

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1 In closing, without knowing the
2 exact nature of the one-for-one replacement, a
3 detailed plan for how those replacement units
4 will be financed and the criteria for residents
5 to be able to return, I believe it would be
6 irresponsible for the Zoning Commission to
7 approve this PUD. Thank you and I'd be happy
8 to answer any questions.

9 MR. FUENTES: Good evening. As I
10 mentioned before, my name is Josef Fuentes, a
11 registered architect in New York, but
12 practicing in D.C. for 10 years. I was asked
13 to testify to -- for the site assessment that
14 we performed. I am affiliated with
15 Architecture for Humanity, the D.C. chapter.
16 The organization is a non-profit that promotes
17 socially responsible design and essentially
18 provides design services to communities in
19 need.

20 On August 18th of 2013, myself and
21 a team of six Architecture for Humanity members
22 walked through the site. We visited -- sorry.

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1 There were 10 of us and we visited 6 units. The
2 residents were very grateful to allow us to
3 enter into their home while they were there.
4 And what we have observed is there is definitely
5 significant wear and the buildings have a wide
6 range of being in terrible shape or -- I was --
7 could be say could be polished a bit. Some of
8 the conditions are cracked sidewalks, unstable
9 handrails. There is some water damage, mold.
10 There's dim lights. And the list goes on.

11 In summation, as a group we've
12 conversed and really came down to assessing
13 that all this occurred because of neglect. A
14 building needs to be maintained and it just
15 hasn't happened. And so in summation, in
16 following we continue to assess the situation,
17 and we also find while as much of the buildings
18 are being in disarray, there is precedents that
19 have proven that buildings could be fixed up and
20 could be -- not made to new, but could be
21 liveable.

22 One of the largest concerns that we

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1 had is the vacant or unoccupied units that are
2 near unit that are lived in, and it does pose
3 a huge health concern. And from our
4 conversation with the residents it has occurred
5 for a long time and doesn't seem there have been
6 any measures to remediate those situations.
7 And either it's a fire has broken out or there
8 is a report from the Health Department, but
9 there has been again no remediation measures
10 that have occurred.

11 And then I find that the situation
12 is very unfortunate. The residents should not
13 have to endure hardships just because of all the
14 neglect that has been imposed on this
15 community. I hope personally and also as an
16 organization in looking out for the community
17 that this problem and this project is responded
18 to responsibly and really taken into account
19 the residents that live there, listening to
20 them, and then also coming up with the right
21 solutions to make that happen.

22 Gentleman to the left here is part of that. And

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1 the suggestions I would mention, I think it is
2 a critical piece to make sure whatever does
3 occur, it does occur responsibly. Thank you
4 for your time.

5 MS. MacWOOD: Good evening. My
6 name is Nancy MacWood. I've appeared before
7 you many times, usually on behalf other
8 organizations, but tonight I'm testifying on my
9 own behalf. I was asked to testify regarding
10 the Barry Farms Small Area Plan and also a bit
11 about the map amendment.

12 While the Zoning Commission is not
13 required to follow the Council-approved Small
14 Area Plan since it is not an amendment to the
15 Comprehensive Plan, it is nonetheless very
16 informative about the mix of housing types, the
17 division of units in the affordable work force
18 and market rate categories and the level of
19 specificity agreed to by the Deputy Mayor for
20 Planning and Economic Development, the D.C.
21 Housing Authority, the Department on Aging and
22 the Barry Farms Residents Association.

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1 PARTICIPANT: I can't hear you.

2 MS. MacWOOD: Can't hear me?

3 Okay. Can you hear me now?

4 PARTICIPANT: Talk a little
5 louder.

6 MS. MacWOOD: Well, I don't talk
7 much louder. I'm sorry.

8 PARTICIPANT: Reason why there's a
9 mic. Talk in the mic. Don't talk over the
10 mic. (Off microphone).

11 COMMISSIONER MAY: Maybe if you
12 pull the mic really close.

13 MS. MacWOOD: Really close.

14 COMMISSIONER MAY: Really, really,
15 really. There.

16 MS. MacWOOD: Okay. Never had
17 this problem before tonight.

18 With regards to the Barry Farms
19 Small Area Plan, there are some specific
20 examples that demonstrate the gap between
21 provisions agreed to in the Small Area Plan and
22 what is being mentioned or requested or

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1 provided in the PUD. For example, 100 of that
2 1,100 total units on the site was what was
3 provided in the Small Area Plan. As we know,
4 the PUD is requesting between 1,324 and up to
5 1,981 total units on the site. The Small Area
6 Plan required one-for-one replacement and
7 adding work force and market rate units. But
8 very importantly it was agreed that they would
9 maintain an equivalent number of affordable and
10 market rate units. So not two-thirds market
11 rate and one third affordable. It was to be
12 equivalent.

13 There is no statement in the PUD
14 about the number of replacement units. There
15 is no commitment to other types of units. As
16 far as affordable is concerned, the only
17 mention in the PUD has to do with meeting the
18 requirements of the Inclusionary Zoning. Both
19 the OP and the DDOT reports refer to one-to-one
20 replacement, but that is not in the Applicant's
21 submission.

22 Further examples: Four and

1 five-story buildings on Firth Sterling were
2 provided in the Small Area Plan with one
3 bedrooms equaling 750 square feet, two bedrooms
4 at 1,080 square feet, three bedrooms with an
5 unspecified square footage, but there is no
6 statement in the PUD about the number of
7 bedrooms or the square footage of these units.

8 Town houses were a prominent
9 feature in the Small Area Plan. They were to
10 have front porches that would be reminiscent of
11 Anacostia and borrow from that architectural
12 style and they were to include three bedrooms
13 on three floors with 2,395 square feet and a
14 footprint of 18 feet by 34 feet. Four-bedroom
15 town houses were to be on three floors with 22
16 feet by 38 foot footprint. As you can see, it
17 was very specific. There is no statement in
18 the PUD about the number of bedrooms or the
19 square footage or the footprint of town houses.

20 There was also specific information
21 in the Small Area Plan about what type of units
22 were to be included. For example, the

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1 replacement units were to include 114 town
2 houses. There's no information about how many
3 town houses will be affordable in the PUD.

4 Work force units were to include 72
5 town houses and 71 two-over-twos. There is no
6 statement about affordable housing and -- about
7 work force housing, excuse me, and the type of
8 units that would be available for this income
9 group.

10 Market rate units were to include 72
11 town house, half of what the affordable town
12 house allotment was to be, and 71
13 two-over-twos. Again, no statement in the PUD
14 about the number of market rate units or the
15 type of units.

16 There were to be four phases of
17 construction completed over 11 years. Now the
18 Applicant tells us that the phasing is subject
19 to market conditions and availability of
20 financing. There is no specificity about the
21 phasing.

22 Relocation of residents and

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1 demolition of units were to be part of this
2 phasing. Specific numbers of each income
3 category and type of housing unit constructed
4 during each construction phase is outlined in
5 the Small Area Plan. There is no statement in
6 the PUD about relocation phasing or number and
7 types of units constructed during phases.

8 Now, just a word about the map
9 amendment. As you know, the Comprehensive
10 Plan generalized policy map projected small
11 scale in-fill development at Barry Farms that
12 would fit in and be consistent with future land
13 use map moderate density residential
14 classifications. The far southeast-southwest
15 element emphasized that it should be a
16 guarantee that any development at Barry Farms
17 continues the low to moderate-density
18 character of the site. The PUD submission
19 nearly admits that the requested R-5-B is not
20 consistent with moderate density. The best
21 they can do is to suggest that the future land
22 use map could be amended with regard to Barry

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1 Farms.

2 The Applicants not only want a map
3 amendment consistent with medium-density
4 residential, but they also want to exceed the
5 applicable density limits. All of the
6 proposed C-2-A parcels would exceed lot
7 occupancy and FAR allowances and 8 of the 10
8 parcels proposed to be zoned R-5-B would exceed
9 lot occupancy limits. The Applicant has
10 mentioned that they will be seeking exemptions
11 for side and rear yard and court requirements,
12 but they are not providing the details now. It
13 should be clear to the Zoning Commission that
14 the Applicant is trading open space for denser
15 living conditions.

16 The missing details in the PUD
17 submission are included in the Small Area Plan,
18 which begs the question why aren't they
19 represented in the PUD application? The PUD
20 process should not be used to avoid specificity
21 and an opportunity for the Barry Farms
22 community to seek accountability. Thank you.

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1 VICE-CHAIR COHEN: Do we have your
2 testimony?

3 MS. MacWOOD: No, you don't.

4 CHAIRMAN HOOD: Okay. We have two
5 things from you, and then I have -- okay. We'll
6 let you finish.

7 MS. BELT: Oh, I'm all done with my
8 part. I don't know if anybody has any
9 questions or anything.

10 CHAIRMAN HOOD: Okay. Thank you.
11 Let's see if we have any testimony -- I mean,
12 I'm sorry, I'm looking at Mr. -- my man down
13 here. Let's see if we have any questions of the
14 party.

15 I'm actually going to go to him,
16 because I understand he's a senior and I want
17 to hear from him tonight. I don't want him to
18 have to come back July 10th. So we're going to
19 hear from him tonight. Okay. Because I just
20 hope to live to be that long.

21 Okay. Mr. May?

22 COMMISSIONER MAY: Yes, I have a

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1 question for Mr. Merrifield. You testified at
2 one point about the affordability and I think
3 it was in a low-income tax credit project.

4 MR. MERRIFIELD: Yes.

5 COMMISSIONER MAY: Twelve-hundred
6 dollars a month for an income of \$42,000 a year?

7 MR. MERRIFIELD: Yes.

8 COMMISSIONER MAY: Is that what --

9 MR. MERRIFIELD: Yes, the
10 low-income tax credits standards are DHCD's Web
11 site. I don't have it in front of me, but --

12 COMMISSIONER MAY: Right.

13 MR. MERRIFIELD: -- for a person
14 making around -- I believe it's \$43,000 a year,
15 they could be charged under the rent ceilings
16 1,200 bucks.

17 COMMISSIONER MAY: Right. And I
18 mean, that seems to be in the vicinity of 35
19 percent, 30-35 percent, right?

20 MR. MERRIFIELD: That's true, yes.

21 COMMISSIONER MAY: Isn't that the
22 norm?

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1 MR. MERRIFIELD: Well, the norm
2 would be 30 percent. And when --

3 COMMISSIONER MAY: I mean how
4 many --

5 MR. MERRIFIELD: -- we're
6 dealing -- I understand your point, but when
7 we're dealing with individuals with extremely
8 low incomes, that extra little bit is between
9 keeping your public housing and losing your
10 public housing --

11 COMMISSIONER MAY: Right.

12 MR. MERRIFIELD: -- and being in
13 the shelter.

14 COMMISSIONER MAY: Yes, but I mean,
15 what struck me is that you depicted this
16 situation as outrageous and it seems like it's
17 not that far out.

18 MR. MERRIFIELD: Yes.

19 COMMISSIONER MAY: I mean, 30
20 versus -- I mean, I don't know what the number --
21 I guessed 35 just doing the numbers in my head.

22 MR. MERRIFIELD: And I'm not a math

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1 major, which is why I'm an attorney, but so I
2 can't do the -- I haven't done numbers in my head
3 either. But like I said, assuming -- let's
4 assume it is 35 percent. Like I said, that
5 little bit makes a ton of difference when you're
6 dealing with low to even moderate- income
7 individuals. And if you miss that payment,
8 especially -- say that we're in a situation
9 where you move people out of Barry Farms on a
10 voucher, then you bring them back into Barry
11 Farms and you bring them back on a low-income
12 tax -- in the low-income tax credit property.
13 And people, if they're evicted from that
14 low-income tax credit property because they
15 can't pay the extra 5 percent, that 30 versus
16 35, I mean, they're out on the street. They're
17 done.

18 COMMISSIONER MAY: Right. I
19 understand how serious it can be if the rent
20 payment can't be made. All right. Thanks.
21 That was the only thing I needed clarification
22 on.

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1 CHAIRMAN HOOD: Okay. Vice-Chair
2 Cohen?

3 VICE-CHAIR COHEN: Thank you, Mr.
4 Chairman. Again, Mr. Merrifield, this is a
5 very good paper and I hope you'll share it with
6 all of the Council people to remind them -- you
7 don't have to answer. I'm just sort of sharing
8 a thought --

9 MR. MERRIFIELD: Sure.

10 VICE-CHAIR COHEN: -- to remind
11 them of the need for affordable housing. I can
12 agree with you.

13 However, I do disagree with some of
14 the things that you implied. And Northwest One
15 was terrible complicated, and I'm sure you're
16 aware of this, by the co-op. And the co-op
17 played a major role and they were very -- the
18 residents turned it down. So I think you need
19 to be a little bit more thorough in your
20 analysis, if you haven't done that already.

21 Lastly, I want to suggest to you,
22 because you are an expert in affordable

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1 housing -- what would you do? What would you
2 advise the Housing Authority if they came to you
3 regarding Barry Farm and making sure that it can
4 be upgraded?

5 MR. MERRIFIELD: I think that we
6 need to invest local money in our public housing
7 stock. So right now we depend on the Federal
8 Government for our public housing stock. I
9 think we need to start investing locally money
10 into our public housing stock so it doesn't turn
11 into a situation where it becomes dilapidated
12 and that's a justification for tearing it down.
13 That's first.

14 Secondly, in a place where there's
15 70,000 people on the wait list, like I
16 referenced earlier, the proposed redevelopment
17 of the public housing sites is -- I think Ms.
18 Todman has testified it will cost \$1.3 billion
19 to redevelop the public housing sites that
20 they're proposing to redevelop.

21 So the city has gutted rent control
22 through voluntary agreements and hardship

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1 petitions. TOPA does not work properly
2 because of these hardship petitions that have
3 gutted affordability. We have no local
4 vouchers available. And in that context we're
5 proposing -- our big affordable housing plan in
6 D.C. is to spend \$1.3 billion to redevelop
7 public housing. We cannot at the end of that
8 end up with less affordable units than we
9 started with when we have 70,000 people on the
10 wait list. That is my chief concern with this
11 program, that we're going to end up with less
12 deeply affordable units than we started with
13 after we've spent \$1.3 billion redeveloping.

14 VICE-CHAIR COHEN: Which we
15 haven't got, but that's why I think this
16 letter -- I think what you're saying is this
17 letter does need to go to the City Council,
18 because --

19 (Simultaneous speaking)

20 MR. MERRIFIELD: -- be down there.
21 I've been down there. They know this.
22 They've heard this from me.

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1 VICE-CHAIR COHEN: I'd like to ask
2 the architect, whose name I already forgot, I'm
3 sorry, but how much would it cost to retrofit
4 the units that you visited?

5 MR. FUENTES: I don't have those
6 figures offhand.

7 VICE-CHAIR COHEN: Sometimes they
8 are so beyond retrofitting they're obsolete.
9 They don't have air-conditioning, they don't
10 have modern anything. So I would suggest to
11 you that retrofit is not a reliable option on
12 the table.

13 And then I want to ask both of you,
14 because again everybody's an expert, would you
15 live in Barry Farm the way it is today?

16 MR. FUENTES: Today? No. I mean,
17 it's just -- there's a meeting associated with
18 that. Just the conditions that -- the
19 conditions are extreme. And like I mentioned
20 at -- the vacant units, the level -- the health
21 concerns. There's a lot of work that needs to
22 be done. And it can be done if there's a focus

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1 and there's consideration that this exists and
2 that there's something that needs to be done.

3 Now as I stated before, this has
4 been so many years of neglect that now we're at
5 this state. In 10 years with focused efforts
6 to make it work, yes, definitely.

7 VICE-CHAIR COHEN: I think you need
8 to talk to the Housing Authority as well.

9 CHAIRMAN HOOD: Any other
10 questions? Mr. Turnbull?

11 COMMISSIONER TURNBULL: Yes, I
12 know, speak up. Mr. Fuentes, did you do any
13 structural analysis of the buildings?

14 MR. FUENTES: No, I did not. It
15 was a --

16 COMMISSIONER TURNBULL: Did you do
17 any testing at all of the buildings? Testing.
18 Did you go up in the crawl -- were you in the
19 crawl space? Did you walk around the crawl
20 space?

21 MR. FUENTES: No, I did not.

22 COMMISSIONER TURNBULL: Did you go

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1 up in the attic spaces?

2 MR. FUENTES: No, I did not.

3 COMMISSIONER TURNBULL: Did you
4 check any of the framing at all?

5 MR. FUENTES: No, I did not.

6 COMMISSIONER TURNBULL: Did you
7 look in any of the cavities? Did you check the
8 insulation?

9 MR. FUENTES: We looked at the
10 insulation and poked at it, but no formal
11 testing.

12 COMMISSIONER TURNBULL: Did you do
13 any air sampling in the area?

14 MR. FUENTES: No, I did not.

15 COMMISSIONER TURNBULL: So you
16 don't know about the water infiltration? Is
17 there lead paint? Is there damage? How much
18 did you really do to analyze the buildings to
19 know their shape?

20 MR. FUENTES: As a group we walked
21 through and --

22 COMMISSIONER TURNBULL: You walked

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1 through?

2 MR. FUENTES: -- assessed the
3 situation in terms of looking at what --

4 (Simultaneous speaking)

5 COMMISSIONER TURNBULL: Did you
6 look at the plumbing? Did you look at the
7 electrical? Did you go inside the boxes and
8 see how bad they are?

9 MR. FUENTES: Yes.

10 COMMISSIONER TURNBULL: You did?

11 MR. FUENTES: Yes. In terms of
12 plumbing and electrical we did look, and it's
13 in bad shape. Some of the electrical, it's
14 old. Plumbing, a lot of the water damage
15 is --

16 (Simultaneous speaking)

17 COMMISSIONER TURNBULL: Did you
18 check for mold and fungus in the walls, in the
19 attic, the crawl space?

20 MR. FUENTES: Yes, I mentioned that
21 in my testimony.

22 COMMISSIONER TURNBULL: Okay.

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1 MR. MERRIFIELD: And also I
2 would -- I believe there was a point --

3 (Simultaneous speaking)

4 CHAIRMAN HOOD: You know what? My
5 limits have just about been reached. We need
6 to be considerate of those who are talking so
7 we can understand exactly what's being said and
8 what's not being said. So I hear a whole lot
9 of chatter and a whole lot of talking going on.
10 So I'm going to ask you to be respectful of this,
11 or we're going to do like we've done in the past,
12 we're going to ask you -- there's not a game or
13 nothing on tonight -- we're going to ask you to
14 leave us. So we want to make sure that everyone
15 here, we're all on the same page, we're getting
16 the same information. So it would behoove all
17 of us to pay attention to any exchange that's
18 being had. So excuse me, Mr. Turnbull.

19 COMMISSIONER TURNBULL: No, that's
20 all right, Mr. Chair. I just would get back to
21 the Vice-Chair's comment and to look at
22 rehabilitation. And we all get sentimental

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1 and we all want to do the best we can, but I think
2 you really have to look at -- you know, one of
3 the things we all need to look at is the
4 practicality of it and what's best for the
5 residents, of what kind of a building are we
6 going to get when we're done and can you totally
7 get this building back in a condition that is
8 liveable, better than getting a new unit?

9 And so I think you can come before
10 us and say, yes, we can do it. I don't think
11 you've done your job. I'm sorry. You need to
12 be able to go through one of these buildings,
13 carefully analyze it, look at it, look at the
14 conditions and then come and say here's what it
15 is and here's what I think you can do. And I
16 really -- I don't hear that right now. And I
17 understand what you're -- there's a very
18 sentimental aspect to some of these buildings,
19 but I think the other is the existing conditions
20 and how bad they really are. And I think that's
21 the kind of information we would -- or if you're
22 going to convince us, you got to come back and

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1 tell us something very positive that can be
2 done, and I haven't heard that yet.

