

TABB LAKES NEWSLETTER

AUGUST 2006

Board of Directors

- **President**—Jim Magnotta, 867-8880
- **Vice President**—Gary Porter, 867-9120
- **Secretary**—Clint Flanagan, 867-6860
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Art Johnson, 867-7069;
Sharon Keplesky, 867-9219
- **Treasurer**—Charles Rossi, 867-8322

GRANDFATHERING—GARY PORTER



I have memories of only one of my grandfathers. He had been a conductor on the Pennsylvania Railroad, an occupation I found at my young age particularly enchanting, but that's not important right now – we're here to talk about grandfather-ing, not grandfathers.

I wasn't on the Board of Directors (BOD) in 1999, but from what I can gather from reading their minutes, I can see they were getting complaints from homeowners concerning the number of large boats and inoperative vehicles that were appearing in the driveways and yards of Tabb Lakes. The BOD carefully searched the Covenants, Conditions and Restrictions and found nothing that prevented a homeowner from storing anything in his driveway no matter how large, or unsightly. Finding authority to do so in the Association's By-laws (Article VIII, Section 1, paragraph c.), and after consulting with an attorney, they passed and recorded, with the County, regulations controlling this situation. These regulations are now part of

every Disclosure Packet handed out to prospective homebuyers and can be found on the Tabb Lakes Homes Association website (www.tabblakes.org). The part dealing with boats, RVs and inoperative vehicles says:

- An inoperative vehicle may remain in the driveway for a maximum of 3 months.
- No boat larger than 25' may be stored on any property. Boats and boat trailers must be garaged, or parked on a paved area alongside the garage. The boat or trailer may not extend beyond the front plane of the garage. The Architectural Review Committee (ARC) must approve the construction of the parking area. The ARC may require that suitable fencing be constructed to minimize unsightliness. *This regulation will have a*

Continued on page 3

ANNUAL MEETING

Tabb Lakes Homes Association's Annual Meeting will be held on Wednesday, October 25, from 7-9 PM at the Tabb High School Auditorium. There are many important issues to discuss and vote on.

If you can't attend due to conflicting events, you may give your proxy to a trusted friend to vote on issues

RESPONSIBLE DOG OWNERSHIP

Once again we are getting complaints of dog owners allowing their pets to "leave their mark" on other people's lawns. Come on folks, it's Golden Rule time once again. Carry a pooper scooper and plastic bags when you walk your dogs, and let's be good neighbors.



INSIDE THIS ISSUE

MAILBOXES	2
TRASH CANS	2
WEB PAGE	2
GRANDFATHERING (CONTINUED)	3
SELLING CARS	4
GRANDFATHERING (CONTINUED)	4
STORMWATER	5
EMERGENCY RESPONSE	6
SPECIAL TRAINING	7
STORMWATER (CONTINUED)	7
COMMITTEES	8
ANNUAL MEETING	8

DOES YOUR MAILBOX NEED REPAIR?

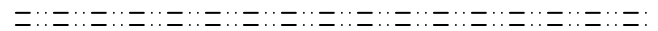
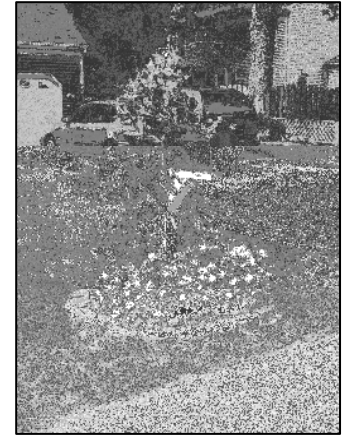
You only get one chance to make a first impression, and your mailbox is often the first impression a visitor forms when visiting your home or even just driving down the street to see if Tabb Lakes is where they'd like to live. If your mailbox needs some fixin' up, let's get busy. The Covenants

Compliance inspectors will soon be given the go-ahead to start writing up mailboxes needing repair.



WHO HAS THE NICEST MAILBOX IN TABB LAKES?

Here's a contender located at 103 Tiger Run. If you think you have a good looking mailbox and don't mind it featured in the newsletter, give Gary Porter a call at 817-1216.



TRASH CAN ENCLOSURES

The Covenant, Conditions and Restrictions for Tabb Lakes state that "...equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition, and all such equipment together with all garbage containers shall be enclosed in a structure or

shall be installed underground." Underground installation of your York County trash can is clearly not practical but enclosing it is. While our Architectural Review Committee studies whether other ways of hiding your trash cans on non-trash days are permissible, the Board

of Directors has asked our Covenants Compliance inspectors to not issue citations for infractions of this Covenants requirement. In the meantime, please keep your trash can(s) out of sight on non-trash days.



