

Minutes of the Board of Directors Meeting

March 9, 2014

Blue Heron Woods POA

1. ATTENDANCE. All of the Directors were present; John Scagliotti, Richard Klein, Alissa Weiss, and Caroline Hart.

The following actions were taken by appropriate motions duly made, seconded, and adopted by the majority vote of the Directors.

2. REPORTS.

1. Dues- late fee notices sent to delinquent accounts
2. Inquiries made about missing sign on Rt.6
3. Contractor to repave near mailboxes on Rt. 402 side
4. Insurance for BHW will be handled by A.M. Skier
5. 25mph speed limit for BHW
6. Motion granted for small, contained fires for recreational purposes
7. Motion granted to cease the discharge of any/all firearms on BHW property

4. AUTHORIZATION OF ACTIONS. It was agreed upon by the Directors to take actions on:

1. Request certificate of insurance for plowing
2. Request certificate of insurance for any/all ATV's on BHW common roads and ground.
3. Request information on DEP regulations from Kiley
4. Explore options for new landscaper
5. Explore options for speed limit signs

5. NEXT MEETING. The next meeting for Directors and Property Owners will be held on June 7th, 2014 at a location to be decided.

There being no further business, the meeting was duly adjourned.

Caroline Hart

Secretary

MINUTES

Blue Heron Way POA

February 1, 2015

1. **QUORUM.** A quorum was declared based on the presence of the Board of Directors.

The following actions were taken by appropriate motions duly made, seconded, and adopted by the majority vote of the Directors.

2. **DIRECTORS PRESENT.**

John Scagliotti, Rich Klein, Alissa Weiss and Caroline Hart

3. **REPORTS.**

A. Meeting with Kiley Associates, LLC. Community Association Engineering Fee Schedule adopted.

B. Architectural Committee formed with the following volunteers

1. Rebecca Rivera
2. Will Rivera
3. Ryan Neenan

C. late fee notices sent out by Spall

4. **AUTHORIZATION OF ACTIONS.**

A. letter to be sent to home and property owners regarding Kiley and Architectural Committee

5. NEXT MEETING. The next meeting for Directors and Property Owners will be held in June, 2015 at a location to be decided.

There being no further business, the meeting was duly adjourned.

Caroline Hart

Secretary

MINUTES

Blue Heron Woods POA

February 22, 2015

1. QUORUM. A quorum was declared based on the presence of the Board of Directors.

The following actions were taken by appropriate motions duly made, seconded, and adopted by the majority vote of the Directors.

2. DIRECTORS PRESENT. John Scagliotti, Rich Klein, Alissa Weiss and Caroline Hart

3. REPORTS.

A. Architectural Review Committee Handbook review

B. Fee schedule amended

C. Specifications amended

D. BHARC will be partnered with Kiley Assoc. for homeowners convenience

4. AUTHORIZATION OF ACTIONS. It was agreed upon by the Directors to take actions on:

A. BHARC to make all necessary changes to Architectural Review Committee Handbook.

B. ARC Handbook to be reviewed by Kiley

C. Letter to be sent for any unregistered vehicles on BHW property.

5. NEXT MEETING. The next meeting for Directors and Property Owners will be held in June, 2015 at a location to be decided.

There being no further business, the meeting was duly adjourned.

Caroline Hart

Secretary

Minutes of the Board of Directors Meeting
Blue Heron Way POA
May 17, 2015

I. Quorum. A quorum was declared based on the presence of the Board of Directors.

The following actions were taken by appropriate motions duly made, seconded, and adopted by the majority vote of the Directors.

II. Directors Present.

John Scagliotti, Rich Klein, Alissa Weiss, Caroline Hart and Lou Lombardo

III. Reports.

A. liens filed for past due HOA dues, certified letters sent

B. Chief Wayne of Forest Volunteer Fire Dept. filled cistern free of charge

C. Discuss solar entrance lights

D. Discuss ARC handbook

IV. Authorization of Actions.

A. Bid for new snow removal company

B. Contact PCCD with written request for updated corrective action notice

C. Check if bond is in effect for dips in road near lot 92

D. Make donation to Lackawaxen Fire Commission of \$150 for filling cistern

V. Next Meeting. The next meeting for Directors and Property Owner will be held in June 2016 at a location to be decided.

