

**Minutes of the
Board of Directors Meeting of the
Crescent at Cherry Lane Homeowners Association, Inc.
July 26, 2011 7:30 pm**

Board Members Present: S. Michael Chittenden, W. Carl Isler II, Robin McCormick

Officers Present: Jackie Zimmerman

Board Members Absent: None

I. Call to Order

Mr. Chittenden called the meeting to order at 7:33 p.m. and introduced the board and officers to those in attendance.

II. Approval of the Minutes

Copies of the minutes from the Board meeting of April 21, 2011 were distributed to all Members present at the meeting.

The secretary noted an error in the date for the minutes, but no other comments were made. Mr. Isler made a motion to approve the minutes of the Board meeting as amended. Mr. Chittenden seconded the motion. The motion passed unanimously.

III. Old Business

A. Update on Development

Mr. Chittenden and Jude discussed the ongoing development of the community. Craftstar is supposed to finish the townhomes, but a new builder, Dan Ryan, has been asked in to complete the Single Family Homes (SFH). Dan Ryan is providing two designs – Clemson (2128 sf) and Wesley (2550 sf) – that are being submitted to the city for approval. The designs are rear-load neo-traditional homes that are 32 feet wide, like the Michael Harris homes. Dan Ryan is working to match the overall style of the neighborhood and hoping to start sales within a month or so with an unofficial starting price point of \$340,000.

B. Parking Restrictions

Mr. Chittenden introduced the Mayor of Laurel, Craig Moe, Laurel Council President Leszcz, and Councilpersons Smalls and Crary. Mr. Chittenden reviewed the restrictions discussed during the last board meeting and stated that the board had voted to move forward. Mr. Chittenden and Councilwoman Smalls met to discuss the restrictions, to which Councilwoman Smalls recommended another meeting to discuss the restrictions with the members directly.

Mr. Chittenden reviewed the zones to be restricted in detail, specifically:

- Archsine Lane - on the even side and near the intersections with the alleyways and First Baptist Lane on the odd side;
- First Baptist Lane - on the odd side;
- Breckenridge Street - Between First Baptist Lane and Hardcastle on the even side and between Rockcastle and Cherry Lane on the even side;
- Hardcastle Street - Between Cherry Lane and Breckenridge Street on the even side; and
- Rockcastle Street - Between Breckenridge Street and Archsine Lane on the even side.

For Hardcastle, a known issue would be residents of the SFHs receiving their mail. One potential solution is to move the mailboxes to the rear of those homes. Residents of the SFHs on Hardcastle expressed that they would prefer that parking be prohibited on their side and allowed on the opposite side. The Board explained that the bump outs on Hardcastle were set up to have parking on their side, but the residents did not agree. They proposed that rather than allowing parking only on their side, that parking be limited to the opposite side with a sign prior to the bump out restricting parking beyond that point. Jude opined that this was unlikely to be approved.

Mayor Mo contributed that it is not overly simple to revise these types of plans once the city has already reviewed and approved them. Mr. Chittenden expressed more detailed concerns for why the parking restrictions are necessary. Mayor Mo stated he would work with Fred to see about enforcement prior to turn over of the roads to the city. In the short term, we can mark the 15 ft near intersections where parking is restricted by law. Potentially we could work with the towing company we use through Tidewater Property Management until the city can enforce the restrictions.

At this point, the floor was opened for more general discussion. One question concerned where there had been issues with parking on both sides of First Baptist Lane, to which the Board responded that it was primarily near the intersections. Another member indicated that the problem may more so be speed than parking on both sides of the road. This was briefly discussed and the fact that speed bumps and speed boxes are not permissible in the community was reviewed. A member expressed concern that there would be insufficient parking for guests if the areas near the intersections are restricted, to which the board recommended using the other streets within the neighborhood or Cherry Lane itself.

Hardcastle residents stated that they did not want restrictions on their road and also wanted more information about the idea of moving their mailboxes to the rear. Mr. Chittenden stated that they were still awaiting more information from the Postmaster on that possibility. A member asked how things will proceed with the striping of the road (another proposed idea for reducing speeds) and restrictions within 15 feet of intersections. The Board stated they would work with both the city and the developer to decide on the best course of action and move forward from there. A member asked what the process is for the final decision with regards to the parking restrictions. The Board responded that they had approved the restrictions at the last board meeting, but the City of Laurel has the final say and the representatives had their contact information available in the rear of the room.

A member asked if there was an option for ticketing residents who parked on the main streets, which our covenants prohibit. The Board stated that there is not an easy way to enforce this rule since we need the reverse of parking permits and it would be simple for a resident to not put a sticker or tag in their vehicle and claim it is a guest's. A member asked if there would be a way to register each house somehow, to which the Board responded that it is an issue they are aware of and looking at, they are just unsure how to enforce the rule.

