

Pelham's Crossing Community Association, Inc.

Board of Directors Meeting

7:00 PM – February 16, 2021

Via Zoom Teleconference

I. Call to Order and Introductions

Mr. Christopher Keyes called the meeting to order at 7:04 p.m.

II. Welcome & Introduction

Board members and community management agent, Mrs. Katie Taylor of Landmarc Real Estate were introduced.

13 Homeowners also in attendance.

III. Verification of Quorum

Mr. Brent Durbin, Mr. Mike Gillis, Mr. Cody Hupp-Polla, Mr. Chris Keyes, Mr. Dave Leinberger, and Mrs. Brenda Steger in attendance; quorum verified.

(Mrs. Katie Taylor from Landmarc Real Estate was present.)

IV. Approval of Agenda

David Leinberger made a motion to amend the agenda for February 16, 2021 to move New Business to before Old Business. Seconded by Brent Durbin. Motion carried to approve the amended agenda.

V. Approval of Meeting Minutes

The October 13, 2020 meeting minutes were approved at the February 16, 2021 meeting.

VI. Community Forum

- Homeowner had questions regarding the Cahill Land Purchase agenda item. Katie Taylor confirmed it would be discussed shortly and their questions may be answered during the presentation. Katie Taylor recommended that a brief homeowner Q&A take place after the Board discussion. Chris Keyes agreed with the recommendation.
- Homeowner had question about compliance inspection policies and how to obtain an extension. Chris Keyes confirmed the Board prefers communication above all else when people are unable to correct violations. Homeowners are recommended to reach out to Katie Taylor to provide updates and extension requests; she will then make a note in the file and keep the Board aware of any developments.
- Homeowner on Betsy Street noted the land between Betsy and Napoleon Street has a culvert that accumulates standing water frequently. Homeowner requests action be taken to dredge the area. Chris Keyes requested Katie Taylor add this request to the action item list for further review.
- Homeowner inquired if governing documents are available on the website. Katie Taylor confirmed they are and directed homeowner to www.pelhamscrossinghoa.com

- Homeowner inquired about the status of the AGRC update discussion. Chris Keyes confirmed it is still actively pursued and will be addressed further in Old Business should time allow for it.

VII. Officers Reports

President

- No report at this time.

Treasurer

- Katie Taylor reviewed the November 30, 2020 Financials as presented.

VIII. Management Report

- Katie Taylor reviewed management report as presented.

IX. New Business

- Land Purchase Project Behind Cahill Street; Homeowner Presentation, Mrs. Kimberly Bissett
 - o The Bissett family currently reside on Francis Court and have lived in the HOA since the 2004. They have purchased a 16-acre plot of land behind Pelham's Reserve and Pelham's Crossing HOAs. Due to VDOT stipulations, they are unable to install an ingress/egress easement to access their land from Benchmark Road. They are requesting the Board of Directors enter a tentative agreement to grant them this access so that they may install a driveway. Those details include:
 - The parcels have been zoned as family subdivision.
 - 2 homes are intended to be built on the lots.
 - Requesting 65 x 25" off of Cahill to gain entry to the property.
 - Driveway will include a concrete apron to make it aesthetically pleasing and consistent with the community
 - Willing to leave Pelham's plantings at the Benchmark entrance.
 - If community does not support easement for private owner, the County may still require a utility easement from the gas or power company.
- Homeowner Questions/Comments:
 - o 6 homeowners voiced their support of the easement request.
 - o Homeowners acknowledge this is a similar question as the previous Church easement request, but it is significantly less traffic.
 - o Homeowner requested clarification on specific installation location. Katie Taylor shared a copy of the plat provided by the Bissett family. The entrance would be right after 3006 Cahill Street but before the Leyland cypress trees.
 - o Homeowner provided commentary that they feel the driveway would be consistent with the stove pipe driveways in other sections of the community.
 - o Homeowner inquired if the Bissett's planned to build any additional homes on the property. Kim Bissett confirmed they are considering another home on

Parcel C off of Napoleon Street. It would not affect the Cahill Street entrance though.

- Board Questions/Comments:
 - Mike Gillis provided background from his time as Acting President during the Church easement request and confirmed that over 225 homeowners were present opposing the easement. While there are 5-6 homeowners supporting the project right now, that does not constitute the majority. Concerns pertaining to the request are legal-- the conveyance of the property should it ever be sold in the future.
 - Kim Bissett confirmed that her plans for the parcels will not exceed the zoning quota per the current Spotsylvania rules. As of right now it is only meant as a family subdivision.
 - Dave Leinberger noted that a verbal discussion is encouraged, but without formal documentation of the request there are concerns of providing approval without full context. The current homeowners clearly are invested and would maintain the property, but the future is an unknown. Are there assurances that should the property ever change hands, it would remain in the same function? Before any informed decision can be made, the Board would need to see formal documentation and details.
 - Kim Bissett provided the context that a significant investment has been made to generate the engineering plans that have been provided. She is cautious about investing additional funds for more documentation without a tentative agreement in place. She confirmed the County has established a density quota and her family subdivision would not violate the quota. Each home will be awarded 2 acres, so it cannot be overly developed by a future owner.
 - Dave Leinberger inquired if Pelham's Crossing is the only consideration for easement access?
 - Kim Bissett confirmed that the Tidewater Plains subdivision has granted a tentative approval, but as they are a private road-community there are additional potential concerns. It would be more beneficial to utilize a public road access. The Napoleon frontage is also a consideration, but there would be significant cutback of the wooded areas to construct the driveway. Their intent is the most unobtrusive, aesthetically pleasing option.
 - Brent Durbin inquired if the Board would be able to rescind rights to the easement in the future? An agreement should determine that as Pelham's Crossing owns the land, a clause should be included should the land ever change hands the Board has the right to rescind access.
 - Kim Bissett would refer to legal recommendation prior to responding. Dave Leinberger noted that in his professional experience there can be a conditional agreement clause for transfer of ownership.
 - Cody Hupp-Polla inquired about the plans for Parcels A & B.

