

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING
CASE NO. 03-28
DEPARTMENT OF PUBLIC WORKS -
FORT TOTTEN SOLID WASTE TRANSFER FACILITY

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THURSDAY,
OCTOBER 21, 2004

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The Public Hearing of the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C. 20001, Anthony J. Hood, Vice-Chairperson presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Vice Chairperson
JOHN G. PARSONS	Commissioner
KEVIN L. HILDEBRAND	Commissioner

OFFICE OF ZONING STAFF PRESENT:

ALBERTO P. BASTIDA	Secretary, ZC
SHARON SCHELLIN	Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN MORDFIN	Office of Planning
JENNIFER STEINGASSER	Office of Planning

This transcript constitutes the minutes from the hearing held on October 21, 2004.

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

6:34 p.m.

VICE CHAIR HOOD: Good evening, ladies and gentlemen. This is the Public Hearing of the Zoning Commission of the District of Columbia, Thursday, October 21, 2004. My name is Anthony J. Hood. Joining me this evening is our Commissioners Parsons and Hildebrand.

The subject of this evening's hearing in Zoning Commission Case 03-28, this is a request by SCS Engineers on behalf of the District of Columbia Public Works Solid Waste Administration for approval of a consolidated planned unit development and related map amendment for the part of the property zoned R-5-A to Fort Totten Overlay/M for property located at 4900 Bates Road, N.E., and known as Parcels 123/57, 123/56, 124/174 and 124/175.

Notice of today's hearing was published in the D.C. Register on August 27, 2004. The hearing will be conducted in accordance with the provisions of 11 DCMR 3022. Copies of today's hearing announcement are available to you and are located to my left on the wall bin near the door. Please be advised that this proceeding is being recorded by a Court Reporter and is also webcast live. Accordingly, we must ask you to

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refrain from any disruptive noises or actions in the hearing room.

When presenting information to the Commission, please, turn on and speak into the microphone, first, stating your name and home address.

When you are finished speaking, please, turn your microphone off so that your microphone is no longer picking up sound or background noise.

The order of procedure will be as follows: Preliminary matters; applicant's case; report of the Office of Planning; report of other Government agencies, if any; report of the Advisory Neighborhood Commission 5A; organizations and persons in support; organizations and persons in opposition.

The following time constraints will be maintained in this meeting. The applicant 25 minutes, organizations 5 minutes, individuals 3 minutes. The Commission intends to adhere to time limits as strictly as possible in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations, if necessary, and notes that no time shall be ceded.

All persons appearing before the Commission are to fill out two witness cards. These cards are located to my left on the table near the

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door. Upon coming forward to speak to the Commission, please, give both cards to the Reporter sitting to my right.

The decision of the Commission in this case must be based exclusively on the public record. To avoid any appearance to the contrary, the Commission requests that persons present not engage the Members of the Commission in conversation during any recess or at any time. The Staff will be available throughout the hearing to discuss procedural questions.

Please, turn off all beepers and cell phones, at this time, so not to disrupt these proceedings. At this time, the Commission will consider any preliminary matters. Does the Staff have any preliminary matters?

SECRETARY BASTIDA: Yes, Mr. Chairman. The office has not received the maintenance of posting, and I was pondering if the applicant could address that matter.

VICE CHAIR HOOD: Okay. We'll ask the applicant if they could just come to the table briefly to explain to us the issue with the maintenance of posting. When you hit the button to turn it on, your light should light up. There you go.

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MS. HAMMOND: Okay. All right. Good evening, Vice Chairman Hood and Members of the Commission. My name is Sybil Hammond and I am from the Department of Public Works. I am the Deputy Administrator for the Solid Waste Management Administration and here to present a statement and testimony tonight. On the issue of the posting, we do not have an answer for you right now. I also have, at the table, with me Ms. Dana Murray from SCS Engineers, the firm that we've retained for us in this project. I'm not sure, let me just check and make sure, let me determine whether or not she has something to say to the Commission.

VICE CHAIR HOOD: Ms. Hammond, let me just ask one quick question. Are you represented through legal counsel or is this your architect or what's going on?

MS. HAMMOND: This is the architect and engineering firm that we've retained for this project.

VICE CHAIR HOOD: So you don't have legal counsel?

MS. HAMMOND: SCS. Not in this matter. I have with us the attorney for the Department of Public Works, Kate Kelley. She is in the audience. I'm not sure whether she is prepared to address this

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particular question. She is seated behind me.

VICE CHAIR HOOD: I guess the concern is was the site posted?

SECRETARY BASTIDA: The site was posted, Mr. Hood. We received the posting, the Certificate of Posting.

VICE CHAIR HOOD: Okay.

SECRETARY BASTIDA: The concern is the maintenance of the posting. If I may so just, maybe the Department could address that in writing and we can leave the record open to receive it and then they can say that if they post -- they visit this site every seven days, once a week, and that they make sure that the posters were still there.

VICE CHAIR HOOD: Here is where I am, Mr. Bastida.

SECRETARY BASTIDA: Yes.

VICE CHAIR HOOD: I want to make sure that we don't run into a case that we proceed in which I was hoping we wouldn't have any problems. But we have seen and I know legal ramifications that may come back to haunt this Commission.

SECRETARY BASTIDA: That is right. That's what I'm asking if they, in fact, went and maintained the posters every week, and they can state it right on

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the record, then they can provide us the written testimony regarding that matter.

VICE CHAIR HOOD: Okay.

SECRETARY BASTIDA: Which it would -- you know, we have done before.

VICE CHAIR HOOD: Okay. Well, we'll just ask somebody to address that the posting has been maintained for whatever the requirement is. If you can just say that for the record, and as Mr. Bastida stated, you can provide that, because we probably will be leaving the record open.

MS. HAMMOND: Okay. Until such time.

VICE CHAIR HOOD: If somebody could just say it for the record? If we're not sure, we'll just take it in writing.

MS. HAMMOND: Okay. Thank you.

VICE CHAIR HOOD: That would be the best thing to do. Okay. Any other preliminary matters, Mr. Bastida?

SECRETARY BASTIDA: That is all with the preliminary matters that the Staff has. Thank you, Mr. Vice Chairman.

VICE CHAIR HOOD: Okay. Would all individuals wishing to testify rise to take the oath? Ms. Schellin, would you, please, administer the oath?

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MS. SCHELLIN: Please, raise your right hand.

(Whereupon, the witnesses were sworn.)

MS. SCHELLIN: Thank you.

VICE CHAIR HOOD: Okay. If everything is in order, we will hear the applicant's case. Ms. Hammond?

MS. HAMMOND: Thank you, Vice Chairman Hood. Good evening again to Vice Chairman and also to Members of the Commission. Again, my name is Sybil Hammond and I am the Deputy Administrator for the Solid Waste Management Administration within the Department of Public Works. I am here to urge your approval of our application for a planned unit development at 4900 Bates Road, N.E., the Fort Totten Solid Waste Transfer Facility.

Again, I would like to state, for the record, that I also have with me here tonight Dana Murray and Paul Mandeville. Mr. Mandeville is seated in the audience of SCS Engineers, the firm engaged by DPW for this project. They are accompanying me today.

Right after my brief remarks, SCS will make a short presentation on the modifications that are planned for Fort Totten.

Fort Totten serves, as this Commission

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knows, as a transfer facility for trash collected by the Department of Public Works from District residences, trash collected by District contractors from District facilities and, also on a limited basis, trash collected by several private haulers authorized to use our transfer stations at this time.

The PUD approval and map amendment that we seek today would allow the District to proceed with modifications, planned modifications, to the Fort Totten Facility. Proposed modifications would be consistent with the current use of the facility. The District also requests that the Commission waive the requirement for a 10 foot fence around the facility. The existing fence ranges in height from about 8 feet in some areas up to 16 feet and we believe that it adequately screens and secures the facility from unauthorized deposit and removal of solid waste.

I am delighted to be here today, because this PUD application is part of a larger effort on the part of the Department of Public Works to make substantial improvements to both of our trash transfer facilities in order to improve transfer operation efficiency, to restore this facility to its original design capacity and also to be good neighbors. Each of these is an important goal.

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We believe that the proposed improvements at Fort Totten will allow us to achieve them, and these improvements will provide the community with a modern environmentally approved solid waste transfer facility, a citizen's convenience center, which would allow segregated drop-off areas for household bulky waste and household hazardous waste products and recyclable materials and improve bulk item material drop-off and loading area.

This request and our appearance here today reflects many hours of work and a substantial commitment by the District of Columbia to invest in the Fort Totten Facility by performing much needed renovations and improvements at the facility. I will be happy to answer any questions that Members of the Commission may have. I don't know if you would like to go ahead with the presentation first and then take questions.

VICE CHAIR HOOD: We will continue with the presentation.

MS. HAMMOND: Okay.

VICE CHAIR HOOD: I would ask our questions on the back end.

MS. HAMMOND: Okay. All right. Then I would like to turn it over to Dana Murray and Paul

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Mandeville.

MS. MURRAY: Good evening, Vice Chair Hood and Members of Commission. I'm Dana Murray with SCS Engineers and I'm a professional engineer and we have been working with the District of Columbia Solid Waste Administration for the last three years on both the Fort Totten and Benning Road Transfer Facilities.

This is Paul Mandeville with SCS Engineers and he is also a professional engineer with the District of Columbia, and he serves as the Vice President for SCS and the project manager for both of these facilities.

The first board that we have here shows the existing conditions of the site and currently incoming loads, incoming refuse vehicles enter the site on the left hand side of the board and discharge the refuse onto the tipping floor. The refuse is then pushed with a front-end loader through the hole that is in the side of the building down the chute and directly into the transfer trailers.

This is a map of the current zoning. The red area highlights what is currently zoned as R-5-A and we are requesting the zoning of Fort Totten Overlay/M. The other part that is dashed currently is zoned Fort Totten M, and we are requesting no change

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for that. The red area that we are requesting the change for would be the change to the M zoning that would be consistent with the current use.

This next board shows what we propose as the new facility. There will be an addition on the east side of the building, which is about 14,500 square feet. The existing roof over the tipping floor will be removed and the proposed new roof, a reflective type roof, will be 9 feet higher. The new green metal siding and Evergreen trees to be planted in front of the building will harmonize with the large trees located behind the building in Fort Totten Park.

The next board shows the planned view. Actually, I'm sorry, cross sectional view of the new tipping floor expansion. The expansion is the red area on the left hand side. This will accommodate today's larger refuse vehicles and the refuse will be discharged directly onto the tipping floor and this will also allow for material inspection prior to the loading into the transfer station.

The refuse will be loaded and then pushed towards the crane area and loaded by crane into the transfer vehicles below. The tunnel is also included as part of the addition. The tunnel, you can see the truck, the back end of the truck in the tunnel right

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now.

Go ahead and change the board. These building improvements will allow all solid waste transfer operations to occur inside the building.

This next board shows the floor plan of the tipping floor. I'm sorry, excuse me, this shows the floor plan of the tunnel and you can see the three load-out transfer trailer vehicles waiting for refuse.

Next board. The next board shows the expansion of the tipping floor, and that's the blue highlighted area, and you can see the load-out areas and the push wall is outlined by red. The cranes are the purple items in the back underneath.

The next board shows the proposed elevation of the east side of the transfer station. And the next board shows both the north and south elevations. On the north elevation, the expansion is toward the left and on the south elevation, the expansion is shown on the right.

This next board is a Site Plan, which I want to highlight some of the other improvements that will be made to the site. The citizen's drop-off area will be renovated for easy access, well marked lanes and specially marked containers for disposal of bulk solid waste, recyclables and household hazardous

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waste. The receiving time will be limited to weekday afternoons and Saturdays to coincide with significantly reduced refuse truck and transfer trailer track wreck.

