

The Common at Sinnott Farm
Bylaws & Covenant Committee
Meeting #1 in 2014

Minutes

Date : January 11, 2014

Place: 22 Arrowwood Lane, Woods Residence

Attendees: Leslie Woods, Ann Hanks, Jeff Olmstead, Louise Moran, and Managing Agent Pat Williams

Call to Order

Chair Leslie Woods called the meeting to order at 10:35 a.m.

Mrs. Woods called for a motion to approve the minutes of the November 16, 2013, as submitted. A motion was made, seconded, and the minutes were approved.

Covenants Issues

Mrs. Woods then asked permission to flip the order of the agenda so that the Covenants issues could be discussed first, allowing Ms. Williams to report on the status of a letter from an attorney that had been sent to the Covenants Committee on behalf of a request and ensuing situation that had arisen earlier in the fall. Mrs. Williams assured the Committee that they had treated the homeowner fairly based on the guidelines stated in the Association's Declaration, which is the highest authority of governance in matters in the Association. She also pointed out that part of the attorney's interpretation of the Declaration was inaccurate. Furthermore, the homeowner had never requested permission from the Board of Directors regarding the situation that led to the current issue.

Understanding that the Sinnott Farm Association must respond to the attorney officially, Ms. Williams added that she had arranged with the attorney for an extension through the holiday period until January 20, 2014, by which the Board of Directors can respond in writing.

Rules and Regulations

Ms. Williams then said that she believes that this Committee (and the Bylaws Committees that have preceded it), although dedicated and well-intentioned, have mistakenly focused on Amendments to the Rules and Regulations rather than on the original Rules and Regulations themselves. She explained that it is important to use the Declaration of The Common at Sinnott Farm as the basis for all that the Committee does and for all its decision-making. The Declaration provides the Rules and Regulations that were originally set out for this planned community. Consequently, if a new rule is needed because times have changed or an old rule becomes obsolete and needs to be updated, rather than dealing directly with the

Bylaws, which are amendments to the Declaration, the Committee should turn to the original rules in the Declaration first to see what is necessary. Furthermore, when creating an update, the Committee should also specify clearly if it is “adding” to original Rules and Regulations by using a different color or terminology like “in addition to” in their update.

To help the Committee with their efforts, Ms. Williams brought copies of a shorter, more succinct “working document” that she had created for use in her day-to-day work as the Association’s Property Manager. The document synthesizes the pertinent sections of the Association’s Declaration.

She recommended that the Committee review this document and all the Rules and Regulations in the Declaration and then consolidate all of the Rules and Regulations that are relevant today into one document to post on the website in order to make it easier for all homeowners to access and understand. The section that pertains to “recreational facilities” should be deleted because the Association had turned that part of its property over to the Town of Bloomfield long ago. Additionally, the Public Offering Statement is no longer valid because that portion of the document had been created by the developer for the purpose of sharing his plans with the public. Those plans have since been fully executed.

Once the Bylaws and Covenants Committee has taken these steps and has completed their drafts, Ms. Williams offered to organize the Committee’s work into a document that shows clearly what rules had been established already and what parts are new or revised. She assured the Committee that she would just assemble the overall document as a work in progress for the Committee to review then before sharing it publicly. Ms. Williams cautioned the Committee members to keep in mind during the process that all this work exists rules and regulations exist as guides for the homeowners, and the bylaws exist to guide how the Association operates.

Once written, the new rule or the revision of an existing rule must be posted or otherwise made available to all homeowners for “notice and comment” either orally or in writing according to the Declaration.

Then, the new or revised rule goes to the Board of Directors for approval. And, once approved, best practice is to file it with the Town of Bloomfield. The town charges a nominal fee for such files, \$53 for the first page and \$5 for each subsequent page, but it is money well spent. When in conversation with a homeowner, the Covenants Committee can point to the fact that the rules and regulations have been in effect since the date filed with the Town of Bloomfield. Older versions of the rules should be removed from the Association website to avoid confusion.

The final step in the process is to post it on the Association website with all the other Association materials, stating very clearly that these are “established and in-effect rules.”

Covenants Request

Mrs. Woods then thanked the members of the Covenants Committee for their very prompt response to a recent request regarding outdoor lighting that had been submitted to her via email. There was a brief conversation regarding the necessity of that homeowner even needing to request permission for such a relatively minor addition to her home. However, Ms. Williams said that “any change in appearance to the outside structure of a home must have approval.” The Covenants Committee responded quickly and well with an unbiased decision recognizing that the request showed “good taste.”

Bylaws Issues

Having completed the Covenants portion of the meeting, the Committee turned their attention to the topics they had been considering that needed updating.

Mrs. Woods volunteered to take on the topic of “pet rules,” including pooping and curbing, and to review the issue in light of the earlier conversation.

Adjournment and Future Issues

Mrs. Woods asked that the Committee members review all the existing amendments before the next meeting and suggest which ones still need work.

Mrs. Moran reported that, for the time being, she and Mr. Olmstead had completed and were comfortable with their work on Amendment D-1, which deals with the plantings, landscaping, outdoor structures, and/or fencing of personal exterior property on individual home sites.

Mrs. Hanks pointed out some very minor changes she had made to Amendment A-1 that covers tag sales.

Mrs. Woods then listed future proposed topics to discuss: holiday decorations, pets, satellite dishes, solar panels, raised garden beds, clothes lines, among others. She also reported that Mr. Woods continues to work on a page for the Association website that will be dedicated to the work of all the Association committees.

When Mrs. Woods concluded the meeting by asking the members if there was any new items to discuss, Mr. Olmstead inquired if there was any change in the composition of the Board of the Directors since the election at the annual meeting in November. President of the Board Mrs. Hanks replied that there is no change in roles except that Mr. Woods is no longer on the Board. Mr. Olmstead also shared that he would be away until April.

Mrs. Moran and Mrs. Hanks said that they would email the final versions of Amendments A-1 and D-1 first to the Committee members and then, once approved

by all, to Ms. Williams as the first step in the process suggested earlier in the meeting.

Leslie adjourned the meeting at 12:07 p.m.

Next meeting: Saturday, March 1, 2014, at 10:30 a.m. at the Woods Home, 22 Arrowwood Lane

Respectfully submitted,
Louise D. Moran
2/24/14