NEW WEB PAGE ADDRESS

www.tabblakes.org
This is the new address for finding the most information about our community including contact information for association officers and committee chairs, past newsletters, and Board

of Directors meeting minutes. Also available is a documents library containing our covenants, by-laws, and regulations. Important information pertaining to community emergency preparation is

readily available on the Emergency Response committee web page. Suggestions and feedback are always welcome and can be sent to the site web manager through the email link on the home page.



GRANDFATHERING (CONTINUED FROM PAGE 1)

"grandfather" clause to apply to boats already on-site prior to September 1, 2000. "Grandfathered" boats must be registered with the Association on the registration form provided.

- No recreational vehicle or trailer longer than 25' may be parked on any property. Tractors, cargo trailers, buses, commercial vans and non-pickup trucks over 3/4 ton capacity are also not permitted. Pickup trucks over 3/4 ton capacity, recreational vehicles, and trailers must be garaged, or parked on a paved area alongside the garage. The Architectural Review Committee (ARC) must approve the construction of the parking area. The ARC may require that suitable fencing be constructed to minimize unsightliness. *This regulation will have a "grandfather" clause to apply to vehicles already on-site prior to September 1, 2000.*

"Grandfathered" vehicles must be registered with the Association on the registration form provided.

The BOD realized they couldn't just tell homeowners, some of whom had been storing their humongous boats in their driveways for years, that the boats had to go, so they devised a system of grandfathering.

"Grandfathering. A provision in a statute that exempts those already involved in a regulated activity or business from the new regulations established by the statute."

(www.thefreedictionary.com)

Grandfathering allows something that would otherwise be a violation of a new regulation to be allowed to persist under the understanding that it predated the regulation and that mitigating the violation would impose an excessive burden on the homeowner. The BOD announced that homeowners would be allowed, within certain restrictions, to request

that a particular boat, trailer, RV or vehicle be allowed to continue violating the new regulations. Homeowners were sent grandfathering applications, and those interested (approximately 30) returned them to the Board.

So what got grandfathered? In most cases, a particular boat, trailer or other vehicle was approved for grandfathering to a particular owner. This means -- and this is very important -- that when that particular boat, trailer or other vehicle is sold, the grandfathering becomes null and void. Replacement boats, trailers or other vehicles are not covered by the previous grandfathering. This also means that when the house is sold to a new owner, the grandfathering also becomes null and void, i.e. *the new owner cannot store a similar object.*

Now, this will be seen by some as unfair, but remember, the purpose of any association in a Planned Urban Development (PUD) like Tabb Lakes is to keep the community an enjoyable place to live. Many view enormous boats and



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NEW RULES FOR SELLING YOUR CAR

Did you notice in the “Daily Press” recently that a new law went into effect this month in York County concerning the parking of cars with “For Sale” signs displayed in their windows? The newspaper articles contained some errors that were corrected in an issue of “Citizen News,” The York County periodical (Fall 2006 issue). Although primarily intended to control the selling of cars from public parking lots, the rules also apply to homeowners. If you are selling a vehicle and intend to display a “For Sale” sign in the vehicle, the vehicle cannot be parked on a street or

in a highway right-of-way. And guess what? They now have part-time code compliance officers working on the weekend.

York County is also stepping up a campaign to remove illegal signs from public right-of-ways. This means that those little “For Sale By Owner” signs that pop up from time to time, especially along the right-of-ways on Tabb Lakes streets, have to go. These signs will be removed when discovered. On the other hand, you are allowed by our Covenants Conditions and Restrictions to display a single “For Sale” sign when you sell

your home (“no sign of any kind shall be displayed to the public view of any lot except one sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period”). Notice the last clause. This clause means that when a builder or repairman is finished with his work, his advertising sign must come down. Our Covenants Compliance inspectors will start taking notice of signs that appear to still be displayed after work is complete.



**Wanted:
Packing
Boxes**

**Packing boxes
needed in all
sizes.**

**Must be clean and
functional.**

**Call Gary Porter,
817-1216**

GRANDFATHERING (CONTINUED FROM PAGE 3)

RVs stored continuously in driveways as an eyesore that warrants control, and these were the rules laid down by the BOD. There are plenty of facilities in the local area for storing RVs, boats or similar items.

During the August 10th Board of Directors meeting, it was pointed

out that some residents hadn’t noticed the grandfather request forms attached to two successive Tabb Lakes newsletters and didn’t know about the grandfathering system. The Board agreed to re-examine this issue and determine whether it is reasonable and prudent to allow new grandfa-

ther applications. Until then, covenant violations without a grandfather request on file are just that, covenants violations.

Read upcoming newsletters carefully to ensure you don’t miss important announcements on this issue. In the meantime, no new

grandfather applications are being accepted. If you have an opinion concerning the issue of grandfathering, pro or con, please attend the annual homeowners meeting scheduled for October 25th.

