



# GOVERNMENT OF THE DISTRICT OF COLUMBIA

## Advisory Neighborhood Commission 2D

### Regular Meeting Minutes

October 19, 2020, 7:00 pm

Online via Zoom

### Call to Order

Chair David Bender called the meeting to order at 7:02 pm.

### Establishment of Quorum

Commissioners David Bender (2D01) and Jeff Nestler (2D02) were present, establishing a quorum. There were 44 residents and visitors in attendance.

### Remarks from Ward 2 Councilmember Brooke Pinto

Genevieve Hulick, the Chief of Staff for Councilmember Brooke Pinto's Office, said that Councilmember Pinto will be attending the ANC's regular November 2020 meeting.

### Approval of Agenda

Commissioner Nestler moved to approve the ANC's meeting agenda. Chair Bender seconded the motion, which was voted on and passed (VOTES: 2-0-0).

### Approval of September 21st, 2020 Meeting Minutes

Commissioner Nestler moved to approve the ANC's September 21st, 2020 meeting minutes. Chair Bender seconded the motion, which was voted on and passed (VOTES: 2-0-0).

### Administrative and Financial Matters

#### Approval of FY 2021 Budget

Commissioner Nestler moved to approve the ANC's FY 2021 budget. Chair Bender seconded the motion, which was voted on and passed (VOTES: 2-0-0).

#### Approval of FY 2020 Quarter 4 Financial Report

Commissioner Nestler moved to approve the ANC's FY 2020 Quarter 4 financial report. Chair Bender seconded the motion, which was voted on and passed (VOTES: 2-0-0).

### Commissioner's Comments

Chair Bender said that the District Department of Transportation (DDOT) is currently carrying out sidewalk and gutter repairs around the ANC.

## **DC Government Reports**

### Metropolitan Police Department (Police Service Area 208)

Officer Jeremy Brady, a representative for the Metropolitan Police Department's (MPD) Second District, gave an overview of the recent crime statistics for the neighborhood. He encouraged local residents to not leave their cars running in order to warm them up as the winter months approach. He also said that MPD will continue to monitor the traffic situation around the Embassy of China's apartment building at 2300 Connecticut Avenue NW once the building opens.

Chair Bender thanked Officer Brady for his service to the neighborhood.

### Mayor's Office

Anna Noakes, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), said that the Mayor recently extended DC's public health crisis declaration. She also said that DC recently launched DC COVID Alert Notice (DC CAN), a system that will send out COVID alert notifications to DC residents with iPhones or Android phones in order to help stop the spread of the virus. She said that residents must opt-in to sharing certain personal information in order to receive the alerts.

Ms. Noakes said that DC's list of high risk states for travelers was recently expanded. She said that the most up to date list can be found at: [www.coronavirus.dc.gov](http://www.coronavirus.dc.gov). She said that the DC Public Schools (DCPS) has put together a Phase Two reopening plan which will include bringing back some elementary students on November 9th. She said that families will be able to opt-out of in person learning if they prefer. She said that all other students will continue with virtual education at least through DCPS' second school term.

Ms. Noakes said that DC released guidance regarding celebrating Halloween which can be found at: [www.coronavirus.dc.gov](http://www.coronavirus.dc.gov). She added that DC has partnered with CVS and Walgreens to provide flu shots at several COVID testing sites.

### Councilmember's Office

Ms. Hulick encouraged local residents to send any ballot concerns to Councilmember Pinto's Office. She gave an overview of DC Council Bill B23-0952 - the "John Lewis Way Designation Act of 2020," which Councilmember Pinto introduced. She also gave an overview of two new bills the Councilmember co-introduced that will help foster the growth of small and local businesses and will streamline educational credit transfers for incarcerated individuals.

Ms. Hulick said that Councilmember Pinto's website can be found at: [www.brookepintodc.com](http://www.brookepintodc.com). She said that local residents can sign up for the Councilmember's e-newsletter on the website.

Ms. Hulick said that Councilmember Pinto recently led a coalition of Councilmembers to send a letter to the Chancellor of DCPS demanding answers on the firing of School Without Walls High School and School Without Walls at Francis-Stevens Principal Richard Trogisch. She said that the Councilmembers are currently waiting on a response to the letter.

