

Tollgate Association
Minutes of June 2, 2007 Board Meeting

Date and Time: June 2, 2007 at 9:00 am

Location: 129 Tollgate Way (Lyons residence)

Attending: Bob Donaldson, Ed Bronikowski, Eric Kirschner, Steve Lyons,
Marie Murray

Association Business:

1. May minutes approved.
2. Treasurer's Report (Bob D.)- Net cash flow was -\$2,373.77 for the month of May. Bob added a line item to the budget cover the cost of tree removal. Bob also presented a summary of income and expenses going back to year 2000. Ed would like to discuss future projections of the HOA budget at the annual meeting in order to keep the homeowners informed of how the annual dues are used and to develop a future budget.
3. Architectural Committee – No feedback. Castlebeules door is still an open item.
4. Landscape Committee (Marie M.)- Marie met with Margaret Melham to discuss bushes which were approved by the Landscape Committee. Merrifield Gardening will come June 13 to install new bushes.

There were two outstanding issues with Flores Landscaping – one, Marie has the MSDS on the chemicals used on the public areas. Two, Kathy Doherty was concerned about lack of regular lawn mowing, but Flores responded to the request and mowed. Also, there were two calls from the Rivkins re: lack of mowing on the side of his house which is not covered by the Flores contract – Marie has a message in to Flores to discuss.

The arbourist has recommended putting down a mulch bed on the three endangered oak trees -- Bob and Marie have marked the perimeters of the affected trees. Ed also asked whether the oaks should be air spaded and suggested that we explore the possibility. Sherry Beyer has requested additional color in her yard and the Landscape Committee suggested a rhododendron. The Kahns have submitted four new requests, decisions on which have been deferred until a follow-up meeting.

Ed requested that the MSDS sheets for any shrub/lawn work be posted on the web site. Bob mentioned that we need to check whether the lawn herbicide is detrimental to the tree roots.

5. Tree Committee (Bob) – Three dead trees and the four stumps will be removed this week. They will be replaced by holly trees.

Marie asked whether the site development plan (filed by the developers when Tollgate was built) is still applicable. Eric K. indicated that he will follow-up with Gary Fuller in the City Planning Office on Tuesday.

The red oaks have been pruned of dead wood, but it may be unnecessary if they are air spaded.

6. Social Committee (Bob) – Ella not present. Spring social was on schedule and was successful.
7. Old Business- Cherry St. construction update – the developers did not notify neighboring homeowners of the demolition, but Marie has a file copy. Marie also obtained a copy of the site plan which her husband Chuck reviewed with regard to the water run-off calculations. His review of the plans is that with the addition of the cistern, overall run-off will be reduced on the property. However, the question remains at what point does the cistern fill up and discharge onto the property.

Discussion regarding what (if any) action should be taken with regard to the proposed construction. Decision to draft two letters to Tollgate homeowners: one, a letter to the Stephensons and Helga Johnson reinforcing the prior communication that it is their responsibility to address overflow issues on their property. And two, a letter to all homeowners informing them of the Cherry St. construction

Steve L. has requested a VA FOIA for information regarding 103 Cherry St.

Easements – Chuck Conner approached an attorney who referred him to Melnyk, a city attorney who referred him to a litigation firm (Rominski with Dean, Kinney & Korman). Rominski indicated that we have a “very good chance” of being successful on a proscriptive easement claim, but it will require an investment of at least \$5,000. Future courses of actions were discussed – 1. draft a letter threatening a lawsuit, 2. file lawsuit, pursue discovery, etc.

Marie raised the issue of whether securing a right of way may just invite additional parking issues at the end of Tollgate. Steve L. will contact the builder and propose an informal meeting to discuss the easement situation.

8. New Business- Ed talked to Tom Smolinski re: repavement of sidewalks. Ed will take some pictures of the deterioration and deliver a request to the city for repaving.

The Powell’s (#107) forwarded a letter regarding various people using the parking pad in front of #107. Ed will follow-up and ascertain who is using the spot. The Board denied their request to post a sign by the pad.

Marie also inquired re: a welcome package from the Board including by-laws, covenants, etc. to any new homeowners and suggested that we provide one to the new homeowners at #115.

The next board meeting will be September 8, 9 am at #121 Tollgate (Bronikowski residence).

Meeting adjourned at 11:30 am.

Submitted by: Eric Kirschner, Secretary