TABB LAKES STORMWATER COMMITTEE HURRICANE AND

SEVERE WEATHER PREPARATION — LOU LAFRENAYE, 867-8333, LAFRENAYEL@AOL.COM

Hurricane season is here. So far we have been lucky in that we have not yet seen the number of storms projected by the National Oceanic and Atmospheric Administration (NOAA) for 2006. We all hope that it remains the same for the rest of this hurricane season.

We have been fortunate over the past few years in regards to flooding problems in Tabb Lakes. Not to make light of the damage and cost associated with Hurricane Isabel, she was barely a Category I storm (74 MPH) when it hit the Outer Banks of NC; and we received less than 4 inches of rain from this storm. Our lakes did rise to about 36" which exceeded the outflow pipe capacity; however, the emergency spillway functioned properly and was able to maintain our lake height at a reasonable level. For those of you who were not here in September 1999, Hurricane Floyd dropped 17 inches of rain on York County in less than 3 days causing significant flooding damage in Tabb Lakes. The last weather event that caused flooding damage in Tabb Lakes was on 24 July 2000 from a stalled weather front that

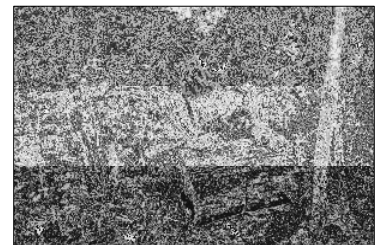
dropped over 6 inches of rain in a matter of hours.

The members of the Tabb Lakes Stormwater Committee remain concerned about flooding and what we can do to reduce this threat. After looking at our drainage systems, we have some specific recommendations for Tabb Lakes homeowners.

1. Keep your yards and drainage ditches clean and free of yard waste, trash and debris throughout the year and especially during hurricane season. Leaves, trash, and branches work their way into our two lakes and can block the single outflow pipe and emergency spillway for our lakes. Remember that our two lakes drain out through one 24" pipe and, when that is overloaded, through an emergency spillway. By design, these two outlets will only release a certain amount of water out of Tabb Lakes. If they become blocked for any reason during a major storm, our lakes will back up into homes.
2. Ensure the drainpipes under your driveways are clear and not blocked by plants,

bricks, leaves or sediment. This will help stop localized street flooding during heavy rains and keep stormwater moving through and out of our area.

3. Lakeside homeowners: Keep firewood, toys, buckets, and other objects away from the edge of the lakes. These get carried away during storms and get trapped in our outflow pipe. If possible, remove any debris found floating in the lakes. Our committee has removed numerous items from the lakes including bikes, car tires and logs.
4. Homeowners on Adele Court and homeowners along Bridge Wood Drive whose yards back up to the junk yards: There is a drainage ditch that runs behind your homes that you should check and clear on a regular basis and before any major storm. Remove any footbridges across the drainage ditch. They can trap branches and debris and will cause flooding problems during a major storm.
5. Homeowners on Conway Court: Stormwater drains from your



TABB LAKES COMMUNITY EMERGENCY RESPONSE COMMITTEE UPDATE—
 LOU LAFRENAYE, 867-8333, LAFRENAYEL@AOL.COM

The members of the Tabb Lakes Community Emergency Response Committee completed several of its goals during the first part of 2006. In March, Tabb Lakes was recognized as the first York County neighborhood to be officially designated a Community Emergency Response Team (CERT) Neighborhood. Fire Chief Kopczynski presented our neighborhood committee members and our Board of Directors with a sign for our neighborhood. Our neighborhood met the requirements by having 12 homeowners CERT trained, having a neighborhood disaster plan approved by the County Fire and Life Safety Department, conducting and participating in ongoing training, and having a neighborhood CERT/emergency management liaison.

On 24 June, members of our Committee, along with some of our Tabb Lakes Board of Directors, attended an open house of our local fire station, Station 2 (Tabb), located near the Tabb High School. We were able to get information on the type equip-

ment available to support our neighborhood, its capabilities, the training the firemen receive, and procedures used in responding to emergency calls.

On 22 July, our Committee sponsored our neighborhood's annual safety training event in coordination with the York County Fire and Life Safety and the Sherriff Department. This year's safety presentation was "Generator and Chain Saw Safety", the two items that cause more injuries and deaths after a hurricane. CAPT Shawn Segerblom and Senior Fireman Brad Homestead conducted a class on the use and safety precautions people need to take when operating these items, especially after a hurricane. Numerous examples were provided on what NOT to do.

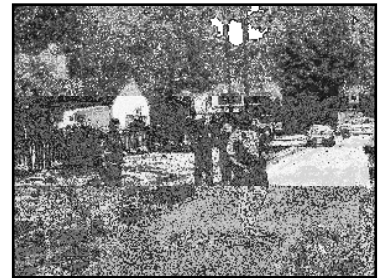
In addition, the committee members passed out information on CERT training, hurricane preparedness information, VDOT evacuation plans, fire safety information, Red Cross training and additional fact sheets on generator and chain saw safety.

