



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Advisory Neighborhood Commission 2E

Representing the communities of Burleith, Georgetown, and Hillandale

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May 31, 2018

Mr. David Maloney
State Historic Preservation Officer
DC Office of Planning
1100 4th Street SW, Suite E650
Washington, DC 20024
david.maloney@dc.gov

RE: The Historic Preservation Office's Neighbor Notification Processes

Dear Mr. Maloney,

On April 30, 2018 ANC 2E held its regularly scheduled public meeting, which was properly noticed and attended by eight commissioners, constituting a quorum. At this meeting the Commission adopted the following resolution by a vote of (8-0-0) with regard to the above-referenced matter:

A law was enacted in the District of Columbia, effective in October of 2016, which requires applicants for demolition, alteration, and new construction whose cases are submitted for review to the Historic Preservation Review Board or the U.S. Commission of Fine Arts to provide the owners of record of confronting or abutting properties and all affected ANCs immediately after an application is filed: (1) notice of the application, (2) information regarding how to obtain the schedule for review, and (3) either a copy of the plans or instructions on how to access them on a publicly available website or for in-person viewing. The applicant is also required to certify that these requirements have been met.

ANC 2E has recently learned through an exchange of emails that instead of requiring strict compliance with the new law, the Historic Preservation Office (HPO) has designed a placard which applicants are required to place on the properties in question, and that rather than require the applicants to notify the property owners, HPO is requiring applicants to provide HPO with digital copies of the plans, and that HPO is identifying the confronting and abutting property owners and sending them correspondence informing them of their right to obtain copies of the plans from HPO.

COMMISSIONERS:

Ed Solomon, District 1 Joe Gibbons, District 2 Rick Murphy, District 3
Mara Goldman, District 4 Lisa Palmer, District 5 Jim Wilcox, District 6
Monica Roaché, District 7 Zac Schroepfer, District 8

ANC 2E appreciates HPO's good faith efforts to reasonably administer the new neighbor notification law, but it questions whether HPO should shoulder the burden of notifying the confronting and abutting property owners instead of the applicants, which is what the law appears to require.

If HPO continues to pursue this general approach, ANC 2E recommends that HPO take the following steps:

1. ANC 2E understands that it takes time and effort to perfect a new system. However, it is the Commission's understanding that notifications have not yet been provided to all the confronting and abutting property owners. This is absolutely necessary.
2. HPO should work with ANC 2E and the Citizens Association of Georgetown (CAG) to develop reasonable but strict requirements for the format in which the digital plans are submitted by the applicants. It has been ANC 2E's experience that the digital plans available through HPO are not always reasonably useable, to the extent that we generally do not rely on them and instead obtain hard copies from the Old Georgetown Board (OGB).
3. The placards which are posted often do not give neighbors sufficient notice of the proposed work for them to make a reasonable determination of whether to request the plans. Such notice needs to be provided.
4. The notice which HPO is providing to the property owners should be modified to include specific contact information at HPO to request the plans, including an email address and phone number.
5. The timing of neighbor notification is especially important to ANC 2E due to the strict schedule of the Old Georgetown Board (OGB) review process. The notification needs to be received by the property owners sufficiently before ANC 2E meets prior to each OGB hearing to give them an adequate opportunity to obtain the plans, review them, and discuss their objections with the ANC before it meets. The ANC typically meets approximately three days before each OGB hearing. If HPO is going to continue to inform the property owners of the availability of plans by mail, HPO should schedule its referrals of cases to OGB so that OGB hearings will not be convened until at least two weeks after mail notification to the property owners is provided.

Again, ANC 2E appreciate HPO's efforts to reasonably administer the new neighbor notification law, and the Commission makes these requests in an effort to satisfy the needs of everyone involved. ANC 2E thanks HPO in advance for the office's consideration of the Commission's views.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe Gibbons", with a long horizontal flourish extending to the right.

Joe Gibbons
Chair, ANC 2E