

Norbeck Grove Community Association  
April 12, 2007 Meeting Minutes  
Norbeck Grove Community Clubhouse

Board Members Present: Larry Solomon, Susan Berkheimer, Mike Barrett,  
Dave Crowley, Jeff Kinker, and Rick Coburn

Board Member Absent: James Waring

Others Present: Todd Hassett, Management Agent  
Melissa Carroll, Recording Secretary  
Homeowners

1. Call to Order – The meeting was called to order at 7:35 p.m. by  
Larry Solomon.

2. Homeowner Forum

Architectural Guideline Inquiry – Ms. Axelson of 4810 Broom Drive inquired about the notice she received regarding amendments to the Architectural Guidelines in reference to fireplaces. Ms. Axelson inquired if fireplaces were allowed in the community. Dave Crowley stated that built-in fire pits and fireplaces are not allowed to be built in the community. Mr. Crowley stated that because the homes are so close together this creates a smoke/hazard issue. Mr. Crowley also stated that the original documents stated that “no outside burning is allowed” as in accordance with the County law. Mr. Crowley advised that no guidelines are approved by the Board prior to allowing the homeowners to voice their questions or concerns.

3. Meeting Minutes – Jeff Kinker made a motion to approve the March 8, 2007 minutes as written. Susan Berkheimer seconded. The motion passed unanimously.

4. Committee Reports

a. Architectural – Dave Crowley reported that the Architectural Committee has received several applications to review. To date, eleven applications have been received, six were approved, one was denied (addition to side of home, needs to be reviewed/approved by the Board), and four were returned requesting additional information.

- i. 18539 Rushbrooke Drive, Addition Request – Mr. Brian Dunn attended the meeting to answer any questions the Board might have in regard to the addition of a screened-in porch on the side of his home. Dave Crowley provided the Board with the architectural application submitted by Mr. Dunn, along with pictures of his property indicating where the addition would be installed. Mr. Crowley stated that the structure is in compliance with the guidelines; however, the homeowner wishes to install the addition on the side of his home. The Board advised the homeowner that they would discuss this matter further later in the meeting and Mr. Dunn will be advised of their decision in writing.
- ii. Committee Volunteer – Barbara Axelsson (4810 Broom Drive) advised the Board that she is interested in serving on the Architectural Committee. Dave Crowley updated Ms. Axelsson on how often the Committee meets/communicates when architectural applications are submitted for approval.
- iii. Spring Walk-Through Inspection – Todd Hassett advised the Board that the walk-through of the community was completed and he included a summary report in the management report for the Board's review.

Mr. Hassett advised the Board that he received a complaint regarding homeowners who are storing their "pitch backs" or soccer goals next to the driveways or in the side yards. The Board stated that they do not see this as a problem and feel it is reasonable due to the time of year; however, they must be neatly stored and maintained and should be removed or stored out of view during the winter months.

- b. Pool/Clubhouse
  - i. Summer Pool Calendars – Todd Hassett provided the Board with the swimming pool summer calendars listing the days in which the pool will open late or close early for swim meets.

- ii. Pool Pass Mailing – The Board was advised that the pool pass mailing was sent to the Association membership. Pool passes will be withheld for those homeowners who are delinquent in their Association dues, or have a maintenance violation.
- iii. Pool Company Insurance – The Board was provided with an email sent from RSV Pools confirming that they carry a \$10,000,000 liability insurance policy.
- c. Swim Team – Todd Hassett advised the Board that the date for the Relay and Divisionals has yet to be determined, but the clubhouse calendar will be updated once this information is received in order to avoid any conflicts with the rental of the clubhouse.
- d. Community Events – Todd Hassett stated that to date, 23 families have signed up to participate in the Community Yard Sale scheduled for Saturday, April 28, 2007 (rain date April 29, 2007). An ad will be placed in the Gazette on April 24, 2007 and signs will also be posted.
- e. Grounds – Todd Hassett advised the Board that McCarthy Grounds Maintenance has performed edging, mulching and the first cut of the season. Turf application will also be done soon. Dave Crowley inquired if additional funds will be available this year and how will be it allocated? Mr. Hassett stated that the Board needs to come up with a plan on areas that need to be addressed such as the stormwater management pond. Barbara Axelsson stated that the front entrance looks bad with the deer net that has been installed.
- f. GOCA – Rick Coburn updated the Board on the Community Forum where roughly 20 people attended representing 11 to 12 Associations. The following topics were discussed:
  - 1. The main focus was on security and crime. A nearby community, Norbeck Hills Community Association, has walking paths that are dimly lit, loitering takes place in a lot of areas along these paths, and teenagers are getting involved in mischief.
  - 2. There was also discussion about sex offenders.

