

Hanover Pointe Homeowner's Association Meeting
Thursday, November 14, 2019
7:15pm

Representatives Attending:

- Maria Mayer Hluschak – HOA President
- Nick Hano – Managing Partner, Hano & Ginsberg LLP
- John ?? – Metropolitan Development Group

Meeting called to Order by Maria. Maria suggested in the interest of time that we all follow the agenda.

Finance Review

- Nick provided copies of the HOA's balance sheet and profit/loss statement.
- Nick explained overall the financial picture is good but noted the HOA will incur more expenses as phases are dedicated from Metropolitan to the HOA. He mentioned this, indicating it is good to accrue monies these first few years before additional expenses are incorporated into future budgets.
- Neither the Developer nor Ryan Homes contributes to the HOA fees.
- John did explain that Metropolitan has been and will continue to incur costs of maintaining common areas. Furthermore, Metropolitan has not and will not seek reimbursement from the HOA for such services.
- **[Dan's comments]:**
 - Capital Contributions I believe are also referred to as "reserves". If we don't have this information already, it would be beneficial to understand what responsibilities the HOA will have at dedication to repair or replace when the useful life has been reached. In some cases, useful life can be 10 to 30 years. One example I can think of is the stormwater management facilities (drains, pipes leading to drains, etc.). I will continue to read the governing documents to understand what other areas on the property will need to be repaired or replaced at the appropriate time. It will be important to make sure the Capital Contribution line item is fully funded to handle large cost outlays when necessary.
 - One item that is typically discussed in executive session (outside public session) refers to homeowners that are in assessment arrears. HOA Board members should have a good understanding of who is in arrears and if the Management Company is following governing rules (escalation procedures) to ensure the homeowner in arrears gets back on track. I'm mentioning this here because of my past experience on a condo HOA Board years ago. If the community gets any idea that it's a lot easier to not pay vs pay, that can lead down a bad path that will impact all our home values. I know I'm preaching to the choir.

[End of Dan's comments]

Rain Gardens

- John confirmed the issues described to date will be addressed at dedication. John also mentioned Metropolitan is having issues with New Hanover Township on other communities within township boundaries.
- John stated he hopes phases 1A and 1B will be dedicated by next Fall, but there are no guarantees.
- There was considerable discussion about the water flooding issue parallel to Moyer Road impacting some homeowners living on Heatherwood Court and Tallowood Drive. One homeowner described needing to get into standing water after a significant storm and clear the drains to help alleviate the flooding. John responded he will get a crew to clear out all drains next week.

- John explained what is a complicated dedication process with the township. There are many gates to pass through before the township accepts the roads through dedication.
- Maria asked if orange netting can be installed as a temporary safety measure. John replied he will look into it.
- Specific to phase 1B, fencing around the basin, John stated this should be completed within the next 2-3 weeks.
- A homeowner asked what is the lifespan for these fences because replacing them would (assume) to be the HOA's responsibility. Nick responded 10-15 years and the Capital Contribution is being funded, in part, for fence replacement.

Playgrounds

- John mentioned fill is required first. He further stated the playground equipment has been priced out. A walking path will be installed.
- John stated the playgrounds should be installed this winter, weather dependent.

Landscape Contract

- General discussion of what common and open space areas that need to be cut. Homeowners are responsible for making sure their lawns are cut on a regular basis.
- John explained some common/open space areas need to be cut weekly whereas other areas every few weeks. Frequency depends on what was planted and where.
- John mentioned after a rough start, it seems the landscaping company has recently been cutting on a schedule. A homeowner questioned the manner of how the landscaping company is paid. John confirmed they only get paid when they cut. The landscaping company does not get paid on a schedule (weekly, monthly, etc.).
- It was mentioned that one homeowner is cutting some bordering common area because the landscaping company is not (Phase 1B by the mailboxes).
- Another homeowner described she witnessed the landscaping crew attempting to cut long grass in an area that was surrounded by standing water. It appeared the worker was nervous and even needed help getting out of that area. The cutting was suspended. John replied he will look into this area further.

Timeline and who is responsible for...

- Cracked sidewalks – John said they will be taken care of at dedication.
- Dead trees/missing trees – A homeowner asked why is the landscaping company planting on one side of Pixie Moss but not the other. John responded he didn't know why but reiterated they are supposed to be following a tree planting plan.
- Sidewalks – A homeowner explained that there is no sidewalk in the lot between his and his neighbor two lots down, making for a dangerous situation. John replied that they do not install sidewalks until the utilities have been installed and buried for the lot under construction.
- Paving – John said final paving needs to wait until dedication. Any construction vehicles riding over final paving will ruin that final coat forcing a re-do. A homeowner questioned if the asphalt "ramps" will be removed. John

confirmed yes, they will be removed before final paving. The same goes for those asphalt bump-outs in front of the street drains. They were put there to ensure construction materials do not get into the sewer lines.