Ms. Hulick said that Councilmember Pinto has been in close contact with MPD regarding election safety precautions. She said that the Councilmember is encouraging businesses and residents to take precautions as they feel necessary. She added that the Councilmember has been working with DDOT on some safety improvements to the intersection of Connecticut Avenue and Florida Avenue NW.

### **Old Business**

#### **2323 Tracy Place NW; Renovations and Restoration**

Commissioner Nestler moved to adopt a proposed resolution regarding the matter. Chair Bender seconded the motion, which was voted on and passed (VOTES: 2-0-0). The resolution reads as follows:

WHEREAS, the current owners of 2323 Tracy Place NW have filed a building permit application (B2010393) for proposed excavation, underpinning, demolition, and construction, including extensive excavation of crawl spaces in the basement, significant alterations to the front and rear facades, alterations in windows on the west side of the house, interior demolition, and replacement of virtually all existing windows and doors,

WHEREAS, the property is a contributing building to the Sheridan-Kalorama Historic District, having been built in 1924,

WHEREAS, the property is protected by a conservation easement held by the L'Enfant Trust which provides that the exterior facades on all sides of the house may not be changed without the consent of the Trust,

WHEREAS, the owners of 2323 Tracy Place NW have not provided ANC 2D with any information about the building permit application or requested ANC 2D to approve their plans,

WHEREAS, neighbors who own properties adjoining 2323 Tracy Place NW on the east, north, and west sides and whose houses are contributing properties to the Sheridan-Kalorama Historic District have asked ANC 2D to oppose the building permit application for 2323 Tracy Place NW,

WHEREAS, these adjoining neighbors have raised serious concerns in their objections to neighbor notifications about the potential dangers to their properties from the proposed

excavation, underpinning, demolition, and construction, and have retained a structural engineering firm, Silman, which has provided technical support for those objections; Silman has analyzed the structural risks posed by the project in a letter dated September 24th, 2020 to the adjoining neighbors' attorney Cynthia Giordano along with accompanying materials; and the adjoining neighbors have provided the Silman analysis to ANC 2D including Silman's recommendations of measures which the owners of 2323 Tracy Place NW should adopt to protect the adjoining neighbors' historic properties,

WHEREAS, ANC 2D concurs in the findings of structural risks by Silman as well as with its conclusion that "The proposed alterations to the Subject Property pose significant risks to the properties of the Adjoining Neighbors...It is important that...additional protective measures be adopted by the Subject Property Owners and incorporated into the Alteration Drawings,"

WHEREAS, the adjoining neighbors have also raised historic preservation concerns about the proposed project and have retained historic preservation experts, EHT Traceries, which have analyzed the project in an updated analysis dated October 11th, 2020, and the adjoining neighbors have provided the EHT Traceries updated analysis to ANC 2D,

WHEREAS, ANC 2D concurs in the findings of EHT Traceries as well as with its conclusion that "the proposed project...includes numerous changes to the historic fabric that, in our professional judgment, fail to meet the relevant HPRB Design Guidelines and should be rejected. The work is not compatible with this historic contributing building or the Sheridan-Kalorama Historic District and would, in fact, diminish its historic character,"

WHEREAS, excavating property in the Sheridan-Kalorama Historic District, as proposed by the owners of 2323 Tracy Place NW, is a difficult and complex undertaking and, if not done properly and maintained, can have devastating consequences to neighbors such as what has happened at 2325 Wyoming Avenue NW,

WHEREAS, the proposed changes to the structure would be visible from both Tracy Place NW and Wyoming Avenue NW and if allowed to go forward would set a most unfortunate precedent, and

WHEREAS, the Sheridan-Kalorama Historical Association (SKHA) and the Sheridan-Kalorama Neighborhood Council (SKNC) have urged ANC 2D to oppose the building permit application for 2323 Tracy Place NW on the grounds described above.

