

Volume
1
Issue 1
June 27,
2024

*Certain to
be a
collector's
edition!*



Neighborhood News

“All the news we care to print.”

Hello!

Hi everyone! We are trying something new and will look forward to hearing what you think. As time and energy allows, we, as a Board, decided a newsletter might be a good idea. It's always a good thing to refresh our knowledge base and connect as neighbors, so we thought we'd highlight some areas that might be useful.

So, this is going to be a little heavy!

We hope that the future additions of this newsletter will contain lots of upbeat and hopeful news (which we intend to solicit from you!). This first time out, however, we thought it appropriate to give you a primer on how our neighborhood governance works. So, this will probably seem a little heavy to many of you. Please hang in there! It is very important information for you to have. And, at the end, we did manage to bring a little good news!

How to get in touch with the Board

First, we hope this finds you well and enjoying the neighborhood! As we grow and change (and our properties get older), we know that new topics, questions and concerns will arise. We are always open to suggestions at our Open Meetings. You can find a schedule of our meetings on the neighborhood webpage (<https://ashleywoodspoa.com>) as well as by email notifications.

Please note that our Ashley Woods Facebook page is not monitored by the Board, so if there is something you are concerned with or have questions about, please email the Board at info@ashleywoodspoa.com. That is the best and most surefire way

to get our attention. Each board member will receive a copy of your email. Thanks!!!

Please remember that Ashley Woods is a deed-restricted neighborhood.

Yep, like it or not, when you closed on your house, you agreed to be governed by our Amended and Restated Declaration of Terms, Conditions, Restrictions and Protective Covenants for Ashley Woods Subdivision. (Can you say that three times fast?) To see the guidelines for your property and the way we conduct business, go to our website at www.ashleywoodspoa.com and click on “More” and then “Documents.”

Much of the above stated “impossible to say three times fast” document, which we will just call the “Covenants,” is legal mumbo-jumbo that doesn’t really affect you. But the Covenants also contain important things you need to know. So here are some highlights:

What parts of the Covenants should every neighbor know by heart?

We’re kidding! We don’t expect anybody to know all of this by heart, but it is good for you to review them and have this available in case you need it. We have included references to the Covenants. If you would like to look them up, you can do so here:

<https://img1.wsimg.com/blobby/go/7acb1a6e-03e7-4be4-b2a5-80f5462fb326/downloads/CC%26Rs%20-%20Searchable.pdf?ver=1716498949052> .

Really Pertinent Covenants ...

1. **Property maintenance requirements.** Section 10.2 of the Covenants details lots of ways that the property owner must keep the property maintained “in a manner and in such frequency as is consistent with good property management.” You know the drill:

mow your grass, trim your shrubs, weed, keep your house painted, etc.

2. **When and how to get a PERF.** You need a Property Enhancement Request Form (PERF) anytime you make any significant change to any part of your property that is outside your house. (What you do inside is your business!) To get a PERF or see whether you need one, go to <https://ashleywoodspoa.com/home-improvements>. It will walk you through the process. **Note this: at the last Board meeting, the Board voted to levy a fine of \$100 on anyone who proceeds with a project that should have received Architectural Review Committee approval (by filing a PERF) but did not.** So, when in doubt, file a PERF!
3. **On-street parking rules.** Parking on our streets violates North Carolina law, and the sheriff could give you a ticket for doing so. Our bylaws are more generous. Section 4.23 allows:
 - a. construction vehicles to park on the street if they can't park in your driveway,
 - b. owners to park on the street if there is construction underway that prevents them from parking in the driveway,
 - c. parking for up to six hours for *guests attending social functions* or visiting the park, and
 - d. parking on the street if inclement weather means you won't be able to get down your driveway.