There being no further business, the meeting was duly adjourned.

Caroline Hart

Secretary

Minutes
Blue Heron Way POA
July 12,2015

1. QUORUM. A quorum was declared based on the presence of the Board of Directors.

The following actions were taken by appropriate motions duly made, seconded, and adopted by the majority vote of the Directors.

2.DIRECTORS PRESENT. John Scagliotti, Rich Klein, Alissa Weiss and Caroline Hart

3. REPORTS.

- A. Warner Paving to finish mailbox area
- B. Review of paid /delinquent HOA fees

4. AUTHORIZATION OF ACTIONS.

- A. Contact attorney Spall
- B. Contact Jim Combs about cistern
- C. ARC committee to revise information for handbook
- D. Send letter to lot owners who have surpassed the one year building limit

5. NEXT MEETING. The next meeting for the Directors and Property Owners will be held in June, 2016 at a location to be decided.

There being no further business, the meeting was duly adjourned.

Caroline Hart
Secretary

MINUTES
Blue Heron Woods POA
October 12, 2015

1. QUORUM. A quorum was declared based on the presence of the Board of Directors.

The following actions were taken by appropriate motions duly made, seconded, and adopted by the majority vote of the Directors.

2. DIRECTORS PRESENT. John Scagliotti, Rich Klein, Alissa Weiss, Caroline Hart and Lou Lombardo

3. REPORTS.

A. Attny Spall will be sending letter to Landview with photos of retention pond area.

B. JML will provide snowing plowing for this winter.

4. AUTHORIZATION OF ACTIONS.

A. Contact Ciccone to address dips in road

B. Contact Denaples to address cistern issue

C. Attend upcoming fire commission meeting to inquire information on cistern

5. NEXT MEETING. The next meeting for the Directors and Property Owners will be held in June, 2016 at a location to be decided.

There being no further business, the meeting was duly adjourned.

Caroline Hart
Secretary

BLUE HERON WOODS POA MEETING, Saturday July 17, 2016

VENUE: Scagliotti home, 10 AM

TOPIC: NPDES (National Pollution Discharge Elimination System)
PCCD (Pike County Conservation District)

Notes by Coach Lou Lombardo, Sgt Arms

ATTENDEES: John Scagliotti, Rich Klein, Rebecca Rivera, Will Rivera, Bob Geis,
Alissa Weiss, Caroline Sazalsky, Lou Lombardo

1. John S, Jim Coombs must transfer paperwork; we must file a freedom to know. If the permit expires and we do not renew, and then we seek to renew, it will be expensive for individual lot owners. We should cover all BHW property owners with the NPDES.
2. John S, Why are we governed by the NPDES? Storm water run-off. The permit ends on January 1, 2019. By June 2018 we must have all paperwork. The cost is \$1,500.00 per 50 acres.....for an overall cost of \$30,000.00 which \$200.00 per BHW property owner.
3. Coach L, How many years is the permit valid? John S, 5 years.
4. John S, We should meet with the attorney. We will ask....should the BHW POA cover the \$30,000.00 fee or let the expense be the responsibility on each future builder....\$1,800.00 plus engineering fees. Present homeowners are grandfathered under the current permit.
IE. Changes...Decker Creek, could build within 10 feet of the creek; now must be 75 feet from the creek.
5. John S, River rocks are OK for drainage area basins because they do not effect water flow.
6. John S, BHW Lot Disturbance is 50 acres.....calculation: each lot x .07
7. Will R, Why did we put 50% of lot size for consumption to clear?
John S, So $\frac{1}{2}$ acre per lot for disturbance x 100 lots = 50 acres which computes to \$30,000.00
8. Coach L, Do our roads count as disturbed acreage?
9. John S, Yes, but they will no longer be part of the calculation. The permit is for storm water discharge. We have berms, retention basins, easements that belong to the BHW community. This will not exist under the new permit. We are responsible for new tree growth removal.
10. Capt'n Bob, ATVs are tearing up the easement on the Blue Heron Way south side.
11. Rich K distributed papers regarding the driveway culvert swale areas where ponding occurs. Community property at the road side.
12. Rich K, I had to remove 18 inch pipe and upgrade to 24 inch pipe. Coombs/Landview had a replacement pipe which at an incorrect elevation. Will R, Get an estimate from a contractor...establish a flow from point A to point B. Lay stone, rock gravel, etc
13. Capt'n Bob, The culvert in front of my home ponds.

