



PINE ORCHARD ASSOCIATION

Branford, Connecticut

PINE ORCHARD ASSOCIATION ANNUAL MEETING AGENDA

Monday, July 06, 2020 @ 8:00 PM

At the call of the President, there will be the annual meeting of the Pine Orchard Association via the Zoom videoconferencing Application.

1. Call to order
2. Approval of July 08, 2019 minutes
3. President's Report: **President Robin Sandler**
4. Treasurer's Report: **Treasurer Linda Sachs**
5. Committee reports a) By-Laws (**Len Farber**) b) Nominating (**Joe Thomas**) c) Planning & Zoning (**Richard Greenalch**) d) Communications (**Jon Schlesinger**) e) Shoreline Maintenance & Access (**Robin Sandler**) f) Building Maintenance (**Seth Chaucer**) g) Municipal Interface (**Bruce Calderone**) h) Tax Collector (**Rick Ross**) i) Short Term Rentals (**Peggy Haering & Richard Greenalch**) j) Beautification (**Bob Dahill**) (k) Sidewalks (**Peter Hugret**) (l) Ad Hoc Pine Orchard Union Chapel \$50,000 donation request Committee(**Robin Sandler**)
6. Nominating Committee recommendations presented by Vice-president **Joseph Thomas**, Nominating Committee Chair, for election of Four Executive Board Members for a three-year term: **Bruce Calderone** , who lives on 97 Sunset Hill Drive, **Peg Taylor**, of 61 Sunset Hill Road Public from District four & **Richard Colbert** of 2 Halstead Lane, **Mark Law** of 246 Pine Orchard Road and **Raymond Seligson** of 46 Spring Rock Road, all from District five
7. Executive Board Election Results
8. **Peter Robinson** Report
9. Public Comment
10. Adjournment

Note: 2020 – 2021 Meeting Dates: Monday, September 07, 2020, Monday, November 02, 2020, Monday, January 04, 2021, Monday, March 01, 2021, & Monday, May 03, 2021, all @ 7:00 PM and at the Pine Orchard office, 180 Pine Orchard Rd, Pine Orchard, CT or by the ZOOM application

You are invited to a scheduled Zoom meeting of the Pine Orchard Annual meeting to be held on Monday July 6th at 8 PM.

Meeting ID: 856 1638 3615

Password: 937521

To join the Zoom Meeting, click on the button below:

[Join Zoom Meeting HERE](#)

A handwritten signature in black ink that reads "Peter Robinson". The signature is written in a cursive style with a large initial "P".

Office Manager
POA

Annual Meeting of the Pine Orchard Association

July 6, 2020

At the call of the President, the annual meeting of the Pine Orchard Association was conducted via the Zoom videoconferencing Application.

Board members present: Robin Sandler, Robert Dahill, Dick Greenalch, Peggy Haering, Jon Schlesinger, Rick Ross, Seth Chaucer, Linda Sachs, Len Farber, Joe Thomas, Seth Hershman.

Board members absent: Bruce Calderone.

Agenda Item 1, the meeting was called to order at 8:01 p.m.

Agenda Item 2, Upon motion and second the Board approved the minutes of the previous Annual Meeting held on July 08, 2019. The president thanked the Clerk of the Association for her efforts providing minutes of the Association's meetings.

Agenda Item 3. President's Report. The President shared an email from Francis Acunzo inquiring whether candidates for the Pine Orchard Board were allowed to use the POA's email list for campaigning. Robin said that it was not the Association's policy to permit that and that someone may have had access to the prior email list that was kept on Gmail. Ed Kelleher of Halstead Lane asked about recognition of Halstead Lane as a private road. Robin said that the Association does not dispute that Halstead Lane is a private road. The question is whether POA members have rights to use the road and beach access. He next read a letter from Tina Leone expressing the view that there would never be peace so long as people acted selfishly. Tracey Scheer said that the ad hoc committee evaluating the Chapel's request for financial assistance contained some members of the Chapel Board. She wants the association to have fair and open elections. She feels that the Charter is overdue for revision.

Robin said that there were 5 candidates for 4 board positions. He explained that the Charter requires that two members of the Board live in District 4, and there were two candidates for those positions. There are three candidates for the two remaining Board slots in District 5. He thanked departing board members Rick Ross, Jon Schlesinger and Seth Chaucer for their service.

The beach access litigation involving Crescent Bluff (2 pending lawsuits) is nearing completion. There is a settlement to be finalized, which has been complicated by the shut-down of the courts. The Pine Orchard Association will receive a deed to a strip of land that can be used for beach access. The Town of Branford will acquire the title to the street. Robin thanked the Association's counsel, Peter Berdon, for his assistance.

The POA is involved in an action to enforce its ban on short-term rentals. The homeowner has appealed the ZBA's initial determination that his operation of a short-term rental did not qualify as a prior non-conforming use.

The Beautification program is moving ahead with the help of Gary Zielinski from the Town's Department of Public Works. Robin reported on an ad hoc committee charged with making recommendations to the Board about the Pine Orchard Chapel's request for a \$50,000 donation to fund restoration of its structure. Robin said that the committee had voted against recommending that the POA consider making a \$50K contribution because tax dollars should not be used for charitable donations, there was an objection to using tax funds to support a building that had been used for religious purposes and that the amount sought would consume a large percentage of the Association's resources.

Robin announced that this would be his last President's report and expressed his gratitude to the Office manager, Peter Robinson, for all his help. Robin urged members to volunteer to help the Associations.

Agenda Item 4 Treasurer's Report. Linda Sachs presented the July 1, 2020 Budget. Jay Pottenger said that it appeared that the Association had about two years of budget reserves. Linda confirmed that was the case. Jay wanted to know whether the Association reduced the mil rate 7 or 8 years ago after it cancelled the Pine Orchard security officer. Peter Robinson will research that question. Tracey Scheer wanted to know whether the Board has a policy of saving money for waterfront repairs/storm damage. Robin said that approximately \$100,000 was spent by the Association for storm repairs in 2011-2012. The Association reserves fund for potential shorefront repairs.

Agenda Item 5: Committee reports (a) By-Laws (Len Farber) will recommend changes to the bylaws regarding composition of ad hoc committees to avoid potential conflicts (b) Nominating--Joe Thomas will review the nominations below; (c) Planning & Zoning--Richard Greenalch nothing new to report (d) Communications--Jon Schlesinger had nothing new to report. He has worked on the new website and created a new logo for the Association. He thanked Peter Robinson for his efforts. (e) Shoreline Maintenance & Access --Robin Sandler reported that Carol Redden had stepped down. Repairs are required on the seawall and sidewalk on Island View Ave. A repair is required for stairs on Spring Rock Road; Tom Brockett said that he has been working with Bob Dahill and that the Town of Branford has agreed to fix/replace the stairs. They are looking for a source of funding for that work; (f) Building Maintenance-- Seth Chaucer reported several improvements to the POA headquarters, including a new mailbox, lawn maintenance, furnace repairs and reducing fuel costs. Remaining work to be done includes installation of lighting in the parking lot. (g) Municipal Interface Bruce Calderone was absent; (h) Tax Collection--Rick Ross is ending his term with taxes fully collected. The tax rate has been increased to 4 mils from 3 mils due to anticipated expenses for shoreline repairs; Tracey Scheer said that she felt the budget should have been presented to show how the additional funds would be spent; Robin said that the budget had been posted and approved. (i) Short Term Rentals Peggy Haering & Richard Greenalch said that the association contacted the police department about a homeowner's violation of the Governor's Executive Order on operation of short term rentals; Michael Hopkins said that the homeowner is continuing to operate the short term rental at 3 Crescent Bluff Ave. and has ignored the police summons. (j) Beautification--Bob Dahill said that neighbors are enjoying the benches that the

Association installed at the Triangle, on Spring Rock Road and Young's Pond. The committee hopes to finish the land scaping near Bob's Woods. He expressed gratitude to Gary Zielinski of the Town of Branford for his help with these projects. The First Selectman has encouraged these projects to promote use of the Town's assets. The committee is working to get a water source for Triangle Park.) (k) Sidewalks-- Peter Hugret and the committee have conducted multiple meetings with the Town of Branford. We hope that the Town will help with procurement and possibly with construction. Most homeowners agreed that the sidewalks were a good ideal. POA may also be looking for a state grant. Maintenance to the sidewalk would be done by the Town but snow removal would be the POA's responsibility. Dan Broom of Pine Orchard Rd. said that homeowners want to have their "say" about the sidewalk plan. He doesn't want the sidewalk located in the middle of his lawn. He said that no one has asked about the impact of sidewalks on homeowners. Peter said that the State DOT wants the sidewalks to be broader. Barbara Colley of 225 Pine Orchard Rd. asked what material the sidewalk would be made of. Peter said that it would be concrete. Patrick Doyle of 249 Pine Orchard Road said that the burden on homeowners is tremendous. Dan Broom said that all property owners should be engaged in this project. (l) Ad Hoc Pine Orchard Union Chapel \$50,000 donation request. Robin Sandler said that this issue would be addressed at the next meeting. Patrick Doyle wants the Board to seek input from the community about the Chapel. Francis Acunzo said that it was important for the community to get behind this building.

Agenda Item 6—Nominating Committee. Vice-president **Joseph Thomas**, reported on the nominating process. This year we had more candidates than openings. The candidates were, Bruce Calderone ,who lives on 97 Sunset Hill Drive, Peg Taylor, of 61 Sunset Hill Road (from District Four) and Rich Colbert of 2 Halstead Lane, Mark Law of 246 Pine Orchard Road and Raymond Seligson of 46 Spring Rock Road (from District Five).

Agenda Item 7—Executive Board Election Results. Peter Robinson explained the voting process used. Ballots were sent to property owners with the Tax ID shown on each. All ballots were due on 7/06/2020 at 4:00 p.m. Only physical ballots were accepted. Jen Aniskovich asked whether everyone received a ballot. Peter Robinson said that no one complained about not receiving one. The vote counting began after 4:00 p.m., at which time all votes were opened. All ballots were checked against property addresses and then tallied for each candidate. Bob Dahill, Len Farber, Peggy Haering assisted Peter Robinson with the process and confirmed the number of votes for each candidate.

The new members of the Executive Board are :Bruce Calderone and Peg Taylor from District Four and Mark Law and Raymond Seligson from District Five.

Agenda Item 8--Peter Robinson's report: Peter reported that he has digitized 30 years of POA minutes and history.

Agenda Item 9: Public Comments: None

Agenda Item 10: Adjournment., Upon motion and second the meeting was adjourned at 9:59 p.m.

