

THE PALISADES NEWS

Representing The Greater Palisades Area

www.palisadesdc.org

Volume 13 No. 2, November 2001

Rains Test Infrastructure, Environment

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PCA General Meeting
Tuesday, November 6, 2001
7:30 PM

Palisades Recreation Center

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- Flood Control Options
- Speakers Include:
 - The Department of Health, Water Protection Division, which is made up of engineers who will come to your house -- for free -- and give advice on how to solve drainage issues/problems; and
 - The Water and Sewer Authority, Public Affairs Office.

Heavy weather is often a good stress test for engineered solutions and environmental concerns – and the heavy rains of August 10 and 11 in the District were no exception.

On the environmental front is the release of harmful pollutants such as oil, grease, other chemicals and thermal content to our waterways. This is prohibited under the federal Clean Water Act. DC Councilmember Phil Mendelson has been pressing Mayor Williams to deal with this problem. EPA's involvement regarding the District's Stormwater Management Program is basically the issuance of a permit to the District when it reaches sufficient compliance, which spells out the conditions for continued compliance. This complex environmental situation led to the concept of Total Maximum Daily Loads (TMDLs), which can be discharged into waterways. The District would be especially sensitive to TMDLs as virtually all of its waterways would be considered "impaired" by federal standards.

The Appleseed Center pointed out that DC was the last of US cities with a population of over 100,000 people to file an application to EPA. Appleseed reported that part of the problem for the District was which of the myriad of its agencies would have primary responsibility and how the costs of compliance would be dealt with. WASA ended up being charged with coordination, with the idea that "user fees" for property owners would be developed based on the amounts of their impervious surface areas.

With regard to engineered solutions, new development projects which excavate/

disturb more than 5000 square feet of surface soil are required to comply with stormwater management rules that mandate a best management practice (BMP) be installed. These BMPs range from elaborate subterranean installations such as underground sand-filter vaults to "stormceptor" water retention installations such as that approved for the MacArthur Court development on MacArthur Blvd. on the old St. John's property. Other examples of BMPs are wet/dry ponds (depending on the season) such as that installed for the Lab School's recent development project.

In addition, the District's Environmental Policy Act fails to adequately deal with longer-term impacts of development that covers existing



The heavy rains on August 10 and 11 took out the foundation of this house on Sherier Place and Macomb and caused serious damage to other Sherier Place and neighboring homes.

Continued on page 2

on the BULLETIN BOARD

- Wednesday, October 24 – November 18: **The Puppet Company Playhouse presents “Toyland”**, Wed, Thu & Fri, 10 & 11:30 AM, Sat & Sun, 11:30 AM & 1 PM, Glen Echo Park, 7300 MacArthur Blvd., \$5, 301-320-6668.
- Saturday, October 27 – January 27: **Discovery Creek Children’s Museum “Urban Safari” and Drop-In Weekend Program**, Sat 10 AM-3 PM & Sun Noon-3 PM, Glen Echo Park, 7300 MacArthur Blvd., for adults and children ages 2-11, \$4 per person, 364-3111.
- Sunday, October 28: **PCA Family Night at the Fire Station**, 5 PM, bring a salad, side dish or dessert for 6 people, contact Anne Ourand, 363-7441.
- Tuesday, October 30: **Halloween Party**, 4 PM, Palisades Library Children's Room, children aged 2+ are invited to come for a costume parade, spooky stories and treats.
- Friday, November 2: **Volunteers are needed** to help set up for The Friends of the Palisades Library used book sale and to work at the sale on Saturday, November 3. Call the Library at 282-3139 to volunteer.
- Saturday, November 3: **Capital Crescent Trail Access Path planting day**, 9 AM-3 PM, Manning Place and Potomac Avenue, bring work gloves and basic garden tools, contact Paul Hagen at 966-9764 or phagen@bdlaw.com with questions, to volunteer, or to make a donation.
- Saturday, November 3: A wide variety of good-quality donated books will be available for purchase at **The Friends of the Palisades Library used book sale**, 10 AM-3 PM, proceeds go to benefit the Palisades Branch Library.
- Sunday, November 4: **DPW’s Fall Leaf Collection Program** in Ward 3, rake leaves into your curbside treebox space (NOT IN THE STREET) or bag them and place in the alley with your trash, 727-1000 or www.dpw.washingtondc.gov.
- Tuesday, November 6: **PCA general meeting**, 7:30 PM, Palisades Rec Center.
- Wednesday, November 7: **ANC3D meeting**, 7:30 PM, Sibley Hospital’s Ernst Auditorium.
- Saturday, November 10 – December 9: **Adventure Theater presents “Tales from the Rebbe’s Table”**, Sat & Sun, 1:30 & 3:30 PM, Glen Echo Park, 7300 MacArthur Blvd., \$6, 301-320-5331.

- Monday, November 12: IONA Senior Services monthly **Support Group for Stroke Survivors and their Caregivers**, 10:30 AM-Noon, 4125 Albermarle Street, Christine Jackson, 895-9455.
- Wednesday, November 14: **PCA Board meeting**, 7:30 PM, The Lab School, open to all.
- Tuesday, November 20: **The Palisades Stamp Club**, 7:30 PM, the Palisades Library.
- Thursday, November 15: **The Palisades Garden Club**, 7:30 PM, 966-5430.
- Friday, November 23 – December 30: **The Puppet Company Playhouse presents “The Nutcracker”**, Wed, Thu & Fri, 10 & 11:30 AM, Sat & Sun, 11:30 AM & 1 PM, Glen Echo Park, 7300 MacArthur Blvd., \$5, 301-320-6668.
- Tuesday, November 27: **The Palisades Book Club**, 7:30 PM, the Palisades Library.
- Sunday, December 2: **DPW’s Fall Leaf Collection Program** in Ward 3, rake leaves into your curbside treebox space (NOT IN THE STREET) or bag them and place in the alley with your trash, 727-1000 or www.dpw.washingtondc.gov.