3 MR. FUENTES: And then I would say
4 that as an architect typically the services of
5 the extent that you're mentioning doesn't get
6 performed by an architect. There is an
7 assessment --

8 COMMISSIONER TURNBULL: I'm sorry,
9 I'm an architect. I can into a building and I
10 can do that. Okay? Of course I've got a lot
11 more experience than you have at this,
12 but --

13 MR. MERRIFIELD: Right.

14 COMMISSIONER TURNBULL: -- I can do
15 that. I can go in and look at these buildings
16 and I can tell you what's going to happen.

17 MR. MERRIFIELD: You would hire
18 someone to do an air sample and --

19 COMMISSIONER TURNBULL: Oh, yes, I
20 would hire someone to do that.

21 MR. MERRIFIELD: Right.

22 COMMISSIONER TURNBULL: But that's

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1 how I would analyze a building.

2 MR. MERRIFIELD: Right.

3 COMMISSIONER TURNBULL: I'd put
4 together a team and go in and do it.

5 MR. MERRIFIELD: I understand. So
6 I believe --

7 (Simultaneous speaking)

8 COMMISSIONER TURNBULL: Not just a
9 cursory walk-through and looking at it with a
10 team of guys going around saying, yes, that
11 looks bad, that looks bad, but I think we can
12 fix it. You got to get into the guts. You got
13 to get into the areas. You got to open the
14 patient up to see what's really wrong inside
15 with it.

16 MR. FUENTES: Yes.

17 COMMISSIONER TURNBULL: That's
18 what you really got to do. And I think that's
19 what the Housing Authority is telling us.
20 They've opened up the patient in a lot of areas,
21 they see a lot of problems. Anyways, thank
22 you.

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1 MR. FUENTES: Yes.

2 CHAIRMAN HOOD: Any other
3 questions? Commissioner Miller?

4 COMMISSIONER MILLER: Thank you,
5 Mr. Chairman. I'm not sure if I have any
6 questions, but just similar comments that I
7 made when the ANC was before us. We're looking
8 for certainly a lot of the specifics that you
9 are looking for to be part of this PUD
10 application. I think we got some from the
11 Applicant on Monday night when they testified.
12 They promised to provide more written
13 information, which we all will benefit from
14 receiving.

15 So I think those specifics are
16 definitely necessary and they will definitely
17 be part of any zoning order, if we ever get to
18 that point, in terms of quantifying exactly the
19 replacement units that are all at 30 percent or
20 below, then how much affordable units there are
21 above that amount and the mix of units and size
22 of units and the types of structures that you

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1 testified to, Ms. MacWood. So those are all --
2 and I appreciate you reiterating those
3 specifics, because I think they are important,
4 and they will be part of any zoning order, as
5 I said, if we get to that point.

6 Ms. MacWood, you're going to
7 provide us a copy of what you actually were
8 reading from, and I saw a lot of what you were
9 saying in the two documents that you did
10 provide, but if you do provide a copy, that
11 would be helpful. I think your side-by-side
12 chart of what's in the Small Area Plan versus
13 what's in or what's not in the PUD application
14 is helpful, and that will be important for us
15 to fill those details in.

16 You said you were -- just one
17 question, I guess. This is my only question.
18 You said you were testifying on behalf of
19 yourself. The two documents we have do have
20 the Committee of 100 letterhead. Are you
21 testifying on behalf of the Committee of 100 or
22 by --

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1 (Simultaneous speaking)

2 MS. MacWOOD: No. No. No, I was
3 testifying on behalf of myself. I was asked to
4 testify with regard to the Small Area Plan and
5 the map amendment, and I'm only doing that on
6 my own behalf.

7 COMMISSIONER MILLER: Okay.

8 MS. MacWOOD: But there's some
9 overlap in the comments that were submitted
10 from the Committee of 100, but I'll pull
11 together what I testified to tonight so that you
12 have a separate document.

13 COMMISSIONER MILLER: Okay.
14 Thank you. That would be very helpful. Thank
15 you all very much.

16 CHAIRMAN HOOD: Any other
17 questions?

18 MS. BELT: Mr. Hood, can she read
19 and then she's done?

20 MS. PONDEXTER-MOORE: We was
21 confused. I didn't know -- we didn't know --

22 CHAIRMAN HOOD: Make sure you're on

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1 the microphone.

2 MS. PONDEXTER-MOORE: Okay. We
3 were confused. I didn't know when I was
4 supposed to read or whatever, and she, Detrice
5 wanted me to read in the presentation and I
6 didn't know. Is it too late to read it now?

7 CHAIRMAN HOOD: What were you going
8 to read? Your testimony? You have testimony?

9 MS. PONDEXTER-MOORE: Well, it --
10 because I was on the packet from Empower DC that
11 you all have. And so I was confused.

12 CHAIRMAN HOOD: Was she part of
13 your presentation?

14 MS. PONDEXTER-MOORE: Yes, we got
15 confused for a second.

16 MS. BELT: Yes.

17 CHAIRMAN HOOD: Okay. Well, why
18 don't we do this.

19 MS. PONDEXTER-MOORE: It's not
20 very long.

21 MS. BELT: IT's very short.

22 MS. PONDEXTER-MOORE: It's not

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1 very long.

2 CHAIRMAN HOOD: Because I was going
3 to ask my questions, but I'll yield to you.

4 MS. BELT: Okay.

5 MS. PONDEXTER-MOORE: It's not
6 very long at all.

7 CHAIRMAN HOOD: Do we have that?
8 Do we have it?

9 MS. PONDEXTER-MOORE: Oh, no.

10 CHAIRMAN HOOD: Okay. Why don't
11 you read it and then provide it?

12 MS. PONDEXTER-MOORE: Okay.

13 CHAIRMAN HOOD: We'd like to have
14 it in advance.

15 MS. PONDEXTER-MOORE: It's going
16 to be fast, I promise.

17 So good evening, everyone, and good
18 evening, Commissioners. My name is Schyla
19 Pondexter-Moore. I am a resident of public
20 housing in Ward 8 and the organizer for the
21 public housing campaign at Empower DC. I am
22 here to testify in opposition of the PUD

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1 proposed by the Applicants. I have read the
2 Master Plans and the PUD front to back.
3 Nowhere in the PUD does the Applicant address
4 the affordability of the new units at Barry
5 Farms in detail.

6 A project of this magnitude
7 affecting so many people, families, residents
8 of Barry Farms, the surrounding community and
9 people and families on the waiting list for
10 affordable housing should have a detailed plan
11 on unit affordability, criteria and
12 eligibility for the affordable units, the exact
13 number of truly affordable units on site,
14 relocation plans and measures to prevent
15 displacement from the property.

16 The current PUD makes vague
17 promises regarding these issues. Simply
18 stating we are replacing all of the public
19 housing units in regards to affordability is
20 insufficient. To keep bringing up the very
21 small amount of units at Matthews Memorial and
22 Sheridan Station is insufficient in regards to

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1 relocation. To simply state we can explore or
2 that could be an option in regards to
3 redeveloping while residents stay in place is
4 insufficient.

5 We should not have to be here and
6 read 10 years from now how people from Barry
7 Farms were displaced and promised units were
8 not produced, just like Cappers, Temple Courts,
9 Park Morton, Lincoln Heights, and all of the
10 Hope VI projects in D.C. We cannot stress enough
11 that these are people's lives we are dealing
12 with.

13 This can be avoided by rejecting
14 this PUD until there is a detailed plan
15 addressing these issues. Again, the only
16 reference in the PUD to affordability is all
17 public housing units will be replaced and the
18 catch phrase one-for-one replacement. These
19 phrases used by DCHA and developers time and
20 time again are played out and have never been
21 fulfilled. It would be highly irresponsible
22 to allow the Applicants to get over once again

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1 with these promises with no legally binding
2 language detailing the promise.

3 Who would be against that? Who
4 would challenge that living in a city
5 struggling with a homeless crisis and
6 affordable housing crisis mainly due to these
7 very promises I just talking about never being
8 fulfilled? As a resident of Barry Farms has
9 said, Barry Farms is the line in the sand.
10 Enough is enough.

11
12 Commissioners, I would like to
13 focus on a very important piece in all of these
14 plans that the Applicants steer away from
15 because they know it is wrong. I would like to
16 bring attention to the added criteria attached
17 to the replacement affordable units.

18 The requirements to move into traditional
19 public housing are unique to the fact that there
20 is no other housing program like it. We don't
21 have to go through credit checks or other
22 various and criteria. One simply must be in

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1 need of housing, be low-income, provide all
2 required documentation, pay \$100 security
3 deposit and get a local police clearance for
4 anybody 18 and up. Traditional
5 public housing provides housing to people who
6 cannot qualify for any other type of housing,
7 yet public housing like Barry Farms is being
8 demolished in the name of redevelopment and
9 replaced with units that have added criteria.
10 Why is a unit with no credit check replaced with
11 a unit with an extensive credit check? Are you
12 aware that the replacement units at the much
13 talked about Sheridan Station have a whole
14 different set of eligibility and criteria than
15 traditional public housing?

16 Are you aware that the reentry
17 criteria for the new units proposed in Barry
18 Farms will have added criteria attached to
19 them, as do other mixed-income developments?
20 This is why Applicants always say we have these
21 replacement units for any residents wishing to
22 return, or the units at Matthews at Sheridan are

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1 available for any Barry Farms interested in
2 going. No guarantee.

3 So what happens to the residents
4 that are not eligible under the different
5 criteria? The Housing Authority will point to
6 case workers like Far Southeast that they say
7 are working with residents to clean up their
8 credit and take family self-sufficiency
9 classes to qualify for the new units. This
10 weeds out a lot of families. Why are families
11 being weeded out? Housing is a human right.

12 If the city is allowing affordable
13 units with low barrier as traditional public
14 housing to be eliminated and replaced with
15 units that many will not qualify for, where does
16 that leave families whose only option for
17 housing they can qualify for is public housing?
18 Where does this leave this large group of people
19 currently living in Barry Farms displaced to
20 other public housing properties that will soon
21 come up for demolition? This is precisely why
22 you have families that have been displaced time

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1 and time again.

2 Where does this leave families
3 living in shelters, sleeping on floors, living
4 in cars, living with abusive people, living in
5 housing they cannot afford that are waiting for
6 housing? Where does this leave people on the
7 waiting list for housing? Where does that
8 leave them? Homeless. You do the math. This
9 is why homelessness has gotten to the
10 catastrophic number it has in D.C. because you
11 keep allowing this to happen over and over and
12 over again.

13 Commissioners, I ask you again to
14 reject the proposed PUD until there is detailed
15 legally-binding language that clearly states
16 in detail, one, to redevelop in place. Any
17 resident wishing to stay in Barry Farms during
18 the redevelopment be allowed to stay and
19 construction is done in phases. Allow
20 residents to move around on the property to
21 limit displacement. Barry Farms has strong
22 community and family ties that should not be

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1 ignored.

2 Complete the public housing units
3 first with no added criteria. The same rights
4 and criteria as traditional public housing
5 should remain the same for the new units on
6 site. If the Applicants say this is
7 impossible, I urge you to ask them why. Just
8 like Detrice said, there was a brand new
9 recreation center constructed from the ground
10 up on site while the old recreation center was
11 demolished on site.

12 Again, no new reentry criteria.
13 The same qualifications to move into
14 traditional public housing should remain the
15 same for the 434 units of public housing
16 replaced on site. Why does this reentry
17 criteria even exist?

18 Replace the same bedroom sizes. We
19 cannot afford to lose any four and six-bedroom
20 units contrary to what the Applicants say.
21 There are plenty of big families on the waiting
22 list for housing. And if a resident wishes to

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1 leave their unit -- if a resident wishes to
2 leave the property, their unit should remain
3 for another family in need of housing on the
4 waiting list.

5 And lastly, retail and businesses.
6 The Applicants have proposed retail and other
7 commercial businesses for the new
8 redevelopment. Residents of Barry Farms
9 should have priority to own, manage and operate
10 these businesses. There are many, many
11 budding entrepreneurs in Barry Farms that
12 aspire to be small business owners.

13 That's the end of my testimony, but
14 I just wanted to say in you saying that the units
15 are so deteriorated that they can't be
16 replaced, I just want to point to all of these
17 old buildings in D.C. that's been around since
18 the '40s and '50s that were renovated without
19 demolishing them like the Howard Theater,
20 like -- and what another resident said, Eastern
21 Market was basically burned to a crisp and they
22 redid that. And the O Street Market was burned

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1 to a crisp and they redid that. Nothing had to
2 be demolished. People live around it. So to
3 keep saying they're so old they got to be torn
4 down, it's plenty of old buildings in D.C. that
5 have been renovated without having to demolish
6 them. So I'm sick of hearing that excuse.

7 And lastly, I would like say that
8 just the approval of this PUD will further
9 gentrification, displacement, all the stuff
10 we've been reading about. We can't act like it
11 doesn't exist. We can't just look up in the sky
12 and say -- books written about it, articles
13 written about it, news stories. We all know
14 what's happening. And if you approve this PUD
15 the way it is, you're going to further it and
16 it's going to be happening on your watch.
17 These are people's lives at stake. So
18 regardless of what you think about Barry Farms,
19 the units are not that bad.

20 They just be renovated the rental
21 office over there. They had three people --
22 three families or four families living in those

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1 units. They kicked them out, put them in
2 Southwest, wherever, and they redeveloped
3 that -- renovated that rental office to look
4 brand new. And I ask residents does it look
5 nice in there? They say yes. I said would you
6 want to live in there? They say yes. I said
7 take a picture so I can see it. And they took
8 a picture and I'm like it looks like it's brand
9 new. So if you can do that for those four units
10 right there, why can't you do it for the rest
11 of the property?

12 Now I know that you're saying that
13 the redevelopment has to happen, it has to go
14 down, or whatever, but I'm just saying that you
15 can do repairs over demolition. You can do
16 that. It can happen. But if the
17 redevelopment has to go through, you have to be
18 responsible enough to say it cannot be
19 approved, this PUD, the way it is and not wait
20 for the second stage PUD to see, oh, we'll see,
21 because oh, we'll see means that we'll never
22 see. And then we'll be right here 10 years

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1 later read in the paper, oh, Barry Farms
2 residents were displaced and no units were put
3 back. Oh, woe is me. Oh, that's so terrible.
4 And half the people in Barry Farms is going to
5 be out in Maryland, Baltimore, or whatever, or
6 even dead, homeless in the street. Who knows
7 what's going to happen to them?

8 So I ask you please to not approve
9 the PUD the way it is because it's not right.
10 Thank you.

11 (Applause)

12 CHAIRMAN HOOD: Ms. Belt, again,
13 I'm going to encourage you to look at the
14 hearing on Monday. I would encourage you to do
15 that, especially when we asked our questions.
16 And I'm not trying to prove anything. I want
17 you to come up to speed and look at that.

18 Let me ask you this: Since you're
19 the spokesperson, give me your top five issues.
20 Now, you don't have to give me relocation.
21 That's already an issue. I understand that.
22 That was an issue -- that was Monday. That's

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1 my issue. But I want your top -- I'll tell you
2 what, give me your four, because -- is
3 relocation one of your issues?

4 MS. BELT: Yes, of course
5 relocation is one of my issues.

6 CHAIRMAN HOOD: Well, give me your
7 other four. I got that one.

8 (Simultaneous speaking)

9 MS. BELT: -- will be, you know, I
10 have -- my mother lives in the community. We
11 lived there for 18 years. I lived in her house.
12 And now that I have my own house with my
13 daughter, who's six years old, she has friends
14 there, she goes to the school there. I worry
15 about the school system.

16 CHAIRMAN HOOD: So are you still in
17 Barry Farms?

18 MS. BELT: Yes, I'm still in Barry
19 Farms. I live there. My own unit.

20 CHAIRMAN HOOD: So your mother
21 lives there, too?

22 MS. BELT: My mother lives right

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1 across the street from me. And we have 18
2 years. Family's there. I'm worried about --

3 CHAIRMAN HOOD: So what are your
4 issues?

5 MS. BELT: -- losing the families.
6 My community. That's my one issue. That's
7 one of the issues. The community. The
8 location. I work. I travel to work in
9 Virginia. The accessibility of where I live.

10 CHAIRMAN HOOD: So where you live
11 now, being able to get to work is easy?

12 MS. BELT: Yes.

13 CHAIRMAN HOOD: Okay.

14 MS. BELT: Yes.

15 CHAIRMAN HOOD: Accessibility.

16 MS. BELT: Yes, I go against the
17 traffic, so it's good for me. But, and -- so
18 that's like three.

19 CHAIRMAN HOOD: But I mean as the
20 spokesperson for the neighbors and this panel,
21 what are some of the general things, because
22 these are some of the things I'm going to ask

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1 and push the Applicant. So I want -- I
2 understand accessibility. I understand --

3 MS. BELT: It's true affordable.

4 CHAIRMAN HOOD: -- keeping the
5 family together.

6 MS. BELT: It's true affordable.
7 It's the only true affordable housing for
8 low-income. I only work part-time, so I meet
9 the requirements as -- and I barely like can pay
10 my rent. So it's the only true -- I can't
11 afford market rate rent, the AMI, or --

12 CHAIRMAN HOOD: So what did you
13 say? You said true affordability?

14 MS. BELT: Yes, true
15 affordability.

16 CHAIRMAN HOOD: Okay. You got one
17 more. How many more? What else do you have
18 for me?

19 MS. BELT: My credit history. My
20 credit is jacked up. I'm worried about my
21 credit and having to meet all these criteria if
22 I was to go to another property or get back into

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1 Barry Farms once it's redeveloped.

2 CHAIRMAN HOOD: Anything else?

3 MS. BELT: No, that's it.

4 CHAIRMAN HOOD: Okay. And I want
5 to thank you for saying -- a lot of people won't
6 say that, and I appreciate the sincerity of
7 that, because that means a lot. And these are
8 some issues that I wrote down, and I appreciate
9 it.

10 Now relocation, again, for me --
11 and I know it was mentioned tonight, but I
12 helped an organization, too, and we ended up on
13 the short end of the stick.

14 And, Mr. Green, I've asked for some
15 things that I've asked to be submitted. While
16 people don't think we take this seriously, I
17 would not have been here 17 years if I didn't
18 take this stuff seriously. Okay?

19 All right. Any other questions?
20 Okay. Commissioner Cohen?

21 VICE-CHAIR COHEN: I just want to
22 ask you, has anybody approached you about

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1 information regarding -- well, you have a job,
2 but your credit report or help you in some of
3 the questions and issues you have from the
4 Housing Authority? Has anybody approached you
5 or your family maybe for job readiness? Are
6 you aware of that happening in the community?

7 MS. BELT: Not directly to me, but
8 it is with the Far Southeast, the
9 collaborative.

10 VICE-CHAIR COHEN: Yes.

11 MS. BELT: They do have like
12 different classes. And like they have -- I've
13 been to it. It's kind of like it's a -- I don't
14 know, the way they talk and -- it's just -- it
15 just rubs you the wrong way about some of the
16 things, the way they go about their classes and
17 programs that they have in our community. So
18 I mean, I've been to them. And then I kind of
19 like -- it's just like they don't care. I don't
20 really think that that collaborative is really
21 helping the people.