3. Three to four volunteers are needed for “Olney Days” scheduled for May 18, and 19, 2007. Those who are interested should contact Mr. Coburn.
  4. Discussion and issues centered around two schools that are being built, one on Emory Church Road and one on Bachelors Forest Road.
- g. Neighborhood Watch – Susan Berkheimer reported that she continues to patrol the community in the early morning hours along with other homeowners in an effort to catch individuals vandalizing or breaking into vehicles/homes. Ms. Berkheimer reported the following incidents have taken place in the community:
1. Four vehicles were broken into that were locked.
  2. Vehicle windows were broken
  3. Trespassers are checking to see if front doors are open to individual homes
  4. A credit card and phone card were stolen and the police stated that the credit card was used at a Citgo station. The police obtained a surveillance tape from the gas station. The police are waiting to see if the phone card is used which will help provide additional evidence that could lead to the arrest of the suspect.
  5. A vehicle was broken into on Rushbrooke Drive where the intruders spilled a beverage in the vehicle.
  6. The police detained a vehicle from Prince George’s County and items found in the vehicle gave every indication that these individuals were planning on breaking into vehicles, residences, etc. but there was not enough proof to charge these individuals so they were left go.
  7. Garage doors in the community (single family homes) are still being observed open during the early morning hours.

Ms. Berkheimer requested homeowners to report any suspicious activity to the police department (301-279-8000).

5. Deer Problem – Laura & Gus Tseronis from 4900 Downland Terrace attended the meeting to discuss their concerns with deer in the community. Mr. & Mrs. Tseronis stated that they have attended Work Shops where they were provided

with information such as what homeowners should and should not plant in their yards. They were told that deer come into the neighborhoods because plants are plentiful and it is easier for the deer to eat. Mr. & Mrs. Tseronis are very concerned about Lime Disease. Mr. Tseronis has talked with a representative from the State of Maryland regarding the need for bow hunters or what other defensive steps the community can take to rid the population of deer in the community. Allan Halper stated that the Association would need approval from the Maryland National Capital Park & Planning Commission (M.N.C.P.P.) to hunt deer in the community. Mr. Halper mentioned that he is concerned as to what would happen if an arrow missed a deer (where would the arrow end up). Mr. Tseronis stated that the hunters would be in a tree in the wooded areas and would be shooting downward.

Rick Coburn stated that the Association needs to inquire who a letter should be sent to authorizing approval of thinning the heard of deer in and surrounding the community. Mr. Tseronis stated that Rob Gibbs is the contact person at M.N.C.P.P. Allan Halper inquired as to who would be liable if something goes wrong? Todd Hassett stated that the Association would not be liable if it happens on their property (M.N.C.P.P.).

Larry Solomon requested that information be posted on the website to see how many residents would be interested in attending a Work Shop to discuss problems with the deer and solutions. Mr. Hassett will also provide information on what type of plants should and should not be planted, deterrents, etc.

A homeowner stated that he feels some residents would be against killing the deer.

The Board suggested holding the Work Shop on the first, third or fourth Thursday in May 2007, at 7:00 p.m. at the community clubhouse. Todd Hassett will send a letter to Mr. Gibbs confirming the interest of the community membership.