Please note, we have seen many instances when cars are parked on the street and there is room in the driveway. Yes, it might require you to play "musical cars" to avoid on-street parking, but many of your neighbors do just that. We have issued warnings and violations to a number of owners lately, but ***we will be cracking down on the parking issue in the following weeks. So please, please, follow the rules.***

4. **Pets.** Section 4.22 provides that all pets must be on a leash whenever they are off the owner's property. They may not be a nuisance or annoyance; they must be kept under control at all times, and the owner must pick up after them. This goes for dogs and cats. (Basically, you can't have an outside cat unless it stays home, which is not likely.)
5. **Mailbox replacement rules for the upper and lower sections of our subdivision.** Section 4.27 basically says you must follow

the rules of the ARC. In the ARC Rules, found here, https://docs.google.com/document/d/1rZfBwQb3aTOomITGldZCWS5bjfZ90_nL04zeNmdovcY/edit , look up “Mailboxes.” You will see that there are different requirements for the Preservation Section and the Estate Section. The Preservation Section consists of the “lower loops” – all homes on Carolina Bluebird Loop, Nut Hatch Loop, the east side of Ball Gap Road, and on Ashley Woods Drive east of Ball Gap Road. Mailboxes “should be maintained in good condition, in an upright manner, and of appropriate color or stain. The lid should remain closed at all times.”

6. **Home rental requirements.** Section 4.2 provides that homes may not be rented for less than one year. (We did not want to become a neighborhood full of short-term rentals.) The property owner must give the Secretary of the Association a copy of the lease and contact information for the renters. The owners should be aware that they are responsible if renters violate the Covenants.
7. **Tree cutting and trimming.** Mature trees are a tremendous asset to any neighborhood, improving quality of life, health, and property values. Section 4.8 provides that no living tree with a diameter greater than 12 inches (as measured at the base) may be trimmed or cut without permission of the ARC, unless it is necessary to do so for safety reasons or to protect property.

Section 4.19 provides that trees may not interfere with sight lines for signs. Limbs must be at least 6 feet above the road (and it might be appropriate to have them higher), and trees may not interfere with vision on roads and driveways so as to make them more dangerous. Please note that we construe this (as well as Section 10.2, “Maintenance”) to mean that owners must trim or cut trees away from street lights.

Many of our trees are too close to the road. We love them and will deal with that, but if you plan to plant a new tree, please seek advice about how far from the road it should be placed.

8. **Solar panel info and guidelines.** Section 4.30 deals with solar panels. If you are contemplating installing solar panels, please read that section first!

This is by no means an exhaustive review of the Covenants, but thanks for wading through it! We appreciate your good citizenship in our neighborhood. Speaking of which

How to be a good neighborhood citizen

We are very aware that we need your help by being a good neighborhood citizen. One obvious way you can be a good neighborhood citizen is by abiding by the Covenants and encouraging your neighbors to do the same. But there are less technical ways that are also very important – get to know your neighbors and keep an eye out for security concerns in the neighborhood (although we thankfully have had very few). If you have a concern with your neighbor and are OK doing so, discuss it with him or her first. If you see a child doing something wrong (moving rocks in the park) or dangerous (riding a bike or scooter without a helmet), depending on your relationship with the family, either discuss it with the child or contact the parents. ("It takes a village.") And let's be a friendly place; let's say "Hello" and wave when we see one another.

In case you're wondering – what does the Board do?

The Board enforces the Covenants. We are the Board of Directors for the Property Owners Association of Ashley Woods Neighborhood (the Association"). The Board is *required* to enforce our Covenants by the North Carolina Planned Community Act (the "Act"). (We are also governed by the North Carolina Nonprofit Corporation Act.) We are required to enforce the Covenants because they set forth standards of architecture, maintenance, and conduct that affect the safety, quality of life and property values in the neighborhood.

How does the Board enforce the Covenants? When we see a violation, or are informed by a neighbor of a violation, we first send a "courtesy" letter informing the property owner of the violation and requesting that they make it right. This often resolves the issue, but occasionally a neighbor will become angry, defensive, or disagree, and will not fix the problem.

In those instances, the Board must send a formal Notice of Violation pursuant to the Covenants. The property owner is informed that there will be a hearing on the matter at which the owner can be represented by an attorney (if the owner chooses), and the owner will have the opportunity to explain his or her side of the issue. The Board then holds a hearing, after which it decides whether to drop the matter, take action to resolve the matter (such as having your grass cut and charging you for doing so), or fine the owner. The Board can fine up to \$100 for the initial offense, and, if the owner has not resolved the matter five days after the hearing, the Board can fine the owner up to \$100 a day until the matter is resolved. In addition, the owner is very likely to have to pay any attorney's fees incurred by the Association.