Although the entrance is shown adjacent to the transfer trailer entrance, the design calls for clear separation by lane demarkation and flexible traffic delineators. The new bulk area to the northeast of the site will be renovated with a transfer trailer load-out station on a retaining wall.

This will give them a little more room and there will be a separate traffic pattern for the bulk traffic.

Also, included as part of the renovation will be new odor and dust control systems. The odor control will be accomplished by a series of nozzles located around the roof exhaust vents that will spray an odor neutralizing solution into the exiting air. Dust control will be accomplished by the use of misting nozzles that will be located over the loading area on the tipping floor. The site will also include new signage and lighting. The signs will be used to direct citizens to the new drop-off area. Signs will also direct refuse vehicles to improve efficiency of the facility.

Traffic lights will be used to signal

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refuse vehicles for entry and exit onto and off of the new scales, which I'm going to get to in a minute. Site lighting will be installed to provide night security. There will also be a gate at the southwest corner that will be used only for maintenance of the concrete drainage ditch. The concrete drainage ditch currently drains the storm water from Fort Totten Park. That gate will have a sign on it that will read "To be locked, used for maintenance only."

There will be two new incoming scales and these will be fully automated. These scales will have radio frequency technology and each refuse truck will have a transmitter identification tag affixed to the vehicle. The transaction time for refuse vehicle weighing will be reduced, thereby reducing the traffic queuing onto Brookland Avenue that currently occurs.

The next board, please. We will also be upgrading the existing storm water system. We proposed installation of three treatment systems. They are shown by green boxes and these will be used to remove contaminated sediment, floating oil and debris from the storm water runoff of the site. Existing storm water inlet to the north end of the property will be cleaned and restored to collect storm water from Fort Totten Park.

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The next board. Landscaping will be added to enhance the aesthetics of the site. In addition to the Evergreens that will be planted in front of the building, Evergreens will also be planted along the north fence line. The area in front of the citizen's drop-off area will have a variety of Evergreens, shrubbery and perennial flowers and grasses.

Other planning issues that were considered is the new Metropolitan Branch Trail that is proposed to run on the east side of the site. This trail is planned to run from Union Station to Silver Spring and has a connector from Fort Totten to West Hyattsville.

This trail will run immediately adjacent to the property on the east side between the fence line and the rail. The existing storm ditch will be enclosed in a culvert and the trail will be located above. The next board shows drawings from the Metropolitan Branch Trail planning documents.

This concludes my presentation.

VICE CHAIR HOOD: Is that it? That's it?

MS. HAMMOND: Yes.

VICE CHAIR HOOD: Okay. Good.

MS. HAMMOND: That concludes our presentation.

VICE CHAIR HOOD: Okay. Thank you.

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Commissioners, do we have any questions? Mr. Parsons?

COMMISSIONER PARSONS: We gave you 25 minutes and you didn't take it. That's fine. There's a baseball game tonight.

MS. HAMMOND: We were advised to make it shorter if we could.

COMMISSIONER PARSONS: You did. That's good. I'm glad this exhibit here at the end is up, because that's what I wanted to talk about. Certainly, the Metropolitan Branch Trail is your neighbor and not your problem, but is it your understanding that those who are planning the Metropolitan Branch Trail feel that this is an adequate solution or a desirable solution for their trail through this area?

MS. MURRAY: Yes, after several conversations with the people with the Department of Transportation, they are actually excited about the renovations, because they think they are much improvement to what the site is now. They actually would like to install a window and some sort of signage explaining what is going on behind the fence for the children to look at the equipment.

COMMISSIONER PARSONS: So I guess I'll cut right to it. Is there any way we could give them more

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breathing space here? That seems a pretty confined space. So I'm referring to the --

MS. MURRAY: Right. And actually if we --

COMMISSIONER PARSONS: The Site Plan that you put up earlier, why is it that we have to push your ramp or road system over this far to max out, if you will, or get that close to the edge?

MS. MURRAY: The Department of Public Works --

COMMISSIONER PARSONS: Can we move it back 10 feet?

MS. MURRAY: Well, the Department of Public Works has a fueling facility right there.

COMMISSIONER PARSONS: Yes.

MS. MURRAY: And there is a canopy and also there is a problem with truck radius turning and being able to fuel, and so we are as close as we can be to that facility.

COMMISSIONER PARSONS: But as soon as you get back on your own property here, you shouldn't personalize this. It's not your property. The project area past that where you have the weighing scales, is there any way of moving those farther, say 10 feet or so into your site? Do you follow me?

MS. MURRAY: Yes.

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COMMISSIONER PARSONS: Yes, where the truck scales are, is there a way to move --

MR. MANDEVILLE: I think the term radius--

MS. MURRAY: The problem with the truck scales is that you need to have a straight of way and a flat area prior to approaching the scales.

COMMISSIONER PARSONS: So the answer is no?

MS. MURRAY: Right.

COMMISSIONER PARSONS: Are you sure?

MS. MURRAY: Well, we've tried to move as much as -- we really have actually tried to look at that.

COMMISSIONER PARSONS: It just really --

MS. MURRAY: Just inch it over a little bit. I don't --

COMMISSIONER PARSONS: It's really a shame that this trail would be constricted as you have shown it on your drawing. There is no way to get any movement here?

MR. MANDEVILLE: I'm pretty sure that term raises the problem.

COMMISSIONER PARSONS: Even 5 feet would help.

MS. MURRAY: Yes.

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MR. MANDEVILLE: Do you have an opinion of approaching to get up the ramp?

MS. MURRAY: Yes, I think we have a problem.

VICE CHAIR HOOD: Let me do this. If you're going to speak, I need you to identify yourself, if you have not done so, and I need you to use this microphone. I'm going to put it off, but when you get ready to speak, if you can just put it on. Thanks. It's at the bottom. It's on the bottom if you're going to speak, yes.

MR. MANDEVILLE: Yes, I'm Paul Mandeville. Is that working? I'm Paul Mandeville with SCS Engineers. I think there is a problem with trying to turn the trucks and go up in elevation in here. I mean, it's something we could look at, but I'm pretty sure that was a restriction there that we had to have enough room to turn the trucks, refuse trucks, up the ramp to get into the transfer station.

COMMISSIONER PARSONS: These are just regular trash trucks, not trailer trucks, right?

MR. MANDEVILLE: That's correct.

COMMISSIONER PARSONS: But the fence that exists is on the red line. Is that correct?

MR. MANDEVILLE: The existing fence?

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COMMISSIONER PARSONS: The red line on your drawing.

MR. MANDEVILLE: Yes.

COMMISSIONER PARSONS: Is that the existing fence?

MR. MANDEVILLE: Yes, yes.

COMMISSIONER PARSONS: And what has been asked is that the existing fence remain, not be made opaque and leave it as it is. Is that right? Is that correct?

MS. HAMMOND: Yes, that's correct.

COMMISSIONER PARSONS: Well, let's go back to the DPW Facility at the bottom of your drawing there. It seems as though you are encroaching into their space with your road. Is that correct? In other words, there is a line that is red or purple it goes right through one of your lanes. See where I mean?

MS. MURRAY: Yes.

COMMISSIONER PARSONS: So what's going on there? They gave you a little breathing room? They said okay.

MS. MURRAY: We are coordinating with them and there will be actually a shared entrance and then we are improving their entrance into their vehicle

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washing facility on the left. They had a hard time pulling into there, so we're going to make that improvement.

COMMISSIONER PARSONS: But this line that goes up the middle of your --

MS. MURRAY: Right, right.

COMMISSIONER PARSONS: -- road, what is that about?

MS. MURRAY: We're moving.

COMMISSIONER PARSONS: I'm worried that your road will end up being pushed over further and prohibit the Metropolitan Branch Trail from being built.

MS. MURRAY: We have been coordinating with the Department of Public Works. We're on this and they have seen the drawings and the exchange is that we're improving their entrance into their vehicle wash to be able to expand our road there.

COMMISSIONER PARSONS: And you are convinced, I guess, or you wouldn't present this that moving your road over a little bit more into their -- towards their fuel line is not possible?

MS. MURRAY: Correct.

COMMISSIONER PARSONS: And will there be a fence between your road and their fuel area?

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MS. MURRAY: There is a concrete barrier wall.

COMMISSIONER PARSONS: Existing?

MS. MURRAY: Yes.

COMMISSIONER PARSONS: And you're going to move that then?

MS. MURRAY: Yes.

COMMISSIONER PARSONS: And that would be on your common blue line?

MS. MURRAY: Correct.

COMMISSIONER PARSONS: I can't help you push them a little further, huh? I mean, the result is the trail is just awful, in my estimation. It just -- you know, a wall on one side and a chain link fence on the other and trash trucks and it's just a shame that we can't give it more of an environment here. So asking for further study on this matter is going to come up dry, huh?

MS. MURRAY: I believe we have really investigated this and the problem is that there is a canopy over their fueling and that that would have to be removed.

COMMISSIONER PARSONS: Oh.

MS. MURRAY: It's not really shown very clearly on the drawings. We didn't have --

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COMMISSIONER PARSONS: Your photograph doesn't quite get there, does it?

MS. MURRAY: No.

COMMISSIONER PARSONS: You mean a canopy like a regular gas station, huh?

MS. MURRAY: Right. Correct.

COMMISSIONER PARSONS: Well, is that tall enough for a truck to go under or is it just --

MS. MURRAY: Well, it would have to be for the fueling.

MS. HAMMOND: Trash trucks go under there now.

MS. MURRAY: I know that we looked at it. I'm trying to think maybe it was the post. I can't remember, but the canopy was the problem.

COMMISSIONER PARSONS: All right. Let's go to storm water. You did the Benning Road job, too? The Benning Road job plant?

MS. MURRAY: Correct.

COMMISSIONER PARSONS: Sending me over there, there was a retention facility. Here you are treating the water quality, but not the quantity. Is that right?

MS. MURRAY: Correct.

COMMISSIONER PARSONS: Now, why is it that

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you haven't got a retention system in here to take some of this storm water and hold it before it is released?

MS. MURRAY: We worked with, I guess it was, WASA and this was what the requirements were from them, and there really wasn't room on the site for retention.

COMMISSIONER PARSONS: Well, how about this large area, I wish I had a pointer, it's where the ramp comes around to get the trucks out at the north end of the site here.

MS. MURRAY: Right.

COMMISSIONER PARSONS: There are these enormous turning radii and seemingly asphalt pavement or something inside both of those ramps. Why isn't there an opportunity to do something there?

MS. MURRAY: Okay. The facility -- under this ramp there is --

COMMISSIONER PARSONS: I meant right under your hand.

MS. MURRAY: Right under this ramp. There is a pretty big slope under there, but that could be something.

COMMISSIONER PARSONS: Don't move your hand. Right under the palm of your hand is where I'm

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talking about.

MS. MURRAY: Right. Now, this area here--

COMMISSIONER PARSONS: Inside those ramps.

MS. MURRAY: Right.

COMMISSIONER PARSONS: There.

MS. MURRAY: DPW still maintains underneath the basement of this building storage for things such as equipment and recyclables.

COMMISSIONER PARSONS: Yes.

MS. MURRAY: And access to that area is done this way around and in through here.

COMMISSIONER PARSONS: But that large area where your finger and hand were earlier, move down, down, there, right there.

MS. MURRAY: This area here?

COMMISSIONER PARSONS: And similarly moving back where your cuff is, that large area.

MS. MURRAY: This area is for the bulk waste.

COMMISSIONER PARSONS: Well, what is bulk waste? What do you mean?

MS. MURRAY: The furniture, refrigerators.

COMMISSIONER PARSONS: Oh, right.

MS. HAMMOND: Large household trash items.

MS. MURRAY: That's right.

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COMMISSIONER PARSONS: So there's no way in those areas to either below ground or above ground provide a storm water retention system?

MS. MURRAY: This is currently paved area.

COMMISSIONER PARSONS: Yes.