6. CCOC-Norbeck Grove I Condominium – Todd Hassett advised the Board that Janice Fontell has not sent out the finding of the Commission Case to the Norbeck Grove I unit owners as required by the Commission. No appeal was filed on behalf of the Norbeck Grove I Condominium so the Association's attorney, Tom Mugavero has filed a motion in the District Court to dismiss the

- current case against Norbeck Grove Community Association. Once the District Court officially dismisses the case then we may proceed with collection actions against any owner who still owes money. Mr. Hassett stated that 14 unit owners still owe money to Norbeck Grove Community Association.
7. CCOC – Masters – Todd Hassett provided the Board with the Commission’s finding on the case of Norbeck Grove Community Association versus Robert & Caroline Masters of 18266 Wickham Road, and their stone fireplace. The Commission did find in favor of the Association and is requiring that the stone fireplace be removed within 60 days of March 8, 2007. To date, the fireplace has not been removed by the Masters. Mr. Hassett stated that an appeal was filed in the District Court of Montgomery County. Mr. Hassett stated that he will follow up with legal counsel for the Association and he will keep the Board abreast of any future developments.
  8. 2006 Legal Expenses – Todd Hassett provided the Board with an account history for legal fees incurred by the Association in 2006. Mr. Hassett advised the Board that over \$14,000 was spent in the CCOC Case with Norbeck Grove I Condominium, almost \$5,600 was spent on the CCOC Case with the Masters, which may result in additional expenses in 2007, under \$4,000 for the stormwater management pond transfer, under \$4,400 on delinquencies and just over \$1,000 for other legal expenses incurred throughout the year.
  9. Tax Returns – Rick Coburn made a motion to approve the Tax Returns for 2006 and the 2007 Personal Property Tax as submitted by Schreiner, Legge & Company. Dave Crowley seconded. The motion passed unanimously.
  10. Norbeck Grove II Condominium Request – Todd Hassett presented the Board with an email received from the President of the Norbeck Grove II Condominium who are requesting that a fence with a locked gate be installed around the basketball court, in order to deter outside visitors and loitering problems. Mr. Hassett stated that he performed research and the cost to install a fence would \$30,000.

Susan Berkheimer made a motion to deny this request since the basketball court (without a fence) was in the original plans for the community. Jeff Kinker seconded. The motion passed unanimously.

11. Sealcoating – Todd Hassett stated that notices were sent to the townhouses and surrounding single family homes with the schedule for the upcoming sealcoating project to take place on Monday, April 23, 2007. This project will take approximately three days to complete. It was mentioned that the curbs located on Tothill Drive will be painted yellow, 20 feet back from the intersection, to deter vehicles from parking too close to the intersection.
12. Rushbrooke Storm Pond – Day Development is still waiting on approval from the Permitting Services before proceeding with the plan to lower a pipe in this storm pond to get it approved by the County so that it can be transferred.
13. Traffic Study @ Wickham & Bowie Mill – Todd Hassett has not received any updates from Montgomery County regarding the traffic study performed at Wickham Road and Bowie Mill Road.
14. Clubhouse Vacuum Cleaner – Dave Crowley reported that he received complaints that the vacuum cleaner for the clubhouse is not working properly. Todd Hassett will make arrangements to purchase another vacuum cleaner, if necessary.
15. 18539 Rushbrooke Drive, Addition Request – Jeff Kinker made a motion to approve the addition as requested by Brian Dunn of 18539 Rushbrooke Drive. Rick Coburn seconded. The motion passed unanimously.
16. Adjournment – Susan Berkheimer made a motion to adjourn the meeting at 9:00 p.m. in order to proceed into Executive Session to discuss a delinquency case and approve the Executive Session minutes from the March 8, 2007 meeting. Jeff Kinker seconded. The motion passed unanimously.