Future Meetings

Monday, September 07, 2020,
Monday, November 02, 2020,
Monday, January 04, 2021,
Monday, March 01, 2021, &
Monday, May 03, 2021,

All future meetings will be held at 7:00 PM at the Pine Orchard Association office,
180 Pine Orchard Rd, or by the ZOOM application

Pine Orchard Association Treasurer's Budget Report
as of 7/1/2020

	Approved Budget July 1 2019	Budget Activity Year to Date	Budget Remaining Year to Date	% of Budget Rec/Dsbrmnts Year to Date
RECEIPTS				
Tax Collections	\$ 54,000	\$ 54,137	\$ (137)	100%
Rent	\$ 3,900	\$ 4,000	\$ (100)	103%
Building & Permit Fees	\$ 5,000	\$ 3,950	\$ 1,050	79%
Other (Interest, Moorings)	\$ 1,000	\$ 14	\$ 986	1%
Use of Capital Savings	\$ -	\$ -	\$ -	
Total	\$ 63,900	\$ 62,101	\$ 1,799	97%
DISBURSEMENTS				
Security	\$ -	\$ -	\$ -	
Shorefront Maintenance	\$ 5,700	\$ 9,934	\$ (4,234)	174%
Building Maint/Utilities	\$ 9,000	\$ 9,479	\$ (479)	105%
Property Improvements	\$ -	\$ -	\$ -	
Office/General	\$ 14,000	\$ 16,424	\$ (2,424)	117%
Insurance	\$ 9,000	\$ 8,167	\$ 833	91%
Legal	\$ 10,000	\$ 10,420	\$ (420)	104%
Zoning	\$ 5,000	\$ 5,339	\$ (339)	107%
PO Web	\$ 500	\$ 477	\$ 23	95%
Acctg Annual Review	\$ 2,300	\$ 2,360	\$ (60)	103%
Beautification Committee	\$ 5,000	\$ 2,292	\$ 2,708	46%
Community Activities	\$ 2,500	\$ 2,703	\$ (203)	108%
Other (Sidewalks)	\$ -	\$ 2,175	\$ -	N/A
Total	\$ 63,000	\$ 69,770		111%
NET INCOME (LOSS)	\$ 900	\$ (7,669)		

Account Balance as of 7/1/2020	
BOA checking	\$34,138.05
Less outstanding checks	\$1,350.00
BOA net balance	\$32,788.05
BOA Savings	\$52,348.35 Opened 12-2012
BOA 13-mo CD	\$50,255.05 Opened 02-2020
Total "cash available"	\$135,391.45

Pine Orchard Association Treasurer's Budget FINAL 2020-2021

RECEIPTS	4 Mill	4 Mill	5 Mill	5 Mill	4 Mill	4 Mill	3 Mill	3 Mill	3 Mill	3 Mill		4 Mill	Difference
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 / 2020		2020/2021	from
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget	YTD Actual	"Final" BUDGET	2019 / 2020 Budget
Tax Collections	\$ 69,912	\$ 69,474	\$ 87,938	\$ 90,113	\$ 71,745	\$ 71,271	\$ 54,288	\$ 56,104	\$ 54,001	\$ 54,000	\$ 54,137	\$ 76,506	\$ 22,506
Rent	\$ 2,800	\$ 2,600	\$ 2,600	\$ 2,600	\$ 3,800	\$ 3,596	\$ 2,700	\$ 3,900	\$ 3,900	\$ 3,900	\$ 4,000	\$ 4,000	\$ 100
Building & Permit Fees	\$ 3,591	\$ 4,850	\$ 8,100	\$ 5,770	\$ 4,250	\$ 5,247	\$ 3,750	\$ 5,850	\$ 3,750	\$ 5,000	\$ 3,950	\$ 4,000	\$ (1,000)
Other (Interest, Moorings)	\$ 664	\$ 180	\$ 286	\$ 88	\$ 150	\$ 101	\$ 51	\$ 50	\$ 105	\$ 1,000	\$ 11	\$ 735	\$ (265)
Use of Capital Savings									\$ 10,000	-	-	\$ -	\$ -
Total Receipts	\$ 76,967	\$ 77,104	\$ 98,924	\$ 98,571	\$ 79,945	\$ 80,214	\$ 60,789	\$ 65,904	\$ 71,756	\$ 63,900	\$ 62,098	\$ 85,241	\$ 21,341
DISBURSEMENTS													
Security	\$ 37,816	\$ 32,268	\$ 23,526	\$ 9,714	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Shorefront Maintenance	\$ 5,750	\$ 37,643	\$ 61,119	\$ 8,640	\$ 5,600	\$ 3,850	\$ 1,750	\$ 3,985	\$ 9,536	\$ 5,700	\$ 9,834	\$ 10,000	\$ 4,300
Building Maint/Utilities	\$ 7,420	\$ 6,312	\$ 8,147	\$ 7,117	\$ 13,447	\$ 11,102	\$ 8,441	\$ 6,910	\$ 7,763	\$ 9,000	\$ 9,700	\$ 14,000	\$ 5,000
Property Improvements				\$ 920	\$ 896	\$ -	\$ -	\$ 9,317	\$ 9,522			\$ -	\$ -
Office/General	\$ 4,144	\$ 2,105	\$ 2,020	\$ 4,287	\$ 4,716	\$ 3,945	\$ 9,559	\$ 14,939	\$ 12,634	\$ 14,000	\$ 16,150	\$ 17,000	\$ 3,000
Insurance	\$ 6,375	\$ 6,251	\$ 5,819	\$ 7,471	\$ 7,566	\$ 8,404	\$ 9,038	\$ 8,855	\$ 8,081	\$ 9,000	\$ 8,167	\$ 9,000	\$ -
Legal			\$ 18,838	\$ 12,225	\$ 1,966	\$ 1,275	\$ 8,588	\$ 2,213	\$ 11,112	\$ 10,000	\$ 10,420	\$ 11,200	\$ 1,200
Zoning*	\$ 4,585	\$ 10,748	\$ 11,195	\$ 2,943	\$ 4,453	\$ 1,986	\$ 1,933	\$ 3,444	\$ 4,353	\$ 5,000	\$ 5,215	\$ 5,500	\$ 500
PO Web			\$ 875	\$ 503	\$ 229	\$ 2,194	\$ 165	\$ 2,270	\$ -	\$ 500	\$ 477	\$ 100	\$ (400)
Audit/Annual Review	\$ 1,956	\$ 1,930	\$ 1,900	\$ 1,900	\$ 2,400	\$ 1,950	\$ 2,000	\$ 2,100	\$ 2,260	\$ 2,300	\$ 2,360	\$ 4,200	\$ 1,900
Other	\$ 300	\$ 2,641							\$ 10,089			\$ -	\$ -
Beautification Committee										\$ 5,000	\$ 2,292	\$ 4,500	\$ (500)
Concert Series										\$ 2,500	\$ 2,703	\$ -	\$ (2,500)
Sidewalks***											\$ 2,175	\$ 4,200	\$ 4,200
Total Disbursements	\$ 68,346	\$ 99,898	\$ 133,439	\$ 55,719	\$ 41,273	\$ 34,706	\$ 41,474	\$ 54,033	\$ 75,350	\$ 63,000	\$ 69,493	\$ 79,700	\$ 16,700
NET INCOME (LOSS)	\$ 8,621	\$ (22,794)	\$ (34,515)	\$ 42,852	\$ 38,672	\$ 45,508	\$ 19,314	\$ 11,871	\$ (3,594)	\$ 900	\$ (7,395)	\$ 5,541	\$ 4,641

*Zoning & Legal were consolidated prior to 2012
 ***new line item for 2020/2021

Note: these "Net Income" amounts can be considered to go towards building "Contingency / Savings" funds, which are needed for unplanned/unspecified developments such as storm damage and legal issues.

	As of July 1, 2020	Estimated
BOA checking	\$34,138	\$38,329
Less outstanding checks	\$1,350	\$0
BOA net balance	\$32,788	\$38,329
BOA Savings	\$52,348	\$52,348
BOA 13-mo. CD opened 2-11-2020	\$50,255	\$50,255
Total "cash" available	\$135,391	\$140,932

Mirror Lake Account: \$0

Office Manager Annual Report for 2019/2020 Season

1) POA Tax Collection:

- a. POA Taxes are collected in full for 2018/2019 (done by Nov 2019).
- b. All 2020/2021 tax bills went out on July 29th received NLS July 1st.

2) Zoning:

- a. Going forward, the OM is now the acting support secretary for ZBA issues.
- b. A new Zoning Ordinance Complaint form is now posted to POA website.
- c. All new zoning related paperwork is digitized and electronically filed in POA cloud account and locally.

3) POA Building:

a. Accomplished

- i. Short shelf installed outside front door to charge “devices”.
- ii. Had the overhead garage door of the POA building painted “POA green”
- iii. Major landscaping on property in 2018/2019 season
 - 1. Tree removal
 - 2. Holes fill in and lawn seeded
 - 3. Gardens weeded and mulched.
- iv. Seeded and fertilized lawn (daily watering during the summer of 2019)
- v. Extensive repairs on Gas Furnace which reduced gas consumption by 37%
- vi. Purchased and installed the new POA Mailbox (Seth and I took out the old one)

b. Planned for 2020/2021

- i. Install new exterior lighting systems for walkway and parking lot (\$2,800)
- ii. Need to investigate asphalt repair and getting lines painted.

4) POA Office:

a. Accomplished

- i. All documents as they come into the POA office are scanned and stored both locally and in the MS365 cloud account.
- ii. Going forward, an indexed hard copy of all POA minutes and referenced documents are placed in a binder in the POA office. This has not been done since September of 2014. (included are all documents or correspondences referenced during a POA Executive Board meeting)
- iii. The POA now has a BoA Visa account for local and online purchases.
- iv. All POA facing emails are now handled through Constant Contact. Jon Schlesinger (POA Marketing) designed a common template for the new email system. POA residences can now sign-up for POA email via the website.
- v. Due to the COVID-19 pandemic, all ZBA and POA Board related meetings will take place via the Zoom Video conferencing application. I currently attend and set-up all zoom meetings.
 - i. Outreach: We have a 66% coverage via email for all POA residences (464 email).

b. Planned for 2020/2021

- i. Need to upgrade Office PC to support Windows 10 due to discontinued support for Windows 7- no security updates going forward.
- ii. Need to design and order a unique POA postcard for mailings to non-email residences.

5) 2019 Pine Orchard Union Chapel Concert Series – canceled for 2020

There were four (4) POA-funded, public-concerts held in Sept. of 2019, Attendance and total costs are as noted;

Performer/s	# Attendees	Fee	Other costs	Total Costs	\$/Attendee
Elm City Quintet (too early in the season)	22	\$500	\$100+ \$72 = \$172	\$672	\$30.54
Yale Wiffenpoof's	82	\$500	\$100 + \$100 + \$72+\$122=\$392	\$892	\$10.86
Motley Crew	49	\$500	\$100+ \$72=\$172	\$672	\$13.71
Toni and Friends	51	\$500	\$100+ \$72=\$172	\$672	\$13.17
TOTALS	50 on Avg.	\$2000	\$908	\$2908	\$17.21

Note: The same people came to all concerts, so the cost per person for the series was \$58. Little to no attendance from the Sunset Hill area (district 4).

- 6) **Quality of Life:** Over the past three years, under the leadership of the current board, I have witnessed a marked improvement in quality of life here in Pine Orchard. This can be contributed to the community outreach, the improvements in triangle park and the placement of micro parks (benches), the sidewalk effort, the concert series, and the responsiveness of the association to citizens questions and issues. Pine Orchard continues to be a most delightful place to live, and it's getting better.

From: [Francis Acunzo](#)
To: [Peter Robinson, Office Manager POA](#)
Subject: Re: Elect Rich Colbert - POA Board - A vote to preserve our community as laid out in the charter.
Date: Sunday, July 05, 2020 6:32:43 PM

I highly recommend that you send a cease and desist to him. I believe that this has been sent to the entire list.

FXA

Sent from my iPhone

On Jul 5, 2020, at 4:42 PM, Peter Robinson, Office Manager POA <OfficeManager@pineorchardassociation.com> wrote:

Mr. Acunzo,

I can assure you that the POA mailing list was not used for this email.

-Peter

On Sun, Jul 5, 2020 at 4:40 PM Francis Acunzo <facunzo@acarapartners.com> wrote:

Is the POA providing permission to candidates to use the mailing list?

If not, then this email is against the law through the can-spam act. The POA should actively ask that anyone using this list needs to cease and desist.

FXA

Sent from my iPhone

Begin forwarded message:

From: POA Halstead Lane Resident <pineorchardresidents@gmail.com>
Date: July 5, 2020 at 3:33:54 PM EDT
To: facunzo@acarapartners.com
Subject: Elect Rich Colbert - POA Board - A vote to preserve our community as laid out in the charter.
Reply-To: pineorchardresidents@gmail.com



7/5/2020

Pine Orchard Residents – Vote to preserve our community as laid out in the charter. Please cast your ballot to elect Rich Colbert, [2 Halstead Lane](#).

We highly recommend a vote for the addition of Rich Colbert of [2 Halstead Lane](#) to be added to our POA Board. As a POA Board member, Rich Colbert is an unbiased, fact-driven individual with an extensive legal background as a partner at Day Pitney, LLP. Rich, his wife Sarah, and son Conor are amicable and

thoughtful neighbors.