Rains, continued from page 1

underground streams and/or enclosed surface streams. “New” development over “old” development simply compounds this problem. Councilmember Mendelson is currently trying to revamp this DC legislation. Jim O’Connor, former DC Geologist, spoke and wrote often of the City’s lost springs, streams and creeks, which still exist, but are now under a cover of development. He stressed that the water doesn’t disappear, it simply flows somewhere else! If the culverts of pipes become clogged, the water finds its way around and outside of them and travels along them, continually washing out the dirt or gravel media. That encourages sinkholes like the ones on W Street and like the one at the Safeway after the August rains.

Currently, if development occurs where water tables are high, groundwater pumping from basement levels must be continual after construction. Formerly, development occurred without any consideration for existing underground water and subsurface infrastructures. Large retaining walls are also a problem if not constructed and drained properly. That’s why tree and slope protection is so important, such as the one that should have prevented the clear-cutting of trees at 2989 Arizona Avenue. There is no engineered solution superior to nature’s way of maintaining slope stability and integrity.

—Nick Kauffman, PCA Environment Chair

from the.....

President's Desk



The torrential rains of August, the unspeakable events of September 11, and a too-close-for-comfort brush with a killer tornado remind us not only of the fragility of our comfortable lives but also of the necessity of doing what we can to be prepared for disasters. Without harkening back too much to the Civil Defense mentality that dominated in the Cold War era, it is necessary for us to develop a capacity for self-reliance. We can do some simple things that are not very time-consuming, but which will better prepare us to cope with emergencies.

First on the list is education. I urge everyone to spend some time learning about the types of disasters that can afflict us in Washington, DC: tornadoes, snow and ice storms, terrorism, hazardous materials releases, etc. Understanding the range of problems we may be faced with enables us to figure out ways to prevent them or lessen their impact. Citizens need to learn more about how disasters occur, what to do to prevent them or to mitigate their effects when they do strike, and what actions to take to preserve life, property, and the environment during and after an emergency. People should take first aid and CPR courses – not solely because such training might be important in the context of a disaster, but more because those skills are important to know on a day-to-day basis. People interested in learning more about disaster preparedness should consult the DC Emergency Management web page (www.dcema.dc.gov). Self-study courses designed for citizens can be taken free of charge through the federal government's Emergency Management

Institute. Many courses can be taken/ordered on-line (for more information and a list of courses, visit <http://www.fema.gov/emi/ishome.htm>).

The second thing we should all do is to assemble a family emergency readiness kit. Everyone should take a few hours to gather some common-sense items and put them in a duffel bag or old suitcase. The inventory should include things like: a battery-powered AM/FM radio, comfortable clothes and shoes (including cold weather gear), a few days' supply of non-perishable (i.e., canned) food, a non-electric can opener, two gallons of water, a flashlight (with extra batteries), sleeping bags, toiletries, prescription medications (rotate them so they don't get out of date), some cash, and photocopies of important family documents (birth certificates, social security cards, etc.) Store the kit in a dry place (preferably off the floor if it is in the basement). If a devastating emergency strikes, you'll be very glad that you can grab the bag and go somewhere for a few days without having to worry whether you have everything you need.

Finally, each family should create and rehearse a family emergency plan. This plan should include where family members will meet (or at least call) if separated (including a back-up spot out of the city). The plan should have important phone numbers and other information (e.g., credit card and banking information) that can be readily accessed if needed.

The time to do this is now. I am not trying to instill fear in PCA members through this message, but as we have seen, events of varying magnitudes can disrupt our lives in real and significant ways. Preparedness and a capacity for self-reliance are important to start building now.

—Erik Gaull

Arizona Avenue: A Test Case for Neighborhoods in the City

Update: At the Board of Zoning Adjustment hearing on October 9, Jacobsen Builders, Inc., withdrew their application for a special exception for 2989 Arizona Avenue in light of substantial opposition from the community. The applicant's request for a second continuance was denied after the BZA voted unanimously to hear the case on the merits. The Department of Consumer and Regulatory Affairs has been asked to insure that the owner proceed with site stabilization.

On October 9, members of a joint committee of the Chain Bridge Road/University Terrace Preservation Committee and The Palisades Citizens Association were prepared to oppose the special exception application filed by Jacobsen. The strength of the community in opposition to this was measured, in part, by the nearly 400 signatures gathered on a petition that was to be presented to the BZA after a mature stand of old growth trees had been clear cut at 2989 Arizona Avenue last November.

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Changes at Reagan National Airport

It is still too soon to assess the impact of Reagan National's revised flight patterns on the Palisades community. Because the new patterns were created to address important security issues that far transcend the interests of our neighborhood, our most appropriate response is to collect as much information as possible about the new situation, while continuing to support unrelated noise abatement initiatives.

New Takeoff Procedures

According to the Metropolitan Washington Airport Authority and the FAA, the revised flight pattern for takeoffs to the north requires the pilot to follow a radio beacon set at 328 degrees and referred to as the 328 radial. The radial starts at the end of the runway and stretches in a straight line to a point about 10 miles northwest of the airport, at which point the air traffic controller releases the pilot from following the radial. Since the main runway at Reagan National is not aligned with the 328 radial, the pilot must make a left turn immediately after takeoff, which, in practice, usually occurs before or over the 14th Street Bridge. Thereafter, the pilot follows the radial over the Georgetown reservoir, out MacArthur Boulevard to the District line, then to the Beltway, and finally, to release by the flight controller.