C. Report on Tot Lot Options

Mr. Isler reviewed the history of the tot lot discussion. The only feasible location for the tot lot is at the intersection of First Baptist and Archsine. Based on the size of the space, we will not be able to have swings, and the utilities at the back of the lot may raise issues.

Three companies responded when Mr. Isler made inquiries: Playground Specialists, Maryland Materials and Play & Learn. In considering the options, the most significant consideration is how much the HOA would want to spend on the tot lot. Additional considerations that also impact the overall price include:

- Grading the lot
- The category (2-5 or 5-12 years old) chosen – to get the best use of the equipment, would likely choose 5-12.
- Fence to protect from the road
- Surfacing materials (annual as well as initial cost depending on surface)
- Additional liability insurance

For the equipment alone, the cost ranges from \$8,000 to \$25,000. Typically, the cost is about 20% for installation, 5% for delivery. Playground Specialists fully spec'd out a rather large piece of equipment including a climbing wall, 2 slides and monkey bars. The base cost was \$28,000 on sale for \$20,000. With other costs, this would be \$28,500, but that does not include grading or fencing.

The floor was opened for questions. Members asked if the common space near Cherry Lane had been considered since it would avoid concerns with the intersection and grading. A member

asked if this had been in the original plan for the community, to which the Board responded no, even though builders may have stated so. A member asked if this had been put out to the entire community yet, to which the board responded no, but it would be once it is further spec'd out. A recommendation was made that we contact the director of the Laurel Parks and Recreation for assistance.

D. Report on Pet Waste Stations

Mr. Isler spoke with Mike Lotski of Parks and Recreation regarding this issue to gain information on vendors that would install and service the stations. Mr. Isler contacted fifteen companies, of which five responded and only one provided a hard copy quote. Barking Cat immediately came out and surveyed, quoting \$275 for each station plus \$75 for installation and \$30 per station per week for service. For three service stations, this would require an initial \$1,050 for installation and about \$5,200 in yearly costs for servicing.

A member asked where this idea had come from, to which the Board responded that it had been brought up as an item to research by members during a previous meeting. A member observed that there are communities where people within the community service the stations. Another member recommended that the dog owners should be responsible for the cost. A third member refuted this idea, stating that it is either all paying as a community for community services or resorting to individuals paying for those items that serve them (such as people with children paying for the tot lot).

Councilman Smalls stated that they have a similar issue. They have signs and trashcans throughout the community, but still have the issue. He encouraged people to use common sense and the trashcans available and to look at volunteers to pull the bags.

IV. New Business

A. Architectural Review Application

The Board considered an architectural review application submitted by the Member at 7313 Archsine Road for sixteen solar lights, which exceed the covenant limit of eight. The Board approved the application unanimously.

The Board considered an architectural review application submitted by the Member at 7318 Archsine Road for the installation of a 10' x 10' gazebo and a storm door. The Board approved the application unanimously.

B. Consideration of New Covenant Enforcement Resolutions

1. Pet Waste Disposal

Mr. Chittenden reviewed the resolution, which allows the Board to ban a pet from the community as the final measure for violations. The 1st violation is a \$15 fine, 2nd violation \$15, 3rd violation \$25, and the 4th is a referral to the Board to decide upon action. Mr. Isler

recommended that the 1st violation be a warning and the remaining penalties the same, which was agreed upon.

The city representatives in attendance stated that the city code only applies to other property or common property, not personal. They did think it was possible that it was a health safety concern. A member discussed an issue with her neighbors allowing their dog to urinate and defecate on their decks. She had invited Mr. Chittenden to her home to observe the issues; Mr. Chittenden observed the issue.

A member asked about the fee structure and its effectiveness, to which Mr. Chittenden reminded the members that the ultimate penalty was to ban the dog from the community and if the member did not get rid of the animal, they would incur a \$25 fine per day. Mr. Chittenden also reminded the participants that the Board would be relying on the community members to report issues. A member asked when they would see some action on the issue, to which Mr. Chittenden recommended that if there is a concern or complaint, it should be sent to Tidewater via email or letter.

A motion to pass the resolution as amended was made, seconded and approved unanimously.

2. Installation of Peepholes and Kickplates

Mr. Chittenden reviewed the resolution, stating that this resolution allows members to install items under a blanket approval. The peephole and/or kickplate is to be complimentary to the doorknob and variances should be submitted for approval. Mr. Isler made the motion to pass the resolution, which Ms. McCormick seconded. The resolution was passed unanimously.

