

Glenmore Community Association
Common Area Review Board Report
13 February 2019

A. **Call to order** – Chairman **Kevin Fitzpatrick** called the regular meeting of the CARB to order at 1:31 PM. Attendees included: Chuck Axten, **Art Peters**, Deborah Conway, **Steve Antonellis**, Mark Fitzpatrick, **Frank Keplinger**, **Kathy Larrabee**, **Allyson Louthan**, Harry Miller, Don Sours, and **Rod Stoner**. The names highlighted in blue have actions to accomplish (see Section F Actions below).

B. **Approval of Minutes** - The updated minutes of the 14 January meeting (with updates through 11 Feb) were approved unanimously.

C. **CARB Chair report** – The chair discussed the following issues:

- The Rt 250 traffic committee and 11 Feb meeting at the Firehouse.
- The 2019 CARB Budget (as approved by the Board on 18 Oct 2018).

D. **Committee Reports:**

- **Animal Control**
 - ✓ Frank K updated the CARB on animal (deer) control. **Frank K** reported that the deer hunting permits are all in place, and his deer control team has dispatched ten deer since the last CARB meeting.
 - ✓ Frank continues to chase the vultures and geese with pyrotechnics based on requests from residents. We are not chasing geese on Glenmore Way. We resolved a plan for continuing the geese and vulture effort when Frank is not available; **Art Peters** will secure the pyrotechnics.
 - ✓ A question was asked regarding the fox population in Glenmore. Frank clarified that we cannot ‘trap and relocate’ foxes in Albemarle County, and the county prohibits fox hunting. There may be some special licensing if they are causing damage.
- **Trails**
 - ✓ **Allyson L** provided a trails report. See attachment 1. There was discussion regarding the trails given that CARB is attempting to identify and reconcile the legal, county and GCA land map records.
 - ✓ There was also a reminder that the June 2018 GCA/GCC “Deed of Access Easement” document requires that the GCA post signage where the trails easement crosses the golf course (see enclosure 2 sect G.4. On page 2). **Frank K** will purchase four signs with the following verbiage “Trail users must yield to golfers. Beware of errant golf balls.”
 - ✓ Various CARB members provided an update on the County’s closure of the Albemarle County River Trail due to erosion at the 2nd and 17th fairways. We are still awaiting the County repairs. The GCC is tracking the repairs due to the erosion now impacting the 17th fairway.
- **Common Areas**
 - ✓ Kevin F reported status on the 40 CARB actions in 2018, and our attempt to tie the MS Excel CARB actions in the GCA Google Drive to the implementing letters in the GCA Google Drive. **Kevin F** will resolve that linkage ... more to follow. The CARB committee has access to the database and can review the detailed actions as they develop.
 - ✓ The BCA representative (Rod S) reported two Leyland Cypress trees that will need to be removed. **Frank K** has it for action. There were questions regarding the need to replace

the Leyland Cypressess. The answer is, we do not replace the Leyland Cypressess, and we anticipate that the Cypress problem is coming to an end, so we do not anticipate future replacements.

- ✓ There was a discussion regarding a resident's complaint about leaves blowing around in the BCA. Per Rod S, this issue is not resolvable because leaves are a natural occurrence. The issue has been closed.
- ✓ The SHA CARB representative had nothing to report this month.
- ✓ Art P discussed his contact with two cable companies regarding damage to road surfaces and incomplete work at the sports field and on Glenmore Way. Art found the culprit and the issue has been passed to the ARB committee for resolution as the work was done by a building contractor in Glenmore. Art P will track this action to completion.
- ✓ Frank K ordered a sign to be placed at the end of our Camp Trail property line. The sign provides notice that this is the end of the GCA property.

- **Sports Field –**

- A resident requested that we point the Basketball court and repair the large crack running down the court. Steve A met with the resident at the field. The resident offered to paint the sports field if we provided the painting materials. Steve A will arrange a date with the resident. Frank K will ask if D&D can repair the cracks. The plan is to have this completed prior to the 10 May "Glenmore Concert at the Fields". Funding for the paint and repairs will come from the Sports Field Equipment Maintenance Account (Account code TBD).

