

# Minutes of the Herndon Community Association Coalition

Thursday – April 3, 2003  
Herndon Neighborhood Resource Center

## I. OPEN FORUM

Call to Order -- Charlie Waddell led everyone in the Pledge of Allegiance.

## II. INTRODUCTIONS

Elizabeth Hagg	Neighborhood Resources Coordinator
Brian Glaser	Neighborhood Improvement Specialist
Lisa Gilleran	Zoning Administrator
Debbie Bevan	Crestview HOA
Bob Bruhns	Gaslight Square Council of Co-Owners
George Burke	HCAC Vice Chairman – Courts of Chandon
Bill Marr	Attorney – Courts of Chandon HOA
Gary Kosciusko	Bluemont HOA
Jane Tilley	Courts of Chandon HOA
Charlie Waddell	HCAC Chairman – Dumbarton Square HOA
Deborah Ward	Tralee HOA
Sue Winans	Branch Drive HOA

## III. ANNOUNCEMENTS

- Charlie Waddell announced several upcoming meetings or events. On Wednesday, April 9<sup>th</sup> at 7:00 pm at the Fairfax County Government Center – Pennino Building, a steering committee meeting of Neighborhood College Alumni is being held. On Saturday, April 12<sup>th</sup> at 9:00 am at the Fairfax County Government Center, Board of Supervisors Office, Congressman Frank Wolf is holding a town meeting. Lastly, Charlie announced that the third annual Community Day and Housing Fair is being held Saturday, May 10<sup>th</sup> from Noon until 4:00 pm at Dulles Park Shopping Center. Charlie has agreed to serve as Master of Ceremonies of the event.
- Members discussed having a table at community Day to collect items for care packages to U.S. soldiers serving in the war. Debbie Bevan said she had official information on what items specifically are needed.

IV. APPROVAL OF THE MINUTES FROM FEBRUARY 6, 2003

Charlie Waddell asked if there were any corrections to the February 6, 2003 HCAC Minutes. There were no changes or corrections. George Burke made a motion to approve the Minutes and Bob Bruhns seconded the motion. The Minutes from February 6, 2003, were unanimously approved.

V. NEW BUSINESS

Discussion of Topics Relating to Over Occupancy Concerns

Elizabeth began this item by distributing a copy of the town's codes that pertain to over occupancy, specifically Sec. 10-257. Prohibition of excessive occupancy and Sec.78-28. definition of *Family*. A discussion ensued to gain a better understanding of these codes. Lisa Gilleran, Zoning Administrator, was present to explain the codes, although some aspects of the codes are the purview of the Building Official and require his interpretation.

It was felt that the ordinance language was difficult to interpret and it was agreed that a clearer, more user-friendly written explanation of these codes could be created and distributed to HOA's. The HOAs could then determine their own occupancy limitations based on unit size in concert with town codes. This exercise would be facilitated if HOA's made the floor plans of their various unit types available to town enforcement staff. Liz reminded HOA's to get them to her or Brian.

Lisa stated that they currently have 83 over occupancy complaints outstanding. If past experience is any guide, many of these complaints will prove to be unfounded. Unfortunately, staff has no way of knowing what complaints are frivolous prior to investigating them, and therefore, waste a lot of time. The Coalition talked about suspect cases being looked into by HOAs to minimize wasting staff resources. A process needs to be developed for doing this.

Other topics discussed include, how to regulate parking to control over occupancy; how to restrict basement use for bedrooms; and HOAs not knowing what they can do legally to regulate over crowding, etc. As time ran out, the Coalition agreed to hold a special meeting in May to continue a discussion of these and other topics relating to over occupancy.

Neighborhood Ambassador's Program – Survey

Brian Glaser distributed a copy of a survey (see attachment) that will be used to determine the type of information and referral new residents to Herndon would be interested in receiving and find helpful. The target audience for this survey is residents who have moved into the Town of Herndon in the last six months. Results of this survey will be presented at a future HCAC meeting. Members are asked to review the survey form and direct any suggested changes to Brian Glaser. Any input will be appreciated.

## VI. OLD BUSINESS

Bill Marr reported on several Bills as follows:

**House Bill 1694:** Allows owners to videotape meetings of the HOA Board of Directors. Bill advised HOAs to develop a policy on how the video camera can be used at Board of Director meetings to address this new policy early on before issues arise. The Bill will go into effect July 1, 2003.

**House Bill 1722:** Provides for meetings of any subcommittee to be open to all members of the community. Unit/property owners do not have to be notified of the meeting time and/or date, but they are able to attend.

**Legislation for condominiums** that reduces the minimum requirement for a quorum from 25% to 10%. If the bylaws do not specify the requirement, it is permitted to go as low as 10%.

**Legislation regarding Covenants, Conditions and Restrictions (CCRs) recorded before July 1, 1999.** Currently, if the CCRs do not speak to how the declarations can be amended, unanimous approval is required. The new legislation will allow the declarations to be amended by 2/3 of the unit owners if the CCRs are silent.

Legislation was passed whereby condominium associations can hold individual unit holders responsible for the insurance deductible on a master policy if the cause of damage starts in their unit, regardless of any negligence. Bill advises individuals to check their individual unit coverage to make sure their coverage levels are sufficient.

Finally, legislation passed that removed the \$150.00 assessment requirement with respect to applicability.

### Neighborhood Landscaping Program

Liz announced that George Washington University (GWU) Landscape Design students have agreed to provide free landscaping designs for front and side yards, as well as common areas of townhouse developments. As there are only six students in this semester's class, only one town home community can be worked on this semester. Crestview will serve as the pilot community for this new program. We will update members on this program as it progresses. It was noted that if enough HOAs get involved with this program over time, it may be possible for the HCAC to negotiate bulk purchase prices for plants with local landscaping companies.

## VII. ADJOURNMENT

The meeting adjourned at approximately 9:25 p.m. **A special meeting of the Herndon Community Association Coalition has been scheduled for Thursday, May 1, 2003, at 7:00 p.m. at the Herndon Fortnightly Library** to continue the discussion of “Topics Relating to Over Occupancy Concerns”. An Attachment is provided.