22 VICE-CHAIR COHEN: Maybe you need

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1 to encourage people to go one-on-one.
2 Sometimes that may be helpful. I mean, it's
3 something that is offered and you did
4 acknowledge that you're --

5 MS. BELT: Yes, I know about.

6 VICE-CHAIR COHEN: -- having
7 problems with your credit, and that's something
8 that you get straightened out. We've all been
9 there.

10 MS. BELT: Yes, I know how to get my
11 credit straightened out, but I just worry about
12 a lot of people who may not know on the property.
13 And even if they have the services there, but
14 it's not all good what they say, like the Far
15 Southeast how they run their business or
16 whatever in the community.

17 VICE-CHAIR COHEN: I hope the
18 Applicant's paying attention to that.

19 CHAIRMAN HOOD: Okay. Any other
20 questions, comments?

21 (No audible response)

22 CHAIRMAN HOOD: Does the Applicant

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1 have any cross-examination of this party?

2 MR. FREEMAN: No.

3 CHAIRMAN HOOD: Okay. Oh, I'm
4 sorry. Ms. Cuthbert, do you have any
5 cross-examination?

6 MS. CUTHBERT: No. No. No.

7 CHAIRMAN HOOD: Okay. All right.
8 Thank you. Let's go to the organizations and
9 persons in support.

10 Thank you, all. We appreciate your
11 testimony.

12 (Applause)

13 CHAIRMAN HOOD: All right. I'm
14 going to ask, Mr. Sanker, if you can give us
15 your -- you want to do it right there?

16 MR. SANKER: (No audible response)

17 CHAIRMAN HOOD: Okay. Let me
18 call -- okay. Mr. Sanker's going to be first.
19 These are organizations and persons in support.
20 Darlene Lee? No, she's with the government.

21 MR. FREEMAN: Just a quick
22 question, Mr. Chair.

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1 CHAIRMAN HOOD: Sure.

2 MR. FREEMAN: We also have some
3 seniors and elderly, so to the extent that we're
4 taking folks --

5 CHAIRMAN HOOD: Are they in
6 support?

7 MR. FREEMAN: Yes.

8 CHAIRMAN HOOD: I'm going by the
9 witness list.

10 MR. FREEMAN: Okay.

11 CHAIRMAN HOOD: Let me just say
12 this: I'm going to try to finish everybody
13 tonight. That's the goal. Okay? Because I
14 know the seniors don't want to have to come
15 back. So that's the goal. So, if everybody
16 works with us, we'll do an assessment in 15
17 minutes or so. But if everybody works -- where
18 are your seniors?

19 MR. FREEMAN: If you're calling our
20 supports, they can come up.

21 CHAIRMAN HOOD: Okay. Is their
22 name on the list?

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1 MR. FREEMAN: I don't know.

2 CHAIRMAN HOOD: Okay. Well, let
3 me go through the list, because this list looks
4 relatively short for support. Linda Miller?

5 MS. MILLER: Yes.

6 CHAIRMAN HOOD: Okay. Sharon,
7 help me with this so we can get through this.
8 James Coates, Absalom Jordan, India Kerrick,
9 Rodney Bunn, Jacquinette Bostick, Derrick
10 Colbert. Is Derrick Colbert coming back?
11 Well, was he with your team?

12 (No audible response)

13 CHAIRMAN HOOD: Okay. Okay.
14 Sidney Silverman.

15 MS. SCHELLIN: Sandy.

16 CHAIRMAN HOOD: Oh, Sandy? Sandy?
17 That's you?

18 MS. SILVERMAN: (No audible
19 response)

20 CHAIRMAN HOOD: Are you in support
21 of opposition?

22 PARTICIPANT: With the Applicant.

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1 CHAIRMAN HOOD: I just asked was he
2 in opposition. I just asked the question.
3 Okay. Christine --

4 MR. CALLERI: Christian Calleri.

5 CHAIRMAN HOOD: Okay.

6 MR. CALLERI: I'm with the
7 Applicant also.

8 CHAIRMAN HOOD: Okay. You're with
9 the Applicant, too? Okay.

10 Okay. This is moving even faster.
11 R. Dennis Everson? No, that's DHCA. Okay.
12 Ms. Savage. She left? Okay. Jonathan
13 Schafler? You're on the line?

14 MR. SCHAFLER: And I just had a
15 statement rather than --

16 CHAIRMAN HOOD: Okay.

17 MR. SCHAFLER: -- support either
18 way.

19 CHAIRMAN HOOD: So you're on the
20 line? Okay. Let's try to get to the seniors.
21 Okay. So you're on the line, so we'll get you
22 with the next group. Okay?

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1 MR. SCHAFLEER: It's a neutral
2 statement.

3 CHAIRMAN HOOD: Okay. A neutral
4 statement?

5 All right. So that's all the
6 people who are here in support.

7 MS. SCHELLIN: Did we get James
8 Coates?

9 CHAIRMAN HOOD: Yes, call James
10 Coates.

11 REV. COATES: I'm here.

12 CHAIRMAN HOOD: Yes, Mr. Coates is
13 already --

14 REV. COATES: I'm present, yes.

15 CHAIRMAN HOOD: Okay. Let's start
16 to my right and let's go ahead and -- oh, I'm
17 sorry. Let's start to my left. And make
18 sure -- Mr. Sanker? Mr. Sanker? I want you to
19 speak into the mic so we can hear you.

20 (Laughter)

21 MR. SANKER: Thank you, sir.

22 CHAIRMAN HOOD: Okay.

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1 (Applause)

2 VICE-CHAIR COHEN: You got three
3 minutes. And just say your name first.

4 MR. SANKER: I'm Asbury Sanker,
5 Jr., living at Barry Farms. I moved into Barry
6 Farms in 1959 and I raised three daughters and
7 a son there. I sent them to college. I was
8 working for Bureau of Census in Suitland. And
9 a situation came up that I -- I left because
10 people -- you know, they was lying on me, so I
11 was fighting to keep from going to jail, which
12 I didn't, because I was right. But the point
13 is I'm saying that I worked there like 12 years
14 straight and I lived with five babies: 13, 11,
15 10, 6 and 5. And I was 44 years old.

16 So the point is -- that I'm saying
17 is it's easy to say no to people that's thrown
18 into a bad situation. It's easy to know when
19 you're doing good, but if you're doing bad, you
20 wouldn't put people down, because if you was
21 confronted that some money had been
22 appropriated through the Mayor=s office, that

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1 they going to put money to build a new
2 initiative, a new community.

3 MS. SCHELLIN: One second. Wait
4 one second.

5 MR. SANKER: And we on for over nine
6 years.

7 MS. SCHELLIN: I want you to scoot
8 back. You're going to fall. I want you to
9 scoot back further in the chair. Let's scoot
10 you out.

11 MR. SANKER: Over nine years B

12 MS. SCHELLIN: There you go.

13 MR. SANKER: -- we have been
14 waiting for the new initiate, new community.
15 And every time they kept on -- they're always
16 us on. So finally they said they didn't have
17 enough money in the kitty to do it. So then
18 they said they were going to buy land and move
19 us out. And people come back, move back in
20 there. They're going to let the senior citizen
21 go first.

22 My point is they lying, lying,

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1 lying. But I don't know why. But the point is
2 it's easy for people to say no. But like now,
3 so I don't get no full retirement check from the
4 Federal Government. I only get paid for 12
5 years and a little bit money they give me a
6 raise. I left Social Security early at 62, so
7 I don't get a full check on that. But I would
8 have sent my kids to the college.

9 And point is that I'm a veteran of
10 the United States Army, Korean War. When I
11 came into this -- moved into Barry Farms, they
12 was saying this was the veterans, but then I
13 find out everybody and they -- all the people
14 wasn't paying their rent and stuff, so they
15 carried it down. But see, Barry Farms is a
16 monument to me, because I've been there 55
17 years, like I said, me and my family. So
18 they're lawyers, they're school teachers, an
19 engineer. They got degrees, Ph.D., Master=s,
20 all that.

21 What I'm saying to you is that it's
22 easy to say no when you are not -- but you're

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1 doing good now, but you don't know what will
2 happen to you tomorrow or a little later. Ed
3 Carroll can tell you that. And we got a
4 president that bad mouthing him, putting him
5 down and dis-respecting him. But see, what I'm
6 telling you it was a white man, a Republican who
7 they call -- you know who I'm talking about,
8 that set the -- free -- the slaves free.
9 Abraham Lincoln. He knew they was going to
10 kill him, but he's -- God told him that he got
11 to do it. And you can home and be at peace with
12 me, and joy.

13 So I'm telling all your people
14 that's got down on rebuilding Barry Farms and
15 moving us to another place until we get back on
16 our feet, yes, you give it to us, but we still
17 pay money for it. But you got to be careful
18 because say when people do me wrong.

19 See, I soldiered for this country. My
20 mama -- my brothers and sisters, my brothers and
21 uncles and cousins soldiered for this country.
22 Some of them died for this country. So I'm

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1 saying to you got to be careful because you're
2 shining today, but tomorrow you might be down
3 knocking on somebody's door for some food and
4 you might need somebody that you've turned --
5 put out of a house, saving your life, and no car,
6 and no house. You're going to be (crying).
7 God watching you. God watching you. (Crying)

8 You might think it's not a joke --
9 you might think it's not a joke what I'm saying,
10 but I got to keep on living. Whole of you going
11 to reach my age. I'm 86 next month, on the
12 16th. Still got my common sense. So you got
13 to be careful how you walk out there.

14 CHAIRMAN HOOD: All right, Mr. Sanker.

15 MR. SANKER: Ladies and gentlemen,
16 because all them people, all them educated
17 fools of them. They have no money. They went
18 to school. They got an education. They got a
19 new position. They misuse it. They abuse it.
20 They raise their hand they're going to treat all
21 people equal. When they got in there, there's
22 change.

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1 CHAIRMAN HOOD: Mr. Sanker? Mr.
2 Sanker? We're going to go to the next person.

3 MR. SANKER: All right.

4 CHAIRMAN HOOD: We may have some
5 questions for you. We will. But we want to
6 make sure first of all you sit back in the seat.
7 And we may have some questions for you, so if
8 you'd stay up here with us. Okay? We may some
9 questions for you, so you stay up here with us.
10 We may or may not, so just hang in here with us.
11 Okay?

12 Okay. We'll start with you, young
13 lady.

14 MS. MILLER: My name is Linda
15 Miller. Excuse me. I'm sorry. Good
16 evening, Zoning Board. My name is Linda Miler,
17 the former Resident Council President of Barry
18 Farms and Chair of the New Community
19 Initiative. Lived there for 32 years.
20 Outreach for the residents. We started 2000
21 for the New Community. I have been there past
22 and future of Barry Farms, so it is all we went

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1 through renovation in 1986. This is the year
2 where Barry Farms was renovated, 1986, because
3 I moved over in 1987 to another unit.

4 Also, again our houses was painted in 1999.
5 After that everything else was done by
6 maintenance. Everything was just left with
7 the maintenance, but otherwise the houses have
8 been deteriorating.

9 We have mushrooms growing up from
10 the floor. We have mildew on the walls.
11 People's ceilings falling in. Floors is
12 falling in also because the floors was never
13 fixed when they renovated the Barry Farm
14 resident's houses. They just deteriorated.
15 Also we have a lot of fires been going in Barry
16 Farms.

17 Also we have children out in the
18 street with crime and drugs because they're not
19 having safe security housing, because they see
20 people are not caring, they're not listening,
21 not hearing our voice. That's what we're
22 asking you, to hear our voice. We're not ants

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1 in a hole. We're human beings and our children
2 are the future. Thank you.

3 CHAIRMAN HOOD: Thank you. Next?
4 Mr. Coates?

5 REV. COATES: Yes, good --

6 (Simultaneous speaking)

7 CHAIRMAN HOOD: Make sure your
8 microphone is on.

9 REV. COATES: -- Mr. Chair.

10 CHAIRMAN HOOD: Is your microphone
11 on, Mr. Coates?

12 REV. COATES: No, it's not. There
13 it is. Good evening to you, Mr. Chair and to
14 members of the Commission, as well as to persons
15 representing Planning. I'm grateful for the
16 opportunity to comment on these matters that
17 are under consideration by the Commission.

18 I would like you to know that I don't
19 think that there's anyone who has a greater
20 stakeholder interest in this application than
21 James E. Coates. I arrived in Anacostia in
22 1958, and all those years I've been intensively

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1 involved in the affairs of the community, not
2 only in the internal activities of the
3 congregation of Bethlehem Baptist Church, but
4 in the larger community. I served the
5 community as its first elected City Council
6 representative representing Ward 8. I also
7 served the community prior to that on the D.C.
8 Board of Education. I was an executive
9 director at Southeast Neighborhood House,
10 which included in its social service deliveries
11 funded by the United Planning Organization
12 responsive activities in the Barry Farms
13 community.

14 And in a personal way my brother
15 married into family in Barry Farms.

16 Moving to the internal activities
17 of the congregation, there were at that time and
18 continue to be even to this very day persons who
19 are residents in Barry Farms active in the
20 congregation affairs.

21 In that respect, I offer myself as
22 an expert. I qualify myself as an expert in the

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1 area of a stakeholder.

2 I want to out of that position say
3 that over all of my experiences in those other
4 areas of public activity I've been impressed to
5 an exceptional degree by the way the D.C.
6 Housing Authority and A&R Developers have
7 handled the process. They have been
8 transparent. They have simplified the
9 presentation of their plan. They have
10 sensitively handled parties of interest,
11 sometimes, who took positions oppositional to
12 what they were planning; and they had a right
13 to, but they handled those situations with
14 sensitivity and properly documented issues,
15 promised that they would be addressed and in
16 subsequent meetings came back demonstrating
17 that they were responsive.

18 One or two examples: Where would
19 park space be? Would it be scattered around
20 the site, or would the park area be
21 concentrated? And so the A&R modified their
22 presentation so that, as you heard on Monday and

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1 tonight two-plus acres are designated. Not
2 only --

3 CHAIRMAN HOOD: Dr. Coates?

4 REV. COATES: Yes?

5 CHAIRMAN HOOD: Or Reverend
6 Coates. I know you're a minister.

7 REV. COATES: Yes.

8 CHAIRMAN HOOD: And I'm a deacon.
9 I always say amen, but I can tell you --

10 REV. COATES: Brother, I need an
11 amen.

12 CHAIRMAN HOOD: But let me just
13 tell you this: There's a clock, council
14 member, as you know --

15 REV. COATES: Yes.

16 CHAIRMAN HOOD: -- being a former
17 council member --

18 REV. COATES: Yes.

19 CHAIRMAN HOOD: -- that your time
20 is really up.

21 REV. COATES: All right.

22 CHAIRMAN HOOD: So if you can give

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1 us your closing thought, we'd greatly
2 appreciate it.

3 REV. COATES: I'll give you my
4 closing thought, sir. I want to say in closing
5 that I want to be associated with the record
6 that the Mayor for Life, Council Member Barry
7 indicated on Monday night. Finally, in the
8 closing, I think great consideration has to be
9 placed on the gap. If the density is reduced,
10 the gap correspondingly increases. The
11 commitment of D.C. Housing Authority is that of
12 the 440-some, perhaps 100 are accommodated in
13 Sheridan Station and Matthews, leaving about
14 340-some. If 340-some units are committed to
15 the present residents of Barry Farms, then the
16 development project will need to have some
17 space by which it can fund those subsidies.

18 CHAIRMAN HOOD: Was that your
19 closing thought?

20 REV. COATES: Yes, it is. Yes, it
21 is.

22 CHAIRMAN HOOD: Well, can you wind

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1 it up?

2 REV. COATES: Yes, I'm winding up.
3 It's the last sentence. So the density matter
4 is not simply a matter of the space the size of
5 a unit. More significantly it goes to that
6 gap. And when you decide, I urge that you
7 consider that as being critical.

8 CHAIRMAN HOOD: Okay. Thank you
9 very much.

10 REV. COATES: All right. Can I get
11 an amen --

12 (Chorus of amens)

13 REV. COATES: -- Brother Deacon?

14 CHAIRMAN HOOD: Everybody back
15 there gave you amen.

16 (Laughter)

17 REV. COATES: I'm just teasing, Mr.
18 Hood.

19 CHAIRMAN HOOD: Okay. I know. I
20 know. And I just say that because -- since
21 you're teasing, let me just say every Baptist
22 minister I know, you know what they say?

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1 REV. COATES: What's that?

2 CHAIRMAN HOOD: Never give a
3 Baptist minister a mic.

4 REV. COATES: That's right.

5 CHAIRMAN HOOD: I'm just teasing.
6 Okay. Next?

7 MR. JORDAN: Mr. Hood, my name is
8 Absalom Jordan. I've submitted a letter and I
9 respectfully request that it be included in the
10 record. And what I want to do is to offer some
11 concerns that I have.

12 First, I'd like to associate myself
13 in part with some concerns that were raised by
14 Leonard Watson. In a previous life I served as
15 the executive secretary to the District of
16 Columbia Unemployment Compensation Board and a
17 special assistant to the director. In that
18 role I was the one -- I monitored the first
19 source agreement. I want to say, Mr. Chairman,
20 that the concerns that Mr. Watson raised are
21 correct and they need to be addressed.

22 The first thing I want to make in

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1 terms of my comments is that Bethlehem Baptist
2 Church has been a part of the New Communities,
3 Barry Farms New Communities process from its
4 inception. We were included in that
5 legislation. We went down before the Council,
6 participated in it. And I have to say that we
7 still support that project, even though the
8 DMPED has not done for us what it was supposed
9 to do based on that.

10 Second thing is that I want to -- I'm
11 happy about the build first concept, and that
12 is that we have worked with -- for example, it's
13 been talked about Sheridan Station. We worked
14 very diligently in terms of ensuring that
15 people who are former residents of Sheridan
16 Terrace were able to move back into Sheridan
17 Station. We have a history of working to
18 ensure that residents are placed back where
19 they were, those who wanted to come back were.
20 And so we wanted to say that the build first
21 policy that was developed by Mr. Robert Bobb is
22 one that we understand this project is

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1 committed to and we support that, too.

2 And then final, Reverend Coates
3 dealt with one point, but I want to touch on
4 this, is I've been to a lot of planning sessions
5 and charettes, and I think that we have someone
6 from the Housing Authority that would say that,
7 yes, Ab has been there. And the question is --
8 I've been to maybe too many of them, but the
9 thing that I was -- I was impressed with the
10 planning process that they've had, because
11 they've held them at Bethlehem Baptist Church.
12 The last one they had where they had an
13 interactive process for residents of Barry
14 Farms to help to design the way in which those
15 buildings would be situated on that site. And
16 I thought that was the best planning process
17 I've ever been to. So I want to commend them
18 for that.

19 And I just want to say this is stage
20 one of the process, and I'm happy to be a
21 supporter of that.

22 CHAIRMAN HOOD: Great. Okay. I

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1 want to thank everyone for their testimony and
2 I want to see, colleagues, if we have any
3 questions of this panel. Vice-Chair Cohen?

4 VICE-CHAIR COHEN: I don't have a
5 question. I just want to complement Reverend
6 Coates in his understanding of pro formas and
7 real estate finance.

