Stenning Woods Maintenance Association

# Annual Meeting Minutes

Hockessin Public Library

March 13, 2019

# Call to Order

The annual meeting of the Stenning Woods Homeowners Association (hereinafter SWMA) was called to order at 7:01 pm on March 13 by Ralph Lopilato, President

Board Introductions:

Present were: Ralph Lopilato, Bob Tully, Dianne Fair, Lynne Gunter, Diego Londono, Chip Fody

A2Z Introductions:

Mark Blake and Terry Massie from A2Z Property Management

Appreciation of Diego Londono for his service on the Board and announcement of his relocation to Florida. Diego resigned following the annual meeting due to his relocation to Florida. Ralph

Handouts: Agenda, President’s Report, ARC Review Statistics Fact Sheet, Letter on architectural process,

Budget

Ralph reviewed the Annual Meeting Rules of Engagement:

* State Your Name and Address when asking a question
* Limit questions to the topic and keep them brief
* Only members of the corporation are permitted to participate in the meeting. Member of the corporation is a legal homeowners.

President’s Report (handout)

Ralph directed members to the President’s report handout and spoke to the major accomplishments within the last six months and objectives for 2019. Ralph invited anyone who has questions about the President’s letter to email him or call him. Highlighted:

Detention Pond Maintenance – structure had deteriorated and failed a NCC inspection in September 2019 and was at risk at being removed from the amnesty program. If Stenning Woods was removed from the NCC Detention Pond Amnesty Program, they would no longer cover repairs and homeowners would be responsible for the cost of repairs which could be excessive. A2Z arranged for the repair and clean-up of the detention pond and it passed NCC inspection and Stenning Woods was able to remain in the amnesty program.

Improved Communication - There is a plan to create a Stenning Woods Website that would provide important community information, meeting minutes, events, etc. The prototype of website was developed by Erik Montellese. The Board would like to thank Erik for his efforts in creating the website. We hope to have the website in place by September 2019.

Deed Restriction Revisions – This is the first time in 30 years that the deed restrictions have been updated. Input was obtained from several sources including residents, attorney’s, NCC code, state and federal regulations, A2Z, other developments, etc. We have a year to make these changes. “Lunch & Learns” will be offered where the deed restriction changes will be explained and residents will be able to ask questions. Residents have a chance to ask questions tonight and the lawyer is here to help answer those questions about the proposed Deed Restrictions.

The Board is very active and has met more than 20 times since September on several topics; including county issues and local issues. The Board is very responsive in answering emails and phone calls. There is an opportunity for the board to be more transparent and the website will help with that.

#  Local and State Government Update

Mark Blake introduced **Janet Kilpatrick (County Councilwoman in 3rd District)**

Artesian will remove all of the cell phone towers from the water tower by 2020.

Reassessment – a case was filed in chancery court stating school funding is not equitable which prompted the reassessment. Taxes are not assessed fairly. End result will be that 1/3 will see taxes increase, 1/3 will see a decrease, and 1/3 will remain the same. The reassessment must be revenue neutral.

Only 20% of NCC County taxes go to NCC, the remaining 80% goes to the school districts. Sewer budget is running at a $3MM deficit annually.

It will cost $26 million to reassess.

**Michael Smith (State Representative of 22nd District)**

Two roads were funded for repaving in Stenning Woods.

Yard Waste Disposal Site was funded thru June 30. Will reopen first Saturday in April.

Brackenville Road and Millcreek Road - new surface will assist with braking. Two new “state of the art” traffic lights – one at top and one at the bottom.

Expected to reduce accidents by approximately 50%. It is federally funded.

Triangle area near Stoney Batter Road was federally funded to be a round-about, but people didn’t want a round-a-bout so the project was cancelled. Funding will be used for drainage issues in that area.

Proposal to reduce speed limit on Limestone Rd.

Resident Question: Is there anything that can be done about the dangerous entrance? Rep. Smith advised that it is on the list.

Resident Question: We have had issues with the bus stop at the entrance of the neighborhood. Rep. Smith advised to let him know and can address with his contact at the school districts.

**David Sokola (State Senator of 8th District)**

Concern that Port Expansion will bring more trucks thru the area which they are trying to address.

Joe Miro honored with plaque at the Pike Creek State Park.

Open space funds and federal funds used to support that disposal site, but federal funds being withdrawn and they are working to find other funding sources.

Resident Question: Aren’t the people using the disposal site supposed to be non-commercial?

Senator Sokola: It is supposed to be just for individual residents and not contractors. There have been attempts at enforcement, but difficult to have eyes everywhere. Lately, it has been less abused.

Email: senatordave@live.com Cell Phone 540-8881

# Community Topics

Spotted Lantern Fly – Implications to residents and the community. Confirmed siting in common area between Stenning Drive and Springer Court. The houses on Springer that back up to the common area may be contacted by the Delaware Department of Agriculture regarding remediation steps.

NCC Crime - The NCC Crime website enables you to search using a map (internet address provided on the back of the agenda). Within last six months within a mile range of Stenning Woods there were 11 incidents with only one occurring within Stenning Woods. A lot of the incidents took place at the HAC.