A Vote for Rich Colbert to our POA Board will:

- **preserve our community as laid out in the charter in a constructive, fact-driven, objective manner.**
- **help enforce the POA Charter and by-laws as intended.**
- **protect our rights as members and neighbors.**
- **protect our Board and members from unnecessary litigation and expense due to the spread of misinformation.**

One recent example is a great deal of confusion amongst POA Association members regarding beach access points, which I can fully understand and appreciate. The difficulty is in large part due to the more recent false statements, misunderstandings, and by the denial of reality and the rogue agenda-driven beliefs by some on our Pine Orchard Association Board in its most recent past. One specific example is the Board leading its members to believe that Halstead Lane is a POA Beach Access point. The POA board is largely responsible for the misunderstandings leading to the seemingly vindictive, confrontational, anonymous, spineless actions of some of our POA Board members and membership-at-large.

Two most recent examples of misleading I have witnessed by the POA Board concerning beach access:

Ms. Redden, as BOD (now resigned), at our last annual meeting, stood up and stated to the entire community, that Halstead Lane is one of the POA access points. This notion is categorically false based on the documents attached or highlights I have included.

Mr. Dahill, as BOD, told the POA at large in a meeting of the Association in the last year, that Halstead Lane (the road) had in the past continued all-the-way to the water. Please look at the historical pictures on the walls around you at the Pine Orchard Association building of the land between Long Island Sound and "the road." Respectfully, it is clear that there has always been a grass area between "the road" and Long Island Sound. This notion was a clear misrepresentation adding to an already abundant POA member level of confusion about the same.

After our last annual meeting, I respectfully asked the POA and its BOD to respect our rights, and to:

1. cease reporting that Halstead Lane is a POA Access Point.
2. because Ms. Redden had no basis for declaring Halstead Lane a public road and inviting people of the POA to use it (and all evidence to the contrary), we demanded that she retract her statements through an email to the entire POA. Otherwise, we intended to highlight her lack of knowledge and information on the subject, including the evidence that contradicts her statement and noting her failure to correct her misstatement when we asked.
3. we demanded that Mr. Dahill retract his statements about Halstead Lane (the road), went all the way to the water back in the day, through an email to the entire POA. Otherwise, we intended to do so, highlighting his lack of knowledge and information on the subject, including the evidence that contradicts his statement and noting his failure to correct his misstatement when we asked.
4. we ask the POA to provide invoices for the repairs Ms. Redden commissioned improperly, that were billed to the residents of the POA so that we can review and correct the same as needed.
5. We asked, on what grounds does Attorney Berdon feel President Donegan's and Criscuolo Engineering, LLC's conclusion that Halstead Lane is not an access point, is incorrect?

To this day, the POA Board has not honored any of our requests, nor has the POA Board retracted the misstatements.

Please see the attached documents and highlights below.

This information will help clarify what has been clouded by our Pine Orchard Association Board in recent years. This cloud has caused unnecessary issues on a neighborly level.

December 31, 1938 – Whereas the members of the Association for many years, by permission of the owners thereof, have used various so-called streets and passways to reach Long Island Sound. Voted to repair property not owned by the Association and the Association assumes no responsibility whatsoever.

August 12, 1952 – A considerable number of persons inquired as to the legal status of the various rights-of-way within the association limits to the beach areas. The clerk requested that he be authorized to retain proper legal counsel to investigate the title involved and, upon motion, it was.

February 18, 1954 – Clark, Hall and Peck - Attorneys and Counselors at Law report that conveyances indicate that the said Sarah E. Davis considered Linden Avenue (now Halstead Lane) as a private highway. The First Selectman of the Town of Branford advised that Linden Avenue (now Halstead lane) is considered a private street.

February 25, 1954 – A memorandum regarding passways to beaches within Pine Orchard Association in connection with the survey of Linden Avenue (now Halstead Lane) and its extension to Long Island Sound, determined that Linden Avenue itself is a private street with the right-of-way to and from the beach for the owners of the property on each side of Linden Avenue (now Halstead Lane). Questions were asked concerning the use of the various rights-of-way to the beach, and the meeting was advised that with minor exceptions, there were not public rights of way to the beach.

July 1, 1963 – There was considerable discussion on the subject of control of access to the beach. The President stated that he and the Board were well aware of the problem and would continue to make every effort to limit the use to those who were actually entitled to it.

June 29, 1964 -- With respect to the problem of unauthorized persons using the beach area, he stated that by and large the right of access to the beach was included in the deeds of property owners and here again the officers of the Association would make every effort to control this problem properly. The President noted that a survey of all passways had been made some 11 years ago, February 18, 1954, by the firm Clark, Hall and Peck and that this Board was well aware of the problems and some effort would be undertaken to properly control the use of these passways for those entitled to them.

September 12, 1975 – At the call of the President, there was a special meeting. Inquiries by residents as to the necessity of closing off access to these rights-of-way. The study made by Clark, Hall and Peck indicated that the actual ownership was private and could not be closed off by the Association's action. The persons legally entitled to use these rights-of-way were those identified as living in certain areas, as shown by maps on file in the Town Clerk's office.

June 5, 2006 – In light of a reported confrontation between beach-goers and a waterfront property owner, it was agreed that we (the POA Association) complete the survey of rights-of-ways to the water and make it available to the residents.

August 25, 2008 – POA President John Donegan – POA Members do not have the right and privilege to access the access area at the end of Halstead Lane unless it is contained within their deed of ownership. Halstead Lane is not a POA access point to Long Island Sound.

January 19, 2009 – Notes from minutes – President will again remind members in his next newsletter of access points available for the use of POA Members

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In conclusion, if it is not beach access, it could be short-term renting, security, or more.

Please Vote for Rich Colbert.

Respectfully,

Ed and Kim Kelleher
[14 Halstead Lane](#)

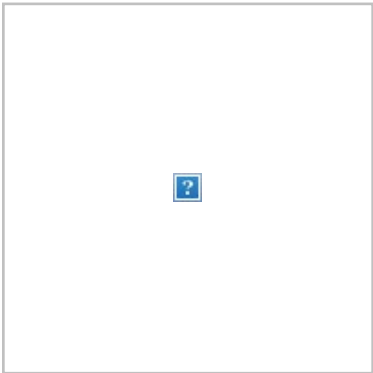
[POA History of Beach Access](#)

POA Halstead Lane Resident | [14 Halstead Lane, Branford, CT 06405](#)

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Peter Robinson
POA Office Manager
Cell: (203)215-9560

From: [Edward Kelleher](#)
To: om@poa-ct.org; [Pine Orchard Association](#); [Attorney Robin Sandler](#)
Subject: For the POA Record -
Date: Sunday, July 05, 2020 4:03:47 PM
Attachments: [POA DOCS - 2020 Annual Meeting.pdf](#)

Peter and Robin

Can you please enter this letter and the attachment into the record for the annual meeting?

Begin Letter-----

7/5/2020

**Pine Orchard Residents – Vote to preserve our community as laid out in the charter.
Please cast your ballot to elect Rich Colbert, 2 Halstead Lane.**

We highly recommend a vote for the addition of Rich Colbert of 2 Halstead Lane to be added to our POA Board. As a POA Board member, Rich Colbert is an unbiased, fact-driven individual with an extensive legal background as a partner at Day Pitney, LLP. Rich, his wife Sarah, and son Conor are amicable and thoughtful neighbors.

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1. cease reporting that Halstead Lane is a POA Access Point.
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Ed and Kim Kelleher
14 Halstead Lane

End Letter-----

Thank You,

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14 Halstead Lane

From: Peterom@poa-ct.org
To: Peterom@poa-ct.org
Subject: Fwd: Elect Rich Colbert - POA Board - A vote to preserve our community as laid out in the charter.
Date: Sunday, July 05, 2020 6:20:24 PM

Best Regards

Peter Robinson
+1(203)215-9560

Begin forwarded message:

From: Tina <leonedt@aol.com>
Date: July 5, 2020 at 5:12:18 PM EDT
To: pineorchardresidents@gmail.com
Subject: Re: Elect Rich Colbert - POA Board - A vote to preserve our community as laid out in the charter.

This is exactly why there will never be peace in the world. Don't email us. We don't like your selfish ways.

Sent from my iPhone

On Jul 5, 2020, at 3:33 PM, POA Halstead Lane Resident
<pineorchardresidents@gmail.com> wrote:

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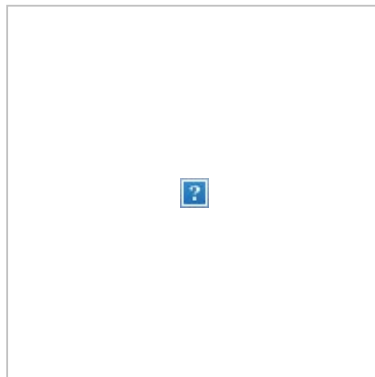
[POA History of Beach Access](#)

POA Halstead Lane Resident | 14 Halstead Lane, Branford, CT 06405

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From: [Tracey Scheer](#)
To: [Peter Robinson](#)
Cc: [David Scheer](#); [SANDLER ROBIN B](#)
Subject: Letter to the Executive Board of POA
Date: Sunday, July 05, 2020 9:37:44 PM

Dear Board,

I read with interest that the Board formed a voting ad hoc committee to consider a proposal from the Pine Orchard Chapel for the POA to donate \$50,000 for the Chapel's restoration. That committee consisted of 8 individuals, 2 of whom are members of the Union Chapel's board! I feel it is important to remind the Board that good governance does not allow for the inclusion of conflicted individuals to be voting members on any Board-related business.

In this case, the vote was against the motion, so the inclusion of the two Chapel board members in the committee was not detrimental to the outcome. However, as a functioning municipality, it behooves the Board to ensure that votes that determine POA business are not made in whole or part by obviously conflicted individuals. This appears to be a continuing issue with the POA and this is not the first time that I suggest that you educate your Board on proper governance.

I note also that for the first time, there are more candidates being presented by the Nominating Committee than there are openings on the Board. I think this is a welcome change but the underlying policy should be explained to property owners. Will there now be open slates and all who are interested in running can present their platform to the community? How will voting be conducted this year to allow for an open, private and fair election?

In addition, I read that there is again controversy brewing about beach access, this time on Halstead Lane. I respectfully suggest that this is not association business, but Town business, as the rights of individuals to cross the property comes down to whether the property is owned by the Town or is privately held. Is there any indication that the Pine Orchard Association may own the street? If not, then please spare the POA members the cost and property value loss of another long and, as Robin termed it, "expensive" litigation. Let those who wish to pursue access litigate, and spare the rest of us the continued "Crescent Bluff effect" on our community. To do so would clearly be counter to the "health, comfort, protection and convenience" that is the sole mission of this organization.

Finally, I remind you that the POA Charter is long overdue for revision. Your own website refers to it as "a bit antiquated" which is certainly an understatement. It is clearly in violation of its own charter and the organization should either fix it or dissolve. There is no excuse for the municipality to exist if it does not have the will to update its 117 year old charter.

Please take the opportunity at the annual meeting to remind neighbors that they should be wearing face masks and keeping social distance when walking on any Association or private property that is not their own.

Thank you for your service to the POA. I look forward to the annual meeting.

2 Spring Rock Road
Tracey Scheer
203 215-3242 Cell

From: [POA Halstead Lane Resident](#)
To: om@poa-ct.org
Subject: Elect Rich Colbert - POA Board - A vote to preserve our community as laid out in the charter.
Date: Sunday, July 05, 2020 3:34:07 PM

7/5/2020

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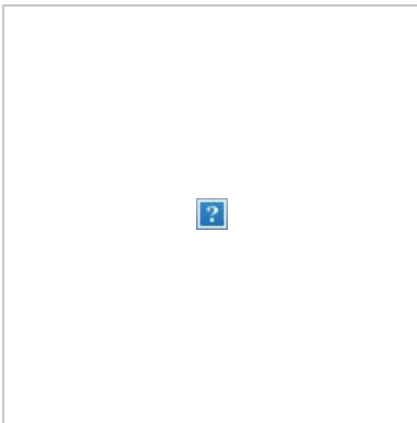
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MINUTES OF A SPECIAL MEETING OF
THE PINE ORCHARD ASSOCIATION

001122 37

Held pursuant to notice duly mailed to all of the Board of which the following is a copy:-

"PINE ORCHARD, CONNECTICUT
December 31st, 1938

TO ALL PERSONS AUTHORIZED TO
VOTE AT MEETINGS OF THE PINE
ORCHARD ASSOCIATION:-

You are hereby notified that, by order of the Executive Committee of said Association and upon call of the President, there will be a meeting of the members of The Pine Orchard Association at the office of Warner & Whiting, Pine Orchard, Connecticut, at 8:00 o'clock P.M. on Monday, January 9th, 1939, to hear the reports of officers and committees as to storm damage and to advise and instruct the Executive Committee as to any action to be taken to repair such damage and generally as to any action to provide for the improvement of the lands in said district and for the health, comfort, protection and convenience of persons living therein.