8 (Laughter)

9 VICE-CHAIR COHEN: I think I know
10 why you studied it.

11 REV. COATES: Exactly.

12 CHAIRMAN HOOD: Okay. We have no
13 questions.

14 Let's see, does the Applicant have
15 any cross?

16 (No audible response)

17 CHAIRMAN HOOD: Okay. Ms.
18 Cuthbert, do you have any cross to the
19 Commission?

20 MS. CUTHBERT: No, sir.

21 CHAIRMAN HOOD: Okay. And, Ms.
22 Belt, do you have any cross?

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1 MS. BELT: (Off microphone)

2 CHAIRMAN HOOD: Okay. So --

3 MS. BELT: (Off microphone)

4 CHAIRMAN HOOD: Hold on. Come
5 forward. You have cross-examination?

6 MS. BELT: I have a question for Ms.
7 Linda.

8 MS. MILLER: Yes?

9 MS. BELT: Do you want to come back
10 to Barry Farms?

11 MS. MILLER: Yes, I do.

12 MS. BELT: How is it living in
13 Matthews?

14 MS. MILLER: Matthews I love
15 because I'm a senior. I'm 67 years old. Like
16 I said, I've lived in Barry Farms 32 years and
17 Dorothy Burrell was my mentor and also my
18 godmother. She showed me the first day when I
19 moved into Barry Farms house that I would be on
20 board with her. And I stepped into her shoes
21 from -- ever since when there -- even with Kimmy
22 Gray, Marion Barry started off with Madeline

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1 Petty, the Director of Housing. I've been
2 through it all, like I said. I love where I
3 live at, but Barry Farms is my home. I love my
4 people there. I have family there. And also
5 the people living there is like my family,
6 especially like Mr. Sanker, Ms. Davis and all
7 who's sitting here at this table and out here.
8 They're my family.

9 MS. BELT: I have another question
10 for the -- you're a pastor at the church?

11 REV. COATES: Yes. Yes, I am.

12 MS. BELT: You have a new church
13 you're going to have now soon?

14 REV. COATES: Do I have a new
15 church? No, no, no.

16 MS. BELT: No new church coming
17 out?

18 REV. COATES: No, our building was
19 built in 1953.

20 MS. BELT: Okay. That was the only
21 question I had.

22 CHAIRMAN HOOD: Okay. Any other

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1 questions, Ms. Belt?

2 REV. COATES: Church was --

3 CHAIRMAN HOOD: Did you finish
4 answering?

5 REV. COATES: Church was organized
6 in 1874.

7 MS. BELT: I don't have any other
8 questions.

9 CHAIRMAN HOOD: Okay. Thank you
10 very much.

11 MS. MILLER: Can I say one thing?

12 CHAIRMAN HOOD: Sure.

13 MS. MILLER: I have a copy of -- I
14 don't know if the Board have a copy of Barry
15 Farms history. I have a copy of it. Wonder if
16 you all would like to have a copy of it?

17 CHAIRMAN HOOD: You can submit it
18 for the record and we'll get copies of it.

19 MS. MILLER: Okay.

20 CHAIRMAN HOOD: Thank you very
21 much. I want to thank this panel. We
22 appreciate your testimony.

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1 Okay. Mr. Freeman, you have some
2 people? Are they on the list, because I'm
3 going to go to opposition. Did you have some
4 people in support?

5 MR. FREEMAN: (No audible
6 response)

7 CHAIRMAN HOOD: Okay. All right.
8 We've already heard from the party in
9 opposition, so let's go to persons on the list
10 in opposition. It's 10:00 now. The goal is to
11 try to finish, then we don't have to come back
12 on the 10th. Are we all all right with that?

13 (Chorus of yeses)

14 CHAIRMAN HOOD: Okay. Denise Beh,
15 B-E-H. Okay, Sharon, you're going to have to
16 help me.

17 MS. SCHELLIN: Which number are you
18 on?

19 CHAIRMAN HOOD: Oh, that might be
20 Ms. Belt. Okay. I'm sorry. Okay. Dr. --

21 COMMISSIONER MAY: Is there a
22 Denise Belt in addition to Detrice Belt? I

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1 mean, or did you just write your name twice?

2 MS. BELT: (No audible response)

3 COMMISSIONER MAY: No? Okay.

4 CHAIRMAN HOOD: Okay. Dr. Prince,
5 Brett Williams. Okay. Reverend Hagler.
6 Yes, I know the reverend. Michael -- I'm
7 sorry, Michelle Hamilton. I wanted to ask your
8 name Monday night.

9 (Laughter)

10 CHAIRMAN HOOD: Let me put a star
11 right here.

12 (Laughter)

13 CHAIRMAN HOOD: Claudette Bethea.
14 Claudette Bethea. Claudette Bethea here?
15 Chris Otten. Okay. Mr. Merrifield has
16 already testified. The architect has already
17 testified. Parisa Norouzi.

18 MS. NOROUZI: Yes.

19 CHAIRMAN HOOD: Okay. Eugene
20 Puryear. I see some signs on South Dakota
21 Avenue that has the same name. I wonder if it's
22 a coincidence.

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1 MR. PURYEAR: No, it's not.

2 CHAIRMAN HOOD: I know it isn't.

3 MR. PURYEAR: Okay.

4 CHAIRMAN HOOD: I just said that.

5 I saw Bishop Hudson here earlier. And I saw him
6 leave. And that's all I have. Is there anyone
7 else who's here in opposition besides anyone
8 who's already spoke with the party?

9 (No audible response)

10 CHAIRMAN HOOD: So this is all we
11 have in opposition?

12 (No audible response)

13 CHAIRMAN HOOD: Can I ask a
14 question? Ms. Hamilton, you seem to be running
15 the show back there. Did you all came in on a
16 bus?

17 MS. HAMILTON: Yes.

18 CHAIRMAN HOOD: Okay. Everybody
19 on the bus, they're with you, right?

20 MS. HAMILTON: Yes.

21 CHAIRMAN HOOD: Okay. All right.

22 That's all I need to know.

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1 Okay. Let's start with Mr. Otten
2 and work our way -- yes.

3 Hold on for a second. What's this?
4 No, I'm not going to mention that.

5 Okay. Go ahead.

6 MR. OTTEN: Good evening,
7 Commissioners. Chris Otten representing DC
8 for Reasonable Development. It's a community
9 city-wide coalition, unincorporated
10 non-profit here in the District of Columbia
11 looking at land use and zoning issues,
12 particularly around this PUD application.
13 It's hard to say we're opposed to development,
14 but --

15 CHAIRMAN HOOD: Can you talk in the
16 mic?

17 MR. OTTEN: I'm sorry. Is that
18 better? Is that a little better?

19 (No audible response)

20 MR. OTTEN: Okay. Right on.
21 Thank you. Okay. So here we are: Zoning
22 Case 14-02, Barry Farms property and dwellings.

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1 And we're looking at the land use and zoning
2 issues around this PUD application before us
3 all today. We've also looked at the abuse of
4 the people on this land.

5 The Applicant admits that right now
6 Barry Farm requests three times the number of
7 work orders than other properties in the DCHA
8 portfolio. This evidence is not found on the
9 record, but if true, must demonstrate to the
10 Commission and the public how long Barry Farms
11 and their families have been neglected.
12 Because when buildings are maintained
13 properly, they simply don't just fall apart.

14 Demolition of Barry Farms without a
15 real plan in writing collectively developed by
16 Barry Farms residents who will be affected by
17 this projects contradicts key components of the
18 D.C. Comprehensive Plan, housing laws, the
19 Human Rights Act and basic zoning and planning
20 tenets and regulations. Demolition of Barry
21 Farms will lead to displacement and
22 dispersement of the families and neighbor ties

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1 that support this community when times are
2 tough and at a time when oppression against and
3 disregard of the working poor and D.C. families
4 is at an all time high.

5 This PUD as currently configured
6 represented destabilization of utmost regard.
7 Destabilization of the current socioeconomic
8 ties, as I just alluded to, the safety and
9 security of current residents and the use of
10 this land and property under current
11 non-overbearing rules and criteria, which we
12 will know will be imposed on Barry Farm
13 residents if this PUD is approved.

14 DC for Reasonable Development
15 believes once again that the Office of Planning
16 has failed miserably the public and this
17 Commission by not requiring studies and reports
18 in writing from all the affected agencies in
19 this matter. So once again, the record is not
20 complete for you all to make a decision that's
21 informed and certainly not arbitrary or
22 capricious.

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1 I will conclude that D.C. is
2 supposed to be a human rights city. The way the
3 Barry Farm housing units have been left fallow
4 is a human rights crime. And now through
5 neglect D.C. Housing Authority seeks to
6 demolish the homes of hundreds of Barry Farms
7 residents without any plans in writing for
8 these people to work with and collaboratively
9 develop. DCHA ought not to be rewarded for
10 this criminal negligence. If the Zoning
11 Commission grants this PUD, you condone
12 demolition through neglect. Thank you.

13 CHAIRMAN HOOD: Thank you. Next?

14 MR. PURYEAR: Yes, good evening,
15 Mr. Chairman, Commissioners. My name is
16 Eugene Puryear. I'm a resident of Congress
17 Heights in Ward 8, and as you most astutely
18 noticed, Mr. Chairman, I'm also a candidate for
19 D.C. Council at Large with the Statehood Green
20 Party.

21 Now you all have my testimony here
22 in writing, and a lot of it has been spoken to,

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1 so I want to speak more specifically to a point
2 that was made very early by Commissioner Cohen
3 regarding the issue of stalling and whether or
4 not it's appropriate to bring our concerns,
5 many of us who have concerns with this project
6 currently, as opposed to a secondary process.
7 And I think that quite frankly it is the very
8 vagueness of the PUD that makes this the most
9 appropriate venue. I think that
10 without a doubt when you look at the issue of
11 gap financing, which you mentioned, in
12 particular, I wonder if -- you know, in the PUD
13 it is stressed very heavily by the Applicant
14 that they have all of this experience bringing
15 together affordable housing in all of these
16 different ways. So why not present some range
17 of hypotheticals or something of that nature
18 that speaks to these issues so that the
19 residents and those of us who are concerned
20 citizens can look at these issues who -- you
21 know, I don't consider myself, for example, any
22 financial expert -- and make some sort of

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1 determination about what is necessary and then
2 shape their lobbying and their advocacy efforts
3 around that?

4 For instance, we just went through
5 the 2015 budget process to be able to reference
6 these things, in particular as particular needs
7 for public housing residents and things that
8 need to happen to make projects take place that
9 will improve their lives. And I think the
10 inability to do that is really unfortunate.

11 And even if you look further, page
12 24 and 25 of the PUD state in particular that
13 the affordable housing component is one of the
14 public benefits that they list. They also then
15 list via DCMR that a public benefit has to go
16 above and beyond what is stipulated by right,
17 while they only guarantee to go for the IZ
18 requirements.

19 And so, if they are saying this is
20 a public benefit, are they not then via their
21 own assertion regarding the guidelines, the PUD
22 guidelines and the DCMR Code, to present not

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1 just there will be affordable housing, but
2 something that goes beyond what is by right and
3 that details at the very least in a general
4 sense what it means for a public benefit to go
5 above and beyond by right in their application
6 for residents to be able to judge that, and for
7 the Commission itself?

8 And I think the reality is it
9 becomes so vague that they can make so many
10 promises. I mean, we've heard over and over
11 the issue of the six bedrooms. Well, it says
12 on page 31 that they expect the apartments to
13 have one to three bedrooms, not six. And then
14 when everyone begins to question them, oh,
15 well, all of a sudden we have these town homes
16 that are going to have six bedrooms.

17 So the reality is I think this is one
18 of the key reasons that this PUD should be
19 rejected, because in -- I mean, what if no one
20 had asked about the six bedrooms? It's clear
21 that the vagueness is meant to, in my view,
22 disrespect the residents; and you may disagree,

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1 but I think disrespect the Commission as well
2 because it's hoping that the due diligence is
3 either not done or not done to a thorough enough
4 degree to give them the maximum amount of
5 latitude to do whatever they want regardless of
6 what they say.

7 So I would ask you to oppose it for
8 a number of reasons which are in my testimony,
9 but in particular even if you don't agree with
10 those, for that reason in and of itself, which
11 I think is highly disrespectful.

12 CHAIRMAN HOOD: Okay. Thank you.

13 Next?

14 MS. HAMILTON: Good afternoon. My
15 name is Michelle Hamilton. I'm a long-term
16 residence for 14 years, and also I'm the Team
17 Mom of Barry Farm.

18 I came to Barry Farm to see the need
19 for the children, and Ms. Burrell open me with
20 open arms. And after this lady die, I mean,
21 Barry Farm actually died with her. I mean, the
22 Resident Council, I don't understand how you

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1 all can initiate. It's been a Resident
2 Council. You are handed from one of the
3 residents. It hasn't been a council since Ms.
4 Burrell been passed away.

5 And we have three or four
6 organizations on the property. People coming
7 outside the property to help us because we are
8 illiterate to what the Zoning hearing, what
9 this is. New Community Initiative, HUD, and
10 everybody came and, I mean, actually sold the
11 residents out with gift cards for \$25. I mean,
12 we just sold our self to -- for they could come
13 up and make a presentation on how many people
14 live in the house, how many -- I mean, \$25 to
15 poor people is a lot, and they knew where our
16 weak spots was at when they came with this
17 issue.

18 The second issue that bothers me is
19 they had unorganized meetings until we started
20 getting on them. They start putting those
21 things in the boxes, got people -- even had the
22 residents to turn against the residents and

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1 hire them to come and pass out fliers and tell
2 us to come to the meeting. They all know what
3 the meeting is about. We don't know what the
4 meeting is about. All we know is you sign a
5 paper. You sign in and you're in and we agree
6 what the Housing Authority say. No, I don't
7 agree what the Housing Authority say, not even
8 sign up for a sandwich. That's what we have
9 sign the paper for. A sandwich. Okay?
10 You're hearing it from my mouth. Okay?

11 And then, not only top of that, the
12 recreation is closed. I asked the developers,
13 you all coming to these meetings, what are you
14 going to do with our kids this summer? Could
15 you give us 100 slots for our kind can go to
16 camp? This man look at me and keep laughing at
17 me and I told him I'm not playing with him. I
18 am not playing. Don't keep on throwing us
19 under the bus and thinking we cheap and thinking
20 we pig headed and don't understand what's going
21 on around us.

22 I've been working hotel and

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1 restaurants for 27 years. I went on disability
2 in 2010. I can afford to pay my rent if I can
3 get back off of disability and go back to work.
4 In hotel and restaurant is always a job. But
5 what about when you all brung the Far Southeast
6 Collaborative man and told him the Marquis was
7 going to be for the Barry Farms resident?
8 Twenty-two classes went to this place and only
9 three people went to the Marquis. So these
10 programs they're getting are not working. And
11 don't say people lazy and don't want to get a
12 job, because they do. They really do.

13 And in closing, we didn't choose a
14 developer. We was locked out of Bethlehem
15 Church. People was not -- need to go in the
16 church. Who locks people out of church?

17 (Chorus of nos)

18 MS. HAMILTON: Okay? You hearing
19 the truth right now. Who locked the people out
20 of the church? The police came up in there, was
21 escorting people out the church. But you could
22 pay for the police, but you couldn't pay for us

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1 to get a baby sitter so we can tell these people
2 who we wanted to choose. HUD choosed A&R
3 because they used to dealing with them. We
4 didn't choose them. I go to sleep sleepless at
5 night worried about where my neighbor's going
6 to stay because they going to put them over St.
7 Elizabeth for it's all over with.

8 (Laughter)

9 MS. HAMILTON: Because I'm going to
10 go to every meeting. I'm not going to go to
11 sleep on this. I'm not going to go to sleep.
12 I'll be sick in my dying bed trying to get
13 through -- I've been a wheelchair, but you know
14 by the grace of God I'm walking up in here and
15 I'm talking, I'm saving for the residents. We
16 did not choose a developer. And we was locked
17 out the church of God.

18 (Laughter)

19 MS. HAMILTON: Bethlehem Church.

20 PARTICIPANT: Now, this is
21 serious.

22 PARTICIPANT: That's true. It's

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1 the truth, yes. No, she -- we were. We were.

2 MS. HAMILTON: You take our house
3 and we do not have backyard for our kids to play
4 in. Drive-bys. Drive-by shootings. Our
5 kids cannot play. You take our backyard, our
6 kids can't cross over to one section of the
7 community to the next section of the community.
8 We have young children. Them turn down that
9 rec has hurt us deeply. I have organized
10 meetings in my house and I'm going to keep on
11 having them. As long as people help me to keep
12 my place, that's what I'm going to do.

13 As far as the children, I'm going to
14 always take care of them and they parents,
15 because I do find a way. I am a Team Mom and
16 I am with the community. You could call me the
17 man now.

18 (Laughter)

19 MS. HAMILTON: That's all I got to
20 say. Because I had more to say, but I don't
21 want to hold everybody up. I know they tired,
22 sleepy and hungry.

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1 CHAIRMAN HOOD: Okay. All right.
2 Thank you.

3 Next?

4 PARTICIPANT: Good job, Michelle.

5 MS. NOROUZI: Good job. Good
6 evening. My name is Paris Norouzi. I'm the
7 co-founder and executive director of Empower
8 DC, which is a city-wide organization working
9 with some of D.C.'s lowest-income residents to
10 build our political power, to advocate for
11 ourselves and to influence the decisions that
12 are impacting our lives.

13 Over the last couple of years we've
14 really -- we've always worked on affordable
15 housing, but over the last couple of years we've
16 been focused on public housing, the
17 preservation and improvement of traditional
18 public housing, and that's in part because no
19 other affordable housing advocates are doing
20 it. You hear a lot of talk about so-called
21 affordable housing in the District, but if you
22 look at the numbers, a lot of it is subsidies

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1 for housing that's geared towards people
2 earning 50 percent, 60 percent, 80 percent of
3 the area median income.

4 From our view, public housing is the
5 only permanently affordable, low-barrier,
6 publicly-owned and controlled housing that we
7 have in the District of Columbia. It fills a
8 critical need. And I don't want to diminish
9 also the fact that it's a community, a real
10 community of people with social networks.
11 They support one another, people like Michelle
12 who runs after school programs and summer
13 programs for kids with no grant money. Like
14 you see other -- you know, all these
15 outside --

16 (Simultaneous speaking)

17 MS. HAMILTON: Locked me out.

18 MS. NOROUZI: -- grant money.

19 MS. HAMILTON: Locked me out of the
20 children's programs.

21 MS. NOROUZI: That's okay. I
22 don't mind sharing my time with her. I just

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1 want to -- and I say that to say that what I would
2 hope our city would be doing is looking at what
3 works in public housing, investing in that,
4 uplifting that, and part of that is the
5 multi-generational family networks and the
6 community social networks that exist that are
7 destroyed when we displace communities,
8 especially when we displace them for long
9 periods of time like this PUD tries to do.

10 I wanted to touch on a couple things
11 that have been said. Marion Barry called --
12 the one thing I agreed with him when he spoke
13 was that he was saying to the Zoning Commission
14 you should require the District of Columbia to
15 put money into this project. And I agree.
16 This is about priorities. Right now the
17 District of Columbia doesn't put a dime into
18 maintaining public housing. The only money
19 from the D.C. budget, our local tax money, in
20 public housing is for police. Literally.
21 Only for police. And they're counting on
22 dwindling federal money, but they use that as

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1 a justification and an excuse to then tear it
2 down.

3 We have a surplus in this city. We
4 have over a billion dollars in the bank and
5 we're spending a billion dollars on street cars
6 when Todman said we just need about a billion
7 dollars to enhance our public housing stock.
8 From my opinion that would be a much bigger
9 priority and it would enhance so-called
10 economic development by investing in our
11 people, not investing in enriching the rich.