14. John S, We will give these questions to the attorney.

PAGE 2. BHW Directors Meeting 7/17/16

15. Rich K, We should take control of the permit. Presently there is no cost but there may be current violations. Blue Heron Woods LLC may be bankrupt.

16. Will R, Present to the board and BHW community settling and erosion info that has caused the culvert swale problem. What is the repair/maintenance cost?

17. Alissa W, We will get written permission from Jim Coombs and then seek bids. This falls under community maintenance.....front of Rich K and Bob G homes.

18. Alissa W, Road repair needed by Caroline's house....Warner paving installed the roads. A 43 foot cut at about 2 feet in depth is needed....fill in, modify, and pave. 1-800-DIG

19. Alissa W, I filed 5 liens....2 were satisfied. Justin Lecce will discuss 1 year and 3 year contract options for snow plowing.

20. John S, I spoke with Ryan to get a chain up at Wedgewood (BHW south).

Alissa W, we need a bigger chain.

21. John S, There is a light out at the entrance.....we should buy a supply of bulbs. Bushes obscure the light at the route 402 Blue Heron sign entrance.

22. Alissa, The BHW website must be redesigned. Will and Rebecca have surveyed the community. Identified Stonehenge Steve, visible propane tanks.

23. Coach L, As a role model and a matter of principle, I will build a stone wall to block my propane tank. I challenge others to also build stone structures.

24. Rich K, I spoke with Pocono Pete (home at BHW south) regarding his neighbor who has roughed in a road and has cleared trees for 2 years.

25. Will R, Stonehenge Steve at Lot 5 has built a septic mound, built rock barriers, removed trees, no permit has been submitted. He may build a prefab home. Steve knows the BHW regulations.

26. Rich K, Lot 5 Steve and the neighbor of Pocono Pete need permits.

Saturday September 24, 2016....9 AM to 10 AM

Blue Heron Woods POA Directors meet with John F. Spall, Attorney at Law
2573 Route 6, Hawley PA 18428 570-226-6229; jfs@poconolawyers.net

President-John Scagliotti, Vice-President: Rich Klein, Sgt Arms: Lou Lombardo

Minutes recorded by Coach Lou Lombardo

TOPIC: PCCD (Pike County Conservation District)

NPDES (National Pollution Discharge Elimination System) permit expires in 2019.

What is in the best interests for the Blue Heron Woods POA?

1. Attorney John Spall does not know if Landview has declared bankruptcy. He is investigating federal records. Landview (Jim Coombs). Landview has not reviewed the permit.
2. John: Not sure BHW should renew the permit. The estimate cost is \$30,000.00. Are we liable for Landview sins?
 - Lawyer JS: BHW is not responsible for their sins or the cost of reviewing the permit.
 - BHW is the only community in Pike County presently with a NPDES permit.
3. Lawyer: Every time the permit is renewed you are subject to rule changes'
 - ie. Mast Hope was instructed to deal with road changes, swales, retention ponds, rocks, etc). They chose not to renew the permit. People have still been able to sell their lots.
4. John: the PCCD has stated that a permit is required to build.
5. Lawyer: Hemlock Farms has a storm water drainage issue. They had hoped that Harrisburg would provide a grant to help cover the project expense. The Department of Environmental Protection did not give a grant. The storm water issue persists and people are still able to sell their lots. PCCD may be using a scare tactic.
6. John: Everything is presently in place regarding the PCCD regulations. If we renew the permit established homes are grandfathered. The PCCD can inspect our properties and find us out of compliance, ie. there are driveway issues.
7. Lawyer: Ask the PCCD this question....did you inspect Tinkwood, Tanglewood, Mast Hope, Hemlock farms; non have renewed the permit. This is selective persecution.
8. Coach Lou: Hypothetical to lawyer-what if you had two properties at BHW, a home and a 10 acre lot.
 - Lawyer: PCCD has a minimal staff. They cannot inspect thousands of lots. The ability to comply across the board is not possible.
9. John: If we do not renew as an association then each individual property owner is responsible for the cost of the NPDES permit required to build a home.
 - Lawyer: It is not your obligation to extend the permit.
 - The Hemlock Farms POA were considering bond issues. The future liability is based on rule changes.
10. John: There are "typicals" for every lot spelled out. No cost if you follow PCCD rules and do not seek a variance. We notify the PCCD every time a lot is to be developed. We have an Architect Committee.
11. John: Should we take over the permit and allow it to expire (January 1, 2019)?
 - Lawyer: This is a business/community decision. You must get voter approval from the BHW POA. I recommend individual property owners be responsible for building a house. Landview (Coombs), is the co-permitee until 2019. He is