- Trees – There was general discussion about dead trees beyond a particular fence line. John stated trees outside the fence line can't be touched per the Conservancy District.
- Ryan Homes Representation – A homeowner asked why someone from Ryan Homes was not at this meeting? Nick stated as this is an HOA meeting, the builder typically does not attend.
- Streetlights – John stated 4 will be installed in each parking lot. That should be completed within the next 3 months. Med-Ed is responsible for installing the street lights at the intersections. John has been trying to get them to commit to a timeline. He has also sent a letter to the Public Utilities Commission in the hope this will move things along.

Issues brought up by homeowners

- Entrance way improvement application – John announced the reason for the denial was due to sight distance.
- Speeding – General discussion of who is speeding. Combination of construction vehicles, Amazon, visitors, and even a few homeowners. One homeowner suggested approaching the violator to slow down. John said the township must handle enforcement. That said, John will follow-up with Ryan Homes Contractors via an email blast. Speed bumps (humps?) need to be approved by the township.
- Individual mailboxes – A homeowner asked if we will ever have individual mailboxes? John replied the US Post Office is requiring this for all new communities. It is out of their hands.
- Moyer Road neighbor – A general discussion took place regarding his behavior, not picking up after his dogs, possible intoxication when entering the community, etc. John said that all of these behaviors can result of a fine or arrest and suggested to call the police for these violations. Take pictures to support the complaint.
- Speed limit signs – John said they will be installed in phase 1B within the next few weeks. One homeowner stated she has a daughter that is hearing impaired and asked if an appropriate sign can be installed. John said that would need to be brought to the township's attention for consideration.

Review complaint Form and Change Request Form Process

- Nick described how to submit a change form for homeowners that want to change or add anything on the outside of their home. 1) Download the PDF from www.hanocpas.com, print it, fill it out, and email to Rhonda (rhonda@hanocpas.com). 2) Use their online submission on their website that also had document upload capabilities.
- Nick said the same procedures are available on the website for the complaint form.
- Stormwater Management Requirement Form – A homeowner raised a concern regarding this new form because it was not part of his settlement paperwork and does not feel it is appropriate to further regulate outside home improvements over what has been in place since inception. Nick explained this form came out of discussions with the township (township pushed for this) because a few homeowners have had decks, patios, etc built without going through the permit process with the town or the HOA approval process with the HOA. Nick and John assured the homeowners that if they build to the plan submitted, there won't be any issues. Issues arise out of non-compliance with the permit/approval process or what's built is out of specification to what was submitted and approved. Another homeowner stated he doesn't feel he has amended soils so signing this form implies he has amended soils, which is not the case. John restated that all homes could not have received their

C/O if the amended soils test came back negative. One (future) homeowner asked what would be the cost of re-testing a homeowner's soil to either confirm or relieve a homeowner's suspicions. A cost was not provided.

[Dan's comments]

- I do know there are extension services that will test soil samples submitted if the homeowner wants to incur the associated fees. Rutgers University comes to mind. A "topsoil evaluation" would cost \$90. More information can be found here: <https://njaes.rutgers.edu/soil-testing-lab/services-fees.php>
- I don't know if the Rutgers surface tests out of state soils. I didn't see anything on their website either way. But if that's an issue, I'm sure there is a service (Penn State?) that can be used as well.

[End of Dan's comments]

- There was considerable discussion regarding impervious coverage. John stated that impervious coverage is a percentage of the lot size of each homeowner. That information should have been provided in the settlement documents, in particular the site map (lower left side shows percentage).

[Dan's comments]

Article VI (Use Restrictions; Disclosures), item (f) states this:

Additional Available Impervious Surface: Pursuant to the Final Record Plans, each unit may be permitted an additional 663 square feet of impervious surface, subject to any required Township approvals and approval of the Executive Board and/or the Architectural Committee as may be required by this Declaration.

It seems this language is in conflict with what John had announced at the meeting.

[End of Dan's comments]

Board Positions:

- John and Nick conferenced, then announced Board positions 2 and 3 (of 3 total) can be filled when the community has 75% homeowners (settlement completed).

[Dan's comments]

- Not mentioned at the meeting, there are several clauses specific to the transition from the Developer to the homeowners. I won't transcribe here because it's lengthy. But it can be found within Article V (Executive Board), item 3 (Elected Board).

[End of Dan's comments]