

Edgartown Forest Estates Association Newsletter

October 2013

Save Our Roads and Drains!

A major concern and expense regarding the maintenance of our roads is the run-off from driveways. Our roads were originally paved with a small berm along the edges to prevent run off onto the roads. Homeowners can help by maintaining the berm at the end of their driveway – keeping the sand and stone below the level of the berm. Some homeowners have installed cobblestone or asphalt apron at the end of the driveway. Other suggestions include:

- **Make sure your stone driveway has a crown at the center that tapers out to the sides. This helps divert water to the sides rather than down to the road.**
- **Dig trenches along the driveway to catch runoff water and prevent erosion of your driveway.**
- **Line the trench with gravel or vegetation to help divert and absorb the water.**
- **Plant trees and shrubs along the driveway to take in the excess water.**
- **If you have a drive way with an incline, consider installing water berms in your drive way to slow the water flow and divert it to the sides.**

If you have significant water flow and sand run off from your driveway and would like a consult on how to reduce the erosion, email the Board at dodgers.hole@gmail.com. The Board is willing to offer support to homeowners with driveway run off.

Your Board and Officers

At neither the annual meeting on August 17, 2013 nor the special member meeting of September 25, 2103, was a quorum reached. Therefore, the member election of directors and officers could not be conducted. (At the August meeting x property owners and x proxy votes were present. At the September meeting x property owners and x proxy votes were present.) As a result, the standing Board of Directors elected to make the following changes to the Board:

- Julie Russell's resignation as Treasurer was received and Steve Parachini was appointed Treasurer;
- Robin Harper's resignation as a Director was received and Kathleen Samways was appointed to replace Robin;
- Mary Leddy will continue as Clerk.

At its first meeting of the year, the Board elected the following officers:

- Dorie Godfrey, President;
- Chris Mahew, Vice President
- Julie Russell, Assistant Treasurer;

President's Report

The EFEA Board had a busy year. We met each month at a consistent day, time, and place to facilitate members attending board meetings. We meet the third Wednesday of the

month at 5:45pm in Room 211 at the High School. Always check the website. Occasionally we have had to change the date or the location due to the High School not being available.

Here is an overview of work of the Board from the past year:

1. Response to allegations of covenant violations: Much of our work is responding to alleged covenant violations. We have been using the protocol for response to alleged violations of the covenants and attempting to respond consistently and equitably. For example, The Board also established a consistent response to nonpayment of annual fees and established a payment plan option.

For most violations, homeowners work with us to resolve the situation. For some violations, if an owner does not comply, EFEA can take action to remediate the situation directly – for example cutting the grass or moving something behind a house. However, for some violations, if the owner does not comply, the only recourse for EFEA is to work with our attorney to seek legal recourse. To date, we have not pursued legal action for covenant violations.

We have had difficulty with lack of response from homeowners. When we can, we enter the homeowner's property to rectify a situation (after 30 days notice to the homeowner). In some situations, the homeowner refuses the notice or it is a situation the Board cannot rectify (demolition of the burned out house). We continue to explore ways to work with homeowners to meet the covenant restrictions.

1. Covenants: We spent considerable time this year evaluating the Covenants and possible amendments to the Covenants. We held a winter meeting of members to hear your concerns and suggestions. The Board has decided not to pursue amending the Association's Covenants. The decision is based on the assessed cost and risk. The cost of amending the Covenants is significant and if there was a challenge to the amendments, the cost of defending them could be substantial. There was no wording in the original covenants that specifically allowed extension of the covenants. The only process available to the Board in 2008 was through the Land Court which did legally approve the extension. The process used, however, opens up a risk of the covenants being challenged which would be exacerbated should we attempt to amend the Covenants. The Board has decided to keep the Covenants as originally written in 1978 and amended in 1988. The Board is committed to continuing to develop rules and protocols that the Board will use with you, the members, to enforce the existing Covenants in a fair, balanced, and consistent manner.
2. Approval of improvements to individual member's homes and property is another area of frequent action by the board. As examples, this year the Board approved:
 - a. 2 home additions,
 - b. In ground pool & pool house,
 - c. Deck extension,
 - d. Fence installation, and
 - e. 1 house construction.