12 Some of the things about reentry,
13 you know, they've been said. I just want to
14 echo them. Absolutely there should be no new
15 criteria, and it's been a real problem that
16 hasn't been exposed. And I suggest that you
17 talk to a lot of people and really look at what
18 are the reentry criteria of these
19 privately-managed -- they call them public
20 units still, but they're privately managed.
21 William C. Smith is doing the management
22 whether or not Housing says that you're

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1 qualified. Then you have to go through the
2 private screening process, and that eliminates
3 a lot of people.

4 And this lease compliance. I'm
5 very, very concerned about lease compliance
6 because Housing is basically saying, oh, we
7 studied and people don't need these big unit
8 sizes anymore. The reason why they're doing
9 that is because they're forcing people to evict
10 their adult children off the lease. And the
11 problem with that is adult children -- first of
12 all, some of our cultures value having
13 multi-generational families in place and
14 supporting each other. But also in some cases
15 there's nowhere for our adult children to go.
16 In some cases there's returning citizens who
17 could be homeless otherwise, and I think that
18 has to be addressed.

19 Also, if you're not lease-
20 compliant because you owe back rent and so you
21 have -- you missed out on your opportunity for
22 housing because you owe back rent, that defeats

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1 the whole purpose of public housing. It's
2 supposed to provide a safety net for people.
3 We shouldn't evict people because they have
4 back rent. That creates the homelessness
5 problem.

6 To Commissioner Cohen, I would live
7 in Barry Farm if I needed a home to live in. I
8 respect the people in Barry Farm.

9 (Applause)

10 MS. NOROUZI: I value the community
11 that exists there. I've been in people's homes
12 that are very well-kept and lovely. I mean, I
13 know people who pay \$900 a month to live in Barry
14 Farm. And part of the reason why they do that
15 now is because they're thinking long-term.
16 When I'm retired, when I'm not working, where
17 else can I afford to live? And I think that's
18 very smart for people in that position to be
19 thinking that way.

20 You asked about what's the cost of
21 rehab verse demolition and redevelopment?
22 Those questions should be asked to the Housing

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1 Authority. They should have been doing -- we
2 had a volunteer from Architects for Humanity do
3 a walk-through because there was nobody from
4 the city government doing the real building
5 analysis that should have taken place. And so
6 those questions should be to the Housing
7 Authority. What is the cost of rehab verse
8 redevelopment? I would like to see the
9 comparison.

10 And just on the community benefits
11 piece, my understanding is that the Zoning
12 Commission is the best avenue for enforcing a
13 community benefits agreement. So whether this
14 stuff is codified in the benefits agreement as
15 part of the PUD or it's somehow otherwise part
16 of the PUD, I want to echo what people have said
17 about the collaborative and these credit
18 courses, whatever. I only hear negative
19 things.

20 We have tons of people in public
21 housing who have certifications, food
22 handler's licenses, other types of

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1 certifications and no actual opportunities to
2 own and operate and control the businesses. I
3 want to see community development at Barry Farm
4 where Michelle and others operate the child
5 care center, the neighborhood grocery store,
6 which right now they have a corner store that
7 price gouges and they sell them old food.
8 Those are the types of things that would uplift
9 the community. Thank you.

10 CHAIRMAN HOOD: Okay. Thank you.

11 (Appause)

12 CHAIRMAN HOOD: Next?

13 REV. HAGLER: Well, good evening.
14 I'm Reverend Graylan Hagler. I'm senior
15 pastor of Plymouth Congregational United
16 Church of Christ.

17 CHAIRMAN HOOD: Reverend Hagler,
18 you might want to speak into the mic.

19 REV. HAGLER: I thought I was. I
20 didn't have it on.

21 CHAIRMAN HOOD: Oh, okay.

22 REV. HAGLER: I'm Reverend Graylan

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1 Scott Hagler. I'm the senior pastor of
2 Plymouth Congregational United Church of
3 Christ and I'm a concerned, alarmed resident
4 and voter in the District of Columbia. And I
5 don't pity the position that you're in, because
6 this is really not just something that is
7 answered in terms of density or any of those,
8 because there's a lot of complexities to this
9 issue. And one of those complexities is that
10 we don't want to continue to exacerbate the
11 displacement of people from our city, the
12 displacement of people from our neighborhoods,
13 the displacement of people from our communities
14 while we make room for developers to make more
15 money and more other folks to come in.

16 Let's call it what it is here.
17 Nobody ever wants to talk about race. The
18 communities are denied because of race and then
19 communities are moved because of race because
20 somebody of race wants to come in and utilize
21 the land now that they can feel that they can
22 dispose of other folks. It's the same pattern

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1 all over the world that we see right here in
2 Washington, D.C., right? The fact is if
3 services are withdrawn, public housing is
4 starved to death, right? Units are left
5 vacant. You demolish units. You treat people
6 as if they don't exist.

7 And then all of a sudden in the midst
8 of all of this development and all of this
9 opulence folks look around and see public
10 housing that has been basically dis-invested in
11 all this time there ripe for the picking. Ripe
12 for the picking. But unfortunately those who
13 lived in the public housing will no longer
14 really be beneficiaries of anything that is
15 developed or redeveloped.

16 And so I'm saying let's stop lying
17 here tonight. Let's stop lying and talk about,
18 oh, you can come back. Because the reality is
19 in studies all across the country, all across
20 the country the best return rate has been at 19
21 percent. That is the highest it's been. And
22 you think D.C. is going to do any better? D.C.

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1 hasn't done better with what it has already such
2 as enforcing first source and all of those other
3 types of things that we pass laws on, policies
4 on. Never enforced. People never end up
5 getting jobs or any of those other types of
6 things.

7 You know what I'm saying here is
8 that you need to look at this much harder,
9 because there are some grave and serious
10 sociological and moral issues that are
11 attached. Right? The fact is we should not be
12 displacing by simple policy, right, because
13 that's what always happens. Folks say, oh, we
14 got a policy. The policy's objective. The
15 policy's good. The policy benefits some and
16 the flushes the rest of us down the drain.

17 So you really got to in a sense
18 reject this or postpone it until it makes sense,
19 because there's a whole lot of questions here --

20 (Applause)

21 REV. HAGLER: -- that need to be
22 answered that has not been answered and that

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1 begs to be answered. Because if it's not
2 answered, then I don't think any of you can
3 sleep well at night. Thank you.

4 CHAIRMAN HOOD: Okay. Thank you.

5 (Applause)

6 CHAIRMAN HOOD: Okay. My friend
7 here. Let me see, your name is Jonathan
8 Schafler.

9 LCDR. SCHAFLER: Is that mic on?
10 Yes?

11 CHAIRMAN HOOD: Yes, this mic is
12 on.

13 LCDR. SCHAFLER: Good evening,
14 Mr. Chairman. I'm Lieutenant Commander
15 Jonathan Schafler with the United States Coast
16 Guard. Kind of a tough act to follow here with
17 the group. I'm here neither in support nor
18 opposed to the particular project. I'm here to
19 support the community, the community of Ward 8,
20 the community of Barry Farms.

21 We're a new neighbor here in the
22 community. Almost 4,000 people recently moved

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1 in to Ward 8. We're happy. It's the first
2 time we've had a headquarters in our entire
3 235-year history.

4 We made a lot of inferences when we
5 moved to the area that we would integrate into
6 the community, that we would become good
7 neighbors, and I believe that we are doing that
8 slowly. We're being honest brokers of the
9 public trust given to us. We're out in the
10 community the best we can. We don't have a lot
11 of jobs in this diminished economy on the
12 budget. We don't have a lot of money to spend.
13 But what we do have is the time, talent and
14 treasure of our people, which we are giving to
15 the community.

16 We're in several schools. We're
17 starting a mentoring program. We're at the
18 meetings. I believe people here want an honest
19 relationship. They want to see that you
20 understand their issues, that you're there
21 being a part of those issues and listening to
22 people and getting involved in the community,

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1 which is what we're doing. We're involved with
2 Children of Mind doing some rehab there. And
3 we're out and about in the community.

4 If the project is supported, we'll
5 be there for the project. We'll be there for
6 the community. If the project is denied, we
7 will still be there for the community. We're
8 going to be there. We're building
9 relationships one handshake at a time. And
10 it's tough being the new kid on the block. And
11 we're just saying that we're going to be here,
12 we're approachable, and we want to be involved.
13 And that's really what I have to say tonight.

14 CHAIRMAN HOOD: I want to thank
15 this panel. We may have some questions, so
16 just hold tight.

17 Was there anyone else here who
18 wanted to testify in opposition?

19 (No audible response)

20 CHAIRMAN HOOD: Okay. What we're
21 going to do is we're going to ask our questions,
22 we're going to do cross and then we're going to

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1 talk about rebuttal and closing.

2 Okay. Commissioners, any
3 questions of this panel? Vice-Chair Cohen?

4 VICE-CHAIR COHEN: Thank you. How
5 do you reach out to the community to do
6 mentoring, because I think that is an
7 important --

8 LCDR. SCHAFLEER: We've got a
9 Partners in Education Program that's
10 established clear across the country, 247
11 sites. And we've started it here. We're at
12 Eagle Academy, we're at Ballou High School and
13 we're at Kramer Academy. We're starting a new
14 program that's going to be a Coast Guard mentor
15 course. We're recruiting 80 of our Coast
16 Guardsmen. We're going to go into every school
17 in Ward 8. That's the plan. It's just
18 starting out. We've only been here for less
19 than a year and through one of the hardest
20 winters we've ever had. And so, people say,
21 well, we haven't really gotten out there yet.
22 Well, it's been a tough winter. We're starting

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1 to gear up. We're bringing our people in. And
2 I ask that we be judged by our actions, not our
3 words.

4 VICE-CHAIR COHEN: Thank you.

5 CHAIRMAN HOOD: Okay. Oh,
6 Commissioner May?

7 COMMISSIONER MAY: Yes, I'm sorry,
8 I didn't your title, your rank.

9 LCDR. SCHAFLER: I'm a lieutenant
10 commander, sir.

11 COMMISSIONER MAY: Lieutenant
12 Commander Schafler, I just want to compliment
13 you on the fact that we saw you here tonight and
14 sat through all this. And I know you've been
15 to other public meetings that I've attended,
16 and I appreciate the effort that you're making
17 to reach out to the community in whatever from
18 it is. I mean, just showing up I think is a lot
19 of it, so I appreciate your being here.

20 LCDR. SCHAFLER: Thank you, sir.

21 CHAIRMAN HOOD: Lieutenant
22 Colonel, are you speaking on behalf of the U.S.

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1 Coast Guard?

2 LCDR. SCHAFLE: I am, sir.

3 CHAIRMAN HOOD: Okay. All right.

4 Commissioner Miller, you have any questions?

5 COMMISSIONER MILLER: No
6 questions, Mr. Chairman. Just to echo
7 Commissioner May's comment to the lieutenant
8 colonel for all that you have been trying to do
9 in the community and it's very much
10 appreciated.

11 Ms. Norouzi, you were speaking from
12 notes, I think, but I don't know if we have a
13 copy of your --

14 MS. NOROUZI: I can give you
15 written testimony that -- I was -- well, I
16 focused a lot of my testimony on the Barry Farms
17 Tenants and Allies' party status, so I do want
18 to thank you for reversing your initial
19 decision. And I just wanted to commend
20 Detrice, who I thought did an amazing job. So,
21 yes.

22 (Applause)

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1 CHAIRMAN HOOD: Okay. Mayor
2 Hamilton -- you told me to call you mayor. One
3 thing I do is follow instructions.

4 (Laughter)

5 CHAIRMAN HOOD: Okay. Let me ask
6 you the same thing that I asked Ms. Belt. If
7 there were -- and it's good to hear you a Team
8 Mom. And I think you mentioned sandwiches.

9 MS. HAMILTON: Yes.

10 CHAIRMAN HOOD: My experience was
11 punch and cookies. Okay? So the sandwiches
12 that you're talking about -- and I'm not talking
13 about this Applicant. I'm talking about my
14 ordeal in the mid-'90s.

15 If there were five things -- I know
16 relocation is an issue. And believe me, this
17 Commission, I'm sure my colleagues, we've heard
18 that loud and clear. I think Reverend Hagler,
19 he mentioned the rate and being realistic. And
20 I don't disagree with Reverend Hagler. The
21 question for me is, is when we deliberate, what
22 power or what can I do legally to make sure that

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1 that return rate happens? And I'm going to
2 deal with that, but help me figure out --
3 relocation is one. Okay. So let's scratch
4 that one right off. What is the next one?

5 MS. HAMILTON: I'm a
6 family-oriented person. I mean --

7 CHAIRMAN HOOD: Turn your mic on.

8 MS. HAMILTON: I'm a
9 family-oriented person. I like to have
10 parties, splashdowns. I like to do everything
11 I can do for the kids. But when we have three
12 separate different streets -- and like me, they
13 say you know everybody on every street, because
14 I move and maneuver. I would like to see a
15 playground on every street. That way our
16 children don't have to be hit by a drive-by
17 going across the street, or we don't have to sit
18 in a park, a doggie park. That's one.

19 CHAIRMAN HOOD: Okay.

20 MS. HAMILTON: Two, I would like to
21 keep our backyards and keep our family
22 together. We need to keep the black family

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1 together because the black family has distanced
2 they self. And it's one way of them trying to
3 get rid of the black family, telling us we can't
4 have our sons living with us because they been
5 locked up, or we can't have our daughters come
6 and stay with us after they -- after I had five
7 grandchildren, you know? You aren't supposed
8 to split the family up like that.

9 CHAIRMAN HOOD: Is this what
10 happened when you -- did you -- you obviously
11 went to some meetings where --

12 (Simultaneous speaking)

13 MS. HAMILTON: Yes, is what's
14 happening.

15 CHAIRMAN HOOD: Is that what was
16 said at the meetings you went to with this
17 developer?

18 MS. HAMILTON: Yes.

19 CHAIRMAN HOOD: Okay.

20 MS. HAMILTON: And we're lease --
21 in compliance.

22 CHAIRMAN HOOD: Okay. Let's go.

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1 MS. HAMILTON: You cannot have your
2 kids. If they a certain age, ain't on the
3 lease, you can't have them. We got to be
4 sneaking through the back door, coming out the
5 front door, step on the side and all that. You
6 know, you don't have to be scared where you have
7 to live at, but you have to obey by some type
8 of rules.

9 CHAIRMAN HOOD: Right. And I'm
10 not sure if some of those are HUD rules.

11 MS. HAMILTON: I would like the
12 safety net for our kids. I don't want to be
13 closed in like the jail, but I would like to see
14 the Housing Authority be a little bit on duty
15 some time.

16 CHAIRMAN HOOD: Okay. Again,
17 mayor, we're going to do what's within our
18 justification. Okay?

19 MS. HAMILTON: And I would like to
20 see our boards come together. It's three
21 boards. It's the Resident Council, the BTFF
22 and the Study Circle. We got all these

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1 councils. We can't come together to
2 compromise on one thing.

3 CHAIRMAN HOOD: Well, you know
4 who's going to put that together?

5 MS. HAMILTON: I could put it
6 together.

7 CHAIRMAN HOOD: Team Mom.

8 MS. HAMILTON: But I'm just trying
9 to let you know --

10 CHAIRMAN HOOD: Okay. So that's
11 an issue.

12 MS. HAMILTON: -- that things is
13 not together right now.

14 CHAIRMAN HOOD: Right, but that's
15 an in-house deal.

16 MS. HAMILTON: I know it's a
17 in-house deal.

18 CHAIRMAN HOOD: You and Ms. Belt
19 and some of you leaders pull that together.

20 MS. HAMILTON: We trying, but
21 you --

22 CHAIRMAN HOOD: Okay. Well, you

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1 all keep working.

2 MS. HAMILTON: -- got too many
3 queens in the castle. Can't do it.

4 (Laughter)

5 MS. HAMILTON: That's why he
6 stepped in, Mr. Barry. See, I wanted to tell
7 Mr. Barry something. When we came to that man
8 crying to help, that man literally turned us
9 away. Didn't show up to meetings. And he's
10 supposed to be a long-term resident of Ward 8.

11 CHAIRMAN HOOD: Okay. Well, okay.
12 Let's go back --

13 MS. HAMILTON: Okay. You want my
14 third one or fourth one?

15 (Laughter)

16 CHAIRMAN HOOD: I actually
17 still --

18 MS. HAMILTON: Because I got --

19 CHAIRMAN HOOD: I'm still on No. 2.

20 MS. HAMILTON: Okay. I'm on No. 2.

21 CHAIRMAN HOOD: So I want you to
22 give me the third now.

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1 MS. HAMILTON: My third one, I
2 would like to see Far Southeast -- because we
3 went to go see Muriel Bowser. We went to see
4 everybody we could see to help us. We went to
5 Muriel Bowser and told her -- and we did a
6 testimony with her about Far Southeast
7 Collaborative. It's 400-and-some residents
8 on the property and they only have 25 people
9 that's there to help with case management. We
10 have a lot of mental issues that we need to
11 address before we even get started on having to
12 help the people.

13 CHAIRMAN HOOD: Okay. So --

14 MS. HAMILTON: I would like to see
15 more mental assessments, more housing
16 assessments, more counseling.

17 CHAIRMAN HOOD: Let me help you.
18 One of the things that Ms. Belt mentioned; you
19 mentioned the same thing -- she talked about
20 accessibility, traffic patterns and how things
21 move. I'm relating this to zoning. That's
22 what she spoke about, being accessible. And

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1 she talked about affordability. She also
2 talked about credit history. That's probably
3 on the line for the Zoning Commission. But
4 those are the kind of things I'm looking for.

5 MS. HAMILTON: Right.

6 CHAIRMAN HOOD: So when I talk to
7 the Applicant I see how far we can go within our
8 justification. Because we're basically land
9 use, but I'm not going to say that we can't do
10 anything or we can't make a suggestion.
11 Because I've made a lot of suggestions, and I'll
12 leave at that.

13 So help me understand. I'm still
14 at No. 3.

15 MS. HAMILTON: Okay. As me as
16 being a mother, I would like to see when
17 organizations come in and try to manipulate us
18 and try to give us little Hot Pockets and things
19 like that, give our kids some type of
20 scholarship so our kids can make it to help us
21 out the projects, I guess. I would like to see
22 more mentoring, because I ain't never seen this

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1 man today in my life, the little Coast Guard.
2 He's up --

3 CHAIRMAN HOOD: Well, he said
4 they're just starting.

5 MS. HAMILTON: -- farther up.

6 CHAIRMAN HOOD: They're just
7 starting, so --

8 MS. HAMILTON: But they farther up
9 top --

10 CHAIRMAN HOOD: Okay. Well,
11 let's --

12 MS. HAMILTON: -- where the Coast
13 Guard at.

14 CHAIRMAN HOOD: -- give them a
15 little credit. They're just starting and they
16 may expand --

17 (Simultaneous speaking)

18 MS. HAMILTON: I'm going to get his
19 number before I leave, because our kids in dying
20 strait right here.

21 LCDR. SCHAFLEER: And we don't
22 own --

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1 CHAIRMAN HOOD: I don't --

2 LCDR. SCHAFLEER: -- any other land
3 besides our footprint.

4 CHAIRMAN HOOD: Okay.

5 LCDR; SCHAFLEER: I just want to
6 clear that up, because it was brought up
7 earlier. We have no plans to expand. We don't
8 own any additional land.

9 CHAIRMAN HOOD: Let me ask my
10 questions, lieutenant colonel. I know you're
11 a lieutenant colonel, but I'm not in the Coast
12 Guard.