Attest:

J. BIRNEY TUTTLE, PRESIDENT
H. M. WHITING, CLERK."

Meeting called to order by the President.

The Clerk reported over thirty-five voters present and the Chair declared the meeting open for business.

At the request of the Chair, the Clerk read the pertinent paragraphs from the minutes of the last meeting of the Executive Committee and explained in some detail the situation as to storm damage at Brown's Point and elsewhere along the shore front. The following resolution was then offered:-

RESOLVED by the voters of The Pine Orchard Association in legal meeting assembled, that

1. WHEREAS the members of the Association for many years, by permission of the owners thereof, have used various so-called streets and passways to reach Long Island Sound, and
2. WHEREAS the storm of September 1938 tore down much of the seawall protecting said streets and passways, ate into the bank, destroyed various steps and generally rendered said means of access of no avail, and
3. WHEREAS it is apparent that the owners of said means of access to the Sound are not prepared to restore the former facilities but there seems no reason why the work should not be done at public expense,

NOW, THEREFORE, it is the sense of this meeting that the said permissive means of access to the Sound should be repaired and rendered available and the Executive Committee of said Association is hereby advised and requested to take the necessary steps that end; to arrange for borrowing the money incident thereto and to arrange to pay such borrowings by taxation during the next fiscal years.

After full discussion and many questions and answers the resolution was unanimously carried.

The following resolution was then offered and unanimously carried, viz:-

RESOLVED that the Executive Committee of the Association take such steps as it may deem necessary to repair the storm damage at Brown's Point, including improvement to the walk from Island View Avenue to Brown's Point; arrange for borrowing the necessary funds and the payment of such borrowing from taxation during the next fiscal years.

After general discussion, no further business appearing, the meeting was, upon motion, dissolved.

Attest:

Mrs. Whiting
Clerk

MINUTES OF A SPECIAL MEETING OF
THE EXECUTIVE COMMITTEE OF
THE PINE ORCHARD ASSOCIATION

Held pursuant to notice duly mailed to all of the Board of which the following is a copy:-

"PINE ORCHARD, CONNECTICUT
December 31st, 1938

TO THE MEMBERS OF THE EXECUTIVE COMMITTEE
OF THE PINE ORCHARD ASSOCIATION:

Gentlemen:-

You are hereby notified that, at the call of the President, there will be a meeting of said Committee at the office of Warner & Whiting, Pine Orchard, Connecticut, at 8:30 o'clock P.M. on Monday, January 9th, 1939, to hear and act upon the recommendations which may be made by the Association at its meeting to be held on said January 9th; to take action in regard to repairing storm damage, and generally to take any action under Section 2 of the Charter of said Association; to take action in regard to the payment of engineering bills already incurred in connection with storm damage; to authorize

any borrowing necessitated by action which may be taken at said meeting and generally to transact any business within the power of the Board which may be brought before said meeting.

Attest:
 J. BIRNEY TUTTLE, PRESIDENT
 H. M. WHITING, CLERK."

001124

There were present Messrs. Tuttle, Alling, Brown, Chatfield, Charles F. McNeil, Virgil J. McNeil, Pinkham, Reeves and Whiting, constituting a quorum.

Attention of the meeting was called to the action just taken by the voters of the Association and it was unanimously

VOTED that pursuant to recommendation by the members of The Pine Orchard Association in legal meeting assembled and to promote the best interests of the Association as provided in its Charter, J. Birney Tuttle (and in his absence the Vice President) and the Clerk (and in his absence the Secretary) be the Agents of the Association to arrange and contract for the work necessary to repair the storm damage at Brown's Point and repair and improve the walk from Brown's Point to Island View Avenue and also to repair the storm damage at the Long Island Sound end of the pass-
 as follows:-

1. Between property of the Estate of Arthur Lané and the Harbison Estate;
2. Between Catlin and Rowland;
3. Between Judd and Bryant

also at the end of Linden Avenue and Spring Rock Road, and pay the engineering expense to date; and the Treasurer of the Association is hereby authorized and instructed to use any unappropriated funds on hand toward the payment of the above specified work and to borrow such sums, not in excess of \$5,000, as may be necessary to complete same and give the note or notes of the Association to cover such borrowings and to renew any such note or notes with the understanding that it is the purpose of the Executive Committee of the Association to lay a sufficient tax at the July 1939 and following tax meeting to take care of any such borrowing.

After some further discussion it was, upon motion

VOTED by the Executive Committee, on behalf of The Pine Orchard Association, that in repairing storm damage to any property not owned by the Association, said Association assumes responsibility whatsoever in the matter so far as permanence or repairs to such work is concerned, and hereby instructs the members of the Association to see that suitable signs are posted warning all persons that the use of any of the means of access to the Sound mentioned in the preceding votes of this meeting is at the risk of the individual using same.

MINUTES OF A SPECIAL MEETING
OF THE EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

001137

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Held pursuant to notice to all members of which the following
is a copy:

"PINE ORCHARD, CONNECTICUT
August 12th, 1952

TO THE EXECUTIVE BOARD
OF THE PINE ORCHARD ASSOCIATION

Gentlemen:-

At the call of the President, there will be a special meeting of the Board at the office of The Alden M. Young Company, Pine Orchard, Connecticut, at 8:00 o'clock P.M., on Monday, August 18th, 1952, to hear and act upon reports of officers and committees; to appoint officers and committees; and generally to transact any business within the power of the Board which may come before the meeting.

Attest:

MILTON W. GOSS
CLERK."

There were present: Messrs. Brown, Buza, Crossley, Goss, Horton, Mills, Parsell, Pinkham, Reeves and Scrivenor, constituting a quorum.

Meeting was called to order by the President.

Minutes of the previous meeting were read and approved.

The President stated that he had not found it possible to give full consideration to the appointment of all officers and committees but did wish to make the following appointments, which were approved by those present:

ENFORCEMENT BOARD OF THE ZONING AUTHORITY- Messrs. Parsell
Reeves and Goss.

COMMITTEE ON BY-LAWS- Messrs. Goss and Scrivenor
HEALTH OFFICER- Mr. Crossley

The President then called for reports of committees.

Mr. Brown, for the Committee on Roads, made a brief report indicating that there had been some difficulty in drainage at the southerly end of Selden Avenue which matter was being taken up with the Town authorities. He also reported the presence of a dead shark on the front beach, which had been properly disposed of.

Mr. Pinkham reported that the appropriation which had been made by the Town of Branford for mosquito control work had been used up and that this Association was in possession of a considerable amount of DDT which could be used under our own appropriation if the Board so desired. He pointed out that there were several local associations within the Town that were interested in continuing

his work but apparently the Town itself was not favorably inclined to increase its appropriation over what had been set aside for this year.

There followed a considerable discussion and it appeared to be the consensus of the meeting that the Health Officer consult with the various authorities and write such a letter to the Board of Finance as would appear appropriate in order to indicate the feelings of this Association with regard to that appropriation.

Mr. Brown indicated that a contract had been entered into to trim and spray trees within the Association and that it had been reported to him that there were no trees with Dutch Elm disease on any of the public highways but there were several on private premises, the owners of which had been duly notified.

The President then called for a report by Mr. Horton with regard to recent incidents at the breakwater. He stated that there had been some fifty or sixty people using the breakwater for fishing purposes, all of whom resided outside the limits of the Association and in order to prohibit continued use barriers and signs had been erected which indicated that the approaches to and the breakwater itself were confined to use of members of the Association.

The Clerk reported that after a study of past history it appeared that the walkway easterly of land owned by Mrs. W. R. Smith and a small strip of beach including a rock between the end of Mrs. Smith's walkway and the breakwater itself were definitely the property of and owned by the Pine Orchard Association as was the breakwater itself. It also appeared from past records that in the deeds, particularly of the beach and rock area, to the Association there had been a definite attempt to establish use for community purposes.

There followed a general discussion on various related subjects and it appeared to be the consensus of those present that the existing conditions should continue and that exceptions to the use of the breakwater may be granted upon application to the proper officers of the Association.

The President read a letter of complaint written by Mrs. James Cobey which was generally discussed and the Clerk was requested to make an appropriate reply.

In view of the fact that a considerable number of persons had inquired as to the legal status of the various rights-of-way within the Association limits to the beach areas, the Clerk requested that he be authorized to retain proper legal counsel to investigate the title involved and, upon motion, it was

VOTED that a sum not to exceed \$300 be appropriated for this purpose and the Clerk authorized to hire proper legal counsel.

In connection with the problems which had arisen as the result of use of the breakwater by people outside of the community upon motion it is

CLARK, HALL & PECK

ATTORNEYS AND COUNSELORS AT LAW
129 CHURCH STREET
NEW HAVEN 8
CONN.

GEORGE LEETE PECK
PRENTICE T. CHASE
GEORGE MORRIS PECK
RICHARD J. SMITH
RUSSELL H. ATWATER

ROBERT W. LEAVENWORTH
DANIEL H. DENNIS JR.
JEROME I. WALSH

FRANK R. GOLDMAN
COUNSEL

TELEPHONE MAIN 4-1163

February 18, 1954

The Pine Orchard Association
Branford, Connecticut

Gentlemen:

We have made an investigation of the Branford Land Records concerning the Southerly portion of Linden Avenue as shown on a Map of Lots filed by F.C. Bradley and Eckford Davis in the Branford Town Clerk's Office. This said map is on file in Map Book, Page two. The map is a yellowed sheet of paper and outlined thereon is a highway called Linden Avenue running from Pine Orchard Road to Long Island Sound and showing lots on both sides of Linden Avenue. There is no Map title and no certification thereon.

In September of 1891, Sarah E. Davis was the owner of a parcel of land 222 feet, more or less, in width running from the highway now known as Pine Orchard Road, Southerly to Long Island Sound. On September 18, 1891 by deed recorded in Volume 44 on Page 77, the said Sarah E. Davis conveyed to Frederick C. Bradley the Westerly half. The deed contained the following: "there is to be a highway laid out through the center of the tract of land each to build one-half of said Road".

Sarah E. Davis made two conveyances during her lifetime. The first was to David S. Plume on August 27, 1894, by deed recorded in Volume 44 on Page 559. This deed referred to lots on the map and bounded: Southerly by Long Island Sound and Westerly by a proposed highway or private way.

The second conveyance was to Frederick C. Bradley of lot #20 and was dated September 3, 1895 and recorded in Volume 48 on Page 87. This deed bounded: Westerly by Linden Avenue; and the lot was conveyed with the right to pass and repass over private highway known as Linden Avenue to the Sea Shore.

The above conveyances indicate that the said Sarah E. Davis considered Linden Avenue as a private highway.

800046

The said Sarah E. Davis died in 1900 and the balance of the Easterly side of Linden Avenue were conveyed from her estate to Eugene E. Adams by deed dated November 28, 1905 in Volume 52 on Page 582. This conveyance described lots on the map and bounded: Westerly on Linden Avenue together with the right to pass and repass over Linden Avenue to the Sea Shore.

Mary T.D. Bragg was the sole heir at law of Sarah E. Davis. We find no conveyance on the land records specifically conveying the fee to Linden Avenue by either Sarah E. Davis or said Mary T.D. Bragg.

The Westerly half of the original track which was conveyed to Frederick C. Bradley was also shown as lots on the hereinbefore mentioned map. The first conveyance by Bradley was to Alden M. Young by deed dated April 23, 1892 in Volume 44 on Page 254. This deed bounded: Southerly by the sea and Easterly by proposed highway with the right to pass and repass over proposed highway to and from the main highway to the sea. This conveyance did not refer to the map. The later conveyances by Frederick C. Bradley of lots on this map beginning in 1892 bounded: Easterly on the private roadway or private way together with the right to pass and repass over private right of way to the sea. A deed of lot #21 recorded in 1895 in Volume 48 on Page 33 bounded: on Linden Avenue with the right to pass and repass over private highway known as Linden Avenue to Sea Shore.

