

**Advisory Neighborhood Commission 6A  
Minutes  
Miner Elementary School  
October 13, 2011**

**Present:** Commissioners Alberti, Healy, Holmes, Hysell, Lawler, Mack, Ronneberg, & Veenendaal-Selck

The meeting was convened at 7pm.

**1. Agenda**

Mr. Alberti added budget allocations for minute taking and agenda packet preparation to New Business. Mr. Healy added to the ABL discussion, modifications to the VA, and to New Business an announcement of a working group organized by Councilmember Graham on Liquor Law reform.

**2. Minutes**

The minutes were accepted by unanimous consent.

**3. Community Comment**

Statehood March

DC Statehood Shadow Senator Michael Brown made a presentation about a renewed effort for statehood that was being undertaken. He said that legislation had passed in the house in 2008 and 2009, but then the gun amendment had been added on, and killing the gun amendment meant killing the gun bill. He said that Congresswoman Norton has introduced a new bill, and the mayor had been arrested, and it's time to increase the civil disobedience. He said that the situation is chaotic at the Wilson Building because of the Internet gambling issue. He said the District is losing \$2.5 billion in Federal funds annually, which is equal to 28% of the DC Budget and the District is unable to collect taxes on out of state employees, a large number of whom work in DC for the federal government. He announced a march on October 15 in conjunction with the dedication of the MLK Memorial, and the mayor will be participating, with the theme that it's time to fulfill the promise to democracy. Twenty years ago it was South Africa, now it's freedom for DC.

HandsOn Greater DC Cares

Linda Kurtz, Greater Northeast community liaison, HandsOn Greater DC Cares, gave a brief presentation on the work she is doing in Wards 5 and 6, and she announced a meeting scheduled for October 19 at the Rosedale Rec Center.

#### 4. Officer Reports

##### Chair

**Mr. Holmes** reported that there was an ANC Chairs meeting with the mayor and his cabinet, and one issue that was brought up a great deal was the inadequacy of the 311 system. There was discussion of ABRA's reluctance to enforce anything in VAs other than prohibitions and requirements in ABC law. The mayor said he would attend a meeting on the H/Benning Streetcar Line.

##### Treasurer

Mr. Alberti presented the Treasurer's Report. It showed that the opening balance in the checking account was \$20,210.11 and the savings account balance was \$4,205.41. There was a disbursement from the District government of \$4,836.27, and two interest payments to the savings account of \$0.18 and \$0.17. There were disbursements of \$180 to Roberta Weiner for July 2011 minutes (Check #1525); \$200 to Heather Schoell for the September '11 agenda package (Check #1526); \$120 to Roberta Weiner for September 2011 Special Meeting minutes (Check #1527); \$349.96 to FedEx Office September 1 '11 statement (Check #1528); \$64 for the purchase of checks (Check #1529), leaving a balance of \$24,132.42 in the checking account, and \$4,205.76 in the savings account.

**Motion:** Mr. Alberti moved/Ms. Lawler seconded a motion to approve the disbursements. It passed without objection.

**Motion:** Mr. Alberti moved/Mr. Holmes seconded a motion to accept the Treasurer's Report. It passed without objection.

##### Quarterly Report

**Motion:** Mr. Alberti moved/Mr. Holmes seconded a motion to accept the Quarterly Report for the 4<sup>th</sup> Quarter of FY11. It passed without objection.

#### 5. SMD Reports

**Mr. Alberti** reported that there has been a rash of at break-ins—at least six—in one block in his SMD.

**Mr. Holmes** said he would second that, as there have been 35 in the last few months, with the same MO—screw drivers used on a rear window. He said there are two people known to the police, one has a pattern of breaking into one car that has something in it and then doing five or six others.

**Mr. Healy** reported that there have been a half dozen shootings in his SMD. He reported that he had his last SMD meeting on October 3 and that Commander Hickson had come. He talked about a bust in the 800 block of 12<sup>th</sup> St. and the fact that there had been a lot of break-ins.

**Ms. Mack** reported that there was a complaint about water leaking at a launderette. DC Water, the Department of Health and Councilmember Wells all came and the launderette was shut down.