responsible for the PCCD requirements for all storm water drainage repairs. There could be a natural disaster that causes a problem. The co-permittee must make repairs.

12. John: Can the BHW fix the water problem at the street in front of Rich Klein's property and/or elsewhere?

-----Lawyer: A letter to Coombs....BHW LLC will not be responsible for any repair that becomes problematic.

-----Rich: We must comply with codes; contact PPL etc. before any ground disturbance.

13. John: Can we engage your services to write a proposal letter that we can give to the POA membership?

-----Lawyer: Yes, the BHW POA should be made aware of the NPDES situation.....transparency.

14. John: What happens if the BHW POA dissolves?

-----Lawyer: BHW is still a young development. People are relatively active. Somebody will step up if there is an issue. For example....it is snow season and BHW failed to get a road plow service. The first significant snowfall get people acting.

15. Rich: Please read our rules for building a house regarding the 1 year regulation. Is completion based on gaining the Certificate of Occupancy?

-----Lawyer: The day the building permit is issued the clock starts. (The basic requirement for a CO is at minimum---a furnace, kitchen, bathroom, bedroom, water).

16. John: We wish to contact builders who are past due for completion.

-----Lawyer: It is best to give 1 year for the completion of the outside of the outside of the house. People can complete the inside ASAP. Get specific CO regulations from Lackawaxen, Blooming Grove, and Palmyra Townships.

17. Coach Lou: Can we post your letter to the BHW POA on our web site? Lawyer: Yes.

18. Coach Lou: Should we schedule a special meeting for February 2017 to deal with the permit topic? What do we need to pass the referendum?

-----Lawyer: Give at least 6 weeks' notice for the meeting. A quorum is required for the referendum votes to count. Send my letter with a cover letter.

19. Coach Lou: What if there was fire damage to the trees on a BHW property which encroached from state game lands. This is a potential erosion/storm water issue. How does the lack of a permit effect the repair.

-----Lawyer: The BHE POA can comply with any PCCD regulation without holding a NPDES permit.

Sunday January 15, 2017....10 AM to 11:45 AM, BHW Special Meeting

Blue Heron Woods POA Directors met at the home of Pat and John Scagliotti

**President-John Scagliotti; Vice-President- Rich Klein; Treasurer-Alissa Weiss Wade;
Sgt Arms: Lou Lombardo; Architect Committee: Will Rivera, Rebecca Rivera, Ryan Neenan
Absent: Carolyn Szalsky-Secretary; Bob Geis-Alternate**

Minutes recorded by Coach Lou Lombardo

TOPIC: Information from Meeting with Attorney Spall on 9-24-16

PCCD (Pike County Conservation District)

NPDES (National Pollution Discharge Elimination System) permit expires in 2019.

What is in the best interests for the Blue Heron Woods POA?

Lot 141 violations.