3. Maintenance of the roads and common property of the Association is a major responsibility for the board. The board evaluates and approves all work for maintaining the roads and common property, such as:
 - a. Improved visibility and signage at front entrance by cutting back shrubs and painting warning lines on road and bike path;
 - b. At the request of homeowners, we evaluated and installed new signs: circle sign at the circle at the end of Dodgers Hole Rd and a leash and clean up after your pets at the entrance to DH.
4. Because of its fiscal responsibility, much of the board's work is necessarily involved with the budget and financial management. Under the leadership of the Treasurer, the board monitors the current year's budget and authorizes major or unanticipated expenses.
5. Records: Established a records retention protocol that meets MA law and best practice. You can view this protocol and others on the website.

The Board has established some major goals for the coming year.

1. Continue to respond to alleged violations of the covenants and explore means for ensuring compliance.
2. Organize the written records of the Association. There are boxes and boxes of records currently stored in the basement of our Treasurer. Our goal is to develop a policy for retention of records – we need to determine the records we want to maintain and the records we are legally required to maintain. Then, we need to sort through the boxes of records, organize and store them in a safe and convenient location. We will consider converting many records to digital files for easy storage and access.
3. Develop a long term financial plan for the Association.

We welcome your ideas and suggestions for any of these goals or other needs that you see.

Dorie Godfrey, President

Treasurer's Report

The attached budget was reviewed at the meeting and a goal of developing a long range financial plan was discussed.

Julie Russell, Treasurer

Maintenance Report

Kenny Ivory is our Maintenance Manager. Each week Kenny surveys the grounds for property maintenance needs, such as downed branches. Monthly work includes cleaning garbage from roadsides, checking drains, sweeping sand run off from roads, and maintaining the gardens at our entrance. Annual maintenance work includes painting speed bumps and water berms, sign maintenance, mowing common property, tree and brush cutting, winter roadside decorations, meeting with contractors as needed, and other duties as contracted by the EFEA Board. At the Board's request, Kenny contacted several contractors regarding removal of two invasive species that have become rampant in two different locations: Japanese knotweed in the circle at the end of Dodgers Hole Road and bittersweet in the common lot on Tern Drive. He also contacted The Nature Conservancy

which came and treated the Japanese knotweed at no cost to the Association. They advised Kenny on how to continue to trim the knotweed in hopes of eliminating it. We are thankful to Kenny's ingenuity in contacting the Nature Conservancy first and thankful to the Conservancy for their "free" assistance. Three Trees Limited was selected to eliminate the bittersweet and they will also be doing the road tree and brush trimming over the next few months. White Lynch has been selected to fill the potholes this fall and work should begin soon.

Whom to Call

At times directors receive calls that would be better addressed by others. Here are our suggestions for whom to call with your ideas or concerns:

- If you have a concern with your neighbor, discuss it with your neighbor. We are a caring Island community and we urge you to talk with your neighbors.
- If you feel that a neighbor is violating the noise ordinance, talk with your neighbor. If that is not successful, call the Edgartown Police Department at 508-627-4343.
- When you have an **urgent** concern about the maintenance of the common property or facilities of the Association, call Kenny Ivory (Maintenance Manager) at 508-627-3465. You may leave a message at Kenny's home and he will get back to you or arrange a solution as soon as possible. Please do not call Kenny at his place of employment.
- If your concern about the maintenance of the common property is not urgent, call the Board's number (774-310-1456). We check the voicemail regularly. (We may call you back for additional information.)
- If there appears to be a break in the town water pipes, call the Edgartown Water Department at 508-627-4717.
- If there is a menacing animal on your property, call the Edgartown Animal Control Officer at 508-627-9611. If you have concerns about your neighbor's pet, please talk with your neighbor.
- If you have a concern about a violation of the EFEA covenants, call the Board's number (774-310-1456) and leave your name, number, and the address and description of your concern. We will evaluate the situation and respond.
- If you have questions about our finances or your fees, call the Board number (774-310-1456). Julie, Treasurer, will get back to you as soon as possible.
- If you have concerns about the actions or inaction of the Board, please call us (774-310-1456) or come to a meeting.
- You may also send an email to members of the Board.

The Board has a desire and responsibility to carry out its duties and to be responsive to your concerns. Remember to use our website at dodgershole.com, our email dodgers.hole@gmail.com, our phone number (774-310-1456), and join us at our monthly meetings on the third Wednesday of each month at 5:45 in Room 211 of the MVRHS to get information and or share your concerns.