MS. MURRAY: That may be an opportunity for retention, but I don't think that we considered that.

COMMISSIONER PARSONS: All right.

MR. MANDEVILLE: It is up hill, too. It's higher.

VICE CHAIR HOOD: The microphone.

COMMISSIONER PARSONS: The topography is higher there?

MR. MANDEVILLE: Yes.

COMMISSIONER PARSONS: Is that your point?

MR. MANDEVILLE: The topography is higher on that end.

COMMISSIONER PARSONS: So you would have to pump it up hill?

MR. MANDEVILLE: Yes.

COMMISSIONER PARSONS: Okay.

MR. MANDEVILLE: Yes. Everything is trying to come out towards the road.

COMMISSIONER PARSONS: Yes, okay. At

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Benning Road we were able to do this, right?

MR. MANDEVILLE: There was an area on the back side of Benning Road that we put a barrier retention filter in. It was an existing area that was kind of almost naturally serving as that at Benning Road as well. But there was a lot more green space on the back side of Benning Road.

COMMISSIONER PARSONS: Correct.

MR. MANDEVILLE: And we don't have any of that here.

COMMISSIONER PARSONS: So you are proposing, I'll call it, a swirl concentrator. Is that correct?

MR. MANDEVILLE: Yes.

COMMISSIONER PARSONS: And that would take out the solids, styrofoam cups, other things that are headed for the Anacostia River. That's where this is going, right?

MS. MURRAY: Correct.

MR. MANDEVILLE: Yes.

COMMISSIONER PARSONS: Into Prince George's County first and then to -- I'm reminded how often we say the Anacostia River is polluted because of the water coming from Maryland, and here we are sending it north to Maryland and it is coming back

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around. So what is the reliability of this system? Does it require a high level of maintenance to make sure that it doesn't fail?

MS. MURRAY: There is maintenance involved and cleaning.

COMMISSIONER PARSONS: And does the Department have any experience with that or is this a new start here?

MR. MANDEVILLE: It's a new start.

MS. MURRAY: It's a new start.

COMMISSIONER PARSONS: And they can't wait to get to it, right?

MR. MANDEVILLE: That's correct.

MS. MURRAY: Correct.

COMMISSIONER PARSONS: So you submitted tonight, I haven't had a chance to read it, Addendum No. 2, which speaks to that, correct?

MS. MURRAY: Correct.

COMMISSIONER PARSONS: That's your work. You signed it, right?

MS. MURRAY: Yes.

COMMISSIONER PARSONS: And it speaks of, I guess, four -- excuse me, three different treatment facilities?

MR. MANDEVILLE: They are the same thing.

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There is three of them.

COMMISSIONER PARSONS: Three, that's what I meant.

MS. MURRAY: Yes.

COMMISSIONER PARSONS: Three of them.

MS. MURRAY: Three of them.

COMMISSIONER PARSONS: And these will treat all the storm water coming off of the facility roofs and all, huh?

MS. MURRAY: Yes.

MR. MANDEVILLE: Right.

MS. MURRAY: Correct. The only thing that we miss is this driveway.

COMMISSIONER PARSONS: Okay. So then what about the washing of the tipping floor? Where does that water go?

MS. MURRAY: That actually will be treated in a separate area. That will be treated as waste water and we have a waste water treatment system that is going to be located underground in the parking lot and the -- any liquids washed from the inside of the facility will be collected and pumped into the waste water treatment, which is like a pre-treatment facility, and then will be discharged to a sanitary sewer.

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COMMISSIONER PARSONS: Oh, good. Oh, that's better. I thought we were kind of washing everything off the site into these swirls. That wouldn't be good. All right. That's good.

MS. MURRAY: And hopefully by moving all of the facility's transfer operations inside the building, there will be less pollution on the site going into the vortex type system.

COMMISSIONER PARSONS: You bet. Good. Now, Mr. Hood, let's get to the opaque fence. You remember this.

VICE CHAIR HOOD: Opaque fence, yes.

COMMISSIONER PARSONS: We struggled for this and we required an opaque fence around all these facilities.

VICE CHAIR HOOD: Yes.

COMMISSIONER PARSONS: And the idea was the public shouldn't be looking into these and I'm trying to remember, but I think it was -- you remember the context? I mean, we had all these private facilities around the city that were transferring trash and it was awful. But here comes now a request to say look, we've got this fence. We don't really think it should be opaque. Can you give us relief from that?

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And I'm trying to remember, it seemed to me that so many of these were located in proximity to residential zones, even though 500 feet away, that we were more concerned about people moving back and forth from residential zones to their place of business and whatever and would have to pass this. And that that may have been the reason for the opaque fence, which doesn't exist here. I don't feel. Even though there is a park on one side and so forth, it's basically surrounded by an industrial area.

So I guess my point is I'm inclined to allow relief from that, but I think you are one of the big proponents of the opaque fence or maybe it was the two of us.

VICE CHAIR HOOD: I'm trying to recall, but yes, in this case I think we could maybe grant that relief. But I would say, I would hope that other transfer stations wouldn't come down and try to use this as the model if it is approved.

COMMISSIONER PARSONS: Yes, I think the idea is it's a case-by-case basis.

VICE CHAIR HOOD: Right.

COMMISSIONER PARSONS: And here you plan to plant along Bates Road, I think it's shown in your graphics.

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MS. MURRAY: Correct.

COMMISSIONER PARSONS: Essentially, what will become an opaque circumstance with the trees, right?

MS. MURRAY: Correct.

COMMISSIONER PARSONS: Rather than putting the slats into the fence, you have chosen that alternative?

MS. MURRAY: Correct.

COMMISSIONER PARSONS: Well, how -- it's difficult from the plans. I mean, how close? How far in center, how far apart are these? Oh, do you have a Landscape Plan there? Yes?

MS. MURRAY: Yes.

COMMISSIONER PARSONS: How can we be assured this is going to be a rich environment here, because of landscaping?

MS. MURRAY: Okay. This area right here, these are those tall Arborvitae Evergreens here and let's see, these are the same and then along here, so they will form kind of a fence of green when they are mature.

COMMISSIONER PARSONS: So does the plan say they will be 4 feet apart or 10 feet apart?

MS. MURRAY: I believe they are 5 foot on

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center.

COMMISSIONER PARSONS: Yes.

MS. MURRAY: Which is what the recommendation is for that type of plant.

COMMISSIONER PARSONS: And it doesn't say how big they will be when you plant them?

MS. MURRAY: They get about 5 feet in diameter.

COMMISSIONER PARSONS: But how tall will they be when you plant them?

MS. MURRAY: We are specifying the root ball type and I'm not sure what the height is.

COMMISSIONER PARSONS: So it doesn't say 4 to 5 feet?

MS. MURRAY: But that's what we can do. We can definitely do that.

COMMISSIONER PARSONS: All right. Is that in our booklet here that plan?

MS. MURRAY: On the --

COMMISSIONER PARSONS: Oh, yes, it is.

MS. MURRAY: Yes, it is.

COMMISSIONER PARSONS: I'm sorry.

MS. MURRAY: The list of plants.

COMMISSIONER PARSONS: Why don't I look at that, I'm done with my questions, go ahead and go

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through them.

VICE CHAIR HOOD: Commissioner Hildebrand?

COMMISSIONER HILDEBRAND: I noticed the one elevation you didn't give us was the elevation towards the park setting. Is there any other significant change to that elevation, besides the 9 foot extension?

MS. MURRAY: No, there isn't. Just the roof is the only thing would be changed.

COMMISSIONER HILDEBRAND: Do you have a photograph of that side? Do you have any documentation on what that is going to look like?

MS. MURRAY: We do not have a photograph with us. We did do aerial photography and that side of the building is not even visible because of the --

COMMISSIONER HILDEBRAND: The tree growth on the other side?

MS. MURRAY: -- tree growth.

COMMISSIONER HILDEBRAND: Okay. You had mentioned something in your presentation about site lighting for security purposes. Is it more extensive than the street lighting that is shown in your aerial photograph?

MS. MURRAY: Yes, it is.

COMMISSIONER HILDEBRAND: And is that

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likely to become objectionable to any adjacent neighborhood use? Is there anything in close proximity that could be disturbed by that?

MS. MURRAY: I don't believe so.

COMMISSIONER HILDEBRAND: Is your Lighting Plan shown clearly on your drawings in your submission package?

MS. MURRAY: The Lighting Plan is not in the drawings. It's a separate drawing.

COMMISSIONER HILDEBRAND: It would be nice to see the site lighting layout that you are proposing. In your aerial photograph, in your photographic exhibit, you do have one photograph that shows the canopy over the fueling area and the existing roadway configuration into the bulk trash dumping space. And it appears that there is a fairly gracious margin provided beyond the perimeter of that canopy. Do the trucks that refuel there, do they go under the canopy for refueling or do they go around the perimeter?

MS. MURRAY: I believe that they go under the canopy.

COMMISSIONER HILDEBRAND: Okay.

MS. MURRAY: I'm not sure if it was that, the structure of the canopy. I just know that that

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was a conflict. I'm sorry that I don't know the answer to that.

COMMISSIONER HILDEBRAND: Yes. Because it certainly does, I agree with Mr. Parsons, seem pinched on that property line, particularly in light of the envisioned trail along that edge. You spoke about the citizen's access to the facility, but you couched it in very vague terms. Can you be more specific on what time frame citizens are actually allowed to use the facility? Now, that you are expanding it, I'm assuming that there will be more expanded hours that they will be able to use it as well, since access will be so much more free.

MS. HAMMOND: You are correct. I cannot tell you exactly right now what the hours will be. At the current time, citizens are able to come into the facility from 1:00 until 5:00 in the afternoon. We do anticipate expanding those hours. They were contracted basically because of renovations and work that is being done over at the Fort Totten Facility, which meant that we had more larger truck traffic coming into Fort Totten and the mix of the large transfer vehicles and smaller citizen's vehicles was not a very safe one, and it was difficult to keep those longer hours. But we do anticipate probably, I

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would think, something like 8:30 or so until 3:00 or 4:00. Something like that.

COMMISSIONER HILDEBRAND: But the new dedicated lane that is just for recycling and that kind of citizen drop-off --

MS. HAMMOND: Yes.

COMMISSIONER HILDEBRAND: -- not necessarily the bulk drop-off, that's going to be open whenever the dump is open as well?

MS. HAMMOND: Yes.

COMMISSIONER HILDEBRAND: When the transfer station is open?

MS. HAMMOND: Yes. Yes, we anticipate having that open. Now, I'm not sure right now whether or not it will be open five days a week. We have discussed a range of possibilities from five days a week to three days a week, and we have not finalized our decision as far as that is concerned. We do plan to staff that area. So it would depend on our ability to staff the area there.

COMMISSIONER HILDEBRAND: So it's not a self-service kind of drop-off space? You need some control?

MS. HAMMOND: We're discussing that. Experience shows us and talking with people in the

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surrounding jurisdictions it works better if it is staffed.

COMMISSIONER HILDEBRAND: Okay. Now, the weekend hours, did you say that is it all day on Saturday? Is that what I understand?

MS. HAMMOND: On Saturday? Excuse me, I just need to check on Saturday.

MR. YORRICK: Saturdays is from --

VICE CHAIR HOOD: Excuse me. If you're going to speak, you need to come and identify yourself and then you can speak on the record.

MR. YORRICK: Mr. Chairman and Commission Members, my name is Sylvestre Yorricks. I am the chief of the Solid Waste Disposal Division of the Solid Waste Management Administration in D.C. Department of Public Works. The current hours for Saturday dumping by citizens are from 8:00 a.m. in the morning until 4:00 p.m. in the afternoon.

COMMISSIONER HILDEBRAND: And those will stay the hours with the expansion?

MR. YORRICK: Yes, because experience has shown us that most people come to the facility even before we started doing this work, people been coming there since 1977, that those are the hours that most of the traffic comes through from citizens.

