

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3B
GLOVER PARK AND CATHEDRAL HEIGHTS



ANC3B Public Meeting Minutes
December 14, 2017

Chairman Jackie Blumenthal (3B02) called the meeting to order at 7:00 pm. Commissioners Ann Mladinov (3B01), Mary Young (3B04), and Brian Turmail (3B05) were also present, which constituted a quorum. (Three of the five Commissioners make a quorum.) Commissioner Melissa Lane (3B03) was not in attendance.

Chairman Blumenthal made a motion to vote on the proposed agenda. The motion was seconded and the Commission voted 4-0 to approve the agenda.

No representative from MPD had arrived at the meeting so the Chairman introduced the next item on the agenda.

Discussion of Proposed Ban of Gas-Powered Leaf Blowers

Grif Johnson, founding member of the organization “Quiet Clean DC” (QCDC) gave a brief presentation on the legislation introduced in the DC Council to ban the sale and use of gas-powered leaf blowers in the District beginning in 2022. He reported that Ward 3 Councilmember Mary Cheh has introduced Bill B22-0234 in the DC Council that would prohibit gas-powered leaf blowers from being sold or used in the District, with a 4-year transition to allow current gas-powered leaf blowers to reach their useful life (usually 5 years) before they have to be replaced. QCDC is asking ANCs to request the Council to hold a hearing on the bill.

The legislation is proposed as an amendment to the District’s Noise Law because federal law prohibits states from enacting their own emissions controls (though there are hazards other than noise associated with leaf blowers). Mr. Johnson explained that gas leaf blowers:

- are typically over the legal limit for noise in the District (73 dBA at 50 feet)
- create a risk of permanent hearing loss to operators, who are less than 3 feet away
- emit low frequency noise which is the most damaging to human hearing
- create an annoying disturbance for residents trying to work, think, or participate in conversations
- are a menace to the environment, health, and environmental justice
- are inefficient users of energy (especially 2-cycle motors, which waste 30% or more of the fuel)
- spew noxious emissions into the air, including greenhouse gases/hydrocarbons such as carbon dioxide, carbon monoxide, and methane
- emit dust and small particles of other materials that can be carcinogenic
- generate air speeds of hurricane strength (150+ mph), blowing dirt, spores, bacteria, and chemicals including herbicides and pesticides that can be harmful if breathed

Mr. Johnson said electric leaf blowers (plug-in or battery-powered) are being developed that are cleaner and quieter and safer for human health, though he noted that some manufacturers are making gas-powered leaf blowers that produce about the same amount of noise as electric blowers.

The Commissioners asked several questions related to how effectively the noise from leaf blowing machinery could be reduced or eliminated for District residents.

1. Would the proposed ban apply to other machinery used for leaf blowing such as riding lawn mowers? Mr. Johnson said yes, but didn't mention that the bill only refers to "leaf blowers".
2. If manufacturers are modifying lawnmowers to satisfy concerns about health hazards, why can't they do the same with leaf blowers? (Mr. Johnson agreed changes may come from the private sector eventually, but the bill would go into effect in a definite time period of 4 years, so the city may start getting the benefits of a ban on gas-powered leaf blowers sooner.)
3. What does the city use for leaf blowers? (The city currently uses gas-powered leaf blowers.)
4. Does the bill require use of earplugs or respirators to protect operators of leaf blowers? (No.)

One resident asked if a building or building association that has the authority to choose its lawn maintenance contractors could decide to hire only contractors who do not use gas-powered leaf blowers. Mr. Johnson said the Smithsonian doesn't allow its contractors to use gas leaf blowers, so that is possible. Another resident suggested publishing a list of lawn contractors that don't use gas-powered leaf blowers. Mr. Johnson said the city doesn't want to get into the business of choosing companies residents and businesses should or should not use, but individual customers can negotiate contracts that bar use of specific types of leaf blowers they don't want on their property.

Commissioner Mladinov commented that some of the most favorably reviewed leaf blowers in 2017 are electric leaf blowers (either plug-in or battery-powered) that have as high or higher velocity "blowing power" as the gas-powered leaf blowers (180 mph or more) and as high or higher levels of noise as well. She observed that manufacturers are likely to continue developing designs for non-gas powered leaf blowers that have the same capacity as gas-powered leaf blowers and create many of the same hazards but the non-gas powered leaf blowers will not be prohibited by the proposed legislation, while manufacturers of gas-powered leaf blowers will continue to improve the fuel efficiency, emissions, and noise levels of their machines. That could mean that in 4 years, the bill may not be well designed to deal with health and nuisance concerns that exist at that time.

The ANC did not come to a conclusion and will continue to review comments and facts on the issue.

Police Report

Lt. Ralph Neal reported on crime statistics for the 30 days ending December 13, 2017, in Police Service Area 204, which includes ANC3B as well as Woodley Park and parts of Cleveland Park: 1 robbery, 1 assault with a gun (arrest already made), 1 burglary, 1 stolen auto, 6 thefts from autos, and 15 other theft, for a total of 23. Lt. Neal noted that crime in PSA 204 was down considerably, even at a time when package thefts often go up. He reported that MPD officers in the area have been instructed to follow delivery vehicles to watch for potential thefts, and security cameras at residences have also been helpful. Chairman Blumenthal reminded everyone that the city offers rebates to property owners who install security cameras through the Private Security Camera System Incentive Program (See www.ovsjg.dc.com for further information).

One resident asked what the city is doing to protect bicycle riders from "close calls" with motor vehicles on the streets. He observes many drivers passing 18 inches from his bike rather than the 3-foot spacing required between a vehicle and a bicycle, and MPD doesn't issue citations for that. Chairman Blumenthal suggested that he take the concern to CM Cheh, who rides bikes and is the chairman of the committee that oversees the agencies and budgets involved.