Dr. Ronneberg reported that the applicant at 1624 E St. NE withdrew his BZA application. He said that more signs are appearing in his SMD for extended parking; that the Councilmember had sent a letter to the House of Ruth; and that 1350 Maryland Ave. NE had been excluded from the downzoning.

## 6. Committee Reports

### Community Outreach

Ms. Nelson presented a grant request from Cub Scout Pack 8383 at Maury Elementary School. They are requesting \$706 to purchase a Pinewood Derby Track, a Cub Scout project in which the boys build car kits and then race the cars. This reinforces Scout values by teaching the boys to work together, and they learn mechanical and design skills. The troop was represented by its leader, Alastair McFarlane. **Motion:** Mr. Alberti moved/Ms. Mack seconded a motion to accept the Committee's recommendation to provide a grant of \$706 to Cub Scout Pack 8383.

Ms. Nelson said she had served as a scout master and it was difficult to arrange for the boys to participate in a Pinewood Derby because the tracks are prohibitively expensive for a less-affluent pack to purchase and because those packs that do have them generally don't invite other packs to participate. Those that do often charge a fee that is unaffordable.

Mr. Healy said he was troubled by the national organization's policies on homosexuality and religion and doesn't know about giving funds from the ANC to the Scouts. He said he had been wrestling with the issue all day. Mr. Holmes said that if the PTA is supporting the organization than it is alright. The property resides with the sponsoring organization, the PTA. And the troop is chartered to the Maury PTA. The check would be written to the PTA or the vendor. Mr. McFarlane said he was inclusive as possible with the troop and asked no questions about the boys joining. Ms. Nelson said that there are few activities for boys that don't focus on sports and this was good for that reason.

Dr. Ronneberg said he had been a scout and the national organization had very little impact on local activities. Ms. Nelson noted that the Boy Scout's national policies are set by conservative religious institutions, such as the Mormon and Catholic churches. The local packs may disagree strenuously with these policies (particularly those regarding sexual orientation) but are powerless to change them. If funding is denied to the local packs, the only ones being "punished" are the disadvantaged youth; the Scout hierarchy will not feel the pain or somehow be encouraged to change their policy. And the local Packs, 3838 in particular, do not discriminate on the basis of sexual orientation or religion. Mr. Holmes said he had been an assistant scout master and his son had been an Eagle Scout, but he no longer contributed to the organization because of its sexual discrimination. The motion to provide the grant passed 6-1-1, with Ms. Lawler in opposition and Mr. Healy abstaining.

The report of the Committee was accepted by unanimous consent.

## ABL

### *Da Luft - 1242 H St. NE*

Mr. Healy reported that Da Luft had agreed to sign the standard VA with several modifications related to concerns by neighbors on Wylie St. NE. They include explicitly stating that the establishment will adhere to ABRA regulations requiring that a CR licensee have its kitchen open for service up to two hours prior to closing; that no more than 30 patrons may be present on the 2<sup>nd</sup> floor patio at one time; that all patrons and staff will be cleared from the patio after 10pm Sundays through Thursdays and midnight on Friday and Saturday; and that the applicant will not use the third floor or rooftop for storage, food preparation, service of alcohol, or patron seating. **Motion:** The committee moved/Mr. Healy seconded a motion to accept the Committee's recommendation to approve the modified VA for Da Luft. The motion passed 7-1, with Mr. Alberti not voting.

### *Pho - 1360 H St. NE*

Mr. Healy is working with the establishment to reschedule a missed appointment with the Committee. Even though Pho hasn't yet applied for its license, Mr. Healy said he would like to have a motion to protest unless a VA is approved prior to the protest date so the Committee can maintain its standing. **Motion:** The committee moved/Mr. Healy seconded a motion that the ANC accept the Committee's recommendation to protest the license for Pho, 1360 H St. NE unless a VA is signed prior to the protest date. The motion passed 6-0-2 with Ms. Mack and Mr. Alberti abstaining.

### *Class B Licenses*

License renewals for a three-year period were up for the following establishments: M&T Grocer's Beer and Wine, 201 15<sup>th</sup> St. NE; China House, 1601 Benning Rd. NE; DC Supermarket, 539 8<sup>th</sup> St. NE; Economy Market, 1804 D St. NE; and 1101 Convenience Mart, 1101 H St. NE. **Motion:** The committee moved/Mr. Healy seconded a motion to accept the committee's recommendation to approve the license renewals for the above named establishments. The motion passed 6-0-2, with Ms. Mack and Mr. Alberti abstaining.