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COMMISSIONER HILDEBRAND: Okay.

VICE CHAIR HOOD: Commissioner Hildebrand, while he has the mike, you're saying that at 8:00 to 4:00 on Saturday. I just want you to know from, straight up, the front of things, I come up there sometimes. Your employees close it down when they get ready. I'm one of the users, so I know. So one of the things that we want to see, because this is a PUD and this is supposed to be an amenity to the community, surrounding community and the city as a whole.

I would not be moving forward on this until we come up with some hours. I know they are in discussion, but I think the citizens will do that so we can make sure that that actually happens from 8:00 to 4:00. Just last Saturday, I went up there, because I had some things I wanted to drop-off and the citizen's piece was closed. So I left with my materials. So I think we're doing a disservice to the residents of this city if we're telling them that it's open at 8:00, and when we go up there it's closed. So I'm sure the ANC and others may comment on that, too. But when it is my turn I'll continue with that.

MR. YORRICK: I was not aware that they were closing it before 4:00. But those are the hours.

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VICE CHAIR HOOD: 4:00? They close sometimes at 8:30, 9:00.

MR. YORRICK: In the morning?

VICE CHAIR HOOD: Check it out.

MR. YORRICK: On Saturday morning?

VICE CHAIR HOOD: When they don't have staffing helping, this goes back to what Ms. Hammond just said, which I was glad to hear that when they don't have the staffing help. I've had one of your employees tell me a couple of months ago that -- I asked him why was it not open. He informed me that they didn't have enough help. So that's something. I don't know if Mr. Tom Henderson is still involved with it or not, but that's something, Ms. Hammond, I would think you all would need to look at. Because I would not be in favor of moving forward until the citizens are guaranteed some hours.

Let me go back to Commissioner Hildebrand.

I'll come up with my questions later.

MR. YORRICK: Okay. I just want to address that, the matter of the facility being closed to citizens at 8:30 in the morning on Saturday. I think Ms. Hammond is probably speaking, referring to the area that we normally call -- we have citizens bringing small items, people bringing stuff in cars.

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We have a trailer, an empty trailer on the back of the wall there, that's probably what she is addressing. Because even sometimes during the regular hours, that area is closed. Because if the trailer is full and there is no more room for people to dump stuff in, we normally close that gate. But they can come into the facility and dump in the facility or come through the facility and go dump. If they are bringing bulk, take it out to the bulk dumping area.

VICE CHAIR HOOD: But I think the whole reason for that was supposed to be an amenity to those folks with small cars, such as the community folks who are not in the business of solid waste, and that's supposed to be a benefit. And I do note that there is a thing behind there and it has been closed. And I'm not talking about what somebody told me. I know from experience from -- it's been closed with the dumpster empty.

MR. YORRICK: Yes.

VICE CHAIR HOOD: And I've been told by your employees that this is closed because we don't have enough staff or nobody in the middle, which made a good point, because you have Maryland residents or Virginia residents or whoever coming down and throwing in there and leaving and it's not being monitored. So

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that is something when you talk about a plan you are developing, it's supposed to benefit the surrounding area and we're going to be -- I'm going to be looking for that. But let me go back to Commissioner Hildebrand.

COMMISSIONER HILDEBRAND: I would like to know a little bit more about the misting system you were talking about for the odor control. Is that -- did you say it was sprayed into the atmosphere on the exhaust fan side of the building? Is that correct?

MS. MURRAY: There is two different systems. One is the odor control system and that is sprayed inside the facility on the -- around the exhaust fans. And it's a solution that actually neutralizes the odors and then as the air leaves the facility it should be odor free. The misting system is actually separate and that is to prevent dust from leaving through the exhaust fan. As of safety to the employees in the facility and those using the facility, you don't want to have the misting system over the entire tipping floor, because it's a concrete floor. It would make it very slippery.

COMMISSIONER HILDEBRAND: Yes.

MS. MURRAY: So we have proposed to just put the misting system over the tipping area where the

holes are in the floor that the refuse is actually pushed through to go into the transfer trailer. Because as it is pushed, it really does cause a lot of dust right in that particular area. So as a compromise versus putting it over the entire tipping floor, it's just in the area that has the most dust problems.

COMMISSIONER HILDEBRAND: And your exhaust system is sufficient to prohibit dust from just going out of the entrance and exit doorways in lieu of going through the ventilation system?

MS. MURRAY: Right, right. It should be a negative pressure pulling.

COMMISSIONER HILDEBRAND: Through the facility?

MS. MURRAY: Through, right.

COMMISSIONER HILDEBRAND: Okay. I think that was all of my questions.

VICE CHAIR HOOD: I just have a question for Staff. Is Commissioner Jeffries going to be reading the record on this?

SECRETARY BASTIDA: Yes.

VICE CHAIR HOOD: Okay.

SECRETARY BASTIDA: He will be glad to do that.

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VICE CHAIR HOOD: In that case, that means we all three don't have to agree. We just have to get three to agree. Okay. All right. We might have had a problem. Okay. Let me just ask a few questions. I will start off with saying that I'm glad to see that the traffic pattern has changed since, I guess, it was set down. The circulation pattern has significantly improved, as far as I'm concerned.

I do have a few questions and I think I can use that board there. Where the citizens drop-off is now is going to be below that, because there is a drop. Is that where the employees are going to be parking? That's where the employee parking is going to be?

MS. MURRAY: Correct.

VICE CHAIR HOOD: That's below the higher level, right?

MS. MURRAY: Right. There is a steep slope there.

VICE CHAIR HOOD: Now, how do I get there? How do I get to that parking area? If you can take the mike and show me, if I'm an employee, how do I get there?

MS. MURRAY: You'll be able to use -- these are just lines on the pavement, so once they

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come in through the entrance, they can cross over. This is all paved.

VICE CHAIR HOOD: Oh, okay. So that's on the same level. It's not a ramp.

MS. MURRAY: Right. No, it's not. The ramp begins right here at this purple line.

VICE CHAIR HOOD: Thank you. Okay. Okay.

MS. MURRAY: And other than that, it's just lines on the pavement.

VICE CHAIR HOOD: And also, the trucks that do the transferring, they also will be entering the same way?

MS. MURRAY: Yes, they come in here and then turn and up the ramp.

VICE CHAIR HOOD: Now, what about the ones that are transfer trailer parking? What about the trailers when they enter the site? They do the same way as the employees, right?

MS. MURRAY: Right, across the pavement.

VICE CHAIR HOOD: And how do they exit?

MS. MURRAY: We see them as backing into these spaces and then just pulling out to exit and they would then need to -- actually, I'm not sure of that. I think they would then come up the ramp, yes.

VICE CHAIR HOOD: You know, that's -- I

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mean, we're getting there. We're getting there, but I just think that if you have people in line and I know that the station has lines. And I'm sure sometimes you have a line, sometimes you don't. But in this case, if you have a line, and you have a trailer that needs to get out, maybe you have that controlled by time, I don't know. But if it's controlled by time, that's a different story. But if they need to get out while you are in full operation, I see a traffic problem.

MS. MURRAY: This trailer space, parking space is not really anticipated to be heavily used. It's just if they need to park trailers here. They are all, from what I understand, contract trailers that have their own place to park.

VICE CHAIR HOOD: Okay. But let's just do this, Ms. Hammond, if you don't mind, let's make sure we know exactly how that is going to run. Okay?

MS. HAMMOND: Okay. Okay. If I may, Mr. Hood, Dana is correct, we don't expect to have those spaces heavily used, but there are times when the contract haulers may pick up a load, say at the end of the day, and they may want to leave the trailer or they may want to come in at night and park the trailer there, so that they can -- the drivers can come in at

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4:30 in the morning and pull in and load up and leave.

We don't anticipate that we will have many of those trailers there at once. But that does and that will happen some of the time.

VICE CHAIR HOOD: So it's a chance they may be left outside, maybe covered, secured so the odor just won't --

MS. HAMMOND: Yes, they will -- yes.

VICE CHAIR HOOD: Okay.

MS. HAMMOND: Yes.

VICE CHAIR HOOD: If we can put up, I'm not sure which, it's this one. I'm getting like Mr. Parsons. I have to say it's this one. If we can put that one up, I would appreciate it. Now, my orientation may be off. I do have a merit badge in Boy Scouts, but I may be a little off. Down there where the loading onto the trailer is, in that section down there it shows in your picture here, actually, you mentioned that that is for bulk trash. Maybe Ms. Hammond may be the person to ask. What is that being used for, at this time?

MS. HAMMOND: That's where -- is that where the bulk trash area is, right now?

MS. MURRAY: Yes.

MS. HAMMOND: At this time, that is the

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area where the bulk trash operation takes place. Those trucks hauling in large items come in and drop them in that approximate area right now. And those materials are loaded onto long-haul vehicles from that spot.

VICE CHAIR HOOD: Now, once this is approved, if everything goes well and it is voted on here and you get whatever else you need, is that going to still be maintained outside in the open air or it's going to come up under this solid waste facility?

MS. HAMMOND: Some of that operation will remain outside. We anticipate though that we should be able to bring a good part of the operation in to the building. The actual loading of the transfer trailers, and somebody correct me if I'm wrong, will now take minutes after this renovation is over. It's three minutes or something like that. It takes us anywhere from 10 to 15 minutes to load a trailer at this time. So we expect the traffic to be pulling through there pretty quickly.

The lines that you mentioned, we hope that we won't have lines, because of the improved operations. But we are talking right now about the fact that we probably will be able to bring in either the separating or some part of the bulk operation.

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But there may be, I don't know, some of the materials that we can't handle inside will still be on the outside in that pile. No trash though, no garbage, rather.

VICE CHAIR HOOD: Like it is now?

MS. HAMMOND: Right.

VICE CHAIR HOOD: Because now we have garbage down there.

MS. HAMMOND: Well, no, we don't have garbage down there now. It's all still pretty much bulk, but you may get, you know, old couches and that kind of stuff that has been sitting outside for a while. So no garbage, no household garbage is handled in that pile, at this time.

VICE CHAIR HOOD: Ms. Hammond, I think you are a very nice person.

MS. HAMMOND: Thank you.

VICE CHAIR HOOD: And I'm sorry Mr. Henderson didn't come, because I would have pursued that with him about whether -- debate whether garbage or something is not down there, because I've been down there. I know. But anyway, I'm not saying it always exists and I'm not trying to -- I think this is an improvement. I'm looking forward to the modernization of this, maybe to do away with some of the other

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private haulers that surround the areas, especially within the community of Ward 5. But there is some garbage down there from my experience. But anyway, I'm not going to go back and forth.

MS. HAMMOND: If I may, I know that we have had a couple of occasions in the past, some emergency, very temporary on a daily basis, not in the same area, but we have had occasions where our trash trucks, the District trash trucks have had to discharge some of their loads onto the ground outside.

That has happened in a couple of instances in the past, but those are the only times that I know that we've ever had. And it's been discharged and picked up right away.

VICE CHAIR HOOD: Okay.

MS. HAMMOND: It usually had to do with the fact that something was down, some of the equipment was not working in order to keep the facility going and keep the trash moving, we did have to resort to that a couple of times.

VICE CHAIR HOOD: Okay.

MS. HAMMOND: But garbage should not be in that pile.

VICE CHAIR HOOD: Should not be in that pile.

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MS. HAMMOND: I've never seen it in there.

VICE CHAIR HOOD: Okay.

MS. HAMMOND: You may have gone over there more often than I have.

VICE CHAIR HOOD: I'll take your word for it.

MS. HAMMOND: Okay.

VICE CHAIR HOOD: You said it. I'll take your word.

MS. HAMMOND: Okay.

VICE CHAIR HOOD: I don't want you think I frequent the place.

MS. HAMMOND: Right.

VICE CHAIR HOOD: Because, no.