- **Common Area Conversion Process**

- ✓ Steve A presented his investigation of ownership of the many common area parcels at Glenmore. He compared the Albemarle County database with the information we have from the Roudabush, Gale, and Associates map dated 24 August 2016. He also was able to locate legal documents that are held by prior GCA Board members with the goal of getting all our information in a single location that be accessed by future Boards. He provided a color-coded map (see attachment 3) that explained which properties are owned by multiple entities including a property that by County definition is still owned by Glenmore Associates. Steve located many of the legal documents and has placed them in the GCA Google Drive (2018-2019 Common Area and Multi-Use Trails Study - Google Drive) for common accessibility.
- ✓ Steve provided several recommendations for the CARB. The following items were approved by the CARB members for immediate action:
 - ✓ Steve A and Frank K will meet with D&D to reconcile the contract requirements against those areas that the GCA owns.
- ✓ Steve provided several recommendations for the CARB to present to the Board on 13 Feb (see attachment 4 for the PowerPoint Charts).
- ✓ Recommendation 1: Complete the Legal Documentation Review Process by prioritizing the myriad parcels. The following are the first three parcels to be reconciled:
 - ✓ The two ponds at the 2nd green. The County shows that this parcel is owned by the GCA, but the GCC believes they own the property.
 - ✓ The Ashton Road easement. The County map shows that the GCA owns the road, however we currently do not maintain it.
 - ✓ A series of map point easements defined in the 1 June Deed of Easement document between the GCA and the GCC. The question to be answered is ... what is the purpose of this easement?
- ✓ Recommendation 2:

- ✓ Determine if we can use the Darden School grad students to assist the GCA with property ownership resolution for the three parcels in Recommendation 1.
- ✓ **Recommendation 3:** Steve also noted that the GCA does not own large sections of the GCA trail system and our trails map posted on our web site is not accurate. Steve also recommended that we remove the GCA Trails map from the GCA Website as many of these trails are not owned by the GCA. In a close vote by the CARB (5/4/1) the CARB voted to recommend to the GCA Board that we remove the GCA Trails Map from the Website.
 - ✓ Recommendation to the Board, remove the GCA Trails Map from the website as the GCA does not own the land where more than 50% of the trails lie.
- ✓ **Steve A** and **Kevin F** will present these recommendations to the Board on 13 Feb.
- **Snow Removal.** Harry Miller presented a concept for snow removal that would have the snow plows move snow to the side of the street with no houses (where those areas exist). He provided a map (see attachment 5) with snow plowing instructions that **Frank K** will present to D&D for consideration. The intent is, where possible, to avoid plowing snow in front of driveways if the opposite side of the street is a park or open area. **Frank K** will present the idea and map to D&D.
- **Glenmore Festival at the Sports Field** – **Kathy L** presented a Spring event “Glenmore Concert at the Fields” concept. For our first event, we’ll hire a band for three hours (\$350), a 10x10 tent, and a stage platform, and invite the community to bring lawn chairs and wine to listen to the music. We’ll set up games so kids can play during the concert. We selected Friday, 10 May from 6 to 9 PM at the Sports Field with a rain date in June. We decided that it would be best to separate the truck shredder event. **Art P** will schedule the truck shredder.

E. Adjournment: The meeting was extended for five minutes to finalize the Land Parcel Conversion Process discussion. The next meeting is scheduled for Monday, 11 March, at 1:30 PM at the Club. A motion was made, seconded and approved to adjourn at 3:06 PM.

F. Actions from the 11 Feb CARB Meeting and older actions.

- **Frank K** – continue the Deer Control efforts while ensuring the safety of the community.
- apply for the GCA Special Permit to begin culling the deer population ASAP
- **Art P** – arrange to access the pyrotechnics during Frank K absences.
- **Allyson L** - provide a written Trail Report for March’s CARB meeting.
- **Frank K** – purchase and install four signs for the golf course easements that state “Trail users must yield to golfers. Beware of errant golf balls.”
- **Kevin F** – find a method to connect the MS Excel CARB Actions database with the written letters that close out the action. Store all of the data in the CARB GCA Google Drive.
- **Frank K** and **Rod Stoner** – take action to remove the two Leyland Cypresses in the BCA area.
- **Art P** – track the cable company damage to the roads and common areas (near the sports field and on Glenmore Way) until completion, and report back next month.
- **Frank K** and **Steve A** – meet with D&D to discuss property ownership map impact on the D&D contract.
- **Kathy L** – prepare for the 10 May concert “Glenmore Concert at the Fields”.
- **Art P** – Arrange for the shredder truck in the spring. The date will not coincide with the concert event.
- **Frank K** – Present the snow removal map and idea to D&D for consideration during snow events.
- **Frank K** - schedule the corrective actions (grind the tree stump and surface roots, and lay sod) in the common area behind 1466 Bremerton Ln (CARB Action 2018-01).