- Kim Bissett confirmed no plans are made for Parcel A at this time. If so, it would be for single family use as well. Parcel B will have a single-family home constructed upon it.
 - Cody Hupp-Polla and Brenda Steger inquired if they Bissett’s intended to join the Pelham’s Crossing Community Association.
 - Kim Bissett confirmed the land is ungoverned property and they have no intention of joining an Association. The first 200 feet off of Napoleon are the only HOA-governed property.
 - Homeowner expressed concerns that the lot is not held to the Community guidelines and what if future lot owners choose to not maintain the property.
 - Kim Bissett stated that is not their intention at all, and strongly confirmed they will appropriately maintain the property to keep it aesthetically pleasing. However, they cannot control what happens with future owners should the parcels ever be sold again.
 - Brenda Steger questioned why the lot would not be following Pelham’s Reserve rules as it belongs to Pelham’s Reserves.
 - Kim Bissett explained that Pelham’s Reserve sold the parcels back to the Developer, who in turn sold them to her. The parcels are no longer obligated to follow any HOA guidelines.
 - Brenda Steger inquired about more details for any plans for Parcel A.
 - Kim Bissett confirmed it is intended to be left in its natural state for the foreseeable future. If they ever decide to change it, they would plan to construct one home on it.
 - Homeowner noted based on their experience in governmental agencies confirmed that the Board can include conditions in any approval made. Certain zoning laws will still apply to the Lot, and while the Lot may not be subject to Community guidelines, it would still be obligated County zoning regulations and guidelines.
- Chris Keyes, Board President, concluded with a summary of the discussion: There has already been a precedence of strong opposition to the development of the parcels previously. It is respected and acknowledged that support has been stated at that meeting, but that is only the word of 6 homeowners.

If Kim Bissett would like for the Board to reconsider the request for the easement access, she will need to submit a formal, written proposal to support the business agreement. The proposal must address the concerns raised in the meeting, including these specific items:

1. Clearly demonstrate a short and long-term direct benefit to the entire community.
2. Agreement that any costs associated for with reviewing or creating such an agreement not be incurred by the community.
3. Confirmation of driveway specifics: size, materials, upkeep requirements. How will it be marked, does it have drainage, lighting, etc.

4. The access agreement must address the concern about future ownership, to ensure that the ingress/egress not be used for anything other than it is specifically agreed upon.
- Chris Keyes also confirmed that while it is appreciated that Kim Bissett that has no issue with the landscaping Pelham's Crossing had mistakenly planted on their lot, they still intend to relocate the plantings back to Association property. When such future projects take action, Kim Bissett will be contacted.
 - Kim Bissett requested clarification on who would make the decision to grant the easement access. Chris Keyes confirmed that the decision would be made by the Board of Directors.

X. Old Business

- AGRC Update
 - o Items for discussion and review are:
 - Fencing materials
 - Window styles
 - Colored access doors
 - PVC mailbox post options
 - Half screens for windows
 - o Wording regarding Spotsylvania County ordinances for decks, pools, etc. should be adjusted so that the standard specs are able to adjust as the ordinances are updated.
 - o There should also be a section regarding porches as well, or at least including it with the decks and patios section.
 - o Also noted that white PVC materials for the decks, porches, and patios are a durable like-for-like option for handrails and trim
 - o Also noted that need to be addressed is the drainage section for decks and patios.
 - o Major Exterior Changes requires additional review. It might be beneficial to include the window stipulations in that section, especially pertaining to window grids and screen options. Discussion regarding if it be its own section took place.
 - o Discussion about new windows without grids as a new style trend was addressed. Board acknowledged it is becoming a more contemporary style used for window installs. Continuity concerns were also discussed as it would not contribute to the consistent style and theme in the community as outlined in the governing documents

Brent Durbin made a motion to table AGRC Update discussion until the March Board meeting. Seconded by Dave Leinberger. Motion carried.

XI. Enter into Executive Session

Dave Leinberger made a motion to enter into Executive Session to discuss delinquencies, collections, and compliance matters. Brenda Steger seconded. Motion carried. Meeting adjourned to Executive Session at 9:00 p.m.

XII. Exit Executive Session & Note All Actions Taken

Brent Durbin motioned to resume open session and approve the following actions. Dave Leinberger seconded. Motion carried. Meeting opened at 9:11 p.m.

No action was taken during Executive Session.

XIII. Motion to Adjourn

Brent Durbin motioned to adjourn. Brenda Steger seconded. Meeting adjourned at 9:12 p.m.

Next meeting is Monday, March 15, 2021.

Minutes respectfully submitted by Katie Taylor, Community Manager.