MS. HAMMOND: Okay. Thank you.

VICE CHAIR HOOD: Commissioner, you had a question on timing?

COMMISSIONER HILDEBRAND: Yes. I was just curious. At some point I might be doing some renovation on my house and I may need to bring a small load of bulk waste over. In your new circulation plan, will someone using the outdoor bulk waste dropping spot, as a small citizen in a small pickup truck or something like that, will they be weighed on the scale to go on to that site and do they pay a fee

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for that or is that part of your citizen's tax dollars?

MS. HAMMOND: That's part of your citizen's tax dollars at free service.

COMMISSIONER HILDEBRAND: Okay.

MS. HAMMOND: There will be no charge for that. And if I can put a plug in, right now in the District, if you have some bulk trash you need for us to pickup, just call our 727-1000 number and we provide this free service on an appointment basis. We'll come to your house front or back and pick it up, so you don't have to come over there. However, if you do come, at this time, there are no plans to charge for that service.

COMMISSIONER HILDEBRAND: And in your new circulation plan, will a small citizen who is using that drop-off space be required to drive through your trash facility in order to exit the site or will they be going back-flow on the entrance drive? It seemed as though there were two lanes coming into the facility and those were the only two lanes available and that anyone coming in those lanes would then have to drive up the ramp and through your facility to get out to the road again.

MS. MURRAY: I believe that only the

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commercial vehicles will be in the facility. That any of the small citizens will be using the citizen area.

COMMISSIONER HILDEBRAND: How will you control that? Could you show me on your Site Plan?

MS. MURRAY: There will be --

COMMISSIONER HILDEBRAND: I was looking at the one with the roadways more clearly delineated in blue.

MS. MURRAY: Oh, you're right this is storm water, excuse me. The scale weight master, scale operator actually sits in this building right here.

COMMISSIONER HILDEBRAND: Okay.

MS. MURRAY: So this will be monitored with cameras and only the vehicles with that Smart Tag affixed to it will be using the facility.

COMMISSIONER HILDEBRAND: So how would a citizen who needs to be weighed, how would without the Smart Tag on their vehicle, how would they use the facility?

MS. MURRAY: I'm not sure they would.

MR. YORRICK: When the citizens come in, they will go across the same scale that the commercial parkers and the District parkers go across. That is the entry point. Depending on what they are bringing

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to the facility like in your situation, they might bring us some construction and demolition debris. Once you go across that scale, we weigh your truck and direct you to where you unload that debris, and then you continue on. You go up the ramp and you come out the other side of the building and there is another set of scales there that weigh your empty truck, because we have to capture all the material, the weight of all of the material that comes into the facility.

COMMISSIONER HILDEBRAND: So you will actually be driving through the transfer station on your way out of the facility?

MR. YORRICK: Yes.

COMMISSIONER HILDEBRAND: Even non-commercial vehicles?

MR. YORRICK: Yes, we will have people controlling traffic in there.

COMMISSIONER HILDEBRAND: Is that the way it currently works? I mean, does the general public drive through the transfer station now?

MR. YORRICK: Yes, depending on what they are bringing, because if you have a car, we try to keep people who have cars and SUVs, the small vehicles, from going into the facility. We have them

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dump into the citizen trailer. That's the trailer that Chairman Hood was talking about. But that only happens whenever that trailer is open, you know, whenever there is personnel there manning that trailer. Otherwise, people have to go through the building to get to the site where they have to unload.

COMMISSIONER HILDEBRAND: Okay. Thank you.

VICE CHAIR HOOD: The other question I have is the tipping floor. Right now, how does that work? Does trash stay on there overnight or is that cleaned off? The floor is clean, it's cleaned every night?

MS. HAMMOND: The floor is cleaned every night.

VICE CHAIR HOOD: Okay. Right now, I think that's all that I have marked. Let me just check the Site Plan. And where the citizens drop-off is now, it's going to be the upper level? I saw grass and what's it going to be? Is all of it going to be grass according to the plan we have here, where the existing citizens drop-off is?

MS. MURRAY: This area right here?

VICE CHAIR HOOD: Right.

MS. MURRAY: Yes.

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VICE CHAIR HOOD: That's all grass?

MS. MURRAY: This will be grass.

VICE CHAIR HOOD: Okay. Now, help me out with one thing, one other thing. The new citizens lane, the bypass lane, drop-off lane, one is to the left and one is to the right and we have the middle, the bypass lane. What is the bypass lane for?

MS. MURRAY: Actually, if you were to come into the facility and park here to unload, then somebody would be able to bypass and come here to unload. It just provides a little more space, so you don't have to wait until this person finishes unloading before you can get around and unload it in a different area.

VICE CHAIR HOOD: What happens? These are scenarios, we want to make sure we're dealing with this, but what happens if I'm the first car? The first car has moved and, say, you only get three cars or four. The first car has moved up front and I'm coming through the bypass. I see the spot open and the third or second or third car pulls out without looking. What happens?

MS. MURRAY: I mean, I do think people are going to have to pay attention, because there is a little bit of -- there is going to be some cross

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traffic.

VICE CHAIR HOOD: Okay.

MS. MURRAY: This is always a very tricky area for any public works to manage, and by providing staffing for it, you hope that you can. And on a busy day, on a Saturday, maybe even cones could be used.

VICE CHAIR HOOD: Here's what I will suggest and I'm just asking you look into it, is that we may widen the lane and do away with the bypass, and I'm just throwing this out there. I don't want to cause anybody any more cost, but I think that the way it works now is you have one lane and, you know, small cars are not going to have a whole lot to unload.

We might want to look at that because, if not, I think we may be caught. Somebody is not going to pay attention eventually and we're going to have accidents and problems, and that's something I would ask that we look at to see if there is another design that we may be able to come up with.

I'm not saying I'm whole hog against this one, but I'm just thinking of myself or anyone else who may go up there and be pulling around and nobody's paying attention. I have loaded. I'm thinking about where I'm going next and I pull right out. Somebody's trying to get up to that first spot, bam, because

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everybody wants to get in there and get out.

I think the way you have it now is more controlled. If the person in front of you dumps it, when they dump it, they move and they're gone. The next person either moves up or they start from where they are, and I just see here this may create a problem.

The next part of that is when the trash vehicles exit and the citizens drop-off exit and they make that left to come back and go down Bates Road, I would just also suggest, and I don't know if this is in our jurisdiction, I'm sure my colleagues will help me, that we may put a sign, and I don't know if DOT -- no, it's not on public -- but anyway, we may need to put something, let people know to be cautious, because when you come out of there and you're ready to leave, you actually are ready to leave.

But anyway, like I said, I don't want anyone to think I frequent the place, but I'm up there sometimes. Okay. I think that's all I have. Commissioner Parsons?

COMMISSIONER PARSONS: Mr. Chairman, I wanted to ask about a transfer plat that was tucked in the back of our booklets from the Office of the Surveyor, and there is a road coming through this

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property off of Bates Road called Brookland Avenue.

Is there anybody here that could address this? Oh, good, because it seems to dead end here in the site and I'm wondering what the status of that is.

VICE CHAIR HOOD: The person who raised their hand is the ANC, so we may have to wait unless Ms. Hammond or somebody can address it, one of the applicants, Ms. Hammond or somebody from the Agency or the architect.

MS. MURRAY: The purpose of the road, I believe, is for access to Parcels 124/174, 124/175, and because those are incorporated as part of the site, the road does not need to be used for access to those parcels.

COMMISSIONER PARSONS: So Brookland Avenue never went through this site to adjoining properties on the other side, maybe a paper street?

MS. MURRAY: I don't know the answer to that.

VICE CHAIR HOOD: Maybe, Commissioner Parsons, we'll just ask the ANC. Maybe they will be able to shed some light on it.

COMMISSIONER PARSONS: Well, maybe that would be helpful. Thank you.

VICE CHAIR HOOD: Any other questions,

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Commissioners? Okay. Does the ANC have any questions of the applicant, of the testimony that has been provided? Commissioner Broadnax, if you can come to the mike and identify yourself?

MS. BROADNAX: Good evening, Mr. Chair, Commissioners, Staff. I am Norma Broadnax, Chairperson, Advisory Neighborhood Commission 5A. And listening to the testimony of the applicants regarding odor control, that right now is a big issue with the current system over there, and I would hope that --

VICE CHAIR HOOD: Commissioner, let me just say this. This is a time for you to ask questions of the applicants if you want to ask her a question about odor control. You will have time to come back up and give your testimony.

MS. BROADNAX: Okay.

VICE CHAIR HOOD: And then we can also piggyback on that and question them at the end.

MS. BROADNAX: Oh, okay.

VICE CHAIR HOOD: On that testimony. This is the time for you to --

MS. BROADNAX: Oh, I thought that was the only time I could say --

VICE CHAIR HOOD: Oh, no.

MS. BROADNAX: -- if they wanted to look

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at their odor control system. That was all I wanted to say.

VICE CHAIR HOOD: Oh, no, you have got plenty of time to come. You're going to have a whole four hours to come back up and tell us. You're going to have plenty of time to come back up and give us your testimony and things you would like for us to do, but this is the time for you to -- testimony that you have heard, to ask them questions like we just did.

MS. BROADNAX: Thank you. No.

VICE CHAIR HOOD: You have no questions? Okay. All right. With that, thank you, thank you all. We're going to ask the Office of Planning to give us their report.

MR. MORDFIN: Good evening, Chair and Members of the Commission. I'm Stephen Mordfin with the Office of Planning, and the rezoning of the entire site to the M District and Fort Totten Overlay District will remove the R-5-A District from the site, which is a Residential District, and locate the entire use within the M District, an Industrial District.

It also shifts the line between the R-5-A and M to Bates Road, which is a more logical delineation between the two zones. The subject application is in conformance with the provisions of

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the M District in that the proposal is in conformance with the bulk regulations contained within that zone.

The application is also in conformance with the provisions of the Fort Totten Overlay District in that it will better protect the surrounding community by relocating most of the operations within a building and also by buffering the site with fencing and landscaping.

These will be in conformance with the provisions for solid waste handling facilities in that no part of the use is located within 300 feet of a residence or 50 feet from retail, office or institutional uses, no proposed truck access is located within 50 feet of an adjacent property, the site is of sufficient size for the facility, most of the noise generated on-site will take place within a building and all solid waste handling activities will take place within a building. The site is designed to accommodate all truck maneuvering and queuing on-site and the applicant has agreed to submit a traffic study.

The application proposes no amenities as the use is as a public facility. This modernization will provide many public benefits. Those benefits include additional landscaping to buffer the site,

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improve truck access and improve storm water management.

The application is also in conformance with the Comprehensive Plan in that it will provide for the modernization of this existing facility. It will provide for a citizen drop-off area and it will provide a solution to the District's solid waste disposal needs. The application is in conformance with the Zone District and the Overlay District to the extent possible. The flexibility requested is balanced by the public benefits that the project will provide.

Therefore, the Office of Planning recommends that the application be approved subject to Condition Nos. 2 and 4 that are contained within the Staff Report. Condition No. 1 has now been met by the applicant and with respect to Condition No. 3, the fencing, the opaque fencing around the site, at this time the Office of Planning recommends that the opaque fence be provided along the eastern boundary of the site adjacent to the trail where the public will be able to see into the site.

Along Bates Road where the Office of Planning does not recommend that an opaque fence need to be provided there because of the extensive

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landscaping, the Leyland Cypress trees that are proposed to be planted there in addition to the ones that are in existence, and the Office of Planning feels that that will buffer the site adequately from the adjoining property across the street, the athletic fields for Catholic University. And that concludes the presentation from the Office of Planning.

VICE CHAIR HOOD: Thank you, Mr. Mordfin.

And forgive me for being rude, but I was talking about something when you mentioned the fence. Could you repeat that for me?

MR. MORDFIN: The opaque fencing?

