

## Jack's January report

At the December meeting, the ANC did the following:

- Advised the District Council to consider and pass an existing resolution with the title "Sense of the Council Urging Reassessment of Relationship with Wells Fargo Resolution of 2017".
- Advised the Historic Preservation Review Board (HPRB) to approve the proposed plans for 1715 Kenyon Street, with consideration of the issues noted in the Historic Preservation Office (HPO) staff report.
- Advised DDOT that that dreadful thousand-dollar fine for parking a trailer on a residential street should be applicable only to large, commercial trailers, not to small, personal-use trailers. (My resolution.)
- Advised DDOT to deny public space permits for the dumpster on Newton Street, and the corner of Brown. That's been occupied by dumpsters for a couple of years, far longer than should have been needed.
- Advised DPW to clear the leaves from the Klinge Road bike track, west of the Adams Mill intersection (my resolution).

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We passed a resolution concerning the **historic preservation permit for the remodeling of 1715 Kenyon**. That house was vacated by its residents last summer, and is now in quite dreadful shape. (This is the first time I've ever seen a warning in a realtor ad that anyone visiting the property, and wanting to go inside, has to sign a release, freeing the property owner from liability in case of injury. The state of the house is that bad.)

I visited the property, and spoke to a neighbor, to find out if there are concerns about the plans. I gather that there are – nobody really wants to see our row houses turned into apartments, or multiple condo dwellings. But that's the zoning-permitted future of Mount Pleasant. This house is being reconstructed as a vertical duplex. I think the neighbors are best served by having the work proceed, so that the vacant mess next door will become occupied and properly cared for. The historic preservation office had a list of cosmetic concerns, and the builder is okay with those concerns, so this project should now proceed promptly, to the benefit of the neighbors, and the neighborhood.

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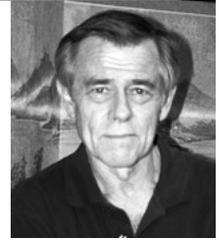
As everybody knows, the **leaf collection** crews have been through this part of Mount Pleasant, vacuuming up the piles of leaves left by our trees. However, these crews were convinced that their job ended at Adams Mill Road, and that Klinge Road, west of that intersection, wasn't their problem. As a result, the bike track heading down Klinge into Rock Creek Park was left piled deep in leaves, impassable for bicyclists, forcing them (and pedestrians) out into the traffic lane.

It took some serious protesting to get DPW to come back and deal with those leaves. DPW seemed to be certain that that was a National Park Service responsibility. I pointed out that their own map of roads to be cleared of leaves included that portion of Klinge. I brought the Mayor's Office into it, and the DDOT bicycle people, and a resident recruited Councilmember Cheh to write a letter ordering them to do the job.

## ANC 1D03 NEWSLETTER #177

Jack McKay, January 14, 2018

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What decided the matter I don't know – perhaps it was the pressure from multiple fronts – but finally DPW relented, and around January 3, cleared the bike track of those piles of leaves.

The ANC had passed a resolution on December 19 advising DPW to deal with these leaves, but that had no effect. That's commonly the case with ANC resolutions: the resolution itself accomplishes little. Intensive follow-up action by us commissioners is necessary to get District agencies to respond.

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The Heller's Bakery site is soon to become the **Paisley Fig Bakery and cafe/restaurant**. But in January, a last-minute permit hangup brought that development to a halt. The developer called on me for an assist, so I fired off an e-mail to the Director of the DCRA requesting prompt action so that Mount Pleasant can finally have its new bakery.

Well, much to my surprise, Director Bolling responded, directly and favorably. So the Paisley Fig should soon be in operation!

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Reviewing permit applications, I found that the upstairs level of 3110 Mount Pleasant Street, formerly housing a tax preparation service, is going to be converted to an ice cream shop. The shop will be a branch of **Mount Desert Ice Cream**, a little outfit that currently consists of just three shops in Maine. Ice cream will be prepared on-site in small batches, for the highest quality.

When? I don't know. Commissioner Jon Stewart and I met with the owner of the building, who discovered, as he undertook renovation and remodeling, numerous construction efforts in the building seriously contrary to District code. This is not surprising; this neighborhood for many years was a place where unlicensed contractors did whatever they wanted, without bothering with permits, inspections, or the DC construction code. This turns into expensive headaches for anyone coming in and doing a proper job.

It seems that the Pupuseria San Miguel is a casualty of the recent changes. That's unfortunate. I tried to help the Pupuseria's proprietor, Neftali Vasquez, when I could. Two years ago the Pupuseria voluntarily surrendered its liquor license, a sign of trouble. We expected, but never saw, an application for a new liquor license. It's hard for a restaurant to succeed without liquor sales.

The owner of the building is looking for a replacement for the Pupuseria. As for the gourmet ice cream shop, response on the Nextdoor chat site has been enthusiastic.

Many times I've noted our intersection-parking law which allows residents, possessing RPP stickers and parking on RPP blocks, to be **as close as 25 feet from an intersection**, despite the no-parking signs posted at 40 feet. This allows residents a handful of additional parking spots, much needed!