Vehicle break-ins, Larceny, Fraud, Property Damage and Disturbing the Peace were the most prevalent reported incidents. Only one was in Stenning Wood and that was Disturbing the Peace.

Yard Sale – Request was made by a resident for a Spring Yard Sale. Need enough interest from the residents to justify doing a community yard sale. Six residents indicated that they would be interested in participating in a Community Yard Sale.

# Common Area Maintenance / Detention Basin / Snow Removal

Bob encouraged residents to notify him if you see necessary improvements for the common area. We want to have a good working relationship with the contractor while keeping him accountable.

Common Area - In the common area on Stenning Drive, there is a lot of clean-up and clearing taking place. Plans are to spruce up the front of the development. We used to have volunteers that maintained the front entrance, but we don’t have that anymore. Therefore, we are obtaining bids to improve the landscaping at the front entrance. Other developments have better looking entrances.

Snow Removal and Common Area Maintenance – need to pay a fair price to receive good service. We put bids out for landscaping and snow removal. We expect to have a contract in place by the end of April and will let you know who was awarded the contract and what to expect. It is important to remove cars from street to allow the plows to safely and properly plow. Less to shovel if your car is in your driveway.

A lot of clean-up going on throughout the neighborhood. There are a lot of aging trees. The common area is maintained to be more natural than your front yard. Do not expect it to be as nicely maintained as your front yard. Let us know if common area has encroached on your property, fallen trees, etc. Send any emails regarding common area to swma@a2zpmc.com which is on the back of the agenda.

Resident asked what the satisfaction level is with the current contractor. The resident (Halloran) was satisfied with the snow removal. Ralph said we have received a couple of complaints but we are generally satisfied. The RFQ specifies to plow when there is snow between 1-3.99 inches. The contract is very specific on what is expected. If the plow tears up the yard, the contractor will be responsible to repair it in the spring. If the plow tears up your yard or know down your mailbox, let the board know and the Board will make sure it is

Resident said that in the past he notified A2Z about his yard being torn up by the plows, but nothing happened. It was a lot of back and forth and he never showed up. Mark (A2Z) advised that with the new contract that will not happen because he won’t be paid.

Ralph and Mark walked the common area and the condition has deteriorated. The number of cuts per year was decreased from 7 cuts a year to maybe 1 cut a year. On the common area on the Letitia side, household trash has been dumped on the common area including guitar cases, basketballs, wreaths, Christmas trees, boxes, cinder blocks. There was a fire pit there. We need to clean it up. If residents want to see it, Ralph offered to walk with them up there to take a look.

# ARC Review Update

Lynn reviewed the ARC Request Fact Sheet (handout):

* Last year, we received 24 ARC requests for changes to the exterior of their property. 23 requests were approved. 1 request was declined.
* Average turnaround time is for ARC requests is 4 days.
* Deed Restrictions allow for 30 days turnaround once we receive all required documents.
* Inquiries included location of generators, retaining walls, potential buyer inquired about paving the entire length of front of property and planting arborvitaes along the entire perimeter

Any exterior change must be approved by the ARC Committee - even it is a like change, just run it by the ARC Committee.

# Deed Restriction Revisions Presentation (A2Z)

The current deed restrictions have been in existence since 1988 and are outdated. They really needed to be updated to incorporate current County, State and Federal code as things have evolved and changed. We researched and reviewed FCC, energy regulations, state laws, local ordinance, and the deed restrictions of other developments. We’ve tried to incorporate more options that residents have requested. In fact, many of the deed restrictions are less restrictive than the original. For example, we have incorporated satellite dishes into the deed restrictions where they are prohibited in the current deed restrictions, but we have addressed the placement of satellite dishes to prevent them from being placed in the front yard, for instance. Similarly, the proposed deed restrictions now permit solar panels, but specify permitted locations to avoid issues, such as solar glare. We’ve had a lot of meetings and worked hard over the past few years with A2Z and their attorney to prepare the proposed deed restrictions. We have approved several exceptions in reference to the placement of trash cans and enclosures because many residents said they did not want to keep their trash cans in their garage.

There were some deed restriction proposals that the Board was all in agreement, i.e. fences. There were others where we were divided that we reached a compromise. For instance, with the trash cans there were opinions everywhere from they must be kept in the garage to others who said it should be okay to leave them outside. We reached a compromise that they can be kept outside the property, but have to abut to the house and be screened. We believe that the proposed deed restriction is a compromise that meets the wishes of a majority of our residents. So far, the responses to the Proposed Deed Restrictions support that.

The Deed Restriction Proposals were mailed and emailed the last week of January. Please read them carefully. The bold print are the proposed changes and the lighter print is the current deed restriction. On the first page of the packet, you have the option to give someone your proxy to vote on your behalf or you can review all of the proposed deed restrictions on the following pages and vote on them yourself. If you agree with all of the proposed deed restrictions, you can simply check the box next to “Yes To All”. If there is one or more you don’t agree with, you can check “Yes” or “No” to each individual proposed deed restriction. You have a year to return the approval form, but we ask that they be returned by March 30, if possible, so we can get a gauge on the outcome. So far, 20% of the approval forms have been returned with an 85% approval rate which is a positive sign.