VICE CHAIR HOOD: Yes, right.

MR. MORDFIN: Yes. The Staff Report did recommend the opaque fence be provided all around the site. However, of the four sides of the site, one side is the concrete batching plant, which we feel does not need to have the buffering. It needs to be secured from that and the same is true for the Fort Totten Park where you have got the incline of the park going up and it's a wooded area that is not inhabited, so we feel that the fence there also would not provide any benefit.

Along Bates Road, the landscaping plan, as you can see from what they have presented tonight,

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shows that there are existing Leyland Cypress that will be in-filled with newly planted ones, and we feel that when those mature they will provide a sufficient buffer from the property across Bates Road, which is the athletic fields for Catholic University.

However, on the western, I'm sorry, on the eastern side of the site, you do have the Metro tracks, but in between that, apparently, there will be the Metropolitan Bicycle Trail and, therefore, on that side, because there is not an opportunity to plant anything, the Office of Planning recommends that the opaque fence be provided along that side so as to screen it from the people using the trail.

VICE CHAIR HOOD: Okay. Thank you. Commissioners, any questions of the Office of Planning?

COMMISSIONER PARSONS: Mr. Mordfin, did you hear the question I asked about Brookland Avenue? Is that something you would know about?

MR. MORDFIN: Well, we are aware that Brookland Avenue, a portion of it, an existing portion of it does, not the built part, is inside the site. However, in order for them, if they were to go and close that portion of it, they would need an approved plan showing what is being done and that's part of

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this process, the PUD process, where they will end up with an approved plan that they could then take to the Office of the Surveyor to show this is what they are proposing to do.

COMMISSIONER PARSONS: This particular surveyor's plat would imply that Brookland Avenue, to me, at one time headed through this site to the northwest, I guess, but for some reason stops here at what appears to be an arbitrary line.

Do you know anything about that?

MR. MORDFIN: I don't know.

COMMISSIONER PARSONS: It's almost as though the street has been closed already, if you know what I mean.

MR. MORDFIN: If it didn't continue, it appears that portion is what may have been closed. It looks like Brookland Avenue, the purpose of that, would be to provide access to these two parcels, 124/174 and 124/175, because this site is not under as one lot. It's broken into four pieces.

COMMISSIONER PARSONS: I'm going to keep pushing for my Metropolitan Branch Trail here. I'm trying to get a little more breathing room. Have you looked at that at all? I have just seen -- and it was the sketch that was provided here on that final board

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that just seemed so constrictive. I'm trying to see if we can move this ramp back another 10 feet and fence.

MR. MORDFIN: As for relocating the trail, the access into the site, I would have to defer to the engineers as to whether or not the design would allow them to do that. We have also not heard from the people at DDOT as to whether or not -- what their opinion is regarding this entrance ramp.

COMMISSIONER PARSONS: There is a photograph that was submitted in there, I guess the prehearing statement, it came in a three ring binder that now I have lost it. Anyway, it shows this facility in a little more clarity.

The last photograph, I'll rip it out, which shows that canopy that we have been speaking about and it seemingly would appear that there is room there, but I don't understand the circulation. It appears as though the pumps are aligned perpendicular to the Metropolitan Branch Trail and may cause some difficulty maneuvering trucks.

I don't know, but I just think it's worth an extra effort to see if we could give this trail more room instead of saying well, the fence is here now. Therefore, that's where we're going to build to,

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which may not be the case. But if the fence is there, I mean, it's human nature to say let's design to the fence.

MR. MORDFIN: We can talk with DDOT some more about this and find out what can and can't be done with this with respect to their trail.

COMMISSIONER PARSONS: Thank you.

VICE CHAIR HOOD: Commissioner Hildebrand?

COMMISSIONER HILDEBRAND: Am I understanding correctly though just because I don't have the same level of familiarity with this trail proposal, that's going to be completely outside the current property boundary that is included in this PUD. Is that correct?

MR. MORDFIN: That is correct. The trail is not located within the property.

COMMISSIONER HILDEBRAND: And the current swales if you look at the topo plan, it appears that the -- is the current culvert a distance away from the property line and is the intent to excavate that and to put a retaining wall along the property line?

Is that what you understand the proposal to be?

MR. MORDFIN: I think the applicant is better qualified to --

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COMMISSIONER HILDEBRAND: Okay.

MR. MORDFIN: -- respond to that question.

MS. MURRAY: The intent is to culvert over that ditch and to excavate and put a retaining wall.

COMMISSIONER HILDEBRAND: Right at the property line?

MS. MURRAY: Right at the property line.

COMMISSIONER HILDEBRAND: Okay. At least I have a better understanding of what's happening now. Thank you.

Is this an unusual situation where we have built facilities on a public road, right-of-way?

MR. MORDFIN: We have other park land. We do have park land that's within public right-of-way or public space, unbuilt alleys and unbuilt streets.

COMMISSIONER HILDEBRAND: Okay. You mentioned that there was going to be a traffic study submitted. Do you have a time frame for that?

MR. MORDFIN: Well, the traffic study is required by the application, so prior to the approval of or you could either condition it as for the approval, that they would have to submit that and we have not received it yet.

COMMISSIONER HILDEBRAND: Okay. Thank you.

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VICE CHAIR HOOD: Mr. Mordfin, other than the change maybe with the 10 foot high opaque fence and also the traffic study, does the Office of Planning feel that No. 1 and 4 of your recommendation for the condition is satisfactory?

MR. MORDFIN: No. 1 is satisfactory. They have submitted that certification and No. 4, the Evergreen tree plantings, although I haven't received a plan showing it, the plan that they have provided that sits across over here does show those Evergreen plantings extending all the way across the northern property line.

VICE CHAIR HOOD: I don't know if we have that for the record, but we want to make sure that we get that if we don't have it. Okay. Thank you.

Does the applicant have any questions of the Office of Planning?

MS. HAMMOND: No, we do not.

VICE CHAIR HOOD: Okay. Does the ANC have any questions of Office of Planning?

MS. BROADNAX: No.

VICE CHAIR HOOD: Okay. All right. Moving right along. We are expecting some other Government reports and I'm sure we'll get the Department of Transportation. I'm not sure if we had

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any others. I didn't see anything from anybody else.

Okay. The report of Advisory Neighborhood Commission 5A, I see we have Commissioner Broadnax and Commissioner Bowser. If you want to come forward.

MS. BROADNAX: Good evening and thank you, Mr. Chair, Commissioners and Staff. I am Norma Broadnax, Chairperson of Advisory Neighborhood Commission 5A, and I am here this evening to ask the Commission to delay its decision on this application for the simple reason that ANC-5A has not had an opportunity to look at this matter beginning with the notice we received early in September, which said that this is of interest to ANC-5C, this case is of interest to ANC-5C. And so I asked our office staff to contact the Commission and correct this, that this project is in ANC-5A.

Well, it took a couple of weeks before she was ever able to reach anybody or to have anybody call back. As it was, we have never received anything in our office indicating that the Commission had made a correction to this. In the meantime, we asked that someone from Department of Public Works come to the Commissioners to explain this or discuss this application with us.

So as I said, we asked our office staff to

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arrange for this. Well, on October 7th, which was our meeting of our committee of the whole, two people came who were not able to answer our questions. They were Mr. Yorrick and Mr. Mitchell. They were not able to give us any information on the application, the plan, the PUD and whatever.

So you know, it's just been sort of a scramble here to try to find out what this is about, so we will need to schedule a community meeting to bring this matter to the community over there before we can bring it to the Commission for a vote.

VICE CHAIR HOOD: Is that all, Commissioner?

MS. BROADNAX: That is my statement, sir.

VICE CHAIR HOOD: Okay. Commissioner Bowser, did you want to add something?

MR. BOWSER: Yes. I'm Commissioner Bowser. I'm Vice Chairperson of ANC-5A. I guess I'll start my remarks off by answering one question. Brookland Avenue runs from Michigan Avenue to Bates Street. Along that also from Michigan Avenue to part of the property is Catholic University has their buildings and their gymnasium, all that's on there.

I live within four blocks of the facility, so I'm pretty well-aware of what's going on. If I

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have to go into the facility, then I have to come across the Taylor Street Bridge. I have got to come down Brookland Avenue to do that.

I am also in support of my Chairperson. I think it's an insult for us to have to come through here. They come here with all these elaborate plans and we invite them to our Commission. Nobody knew anything. Nobody could tell us anything, that they didn't know what was going on. I think it's a waste of your time, our time to be here tonight with that.

Secondly, right now they give you elaborate, what you call it, what's going on at the Brookland Station. I too frequent it. It's chaotic.

You go up there with the present citizen dump. You can't get up there until 11:00, 1:00 or so or 2:00, because all the other vehicles are doubled in there.

And I have a pickup truck. If I have two little small items, I got to get in line and go through the scale where I should be able to go right to that citizen dump, dump my stuff and come on out of there. They got somebody hollering at me I can't dump there, but they could come down and see what I got. Then you got to go all the way through that whole line.

I have reported this, my concern, many a

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times to the people at Fort Totten. It is not user friendly at all for the citizens. You got to go up there and wait three or four hours in a line where all the trucks come in there. They have trucks that come in there with out of town vehicles, with Virginia, Maryland tags on, because somebody has a D.C. permit, they let them take up your time and all their time when they shouldn't even be allowed to dump there if they have the wrong tags on their car just because somebody has a D.C. permit unless they have a rented vehicle or something.

It's just chaotic up there. The odor up there is horrendous. Commissioner Broadnax who lives next to it, I live to where you can smell that odor up there and the people shouldn't have to smell that odor. Next to that that you need to consider is a cement company that has cement. It also gives odors up there. Rocky Gorge is getting ready to build \$300,000 homes in that area adjacent to it. All this need to be -- make sure that everything flows right in that area, because we want to have a fine community up there, an outstanding community up there.

We can't ask people to come in there and buy \$300,000 homes or \$400,000 homes with the way that facility is operating now. They can't say that they

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didn't know it, because I have been one of the first elected Commissioners in this city and I know the operation, and I go up and I frequent it and I constantly complain myself for having to go up there and waste my time in line two or three hours just to dump something. I go up there and then they say you can't dump now. They let the trash companies all haul it.

Now, they tell you you go up there, Brookland Avenue, they have all those trucks lined up down Brookland Avenue, those contract trucks. That's where the odor comes from. Nobody is controlling anything up there. They know that odor comes out of those trucks. So if you're going to have a facility, you need to give the citizens, first of all, an opportunity to comment on this thing.

They haven't had that comment, because we haven't -- the Commissioners haven't seen the plans ourselves to set up anything. If they would have told us they need to go back to the first base and start all over, then we would know which direction we're going to go in and we can have a facility and you can truly hear what's going on up at that facility with people using that facility. And I am one that uses it and I have put my concerns to everybody up there.

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Nobody in this room that works up at that facility can say they haven't heard from me as to some of the problems.

And nobody has tried to correct the problems. The problems still exist. Like Mr. Hood said, you get in line, it's clear you got to sit there four or five minutes when somebody else come out there. I went up there one day as you come down the ramp to dump, they have all this high out of the trucks. Somebody came in there with a U-Haul that had some workers on the truck. It was about 90 degrees at that day, and the guy there that controls, he allowed somebody to put those workers in the back of a hot truck, close the door and leave that facility.

I was upset about that. Somebody should have said something about that, because that was inhumane to put those workers in the back of that truck, because they had about six or eight of them, they couldn't put them -- they did it with one of these big U-Haul rental trucks. It's inhumane to do that. People are not paying attention to what's going on up there. They just let anything happen and they have high piles of dumps up there.

Years ago when we complained about it, they were able to move those dumps out of there. They

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had pigeons up there. They got rid of the pigeons, but that stuff is still there. They're not moving that stuff out there every day. They're not doing it.

