

TABB LAKES NEWSLETTER

MAY 2010



WHOSE LAND IS IT, ANYWAY? - DAVE WEST

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Parking and easements on your property are connected issues. What role do the TLHA, York County and the Commonwealth of Virginia have in providing for a safe neighborhood without infringing on your property rights? Hopefully, the following will dispel some rumors and give perspective.

Pinhead Parking

Where is this coming from? Recently a new sign has appeared on the entrance to our neighboring community, the Greenlands. It restricts the parking of certain vehicles in that community. These signs do not apply to Tabb Lakes. In March the TLHA Board discussed the York County Parking ordinances. (See the March meeting minutes for details.) Just around the next curve, clouds of confusion were looming. Further research into "what is legal residential street parking?" was conducted. Is it legal to park on the non-paved area next to the street? Talking to York County Sheriff's department, it is. The catch is that the vehicle operator has to have the property occupant's permission. If not, York County will ticket, at the occupant's request. Please consider the following facts.

Have you ever attempted to squeeze through one of our 21-22 foot-wide roads when there are cars

parked on both sides? Have you seen what street-side parking can do to a narrow entrance such as the one at Elise Place? What is the math behind Tabb Lakes' street width and on-road parking? Fire trucks and ambulances have a standard width of about 8 feet. A standard pickup truck or minivan is about 6.5 feet wide. So, a minivan and a pickup truck parked across from each other on a straight stretch of road, only on the pavement, leaves 8 feet of clearance. Can the 8-foot-wide fire truck then transit at an emergency speed to your home where your burning breakfast has turned your kitchen into a mass of flame and smoke? Also, assume the parked cars are within 6 inches of the road's edge. The clearance is less if a radius is required like in the curves of Tabb Lakes Drive, Gardenville Drive, Bridge Wood Drive, and the rest. If two vehicles are parked across from each other in such a way that they would "impede" emergency vehicles, they can be ticketed and towed; but that is not the largest beast on the roads. School buses are 8.5 feet wide, which is a different violation.

This is a residential area. Multi-car families are the rule and not the exception; so it's incumbent on all of us to be good neighbors when parking on the street. Please don't be a parking pinhead. (continued on page 2)

WHOSE LAND IS IT, ANYWAY? (CONTINUED FROM PAGE 1)

Easements

Wait a minute, how can the home owner complain how I park on a public road? Doesn't VDOT own the area on the side of the road to include the ditch? IT DOES NOT. The state has a "maintenance, transit and quit claim easement" and "right-of-way for pedestrian transit." This easement is measured from the center line of the roadway, but you are the owner. This means that the home owner is held responsible to maintain that area. As unfair as that seems, it is what we have in place to provide for lights, drainage, electric, water, sewage, and other modern day amenities.

The VDOT and York County easement area varies according to the property. It is different on Tabb Lakes Drive than on Bridge Wood Drive. The rule of thumb is between 25 and 30 feet from the center of the road.

The subject of a TLHA easement has even cost the TLHA and a homeowner quite a bit of money. The TLHA has a sign easement on the lot facing Mid-Atlantic Place on Bridge Wood Drive. The owner sued the TLHA for \$1699.10 concerning an issue about that easement. The homeowner lost both in General District Court and on appeal in Circuit Court. This cost

the TLHA \$5000.00+ in legal fees and time for present and past members of the board. Did it make sense to fight this? The dollar sign indicates "no" at first glance. The long-term monetary and legal implications were greater; because if your Board of Directors is unwilling to defend the Association from such challenges, it would open up Tabb Lakes to all sorts of frivolous lawsuits from disgruntled individuals. As with past Boards, this Board chose to defend our Association's principles.

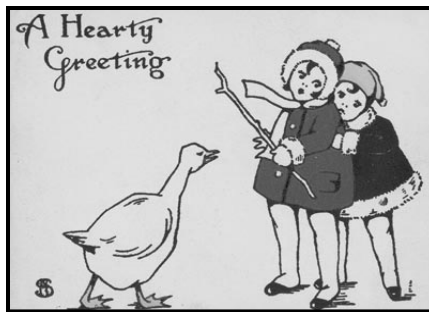
Summary

You are given the rights and responsibil-

ity for what happens on your property. Presences of an easement do not relieve you, the owner, of your responsibility. When a car tears up the lawn in front of your house, it is your responsibility to bring it back into covenant compliance on your own or by the car's owner. If you have numerous visitors invited by you to your home, are you liable for how they park? Better ask an attorney. If someone is injured or dies because emergency services can't get through in time..... I wouldn't want that on my conscience.