- **Kevin F** – upon completion of the 1466 corrective actions, pass the bill to the Treasurer for assessment to the owner.
- **Frank K** – schedule bush removal and replacement behind 1513 Bremerton (CARB Action 2018-31) in the spring.
- **Frank K** - will arrange for the painting of the Glen Lochen wooden bridge in the spring.
- **Frank K** – The sign to be placed at the end of our Glenmore trail before the VLT LLC property has been purchased. It will be placed at the end of the GCA path in the near future.
- **Steve A** – Present the recommendations from your efforts to the CARB for action and recommendations by the CARB to the Board.
- **Kevin F** - post a note in the Newsletter regarding proper lettering and mailbox requirements, as well as using a copper sheath at the bottom of the post after the C&R source document is found.
- **Kathy L** – develop the “Glenmore Concert in the Fields” event with a date of 10 May. Arrange for the band (\$350), the 10x10 tent, and a stage platform. Also provide materials to advertise the event soonest.

NOTE: Items in green above are completed. Items in yellow are not yet completed.

Trail Report - February 2019

Rivanna Trail

The trail is very usable although a bit muddy in spots. The Rivanna River continues to cut into the trail at the 2nd fairway and the 17th fairway. The section of the Rivanna Trail that goes past the 17th fairway pond and into the woods to the Queenscroft Spur is muddy and puddles in spots.

Pendower Trail

The trail is a delight to walk/hike. It is dry most of the way. It is accessible from the Pendower Spur Trail that starts from Ferndown (across from Glenlocken) or from the cul-de-sac at the top of Ferndown.

Carroll Creek Trail

Most of this trail is too soggy and not maintainable. It is usable only from Newbridge Rd to the end where it meets the Pendower Trail. The Carroll Creek is fuller and running faster than I have ever seen it before. It overflows the trail with each rain storm and although it retreats fast it leaves puddle on the trail

Camp Branch Trail

Under water in places and very muddy.

Allyson Louthan

201800006170 PG 003

G. Grantor has agreed to declare, establish, grant and convey to GCA the nonexclusive easements hereinafter described.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Grant of Easements. Grantor hereby grants and conveys to GCA, for the purposes hereinafter described, a nonexclusive perpetual easement (each, an "*Easement*" and collectively, the "*Easements*" on, through, over, and across each fifteen-foot (15') wide strip of land described and shown in **Exhibit A** attached to and made a part of this Deed (such strips being collectively, the "*Easement Property*"). TO HAVE AND TO HOLD the Easements, together with all and singular the rights, privileges and appurtenances thereto in anywise belonging, unto GCA, and Grantor is hereby bound, together with all of its successors and assigns, to warrant and forever defend the title to said Easements against the claims of all persons whomsoever claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

2. Purpose Easement. Each Easement is for ingress, egress and crossing purposes only.

3. Use of Easements. The Easements shall be for the use and enjoyment of GCA and its members, invitees, guests, visitors and other individuals whom GCA allows to access the Community Trails and roads in the Community under the terms of the Declaration and any rules or regulations adopted by the GCA (collectively, *the "Permitted Users"*). The right to use of the Easements by GCA's members, invitees, guests, visitors, and other individuals are subject to regulation and control by the GCA.

4. Easement Restrictions. The Easements and the use thereof are subject to the following conditions and restrictions:

(a) The Easements are for pedestrian, equestrian and cyclist use only. No motorized vehicles of any kind are permitted on the Easement Property, including golf carts or ATVs, other than as required for maintenance purposes.

(b) No concrete, asphalt, rocks, gravel, artificial or man-made materials shall be placed on or used for the surface of the Easement Property without the prior consent of Grantor.

(c) When accessing the Easement Property, all Permitted Users must yield to golfers on the Golf Course, and GCA shall post and maintain conspicuous signage at each entry point onto the Easement Property with the following directives: "Trail users must yield to golfers. Beware of errant golf balls." If GCA fails to post and thereafter maintain such signage, Grantor may post or maintain the same, as applicable, at GCA's expense.

DEED OF ACCESS EASEMENT

[Glenmore]() OS04118

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GLENMORE COMMUNITY COMMON AREA STUDY

A Review of Ownership of all Common Areas and Multi-use Trails

Steve Antonellis—February 2019

Glenmore Community Common Area Study

- Contents of the Review
 - Brief Summary
 - Process Used for the Study
 - Common Area Map
 - Multi-Use Trails Locations
 - Initial Recommendations to the GCA Board and CARB Actions

Glenmore Community Common Area Study

- Brief Summary
 - It's Complicated

Glenmore Community Common Area Study

- Process Used for the Review
 - Obtain and Review Land Parcel/Deed Transfer Contracts
 - 42 Total Documents Have Been Made Available
 - Now All in One GCA Cloud Location
 - Albemarle County Property Records Data Base Review
 - Walking all Multi-use Trails