It's a chaotic mess up there, and there is a tremendous odor that people who pay, taxpayers living in the adjacent community should not have to put up with it.

And they tell you this, we're going to do that. They know them trucks are parking there and they know them trucks are going to give off odors. Why they allow that?

VICE CHAIR HOOD: Okay. Thank you. Commissioner, you had some more?

MS. BROADNAX: Well, I was wondering if I was going to be able to speak to what I started to speak to at first, when I first sat down here.

VICE CHAIR HOOD: Sure, sure.

MS. BROADNAX: With the engineer.

VICE CHAIR HOOD: This is your time.

MS. BROADNAX: The engineer described the system that they will have in place for deodorizing and all I wanted to say is not having seen any plans, that I hope that the system will certainly be an improvement over whatever system they are using now because, as Commissioner Bowser has said, we have had

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in our community an ongoing issue with Council Member Orange and everybody else who would listen about the odor that has been emanating from that facility going back to early spring.

We could not even sit outdoors. We could not enjoy our homes because of this odor. And when I spoke to Mr. Yorrick about it he said that, whatever, they were out of the deodorant or whatever they were using. And then another time he said to me that these trucks park there overnight, and so they come back early in the morning and move the trucks.

I don't know. Whatever it is, I don't think we should have to smell this odor coming from that facility and this is wafting across the railroad tracks to us. Thank you.

VICE CHAIR HOOD: Thank you, Commissioners Broadnax and Bowser. Commissioner Broadnax, what you stated last, I was hoping if you would put that in the form of a question, at that time, then we could have proceeded, but you got it through at that point and we understand. Your point is well-taken.

Any questions for the Commissioners?

COMMISSIONER PARSONS: No questions.
Thank you.

COMMISSIONER HILDEBRAND: You were saying

though that right now the queuing time on Brookland Avenue is three to four hours with these trucks. Is that what I'm understanding?

MR. BOWSER: Sometimes you can go up there, it depends on -- if a citizen goes up there they don't know what hours that they going to allow you to dump. So if somebody go there at 10:00, 11:00 in the morning, suppose they come all the way across town from southeast, they may have to sit there until 1:00, 12:00, 1:00 before they get in line, because they going to tell you all to haul it to the trash trucks and they go in there first.

The only real time earlier when citizens go down there and be able to use the place, they don't always have that little old dump closed and then when they allow the trucks to park there. If you new in there, you don't even know that you can pull up in there to dump that, to dump the stuff. If you go in there -- if I take my truck in there, somebody is going to holler and scream at me.

COMMISSIONER HILDEBRAND: So are you suggesting that there just needs to be better communication with the citizens as to what the correct hours of the dump are? Would that address your concern, as long as people were aware when the

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facility was open?

MR. BOWSER: Well, I think that may or may not, because if you tell me 1:00 or 2:00 in the day on a Saturday, it may not be good for me when I'm cutting my bushes or something at 10:00 and I need to go into the yard. I think that the citizens should have priority access over some of these private dumpsters, because they are the ones who pay the taxes to come in and do that. They shouldn't just arbitrarily set some hours for the convenience of the private dumpsters and the city dump trucks. The city people, they can wait.

COMMISSIONER HILDEBRAND: Did you say that you hadn't seen any of these proposed plans today?

MR. BOWSER: No, I have not. I have not seen them.

COMMISSIONER HILDEBRAND: You haven't had a chance?

MR. BOWSER: No.

COMMISSIONER HILDEBRAND: Haven't had a discussion about them?

MR. BOWSER: No.

COMMISSIONER HILDEBRAND: You haven't seen them?

MR. BOWSER: No.

COMMISSIONER HILDEBRAND: You haven't had

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a chance to review them?

MR. BOWSER: When they came before us on the 1st of the month, they said they didn't know nothing about the zoning. We asked. Like the Commissioner said, we asked them about them. They didn't have no plans. They had nothing to present to us, so we could sit down and maybe have some of these questions answered. And she asked for it in writing to send somebody who could come and talk to us about this particular plan.

COMMISSIONER HILDEBRAND: Thank you.

MR. BOWSER: And all the way, you know, the whole room charter says that the ANC should be properly advised of anything that is going to adversely affect the community or any changes to the community, and this hasn't happened, so this is in violation of the whole room charter.

VICE CHAIR HOOD: Okay. Any other questions? I want to thank Commissioner Broadnax and Commissioner Bowser. I know you all have been stellars in your community and I want to encourage you as ANC Commissioner volunteers who don't get paid to continue your good work, and I think you do very good work. So I want to commend you. Thank you.

And let me just ask you this, so you may

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not have to come back up. You haven't been exposed to the plans or anything of that nature. What is the time frame? And I think that for the city's interest, we want to move as expeditiously as possible, but make sure that we don't move too fast for the citizens of the District of Columbia.

As far as the ANC taking care of all of what you need to take care of, public meeting and whatever, how much time frame would you say you need?

MS. BROADNAX: All right. Mr. Chair, as I told Ms. Hammond and others, that we're at the end of October. The only other thing, we could schedule a meeting with the applicant, with the Commissioners, but we still haven't gone to the community and I thought it might be better to just go to the community first rather than come to the Commissioners, because if we go to the community -- we still have to go to the community. Even if we come to the Commissioners, we still have to go to the community and get a vote and come back to the Commissioners.

VICE CHAIR HOOD: What are you doing? Without going through any changes, what is your normal process and if you need to think about it for a few minutes, you can. What is your normal process?

MS. BROADNAX: The normal process --

VICE CHAIR HOOD: And how long would that take?

MS. BROADNAX: The normal process is to take that matter to that Single Member District, that's 5A-01 where this facility is located, to take it to that Single Member District and have the presentation. And then we come back to the committee of the whole or to the ANC Commissioners with a recommendation asking for a vote. And that's the process.

VICE CHAIR HOOD: So you would probably need the whole month of November?

MS. BROADNAX: Probably, because we first -- we'll have to get a place. We'll have to find a place and there is not that many places in that Single Member District that we have been able to look at for past issues. But the availability of a place is, of course, number one and then getting out the notice and having a meeting.

Well, remember now November, of course, is a holiday month and December is a holiday month, but we can go ahead and try to do this in November, try to schedule a community meeting in November, wouldn't you say, Mr. Bowser?

MR. BOWSER: Well, frankly, I would

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disagree with that, because I think that the applicant or anybody that knew how important this is to the District Government, if it was so important, it would have come before us earlier with the necessary stuff that we have. I don't think we need to rush this thing through.

I look at somewhere, the 1st of the year, to really put this thing out on the table, get all the information that we need to do, because those persons who work for the District Government, they should know the process and then they will have to do it and come by here, they ask us to rush it through. I think it's unfair to that community to do that when the other people didn't follow. So I would not support November.

COMMISSIONER HILDEBRAND: Can I ask the office when official notice was given to the correct ANC on this project?

MS. SCHELLIN: This case was actually filed with us on July 28th. This referral, the Notice of Filing letting ANC-5A and ANC SMD 5A-01, just the notice letting them know that this has been filed was sent to them on August 6th, and that Notice of Filing actually had the correct ANC of 5A.

Now, the Public Hearing Notice did

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incorrectly say 5C. However, it was mailed to the proper ANC-5A and ANC SMD 5A-01 August 30th. So even though it had a typographical error, it still went to the correct people.

COMMISSIONER HILDEBRAND: Did you receive those notifications?

MS. BROADNAX: The notification I received said this is of interest to 5C and that came into my office the early part of September. Now, whatever went to 5A we don't have. If something was sent to someone that they thought was representing 5A-01, we don't have anybody in 5A-01. That seat is vacant. There was someone who was elected.

Now, I don't know if you sent something to Mrs. Richardson and Mrs. Richardson has never served as the Commissioner and, as a matter of fact, Mrs. Richardson is hospitalized and has been, I think, since -- for I don't know how long.

MS. SCHELLIN: Actually, I stand corrected. 5A-01 was listed as being vacant. The Board of Elections did not have an address or a name for anybody serving there, but it did still go to Ms. Broadnax at the 14th and Irving Street, Slowe School, for 5A.

MS. BROADNAX: Our address is 1322 Irving

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MS. SCHELLIN: Okay. We used whatever comes from Board of Elections and Ethics. The ANC listing that they provide us with is the official listing that we use. So if it's incorrect, then you may need to correct it with them, because that's what they publish on a regular basis.

MS. BROADNAX: Anyway, the first notice we got was the first week of September and that notice said 5C, and that's when I asked the office staff to contact the Commission and advise the Commission that it's a 5A matter.

VICE CHAIR HOOD: Okay. What we'll do --

MR. BOWSER: Madam Chairman, if I may?

VICE CHAIR HOOD: Can you turn your microphone on and I'm glad you didn't have it on, because you called me Madam Chairman.

MR. BOWSER: Mr. Chairman, I'm sorry. In August the Commissioners are really on vacation and in December we are on vacation. I think when we work hard for no pay for 10 months of the year, that we are entitled to that thing. So even if something -- I don't know what the process was. Even if it came on there, it probably -- and we had our September agenda already set, so all this has nothing -- I mean, we can

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rush this thing through and disregard our community if you so choose to, that's fine.

But I see no reason why this needs to be rushed through. They didn't rush through correcting that odor in that community and now they want to -- and we need to make sure that all this stuff is correct. I mean, we could talk about notification and where, when or whatever, because we usually pay attention to our notification.

And we saw time that we got official, and then having a notice of a hearing and not having the actual facts of the hearing date and what's involved in it, that we may not react to it. We want to -- once we get a hearing date, then that's when we react to it, because then we can get all the information that is available to do that. And that happened. We had somebody come forward and talk to us about that, and we had time on our committee to hold meetings to talk to our Commissioners and see which direction they want to go in.

All that process was followed, except when somebody came to us and said they didn't know nothing about it. I can't believe nobody came to the meeting and said they didn't know about this project. That's what they told us or they refused to address it. Now,

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you all are asking us to rush it through. They had an opportunity to tell us what to do, what it was all about.

COMMISSIONER HILDEBRAND: When you say --

MR. BOWSER: They knew it was coming.

COMMISSIONER HILDEBRAND: When you say they didn't know about the projects, were those the representatives from the Department of Public Works?

MR. BOWSER: Yes, it was representatives of Public Works. Ms. Broadnax called them. I don't remember their names, but she called their names. And we ask for this gentleman back here to come and he wouldn't come.

MS. BROADNAX: Mr. Yorrick and Mr. Mitchell.

VICE CHAIR HOOD: Okay. Yes, I got it. I think Mr. Yorrick is here with us tonight. Let me do this. We have heard your concerns. Let me finish the agenda and we will discuss this as we move into the -- we'll discuss this afterwards, after we call the applicant back up. Okay? Point well-taken. Thank you.

Okay. Organizations and persons in support? Last call. Organizations and well, persons in support? I'm sorry. We don't have any parties

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other than the ANC. Persons in opposition? Last call. Persons in opposition? I haven't done this in awhile. I don't do it often.

I'm going to ask the applicant to come back to the table and if you want to give us some closing remarks.

MS. HAMMOND: Mr. Chairman, I had not prepared any closing remarks. I would like to apologize to the ANC as a matter of record. I think there was some miscommunication about the meeting that was held before this hearing. The representatives who were sent to the meeting went to address some questions, we thought, about operational problems that the ANC would have, was having, particularly the smell.

Personally, I had spoken to citizens and members of the ANC about the odor that was emanating from the facility. The two representatives who went to the meeting were able to talk in general about the planned renovations, but they were not able to talk in specifics, I believe, about the application process and the zoning process itself. So that's what happened there and we do apologize to the ANC and to the community it represents.

I would also like to say that over the

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past year and a half, the representatives from the Solid Waste Management Administration, Mr. Henderson and myself, we have met in general with Advisory Neighborhood Commissioners in both 4 and 5. We also took a trip out to 7, at one point, to talk about our plans going forward for renovations at both of the transfer stations.