CARNIVOROUS AVIAN INFESTATION—DAVE WEST

Yes, geese will attack humans. As these WILD animals become less afraid of humans, the problem is becoming greater. Have you tried to face down a group of these feathered fiends on Bridge Wood Drive while driving your urban assault mini-van? They show no fear. The other down side is the goose poop that many lakeside



Prevent Geese attacks
Don't feed the geese.

residents have to deal with. Lawns are being ruined and back yards are unusable due to this pollution. Then there is the health

issue. Avian influenza, also called bird flu, is a disease of birds, usually wild ducks and geese. Wild geese are also a potential source of *Campylobacter* infection for humans and have been implicated in waterborne disease outbreaks.

What is the answer? Recently TLHA was contacted by a

resident of Coventry about using an organization called GeesePeace. This is expensive. One figure we heard was between \$4,000 to \$5,000. The TLHA is considering the purchase of mute swans to deal with what other York County neighborhoods have found to be a large problem.

NEW TABB LAKES FOUNTAINS—BOB SPELL

Yes, they look the same as the old fountains. The two new fountains were installed about two weeks ago in lakes 1 and 2. They replaced the fountains that have been operating since the year after the lakes were filled. These original fountains had become expensive to maintain and were frequently out of commission. At the time a decision was made to replace the old fountains, both were shut down in need of repair. It was time to decide between having no fountains and



having new fountains. Due to the almost universal desire to continue enjoying the beauty of the fountains, it was decided unanimously to go ahead and purchase new ones.

They were purchased from and installed by the same company that maintains water

quality of the lakes, Virginia Lake Management, Inc. The fountains were manufactured by Aqua Master Fountains and Aerators of Kiel, Wisconsin. These are the base model, and they feature internal axial flow impeller technology that creates this full, more upright cone pat-

tern, without a nozzle. The power driving the fountains is a two horsepower electric motor which produces a spray pattern 10 feet high and 24 feet in diameter. They are protected by a five year warranty.

If you do not have a lake-side lot, you can best see the new fountains by going to the part of Bridge Wood Drive where the two lakes join or by walking the foot path along the west side of lake 1 to the place nearest the lake 1 fountain. The fountains are lighted for your enjoyment 24/7.



**TABB LAKES
ANNUAL YARD SALE
SATURDAY, MAY 22
0800-1230**

**RESPONSIBLE
DOG
OWNERSHIP**

Carry a pooper scooper and plastic bags when you walk your dogs, and let's be good neighbors.



TABB LAKES EMERGENCY RESPONSE COMMITTEE—LOU LAFRENAYE

Hurricane Season is June 1 to November 30. Are You Ready?

Hurricane season is coming. In fact, 23 to 29 May is designated Hurricane Preparation Week by the National Hurricane Center. This is the time to get ready.

**Make a Plan,
Get a Kit,
Stay Informed !!!!**

Building a kit? Plan to go shopping the last week of May and save money on items you can use. **Virginia's Hurricane Preparedness Sales Tax Holiday is May 25-31.** During that week, you can stock up on supplies for your emergency supply kit to protect your home and business during hurricane and flooding season.

This year, the National Hurricane Center will implement several changes to their products. Below are a few that most people will be aware of:

1. Watches and warnings will be

issued 12 hours earlier than in previous years. Storm watches will be issued within 48 hours and warnings within 36 hours if conditions are possible.

2. The new Safer-Simpson Hurricane Wind Scale will become operational. The original was called the Safer-Simpson Scale. The new scale no longer links barometric pressure and storm surge to the different hurricane categories. The new scale (Category 1 through 5) have the same wind speed measurements as the old scale. Barometric pressure and storm surge information will be provided separately.

3. The format of the Tropical Cyclone Public Advisory reports is changing and will be organized into sections and the sum-



mary will be on top. These reports are available on the National Hurricane Service web site as they track tropical cyclones.

VDOT is in the process of updating its Hurricane Evacuation Guide. This year's guide will have the new descriptions of watches and warnings provided by the National Weather Service, info on the importance of flood insurance, and a better explanation of storm surge and its risks to coastal areas. The new document is not out yet. We will put the link on our neighborhood web site once it is released.

The following web sites have more information on what you can and should do to prepare you and your family for the 2010 hurricane season:

- National Hurricane Center preparedness web site: www.nhc.noaa.gov/HAW2/english/

[intro.shtml](#)

- Virginia Department of Emergency Management: www.vaemergency.com/threats/hurricane/index.cfm
- Tabb Lakes Emergency Response Committee's web site: www.tabblakes.org/CERT/TabbWeb-CERT.html

Hurricane Forecast for 2010

Colorado State University Tropical Weather Project typically provides forecast for the public. Below is the latest extended range Atlantic basin seasonal hurricane forecast for 2010 (as of 7 April):

Named Storms - 15
Hurricanes - 8
Major Hurricanes - 4

Their report also discusses probabilities of landfall. Although these predictions are interesting, it (continued on page 5)

CERT (CONT. FROM PG 4)

only takes 1 storm to have a major impact on our neighborhood; so be prepared. You can find the full report at their web site at www.hurricane.atmos.colostate.edu/ forecast

Emergency Information During and After a Storm

York County has an agreement with radio station WXGM - FM 99.1 to broadcast York County specific information at set

times during an emergency. For more information on preparing for emergencies, go to our Tabb Lakes Emergency Response Committee web site located at <http://www.tabblakes.org/CERT/things.html>.