# Financials (Chip)

The state of the development is strong. There are two properties that went to foreclosure that hadn’t paid for a couple years, so we lost $1500 on them. Other than that, there are 2 properties that are past due - one is past due two years and one is past due three years. We do have legal actions in process for those two properties.

Chip recognized Chris Davidson for his assistance in preparing the budget. The biggest cost increase has been for the detention ponds and maintenance. We now have a separate contract with Delaware Lawn & Landscaping to maintain the detention ponds throughout the year. We are predicting a 15% increase in the cost of maintaining the common area and there is an anticipated expense for the spotted lantern fly.

The increase in the dues will not cover everything that is in the budget. There is a projected shortfall of $8000, so we may have to use funds in the reserve account. This year’s budget will prepare us for the increased expenses that we are projecting.

Chip opened it up for questions.

A resident asked if the state is requiring us to pay to take care of the lantern fly issue. Chip explained there is an indirect expense. The state pays for the remediation, but that may kill the trees and then we will have the expense of removing the dead trees. And there is a common area space at the front of the development that has not been assessed yet due to the weather.

We are also waiting for proposals to do front entrance landscaping.

Resident asked how that will impact taking trees down to the yard waste site. Mark advised that you can cut the trees down. Dianne advised that you can take a picture of the tree and text it to #hitchhikerbug and they will determine the remediation plan for you.

Board proposed to increase the dues from $190 with the $25 discount to $225 with a $25 discount.

## Proxy Confirmation

95 votes required for a forum

23 residents in attendance and 76 proxies.

Quorum was achieved with 99 members.

# Approval of the Budget and Approval of Board

Ralph made a motion was made to approve the budget and corresponding dues. The motion was seconded by Glen Gunter. No discussion. Motion was passed unanimously.

Motion was made to approve the election of the board. The motion was seconded. There was no discussion. The motion was passed unanimously.

Chip wanted to advise residents than an error was made on the budget on the detention ponds which created a $3000 negative impact to the budget. The Chip advised residents to contact him if they want a revised budget.

# Comments/Questions

Please consider volunteering even if it is a one-time project. There are open board positions.

We asked for residents to respond by March 9 if they were interested in serving on the Board or one of the committees.

Bob recognized Erik Montellese for setting up a basic website for Stenning Woods. Please let us know if you are able to help with the maintenance of the website. It would be a great project for a high school or college student.

Ralph opened the floor up for questions on any topic.

Resident asked if the request for a shed was approved. The board advised that they did not receive an ARC request for a shed. There was a general question on sheds

Resident expressed concern that the proposed deed restrictions prohibits solar panels on the front of the house.

Mark (A2Z) read the proposed solar panel deed restriction and referenced the statement “all solar installations are subject to review and approval by the declarant or the Architectural Review Committee.” You should submit an explanation with your ARC request as to why it needs to be installed on the front of the house. Solar City will provide a report for you on the voltage and amps that you can provide with your ARC request.

Resident asked how he can find out which trees he can cut down at the back of his property. He doesn’t know if they are on his property or in the common area. Mark (A2Z) advised he can cut down any tree on his own property, but he cannot cut down trees in the common area. The best way to tell is to look at the property markers. If you can’t find them, you can have a survey done to identify the property markers. Resident asked about the overhanging trees. Mark advised that the association is responsible for trimming overhanging trees. Ralph advised the resident to notify Bob and they will be addressed.

Resident thanked the board for their hard work on the deed restriction proposals. Resident referenced a letter that she posted on NextDoor and wanted to bring to people’s attention a couple of the concerns raised in the letter including:

* A better way to achieve better dialogue among residents on issues like the proposed deed restrictions. What is the best way to communicate the comments or concerns that the residents have about the deed restrictions. She didn’t know of a better venue than NextDoor to get out her concerns.
* The language about the ARC that is in the proposed deed restrictions. There is no identification of how the ARC is established, how many members, how are members added or removed, term limit, and appeal process.

The resident acknowledged that the Board is being more proactive with the Lunch & Learn sessions so that residents can have these conversations , but how will discussion and concerns be communicated to those that cannot attend the meetings. The resident agreed that the website is a good first step to keep people informed and recommended publishing notes from the Lunch & Learns.

The Board is open to any suggestions to communicate more effectively.

Resident said that the website is a good first step. If we publish notes from the lunch and learn.

Resident expressed concern that if the website allowed for posting comments I that would end up being the same thing as NextDoor.

Resident suggested that we collect concerns on the topics that people are most interested in, including solar panels, appeal process, and trash cans and have a dialogue.

Resident said that feedback should be constructive instead of an attack mode. Understanding multiple points of view is the way to approach things.

Ralph thanked everyone for attending.

Meeting adjourned at 8:50 pm.

Minutes approved on 6/25/2019 by Dianne Fair, Secretary