Updates and Information

Chairman Blumenthal reported that the city has removed two parking spaces on the west side of Wisconsin Avenue north of Fulton Street to improve sight distance, as the Commission requested. She thanked the mayor's community liaison, Phil Thomas, for his help in getting that done.

The representative of residents in the apartment building at 2800 Wisconsin Avenue, at the corner of Fulton Street, expressed appreciation that the parking spaces had been removed but said the intersection is still very dangerous for both pedestrians and motorists. She asked if the ANC could ask again for a traffic signal there. Chairman Blumenthal recalled the ANC's past experience with requesting a traffic signal at that location, noting that neighbors across Wisconsin Avenue don't want to see any change that would encourage drivers to use Fulton Street as a pass-through route to and from Massachusetts Avenue. That prospect could be affected by the city's proposed changes to the No Left Turn policy at Massachusetts Avenue and Observatory Circle, which will be the subject of a public meeting at Guy Mason on January 31, and she encouraged residents from ANC3B to participate in the meeting.

Chairman Blumenthal also reported that Whole Foods is still involved in a lawsuit over the Glover Park store on Wisconsin Avenue and continues to express an interest in reopening there, though there has not been any indication of a timetable for concluding the case and completing the promised renovations.

Chairman Blumenthal also reported that the DC Council is considering a proposal to rename the 2600 block of Wisconsin Avenue as the "Boris Nemtsov Plaza," to recognize a Russian dissident who was assassinated in Moscow two years ago, amid allegations that the Russian government was responsible. She said the name of the plaza would be posted on existing street signs but is no longer being proposed as the official mailing address for properties on that block. The ANC has not been asked to comment. Several Commissioners suggested leaving the matter to the Council and Congress, which is also considering a similar bill.

Commissioner Mladinov reported that the DC Public Service Commission (PSC) was holding evidentiary hearings on the proposed merger of Washington Gas and Canadian Energy company AltaGas, and would be collecting public comments through January 30 on whether the merger would be in the public interest. She reported that the DC Office of People's Counsel and the Office of the Attorney General have both testified that the transaction presents threats of harm to Washington Gas ratepayers and would not be in the public interest. Chairman Blumenthal proposed that the ANC take up a resolution on the proposed merger at the January public meeting, and post a draft on the ANC3B website for public review in advance of the next meeting.

Open Forum

Phil Thomas, the liaison to Ward 3 from the Mayor's Office of Community Relations, reminded residents that the city's second round of leaf pick-ups would be coming, followed by Christmas tree pick-up. In the snow season, 77 people in the area 60 and over are signed up to have DC Serves volunteers remove snow from the sidewalks in front of their homes, and he invited people to be in touch with him to get on the list or to volunteer to shovel. Mr. Thomas shared his contact information for residents who need service: 202-341-7706 or phil.thomas@dc.gov. Chairman Blumenthal also noted that the GPCA has volunteers who provide help with snow shoveling, so the city should work with the GPCA team.

One resident asked about road conditions in the area. Chairman Blumenthal summarized the status of the ANC's and CM Cheh's efforts in that direction.

Two meeting participants asked to speak about the NEAR Act (Neighborhood Engagement Achieves Results) adopted by the city in 2016 but not yet fully implemented. They reported that the legislation was designed to foster a public-health approach to crime and crime prevention, focusing on helping avoid the causes of crime by providing education and access to jobs. The effort also requires assembling data and assessing where crime is worst as well as what works to avert it. Chairman Blumenthal suggested having a presentation on the NEAR Act at the January meeting.

Administrative Matters

Chairman Blumenthal introduced the minutes of the Commission's November public meeting and made a motion to approve the minutes. The motion was seconded and the Commission voted 4-0 to approve the minutes as prepared.

Treasurer Mary Young presented the monthly financial report for November:

ANC3B November 2017 Financial Report

OPENING BALANCE: \$10,188.94

Income: \$2,930.71 – DC Allotment for 4th Quarter FY2017

Total Income: \$2,930.71

**Outgoing: \$2,500.00 – Check #1277 for grant to Hardy Middle School PTO
for library books and materials**

Total Outgoing: \$2,500.00

CLOSING BALANCE \$10,619.65

Chairman Blumenthal made a motion to approve the ANC3B monthly financial report. The motion was seconded and the Commission voted 4-0 to approve the monthly financial report for November as presented.

Commissioner Young also presented a corrected financial report for October. She noted that the original financial report for October (presented and approved at the Commission's public meeting on November 2, 2017) showed no activity, but that was because of a glitch in the bank's statement for the ANC3B account. The bank later provided a corrected statement showing funds received and outgoing, as follows:

Corrected ANC3B October 2017 Financial Report

OPENING BALANCE: \$7,924.74

Income: \$2,930.71 – DC Allotment for 3rd Quarter FY 2017

Total Income: \$2,930.71

Outgoing: \$36.51 – Debit Wells Fargo account for printing new ANC3B checks

Total Outgoing: \$36.51

CLOSING BALANCE \$10,188.94

Chairman Blumenthal made a motion to approve the corrected monthly financial report for October. The motion was seconded and the Commission voted 4-0 to approve the corrected October financial report as presented.

Chairman Blumenthal announced the next public meeting of the Commission would be Thursday, January 18, 2018 (the third Thursday of the month rather than the usual second Thursday).

Chairman Blumenthal made a motion to adjourn the meeting. The motion was seconded and the Commission voted 4-0 to approve.

The meeting was adjourned at 8:30 pm.