THEREFORE, BE IT RESOLVED that ANC 2D opposes the building permit application pending before the Department of Consumer and Regulatory Affairs (DCRA) on the structural grounds described in detail in the letter dated September 24th, 2020 from Silman to Cynthia Giordano and in the accompanying Silman materials submitted in support of the adjoining neighbors' objections to neighbor notifications, including structural dangers posed by the proposed extensive excavation and underpinning,

modifications of the rear wall which would weaken the structure, widening of the garage doors and garage openings on the front facade, and significant interior demolition.

BE IT FURTHER RESOLVED that ANC 2D opposes the building permit application on the additional grounds that the owners of 2323 Tracy Place NW have failed to provide the measures for protecting the adjoining properties recommended in the Silman letter of September 24th, 2020.

BE IT FURTHER RESOLVED that ANC 2D opposes any approval by the Historic Preservation Office (HPO) and/or the Historic Preservation Review Board (HPRB) of the building permit application on the historic preservation grounds described in detail in the EHT Tracerics' "Updated Analysis of Proposed Project at 2323 Tracy Place NW" dated October 11th, 2020, including the changes in the historic character and components of the historic 1924 house arising from the proposed widening of the garage door openings and replacement of garage doors on the front façade of the house, the proposed rear wall modifications adding extensive incompatible glazing, the proposed changes in windows on the west side of the house, the replacement of virtually all existing windows with replacement windows that do not closely replicate the existing windows, and the inclusion of an elevator pit and elevator shaft for a "future elevator" in an inappropriate location.

BE IT FURTHER RESOLVED that ANC 2D opposes the issuance of a building permit unless and until (1) the permit application is modified properly and adequately to address the adjoining neighbors' objections as spelled out in the Silman and EHT Tracerics analyses referred to above and (2) the issuance of any permit is conditioned on the recommended protective measures outlined in the Silman analysis referred to above.

### **New Business**

#### **moveDC 2021**

Chair Bender said that the ANC has been discussing pedestrian and vehicular safety for a while now. He said that DDOT is seeking feedback on those topics as part of the agency's moveDC 2021 plan through a survey. He encouraged local residents to fill out the survey at:

[www.metroquestsurvey.com/x3q8k](http://www.metroquestsurvey.com/x3q8k).

#### **Personnel Matters at the School Without Walls at Francis-Stevens**

Commissioner Nestler moved to adopt a proposed resolution regarding the matter. Chair Bender seconded the motion, which was voted on and passed (VOTES: 2-0-0).

WHEREAS, School Without Walls High School (SWW) and School Without Walls at Francis-Stevens (SWWFS) are both located in Ward 2,

WHEREAS, Richard Trogisch has served as principal of SWWHS, the highest performing high school in the District, since 2006. The school is ranked second in the

region, among the top 75 high schools in the nation, according to U.S. News & World Report, and a two-time Blue Ribbon Schools award winner that is majority-minority with students from all eight wards,

WHEREAS, Richard Trogisch also took over leadership of Francis-Stevens Education Campus in 2012, when it was barely saved from closure, with only 190 students enrolled in a building with a capacity for 480 and failing test scores. He has since led the pre-K through grade 8 school to a remarkable turnaround, with nearly 600 students now enrolled from all eight wards, a waiting list of up to 800, vastly improved test scores, and increased academic rigor,

WHEREAS, both schools, representing 1,200 DC families, boast a diverse enrollment; both are majority-minority; and in both schools the student body and parental involvement proudly have diverse leadership teams that should be the envy and goal of every school in America,

WHEREAS, on Monday, October 5th, 2020, the Mayor announced plans to re-open schools in the coming weeks, and, at a Chancellor's meeting, Principal Trogisch asked specifically what air quality standards were being set by the DC Public Schools (DCPS) and how such standards would be measured and enforced at all schools. After no specific answer to his question was given, he said he later told his staff and parents that he would not open School Without Walls at Francis-Stevens unless he was certain students, teachers, and all other school personnel would be safe,

WHEREAS, School Without Walls at Francis-Stevens is a 93-year old building with no HVAC system, window air conditioners in each classroom, and numerous maintenance issues that come with an old building slated for major renovation in less than two years,

WHEREAS, within the past week, the Centers for Disease Control and Prevention (CDC) revised its guidance to acknowledge that COVID-19 is spread not just by droplets, but in aerosolized form in closed indoor spaces with poor ventilation and that regular exchange of fresh air is imperative for such spaces to be safe, especially where people, such as students and teachers in classrooms, stay in those spaces for more than just a few minutes at a time,