New Landing Procedures

For landings from the north, the revised flight pattern differs only marginally from the takeoff pattern. Instead of one straight line, there are three such lines, which the pilot must follow in sequence. The first line starts at the 10-mile point, roughly over the Beltway, and extends along the 328 radial to Memorial Bridge. After flying over Memorial Bridge, the pilot follows a second straight line to the 14th Street Bridge. The final line takes the aircraft from the 14th Street Bridge to the runway at Reagan National. By flying along the three lines in sequence, the pilot is able to position the aircraft to use the runway, which, as noted, is not aligned with the 328 radial.

Flight patterns using the 328 radial are not new. At least 25% of the planes flying over the Palisades have been flying the radial pattern for many years: use of the radial has been mandatory in bad weather and advised when traffic is heavy. In addition, since less fuel is consumed flying in a straight line than following the turns in the Potomac, flight controllers sometimes have allowed pilots to use the radial in clear weather and light traffic. Accordingly, the new flight patterns

for takeoffs and landings simply apply traditional practices to all flights.

The reason that following the straight line of the 328 radial is more secure than following the twists and turns in the Potomac River is because radar can instantly detect deviations from a straight flight path but is useless in warning of deviations from a flight path that meanders along the Potomac.

Management of Jet Engine Thrust

Before Reagan National was closed, pilots were required to reduce engine thrust after takeoff so as to comply with restrictions on noise levels over residential neighborhoods. Obviously, an engine whose thrust has been reduced makes less noise than one at full throttle. But an aircraft whose engine thrust has been reduced cannot climb as fast as one at full throttle. Thus, thrust management procedures in operation before the airport closed reduced engine noise levels over the Palisades, but also limited the angle of descent and ascent, resulting in aircraft flying at lower altitudes.

When the airport was reopened in early October, the authorities abolished these thrust management requirements because they wanted to force aircraft to ascend and descend at steeper angles than in the past. Steeper angles increase security because a plane at higher altitude needs more time to position itself for a terrorist attack than a plane at lower altitude. The steeper angle also increases engine noise at takeoff.

Number of Flights

Reagan National is opening in three stages. Stage One, currently in effect, permits 190 aircraft takeoffs and landings per day. None can occur before 7 AM or after 10 PM.

Stage Two, which will go into effect at the end of October, will permit 400 to 450 such arrivals and departures per day and is expected to last for 30 to 45 days. Although Stage Three plans have not been announced, they will likely permit full operation of Reagan National, meaning 800 to 900 arrivals and departures per day. The takeoff and landing procedures as well as thrust management regulations described above are expected to remain in effect. At this time it is unclear whether the 10 PM-7 AM curfew applies to Stages Two and Three.

We will not know until the Stage Three plan is fully implemented whether aircraft noise in our neighborhood has increased or decreased. Most likely, noise levels will go up. The steeper angles of ascent and descent, which should reduce noise levels, will, undoubtedly be more than offset by increased noise from ascents at full throttle. On the other hand, the profit squeeze in the airline industry may work in our favor. Airlines will be tempted to retire older, less fuel efficient aircraft which are more costly to operate, including Boeing 727s and 737-100s and early model MD 80s. Although these aircraft are

equipped with so-called “hush kits” to comply with FAA engine noise regulations, they are by far the noisiest aircraft flying over the Palisades.

The most important development in noise abatement is the gradual retirement of older aircraft because of the high cost of operating them. In addition, Palisades has a voice on two area committees. The first is a Metropolitan Washington Airport Authority Committee, known as the Part 150 Committee. The Part 150 Committee is working with a consulting firm on a comprehensive study of aircraft noise in the region. The second is the Committee on Noise Abatement at National and Dulles Airports, usually referred to as CONANDA. CONANDA consists of citizen representatives, industry and government officials, pilots, and airport officials who meet together to find solutions to the noise problem. Thanks to the recommendation of John Hechinger, I am the District of Columbia Citizen Representative on both of these committees. I look forward to making periodic reports to the community on committee activities.

—David Gries, PCA Aircraft Noise Chair

July 4 Patrons and Sponsors

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Makoto Restaurant
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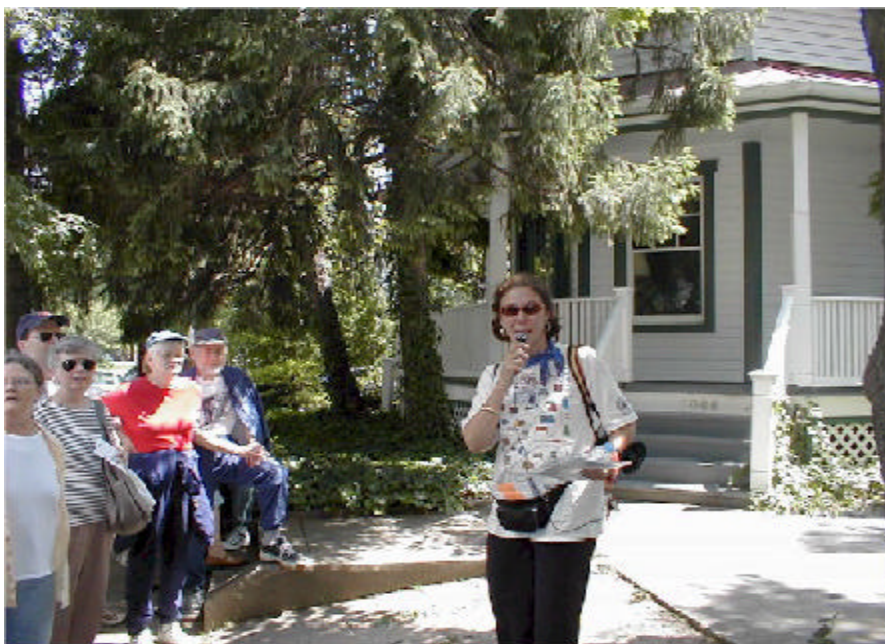
A Closer Look at the Palisades