Glenmore Community Common Area Study

- There are **Ten** Separate Legal Entities that Compromise the Glenmore "Community" Parcels
 - Glenmore Community Association
 - Bremerton Cottage Association—Jointly Owned With GCA
 - Scottish Homes Association—Jointly Owned With GCA
 - Glenmore Associates
 - Piedmont Neighborhood, Inc.
 - Glenmore Partners LLC
 - Glenmore Country Club
 - Albemarle County
 - "Manor House" Parcel
 - RV Lot Parcels
- Streets are Identified as Separately Owned Parcels
 - Glenmore Community Association
 - Piedmont Neighborhood, Inc.
 - Albemarle County (Glenmore Way)

**Glenmore Community—Any Glenmore land parcel accessible after entering Glenmore Way

Glenmore Community Common Area Study

- Multi-Use Trails Locations are Complex
 - Carroll Creek Trail
 - Glenmore Partners, LLC
 - Piedmont Neighborhood, Inc.
 - Glenmore Country Club
 - Glenmore Community Association
 - Bremerton Cottages Association
 - Bluebird Trail
 - Glenmore Community Association
 - Glenmore Country Club
 - Trail Connects to Sewer Easements that Cross Private Properties
 - Incorrect Location on Glenmore Trail Map and Does Not Connect to Carroll Creek Trail
 - Pendower Trail and Spur
 - Glenmore Community Association
 - Piedmont Neighborhood, Inc.
 - Camp Branch Trail
 - Glenmore Community Association
 - "Manor House" Parcel
 - Possibly Parcels on Richmond Road
 - Rivanna River Trail
 - Albemarle County
 - Possibly Glenmore Community Association

Glenmore Community Common Area Study

Legal Document Findings

- Conflict of Ownership
 - Albemarle County data indicates GCA Ownership
 - 2016 GCC to GCA Easement #2 contract indicates GCC Ownership



Glenmore Community Common Area Study

Legal Document Findings

- Missing Ownership Records
 - Ashton Rd is a part of parcels deeded in 2016. Missing record Ashton Rd ownership.
- Included in 2016 Transfer
- Conflict of Ownership from previous slide



Parcel ID	County Address	Owner
160418100-00-000000	160418100-00-000000	SPICE HONEY
Parcel Info		
Parcel ID 092A1-00-00-000000	CPEN 141100000090	
Full Property Name: 160418100-00-000000		
Owner Information		
Owner: GLENMORE COMMUNITY ASSOCIATION INC.		
Address: PO BOX 61 KENWICK VA 22947		
Other Information		
Primary Prop: 185 FIFTE WAY		
Address		
Other Address: 2375 CARROLL CREEK RD 1377 FARMBY 1 FIFTH RD		

Glenmore Community Common Area Study

Legal Document Findings

- 2018 GCA to GCC Easement #2 Encompasses this Entire Area



Concerning all the Parcels of Engineering, as hereinafter, the Right of Way line of Northern Park Road, commencing at Lot 1, Parcel 2, Division 1 of Glenmore Subdivision, and ending at Phase 2 Section 9 North 27°20'17" West, a distance of 112.68 feet to the line of road.

Section North 62°50'58" West, a distance of 271.61 feet to the line of road.

Section South 87°33'37" West, a distance of 71.29 feet to the line of road.

Section North 42°30'59" West, a distance of 13.84 feet to the line of road.

Section South 87°33'37" West, a distance of 183.18 feet to the line of road.

Section South 20°22'28" East, a distance of 180.04 feet to the line of road.

Section South 49°39'57" West, a distance of 770.76 feet to the line of road.

Section South 12°18'07" West, a distance of 801.78 feet to the line of road.

Section South 87°33'37" West, a distance of 140.21 feet to the line of road.

Section South 39°12'28" West, a distance of 138.86 feet to the line of road.

Section South 18°42'57" East, a distance of 312.88 feet to the line of road.

Section South 18°34'59" East, a distance of 150.88 feet to the line of road.

Section South 12°12'12" East, a distance of 101.43 feet to the line of road.

Section South 27°48'47" East, a distance of 139.55 feet to the line of road.

Glenmore Community Common Area Study

Common Area CARB Actions and Initial Recommendations to the GCA Board

- CARB Actions
 - Review D&D Landscape Contract for Appropriate Trail Maintenance Content—Meeting Scheduled with D&D
 - Place Signs at Golf Course Easement Crossings Per GCC to GCA Easement Agreement
 - Temporarily Remove Glenmore Multi-Use Trails Map and Descriptions for the GCA Website
- Initial Recommendations to the GCA Board
 - Utilize Country Club Resources (Darden) to Investigate and Resolve
 - Ownership of Parcel Beyond 3rd Green Ponds
 - Transfer, Ownership, and Possible Easements of the Ashton Road Parcel
 - Scope and Purpose of GCA to GCC Easement #2