A deed of lot #23 on March 17, 1900 in Volume 48 on Page 589 bounded on Linden Avenue with the right to pass and repass on Linden Avenue from the main road to Sea Shore without referring to said Linden Avenue as private road. This omission was also in his later conveyance of lots 17, 19 & 21 by two deeds recorded in 1903 in Volume 52 on Page 319 and 379.

The said Frederick C. Bradley died in 1929 and Mary Louise Bassett was the beneficiary under his will. We find no conveyance on the Land Records from either of them specifically conveying the fee of Linden Avenue.

The first Selectmen of the Town of Branford advised us that Linden Avenue is considered as a private Street.

Our opinion based on the foregoing facts is that the Easterly one-half of the Southerly portion of Linden Avenue is owned of record by Mary T.D. Bragg and the Westerly one-half is owned by Mary Louise Bassett; and that this property is the Southerly portion of a private roadway subject to rights of way in favor of the owners of lots on both sides of the same.

Very truly yours,

CLARK, HALL & PECK

By



RJS/ld

February 25, 1954

MEMORANDUM RE. PASSWAYS TO BEACHES WITHIN THE PINE ORCHARD ASSOCIATION

On the basis of a thorough investigation of the titles to the property involved made by Clark, Hall & Peck, the following is a brief summary of their conclusions as to the ownership of the various passways and rights-of-way to the beaches.

Commencing on the east at a point on the easterly side of Club Parkway as it intersects with Pine Orchard Road and Sheldon Place, a portion of this property, the location of which is not able to be definitely determined, was turned over to the Town of Branford in 1847 for giving it the liberty and privilege "of passing on a certain piece of land or sea beach to and from the sea for the purpose of loading and unloading of ^{of}acows and boats". Also in this same area a piece of land was deeded over to the Town in 1915 which is located probably on the sandy and beach area for highway purposes only.

The next passway involved is located at the easterly end of Island View Avenue and is bounded by the north line of Island View Avenue as it extends easterly to Long Island Sound. This is the walk way extending southerly along the west line of Bertha Lane Smith property to the present breakwater and, on the basis of the survey made, the ownership of this vests in The Pine Orchard Association with no rights of others to use this except the possible claim of dedication from owners of lots on a map in file in the Branford Town Hall which will take in all property within the following bounds: on the west Blackstone Avenue and the property now owned by E. Morris Jack, on the north by Pine Orchard Road from Blackstone Avenue extending easterly to the point where it intersects with Club Parkway and Sheldon Place, on the east all property from this intersection point southerly to Brown's Point and on the south by Long Island Sound.

The next passways are indicated on map of property of Robert Wallace dated 1880 and are located on the southerly side of Island View Avenue extending to Long Island Sound, one at the foot of Waterside Road and the other just east of Park Place as it intersects Island View Avenue. The fee to these passways is still owned by Wallace but is subject to the rights of purchasers in this development to use them as passways from Island View Avenue to Long Island Sound. This would include the same area as have rights to the previous mentioned passway from Island View Avenue to Brown's Point.

The area which was formerly believed to be a right-of-way at the foot of Lake Place since the survey has been made has been determined to belong to Stuart E. Judd and should never have been

Park Place is now Chapel Drive

000035

used as a passway to Long Island Sound.

In connection with the survey of Linden Avenue and its extension to Long Island Sound, it has been determined that Linden Avenue itself is a private street. The ownership of the property and its extension to the Sound is still in the original owners, subject however, to right-of-way to and from the beach to the owners of property on each side of Linden Avenue.

The same statement may be made in connection with Crescent Bluff Avenue and its extension to Long Island Sound.

In connection with survey made of Spring Rock Road and its extension, it has been found that in 1917 Spring Rock Road was deeded as a public highway to the Town of Branford and it is believed that the extension thereof to Long Island Sound was included with the provision that vehicular traffic shall be prohibited from a line which is approximately at the southerly end of the circle at the dead end of this street and is subject to the rights of all lot owners to use the same from Elizabeth Street to Long Island Sound.

The passway at the southerly end of Selden Avenue from the survey appears to be owned as follows,- the easterly one-half by Young Company and the westerly one-half by Birch Warner Hincks.

It would appear from the records that all persons in the following described area have right to use this passway to reach the beach: - on the west the westerly line of The Pine Orchard Association as it extends northerly from Long Island Sound to Elizabeth Street crossing Elizabeth Street to the north line; thence to the west along the north line of Elizabeth Street to Hotchkiss Grove Road; thence northerly 325 feet along Hotchkiss Grove Road; thence easterly 161 feet; thence northerly 160 feet; thence westerly to Hotchkiss Grove Road 147 feet (this excludes from these rights the property owned by Holcomb on the east side of Hotchkiss Grove Road); thence northerly along Hotchkiss Grove Road to Pine Orchard Road; thence southerly and easterly along Pine Orchard Road until its intersection with Spring Rock Road extension; thence southerly along the extension of Spring Rock Road to Elizabeth Street; thence easterly along the north line of Elizabeth Street approximately 200 feet crossing Elizabeth Street at this point; then extends southerly to Long Island Sound at a point approximately one-half way between Spring Rock Road and Grove Avenue. At its terminus on Long Island Sound it extends easterly along the Sound to the point of beginning.

Linden Ave is now Halstead Lane

*possibly by H. M. Whitine
Clerk*

000036

Sinking Fund and the Sprayer Account were presented and read to the meeting by the Clerk and ordered filed.

001157

The President then called for remarks from the floor.

A question as to the form of the ballot which was customarily submitted to the Annual Meeting was discussed and it was suggested that possibly it might be in order to appoint a Nominating Committee prior to the Annual Meeting to present a slate of candidates. It was also suggested that it might be of assistance to the voters if when the notice of the Annual Meeting was sent out, a list of candidates was included. The Chair thanked those making the suggestions and agreed to report the matter to the Executive Board for consideration.

The subject of beach erosion in the vicinity was questioned and the Chair reported that on the basis of a study by the Army Engineers, this particular area had not been declared eligible for any possible assistance. A statement was made by one property owner to the effect that from his study of conditions on his waterfront property there had not been any noticeable change since the hurricane of 1938.

A complaint as to the presence of dogs on the beach was made and it was stated that the police would attempt to rectify the same.

The question was asked as to who was responsible for the condition of Pine Orchard Road, particularly with regard to drainage conditions, and he was advised that this was entirely in the hands and control of the Town of Branford since this was a Town road.

Questions were asked with regard to the use of various rights-of-way to the beach and the meeting was advised that with minor exceptions there were not public rights of way to the beach, that there were several rights-of-way available to adjacent property owners but in most instances the actual rights-of-way were privately owned as was the beach along the waterfront.

Complaint as to the speed of traffic on Island View Avenue was received and the Chairman of the Police Committee stated he would have this looked into.

The Ballot Clerks then reported that 43 votes had been cast and that the following had received a majority:

S. Dewey Brown
 Joseph E. Buza
 Harry E. Cox, Jr.
 F.R.E. Crossley
 Milton W. Goss
 John J. Kinney, Jr. ✕
 Charles F. McNeil
 Virgil J. McNeil
 Roy L. Parsell
 William D. Pinkham
 Arthur Scrivenor, Jr.
 John C. Usher

The Chair declared said Board duly elected and the meeting was thereupon dissolved.

Attest: *Milton W. Goss* Clerk

MINUTES OF THE ANNUAL MEETING OF
THE PINE ORCHARD ASSOCIATION

001169

held pursuant to notice duly mailed to all of the persons qualified to vote, of which the following is a copy:

"PINE ORCHARD, CONNECTICUT
JULY 1, 1963"

TO ALL PERSONS QUALIFIED TO
VOTE AT THE ANNUAL MEETING OF
THE PINE ORCHARD ASSOCIATION:

The Annual Meeting of The Pine Orchard Association will be held at the Chapel, Pine Orchard, Branford, Connecticut, on Monday, July 8th, 1963, at 8:00 o'clock P.M., E.D.S.T., for the following purposes:

1. To elect by ballot an Executive Board for the following year, the polls to be open at such time and to remain open for such time as the Meeting shall determine.
2. To transact any other business within the power of the Meeting which may be brought before it.

Attest:

Joseph E. Buza, President
Milton W. Goss, Clerk
S. D. Brown, Secretary"

The meeting was called to order by the President.

Call of the meeting was read by the Clerk who reported a quorum present and the Chair declared the meeting duly constituted.

The minutes of the previous meeting were read and approved.

The Chair then declared the polls open for the election of twelve members to the Executive Board and he appointed Messrs. V. H. Everson, III and Frederick Reimers as Ballot Clerks. It was pointed out that the ballots as distributed contained the names of the present members of the Executive Board. These, however, were not nominees and names of eligible persons could be written in and the twelve persons receiving the highest number of votes would be elected. It was also announced that only persons who were property owners within the limits of the Pine Orchard Association and persons registered as voters in the Town of Branford were eligible to vote.

residing within the Association area

The Treasurer's audited annual report together with the Sprayer Account and the budget as adopted by the Executive Board were presented, read and, by vote, approved. However, it was recommended at the meeting that in the future a treasurer's report plus the budget adopted by the Board be sent out with the notice of the Annual Meeting. For the benefit of those persons not familiar with the

001170

subject, Mr. Pinkham explained the history behind the Sprayer Account, indicating that minimum equipment had been purchased and was available to persons within the Association at their request.

Mr. Kinney outlined the activities of the Police Department for the past year reporting that a new car had been purchased, and that while the actual jurisdiction of the officer was limited to the area south of the mainline railroad tracks, the officers were subject to call for emergency purposes from the Branford police headquarters and he urged all persons requiring assistance to make their calls direct to Branford police headquarters which would relay the requests to the officer on duty. It was noted that John Bruno who had served as one of our police officers for many years had died during the past year and at the request of those at this meeting it was

VOTED that an appropriate resolution be sent to his surviving widow.

In the absence of the Health Officer, the President reported that in general the garbage and trash collection appeared to be in satisfactory hands and reminded those present at the meeting that the type of collection in the area was quite different from that arrangement under contract in the remaining part of the Town of Branford. This arrangement was one which the past Boards felt was appropriate in the area and unless otherwise directed would continue to be put into effect.

Mr. Tweed reported as to the activities of the Fire Department in the area and briefly outlined the new setup of fire headquarters and additional equipment which the Town of Branford would shortly have available.

At this point the President declared the polls open for election of the twelve members of the Executive Board. While the vote was being taken, he called for discussion on any subjects of interest from the floor. It was reported that the sign at the gatepost on the walkway to the beach on Selden Avenue was missing. It was noted that on Island View Avenue fewer parking spaces were available than in the past. On this point, Mr. Kinney stated that this action had been taken at the request of residents in the area to make access to their own property more available.

There was considerable discussion on the subject of control of access to the beach. The President stated that he and the Board were well aware of the problem and would continue to make every effort to limit the use to those who were actually entitled to it.

The problem of roaming dogs in the area was also discussed. Here again the President stated that he and the Board were aware of the problem and suggested that actual written complaints were in order and that armed with such, the Board would be in a better position to take effective steps to handle problems as they arose.

President then declared the polls closed and the Ballot Clerks reported that 49 persons had voted and the following had received the largest majority as members of the Executive Board:

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MINUTES OF THE ANNUAL MEETING OF
THE PINE ORCHARD ASSOCIATION

001172

Held pursuant to notice duly mailed to all of the persons qualified to vote, of which the following is a copy:

"PINE ORCHARD, CONNECTICUT
June 29, 1964

TO ALL PERSONS QUALIFIED TO
VOTE AT THE ANNUAL MEETING OF
THE PINE ORCHARD ASSOCIATION:

The Annual Meeting of The Pine Orchard Association will be held at the Chapel, Pine Orchard, Branford, Connecticut, on Monday, July 6th, 1964, at 8:00 o'clock P. M., E.D.S.T., for the following purposes:

1. To elect by ballot an Executive Board for the following year, the polls to be open at such time and to remain open for such time as the Meeting shall determine.
2. To transact any other business within the power of the Meeting which may be brought before it.