1. Lot 141 (BHW south) issue-illegal clearing of trees; Will Rivera had a communications with the excavator. The property representative was belligerent and threatened Will.....wanted to know where Will lived. The listed owner of Lot 141 is Lisa Picinich.
2. The Lot 141 owner has not submitted application/paper work to the Pike County Conservation District; confirmed by Ellen. The Lot 141 owner has not signed the co-Permittee contract.
3. Will Rivera-the Lot 141 owner believes that he is grandfathered and not subject to regulations of the BHW Architect Committee. There is a lien against Lot 141.
4. Rich Klein delivered written material to attorney Spall on December 9, 2016. Spall called on December 10, said he would have relevant information.
5. Rich Klein visited the Spall Law Office on January 10, 2017. Rich requested a letter from Spall to be sent the Lot 141 violator.
6. John Scagliotti-we are still awaiting a form letter from attorney Spall; The following properties have applied to the Architect Committee: Lot 5, Lot 59, Lot 99, no compliance from Lot 141. Lot 59 is awaiting PSSD letter for file.
7. Rich Klein-have we been billed by attorney Spall? Alissa Weiss response-No! Chris Finney is the associate attorney of John Spall.
8. Coach Lou-can BHW lose the Permit if Lot 141 does not comply and creates environmental problems. Will Rivera response-Yes, the BHW POA could lose the Permit. Lot 141 has 8.3 acres.....he could be selling timber.
9. Alissa-all current liens are against property owners who have not built homes. Lot 141 has a lien and they have cleared a large space on the lot. I will send an updated spread sheet regarding the liens that have been filed against BHE properties.
10. Rebecca Rivera-our goal is to resolve the Lot 141 issue before warm weather arrives.
11. John S-We need new chains for the pathway that runs from the cull de sac (ATV-logger pathway) at BHW south. This is BHW common property. We cannot allow 4 wheelers due to drainage issues.

12. Will R-We must get signage----NO TRESPASSING
13. Alissa W-4 chain areas are needed (maintenance issue).
 - 2 Chains needed-BHW South, Route 402-Route 6 connector
 - 1 Chain needed-Decker Creek-leads to the BHW sanctuary (360 feet)
 - 1 Chain needed-Woodcrest-pond/swamp area
14. Alissa W- I will send reminder letters regarding the covenant violations.
15. Will and Rebecca-we will take a Spring walk to review properties.....special kudo to Coach Lou for his masterful privacy stone wall (propane tank)
16. John S-the PCCD Permit expires on January 1, 2019. We should make a decision during the 2017 year. We shall ask the attorney to craft an explanation letter for BHW POA members.
17. Will R-The PCCD should send a rep to a BHW POA meeting. They should explain to BHW property owners that they must individually file and pay for the NPDES permit if the POA allow the permit to expire.
18. John S-All present protocols for building would remain the same. The individual must pay the NPDES permit fee.
19. Will R-They must also file with the PCCD to get a permit from the respective township.
20. John S- attorney Spall recommended to let the NPDES permit expire. If we had 150 developed lots it would be best to allow the permit to expire. We have less than 30 homes....do we want the permit to expire?
21. Coach Lou-are we obligated to notify BHW property owners or can we just allow the permit to expire? If we seek to renew there will be a cost per property owner.
22. Alissa W- there would be a special assessment to cover the cost of a renewed permit (5 year lifespan). If some owners do not pay we must pick up the slack. Palmyra, Blooming Grove, and Lackawaxen cannot issue building permits until Pike County gives permit.
23. Alissa W-we should get a letter from the DEP (Alissa will contact the Wilkes Barre office) and the PCCD that says individual lot owners are responsible for compliance to their rules when building a home.
24. John S- Ellen of the PCCD always has a witness attending her meetings...she spouts the company line. John S asked, what are the ramifications if we allow the permit to expire? Ellen did not give a response.
25. Coach Lou-why would property owners without homes care about the 2019 permit expiration date? Why would they wish to pay the fee? Is the permit fee raised every 5 years? John S-yes the fee can be raised and regulations are changed constantly.....if we renew there will be no changes to the regulations....we would be grandfathered....if the permit lapses and then we reapply for a permit, we are subject to new regulations.
26. John S-currently, all BHW violations are cleared.
27. Rick K- our lawyer must make a presentation at the June BHW POA meeting.