We want to be able to pay our bills and provide services by collecting dues, not levying fines. We are not required to send the "courtesy" letter, but we think it is the neighborly thing to do. Note that this process gives the owner lots of opportunities to make things right before a single fine can be levied, much less a continuing daily fine. So, if we talk to you about a problem or you get a letter from us, please make it right, and please understand that we are doing our duty.

The Board establishes a budget and oversees expenditures. With the help of Carlton Freeman, our manager, we receive financial reports at our every-other-month meetings. And it doesn't hurt that Board member and Treasurer Deb LaBarbera is a retired banker!

The Board is also responsible for maintaining property owned by the Association. That consists of the park, the strip of land running along the neighborhood fronting Brevard Road, and a small piece of land off Purple Finch Court with the pump station on it. We also maintain the cherry trees on Ashley Woods Drive and the foliage on the corners of Ashley Woods Drive and Ball Gap Road.

The Board receives and responds to suggestions and complaints by owners. We have two "Open Mic" meetings a year, as well as the annual meeting, at which owners can make suggestions or complaints in person. In addition, you are always welcome to email the Board at info@ashleywoodspoa.com.

We have improved the neighborhood in many ways based on owner feedback.

The Board appoints and supervises committees. The Act gives the Board the authority to appoint committees to assist in the enforcement of the Covenants and the well-being of the neighborhood. Currently we have three committees:



1. The Architectural Review Committee (“ARC”), which is charged with the important task of making sure that our homes and properties are maintained to the standards one should expect from a neighborhood of our quality.



2. The Grounds Committee, which is charged with maintenance of property owned by the Association (except for the small piece off Purple Finch Court).



3. The Events Committee, which is in charge of fun and food and does a wonderful job at it!

Thank you! *Thank you!* **Thank you!**

Many thanks to our hard-working committees that make living here fun, pretty and desirable, and to our other volunteers (like folks who turn out on work days) who make our neighborhood a great place!

And now, some good news – at last!

- **Safety at our entrance** For years we have struggled with difficulty with sight lines when turning onto Brevard Road from Ashley Woods Drive. Neighbors have been wonderful about observing our custom of letting cars pull up one at a time so that we don't block one another's view. But that's not enough.

The board is responding to this problem by funding the Grounds Committee's request to purchase and install two convex mirrors, one of which will go on each side of Ashley Woods Road at the intersection. Catherine Wright has cleared this with NCDOT, and she has used them in other places and says they are very helpful. We suspect it will take a short learning period, but we hope that we will have solved a long-standing problem. We will probably still need to practice the courtesy of letting one car at a time go to the line, but we will be able to see better and be safer. Yea!

- **Upcoming events** (Thank you, Events Committee!)
 - Food Truck: Garage BBQ July 11

- Food Truck: Spotted Banana July 18
- Bounce Into Summer Splash Party, July 20, with Frozen Josie’s Ice Cream
- Food Truck: Delish July 24
- Sunset Cinema, August (date to be announced)
- OktoberFest & POA Annual Meeting, October (date to be announced)
- Merry & Bright Holiday Lights Contest. (December)

To learn more to learn more? Want Details? Want menus?
Here you go: <https://ashleywoodspoa.com/events>

- **Upcoming Improvements** The Board Agreed to fund two new park rules signs. We also agreed to put surveillance and public Wi-Fi for the park in the 2025 budget.

Conclusion (at last?)

Thank you so much for reading this far and getting to the end! Following our rules and guidelines makes everything easier for you, your neighbors, and us! Please remember that we are volunteers and your neighbors. Given that, we sometimes have to do things you (or even we) may not like because of our duty. We don’t enjoy that part of our “job,” so we ask that you put yourselves in our shoes and try not to make our job harder by ignoring us or getting angry with us. We can't say we will never be wrong (who, except the most arrogant, could?), but we can say we will never be wrong on purpose.

We are charged as a governing body to be financially prudent with your dues, and we must enforce our covenants, so we hope you understand and recognize that our mission is to keep Ashley Woods a great place to live!

And it is!

Thank you so much for your time, y’all!

Your Ashley Woods Board