Attest:
Joseph E. Buza, President
Milton W. Goss, Clerk
S. D. Brown, Secretary"

The meeting was called to order by the President.

Call of the meeting was read by the Clerk who reported a quorum present and the Chair declared the meeting duly constituted.

The Chair then declared the polls open for the election of twelve members to the Executive Board and he appointed V. Hall Everson, III and Raymond E. Westlund, Jr. as Ballot Clerks. It was pointed out that the ballots as distributed contained the names of the present members of the Executive Board. These, however, were not nominees and names of eligible persons could be written in and the twelve persons receiving the highest number of votes would be elected. It was also announced that only persons who were property owners within the limits of The Pine Orchard Association and persons registered as voters in the Town of Branford residing within the Association area were eligible to vote.

The Treasurer's audited annual report together with the Sprayer Account and the budget as adopted by the Executive Board were presented, read and, by vote, approved.

Mr. Edwards as Chairman of the Committee on Police stated that during the course of the past year officers on duty had been involved with at least two cases of arson which were successfully controlled and a suicide and murder case in the neighboring area, had voluntarily conducted a check on unlocked doors and windows during the fall and winter and found a number of which fact the property owners were notified, most of whom were happily surprised and pleased to learn of this extra protection.

He further stated that extra police protection had been invoked during the Halloween period and vandalism in general had been successfully controlled. He pleaded with all members of the Association in any case where persons who were unauthorized within the area or appeared to be on a suspicious errand that they make a report directly to the Branford police. This also included persons in the beach area.

Mr. Tweed, the Town Fire Marshall, stated quite frankly that not only in the Pine Orchard area but in the entire State of Connecticut there was a definite problem of arson, some of which had been tracked down, and again, as had Mr. Edwards, requested that a report of anything of a suspicious nature should be made directly either to police or fire headquarters.

reported

Mr. Wallace, the Health Officer, negotiations on the new Garbage and Trash contract were under way and it was hoped that it would be consummated in a very short time. Expressions from the floor indicated that the present collector had been doing an excellent job and it was hoped that he would be rehired.

At this point, the President declared the polls open for the election of 12 members to the Executive Board and while the vote was being cast, he outlined some of the problems with which the Executive Board was faced, some of which in the past many of us had taken lightly due to the fact that the residents failed to make any attempt to cooperate not only with the ordinances of the Association, but also of State law.

He stated emphatically that a very definite attempt would be made to control the problem of roaming dogs and warned all residents to be aware of the fact that the presence of roaming dogs in the area was contrary not only to the Association's ordinances but also of the Town of Branford and the State of Connecticut. He reported that storm damage over a period of time had finally taken its toll of the existing breakwater which was Association property and that repairs would be undertaken in the very near future.

With respect to the problem of unauthorized persons using the beach area, he stated emphatically that all persons residing northerly of the main line railroad tracks had no right whatsoever of access any more than did the residents of the Town of Branford as a whole, that by and large the right of access to the beach was included in the deeds of property owners and that here again the officers of the Association would make every effort to properly control this problem.

The President then declared the polls closed, everyone present having had an opportunity to vote who was entitled to. The Ballot Clerks reported that 46 persons had voted and the following received the largest majority as members of the Executive Board:

S. Dewey Brown
Joseph E. Buza
Robert B. Cate
Sterling R. Chatfield
Harry E. H. Cox, Jr.
F. R. Erskine Crossley

Frederick H. Edwards, Jr.
Milton W. Goss
John J. Kinney, Jr.
John H. Tweed, Jr.
John C. Usher
Walter A. Wallace

The Chair declared the Board duly constituted.

President - Joseph E. Buza
 Vice President - John J. Kinney, Jr.
 Clerk - Milton W. Goss
 Treasurer and Tax Collector - Sterling R. Chatfield
 Secretary - S. D. Brown

001174

It was further indicated that there appeared to be no reason to change the chairmanship of the various committees, whereupon the following were appointed:

Committee on Police - Frederick H. Edwards, Jr.
 Health Officer - Walter A. Wallace
 Roads - S. Dewey Brown
 By-Laws - Milton W. Goss

Mr. Edwards noted that there appeared to be several traffic hazards within the area principally due to heavy foliage on private property at intersections within the area. The Clerk stated that about four years ago, in cooperation with the Police Department of Branford, a survey of all intersections within the area had been made in an attempt to correct such hazardous conditions and felt that the Police Department of Branford would be only too glad to cooperate in a repeat on this survey. Comments as to the necessity and desirability of the location of stop signs at the crossing of the Trap Rock Railroad northerly of the main line of the New Haven tracks was discussed. It appeared that since there was practically no rail traffic at this crossing that the desirability of this stop sign was questionable. The Clerk agreed to contact the proper authority on the matter.

The Clerk also reported that he had received a communication from Mr. Arthur Eggleston with regard to who had the legal right to use certain passways to the beach on Island View Avenue, and had a subsequent conversation with him. The possibility of having a paid attendant to police the various areas was discussed. The President noted that a survey of all passways had been made some 11 years ago by the firm of Clark, Hall and Peck and that this Board was well aware of the problems and some effort would be undertaken to properly control the use of these passways for those entitled to.

The Board was reminded that it was appropriate to make an appointment to the Zoning Board of Appeals since the term of Hugh Scott expires this year. It was VOTED that he be reappointed for a term of five years. Since specific information as to the terms of the alternates to the Board was not available, President was authorized to make such appointments as might be necessary.

No further business appearing, the meeting was dissolved.

Attest:

Milton W. Goss

Clerk

79
further our Contract must be co-terminous with the collectors' Contract with the Town of Branford.

The President reappointed his two associates (van Wilgen, Evarts) on the Zoning Enforcement Board. The members of the Zoning Board of Appeals are to be W. R. Compton (80), B. F. Prann (76), R. H. Fletcher (77), S. W. Noyes, Jr. (78), and Charles Sturgess (79). The alternates are M. T. Dill, R. M. Taylor Jr. and A. H. Welch.

During the course of the meeting the following items were discussed without action: duties of the Health Officer; renumeration for the Ass't. Treasurer; repair of the Sea Wall; type of new police car in budget; plumbing problem in Firehouse; and deficiencies in traffic signs.

With no further business the meeting adjourned at 9:20 P. M.

Respectfully submitted,

A. P. Gagge

A. P. Gagge
Secretary

001196

MINUTES OF A SPECIAL MEETING
OF THE EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

Held pursuant to notice duly mailed to all of the Board of which the following is a copy:

"Pine Orchard, Connecticut
September 12, 1975

TO THE EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

At the call of the President there will be a Special Meeting of the Board at the office of Milton W. Goss (Alden M. Young Co.), Pine Orchard, Connecticut at 8:00 P. M. on Thursday, September 18, 1975 to consider and act upon purchase of a new police car; to hear and act upon reports of officers and committees; and to transact any business within the power of the Board which may come before the meeting.

Attest:

Milton W. Goss
Clerk

If unable to attend please notify Mr. Goss's office 488-2541."

Those present were: Burrow, Buza, Evarts, Gillis, Reynolds, Stevens,

At the meeting there were present: Buza, Evarts, Gillis, Goss, Reynolds, Sherwood, Shope, Usher and van Wilgen constituting a quorum.

The meeting was called to order by the President and the minutes of the previous meeting were read and approved.

The Clerk reported that he had discussed with the President some inquiries by residents in the vicinity of rights of way to the beach as to the necessity or advisability of closing off access to these rights of way by placing a chain or a rope at each of them to indicate that they were closed off for all persons while these were in place and as to the advisability of doing so at least one day annually. He further stated that he had reviewed a study made by Clark, Hall and Peck on points with reference to all of these various rights of way which indicated that the actual ownership was ~~not~~ private and therefore could not be actually closed off by action of the Association which ~~would~~ not have any such ownership and, in point of fact, it would be impossible to identify who were the actual owners at any one given time. Furthermore the only access to the beach area was the strip of land owned by the Association extending from the termination of Island View Avenue in the area of the Pine Orchard harbor southerly to the breakwater. In addition the actual persons legally entitled to use these rights of way were those identified as living in certain areas as shown by maps on file in the Town Clerk's office.

Mr. Reynolds was called upon to discuss the problems relative to the possibility of purchasing a new police car. He indicated that a new vehicle comparable to the one now on hand would cost approximately \$4,700 without a trade-in and after discussing the matter with Mr. Findell, at the Wilson Auto Sales he, Mr. Findell, suggested that it might be wiser to have the existing vehicle put in tip-top shape and continue to use it until a newer 1976 model became available; since the Ford Company did not guarantee any vehicle for police purposes other than one similar to the one now on hand but it appeared that when these newer models did become available that a smaller unit could be purchased hopefully at a lower price than those now available. It was therefore VOTED that no further action, other than to see to it that the existing car be put in tip-top shape: It being understood that this could be done at a price probably less than \$500.

The President then reported that he had received a request by Mrs. Donegan who was apparently in charge of the activities of the Girl Scouts in this area to have the use of the vacant room in our new building. The matter was discussed quite freely by the Board and it was VOTED with one dissenting vote that since an activity might very well become a possible hazard--particularly in the event of an actual call to a fire while the girls were utilizing the building to deny this request, with the President ordered to immediately advise Mrs. Donegan of this action and it was also VOTED unanimously by those present that a policy be established at this time that no use of the building for the activities of any organization be permitted since this was not a community building but a strictly municipal one constructed for the purpose of housing police and fire facilities and eventually to provide space for meetings of the Executive Board and to operate the administrative details of the Association.

001350

- X Zoning Report
 - a. Status of Halstead Lane Appeal
 - b. 9 Club Parkway
 - c. Survey- Everett
- XI Old Business
 - a. Land Donation to Town
- XII Annual Meeting – July 10, 2006
- XIII New Business
- XIV Any other business that may properly come before the meeting.

Attest: John E. Donegan, President”

The Pine Orchard Association Executive Committee
Minutes of the June 5, 2006 Meeting

The meeting was called to order at 7:45 PM, a quorum being present by then. Those in attendance were: John Donegan, Stacy Ruwe, Jennifer Aniskovich, James Kaiser, Joe Sepot, Vining Bigelow, Kelly Brownell and Elaine Littlehales. Absent: Joe Canavan, Eric Hanson, Lisa Sandler & Charlie Shelton.

The first order of business was to approve the Minutes of the February 20th and March 20th meetings, which was so done unanimously.

Stacy Ruwe presented the Budget for next year by explaining some line items, one of which was an increase in the auditing fee from Seward & Monde to twice last year's. According to the By-Laws, a Review or an Examination of the Books would suffice. There was discussion on the pro and cons of Audit vs. Review and the Board decided to do a Review with another firm. There was also discussion about maintenance bills being paid this year or next (Waterfront & Association Building) as well as legal fees, as there is not much time left this year. Vining made a phone call and it appears that the Waterfront work cannot now be done before July 1st.

The proposed Budget, with minor adjustments, was accepted unanimously.

Kelly Brownell will see to it that we get a new contract with the Security Company, it having been put on hold while we considered other options.

The possibility of the Greenway Trail being put across the front of the building has been laid to rest. It will go behind as originally planned. They are waiting for promised Federal Funds before work can continue on the trail.

James Kaiser reported that the offending shrubbery on the corner of Grove and Pasadena was being taken down completely; pruning such an old, large bush was not practical. He also reported that the Police Traffic Commission will begin monitoring traffic in our area the end of July into August. The Chief of Police contacted him about a request he had to put a No Parking sign at the end of Spring Rock Road. He wanted to know if we had ever put up such a sign. There was some discussion about the history of a no parking sign at that location and the Board agreed that if the Police want to put one up, we would request consistency and a similar sign at the end of all the dead end streets.