28. Ryan Neenan-I can help with the legalize language (dumb it down). I can make a power point presentation.
29. John S-we must get details from the DEP, then attorney Spall.
30. Ryan N-if we do not extend the permit----we should recommend that people start construction of new homes before January 2019.
31. Will R-can the BHW POA put a "stop work" order against Lot 141? Maybe not if he uses cash and fulfills township and PCCD regulations, ie. does not submit plans to the BHW Architect Committee, violates POA building covenants, does not play dues.
32. Rich K-Jack is a builder, using the cull de sac area with a dump trailer. Will R- we should discuss this at the next meeting.
33. Rich K-parking at the mailbox area....yellow Nissan pickup truck goes to Route 6 (maybe a car pool situation). I think the owner lives near Caroline.
34. Alissa W-I will make an email list of questions for the DEP.

Saturday May 19, 2018....12 PM, BHW Special Meeting

Blue Heron Woods POA Directors met at the home of Sandy and Lou Lombardo

President-John Scagliotti; Vice President-Rich Klein; Sgt Arms-Lou Lombardo

POA Members: Pat Scagliotti, Isabell Klein, Sandy Lombardo

Minutes recorded by Lou Lombardo

TOPIC: The NYPDES (National Pollution Discharge Elimination System) the permit expires on January 1, 2019; does the Blue Heron Woods POA renew the permit? The permit covers 5 years. There is a fee for the permit.

----Legal Counsel: Attorney John Spall has recommended that the BHW POA not renew.

----Actions: John Scagliotti and Rich Klein have communicated with PCCD (Pike County Conservation District) officials with questions regarding the NYPDES permit.

CONCERNS

1. Individual BHW property owners signed the NYPDES agreement/document upon land purchase. Why is it a 5 year permit? Why is there a cost? Is this a fee or a tax?
2. The PCCD wants a lump sum payment for the permit. It does not bill individual BHW property owners. The BHW POA must assess and collect individual payments and then cut a BHW check for the PCCD. There will be a problem collecting money from some BHW property owners.
3. BHW roads are complete. Property owners have built homes under the 2008 and 2013 Permit regulations. The permit is still in the hands of Jim Comes of Landview. We have abided by the engineering requirements of the PCCD. Why must we be liable for the 2019-2024 permit fee?
4. People who build homes in 2019 are responsible for the engineer process and cost that is mandated by the PCCD.
5. Based on the PCCD formula, the new NYPDES permit could be \$25,000.00+ for the BHW POA. We contend that the cost should be covered by any property owner who builds a home after December 31, 2018. This cost should be \$2,000.00 or less.
6. There may be a new assessment for BHW common grounds, roads, and easements. In that case **current** home owners and **property** owners who have not built homes would share that part of the NYPDES fee.
7. The PCCD has implied that the BHW POA must renew (and pay) the NYPDES permit, or, they will deny permission for property owners to excavate and build homes.
8. If we do not renew by January 1, 2019 the PCCD can change the terms of the permit agreement. IE. impose harsher regulations.
9. We cannot wait until December, 2018 to deal with this situation. We either start the permit transfer process (Jim Comes Landview has the permit) or get legal assurances that we are not obligated to renew the permit.

ACTIONS

Alissa Weiss is getting information from the Kiley Engineering Firm

Rich Klein is getting a second opinion from another law firm.

John Scagliotti is communication with the Pike County state representative.

Thursday September 20, 2018....10 AM, Meeting with Department of Environmental Protection,
2 Public Square Wilkes Barre, PA 18701

---Minutes recorded by Lou Lombardo

Blue Heron Woods POA Representatives:

Vice President-Rich Klein and Sgt Arms-Lou Lombardo

DEP Representative: Brian Machowski

Pike County Conservative District: Ellen Enslin 570-226-8220, eensline@pikepa.org

Marianna Quartarno

Jeremy Dettinger

Kiley Engineering: Mitch Jacobs 570-226-5810

Will Whachend

TOPIC: Renewal/Transfer of the **NPDES** (National Pollution Discharge Elimination System)

The permit expires on January 1, 2019. The permit covers 5 years. There is a fee for the permit and a charge for a required engineer survey of the BHW community.