At the times that we appeared in public, we did not have drawings and specific information that we have presented tonight, but we did talk about our plans to do the extensive renovations at both of the facilities.

On the smell issue, the odor issue and others, we think that those problems will take care of themselves once we bring all of our solid waste stinky trash hauling operations inside of the facility. We won't have piles of garbage, basically, being pushed through a hole in the wall and that is the situation that we have at Fort Totten right now.

Now, I know where Brookland Avenue is. We did have a problem with our contract hauling trucks parking behind the facility on that road. When we were notified by the community that the odor was a problem, we identified the problem, asked the truckers or told the truckers that parking overnight with those

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trucks was no longer allowed. When some of them persisted in parking on the road back there, we called in the police and they were ticketed. That problem has been taken care of and we don't have overnight parking of trucks back there.

And we will continue to work with the community. We are talking now about setting up a meeting and as many meetings as they would like. We'll go out to the ANC and make presentations similar to the ones that we did tonight and answer any questions.

VICE CHAIR HOOD: Ms. Hammond, I appreciate your comments. Let me start off by asking you. You heard both ANC Commissioners' concerns and making sure that it has been through the process, through the neighborhood, which I think is the right avenue to go.

Commissioner Bowser mentioned the 1st of the year. Is there a time and, personally, is this Commission -- as far as dealing with trash transfer stations and solid waste issues here in the city, I would like to see us modernize sooner than later. But we also want to make sure that the process is vetted through the community. And in taking heed to what Commissioner Bowser had mentioned about the first part

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of January, would that put the Department of Public Works and Solid Wastes, in particular, in a bad position if you all -- because I don't know when you all are going to meet. The holidays are coming up and those things come into play, and I know from community work it's hard to get communities sometimes out, especially during the seasons or the holiday season.

So if that was to happen, I need to hear from my colleagues, and if that was the avenue, would that pose a hardship or a problem to the Department of Public Works?

MS. HAMMOND: It would pose somewhat of a hardship if we had to wait until the beginning of the year before going ahead with our processes. I think you are aware of the procurement process that we have to go through here. We are ready to move forward with the renovations as quickly as we can.

Having said that, we are also committed to working with the community and trying to get through that process, so that the community gets the information it needs. And I believe that once we have the discussions with the community, I believe that we will get some support. Mr. Bowser's complaints about long waits and lines will disappear. The issues with odor will disappear the sooner we can get this process

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on the road.

I'm not sure how long it's going to take to get a traffic study in, but I know that's not going to happen in two weeks or so. So if we could get, if the Commissioners could work with us to get through their process as quickly as possible and, hopefully, that would be before the beginning of the year. It would help if they could do that.

VICE CHAIR HOOD: What if we, and I'm trying to get a compromise here and, my colleagues, you can chime in anytime you're ready. What if we try to set this up, try to look at this at our December meeting, Mr. Bastida?

SECRETARY BASTIDA: Yes, Mr. Chairman, but we have also to make sure that all the requests, the information, is provided to the Commission and also provided to the ANC, so they can look at this total project. So perhaps it might not be a bad idea to prepare, to do that list now, so we know --

VICE CHAIR HOOD: Yes, let's.

SECRETARY BASTIDA: -- what time they might need to do it. And perhaps certain things could be provided sooner rather than later.

VICE CHAIR HOOD: Okay. Well, let's do that now.

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SECRETARY BASTIDA: Okay. Why don't you start?

MS. SCHELLIN: Okay. The applicant is going to need to provide us with an affidavit of maintenance of the posting signs. A site lighting plan was requested, a committed hours of operation, I believe someone asked for.

SECRETARY BASTIDA: Yes.

MS. SCHELLIN: Some type of commitment as far as hours of operation. One of the Commissioners asked that they relook at the bypass lane for public drop-off and to reexamine moving of the fence maybe looking at Brookland, I'm not sure if it was road or avenue, whatever.

SECRETARY BASTIDA: Avenue.

MS. SCHELLIN: And a traffic study. And of course, the ANC, I believe, for the great weight that they need to provide their report in writing which, of course, they can't do until they have voted on this. And that's all I have.

SECRETARY BASTIDA: Yes, I have also to look at the possibility of -- I believe that that trail John has called Metropolitan Green Trail?

COMMISSIONER PARSONS: Metropolitan Branch.

SECRETARY BASTIDA: Right, Metropolitan Branch, to see if there is any room for improving the distance there and if anything can be a better sense of openness to that trail.

COMMISSIONER PARSONS: Thank you.

SECRETARY BASTIDA: And also regarding the truck trailers, how you are walking to it and that is part of the traffic study, but a lot of emphasis has been put by the Commission regarding that and the bypass. So I am hoping that all those factors will be taken into the traffic study. So the question now are the majority of those, but that list, the thing that it appears to me to take the longest will be the traffic study.

So when do you think they could provide that?

MS. HAMMOND: I would have to get back to you. I know that we had a traffic memo done by the Department of Transportation. There was no formal study. I just don't know whether this is a two week something or if it's a month.

MS. MURRAY: The Department of Transportation did look at the traffic. I don't know if the word study seems a little more formal than what was done, but we looked at the number of vehicles that

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would be using the facility, entering and leaving, and the times of day that it will be doing, and also the route that the transfer trailers will be using to get to the facility and to leave the facility. And there is a memo that was prepared with the results from that that we can produce tomorrow. I should have entered it as a --

SECRETARY BASTIDA: Yes, but usually a traffic study is done by the applicant and the DDOT review it and either concur with it or not. So that's the standard procedure for a PUD.

Do you think that based on what you have done and what DDOT has done that you can produce something and in what time frame?

MS. MURRAY: Would we be able to give you what we have and see if that's sufficient?

COMMISSIONER HILDEBRAND: The only thing that causes me concern is that the nature of the facility speaks directly to traffic. It's a generator of traffic. It's a magnet site for vehicle trips and if any site deserves a traffic study, it seems like it would be this facility and I think you should look at that pretty carefully.

VICE CHAIR HOOD: Okay. Here's what -- do we have everything that is listed that we know of?

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SECRETARY BASTIDA: Well, there is a couple of other things. There is a need for a little more specifics on the planting material that you need to put into the record that you gave to Mr. Parsons, specifically, that it will be 5 feet in height and so on and tied and all that information on the planting, on the specifics of the planting. And also, I think you mentioned the Brookland Avenue, how it really is going to be truncated, if you are proposing to eliminate that from the official map of the city and so on and to get concurrence from DDOT regarding that.

Okay. If you want, Mr. Chairman, I could try to -- the meeting on December is the 13th of December, so I could try to give them deadlines that everyone thinks is reasonable and they would accept it, so they can also provide it to the community, because the community needs to be forewarned when those things are going to come, so they can set the meeting accordingly with all the information.

VICE CHAIR HOOD: Mr. Bastida, let me just say that's what I would like to see and I guess my colleagues may concur. I would like for us, not our November meeting, but our December meeting --

SECRETARY BASTIDA: Right.

VICE CHAIR HOOD: -- to try to deal with

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it in December. Hopefully, everything is together. Put all the pieces together. Do whatever you have to do with the ANC, the surrounding community. Give them ample time. I think well over a month is normally what we normally do for other ANCs throughout the city.

SECRETARY BASTIDA: Right.

VICE CHAIR HOOD: And I want to make sure that this one is treated exactly the same and given adequacy, because I would hope that they will not have to endure the 90 degree weather the way it is now. So we want to make sure those renovations, hopefully, get started as soon as possible, like I said, sooner rather than later. And I'm going to have Ms. Broadnax come back up and I'm hoping that that is the happy medium for our meeting. We're going to make a decision hopefully, if everything is intact and in place, in December.

SECRETARY BASTIDA: Yes.

VICE CHAIR HOOD: Which is the 13th.

SECRETARY BASTIDA: Right. We will give them a little more than the four weeks that usually we give and if I may, maybe I should put on the table some dates to see how the ANC will react to it.

VICE CHAIR HOOD: Let's do that unless you

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have something other than -- let's hear from Commissioner Broadnax.

SECRETARY BASTIDA: Sure.

MS. BROADNAX: Well, just let me be clear. When would you want the ANC's report back? You're saying in December?

VICE CHAIR HOOD: Yes, it would need to be back by December.

SECRETARY BASTIDA: Yes.

VICE CHAIR HOOD: But let's hear some dates.

SECRETARY BASTIDA: Let me give you a couple of dates.

VICE CHAIR HOOD: And then see if that fits everybody's schedule.

MS. BROADNAX: Okay.

SECRETARY BASTIDA: To see if you might think it's reasonable.

VICE CHAIR HOOD: Because you do have --

SECRETARY BASTIDA: Because I think that you are not going to be unhappy with the dates I am going to give you. Perhaps you would be. Okay.

MS. BROADNAX: Because let me just add --

SECRETARY BASTIDA: Sure.

MS. BROADNAX: We would like to be sure

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that the traffic study issue would be cleared up by then, because certainly those would be a concern to our Commissioners.

SECRETARY BASTIDA: Yes.

VICE CHAIR HOOD: As I stated, Commissioner Broadnax, as long as everything is in place. You also have ample time to look at the traffic study and the whole presentation piece. We want to make it as fair as possible to all sides, so when it comes back down we won't have to delay it until, as Mr. Bowser said, February or whenever.

SECRETARY BASTIDA: Okay. I was thinking that requesting from the Department that all submissions that have been requested here are provided by November 15th by 3:00 and, at the same time, served on the ANC. And then the ANC will provide to this office their report by Thursday, December the 2nd by 3:00. And in that way, we could provide all the information received to the Commission for their December 13th meeting.

VICE CHAIR HOOD: The times sit well with her. I think that's very generous, I really must say.

SECRETARY BASTIDA: Yes, and the thing is what I would hope is that the Department discuss with the ANC a tentative meeting day now, so the ANC could

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start working on getting a place, a meeting and a time frame to have that meeting.

MS. BROADNAX: Okay. So you're asking that the Department have all of their information in November 15th?

SECRETARY BASTIDA: And provided to you by then, the additional information.

MS. BROADNAX: So they would be able to bring their information to a community by the 15th?

SECRETARY BASTIDA: Right.

MS. BROADNAX: Is what you're asking them to do?

SECRETARY BASTIDA: Well, from the 15th on.

MS. BROADNAX: Okay. By the 15th.

MS. SCHELLIN: What it is is, Mrs. Broadnax, if I can clarify it, what he is saying is that November 15th, remember we went through that whole list of additional things that they need to file it with our office by that date and prepare it to you. Whether you guys meet prior to that or after is up to whatever you guys set up. And then you would have until the 2nd to respond to those filings and file your report.

MS. BROADNAX: Well, thank you. I think we can try to work within that. I guess we hardly

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have any choice but, anyway, I think we can work with that.

VICE CHAIR HOOD: Okay. Good. All right.

If everything is in order, we want to thank everyone, the applicant, the ANC, Office of Planning and everyone in attendance, colleagues. Ladies and gentlemen and the other members in the Commission, I wish to thank you for your testimony and your assistance in this hearing.

Any party to this case, which includes the ANC, may file a written response to any information or report filed after the closing of the hearing. Such responses should be filed no later than 3:00 p.m. as indicated by the Secretary previously. Parties in this case are invited to submit proposed findings of fact and conclusions of law no later than 3:00 p.m. as previously indicated by the Secretary. I like that.

The Commission will make a decision in this case at one of its monthly meetings following the closing of the record. We are going towards our December meeting. These meetings are held at 6:30 p.m. on the second Monday of each month which, with some exceptions, are open to the public.

If any individual is interested in following this case further, please, contact Staff to

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determine whether this case is on the agenda of a particular meeting. I now declare this hearing closed.

(Whereupon, the hearing was concluded at 8:34 p.m.)