The second annual “DC Heritage Neighborhood Day,” June 2, 2001, started out wet and blustery, but by the afternoon the clouds had vanished, and it became one of the most beautiful early summer days in Washington. The Palisades was one of 17 neighborhoods being showcased by the DC Heritage Tourism Coalition with free walking tours and other events across the city. Our free tour, conducted by PCA Board member Alice Stewart, concentrated on the central part of the Palisades, from the corner of MacArthur and Dana to the Abner Cloud House near Fletcher's Boat House by the Canal. Highlights of the tour were a stroll along Sherier Place, a visit to the “Georgetown Union Burying Ground,” the African-American cemetery on Chain Bridge Road, a bagpiper, reception and tour of the Abner Cloud House led by Ceci Hughes of the Colonial Dames. Over 60 people came on the tour.

Kudos to the many people and organizations who helped organize and provide information for the tour: Harold Gray, Ceci Hughes, The Lab School for providing a bus for our Hillcrest partners, Hilda Warner, Elizabeth Lowe, Judith Lanus, Carlton Fletcher, Jean Sherier, and police from PSA 203 for escorting us.

Tentative plans for the Third Annual DC Heritage Neighborhood Day are for October 5 or 6, 2002, and for our tour to concentrate on Palisades East (approximately from the Lab School to the German Embassy at Foxhall Road). The research included in these tours will eventually be published in the updated history of the Palisades, an ongoing volunteer project. If you would like to participate in any way, please contact Alice Stewart, historian, and chair of our Historic Preservation Committee, who is overseeing the project.

—Alice Stewart, PCA Third Vice President
Stewart leads the tour.



CRIME WATCH

Crime took no holiday in the Palisades last summer. There were assaults in the 4800 block of MacArthur Boulevard, the 4900 block of V Street (with a club), and the 5400 block of Galena Place. In addition, three simple assaults, one instance of threatening conduct, and one of offensive “uttering” occurred respectively in the 4400 and 5400 blocks of MacArthur, the 4400 block of Q Street, the 4600 block of Reservoir Road, and the 4800 block of MacArthur. Eight burglaries and one attempted burglary were reported in the 2800 block of 49th Street, 4400 and 4500 blocks of MacArthur, 5100 block of Palisades Lane, 2300 block of Foxhall Road, 5200 block of Cathedral Avenue, 4400 block of P Street, 5000 block of Dana Place, and the 4400 block of Volta Place. There were four thefts from autos in the 5000 block of Weaver Terrace, two in the 4800 block of Reservoir Road, one each in the 4400, 4800, 4900, and 5400 blocks of MacArthur, the 5000, 5500, and 5800 blocks of Sherrier Place, the 4800 block of Dexter Street, 4900 block of Lowell Street, 4500 block of Hawthorne Street, 5000 block of Millwood Lane, 700 block of Whitehaven Parkway, 5400 block of Manning Place, 2800 block of Arizona Avenue, and the 4400 block of P Street.

Autos were reported stolen from the 4600 block of Hawthorne Lane, 4600 and 4800 blocks of MacArthur, 1400

block of Foxhall Road, and the 4600 block of Reservoir Road. Destruction of property worth more than \$200 occurred in the 4400 and 4500 blocks of MacArthur and the 4400 block of Reservoir Road. Property damage under \$200 was reported in the 5000 block of MacArthur, the 3700 block of University Terrace, twice in the 2200 block of King Place, and the 5600 block of Sherrier Place. One case of soliciting for prostitution was reported at a “miscellaneous business” in the 4300 block of MacArthur.

More recently, in September through mid-October, there were fewer crimes: one assault with an unreported weapon at 4460 MacArthur in the late afternoon; burglary of a house in the 4900 block of MacArthur in the early evening; theft from a construction site at 2350 Foxhall Road during the day; theft from an apartment in the 5100 block of MacArthur; and theft from a bakery in the 4800 block of MacArthur. Several car break-ins and thefts were reported—in the 5700 block of MacArthur, the 4500 block of W Street, the 4700 block of Whitehaven Parkway, 4800 block of Calvert Street, and the 4500 block of Q Street. Cars were stolen from the 4500 block of Indian Rock Terrace and the 5000 block of Warren Street. Two simple assaults were reported—at a house in the 5400 block of Carolina Place and in a hospital in the 4400 block of MacArthur. Destruction of property valued at more than \$200 occurred in the 4500 and 5100 blocks of MacArthur and in the 4800 block of Carolina Place.

—Eliot Marshall

Arizona Avenue, continued from page 3

Factual Chronology

In 1997, the area bounded by Loughboro Road, MacArthur Blvd., Chain Bridge Road and Arizona Avenue adjacent to Battery Kemble Park was faced with the imminent threat of uncontrolled and inappropriate development. The citizens of Chain Bridge Road and University Terrace formed a committee to develop a zoning overlay “to protect and preserve the natural topography, mature trees, stream beds, and natural vegetation in the neighborhood... [and] to preserve the park-like setting of the area by regulating alterations or disturbances of terrain, destruction of trees, coverage with impervious surfaces, and for providing for widely spaced residences.” This neighborhood initiative took two years to complete, gained the support of the District’s Zoning Commission and Office of Planning, the National Park Service and ANC3D, and became law in June 1999.