Two members of our committee have completed an Amateur Radio Emergency Communications course (Level I) to improve our ability to conduct emergency communications with our County's Emergency Operations Center. This is just one part of our Tabb Lakes Community Action Plan to support our neighborhood after a major hurricane.

Finally, our committee has just about completed assembling the necessary supplies and equipment to outfit our potential response teams. Additional information will be provided at our next Homeowner Association's general meeting.

For information about our committee, CERT training, generator and chain saw safety fact sheets, and hurricane preparedness, go to our committee's web site located at <http://www.tabblakes.org/CERT/TabbWebCERT.html> or call Committee Chairman Lou Lafrenaye at 867-8333.

Remember:
Be informed
Be knowledgeable
Be prepared



Pictures of the July 22 neighborhood training event

UPCOMING TRAINING EVENTS



Cert Training

The York County

Department of Fire and Life Safety will hold a Community Emergency Response Team class starting 13 September 2006. Classes are conducted Wednesday nights from 6:30 PM to 9:30 PM. Two Saturday mornings are also scheduled for the practical exercises. For more information on the schedule or to register for this free training, go to their web site <http://www.yorkcounty.gov/fls/index.html> or call 890-3600.



Amateur Radio (HAM) Training

The Hampton Public Service Team will conduct classes to prepare you to take the FCC amateur radio test and get your "Technician Class" certification. You do not need to learn Morse Code for this class. Classes are conducted at the Northhampton Church of Christ, 1409 Todds Lane in Hampton. Classes are on Saturday from 9:00 AM to 1:00

PM. Course will start on 16 September and conclude on 7 October. An FCC test is usually provided after the completion of the course so you can obtain your FCC license. Contact John Howe at 825-1569 or his e-mail at KE4UP@ARRL.NET for more information or to register for the class. *Note: Our three neighborhood amateur radio operators completed their training through this group. They do a great job teaching you the basics of amateur radio communications and electronics while preparing you for the test!!*

Cert Training:

Begins Sept 13

Call 890-3600

<http://>

www.yorkcounty.gov/fls/index.html

Amateur Radio

(HAM) Training:

Sept 16-Oct 7

Contact: John Howe

825-1569 or

E-mail:

KE4UP@ARRL.NET

STORMWATER COMMITTEE HURRICANE AND SEVERE WEATHER PREPARATION (CONTINUED FROM PAGE 5)

location towards Coventry HOA and under Coventry Blvd by a common drainage ditch behind homes at the end of Conway Court. Check and ensure that this ditch is not blocked and that there are no "foot bridges" or boards across it that can block your drainage system.

- 6. Homeowners who live between Bridge

Wood Drive and Leslie Lane: The backside of your homes drain through a common swale that empties into two drains. These drains are located behind homes at 307 Bridge Wood Dr./108 Leslie Ln. and 401 Bridge Wood Dr./120 Leslie Ln. Please ensure that this swale is clear of leaves

and debris and the drainage grates are clean. This area along Bridge Wood Dr is the lowest elevation of Tabb Lakes and has the longest section of drainage pipes leading to Lake 2. This area will flood first if the drainage pipes become blocked or our lakes rise more than 48". Proper stormwater drainage out of our area


requires that our lakes' outflow pipe and emergency spillway function properly. York County's EDS staff and our Tabb Lakes Stormwater Committee members continue to check the outflow pipe, emergency spillway and the drainage pipe under Rt. 171 to ensure they are working correctly. With your assistance, we can help reduce the chance of flooding in our neighborhood.

**TABB LAKES HOMES
ASSOCIATION**

P.O. Box 8088
Yorktown, VA 23693
<http://www.tabblakes.org>

BULK RATE
U.S. POSTAGE
PAID
YORKTOWN, VA 23693
PERMIT #63

COMMITTEE CHAIRPERSONS			
COMMITTEE	CHAIR	TELEPHONE	E-MAIL
Activities	Vacant		
Architectural Review	Anita Hensley	867-8900	n/a
Covenants Review	Vacant		
Emergency Response	Lou Lafrenaye	867-8333	LafrenayeL@aol.com
Grounds Maintenance	Vacant		
Lake Maintenance	Frank Grim	867-9103	fgrim@earthlink.net
Neighborhood Watch	Vacant		
Newsletter Editor	Shirley Flanagan	867-6860	shirleyflanagan@cox.net
Stormwater	Lou Lafrenaye	867-8333	LafrenayeL@aol.com
Web-Site Manager	Clint Flanagan	867-6860	flanaganc@cox.net
Welcome	Bill Hopkins	867-9229	



ANNUAL MEETING

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