### *New VA Language*

**Motion:** The committee moved/Mr. Healy seconded a motion that the ANC approve the addition of a new section 'h' under Section 3 of the standard CR/CT voluntary agreement: "All CR license holders shall comply with ABRA regulations that require their kitchen to remain open and operational until at least 2 hours prior to closing."

Mr. Alberti asked whether Mr. Healy agreed with language such as that being in VAs. Mr. Healy said that he understands there are things in VAs that are so extraneous that they shouldn't be there, but there are other things, like watering a tree, that should be attended to. Mr. Alberti said that including items that are already covered by ABRA law is unnecessary. It seems silly, but it could mean someone is charged twice - once under the ABRA law and again through the VA. This potentially sends the message that ABRA is unwilling to enforce the statute and only enforces it because it's part of the ANC's VA.

Dr. Ronneberg said that this was his idea as a way of educating the public to the law before it's necessary to enforce it. Mr. Alberti said there are other things that can be done to educate the public. Mr. Holmes said he liked the idea of the VA being a compendium of the relationship between the ANC and the community—the more there is in it, the easier it is for people to understand. Mr. Holmes said there's about to be a rewrite of the law. Dr. Ronneberg said it's a good way of letting someone simply know what the regs are and shows respect for the community. The motion passed 7-0-1 with Mr. Alberti not voting,

The report of the Committee was accepted by unanimous consent.

### Economic Development and Zoning

#### *1303 Linden Ct. NE*

Dr. Ronneberg said that the applicant had originally come to the Committee with a plan for a three-story building with a roof deck, and he came back with something else: a two-story with a third-story roof deck. The committee talked about the building's use as a residence and objected to the variance he was requesting previously. The applicant no longer plans to tear down the garage that is currently on the site but would build the second story and roof deck on top of the garage. The Office of Planning has sent a letter to the BZA saying that if BZA grants the requested variances, it would support the proposed area variances. The neighbors at 1318 C St. NE oppose the building saying that even with proposed revisions the structure would adversely affect their light and air.

Dr. Ronneberg said the issue is complicated and it was simpler for it to be divided into two votes, one on the space variance, which was opposed 4-3, and one on the use variances, which was defeated 5-2. **Motion:** The committee moved/Dr. Ronneberg seconded a motion that the ANC send a letter to the BZA opposing the requested zoning relief for 1303 Linden Ct. NE. The motion passed 8-0.

#### *Committee Resignation*

Dr. Ronneberg announced the resignation of Sherrie Lawler as a member of the Committee. Ms. Lawler said she had replaced herself with someone from her SMD who was very good. Mr. Holmes thanked her for her service and said it was appreciated.

The report of the Committee was accepted by unanimous consent.

## **7. New Business**

### *ANC Budget*

Mr. Alberti presented the draft budget for FY12 and asked for comments.

Ms. Veenendaal-Selck asked about the possibility of getting out a mass mailing about the ANC and its activities—like the brochure. Ms. Nelson said that list rentals are expensive, and she is willing to take a look at the numbers, but the Commission has the same conversation every year. Alberti suggested the possibility of something smaller. He said people don't know what SMD they're in, so you can either provide something tailored to an SMD or a longer piece that all communities can use.

**Motion:** Mr. Alberti moved/Ms. Mack seconded a motion to approve the ANC 6A budget for FY12 as presented. The motion passed without objection, 8-0.

**Motion:** Mr. Alberti moved/Mr. Holmes seconded a motion to allocate up to \$200 monthly for transcribing of minutes, and up to \$200 monthly for the preparation of the agenda package. The motion passed without objection.

#### Graham Task Force

Mr. Healy reported that he has been asked by Councilmember Graham to represent ANC 6A and serve on a Task Force that will discuss ABRA. There was no objection.

#### **8. Community Comment**

Brittney Wright of the Mayor' Office of Public Liaison urged everyone to participate in the Oct. 15 statehood march.

The meeting was adjourned at 8:30pm.