However, in the past 10 months that protection has been at risk because of the zoning violation by Jacobsen Builders. At stake was nothing less than the integrity of this legal ordinance and the enforcement of zoning laws in the District. The recent matter before the BZA was a test case involving the first violation of the Overlay’s carefully crafted provisions. Therefore, any decision by the Board would set an important precedent regarding enforcement of environmental zoning provisions in the District.

Jacobsen purchased the lot in June 1999. The evidence shows that he was informed of the Overlay’s requirements prior to purchasing the property. Last October a building permit was erroneously issued to Jacobsen by the D.C. Zoning Administrator’s Office. On November 11, he began clear-cutting the trees, while bulldozers made a series of deep cuts into the steep slope, removing a major portion of the topsoil and many large protected trees in the process. His plan was — and apparently remains — to build a four-story “embassy style” residence on this steep lot, one that would require further excavation into the hillside as well as constructing a twenty-foot high retaining wall. This plan was fundamentally inconsistent

No Trucks for now from the Aqueduct

For at least the next five years, there should be no trucks rumbling through the streets of the Palisades, carrying away sediments from the Dalecarlia water treatment plant. That was the preliminary conclusion reached by EPA policy-makers after the presentation in early October of a new scientific study that found the flushing of the sediments into the Potomac River does not harm fish and plant life in the Potomac. A similar finding was reached in a 1993 scientific study, which EPA found deficient and ordered a new study by the Army Corps of Engineers.

Ever since 1989, EPA, as a matter of policy, has been pressing to end the periodic discharges of sediments into the river. One alternative was that the Washington Aqueduct would truck the sediments to distant dumping places, prompting opposition from neighborhoods in northwest Washington and Maryland through which the trucks—and estimated 15-20 a day—would pass. The EPA's retreat from its past position of no-

flushing into the river seems to be in response to the findings of the second scientific study that the dirt discharges were not causing harm to fish and plant life except possibly to some fish larvae shortly after they were hatched. Dr. Bill Rue, senior scientist of EPA Engineering, which conducted the study, said the potential damage to newly hatched eggs could be avoided by banning discharges during spawning season and changing the rate of the discharges. "I see no real, substantive risk, based on proper operation" of the discharges, Dr. Rue told a meeting Oct. 9 at Sibley Hospital, called to present the results of the scientific study.

Asked whether EPA was still opposed to the discharges in view of two scientific studies, Mary Letzkus, the official in EPA's regional office in Philadelphia who will draft the discharge permit said: "For the short term—say five years—the initial thinking is that continuing discharges

would be permitted with some conditions."

Beyond the five-year period, Aqueduct authorities are resigned to the likelihood that further flushing will not be permitted—in part because of new restrictions on the total daily load of foreign material a river may carry and in part because of the prospect of continuing law suits challenging the flushing. One new possibility Aqueduct authorities are exploring is discharge of the sediments into the sewer system as part of the Water and Sewer Authority's ambitious plan to separate storm water and sewer water.

Policy for discharges over the next five years should be resolved by early next year. EPA will issue a draft permit in the next few months, and then there will be a month-long period for public comment, followed by issuance of the permit.

—John Finney, ANC3D Commissioner

with the smaller-scaled, single-family homes in the neighborhood.

Jacobsen took down a minimum of 35 trees. The number and size of the trees removed greatly exceeded the Overlay's limits. The Overlay prohibits removal of any tree larger than 75" in circumference. Jacobsen cut at least five and probably more trees of this size. He took down at least 15 of the next smaller category, over 38" in circumference—five times the number allowed. By a conservative estimate, he removed over 80 per cent of the trees on the lot. The zoning overlay allows no more than 25 per cent to be removed.

A stop-work order was obtained on December 1 and three days later members of the community met with Jacobsen in the Zoning Administrator's office. Jacobsen was informed that the stop-work order would be lifted only after he filed for a special exception with the BZA, as he would have been required to do by the Overlay. He delayed filing for over five months. To this day—10 months later—he has not stabilized the site beyond the few straw bails and a modest silt fence required on a construction site. At the ANC3D meeting held March 7, the commissioners also urged Jacobsen to submit an application to the BZA. His attorney said his client would file promptly and we agreed to meet with Jacobsen only after he applied. Two months later on May 4, Jacobsen finally submitted his application, along with a request for an expedited hearing.

We were surprised by Jacobsen's submission to the BZA. It failed to reflect either the requirements of the Tree and Slope Protection Overlay or the seriousness of his violation. It did not provide any recognition of the protected aspects of the site—its steep slope and many trees. Instead, there was a plan for a large house sited exactly where nearly a dozen large trees had once stood. The development required further excavation into the steep slope. After removing 35 trees, the landscape plan designated 1-2" caliper ornamental trees, many to have been placed within the City's 40-foot right-of-way between the street and the front of the house. We emphasized in a June 22 letter that he needed to provide a credible proposal that was consistent with the