Ellen Enslin explained the renewal process. There is a transfer application fee. Kiley Engineers will conduct the BHW community survey. Kiley performed this task for the previous 2 permits, circa 2008 and 2014. Jim Comes-Landview and Blue Heron Woods POA are co-permit holders. Because all lots now have owners the permit must be transferred to BHW POA.

The permit expires on January 1, 2019. There are various inspections, studies, and evaluations that must occur which may delay the actual renewal date for the new permit (2019-2024).

Ellen Enslin-The PCCD is looking at modifications for the new permit, such as: Critical stage construction inspections; building a berm, drain basin, rain garden, or other water detention systems....drawings will be required and must be attached to the deed. Property owners will have specific maintenance duties. Homeowners must keep detailed records of the care of the water detention systems. Water runoff is determined by the house roof, driveway, and other impervious surfaces.

Ellen Enslin-The PCCD and DEP are creating new guidelines for builders. The Permit chart shows the amount of pervious space permitted. IE. A property owner may wish to build further back from the road which would require a longer driveway. Adjustments will be made which will increase the permit fee for said property.

Ellen Enslin (PCCD) and **Brian Machowski** (DEP) explained the present maximum allowable construction for impervious space; Minimum .07 acres, Maximum .14 and 3,000 square feet (structure base, sheds, detached garage, and driveway). Structures must be located a minimum of 150 feet from streams. Multiple water runoff remedied may be needed: berms, rain gardens, basins, etc.

Rich Klein-Many people purchased a BHW property 5 or more years ago. The goal is to build a retirement home. Now there will be new regulations that may make building unaffordable.

Lou Lombardo-Is BHW the only Pike County community that has a NPDES permit?

Ellen Enslin responded NO. Lombardo asked for the names of other communities. Enslin identified Milford Highlands (has renewed an existing permit). Not sure about White Sands Springs on Route 507.

Mitch Jacobs (Kiley Engineer), showed the current NPDES permit which has map/chart of the BHW community. He mentioned the need to color code the map to show the status of the properties. For the new permit White will be under new rules-no homes; Gray will be under original rules-homes exist; Pink will be for homes built since 2014. Lombardo recommended to put the address on existing homes. Properties without homes have a lot number not an address.

Mitch Jacobs-Developer Jim Comes/Landview did a co-permittee with all BHW property owners when they purchased a lot. They signed the document. However, it is believed that some secondary property owners may not have signed this document.

Mitch Jacobs-Asked the DEP and PCCD, Do we update the storm water situation as it is for homes now under construction? Do we show berms and other remedies on the Gray areas?

Mitch Jacobs-Can a person transfer the permit rather than the entire community?

Ellen Enslin (PCCD)-I will research these questions.

Brian Machowski (DEP)-If a property owner wishes to go above and beyond the allowable NPDES permit maximums, the BHW Directors can direct the builder to see the DEP and get their own NPDES. "Field Changes" are minor modifications that do not effect the permit, but this is at the discretion of the PCCD and the DEP.

Mitch Jacobs-Kiley will make an effort to submit all required info by late October.

Enslin and Machowski emphasized that new regulations are still being created. There will be a SEARCH of standards for Endangered Species, IE. Plants, Mammals, Insects, Birds, Reptiles, Amphibians, even moss. There will be restrictions based on breeding that will effect construction time frames...cannot cut trees and clear space at these times.

Ellen Enslin mention her discussion with **John Scagliotti** (BHW President) regarding the fee formula. Disturbed acre fee is multiplied by \$200.00, this is based on properties without homes. The PCCD administration fee is \$1,500.00. We will pay for the services of Kiley Engineers.

Rich Klein-When we take over the permit will the BHW roads be inspected? RK mentioned the water issue at his property road border.

Lou Lombardo-What service does BHW receive from the PCCD for securing the permit?

Minutes of special meeting November 4, 2018

QUORUM. A quorum was declared based on the presence of the following Board of Directors.