WHEREAS, the student body at SWWFS includes students with disabilities, including students with respiratory problems such as asthma, and adult staff members at the school include personnel in the high risk category, with some up to the age of 70, and the health and safety of students and personnel must be the highest priority and that is non-negotiable,

WHEREAS, less than 48 hours after Principal Trogisch questioned whether the air quality and ventilation standards at SWWFS would allow the school to open safely, he was fired by DCPS with the pretext later given that there had been a student "enrollment anomaly" in a previous year,

WHEREAS, DCPS officials openly admitted to the school community that the firing of Principal Trogisch was “not in the best interests” of students and faculty,

WHEREAS, DCPS had knowledge of this “enrollment anomaly” prior to renegotiating the principal’s contract for the 2020-2021 school year but appears to have chosen not to address it, and

WHEREAS, an action that did not prevent his contract renewal suddenly became a fireable offense two days after the principal expressed health and safety concerns about DCPS plans.

THEREFORE, BE IT RESOLVED that ANC 2D joins a majority of DC councilmembers in demanding answers from Chancellor Ferebee to questions regarding the firing of an honored, respected, and beloved educator.

BE IT FURTHER RESOLVED that ANC 2D demands to know what air quality standards and ventilation (air exchange) standards will be used by DCPS to determine whether schools and individual classrooms can reopen safely, and demands to know how those standards will be measured and enforced before schools are allowed to reopen.

BE IT FURTHER RESOLVED that ANC 2D demands that DCPS immediately engages parents, students, and educators so as to ensure that all individuals have access to information on the metrics for reopening and safety measures being put in place so that parents and educators can make informed decisions as to how they wish to proceed with this school year. Given that DC has among the highest rates of asthma of major metropolitan areas in U.S. and that children from Wards 5,7, and 8 are impacted by respiratory illnesses at higher rates than other wards, understanding the state of the ventilation in every single DCPS building is critical to ensure that we do not put our children, especially children of color, who have already been disproportionately impacted by COVID-19, at even further risk.

BE IT FURTHER RESOLVED that ANC 2D urges the DC Council to hold hearings on remediation efforts conducted at every DC Public School facility as a step toward restoring public trust. Failure to do so will only add to fears of retaliation for whistleblowers and add to the fears of parents and teachers that our school buildings are not safe.

BE IT FURTHER RESOLVED that ANC 2D demands that Principal Richard Trogisch be reinstated at once to his duties. The fact that he was willing to risk his career rather than put at risk the health and safety of his students, teachers, and staff is at the heart of this matter, and the manner in which he was terminated has created a chilling effect for anyone wanting to raise health and safety issues, even during a pandemic.

BE IT FURTHER RESOLVED that ANC 2D demands that since SWW and SWWFS have five women associate and assistant principals, four of whom are women of color,

with many years of experience with the School Without Walls community, the selection of any interim principal must come from within their ranks.

BE IT FURTHER RESOLVED that this resolution is a vote of no confidence in the way Chancellor Lewis Ferebee and all other DCPS officials directly involved have handled the firing of Richard Trogisch. The lack of transparent processes and procedures by DCPS leadership in this entire matter further diminishes parents' trust in our public schools and runs counter to the values of the citizens of the District of Columbia.

### 2450 Belmont Road NW

Chair Bender said that the ANC reviewed the plans for the project at 2450 Belmont Road NW during the ANC's regular September 2020 meeting and voted to support them. He said that the ANC recently received a notice for a hearing regarding the project.

### ANC 2D Candidates Standing for Election for the Vacancies

The ANC 2D candidates for the upcoming general election gave introductions and answered questions from meeting attendees.

### Announcements

Commissioner Nestler encouraged all local residents to vote in the upcoming general election.

### Open Comments

Two local residents thanked Chair Bender and Commissioner Nestler for their service to the ANC.

### Date of Next Meeting

Chair Bender said that the ANC's next meeting will take place on Monday, November 16th at 7:00 pm.

### Motion to Adjourn

Chair Bender adjourned the meeting at 9:18 pm.