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Key School is 72 Years Old

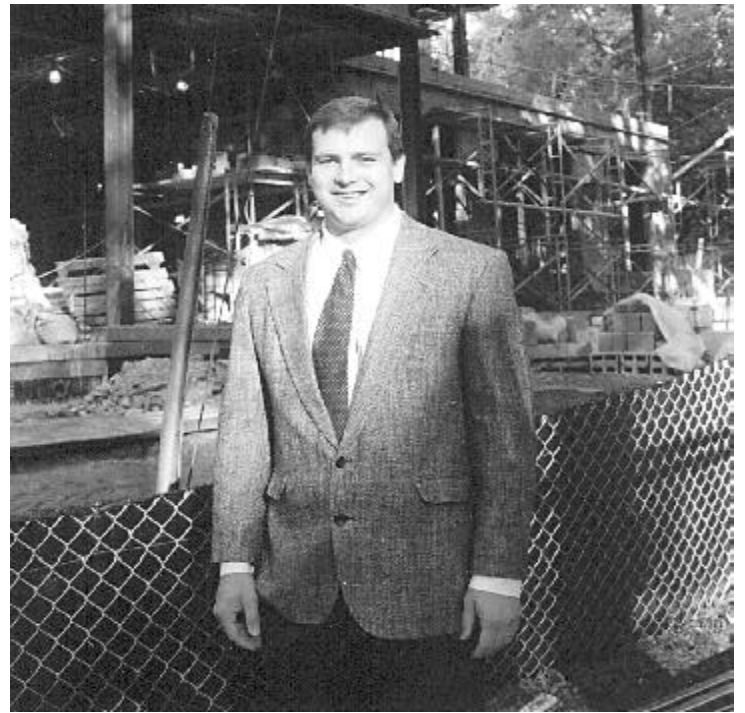
Key School began its 72nd school year this fall as it has for generations – quietly, orderly, but with much excitement and anticipation. This year, however, is so very different as we watch the new addition grow. Our population has also grown with our highest enrollment in decades at 215. Our staff has increased and several special programs have been enhanced. Most importantly, we welcome our new principal, David Landeryou, who replaced Dolores Martin who retired after 32 years at Key School. With so many changes at Key it is amazing how much is the same. We remain a strong community of families who value their children’s education and continue to be an integral part of the Palisades neighborhood. Even as we grow, we strive to maintain our cozy, small-town feeling.

David Landeryou has embarked on an energetic beginning to a new era. He brings to Key much enthusiasm as he guides the school through its expansion. The new building with spaces that never existed, such as a gym, cafeteria/auditorium, fully-outfitted science lab, and enlarged library/media center, will allow for exciting enhancements to the curriculum and learning experiences of the students.

The construction continues and the addition will be complete this winter. The school will then move into the new building while the existing building is thoroughly renovated. The play space will double in size with the area outside the new gym being paved. Basketball hoops will replace the cranes and storage trailers. The entire project, including extensive landscaping and a new parking lot, will be complete for the start of the next school year, September 2002.

Over the next few years, as we settle into the new space, the population will grow to fit the space. Plans call for two classes per grade, from Pre-Kindergarten through fifth grade with a total population of about 300. With the ever-increasing number of strollers in the neighborhood it appears that the next generation of Key students is close-by.

—Julie Koczela



Key School Principal Landeryou and current construction site.



**Fall Leaf Pick-Up
Schedule for Ward 3**
Place leaves in curb box on
these Sundays for pick-up the
following week by DPW:
November 4th
December 2nd, December 30th



neighborhood NOTICES

The **Mayor's office has established a community email list** to keep residents informed about important policies and pressing District issues. Email dcoutreach@dc.gov to subscribe to this monthly notice.

Jack Koczela has been nominated for the **Mayor's Recreation & Trail Advisory Committee**. Jack is involved in the Key School parent organization, the Boy Scouts, and the PCA's Capital Crescent Trail task force.

PCA President Erik Gaull made the following **appointments to the PCA Board** at the October 10 Board Meeting: 1st VP — Patrick Shaughness; Corresponding Secretary — Doug Omerod. The position of Webmaster remains vacant. Anyone interested should contact PCA administrator Anne Ourand.

The **Palisades Pizzeria & Clam Bar opened** in September—and the line for a table has been long ever since. Owner Eric Koefoed hopes to add delivery service soon. In addition to pizza, the menu includes fish & chips, fried clams, crab cakes, and sub sandwiches. Pizza is available by the slice. Beer and wine are also available. The restaurant is open 11 AM–11 PM Mondays-Saturdays and 11 AM–9 PM on Sundays and is located at 4885 MacArthur, phone 338-2010.

The MacArthur Pet Shop moved over the summer to the old Little Falls Mall, which has been transformed into the quite-a-bit-fancier **Shops at Sumner Place**. There is a huge, top-of-the-line Safeway with a Starbuck's in one corner. Other shops in the revitalized mall include CVS, Ritz Cameras, Wagshal's deli, Potomac Video, Edmonds Opticians, Chico's for clothes, a barbershop, and several banks. Plus more room in the Pet Shop for toys, beds, and so on. There is also a free-standing Starbuck's.

The **Casey Foundation is providing funds for the District to plant 4000 trees** through the Spring. Accordingly, the District is looking for suitable areas along streets on city property. If you would like a tree planted, to suggest a location, or would prefer not to have a tree planted in your tree box, please contact Anthony.mckinney@us.andersen.com or 481-3833.

Ward 3 City Councilmember Kathy Patterson is starting a **new email newsletter** to keep constituents up-to-date on city and ward issues. Send your email address to ppagano@dccouncil.washington.dc.us to receive the newsletter.

Jim Johnson Photography is offering a **free 4 x 6 photograph from the 2000 and 2001 Palisades Fourth of July Parades**. To look at the photographs and get your free print email jmjphoto@aol.com or call 686-7300.

The Federation of Civic Associations has selected **The Palisades News to receive The Washington Post Award** this year for outstanding community newsletter. The award—and trophy—will be presented at the Federation's annual awards luncheon on November 3 at 11:30 AM at the Hyatt Regency on Capital Hill. Contact Anne Ourand at 363-7441 if you would like to attend.