DIRECTORS AND SPECIAL COMMITTEE DIRECTORS PRESENT. John Scagliotti, Rich Klein, Alissa Weiss, Caroline Hart, Lou Lombardo, Robert Geiss, Ryan Neenan, Will Rivera and Rebecca Rivera.

REPORTS. Will Whitehead from Kiley and Associates presented information about the permit renewal and special protocol to maintain permit.

Pros and cons were discussed as a whole community vs individual lot owners and proper protocol to maintain/enforce permit starting January 2019.

Possible fees to be incurred by lot owners prior to disturbing acreage may range up to \$7500

Approved timeframe for clearing of lots is Oct 1-March 31st.

NPDES permit may take up to 6 months to acquire.

ACTIONS. Board of Directors to call special meeting with lot/homeowners in January 2019 prior to permit expiring. Date and time to be announced. A representative from Kiley and Associates will be available to present information and answer any questions.

There being no further business, the meeting was fully adjourned.

Caroline Hart
Secretary



Board Minutes

10:00 AM February 3rd, 2019

Minutes recorded by:
Ryan Neenan

Members Present:

President - John Scagliotti;

Vice-President - Rich Klein;

Treasurer - Alissa Weiss Wade;

Architect Committee: Will Rivera, Rebecca Rivera, Ryan Neenan

Bob Geis - Alternate

Absent: Carolyn Sazalsky-Secretary, Sgt Arms: Lou Lombardo

Item 1: The Decision to renew the NPDES permit

- After over a year of research and meetings, the board voted during a conference call meeting on 1/20/2019 (4 YES to 0 NO – Sazalsky absent) to go ahead on the renewal process for the NPDES permit.
- This vote was preceded by a board meeting in Wilkes Barre with the DEP on 9/20/2018, a board meeting in BHW with our Engineer on 11/4/2018, conference call meetings on 12/30/2018 and 1/6/2019, and a group meeting at the PCCD involving the DEP and township supervisors on 1/9/2019.
- At the meeting on 1/9, the DEP and PCCD agreed to all of our ideas to modify the renewal of the permit. This included changing the acreage of disturbance to 15 acres from 74. This change allows us to have a much lower fee, as well as avoid the bat migration issue that would have limited when we could remove trees. Paperwork for the 5 year renewal has been submitted. Total cost is \$12,500. This includes \$8000 in Engineering Fees.
- All members were very surprised at the willingness of the DEP to adapt, and are confident that this is the best decision and course of action for BHW. Our attorney also had changed his mind and advised us that renewal was the best decision.
- John mentioned how he is now going to be signing the NPDES and how all home owners will also become a co-permittee. PCCD will help facilitate this and it will be part of the permit process with them. Will will add this to the checklist for the ARC Committee permit process.

Item 2: Covering the Cost of the Renewal/Accounts

- The members discussed a one time special assessment, or a small increase to the annual dues. All members agreed that the small increase to the annual dues was the better option, especially considering the looming cost of road and common area maintenance.
- John will proceed to meet with the Attorney to verify procedure of increasing dues.
- Alyssa also brought up that our by-laws mention that we should have an operating and reserve account. Presently we do not have a reserve account. She will investigate the process of establishing the account and updating signatories for both.
- Will also brought up the idea of getting an auditor to check our books. The board agreed that this must be done. Alyssa will look into finding someone to do this.

Item 3: Annual Meeting and Communication

- Rich has already communicated with the Blooming Grove fire hall to set up the yearly meeting. The target date is the second Saturday in June which is June 8th.
- Members discussed creating a handout to be included in the mailing for the annual meeting that discusses and summarizes the last year and the process of the NPDES renewal. Ryan agreed to create this with the board's guidance.
- Discussion about the website – Ryan has created a new version, and he and Alyssa will work to transfer the domain to the new website, with Ryan taking over webmaster duties. Ryan and Lou have worked to collect all board minutes over the last year to update the site. Ryan also will create a NPDES primer for the website so all POA members can be fully informed on the details involved with the permit and building process.

Item 4: Future Meeting

- A board meeting will be held in March (Date TBD) to go over the mailing and finalize the annual meeting date.

There being no more business, the meeting was adjourned at 10:54 AM.

Ryan Neenan