

Land Use Zoom Meeting 9/2/20 6:30pm

Bill Bell, Cecelia Scherer, Dan Camputaro, Douglas Krantz, James Smith Jr, Councilman David Carter, Jackie, Janel Foster, Joan Martino, Joseph Nicely, KI Barlow, Roger Fons II

Jim Smith

*Law has changed to allow phasing of turn overs

- a. Developer gets community to turn over of open space, but the responsibility doesn't turn over to the residents until entire community is turned over
 - b. Capano is getting ready to turn over the entire subdivision-meaning entire development
1. Cecelia mentioned numerous complaints regarding piles of dirt in Avonbridge, perhaps meant to be a berm, but it's not, it's just dirt
 - a. Jim stated that should have been an in and out berm, should be stabilized by now, but will look at it on Friday when Land Use comes out
 2. Dan addressed dead trees and roads that have never been paved
 - a. Jim stated Capano is required to submit a landscaping plan before land use comes out for inspection. Team is comprised of Chip, a few engineers and any board members that want to join
 - b. Roger and Janel asked to be invited to any scheduled inspections
 3. Joan Martino asked about sidewalks from Clubhouse to the community entrances
 - a. Jim stated there are sidewalks on the plan, it's part of Del Dots process, they will go and mark curbs and anything else they will communicate to the developer what to fix
 4. Cecelia brought up that Capano was going to be addressing the residents who are out of compliance, but they haven't done that
 - a. Jim stated turnover of open space can't be held up by enforcement of deed restrictions, but they can encourage Capano to do as they promised
 - b. Doug asked what happened to that list that was sent to Capano of homes that were out of compliance
 - c. Jim stated they can't get involved in private deed restrictions
 - i. Suggested to get an attorney involved, so the HOA is not the bad guy.
 - ii. Capano would be reasonably be expected to foot the legal bill
 - d. Roger-what timeline does Capano have to rectify violations
 - i. Jim stated violations will not hold up turn over
 5. Dan mentioned 1st home on Tweedsmere Dr and the over grown grass.
 - a. Jim stated if under the power lines it's to be handled by Delmarva
 - b. Joan mentioned this issue took place years ago, they were addressed, and it was handled regularly after that and then it stopped.
 6. Cecelia mentioned the park, nothing has happened yet. One play set had to be taken down because it was damaged. The park is infested with snakes, mice, and overgrown. This space was to be made a ball field.
 - a. Jim stated that a back stop will generally qualify the space as a ball field

- b. Jim stated he will explore this with Capano
 - c. Plan calls for stabilization, even if it is weeds
 - i. Potentially can work with other developers on Fieldsboro to get some dirt to stabilize the park
- 7. County will certify that everything is to code to allow turn over, aside from items that are not handled by county, like sidewalks
- 8. Roger asked if there was an original landscaping plan
 - a. Jim stated that an approved landscaping plan has to be walked by a landscaping engineer in order to be approved
- 9. Roger asked what the actual timeline is for turnover
 - a. Jim said there is no timeline, it depends on inspections, and it could go past January 1st
- 10. Daniel mentioned a number of homes with drainage problems, where home owners have installed pipes to drain, causing a complete mess. How do we go about getting these things corrected
 - a. Jim stated depending on how close these issues are to the street, DelDot may have issue with it, so in the past DelDot worked with the builder to address.
 - b. Jim is not expecting Capano will make it in 60 days, possibly an early Spring 2021 turnover. This depends on what Land Use will see when they come out.
- 11. Bill Bell suggested we circle back in 4 weeks, with another virtual meeting October 5th at 6:30 to review how inspections went and where we stand on all items discussed.
- 12. Cecelia brought up 128 Tweedsmere with a sewer constantly running, it never stops, other storm drains in the community do not constantly run
 - a. Jim stated they will look into it, if they can't figure it out, will have DelDot look into it
- 13. Meeting concluded at 7:25