ART IN THE PALISADES

During September Ben Rowland's work was on display at the post office. Rowland lives in the Palisades, and works at the World Bank. He has taken classes at the Corcoran School of Art, where he received a student prize, and at the Yellow Barn Gallery at Glen Echo National Park. He has had solo exhibitions in both locations. Rowland works mainly in watercolor, with a focus on the female figure.

In October, Elaine T. Lozier showed some of her watercolors and paintings on silk. She, too, lives in the Palisades, and has studied at Glen Echo National Park. Lozier has shown regularly in juried and unjuried shows. Most recently she won first prize at the Gloucester Daffodil Mart. Her subject matter remains largely floral. A DC Master Gardener and active President of Palisades Garden Club, Lozier was drawn to gardening because of the colors - and found that it was easier to draw and paint flowers than it was to grow them! Elaine always works with a dancing image of flowers that aim to be botanically correct.

—Sheila Rotner

Arizona Avenue, continued from page 7

Overlay's requirements.

Jacobsen responded with a revised landscape plan dated June 26 that offered only minor changes. Small ornamental trees in the original submission were replaced by some native species. Nearly half of those were sited within the DC right-of-way, while others were on the neighbor's property. On July 11, ANC3D passed a unanimous resolution opposing his request for a special exception, directed Jacobsen to stabilize the site and instructed the parties to try reaching "a mutually satisfactory resolution". On July 17, the originally scheduled meeting for this purpose was cancelled by Jacobsen and later rescheduled.

On August 27 the committee met with Jacobsen, who presented a modified proposal that again failed to address any of the Overlay's provisions. His changes focused exclusively on the house, and they were minimal. The footprint was slightly smaller—by 196-sq. ft (he had removed a 14 by 14-foot sunroom). The revised plans lacked a reforestation and site stabilization plan or any additions to the landscape plan received July 3. We reiterated that any basis for discussion of the property would have to meet four criteria: 1) Fully reflect the limitations inherent in the site prior to the illegal clear-cutting; 2) accommodate those pre-existing limitations in the design and siting of the principal structure and in the extent and placement of impervious surfaces; 3) include a comprehensive landscape plan that fully reflected the number of legally and illegally removed trees; provide for replacement specimen trees of indigenous species; enhance topography of the site, and was contextually harmonious with surrounding landscape and properties, and; 4) in all other respects achieve the purposes of the Chain Bridge/ University Terrace Tree and Slope Protection Overlay.

On September 25, Jacobsen filed a revised proposal with the BZA. The house and its siting were identical to the proposal of August 27. Although he included a new landscape plan with native species, the tree inventory in the report by an arborist was inaccurate, lacking an adequate site analysis and a valid reforestation plan. Compounding the problems, Jacobsen had never been forthcoming about the number of trees removed. First it was seven and in the most recent submission it was 13, nowhere near the 35 that have been documented by the CBR/UT Preservation Committee and PCA.

The PCA membership and ANC3D passed subsequent resolutions on October 2 and 3. ANC3D's second unanimous resolution strengthened their opposition to a special exception and urged Jacobsen to stabilize the site "so that it [would] not continue to be a community eyesore."

"The Palisades Citizens' Association opposes the granting of a special exception for the property at 2989 Arizona Avenue. The developer, knowing that the property was protected by a tree and slope overlay, willfully cut down a stand of mature trees and bulldozed the hillside. This action is in direct violation of zoning regulations. Since the stop work order was imposed the developer has taken no action to stabilize the property to prevent further erosion and destruction. Condoning this violation by the granting of a special exception undermines the force of zoning regulations throughout the city."

For nearly a year the neighborhood has waited for Jacobsen to present a credible plan that demonstrates an understanding of designing for a site that protects trees and steep slopes. In spite of the illegal removal of the protected trees, he has maintained that he should be free to develop the site as he wishes, essentially profiting from an illegal violation. His proposals have centered on building a large house ill suited to the site. He has made no commitment to the Overlay other than to say that he met the allowable square footage and impervious surface requirements, yet has neglected to maintain or stabilize the lot.

Analysis

Opposition to this special exception was important for many reasons. Any resolution to this case had significant ramifications, for it was not just an Arizona Ave. or a Palisades issue, but a citywide issue that would affect the future of every neighborhood in the city. Tolerating egregious violations of the zoning codes would effectively encourage other developers to brazenly defy legal ordinances, eviscerating laws that govern overlays. Developers would be encouraged to "ask for forgiveness in the aftermath of such violations without having asked permission" in the first place.

Such violations fly in the face of the Mayor's stand on putting neighborhoods first, and in this particular instance, obviate the Mayor's concern about the loss of the tree canopy. They run counter to Councilman Phil Mendelson's tree legislation, and would negate the ultimate effectiveness of the Casey Foundation's \$50 million gift for planting trees necessary to adequately address the District's need to increase the tree canopy from 30% to 40% in future years. Although the property was subject to development and some trees would have been removed to permit even a sensitively designed residence, the loss of trees through a combination of aggressive development and failed regulation need not

lead this or any other community to accept intrusive and inappropriate development.

Our desire was for the BZA to send a strong message to developers that our community would not tolerate end-runs around the zoning laws, and that failure to comply with zoning requirements would exact penalties. We also wanted the BZA to remind District of Columbia officials of their need to faithfully implement the zoning laws, including environmental overlay protections that have been established after lengthy and difficult efforts by community groups. We recommended that site stabilization proceed as required and that it should be replanted with indigenous trees using a formula that would account for the loss of the previously existing tree canopy. Finally, the continuation of such violations risk the continuing destruction of the urban environment that makes the Palisades and other neighborhoods unique: well-scaled houses, streetscapes with mature trees, and a mix of architectural styles ranging from revivalist to modernist that comprise an important architectural and landscape heritage throughout this city.