The Parking Enforcement folks understand this law, and know how to deal with this parking. Their tickets will specify "less than 25 feet" if they're ticketing someone parked too far beyond that 40-foot post. The Metropolitan Police, on the other hand, seem to be confounded by the notion that a car can be parked beyond a "no parking" sign, and yet be legally parked.

A resident parking on the 3400 block of Mount Pleasant Street (next to Bancroft) got one of those bogus MPD tickets. The officer, as usual, had no idea what parking law was being violated, and charged the owner of the car with a vague "disobeying official sign" violation. The officer clearly had no idea why there was a "no parking" sign there, but that didn't stop him from writing a thirty-dollar ticket.

Our Lieutenant Munk had the ticket-writing officer located, and his Sergeant Mastony sent out this tart e-mail: "Officer \_\_\_\_\_ has been located and sat in front of Circular 16-02 (that includes pictures!) which is taped to the wall of his duty station. He now understands the department's policy." That is, this 40-foot and 25-foot distance-to-intersection business.

I believe Lt Munk agrees with me that parking enforcement should be left to Parking Enforcement, while our MPD officers should better spend their time worrying about more serious matters, such as the guys who break into our parked cars to steal our stuff.

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On Christmas morning I opened our front door to discover that **the 60-foot spruce in our front yard** had decided, during that very windy night, to come crashing down. It didn't uproot; it just broke, snapping in two at the base, where the tree was 20 inches in diameter. The interior of the tree had rotted, invisibly.

We were very lucky; as the tree did remarkably little damage upon coming down, mostly hitting pavement. There was a car parked there, but fortunately it was a small car, and was parked a bit back of the "no parking" sign. A foot forward, and its windshield would have been smithereneed.

As for the tree, we knew it was not in good health, and some years ago I tried to have it declared hazardous, so I could take it down. Any tree of 14 inches diameter or more is a "special tree", and cannot be removed unless it is declared, by an arborist, a hazardous tree. The arborist I consulted couldn't do that, so the tree remained – until Christmas morning.

The fallen tree totally blocked 19th Street, which fortunately doesn't see a lot of traffic. DDOT arrived – the Urban Forestry Administration – and called their tree contractor to come out and remove the tree. It took some heavy equipment to do it, lifting that enormous trunk and depositing it, piece by piece, into a truck to be hauled away, while the branches were cut off and ground up in a big wood chipper. (Adirondack Tree Experts did a fine job, with not a word of

complaint about having their Christmas morning messed up by my tree.)

We all love our trees – until they get old or sick and fall down. This is our third major tree-fall on our lot, in our 43-plus years in Mount Pleasant. Only one of the three, fortunately, came down on our house.

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The **construction crews at Bancroft** needed approval to work on January 15, because it was a holiday, MLK Day. I think the neighborhood wants the work at the school brought to completion as soon as possible, and few will be disturbed by construction work – steel erection, concrete pouring, masonry work – being done on that holiday. The other commissioners agreed, so I provided the contractor with an ANC e-mail of support.

As for the holiday, I'm sure Dr. King would approve of this permission to work on his day. This is, after all, our neighborhood elementary school, and it is an admirable model of multicultural living.

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The ANC considered, and passed, a resolution critical of **Wells Fargo Bank** for its well-known problems. I object to the ANC spending time on matters that are not Mount Pleasant neighborhood matters. Our purview is "all proposed matters of District government policy . . . which affect that Commission area". Well, whatever the validity of the Wells Fargo complaints, how does this affect our area? It's not good enough to say that residents here are concerned about it, and residents pay taxes, so there is some tenuous connection to the residents of this "Commission area". The purpose of ANC's is to give residents a voice in city actions affecting our area, such as permits for construction and liquor licenses. If one extends that to include any citywide issue, simply because residents pay city taxes, and so are indirectly affected, then there is no limit – any District issue can become a Mount Pleasant ANC issue.

We could spend a lot of time dealing with things that do not directly affect our neighborhood. Because our advisories are official declarations, we have an obligation to study issues carefully before coming to conclusions. In particular, we should not listen only to advocates of a position to make our decision; we have an obligation to seek out contrary points of view, and to hear both sides of any issue. This takes time, and if our ANC resolution is ineffectual – we're just 1.5% percent of the District's population, and so have little influence on the Council – that is time wasted.

For that reason, I oppose this ANC taking up such citywide issues, as if our opinion has any influence downtown. Unless an issue has direct effects on the Mount Pleasant area, or has some special significance here (e.g., Latino matters), then this ANC should simply decline to deal with it.

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It's January, the month of cold and ice. This is a problem for me, as I deliver this newsletter. If your front steps are icy, well, I'm not going to put my 75-year-old bones at risk to deliver your newsletter. I'm sure you can understand that.

The next meeting of the ANC will be on <u>Tuesday, February 20</u> , 7:00 pm, at the Mount Pleasant Library.
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