If you are receiving this newsletter via USPS and would rather receive it electronically, please go to our website: www.tabblakes.org and fill out the form.

OTHER IMPORTANT INFO...FROM LOU LAFRENAYE

Red Cross Classes

The York-Poquoson Chapter of the American Red Cross conducts monthly safety classes for the public. Most people are aware that they

teach First Aid and CPR classes. However, they also teach more diverse classes like Pet First Aid, Lifeguard Instructor training, Babysitting training, and Disaster

Assessment classes. For more information on classes and how to sign up for their newsletter, go to their new website located at WWW.YPCREDCROSS.ORG The site

includes a calendar that shows upcoming red cross classes. Check the calendar for class dates or call 898-3090 for more information.

Volunteer!

There are still three vacant committee chairman slots: Activities, ARC, and Welcome. We need YOU!

YARD OF THE MONTH

if you would like to nominate your yard or a neighbor's, please contact Cox & Lee Management (593-6088) and submit the name and address. Also, we need an individual to assist the BOD in selecting the yard of the month recipient.



APRIL
Art and Janice Johnston
104 Monty Manor

Note: There was no selection for March.



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These advertisements are not an endorsement by the Tabb Lakes Homes Association. If you would like your ad to appear in our newsletter, please see our web-site for proper procedures.

Royall Painting & Repair

Interior / Exterior
 Reconstructive Carpentry
 Pressure Washing
 Decks Stained / Sealed

Ed Tyler
 (757) 867-6615 (Office)
 (757) 897-1082 (Cell)



**Your ad
 could have
 been here!**

**Tabb Lakes Homes Association
P.O. Box 8088, Tabb, Virginia 23693
Architectural Review Committee (ARC) Request for Approval**

Name: _____ Date of request: _____
Address: _____ Telephone: _____

Type of modification: (deck, patio, outbuilding, addition, fence, etc.)

Plans and specifications: Please attach a copy of plat with a sketch of proposed modification. Show approximate shape & measurements. List colors and materials to be used if needed for approval.

I have provided an accurate representation of the planned modification. I will notify the ARC of any changes that need to be made which would affect their approval prior to resuming work on the project.

Signature of homeowner: _____ Date: _____

Homeowner check list:

- County permits: 890-3522
- Call Miss Utility before digging, to locate underground utilities: 1-800-552-7001

Committee Action Date of receipt: _____

- _____ Approval by maintenance committee (i.e. mods affecting lake area)
- _____ Approved as submitted
- _____ Approved subject to modifications as required by covenants
- _____ Disapproved for reason listed on reverse side

Architectural Review Committee signature and date:

You may return this form to any of the persons listed below for processing. Mailing will delay the review process by approximately one week. To submit online, see our website at <http://tabblakes.org/>

Tabb Lakes Homes Association Officers

Office	Name	Telephone
President	Dave West	534-7442
Vice President	Ron Maddox	867-7261
Member-At-Large	Bob Spell	867-8184
Member-At-Large	Bill Hopkins	867-9229
Member-At-Large	Ellis Sharadin	867-8816

**TABB LAKES HOMES
ASSOCIATION**

P.O. Box 8088

Yorktown, VA 23693

<http://www.tabblakes.org>

Don't forget——Tabb Lakes Yard Sale is Saturday, May 22.

COMMITTEE CHAIRPERSONS

COMMITTEE	CHAIR	TELEPHONE	E-MAIL
Activities	Vacant		
Architectural Review	Vacant		
Emergency Response	Lou Lafrenaye	867-8333	tlert@tabblakes.org
Grounds Maintenance	Bill Hopkins	867-9229	grounds@tabblakes.org
Lake Maintenance (Lake 1)	Bob Spell	867-8184	lakemaint1@tabblakes.org
Lake Maintenance (Lake 2)	Gary Porter	867-9120	lakesmaint2@tabblakes.org
Neighborhood Watch	Christel Doucette	867-8863	watch@tabblakes.org
Newsletter Editor	Shirley Flanagan	867-6860	newsletter@tabblakes.org
Stormwater	Lou Lafrenaye	867-8333	stormwater@tabblakes.org
Web-Site Manager	Clint Flanagan	867-6860	webmaster@tabblakes.org
Welcome	Vacant		