This was not simply a choice between what might be allowed by law versus some compromise approved by the BZA. The decisions the BZA makes have broader impacts. Accountability is an issue and so is the moral imperative to protect this city from developers who skirt the zoning and building codes at the expense of the laws, the will of the people and the environment. In the final analysis, we looked to the BZA to serve not only as the protector of the community's legal rights, but to be the conscience of the community in preserving the quality of life in all our neighborhoods. Jacobsen had delayed for months and his failure to respond to requests for a credible plan and to stabilize the lot left no alternative but to oppose the application. For all these reasons, we urged the BZA to deny his application and asked that the DCRA require the developer stabilize and reforest the lot. While it is uncertain what direction the developer will take in this action, the PCA and CBR/UT Preservation Committee are committed to continued vigilance and vigorous action to protect the provisions of the Zoning Overlay.

—Judith Lanius and Alan Aiches

Note: Judith Lanius and Alan Z. Aiches chair the Chain Bridge Road/University Terrace Preservation Committee and the Zoning Committee of the Palisades Citizens Association, respectively. They led the effort of a joint committee that included Arthur Watson, Peter Hapstak, Penny Pagano, Carlton Stoiber, Jack Lipson and Robert Duemling in opposition to this case. Anne Lewis, FAIA, and Charles Trace were expert witnesses engaged to testify at the BZA hearing about architecture and landscape issues.

Speeding Remains Top Concern

Excerpted from a Letter to the Editor of The Northwest Current.

Thank you for drawing our attention to the legislation that Council Member-At-Large Phil Mendelson has proposed, "The Automated Traffic Enforcement Amendment Act of 2000", Bill 14-0327. The Bill has several positive points, as The Northwest Current indicated, such as the need to renegotiate the contract with Lockheed Martin IMS and the use of collected fines. However, you glazed over the most important parts of the Bill which states, "Where an automated traffic enforcement system is used for speeding enforcement, it shall be a defense that the speed of the offender was within 5 mph of the average speed of the flow of traffic at the time of the offense." The Bill also states that, "the Mayor shall reevaluate the speed limit on all District of Columbia street segments that will be selected for automated speeding enforcement prior to use of automated speeding equipment, and he shall reevaluate within 120 days of the effective date of the Automated Traffic Enforcement Amendment Act of 2001 locations currently using automated speeding enforcement equipment."

Anyone who attended the Ward 3 Traffic Summit last May is well aware that speed is the major concern of residents in Northwest Washington DC. Phil Mendelson attended and listened to ANC representatives cite the need for traffic mitigation and express concern about speeding in their neighborhoods. The speed limit in the District of Columbia is, and has been, 25 mph, unless otherwise posted. No speed limits have changed to accommodate the new automated speed equipment. In fact, no one driving within 5 mph of the posted speed limit has received a speeding ticket.

About 50% of the offenders caught to date by the speed enforcement cameras have come from Maryland. Is Phil Mendelson proposing that the Mayor allow Maryland drivers to establish the speed limits on District streets? Is he suggesting that drivers "follow the leader" to avert a fine? It is time for Phil Mendelson to act responsibly and represent those who elected him, the residents of the District, those whose lives are threatened on a daily basis by outsiders who use our neighborhood streets as commuter highways.

—Alma Gates, PCA Traffic Chair

CCT Access Path Update

I. Manning Place Access. John Noel, NPS coordinator of the project, announced that work has been completed except for a "Dismount bikes, use rail" sign to be posted at the top of the path. Paul Hagen, PCA/CCT coordinator of the community revegetation project, presented his action plan:

A. Workday is scheduled for November 3, 9 AM-3 PM.

B. The estimated cost to the community is \$3,500.

C. Contributions are tax-deductible, payable to "Palisades - CCT Tree Fund", mailed to The Potomac Conservancy, Attn. Matt Berres, 1730 North Lynn St., Suite 403, Arlington, Va 22209. The Potomac Conservancy, a conservation organization whose mission is to protect the Potomac River watershed — website www.potomac.org — has experience organizing, designing and selecting native plants for revegetation projects.

The CCT Task Force will apply to the Palisades Community Fund to finance a second workday/maintenance program to be scheduled in the spring of 2002.

II. Norton Street Access. The following resolution was discussed and approved unanimously by the PCA membership

present at the meeting:

"In order to maintain the Norton St. access to the CCT as an informal community path and safe for users, and to protect the natural resources and beauty of the area, the following measures recommended by the National Park Service are agreed to by the PCA:

* Add bankrun (pebbles/sand) to areas at the top and bottom of the path, as well as around tree roots along the path, and tamper down the material with a special machine.

* Add stones the size of soccer balls to the culvert/runoff area parallel to the path next to the Dalecarlia water plant fence.

* Trim branches along the route (12-15 inches).

Work would be done by the Palisades community in partnership with the National Park Service this fall."

III. Pending. A meeting/site visit with WASA and FEMA officials was held October 12 to assess the drainage problems along Potomac Ave./slope to the CCT, resulting from the August-September rainstorms, and to request assistance in providing short-term and long-term solutions to the problem.

—Sally Strain, Capital Crescent Trail Task Force Chair

The Palisades Citizens Association Membership: Individual: \$15; Household: \$25; Sponsor: \$50; Patron: \$100.

To join, or for additional information, contact Elizabeth Ratigan at 333-6352 or EWRA4590@aol.com

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