13 (Laughter)

14 CHAIRMAN HOOD: Okay. So let me --
15 help me.

16 MS. HAMILTON: I would like to see
17 more programs for our children.

18 CHAIRMAN HOOD: This is -- okay. I
19 got that. But I need you to help me.

20 MS. HAMILTON: Let our children do
21 the developing. Let us get our boys off the
22 street from selling drugs. Let them be the

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1 ones that take care of your property. Down
2 Richmond in the low-income places down there
3 the women on welfare keep the property up.

4 CHAIRMAN HOOD: Okay.

5 MS. HAMILTON: Let them do it.

6 CHAIRMAN HOOD: Okay. Now that's
7 helping me. And that wasn't -- give me one
8 more. Do you have one more? If not, I'll --

9 MS. HAMILTON: Yes, I have one
10 more.

11 CHAIRMAN HOOD: Okay.

12 MS. HAMILTON: I would like to see
13 a senior place for our seniors, because right
14 now our seniors don't have nowhere to go to get
15 their hair done, taken out to the movies or none
16 of that type of things for our seniors that have
17 been there 54 years, 45 years. These people
18 has put a inspiration on me. If anything we can
19 do that make the seniors more restful and
20 peaceful they last days, I would love for the
21 see that happen --

22 CHAIRMAN HOOD: Okay. All right.

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1 MS. HAMILTON: -- for the Zoning
2 Commission.

3 CHAIRMAN HOOD: Okay. We're going
4 to do what is within our justification.

5 REV. HAGLER: Mr. Chair?

6 CHAIRMAN HOOD: Okay. Reverend
7 Hagler?

8 REV. HAGLER: If I can, I think
9 there's a number of things that were I said
10 through this evening that we heard. One is
11 that obviously there's really not been a open
12 community process --

13 CHAIRMAN HOOD: Okay.

14 REV. HAGLER: -- to come to this
15 place. Things -- people have been
16 manipulated, people have been used, right?
17 There's one camp over there, there's another
18 camp over there, there's another camp over
19 there. And I think that one of the things that
20 clearly should be required is that we go back
21 and -- with the ANCs and others and have a very
22 credible community process. And I think there

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1 would be less division and less anxiety around
2 this. But it's got to be open. You can't just
3 have your group in the room and that group not
4 in the room, and this group having a voice and
5 that group having no voice. And I think that's
6 what's really on -- that's what's really before
7 us right now. Because I think everybody is
8 saying the same thing in many ways, but they're
9 looking at it from different angles because of
10 the process that was flawed in the first place.

11 CHAIRMAN HOOD: I think, Reverend
12 Hagler, we're going to ask for that. That's
13 one of the things I know is critical. I think
14 it's very important and I for one know that
15 when -- a lot of times people think differently
16 when it impacts them. So I know that this is
17 something that's impacting a lot of citizens
18 that live in Barry Farms. I understand
19 uncertainty. I understand the
20 non-predictability.

21 And the same thing I said for the
22 baseball stadium. You know, there was an issue

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1 over there that I had. That got resolved. So
2 I'm hoping that that issue gets resolved here
3 from some of the things once my colleagues and
4 I get what we need and have further discussions
5 with the Applicant.

6 Any other questions up here?
7 Vice-Chair Cohen?

8 VICE-CHAIR COHEN: No, I just would
9 want to concur with the reverend that there
10 should be additional information and probably
11 meetings with the ANC and the residents,
12 because there's a lot of information that seems
13 to be unavailable or misinterpreted, or
14 whatever it is. So I just wanted to say that
15 I concur with you.

16 CHAIRMAN HOOD: Okay. We have
17 any other -- let's see, for the folks who have
18 testified, does the Applicant have any cross?

19 (No audible response)

20 CHAIRMAN HOOD: Does the ANC have
21 any cross?

22 (No audible response)

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1 CHAIRMAN HOOD: And does -- Ms.
2 Belt, you have any cross?

3 MS. BELT: I have a question for the
4 Coast Guard. How do we get our street opened
5 back up in Barry Farms? There's a street that
6 the Coast Guard took in our neighborhood that
7 there were no meetings and we just -- we want
8 to know how to get that street back open. It's
9 a very small street and it's a -- there's a
10 blockage.

11 LCDR. SCHAFLER: I'm trying to
12 decide which street that is. Is that where
13 they put the curb there and --

14 (Simultaneous speaking)

15 MS. BELT: Firth Sterling and
16 Stevens Road.

17 LCDR. SCHAFLER: Yes, as I
18 understand, that was closed by the city, and
19 it's not Coast Guard property.

20 MS. BELT: But they said that it was
21 Coast Guard. Yes, they said they had to
22 close --

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1 LCDR. SCHAFLEER: It may have been
2 done by the city because we moved there.

3 MS. BELT: Yes.

4 LCDR. SCHAFLEER: Maybe that was it.
5 I can check on that and get back to you. I don't
6 know the answer, but I'll look into it and find
7 out.

8 MS. BELT: That was --

9 (Simultaneous speaking)

10 LCDR. SCHAFLEER: That's all I
11 can --

12 CHAIRMAN HOOD: Okay. All right.
13 We want to thank this panel. We appreciate it.

14 I have three young ladies who want
15 to speak some more.

16 Now, Mr. Freeman, can you come up?
17 We're looking at rebuttal and then we're going
18 to have possibly cross on rebuttal, and then
19 we're going to have closing. How much time do
20 you think you're probably going to need?

21 I'll tell you what, while you're
22 getting that together -- Ms. Hamilton? Mayor

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1 Hamilton? Mayor Hamilton? Now I know your
2 name now, so can you work with us, Ms. Hamilton?

3 No, not you, Dr. Coates.

4 Ms. Hamilton. Work with us, Ms.
5 Hamilton.

6 Okay. We're going to start. Mr.
7 Freeman, are you ready to tell me about how much
8 time you need?

9 MR. FREEMAN: Five minutes.

10 CHAIRMAN HOOD: Well, let's start
11 to my left. We need to hear from three -- and
12 this is going to be our last panel. There's no
13 one else? This is our last panel on
14 opposition. Anyone else?

15 Oh, your boarder? Okay. This our
16 last panel in between starting to my left.

17 MS. PAMELA HOUSE: Okay. My name
18 is Pamela House and I am a current resident of
19 Barry Farms. I've been there for 34 years. I
20 moved on the property in 1980. I'm a single mom
21 of three daughters, my 19-year-old daughter,
22 16-year-old daughter and my 22-year-old

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1 daughter that is not living on the premises
2 right now.

3 I just know that there is a lot of
4 things that have done, that have transpired in
5 Barry Farms throughout my time there, both good
6 and bad. The good make me want to do better.
7 It make me strive to do better. The bad, it
8 just keeps me focused and keep a tight rein on
9 my children to make sure that they don't go down
10 the path of doing wrong.

11 I agree with what Commissioner Hood
12 said earlier about doing your homework. A lot
13 of things I honestly don't understand about
14 zoning. When I go home, I'm going to get on the
15 Internet and I'm going to do my homework,
16 because I can't honestly say; and no disrespect
17 to the people that live in Barry Farms or
18 anything, but I just don't like everybody
19 speaking for me. I can only speak for myself.
20 You know, I don't want anybody else standing up
21 saying, well, Ms. House feels this way, Ms.
22 House feel that way. Come knock on my door,

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1 1313 Stevens, and ask me how I feel about
2 different things.

3 Right now I'm tired a lot of -- like
4 the mice running through the units. That's
5 something that I'm tired of. I actually got a
6 cat on Monday. I know that I'm not in
7 compliance with my lease by having a cat, but
8 I got one, because every time the exterminator
9 comes through, they can't pull my stove out
10 because it's bolted. So I leave a little note
11 before I sign my name. My stove is bolted. I
12 need it to be unbolted so you can see if there
13 is a hole behind my stove. So I shouldn't have
14 to come downstairs late at night and I got
15 something running, you know, in my path.
16 That's annoying and it's aggravating.

17 For the most part when I moved to
18 Barry Farms from -- in 1980 I was 10 years old --
19 from 15th Place, it was like moving into a
20 mansion. I really enjoyed when I walked in as
21 a little girl what I saw. There has been a lot
22 of things going on in my unit. Sometimes the

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1 come fix it in a timely manner; sometimes they
2 don't. But it gets done, you know, and I
3 appreciate that part. I just thank God that I
4 do have a chance to have a place to live, because
5 without public housing -- you know, my mom
6 brought me there. She moved out to a senior's
7 building. I hope that one day we can be back
8 in a resident together. I don't know how
9 that's going to take place and how it's going
10 to play out. My mom will be 71 in September and
11 I want her last years to be with her children
12 and her grandchildren.

13 I also would like for there to be a
14 place for growth. You know, that's another
15 thing that I haven't heard a lot of. If right
16 now I qualify for a two-bedroom, my 19 and my
17 16-year-old daughter will have to share rooms.
18 And there's not a place if they were to
19 unfortunately outside of marriage have a baby
20 or something like that. There's not space, you
21 know? So that's another concern of mine. And
22 I do thank you for allowing me to speak.

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1 CHAIRMAN HOOD: Thank you. Next?

2 MS. KANESHIA HOUSE: Good evening.

3 My name is Kaneshia House and like my mother
4 stated, I'm 19 years old, so I've been living
5 on the property my whole life. And by the lot
6 of the stuff that I've been saying, like the
7 crime and stuff, it's just like I don't want to
8 see it anymore. Like my younger sister, I fear
9 for her walking home by herself everyday. So
10 I have to constantly check up on her and making
11 sure that she's getting home safely. So I feel
12 like if the community is going to be rebuilt or
13 tore down and started up again, I think it
14 should be a gated community so we don't have to
15 worry about a lot of crime and stuff.

16 And then I think for the younger
17 children it should be -- the playground should
18 be put back into the courts on each street,
19 because once the playgrounds was taken away,
20 parents had to take their younger children or
21 the younger children were going by they selves
22 all the way two streets over just to go play on

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1 the playground.

2 And, well, for me being a teenager,
3 I know that now -- well, I'm in college now. I
4 go to Trinity University. And I know one of my
5 priorities is to try to find a job to help
6 provide for my mom and things like that. So I
7 think on the community it should be -- I don't
8 know if there is now, but there should be
9 programs where teens who are on the street and
10 not in school should be able to come and have
11 that readiness to know what they have to do in
12 order to have a job. And especially for the
13 kids that dropped out of high school and who's
14 not in school, they should have -- offer classes
15 for those students, offer internships and
16 things like that so the teens or the younger
17 one -- it's like starting an initiative so the
18 teens are starting something to better they
19 selves. And then with the younger ones here,
20 they can see that that's what they have to do
21 in order to better they selves for their family,
22 their selves and the community. Thank you.

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1 CHAIRMAN HOOD: Thank you. Next?

2 MS. MORTON: Good afternoon. My
3 name is Margaret Morton and I'm a resident of
4 Barry Farms.

5 It's a whole lot of uncertainty, a
6 whole lot of fear as to what is going to actually
7 take place. I would like to return back to
8 Barry Farms, but with this Tax Credit Program
9 versus National Capital Housing, it's a big
10 different because when Sheridan Station opened
11 up, I applied to Sheridan Station, but I was not
12 accepted over there. They said I made too much
13 and that they wouldn't get credit for me being
14 there. So I want to make sure that the same
15 thing doesn't happen with Barry Farms, because
16 I would like to return back to Barry Farms. If
17 I could live in Barry Farms in the conditions
18 that it is now, certainly when they beautify it
19 I want to be a part of it.

20 I want to touch on -- you all was
21 talking about the conditions when you all were
22 talking to -- I think he's a builder,

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1 architecture or whatever. But as far as the
2 mold and mildew and stuff, it does exist. I'm
3 inhaling it every day, me and my family. And
4 I have reached out to Housing and called them
5 about the mildew, because it's a awful smell.
6 It's just musty and it stinks.

7 And I had signs of it all in my
8 laundry room, you know, with the black and the
9 green spots and stuff. And I bought some
10 bleach and I sprayed the walls down and it just
11 disappeared like magic, but apparently it's
12 behind the walls, because I'm still inhaling
13 it. And the maintenance came out three
14 different times and they said, well, let it dry
15 out. Well, there's nothing we can do.

16 You know, everybody, they look at us like
17 all of is not worth nothing, you know? I work,
18 you know? I've always worked. And when I came
19 in to public housing, I worked. Some people
20 say why you stay in public housing? You know,
21 you can afford to go somewhere else. But being
22 the head of my household and having three

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1 children, public housing has always gave me
2 that safety net over my head, because there's
3 been times when I've gotten sick. You know, I
4 didn't have to take on the burden of worrying
5 about a roof over my head, because there was
6 times I didn't have enough sick leave to get
7 paid while I'm still at home. So I would notify
8 the rent office and they would adjust my rent
9 to help me through those tough times. That's
10 why I stayed.

11 And even now I'm more closer to
12 retiring. I have -- I got 26 years in the
13 government, District government. In four more
14 years I will be 55, age 30. I want to sit down.
15 So if I was to move out now somewhere, my income
16 going to change. Probably where I move I won't
17 be able to afford it in five years. So I'm
18 worrying about, okay, when it's time for me will
19 I be able to return back to Barry Farms if they
20 go according to the tax credit? If that's what
21 they going to implement at Barry Farms, then I
22 won't be able to go back there either.

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1 CHAIRMAN HOOD: You finished?

2 MS. MORTON: Yes.

3 CHAIRMAN HOOD: Thank you. Next?

4 MS. MATTHEWS: Hello, everybody.

5 My name is Paulette Matthews and I've been at
6 Barry Farms since '95. When I initially came
7 to Barry Farms, they was saying the military was
8 going to buy it and we have to leave. And it's
9 been like a little tussle back and forth
10 throughout the whole time, but now it's like a
11 reality.

12 And the same way, piggybacking on
13 Pam down there, far wise as the zoning thing,
14 I know nothing about it, but what I do know is
15 that I need to come in here and figure out what's
16 going on. And I will also go and study, too.

17 But at the same, when the gentleman
18 was saying that -- Mr. Turnbull, when you was
19 saying to the gentleman about being a architect
20 and about the crawling in the crawl spaces and
21 all of that, well, I've heard there are some
22 crawl spaces. I don't know exactly where they

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1 are either, but I know that they do an
2 inspection and I've never seen nobody go in the
3 crawl space, check the crawl space or none of
4 that. I don't even know where it is. I know
5 that there's a spot up there where -- my home,
6 where I grew up at, that's the attic and we could
7 go up there. I never seen anybody do none of
8 that type of stuff either.

9 Far wise as the mice, D.C. Housing
10 Authority and their staff, their maintenance
11 staff or whatever the case may be, they come in
12 and they don't really do what you would call an
13 inspection. Far wise as the rodent problem,
14 they just -- nothing. It's like poof, be gone,
15 because they're really not doing nothing. I
16 don't know what the problem is, but my furnace
17 went out. And when my furnace went out, they
18 came and they gave me a new furnace. But at
19 that time I realized I had a big hole. I mean
20 a very big hole, bigger than this tile opening
21 right here.

22 So I called them and informed them,

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1 because sometimes I used to hear stuff running
2 through the wall, you know? So I know mice and
3 stuff do travel. So I'm telling them -- I'm
4 like, okay, so now that I'm actually physically
5 seeing them. Because they never -- it took
6 them two weeks to come and fix that hole, and
7 they really didn't do a very good job.
8 Because, you know, they don't have no backbone,
9 so they can slip through what little openings
10 that they do have.

11 But when I go around, I'm saying
12 like we have these mice or whatever and they run
13 around, I see them darting them around or
14 whatever, they want to give me two sticky traps.
15 And I have a four-bedroom house. I mean, two
16 sticky traps. What I supposed to -- where I
17 supposed to put them? I mean, and at this time
18 I'm really -- I'm not working right now, but I
19 am in school and it's hard to try to do all this
20 stuff and at the same time worry about what's
21 next.

22 Go to these meetings. This

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1 gentleman, he said they came -- we coming to the
2 meetings. I don't know your name, sir. All of
3 you all sitting right here. You three. Yes.
4 All of you all right there. Come to the
5 meetings. And it's like a circle. Questions
6 that you need answered, they can never answer
7 the right question, like the size, where we
8 going to go. They offer -- like everybody
9 keeps hearing about Sheridan and Matthews and
10 stuff like that, which is not even -- it's not --
11 I don't understand how they actually -- what I
12 mean to say is how they actually got there and
13 set around a round table and they knew that the
14 component of family sizes might be five and six
15 bedrooms. And I think to build those first and
16 try to figure out what to do with all of us. So
17 it's just been a nightmare.

18 And to go to these meetings and a lot
19 of residents stop going, because when you go,
20 they're not really telling you no more than what
21 you knew when you first came in. And every
22 question that you ask that's of some importance

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1 to you, they still to this day don't have a
2 answer, but yet we're in here trying to get this
3 zoning thing together. And I just -- it's just
4 behooving how all of this is taking place. And
5 that's why I'm actually here just to figure out
6 what's going on.

7 (Applause)

8 CHAIRMAN HOOD: Okay. Here's what
9 I'm going to say, Ms. Schellin; and I'm going
10 to ask Director Barden to help, we need to help
11 the residents in Barry Farms, and anywhere
12 actually. And I think we have some materials.
13 When I say do your own homework, it doesn't mean
14 we're send you out there by yourself.

15 MS. MATTHEWS: I understand.

16 CHAIRMAN HOOD: This office here
17 some years ago, in 19 -- what year did I come?
18 But anyway, whatever year I first came, one of
19 the major issues I had was -- because I didn't
20 know zoning either. The director at that time,
21 who this hearing room was named after, was
22 Jerrily R. Kress. And one of the reasons that

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1 we hired her, or at least I consented to do that
2 was because I wanted her to level the playing
3 field. That was a term that was used in front
4 of the Council and this Office of Zoning for
5 years, leveling the playing field. And what
6 that simply meant was for those of us who didn't
7 know anything about zoning, that we would be --
8 the field would be leveled so we would be four
9 participants in the process for those who do it
10 all the time.

11 So what I'm going to ask -- because
12 you said something to me and I didn't want it
13 to think that you all go do your homework and
14 then come back later. No. What I want us to
15 do, Ms. Schellin, is explain what -- we can have
16 Ms. Barden put together a one-pager and explain
17 what a first stage PUD is. whatever we need to
18 do. First stage. Second stage. How it
19 works. What the process is. What goes on down
20 here. And I think that will be a good start for
21 the residents, at least from the zoning
22 standpoint. And as soon as we -- we may already

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1 have something like that.

2 MS. SCHELLIN: Actually, I think
3 rather than a one-pager, it might be more
4 helpful, the tutorials that we have online. We
5 have several of those that make it even more
6 understandable for the lay person on different
7 types.

8 CHAIRMAN HOOD: Okay. Whatever --

9 MS. SCHELLIN: And do we have some,
10 so --

11 CHAIRMAN HOOD: Whatever it is or
12 wherever it is -- and if they don't have access
13 to a computer --

14 MS. SCHELLIN: They can contact us.

15 CHAIRMAN HOOD: -- whatever it is
16 or wherever is --

17 MS. SCHELLIN: We'll print it off
18 and send it to them.

19 CHAIRMAN HOOD: Here it is.

20 MS. SCHELLIN: Absolutely. No,
21 not that. We have some tutorials that simplify
22 it even more.

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1 CHAIRMAN HOOD: Well, this is a
2 start. This is a start. I really want us to
3 do that. Whatever it takes, we need to get that
4 done. Let's just work on that.

