

**FINNEY
CROSSING**
**HOMEOWNER'S
ASSOCIATION**

**Finney Crossing Residential Master Association
Board of Directors Meeting Minutes**

June 27, 2019

Attendance:

FCRMA Board of Directors: G Miller, President
John Borch, Vice President
Pam Cowan, Treasurer
Tanya Toth, Secretary

Lake Point Property Management (LPPM): Corey Hayes

Finney Crossing owners:

Bob Pietropaoli	259 Zephyr Road	Maria Madsen	419 Zephyr Road
Carroll & Joanne Lawes	244 Dunmore	Mary Brooks	570 Zephyr Road
Larry & Sandy Shepard	79 Halfmoon Lane	Reed & Brenda Parker	374 Zephyr Road
Fred Babinger	27 Kettlepond	William Hoy	93 Dunmore Lane

Meeting called to order at 6:30 pm by G. Miller.

Discussion of maintenance responsibilities: Board discussed establishing a set of guidelines to be used to determine when maintenance items are to be the responsibility of the owner vs the association. There are often situations where the "studs in" owner responsibility and "studs out" association responsibility doesn't apply. The Board determined that there is no clear cut distinction and that repair/maintenance decisions may need to be made on a case-by-case basis, using the Declaration as a guide. The amount of time that Lake Point (Corey) spends managing appointments for repairs was also discussed, as his time could be better spent. *Going forward, for repairs being made by the Association, Lake Point will get estimates and arrange for the vendor to undertake the repairs. Homeowners will be responsible connecting with the vendor to schedule the completion of the repairs, with Lake Point following up to ensure completion.*

Air conditioning units: A lengthy discussion was held to determine responsibilities for maintenance of A/C units since the A/C units, placed on common land, benefit only one owner unit. The general consensus amongst the board members is that individual unit owners are responsible for repairs to the A/C unit serving the home. The discussion of the underlayment resulted in a further conversation

regarding the issues relating to the settling around building foundations and the instances of “tilting” of particular A/C units throughout the neighborhood. Pam Cowan suggested that the issues relate to faulty design and that Snyder should be responsible for correcting those issues, rather than the Association. There was a discussion at the end of the meeting about ways to mitigate the settling of the crushed stone under the A/C units by adding concrete pavers as well as vibration inhibitors (similar to shock absorbers) under the A/C units to absorb some of the vibration from the condenser. Action Item #1→ Corey/Lake Point to look into cost of concrete pavers as a potential fix going forward, if it becomes necessary for the Association to undertake repairs. Action Item #2→ Tanya Toth to seek guidance from legal counsel as to interpretation of the language in the Declaration regarding responsibility for repairs/maintenance of A/C units and foundations for same.

Snyder use of clubhouse to 2020: There was a further discussion of Snyder’s request for continued use of the clubhouse as a selection center through 2020. Pam Cowan noted that there are a number of people that she has talked with that would like Snyder to leave at the end of 2019, rather than staying into 2020. The Board has asked several times for a determination of the expenses that Snyder pays now relating to the clubhouse, but since those expenses aren’t paid by Lake Point and are billed directly to Snyder, the amount of the expenses aren’t known, although they are likely low. Action Item → Corey/Lake Point to look into cost per square foot of similar commercial rental space in Chittenden County to determine a potential charge to Snyder for continued use of the space, if the Board determines it necessary or prudent to charge rent.¹ There was also a discussion of the plans for transitioning the clubhouse over to the community and expectations relating to repairs to be made and furniture and other improvements to be left behind by Snyder, as well as deeding the common land and the clubhouse to the Association.

Exterior Issues Update: Corey indicated that there has been some progress on concrete issues and a conversation with Patrick Kennedy at Snyder confirms that the focus in 2019 is on the concrete issues. Corey has asked for monthly reports on status. There are no new updates on the siding issues, drainage issues, waterline insulation along Zephyr or paving of Zephyr. The Board will discuss options for moving forward with Snyder during executive session.

DRC Rules and Guidelines: A further discussion was had relating to the DRC rules and guidelines for review of applications when they are submitted to the DRC. Pam Cowan had suggested at an earlier meeting that a checklist be put together that addressed (i) aesthetics of the proposed changes, (ii) the responsibility for maintenance once the changes were approved, and (iii) liability and insurance. Carroll Lawes explained that the DRC had taken feedback from the Board from previous discussions into account and the DRC is now keeping a paper-trail of communications with all DRC members regarding applications and that Carroll is preparing a summary of each application with a narrative as to the factors that went into the DRC consideration of a particular application with a recommendation to the Board, which would include any conditions of approval that the DRC deems necessary.

There was a lengthy discussion of changes to landscaping approved by the DRC and Association responsibilities for maintaining landscaping not originally installed by the developer. Given the seasonal nature of the landscaping help, it is difficult for the landscaping vendor to know what was installed by the property owner versus the builder. G. Miller suggested having the owner be responsible for the

¹ Note that on June 28th, the Board received notification from Chris Snyder that the use of the clubhouse into 2020 was no longer being requested and that Snyder plans to vacate the space at the end of 2019.

landscaping in the “back” of units, with the Association being responsible for the street-facing flower beds, but that also poses problems since not all of the units have a distinct “front” and/or “back”. As a potential solution, Corey suggested providing the landscape contractor with the landscaping plans provided by the developer for each phase and having the vendor only maintain the landscaping identified on those original plans, with everything else being maintained by the homeowner. Action Item → G. Miller to propose additional changes to the DRC rules and regulations relating to owner added landscaping and present them to the board for review and approval at the July board meeting.

DRC Rules relating to Solar installations: There has been a request from a homeowner for approval of the DRC for placement of roof mounted solar panels. The common interest community documents do not contemplate solar array installations and the DRC would like guidance from the board before reviewing the application. G. Miller indicated that Vermont law states that neighborhood associations are not allowed to prohibit solar arrays, but they are allowed to regulate them. There was a discussion about solar projects overall that could potentially benefit the entire community (i.e. solar on the roof of the clubhouse, condo buildings, trackers, etc.) and the need to get feedback from the community. G. Miller suggested forming a committee to put together a survey to send out the community to determine the overall thoughts on solar installations on both a neighborhood scale and an individual scale. Action Item → The board will seek volunteers from the community to form a committee to discuss how solar will best be implemented at Finney Crossing.

Capital Reserve Study: G. Miller reported that Lake Point was working on getting answers to some additional questions asked by the Capital Reserve Study Committee from the preferred vendor and once those questions were answered, he expected to be able to engage the vendor to complete the study with the hopes of having the study completed and the report to the Board by September. Action Item → G. Miller to follow up with Lake Point on the remaining questions and engage the vendor for the Capital Reserve Study as soon as possible.

Pam Cowan made a motion to close the open session of the meeting and to adjourn to Executive Session for the purpose of discussing a legal matter at 8:20 pm. Tanya Toth seconded the motion. The motion passed 4-0.

[Executive session- Note that John Borch was unable to attend the executive session and left the meeting at the start of the Executive Session leaving board members G. Miller, Tanya Toth and Pam Cowan]

G. Miller made a motion to close the executive session at 8:53 pm and adjourn the meeting. Pam Cowan seconded the motion. The motion passed 3-0.