3. Planting of Trees, Fruits and Vegetables

Mr. Chittenden reviewed the resolution, which states that trees require approval and prevents fruits and vegetables from being planted in the front yard. Fruits and vegetables may be planted in backyards, but they cannot exceed four feet in height and no garden may be greater than 20 ft². Plants that are currently growing are grandfathered in. Ms. McCormick made the motion to pass the resolution, Mr. Isler seconded and the motion passed unanimously.

4. Temporary Use of Tents

Mr. Chittenden reviewed the resolution. A motion was made, seconded and passed to amend the resolution to state “in compliance with applicable law.” Mr. Isler proposed that tents should not be out front, with which Mr. Chittenden made the motion to amend the resolution and Mr. Isler seconded. Ms. McCormick voted against the amendment and the motion failed. The members did not have anything to contribute regarding this resolution, as they saw it as a petty matter. The resolution was passed unanimously as amended.

C. Covenant Violations

14814 HS has an unapproved conversion of the garage into a living space, which would incur up to an \$800 fine. The member is currently converting the garage back.

14824 HS has an unapproved deck. A second letter has been sent to the member, as no response was received to the first letter. Mr. Chittenden proposed that Tidewater begin to fine the member, with which the Board agreed.

A member in attendance asked what the process was for decks and if the Board is likely to approve plans. The Board responded that they have generally approved decks, which have mainly been made of synthetic materials. The member referenced has not submitted any plans for their deck.

D. Appointment of Covenants Committee

Motion to appoint LaTonya Cooper, Carolyn Jones and Takia Taylor-Anthony to the Covenants Committee with Mr. Chittenden serving as the Board liaison is passed. Mr. Chittenden will ask the members for a chair at the first meeting.

E. Selection of Committee Chairpersons

Motion to appoint Jackie Zimmermann as the Social Committee chair and Hilee Yancy as the Neighborhood Watch chair is passed.

F. Social Committee Update on Picnic and Budget Amendment

Ms. Zimmermann reviewed the plan for the picnic and what would be involved. She also reviewed the estimated costs for the various vendors. The majority of the attendees stated they would be interested in attending such an event. A member stated that having such events fosters the sense of community. A member stated concern that the proposed 9/10 date and 9/11 rain-date is insensitive to those honoring the 10-year anniversary of the 9/11 attacks. The Board stated they would take that under consideration. A motion was made to have a maximum budget of \$5,000 with the option to increase should it be necessary, which was seconded and unanimously passed.

G. Legal Services

Mr. Chittenden requested permission to begin looking for new legal service provider in order to terminate services with Neal Steinhorn. The current service is not responsive. Mr. Isler asked to contact Howard. This was approved.

V. Member Discussion

The Board opened the floor to Member comments and discussion.

A. Moving Mailboxes behind Hardcastle SFH

A Member asked what the process would be for moving mailboxes to the rear of the homes on Hardcastle. The Member also expressed concern that this item was not reflected in the minutes from previous meetings. The Board stated it was discussed during the December 2010 meeting. However, no decisions has been made yet and no action will be taken until it is discussed with the property owners.

Another Member brought up that this would move the mailboxes onto private property. Mr. Chittenden acknowledged that this would have to be researched. At all times, the Board follows the community covenants and bylaws, as well as the Maryland HOA Act.

B. Parking Plans for the City

A Member asked what had been sent to the city regarding the parking restrictions. Mr. Chittenden stated that the Board provided the city with the plat based on the approved motion from the last meeting.

C. Property Maintenance

A Member brought up a roof maintenance item. In a 2.5 year old Ryan property, a dime sized hole in the roof leaked into the home. In speaking with Ryan, they stated that roofs should be inspected annually. Because modern homes require certain materials to be used for environmental purposes and there are so many vents and other items, the roofs need to be calked and sealed annually.

A Member reminded others to check their trees for bag worms, which can kill trees within a matter of weeks. Treatments costs about \$2. Bag worms generally prefer evergreens. The Board stated they would check with Jude and the landscaper about treating the trees.

A Member asked about treating homes for pests in general. Another Member made the recommendation to treat the home annually.

D. Bags and Trash

A Member asked about the topic from the previous meeting regarding the Board taking action on Members who do not place trash in a covered, lidded trash container for collection. The Board stated that generally if there is a can and a bag that is next to it, they generally do not send a letter. If they see only bags, the process is to send a letter for the 1st violation, a letter for the 2nd violation, and fine the Member for the 3rd violation. This rule is in place to prevent attracting animals and trash from being spread across the community.

VI. Adjournment

The meeting was adjourned at approximately 9:30 p.m.