5 MS. SCHELLIN: All right.

6 CHAIRMAN HOOD: Okay. And you all
7 can take this, who don't understand it. This
8 office is open. If you go on your computer, you
9 can even watch some of the previous -- not the --
10 don't watch it late at night, because you may
11 go to sleep, but you can watch --

12 (Laughter)

13 CHAIRMAN HOOD: You can watch some
14 of my video streams so you can see how we
15 interact, how we do cases. Watch another case
16 besides Barry Farms. See how we interact and
17 how we do things. Okay? And some of the
18 interactions between communities and
19 developers. I think that will be a good start
20 and something you should do. Okay?

21 MS. MATTHEWS: Thank you.

22 CHAIRMAN HOOD: I would suggest

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1 that.

2 Okay. Colleagues, any questions
3 of this panel? Mr. Turnbull?

4 COMMISSIONER TURNBULL: Yes, thank
5 you, Mr. Chair. All right. Ms. Matthews, I
6 hope I wasn't too hard on the architect --

7 (Laughter)

8 COMMISSIONER TURNBULL: -- but --
9 and I believe in preserving buildings. I mean,
10 I work at that big building up on the Hill.

11 MS. MATTHEWS: Okay.

12 COMMISSIONER TURNBULL: So we do a
13 lot of work on it. Buildings are living
14 things. They age, they breathe, they move.
15 They move in the spring, in the fall. And with
16 the humidity you can get mold, you can get a lot
17 of different things. So when someone -- and
18 for us looking after some of our buildings, it's
19 a big effort. You really got to get into it.
20 And that's why when people talk about saving --
21 we want to save as many buildings as we can, but
22 it's an effort. You've really got to get in

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1 there and look at it and take it apart.

2 And I was kidding about you got to
3 open up the patient and really see what it's
4 like. Because at some point if you strip the
5 thing -- I mean, if it's got mold and if it's
6 get asbestos and lead paint, by the time you
7 take it all out, you wonder what's left. And
8 that's why -- I mean, I'm all for it, but you
9 got to be very careful. It's a very difficult
10 thing to do. And as much as I love preserving
11 and saving, at some point you're going to
12 just -- by the time you get done, do you have
13 a building that's really going to work for
14 everybody?

15 So I'm very concerned. I mean,
16 we've gone through the asbestos and the lead
17 paint and all that and it's just -- and mold.
18 Mold is -- can -- you get it in your lungs and
19 you -- it's --

20 MS. MATTHEWS: I understand. I
21 went to school for that.

22 COMMISSIONER TURNBULL: Yes, it's

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1 terrible. But thank you for your comments.

2 I just wanted to ask Ms. House -- I
3 think it was our youngest person here tonight
4 talking. I just got a question. There's a
5 plan for a big park in the area. As a young
6 person is this park -- how do you think this park
7 is going to be used?

8 MS. KANESHIA HOUSE: Well, I
9 personally don't go outside anyways, so -- but
10 I think for the younger children, I think it
11 would be beneficial for them, because it's
12 like --

13 COMMISSIONER TURNBULL: Well,
14 right now they're showing no play area. It's
15 just a big park. I mean, it's conceptual. And
16 I'm just thinking how does that fit with how you
17 think younger kids, or probably kids younger
18 than you are going to really use this park?

19 MS. KANESHIA HOUSE: I mean, if
20 it's just a big grass area, that is not really
21 helpful. I think for younger children and kids
22 under the age of 12, even under the age 10, they

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1 should be able to have a playground where they
2 can go to, because it's not like they really
3 enjoying their childhood if they're just in a
4 grass area. If they just want to play in a
5 grass area, then they can just play ball or
6 something in their own backyard. So I think if
7 there is going to be a big park area, there
8 should be a playground for them.

9 There were -- at the time when I was
10 younger, there were playgrounds outside of the
11 units, so I was able to go outside my own house
12 and there was a playground right there where I
13 can go to. So mother didn't have to take me all
14 the way to Northwest somewhere just to get on
15 a playground. So I think if there's going to
16 be a big park area, then that -- I mean, it can
17 still be there, but if it's going to be used,
18 let it be used for a playground for the kids to
19 play on.

20 COMMISSIONER TURNBULL: Okay.
21 Thank you.

22 VICE-CHAIR COHEN: I have a

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1 question with regard to play facilities,
2 because I actually helped build a playground on
3 Barry Farm. It may be further from your house
4 than other people. But what about the
5 recreation areas? Is that used by younger
6 kids? And the playground itself, there's at
7 least one, I hope, because I sweated that day.

8 MS. KANESHIA HOUSE: No, they --

9 (Simultaneous speaking)

10 MS. MATTHEWS: There are no more
11 playgrounds. And half of the reason --

12 MS. HAMILTON: Our kids don't have
13 nowhere to go.

14 MS. MATTHEWS: There's been no
15 play --

16 VICE-CHAIR COHEN: Shh. We heard
17 you before.

18 MS. MATTHEWS: -- there have been
19 no playgrounds for a long time. And what I
20 think has happened, like they didn't keep the
21 maintenance up for the playground areas, so
22 some kids did get hurt and they got law suits

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1 that was held. You know, people got lawsuits
2 against them, which they won. And after that
3 it seemed like they just came and took all the
4 playgrounds from off all the courts that were
5 there.

6 VICE-CHAIR COHEN: What about the
7 rec area?

8 MS. MATTHEWS: Well, now the
9 recreation center they had like a small setting
10 where as though maybe kids from the age of one
11 to five could have played on at one point. And
12 maybe two swings. I mean, if that's what you
13 call a playground. And so, and that's been for
14 a long time, yes. Yes.

15 VICE-CHAIR COHEN: Yes, I don't
16 remember the year that I was there.

17 MS. MATTHEWS: Well, I --
18 (Simultaneous speaking)

19 VICE-CHAIR COHEN: But Ms. Burrell
20 was alive, though.

21 MS. MATTHEWS: I've been here since
22 '95. It hasn't been a swing since I've been

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1 there in '95, a playground area in front of each
2 unit. But they --

3 (Simultaneous speaking)

4 VICE-CHAIR COHEN: Oh, no, not in
5 front of each unit. There was --

6 MS. MATTHEWS: There used to be one
7 in front of every unit there. On every grass
8 lot throughout each court there was one, just
9 like there used to be a mail box in every
10 cluster, but they moved all of those also to
11 Sumner Road. And then when they moved the
12 rental office and had Donna and them move out
13 and they took over the rental office, they now
14 have the mailbox there. So, but no -- all
15 playgrounds have been gone for some time now.

16 CHAIRMAN HOOD: Okay. Any other
17 questions? Commissioner Miller?

18 MS. MATTHEWS: Yes, well, when the
19 rec opens, they can play, but --

20 COMMISSIONER MILLER: Thank you,
21 Mr. Chairman. Yes, I think that's something we
22 do need to examine, what playground facilities

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1 are being provided at the new Barry Farm
2 Recreation Center. But even if there is a
3 playground there, it seems that this two-acre
4 park is big enough to accommodate a
5 state-of-the-art --

6 MS. HAMILTON: Yes, I want (off
7 microphone) playground.

8 COMMISSIONER MILLER: -- playground
9 like all the playgrounds that the D.C.
10 government has recently -- or is in the process
11 of renovating under the D.C. Play Program of
12 D.C. Parks and Recreation.

13 Ms. House, I just wanted to -- Ms.
14 House?

15 MS. PAMELA HOUSE: Yes?

16 COMMISSIONER MILLER: Just wanted
17 to comment that when I first moved into a home
18 with my wife many, many, many, many, many eons
19 ago --

20 (Laughter)

21 COMMISSIONER MILLER: -- in what
22 might considered a nice part of town, there was

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1 mice and the cat solved the problem. So I think
2 I really look forward to maybe running into you
3 in a few months or a few years to see if that --
4 and I had to actually get more than one cat.

5 (Laughter)

6 COMMISSIONER MILLER: There was
7 competition for those mice.

8 MS. PAMELA HOUSE: But I'm still
9 out of my lease compliance with that, but I'll
10 deal with that later.

11 COMMISSIONER MILLER: Well, I
12 heard you say that. I think the D.C. Housing
13 Authority, if they're not going to take care of
14 the mice another way, that they ought to allow
15 you to take care of it that way.

16 MS. PAMELA HOUSE: Thank you.

17 COMMISSIONER MILLER: I would just
18 also comment, we also need to examine -- I guess
19 there may be HUD regulations involved about the
20 adult children living and being able to live in
21 the subsidized housing.

22 VICE-CHAIR COHEN: If they're on

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1 the lease I think it's allowed. But if they're
2 not on the lease --

3 COMMISSIONER MILLER: I see.
4 Okay. It's just something as someone who has
5 adult children who occasionally have moved back
6 into the home. Okay.

7 MS. PAMELA HOUSE: But see, I
8 actually tried to get my 22-year-old daughter
9 off my lease because she's currently in
10 Norfolk, Virginia where she's supposed to be in
11 college, but I can't get her off because she
12 doesn't have a resident there. She's just
13 staying with someone. So if she finds a job,
14 a good job, it's going to come back on me. But
15 she's not home. So that's another issue that
16 we face.

17 CHAIRMAN HOOD: Any other
18 questions?

19 (No audible response)

20 CHAIRMAN HOOD: Let's see, the
21 Applicant have any cross?

22 (No audible response)

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1 CHAIRMAN HOOD: Ms. Cuthbert, you
2 have any cross?

3 MS. CUTHBERT: (No audible
4 response)

5 CHAIRMAN HOOD: Ms. Belt, do you
6 have any cross?

7 MS. BELT: No.

8 CHAIRMAN HOOD: Okay. If you can
9 come get a couple of books, and if you'd do me
10 a favor and just pass a few out? I'm not trying
11 to insult anybody. I'm trying to help. If you
12 can just pass a few of these out? This might
13 not be the best. The office is open. You can
14 get -- when they open, you all can give them a
15 call. But if you'd just pass those out? And
16 this is just a start to help with the processes.
17 Okay?

18 Okay. So I want to thank this
19 panel. We greatly appreciate it.

20 MS. MILLER: Mr. Hood, can I speak
21 for one minute?

22 (Simultaneous speaking)

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1 MS. MILLER: Mr. Hood?

2 CHAIRMAN HOOD: Well, I'll tell
3 you, you cannot satisfy Mayor Hamilton. Boy,
4 now she wants the video.

5 Okay. To be fair to everyone else,
6 I would ask that you submit something in writing
7 if you want to give us another point. It's time
8 now for rebuttal. Okay?

9 Okay. We want to thank this panel.
10 We appreciate it. You all can go back to your
11 seats.

12 MS. SCHELLIN: Chairman Hood, who
13 were you allowing to submit something else in
14 writing, because the record closes this
15 evening. Well, I mean except for what you
16 allow it to be left open for.

17 CHAIRMAN HOOD: Yes.

18 MS. MILLER: I was just going to
19 say --

20 CHAIRMAN HOOD: Well, come to the
21 table. I'm going to do it, because you all have
22 been patient in working with --

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1 MS. MILLER: I would just like to
2 say --

3 CHAIRMAN HOOD: Even Ms. Hamilton
4 working with me here lately.

5 MS. MILLER: -- speaking of the
6 development of Barry Farms, like one of the
7 residents was speaking about the attic, we also
8 have a basement underneath our houses. It used
9 to be a fort. So really when you all do
10 inspections you all need to go underground,
11 too, of the houses.

12 CHAIRMAN HOOD: Okay. All right.
13 Thank you. You mean them. Actually, we don't
14 do the inspection.

15 MS. MILLER: I know --

16 CHAIRMAN HOOD: Okay.

17 MS. MILLER: -- but I'm just saying
18 we do have a underground --

19 (Simultaneous speaking)

20 CHAIRMAN HOOD: Okay. Okay.
21 Okay. That's good. I know we get credit for
22 doing a lot of things, and some things actually

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1 are not within our justification, believe me.
2 A lot of stuff is not within our justification.
3 So we have to grapple with those things.

4 Okay. Mr. Freeman?

5 MR. FREEMAN: Oh, okay.

6 CHAIRMAN HOOD: Oh, hold on one
7 second. I want to be respectful of you, Mr.
8 Sanker. You want to go? You said -- are you
9 going to make it brief?

10 MR. SANKER: Yes.

11 CHAIRMAN HOOD: Okay. Because the
12 subway closes at 12:00, so we want to make sure
13 we get out of here.

14 (Simultaneous speaking)

15 CHAIRMAN HOOD: He said he has a
16 question. Now he's 89. I'll ask everyone to
17 be respectful of that. Eighty-six? Okay.
18 He said he had a question.

19 Ms. Schellin, can he ask us that
20 question after --

21 MS. SCHELLIN: All right. Well,
22 you need to go ahead and do that. Go ahead.

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1 CHAIRMAN HOOD: He's going to ask
2 the question.

3 MR. SANKER: Mr. Chairman, I was
4 saying why they shouldn't tear Barry Farms down
5 because Barry Farms is like a monument for me,
6 like the Jefferson -- the monument. I raised
7 my family there. I'm from Virginia. I'm from
8 Fauquier County, Northern Virginia. But I
9 lived there and got married and raised my family
10 there. So like I say, it's that -- and that's
11 why I want to return back there, because, see,
12 it's not where you live, it's how you live. The
13 neighbors don't make us, we make the
14 neighborhood. You don't let people put you
15 down. See, if you're brainwashed, they got
16 you.

17 See, that's what I'm saying. You
18 might have a job today. Next week, next month
19 you might not have no job. So you got to be
20 careful how you travel out here. See, we're
21 walking on eggs every day. That's what life is
22 about. It's about watching each other's back

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1 and helping each other up. See, that's what
2 I'm saying.

3 CHAIRMAN HOOD: All right. Thank
4 you.

5 MR. SANKER: Thank you.

6 CHAIRMAN HOOD: Thank you. And
7 we're going to end on that note. Thank you.
8 We appreciate it.

9 Okay. Mr. Freeman?

10 MR. FREEMAN: Again, Kyrus Freeman
11 on behalf of the Applicant. I'll just do a
12 quick rebuttal/closing. I think what we'd
13 like to do is to have the opportunity to present
14 our rebuttal in writing. We've heard a lot of
15 comments, much of which we've already answered,
16 but we're happy to put it in writing.

17 For example, number of units, size
18 of units, community process, return rights,
19 first source, Section III requirements,
20 clarifying our density calculations,
21 reconfirming how the project complies with the
22 Comprehensive Plan, Small Area Plan, New

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1 Communities analysis, confirming that our
2 project is within the zoning parameters,
3 confirming again that all of the replacement
4 units, the 344, will be on site, confirming
5 again that we will have to come back for second
6 stage approvals, and that point we'll talk
7 about the programming of the parks and things
8 of that nature.

9 So all of the conversation, all of
10 the topics that you've heard tonight, much of
11 that we've covered already on Monday. We're
12 happy to go through in detail and put that in
13 a formal submission for the Zoning Commission
14 to have in the record.

15 I think if we were to say anything,
16 we'd like to make it clear that the Applicant
17 has actually worked very hard to get community
18 support. I know it might not seem that way, but
19 they engaged in an extensive process, which
20 again we will describe in writing.

21 We actually do have support. As
22 you know, Council Member Barry. Nella

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1 Patterson. The president of Barry Farms
2 Resident Council, her letter is in the record.
3 Excel Academy, their letter is in the record as
4 Exhibit 36. United Black Fund, their letter is
5 in the record as Exhibit 40. And again, all of
6 those folks that we have support from live and
7 work in the community and are actually looking
8 forward to the positive transformation that
9 this project will bring.

10 Again as I said, No. 2, we've
11 answered all of the questions in multiple forms
12 and again, we will be submitting further
13 details as part of our post-hearing
14 submissions. We will happily go back to the
15 ANC. We've gone over 30 meetings. We're
16 happy to go back to additional meetings.

17 As will be described in our
18 submissions, we've worked with residents,
19 stakeholders, OP, DDOT, the Department of
20 Transportation and other stakeholders to
21 ensure that our project will produce modernized
22 sustainable homes, as well as well-designed

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1 blocks where current and future residents can
2 prosper.

3 I want to emphasize again, we're
4 going to provide a lot of the information, but
5 again, as you know, this is a first stage PUD,
6 so some details are not definitive. We haven't
7 designed units yet. Those are things that we
8 would do as part of our second stage
9 application, which again will require us to
10 come back, will require us to go back to the ANC,
11 will require us to reengage in the process.

12 But approval of the first stage
13 application is a critical -- repeat, a critical
14 step to trigger the other things that are
15 necessary in order to get moving with this
16 project that has been envisioned. As you've
17 heard a number of times throughout the past
18 couple of nights, has been envisioned for a
19 number of years. So again, this is the first
20 critical step.

21 Last but not least, we believe the
22 evidence of record, including the OP reports,

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1 DDOT's reports, our expert reports and the
2 testimony of our witnesses clearly
3 demonstrates that we meet the first stage PUD
4 approval and that the project is suitable for
5 use as a PUD, that the character, scale and mix
6 of uses is appropriate and that the proposed
7 development is consistent with and will help
8 implement the numerous well-established goals
9 for the site, including the Barry Farm Small
10 Area Plan, which in our expert report we also
11 have a table that goes through and describes how
12 our project is consistent with the District of
13 Columbia New Communities Initiative, as well as
14 the many, many elements of the Comprehensive
15 Plan that we've outlined in our application
16 material.

17 So for all these reasons we
18 respectfully request that at the appropriate
19 time the Zoning Commission approves our
20 application. Thank you.

21 CHAIRMAN HOOD: Okay.

22 Commissioners, let's do this: Let's go down

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1 the list of what we asked for and then anything
2 else we add and comments we add on the back end
3 of the list. So I want to make sure that we do
4 go down the list first.

5 MR. FREEMAN: I'm sorry, I forgot
6 one last point that I wanted to make. One thing
7 we heard loud and clear was our response to the
8 TDM measures and the LEED. We will put in
9 writing and submit for the record that we have
10 in fact agreed to all DDOT TDM measures with
11 some minor tweaks. We've relayed that to DDOT
12 and we will put that in writing.

13 We've also increased our
14 sustainability commitment and all of the flats
15 and row homes will be at LEED-ND and all of the
16 multi-family buildings will be at LEED Silver.
17 I wanted to make sure I stated that for the
18 record tonight. And again, it will be in our
19 post-hearing submissions. Thank you.

20 CHAIRMAN HOOD: Okay. Ms.
21 Schellin, can we go down the list?

22 MS. SCHELLIN: Sure. Okay. We

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1 need the ANC to provide Ms. Cuthbert's
2 testimony. The party in opposition, Ms. Belt,
3 to provide a more thorough -- Ms. Cohen asked
4 for a more thorough analysis that they were
5 going to provide. I'm not sure if that was the
6 architect or Mr. Merrifield. I didn't catch
7 who you wanted to provide a more thorough
8 analysis. The party in opposition?

9 VICE-CHAIR COHEN: Mr. Merrifield.

10 MS. SCHELLIN: Mr. Merrifield?
11 Okay. Also the party in opposition needs to
12 provide a copy of Ms. MacWood's testimony.

13 And then switching over to the Applicant,
14 more detail on the phasing, the different
15 phases. The transportation management needs
16 some improvement. Ms. Cohen brought up during
17 the -- I believe the PowerPoint presentation
18 there was an issue with the pagination of the
19 maps. I'm not sure if she's actually expecting
20 something of that. No? Okay.

21 VICE-CHAIR COHEN: But also, Mr.
22 Merrifield, I don't need anything in writing

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1 from you. I just want you to do a little bit
2 more homework.

