

**RESERVE AT PILOTTOWN
BOARD OF DIRECTORS
MINUTES OF MEETING**

Date: September 13, 2021

Time: 10:00 am

Place: Lewes Public Library

Attendees: Ron Oronzio
Karen Fleck
Glenn Dunnington
Michael Tupman
Denise Setchko, DelDot
Jason Hastings, DelDot
John Devereux, WRA
Valerie Kowalski, WRA
Jason Kosler, WRA

DelDot and their engineering consultants, Whitman, Requardt & Associates (WRA), asked to meet with the Board of Directors to request an easement/right of way over property in the Reserve at Pilottown along New Road. The Board made it clear that any such decision regarding land use would require a special meeting of the lot owners and affirmative approval, in person or by proxy, of 75% of the owners.

DelDot wants a right of way to purchase property, in lieu of exercising eminent domain, to raise the height of New Road and construct a 4-6 foot wide asphalt shoulder and a 10-foot pedestrian/bike trailway from Canary Creek to Captains Circle. There would be a safety barrier between the trailway and New Road, a 2-6 foot retaining wall between the trailway and the adjacent properties, with a crossover at Park Road. The project would also require a temporary construction easement further into the affected property.

The Board advised that the HOA only has jurisdiction over the common area along New Road (the 13.2 acres of marshland/wetlands between Canary Creek and the Blanton's house). DelDot would have to negotiate directly with the lot owners whose properties might be affected for compensation. DelDot indicated that the most it might offer as compensation to the HOA for the right of way on the common area was \$100.

According to the current plans, the entrance to the Reserve at Forecastle Lane would be severely impacted. The right of way and temporary construction easement would extend down both sides of the street, requiring removal of the stone gates and landscaping and sidewalks all the way to Lightship Lane to re-grade the street. The HOA has semi-circular easements over the two sides of the entrance for the gates and adjacent landscaping, but they

are not common areas. One of the stone gates at the Captains Circle entrance may also be affected because the right of way and temporary construction easement would extend to the first crosswalk.

DelDot will not pay to have the stone gates restored, but might contribute some money for re-landscaping. DelDot also will not pay for any attorney's fees the HOA would incur for legal review of the proposed right of way/easement.

DelDot acknowledged that its plans are not yet final and are subject to further change. The Board advised that it could not begin an informed discussion with the members until it had final plans, which DelDot estimated it might have by the end of November. The Board asked DelDot to consider revising the plans so that the pedestrian/bike trailway cross over New Road before Forecastle Lane to lessen the impact on the owners between Forecastle and Captains Circle whose properties abut New Road.