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VIA ELECTRONIC MAIL (countyboard@arlingtonva.us)

Arlington County Board
Attn: Ms. Hope Halleck, Clerk of the Board
2100 Clarendon Boulevard, Suite 300
Arlington, VA 22201

**Re: Ballston Station – Ballston Central United Methodist Church –
Site Plan Application #443; Robert Ball Sr. Family Burial Ground**

Dear Ms. Halleck:

This firm represents four descendants of Robert Ball Sr. Following up on our letter of November 1, 2016, we appreciate this opportunity to submit additional written public comments regarding CUMC's Site Plan Application #443 and its impact on the Robert Ball Sr. Family Burial Ground (the "Cemetery").

My clients reviewed CUMC's re-filed Site Plan Application, as well as CUMC's more recent elevation drawings presented at the January 19 site plan review committee meeting. We are truly appreciative of CUMC's and Arlington County's efforts to preserve the Cemetery. We recognize that there is a lot of good in the proposed plans — both for the redevelopment project and for the Cemetery. In particular, (a) the streetscape would draw attention to the Cemetery and to the Ball family legacy in Arlington; (b) the 325-sq-ft area would be preserved; and (c) the property owner would voluntarily accept the local historic designation, which would protect the Cemetery for the future. We are delighted by that potential outcome.

However, we continue to have substantial concerns about the proposal to inset a portion of the Cemetery into the building's footprint, creating an overhang. We believe that an overhang is historically inappropriate and not in keeping with the traditions of the Cemetery. It is our preference that CUMC preserve the Cemetery in its original open-to-the-sky condition. Early on in the process, before the re-filed site plan application was drafted, we shared this concern with CUMC. We believe that the Cemetery merits additional "breathing room" and green space surrounding it, and separating it from the building. There appears to be sufficient room to the west to displace the building, allowing more green space and a buffer between the building and the Cemetery. In addition, the overhang creates practical challenges for maintenance and upkeep -- a lack of natural rainfall and sunlight will likely kill even shade-resistant grass varieties, and

turn the Cemetery grounds to mud.

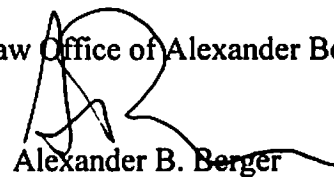
Having voiced our concerns, we understand CUMC is taking the position, as stated by counsel during the January 19 site plan review committee meeting, that further re-design would threaten the project's financial viability. If the project truly is in financial dire straits, then we support compromise. We want the redevelopment project to succeed and believe that the goal of obtaining local historic designation for the Cemetery is paramount.

Ultimately, we defer to the Planning Commission and the HALRB and Staff, mindful of the invaluable service they provide Arlington in balancing many often-competing interests. We support and accept whatever incremental design changes they deem appropriate.

Sincerely yours,

The Law Office of Alexander Berger

By:



Alexander B. Berger

cc: Hon. Jay Fisette, Chair, Arlington County Board
Mr. Steven Cover, AICP, Director, Arlington County DCPHD
Mr. Michael Cullen, AICP, Urban Planner, Arlington County DCPHD
Mr. Matt Ladd, AICP, Urban Planner, Arlington County DCPHD
Ms. Nancy Iacomini, Planning Commissioner, SPRC Chair
Ms. Rebecca Ballo, Neighborhood Services Division, Arlington County DCPHD
Ms. Joanna Wilson Green, Virginia Department of Human Resources
Mr. Gerry Laporte, Secretary & HALRB Liaison, Arlington Historical Society
Mr. Patrick O'Neill, Archeologist and Historian
Mr. Dale G. Mullen, Esq., CUMC Counsel
Ms. Ann Ward Little, represented descendant of Robert Ball Sr.
Mr. Randall G. Gott, represented descendant of Robert Ball Sr.
Ms. Anna Dean Brennan, represented descendant of Robert Ball Sr.
Mr. Claybrooke Coe Dean, represented descendant of Robert Ball Sr.