3 MR. MERRIFIELD: That's good.
4 Thank you.

5 MS. SCHELLIN: Okay. So nothing
6 there. So we can delete that then.

7 Okay. Vice-Chair Cohen suggested
8 that a tour of the other housing types to give
9 tenants an idea of the different types and
10 density. Chairman Cohen also asked how many
11 children currently live on site. She wants a
12 stronger LEED commitment.

13 Commissioner May felt that the
14 project is light and needs more development.
15 Commissioner May asked for the strategy on what
16 will be privately-held and what will remain in
17 the District hands. Again, Commissioner May
18 felt that there needed to be further
19 conversation with the ANC. Commissioner May
20 exactly what kind of flexibility is needed.
21 Commissioner May again, what will --

22 COMMISSIONER MAY: Sorry, that has

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1 to do with the unit composition.

2 MS. SCHELLIN: Okay.

3 COMMISSIONER MAY: The spread of
4 units and -- you know, it's this many, this
5 many, this many and then within that what kind
6 of flexibility they might need.

7 MS. SCHELLIN: Flexibility?
8 Okay. Commissioner May, what will
9 the improvements be along Sterling and what
10 will be seen walking along there. I believe
11 you were looking for a drawing to be submitted
12 for that. Yes? What the improvements along
13 Sterling what be and what would be see if you
14 were walking? Are you not looking for that
15 anymore? No? Okay. Delete that.

16 Commissioner May asked for a recap
17 of the response to the DDOT issues and that they
18 reconsider them. Commissioner Hood asked for
19 the first source, that they submit the prior
20 record for Rhode Island Row and Capital
21 Gateway. Chairman Hood, the Homeowners
22 Association, he wanted to -- he stated that they

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1 need to make sure that there's something in
2 place for the residents when the time comes so
3 that as the developer leaves the residents are
4 left with something that they can proceed with
5 and will be successful.

6 Commissioner Cohen, the Housing
7 Authority needs to ask them to submit a record
8 in relocating other Hope VI. Commissioner
9 Miller asked for a breakdown of the units by AMI
10 level. Commissioner Cohen asked for, along
11 the same lines that Commissioner May, the
12 specific response to DDOT's concerns.
13 Commissioner Hood also said that they need to
14 meet with the ANC again and answer any questions
15 they had.

16 Out of cross-examination from the
17 party in opposition, confirm the number of
18 lots/parcels involved in the development and
19 the number actually owned by the District.
20 Again out of cross-examination from the party
21 in opposition, identify the human capital
22 service providers mentioned on page 26 of the

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1 February 20th statement in support and identify
2 the needs there accommodating for current
3 residents.

4 Commissioners Cohen and Miller
5 asked what playground facilities are being
6 provided at the new Barry Farms. Commissioner
7 Miller, what is residency criteria for adult
8 children living on the premises. Commissioner
9 Cohen asked the Office of Planning to check with
10 MPD regarding any safety concerns.
11 Commissioner May asked Office of Planning to
12 look at the Small Area Plan, specifically the
13 reference to 1,110 units.

14 During cross-examination from the
15 party in opposition the Office of Planning was
16 going to check -- follow up with what the
17 current AMI number is for this year.

18 And that's all I've got.

19 CHAIRMAN HOOD: One of the things
20 that I specifically asked for; and I know this
21 is the first stage, was to start the evolution
22 of this relocation, because I'm going to be

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1 pressing the pedal to the metal about this
2 relocation process. And I think the Applicant
3 had agreed to at least starting so we can see
4 something. Because the way I took it out of the
5 merits of this case was that that hasn't even
6 been discussed. So I think that that needs
7 to -- I need to get something. Even though I
8 know it's first stage; I've heard, believe me,
9 I know where we are, but I need to start to
10 seeing what is going to transpire and how that
11 relocation is going to happen. That was one of
12 the things specifically that I asked for.

13 Okay. Anyone else?

14 COMMISSIONER TURNBULL: Yes, Mr.
15 Chairman, just from the list of things that
16 we've put out there I've heard a couple of times
17 of more meetings with the community, the ANC.
18 My concern from a process standpoint is that
19 when we get to our meeting where we take
20 proposed action there's going to be a lot of
21 things hanging out there with these meetings
22 that may raise more questions than with all the

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1 submissions we're getting back in. So from a
2 process standpoint I see a problem developing
3 as to the next step, where we're going.

4 CHAIRMAN HOOD: What we could do,
5 Mr. Turnbull, is have another hearing on the
6 materials that we asked for once we find the
7 time.

8 COMMISSIONER TURNBULL: Okay.

9 CHAIRMAN HOOD: Once we get all the
10 materials in. We will not need to -- no, we
11 need to set -- well, not necessarily need to set
12 a date, but we need to say that we're going to
13 have one more hearing and what the process is.

14 COMMISSIONER TURNBULL: Okay.

15 CHAIRMAN HOOD: And the parties,
16 the ANC, Ms. Belt, and the Applicant, if that's
17 the case, will participate in that hearing.

18 COMMISSIONER TURNBULL: Okay.

19 CHAIRMAN HOOD: Okay?

20 COMMISSIONER TURNBULL: Well, I
21 could go along with that.

22 CHAIRMAN HOOD: I'm just throwing

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1 that it out there.

2 COMMISSIONER TURNBULL: Yes, I --

3 CHAIRMAN HOOD: It's 11:15.

4 COMMISSIONER TURNBULL: No, I
5 know.

6 CHAIRMAN HOOD: I just threw that
7 out there. So I might not be thinking the best,
8 but I think that will help solve that issue.

9 COMMISSIONER TURNBULL: Yes, I
10 mean --

11 MR. FREEMAN: If I could make one --
12 and I don't mean to interrupt your
13 deliberations.

14 CHAIRMAN HOOD: We're deliberating
15 right now, so thank you for not interrupting.

16 Commissioner May?

17 COMMISSIONER MAY: Yes, Mr. Chair,
18 I want to chime in on that. I mean, I don't see
19 how, with even the most effective rebuttal and
20 provision of information -- that we would be in
21 a position to vote on this one way or another.
22 I think that this -- and this is not -- I

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1 understand it's first stage and I know that the
2 Applicant has been working very hard. I'm not
3 disagreeing with any of that. It's just that
4 where we are right now is that we have a proposal
5 that's been worked on for six weeks by their
6 master planner and we have an ANC in total
7 opposition. And I think that just on those
8 counts alone this needs more work before we can
9 think about it.

10 And I think we need a completely new
11 submission of the project with all of these
12 issues addressed and with significantly more
13 detail than we have now so that we could
14 actually consider this and make a reasonable
15 decision about it.

16 CHAIRMAN HOOD: Okay. Vice-Chair
17 Cohen?

18 VICE-CHAIR COHEN: Yes.

19 CHAIRMAN HOOD: So let me ask this,
20 Commissioner May. So you're in agreeance with
21 an additional hearing?

22 COMMISSIONER MAY: I think an

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1 additional hearing is going to be necessary. I
2 think that we could look at what they submit.
3 If what we get is a plan where we get letters
4 of support from the ANC and letters of support
5 from the residents who are here testifying
6 against it, maybe another hearing wouldn't be
7 necessary, but I'm not sure they can get it that
8 far. That's a long way to go. But I think that
9 I really want to leave this open-ended and not
10 say, well, you've got a month to figure out a
11 new plan and get the ANC on board. I think they
12 need to take their time and work on it and let
13 us know when they have a good plan.

14 CHAIRMAN HOOD: Yes, well,
15 obviously this Commission knows we never rush.
16 We're in no rush, but we want to make sure we
17 get it right. And that's how we've done all
18 over the city. We want to get it right.

19 Commissioner Miller?

20 COMMISSIONER MILLER: Yes, I don't
21 have any problem leaving it open. I think we
22 should leave it open-ended. I don't think we

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1 should commit that there definitely will be a
2 public hearing or not. I think we should look
3 at what we get and make a determination at that
4 point.

5 One thing I would like to see from
6 the Applicant is to address directly the ANC's
7 request for 1,200 units rather than up to 1,692,
8 because that was their one big request, that
9 with that they could support it. So I would
10 like to see what the feasibility of that is,
11 what that does to the financing and all the
12 units. But I think we need a response directly
13 to that question. And that obviously
14 would come because you're going to be meeting
15 with the ANC. So we'll probably see that
16 anyway. But it wasn't specifically in the
17 list, so I wanted it to be called out.

18 COMMISSIONER MAY: Yes, I actually
19 would like to pile on on that point, too,
20 because I'm having a very hard time getting my
21 mind around 68 units per acre. Because in my
22 mind that's pretty much all apartments in order

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1 to reach that kind of density level. And we see
2 from their plans that there are a significant
3 number of town houses and flats. And I just
4 don't see how they can get up to that number
5 reasonably. Maybe they can demonstrate that
6 that's the right number, but I'm very, very
7 skeptical about that. So I think that they do
8 need to respond to the ANC's issue.

9 And I know we suggested at one point
10 they take the residents and the ANC to see some
11 comparable projects that might be of a similar
12 density. Actually, I think we need some
13 examples submitted to us of areas or
14 neighborhoods that are of similar density so we
15 can understand what it means to have 68 units
16 per acre. Because just based on my most basic
17 knowledge of planning, that's a very high
18 number.

19 COMMISSIONER MILLER: I think that
20 would be helpful. And keeping in mind what you
21 already asked for from the Office of Planning,
22 how we moved from 1,110 on site to 1,692 and how

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1 that larger number still manages to be moderate
2 density residential, which you already asked
3 for.

4 I think just one other thing we also
5 need from either the Applicant or DDOT, or both,
6 is that street closure issue, what's been going
7 on there and what can be done about it.

8 COMMISSIONER TURNBULL: Mr. Chair,
9 I will chime in with my colleagues on the amount
10 of units per -- I'm concerned also.

11 CHAIRMAN HOOD: Okay. Vice-Chair
12 Cohen?

13 VICE-CHAIR COHEN: Thank you, Mr.
14 Chairman. I will go along with my colleagues
15 on the need for another public hearing, but a
16 couple of things I want to suggest.

17 One is I think it's important for
18 the Housing Authority to look carefully at
19 their service provider. There were some
20 complaints about the uselessness of them, and
21 I think that's the key to success for any
22 redevelopment project is to get residents the

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1 help they need so that they can return.

2 But I also want to say something --
3 is that New Communities -- I think the attorney
4 said that it was not successful. And no one's
5 going to dispute that; or at least I wouldn't,
6 however, the Housing Authority did complete
7 several projects. And I think based upon that
8 they have some experience that is very good. I
9 think the problem that they ran into is when the
10 city started calling some of the shots so you
11 never knew who was in charge. And that's what
12 I think ended up being a problem.

13 I'll probably get fired for this,
14 but that's okay. It needs to be said that the
15 Housing Authority has had some success and they
16 can use some of that information to I think
17 qualm some people's issues. And that's all I
18 wanted to say.

19 CHAIRMAN HOOD: Okay. Again, if
20 we do another hearing -- I'm thinking when I
21 read the submissions I may have some questions,
22 so I personally probably -- if we go down that

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1 line, we want to make sure that we spell out
2 exactly how another hearing would take place.
3 The hearing would be on information that came
4 in. Also the parties, the ANC, as well as Ms.
5 Belt as a party would be able to cross-examine
6 on any information that we receive that what we
7 ask for. And we're going to cut that off at
8 that point. I just want to make sure going
9 forward that that would be advantageous for us.

10 So I'm saying it for this reason:
11 I'm not trying to stifle anyone, but we do want
12 to try to get as much information as possible.
13 And I'm sure people will work with the ANC,
14 which has some issues, and also people who work
15 with Ms. Belt's party. So maybe, Ms. Belt, you
16 all may want to work with the ANC, or the ANC,
17 you all -- well, ANC has great weight, but you
18 all have great weight. So you all need to come
19 together and work together on the information
20 that's submitted by the Applicant so we can try
21 to close the gap some. It's been done.

22 So I'm going to be really looking

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1 forward also, Ms. Schellin, to making sure that
2 the meeting, the -- you said you had 30? You've
3 had 30 meetings so far?

4 MR. FREEMAN: At least, yes, sir.

5 CHAIRMAN HOOD: Okay. So 31 or 32
6 is what I'm expecting. We're going to -- I'm
7 sorry. Excuse me.

8 COMMISSIONER TURNBULL: Mr. Chair,
9 I just had -- was there any meeting -- we heard
10 that some of the neighbors were locked out of
11 either one or a couple of meetings.

12 MR. FREEMAN: Not that I'm aware
13 of, no. Not that I'm aware of, but Mr. Green
14 can --

15 MR. GREEN: We were in the
16 developer selection process. There were six
17 members of the panel, two people from the
18 Housing Authority, two people from the Deputy
19 Mayor's Office and two residents. That's a
20 federal procurement process. We have to abide
21 by 24 CFR, Part 85. For some of those who work
22 in the Federal Government, you know how tightly

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1 regulated that federal procurement process is.

2 We thought it was important as part
3 of that process though, or aside from that
4 process to inform -- to let the residents of the
5 development see what was being proposed to the
6 Authority, and so we offered to hold a meeting
7 out in the community to do so. That was sort
8 of an aside from the process. It wasn't an
9 official part of the federal procurement
10 process, but we thought in fairness and that it
11 was sort of generally a good idea. And so, we
12 did.

13 And a group of residents were acting
14 out, demonstrated and basically were unruly to
15 the point of not being able to continue the
16 meeting. So, which was fine. It's someone's
17 right to do. Not really -- we didn't really
18 argue with it. It's just it's someone right to
19 do so.

20 But we also felt it was important
21 that the residents of the Barry Farm actually
22 get exposure to the information that was being

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1 provided by the developers. And so, in doing
2 so we held a separate meeting where you had to
3 be a resident of Barry Farm in order to enter
4 the meeting. That's who wasn't -- that's all
5 that was required to enter into the meeting was
6 to be a resident of Barry Farm, to enter the
7 meeting again for purposes for ensuring that
8 the residents had an opportunity to hear
9 directly from the developers what they were
10 proposing. So that's the circumstances.

11 COMMISSIONER TURNBULL: Thank you
12 for your explanation.

13 MR. GREEN: That was a year ago this
14 summer, probably a year ago July.

15 COMMISSIONER TURNBULL: Okay.
16 Thank you.

17 CHAIRMAN HOOD: Okay. Any other
18 questions?

19 (No audible response)

20 CHAIRMAN HOOD: Oh, you switched up
21 on me. You're over there now. I'm used to
22 hearing you over here. Boy, I tell you.

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1 Okay. Ms. Schellin, let's go ahead
2 and set a date for a potential hearing. And if
3 we need it, we'll do it. If we don't, we won't.

4 MS. SCHELLIN: Okay.

5 CHAIRMAN HOOD: Okay?

6 MS. SCHELLIN: I have one date left
7 in September, and that would be September 18th.
8 Does that work for you, Mr. Freeman?

9 MR. FREEMAN: Yes.

10 CHAIRMAN HOOD: And this is going
11 to be a very critical point. If we have to go
12 all the way to September, it's going to be very
13 critical, Ms. Belt and Chairperson Cuthbert,
14 that you all rally everybody together and let's
15 try to work together and let's find out what's
16 going on. Let's understand what a first stage
17 PUD -- so it's going to take a little bit of
18 involvement with the Applicant. It's going to
19 take some involvement with maybe calling the
20 office. And it's also going to take some
21 involvement for the community to come together.
22 Okay?

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1 MS. SCHELLIN: Right. And since
2 we're publicly announcing it, we don't have to
3 do any further advertisement. We're
4 announcing it tonight. If needed, when the
5 Commission makes their deliberation, they'll
6 make that determination that night.

7 So now, we need to give dates
8 for --

9 CHAIRMAN HOOD: Let's see,
10 Commissioner May had something.

11 MS. SCHELLIN: Oh, he did?

12 COMMISSIONER MAY: I was just going
13 to make sure that we also get feedback from the
14 Office of Planning on whatever we receive in
15 terms of a proposal.

16 CHAIRMAN HOOD: Also DDOT.

17 MS. SCHELLIN: Right, we'll give a
18 date for that. You want DDOT also to weigh in?

19 CHAIRMAN HOOD: Yes.

20 MS. SCHELLIN: Okay. So since --
21 do you guys want to take this up at the July 28th
22 meeting, so you decide then whether you're

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1 going -- that's our last meeting of the summer.

2 CHAIRMAN HOOD: Is that enough time
3 for -- well, let's just see where we are.

4 MS. SCHELLIN: I mean, that's the last
5 meeting of the summer.

6 CHAIRMAN HOOD: I'm not going to
7 commit to anything.

8 COMMISSIONER MAY: Yes.

9 CHAIRMAN HOOD: I don't know where
10 we're going to be as far as the community coming
11 together, have they been back out there? To
12 me, if it's not right for the 28th, then we'll
13 move it on.

14 MS. SCHELLIN: Well, that's what
15 I'm saying, because that's the last meeting.

16 CHAIRMAN HOOD: We can try for the
17 28th --

18 MS. SCHELLIN: Right.

19 CHAIRMAN HOOD: -- but I don't know
20 how long this has been going on in Barry Farms
21 and I know that it's always when it gets to us
22 it seems like it's got to be a rush. I want to

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1 take our time and do it right. If it's right
2 for the 28th, fine. If not, we're moving on.

3 VICE-CHAIR COHEN: Is there a firm
4 date for the Promise Neighborhoods?

5 PARTICIPANT: (Off microphone)

6 VICE-CHAIR COHEN: Yes? To submit
7 an application.

8 PARTICIPANT: (Off microphone)

9 VICE-CHAIR COHEN: HUD has not
10 announced.

11 MS. SCHELLIN: Okay. So the ANC, I
12 believe they said that their meeting was July
13 2nd, so we know that you -- they said they were
14 going to accommodate you to show up at their
15 July 2nd meeting. And so, then if there's any
16 other community meetings that you guys might
17 make. So considering the July 2nd meeting,
18 then maybe any discussions that you guys can do
19 and any changes, if you could have everything
20 submitted by 3:00 p.m. July 14th.

21 And then we would have the party in
22 opposition, the ANC, the Office of Planning and

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1 DDOT file any responses to what you submit by
2 3:00 p.m. July 21st. And also the party in
3 opposition, the Office of Planning, anything
4 that was requested by them to submit, and Ms.
5 Cuthbert to submit her testimony by 3:00 p.m.
6 on the 14th also.

7 And then we would put this on the
8 July 28th, 6:30 p.m. meeting for the Commission
9 to consider and then at that time decide if the
10 September 18th hearing would be needed.

11 CHAIRMAN HOOD: Okay. Are we all
12 on the same page?

13 Okay. Again, hopefully we'll all
14 utilize this time. I want to thank everyone
15 for their participation. But hold on. Let me
16 just say this, too: Let's make sure when those
17 meetings in the community -- we need everybody
18 to be on their best behavior so we can get the
19 information. Let's not be unruly and then it's
20 all downhill from there, because what will
21 happen we won't make any headway and this
22 Commission will make a decision. I'd rather

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1 for the folks who live in Barry Farms and in the
2 community to make the decision. Help us.
3 Okay?

4 MS. SCHELLIN: I don't want her to
5 hit the thing. Draft findings of fact and
6 conclusions of law would also be due by 3:00
7 p.m. July 21st also, and otherwise the record
8 is closed except for the specific requests
9 asked for this evening. Thank you.

10 CHAIRMAN HOOD: Okay. So with
11 that, I want to thank everyone for their
12 participation. We appreciate you coming down.

13 (Whereupon, the above-entitled
14 matter went off the record at 11:32 p.m.)

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