In light of a reported confrontation between beach-goers and a waterfront property owner, it was agreed that we complete the survey of Right-of-Ways to the water and make it available to Residents. Joe Sepot will ask Larry Fisher to put together what he has already researched. It was suggested that Town Engineer Steve Dudley has some records of ROWs as well.

The Pine Orchard Association
180 Pine Orchard Road
Branford, CT 06405

August 25, 2008

Dear Pine Orchard Association Member:

As reported at the last couple of Annual Meetings and in newsletters to the membership, the Pine Orchard Association (POA) has undertaken a review of several access areas to Long Island Sound in Pine Orchard in order to determine whether POA members may utilize these areas for access to Long Island Sound as members of the POA.

POA has commissioned research and surveys of two (2) areas off Island View Avenue that are owned by the POA. One access area is located off Island View Avenue to the South between 9 Island View Avenue and 13 Island View Avenue and the other access area is off Island View Avenue to the South and is located between 37 Island View Avenue and 41 Island View Avenue. Members of the POA have the right to use these access areas in their capacity as members of the POA in order to access Long Island Sound.

The POA did commission and has received a report on the access areas at the end of Spring Rock Road and Halstead Lane. That research concluded that POA members do have the right to access the area at the end of Spring Rock Road to gain access to Long Island Sound but do not have that right and privilege with regard to the access area at the end of Halstead Lane unless this right and privilege is contained within their deed of ownership.

No other access areas have been researched or commissioned for research by the POA. The POA makes no representation concerning the ownership and/or right and obligations of property owners in and to any other access areas located within the POA boundaries. As I have stated numerous times in the past, we should all respect the private property rights of our neighbors and fellow members of the Association.

Any member of the POA who would like to review the research and surveys commissioned and received by the POA Board for Halstead Lane and Spring Rock Road may call the POA office and set up a date and time to do so. (488-5180)

Enjoy the rest of the Summer!!

John E. Donegan
President

Please turn this letter over. There is important information on the reverse.

"January 9, 2009

TO THE EXECUTIVE COMMITTEE OF THE PINE ORCHARD ASSOCIATION

AT THE CALL OF THE PRESIDENT, there will be a meeting of the Board on
Monday January 19, 2009, at 7:30 PM in the Board Room of the Association Building, 180
Pine Orchard Road.

AGENDA

- I Approval of Minutes of the November 17, 2008 meeting and a review of the draft of Minutes of July 7, 2008 Annual Meeting.
- II Security Report
- III Construction Project – Branford Fire Dept.
 - a. rental
- IV Treasurer's Report
- V Planning Committee Report
 - a. 175 Pine Orchard Road
- VI Roads/Public Works Report
 - a. Website report
- VII Tax Collection Report
- VIII Waterfront/Building Report
 - a. Island View Avenue Stairs
- IX Zoning Report
 - a. Bud Beccia
 - b. Status of Miller Zoning Review
- X Old Business
 - a. signs
 - b. Greenway Trail
 - c. Crescent Bluff – Letter attached & request of Mrs. Saggese
- XI New Business
- XII Any other Business that may properly come before the meeting

Attest: John Donegan, President

The Pine Orchard Association Executive Committee Meeting
January 19th, 2009

POA Executive Committee members present: Donegan, Bigelow, Graham, Kaiser, Hanson, Littlehales, Ruwe and Shelton. Zoning Officer: Bud Beccia

The President had advised members that he had received a request from residents on Crescent Bluff Avenue to discuss various issues that had arisen on that street. The President told the residents that they could come to our meeting and the Board would listen to their concerns prior to the meeting. Residents of Crescent Bluff (Callahan, Dimmler, Leone, Sessa and Wheeler) asked to address the POA Executive committee regarding issues between the "upper" and "lower" residents of Crescent Bluff and Beachcroft LLC.

Specific concerns raised by the residents present included:

Ownership of the street and property rights, deeds and use of access as interpreted by POA; assessment of taxes for Crescent Bluff by Town of Branford as it relates to private vs. public road; recourse alternatives for owners of rear lots; ongoing issues with homeowners-rights to peaceful enjoyment/historical use of access and lawn; clarification by POA of ownership and maintenance of sea wall, stairs and walkway to Spring Rock.

Residents presented these issues and distributed to members of the Board a packet of documents and asked for interpretation, support and/or relief. Various POA members opined that the Association has been neutral on resident access conflicts and only would consider access points owned by the Association. This is not a new position but was reiterated by the Executive Committee. Regarding maintenance V. Bigelow would do research on historical maintenance performed in that area by the POA.

The regular meeting of the Executive Committee was called to order at approximately 8:00 PM.

A motion was made by Shelton, seconded by Littlehales, to approve the minutes of the November 17, 2008 meeting. There were several suggested changes to the minutes that were adopted by the Board. The minutes, with the corrections, were approved. In the absence of Jennifer Aniskovich there was no Security Report.

Elaine Littlehales reported that the construction work on the building had been completed and the ladders will not be able to remain on the fire truck while it is stored in the garage. The President reported that he had emailed the Fire Chief shortly after the last Board meeting to begin discussion with him about a possible increase in the annual rental for the garage (apparatus bay). There was no response received from the Fire Chief as of the date of this meeting and the President said that he would again try to contact the Fire Chief.

Treasurer Ruwe distributed a Treasurer's Report showing the current balances of all the line items in our budget as of the meeting date. She reported that everything was in line with projections and there were no concerns at this time concerning the budget. The treasurer did mention that she has observed that some of our utility bills appeared to be on the high side and that they were tracking higher than charges for the same time last year. It was suggested that the Board undertake an audit of the utility charges to attempt to discover a basis for the increased utility charges. The Treasurer said she would so arrange.

Charlie Shelton, Chair of the Planning committee, reported that there have been no developments on the 175 Pine Orchard Road property. The real estate market is very slow.

James Kaiser had nothing to report on roads and public works. He did say that the website is operational and that he is still working to post information on the website that would be beneficial to the membership. He believes that we should wait until the website is more user friendly and has more information before we advise the membership.

Tax Collector Elaine Littlehales reported that she sent out final delinquency notices in January to nine individuals who have until April 1st to pay to avoid having liens filed on their respective properties. The outstanding amount is about \$1,500.00.

Vining Bigelow reported that the Island View and Chapel Drive stairs would be repaired after the Spring thaw and the stair railings may also be repaired.

Zoning Enforcement Officer Bud Beccia reported that there were three permits for additions have been issued: 43 Spring Rock, 35 Pleasant Point, and 241 Pine Orchard Road. In the absence of Joe Canavan, a report on the status of the review of our Zoning

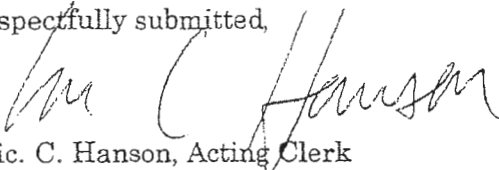
Regulations was given by Charlie Shelton and Bud Beccia. It was reported that after receiving the comments from the members of the Board relative to the areas of our Zoning Regulations reviewed by the Miller Group a meeting was held with Canavan, Shelton, Beccia and the Miller Group representative. After those recommendations for revision of the Zoning Regulations by the Board and review that proposal by the same individuals. Once that meeting took place then the Board would be presented with the final recommendations from the Zoning Committee for action by the Board and, subsequent thereto, presentation to the membership for its comment. Because of the scheduling conflicts among the members of the committee and the Miller Group it was felt that there would not be a presentation available for the Board until the March, 2009, meeting.

Ken Graham asked whether there had been any consultation with any members of this Board and the Greenway Trail representatives with reference to the removal of the large boulder that blocked vehicles from entering the Trail off Birch Road. No members responded and Ken agreed to approach First Selectman DaRos about the removal with the idea that the boulder should be replaced. Ken also asked whether the construction of the Trail behind the Association building had been completed since he had observed debris in and around the Association.

The President reported that he had been asked by a representative of Beachcroft LLC that the POA Executive Committee consider sending out a mailing to POA members regarding the ownership and usage of the extension of Crescent Bluff Ave and lawn. Beachcroft LLC offered to pay for the mailing and assist in the drafting of the letter, subject to the approval of the Board, but wanted the letter to be on POA letterhead. After a discussion among members, the Board decided to rely on precedent and not send out a letter directed to one specific property. **The President did say that he would again remind members in his next Newsletter of access points available for the use of POA members and that all members should respect the individual property rights of private property owners in the Association.**

There being no further business the meeting was adjourned at 9:15 PM.

Respectfully submitted,



Eric. C. Hanson, Acting Clerk

"March 17, 2009

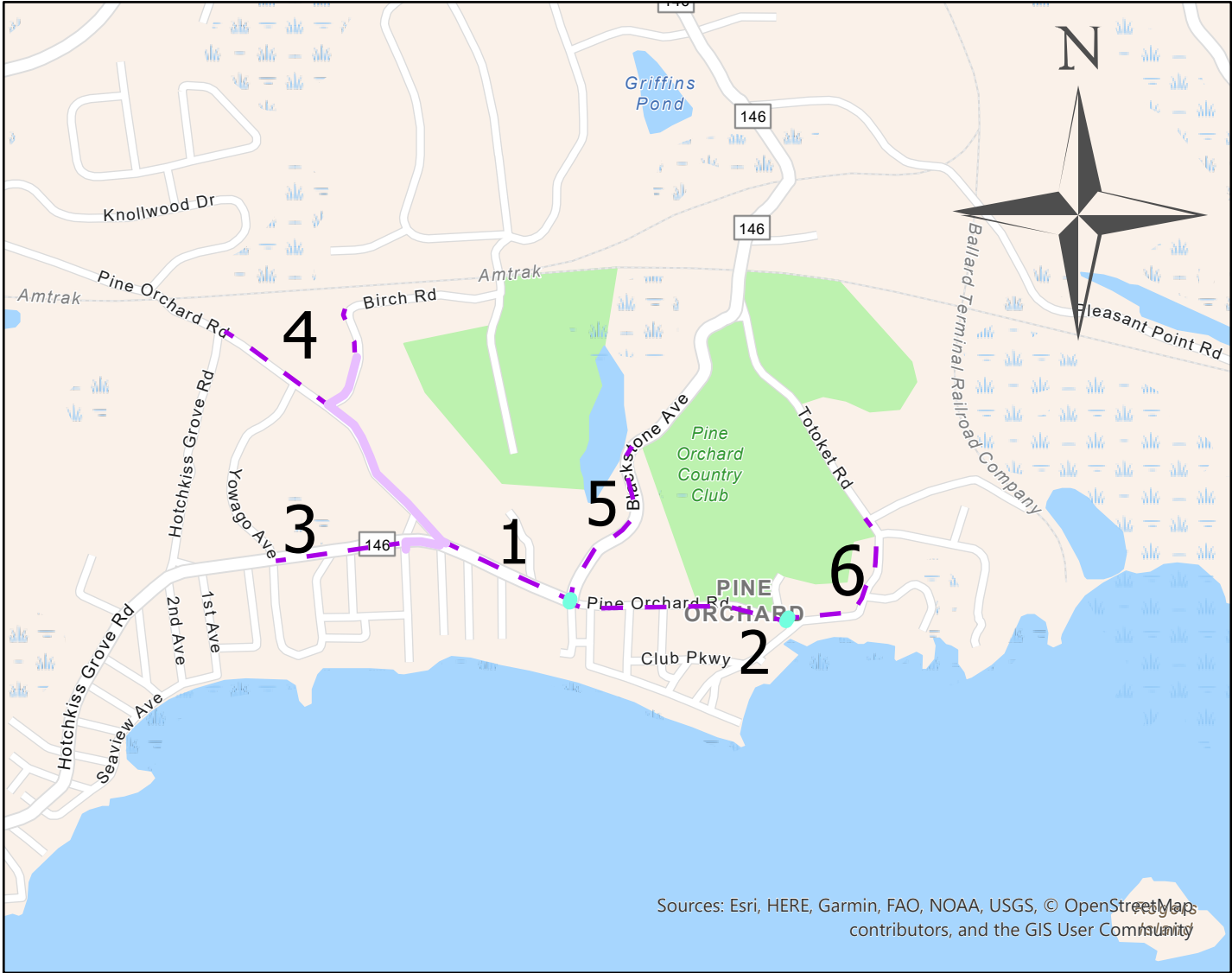
TO THE EXECUTIVE COMMITTEE OF THE PINE ORCHARD ASSOCIATION

AT THE CALL OF THE PRESIDENT, there will be a meeting of the Board on Monday, March 23, 2009, at 7:20 PM in the Board Room of the Association Building, 180 Pine Orchard Road.

