

Tavistock Civic Association Board Meeting
Minutes of March 18, 2020
By conference call, 7pm

In Attendance: Annie Baker, Meg Campbell, Tom Haldas, Carol Roth, Jeff Porter, Rose Passarella, Charlotte Rouviere, K./T. Wilson, Dave Gazzillo, Brad Haines, Eileen Measley

The president called the meeting to order at 7:05 PM.

Approval of Minutes from November 2019 Board Meeting

- Tim Wilson motioned to approve the minutes from the 11/19/2019 meeting, and Carol Roth seconded the motion. The minutes were approved by unanimous vote.

Treasurer's Report

The Treasurer presented report, and highlighted the following items:

- The Association's current balance is \$8,801.00
- A copy of the budget is attached.
- 2019 was a successful year for dues collection. All residents paid.
- Directory has not been done yet. Will be a \$500 expense in 2020.

Eileen Measley motioned to approve the treasurer's report, and Dave Gazzillo seconded the motion. The treasurer's report was approved by unanimous vote.

Committee Reports

Tree Committee

- There were no new items to report.

Deeds Restrictions

- A complaint was made related to trailers on Burnley Rd. It was addressed with homeowner, who has been asked to remove them.
- A landscaping issue was also addressed.

- A house in Tavistock that is currently for sale has a nonconforming fence that was grandfathered. The deed restrictions committee chair will send a letter to the homeowner instructing them that the fence is to be removed when the house is sold.

Columbia Place

- Construction and landscaping continue.
- The developer has filed a variance request to increase the height of the condominium buildings to 68 feet. This would be the second height variance. The variance was scheduled for consideration by the Board of Adjustment for 3/26/2020, but County all meetings have been postponed until further notice.
- The Working Group is engaged in discussing community response to the variance request.

Storm Drain & Swales

- There are no new items to report.
- Neighbors are requested to keep sidewalks, street, and swales clear.

Community Safety

- Jerry Heisler met with representatives of the Tavistock Civic Association, Senator Laura Sturgeon, Rep. Krista Griffiths, and a representative from the JCC to propose an alternative configuration to the speed humps on Garden of Eden Road that involves fewer humps and stop signs. The representatives from Tavistock noted that the current solution is the one proposed and executed by DelDOT to address a safety concern that the state agency found in the community. The next step is for Tavistock representatives to meet with DelDOT to learn more about the process.
- A number of neighbors have voiced concerns regarding unrestrained dogs. The board would like to remind Tavistock residents that The New Castle County Code of Ordinances requires that all dogs be kept under restraint at all times (Chapter 4, Article 2).
- A homeowner complained about backyard fires. The information below is an excerpt from New Castle County's Citizen's Guide to Residential Open Burning:

Residential open burning is for residents domiciled in a private dwelling where no commercial or industrial activity is conducted. It includes burning small amounts (limited to 27 cubic feet at one time) of cut or fallen branches, limbs, or shrubbery from their property, so long as it is conducted as far as practicable from any adjacent property. Such burning is banned during the Ozone Season (May 1 – Sept 30). The rest of the year (Oct 1 – April 30), such burning is allowed only between 8:00 a.m. and 4:00 p.m.

Ceremonial fires (limited to 27 cubic feet at one time) conducted by established groups such as schools, churches, or other recognized organizations are allowed throughout the year and during any time of day.

Recreational open burning activities including cooking fires (limited to 10 cubic feet at one time), campfires (limited to 27 cubic feet at one time), patio fire pits, or chimenea are allowed throughout the year and during any time of day.

Website/Communications

- There were no new items to report.

501 Mt. Lebanon

- No new items were reported during the meeting; the committee chair shared new information the following day: The owners received a demo permit from the county but cannot demo the building until the plan is approved or they lose the right to add square footage to redevelop the property. They have also run into issues with DelDot, the Fire Marshall, and using the Church entrance which has resulted in a redesign to move the entrance to the other side of the building. The new design has not yet been reviewed by the committee chair.
- An area rep asked whether there are buried tanks on the property, expressing concern about possible odors.

Old Business

TCA Archives

- This item was tabled for future discussion.

Legal action against the Tavistock Civic Association

The Tavistock Civic Association's appeal to the Delaware Supreme Court was denied. The court upheld the award of \$5,000 to be paid to the homeowner for legal costs.

Executive session

The motion was made and seconded to move into executive session to discuss pending legal matters at approximately 8:15 pm. The board returned to the open meeting at approximately 8:35.

Resolution

The board voted on a resolution regarding payment of the money award to Mr. Owen, as well as a final payment to Tavistock's attorney for an amount not to exceed \$1,000.

Eileen Measley made a motion to pay the award in full and final attorney fee. The motion was seconded by Tom Haldas. The final vote was 7 in favor, 2 against, and 2 abstentions. The motion passed.

New Business

Deed restrictions variance

- The president and deed restrictions chair explained that a narrow variance to the deed restrictions was created to accommodate a fence on the border of properties that abut non-residential properties.
- The deed restrictions chair will work with Tavistock's attorney to provide the board with the exact language and guidance regarding incorporating the variance into the deed restrictions.

Annual Meeting postponed

- The board agreed to postpone the Annual Meeting 8 weeks until mid-May due to circumstances. The board agreed to reevaluate the plan in mid-April to consider conditions.
- Dave Gazzillo motioned to approve postponing the Annual Meeting from March to May, and Tim Wilson seconded the motion. The motion was approved by unanimous vote.

Board membership

- Immediately following the vote to pay the award to the homeowner, Area Rep C Tom Haldas resigned from the board.
- A slate with new area reps and officers will be needed for the annual meeting. Area reps discussed the need to do outreach to Tavistock residents to join the board.

2020 Dues collection

- Area reps will begin dues collection later this spring. The treasurer will provide collection documents to the reps.

There being no further business to discuss, the president made the motion to close the meeting, seconded by Tim Wilson. The motion was approved by unanimous vote. The president called the meeting to a close at approximately 8:55 p.m.

Minutes respectfully submitted by Meg Campbell