AGENDA

- I Approval of minutes of the January 19, 2009 meeting
- II Security Report
- III Treasurer's Report
- IV Planning Committee Report
 - a. 175 Pine Orchard Road
- V Roads/Public Works Report
 - a. Website Report
- VI Tax Collector's Report
- VII Waterfront & Building Report
 - a. Island View Avenue Stairs
- VII Zoning Report
 - a. Bud Beccia

(continued)

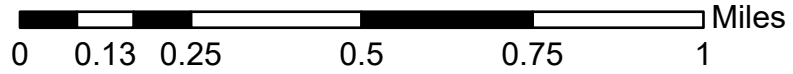


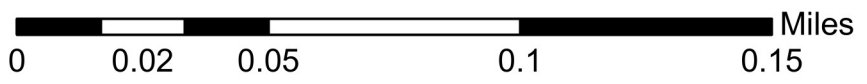
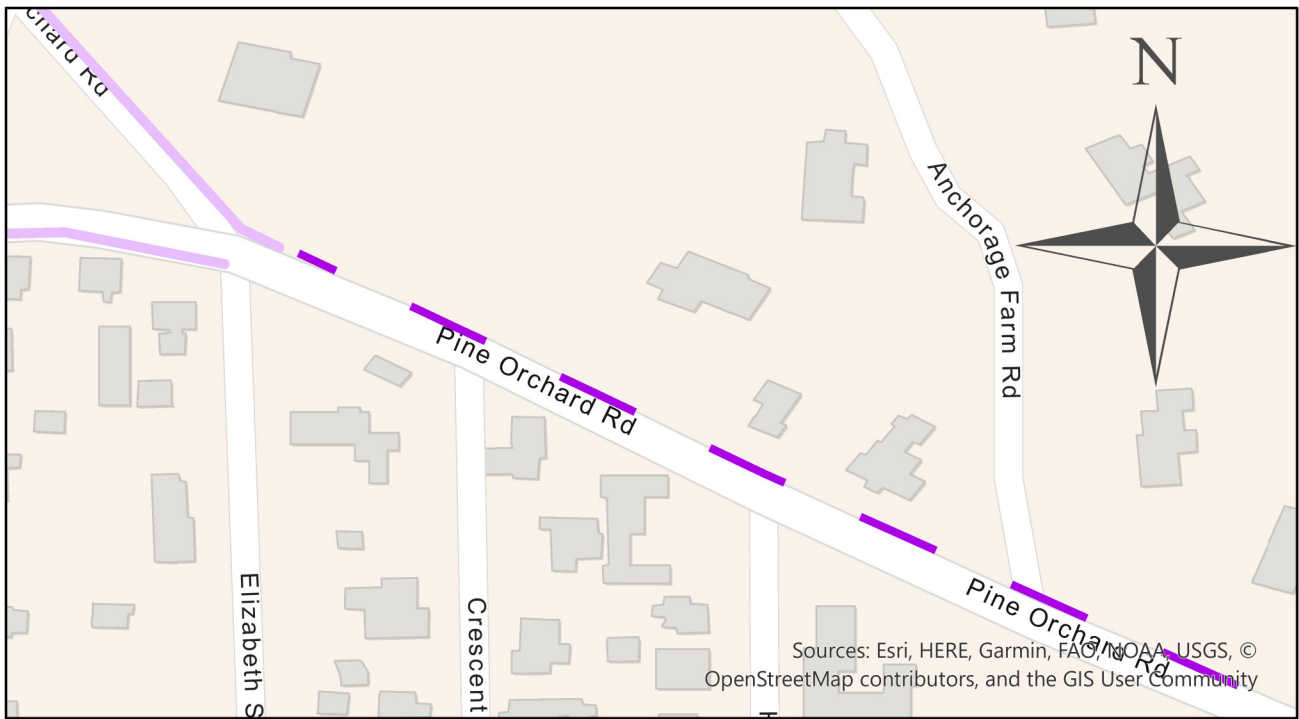
Pine Orchard Overview

- Proposed Sidewalks
- Proposed Crosswalk
- Existing Sidewalk

Note: Numbers shown on map are designations of where each phase is located.

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

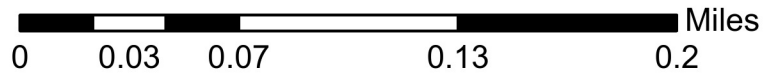
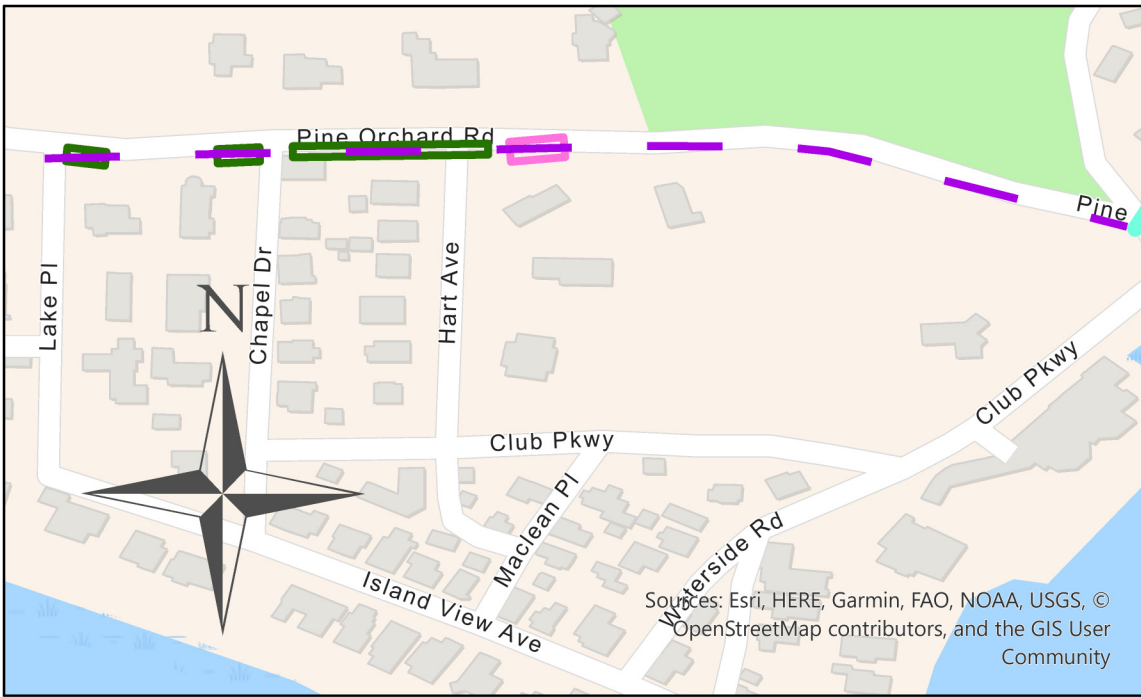









Pine Orchard Phase 1

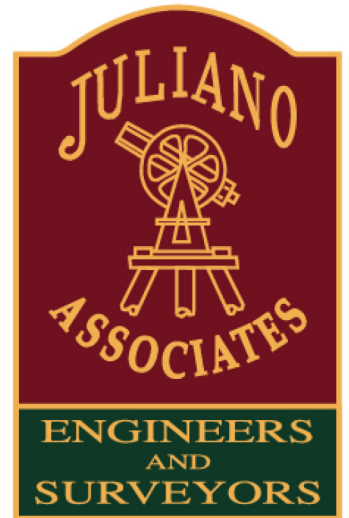
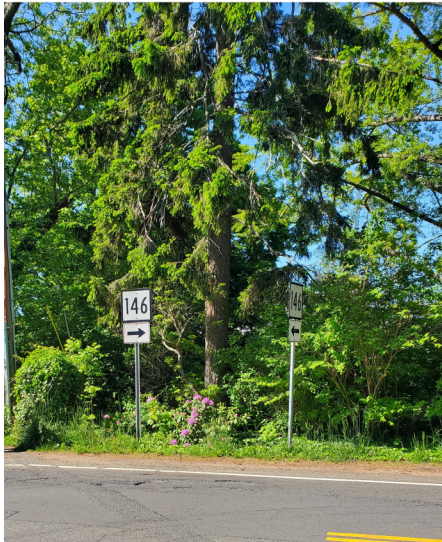
- Proposed Sidewalks
- Existing Sidewalk

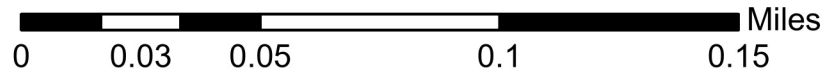
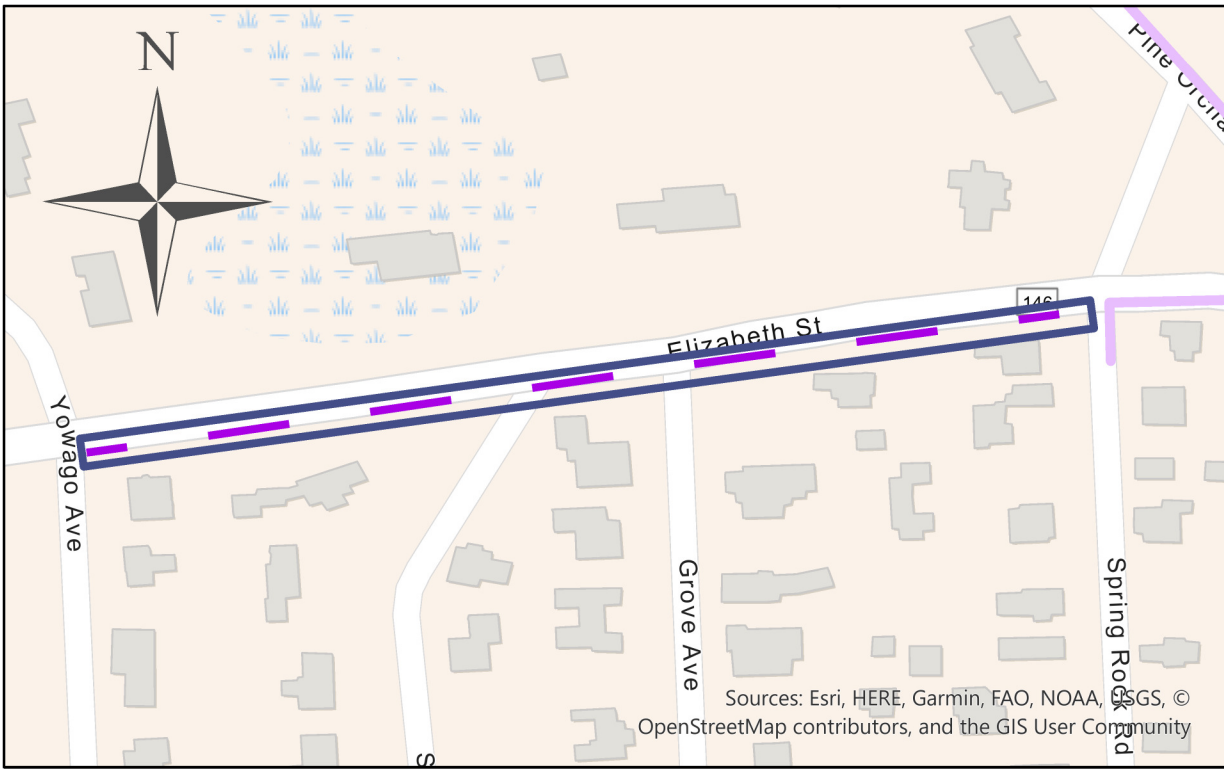




Pine Orchard Phase 2

-  Proposed Sidewalks
-  Proposed Crosswalk
-  Existing Sidewalk
-  Vegetation to be Cleared
-  Fence to be Removed

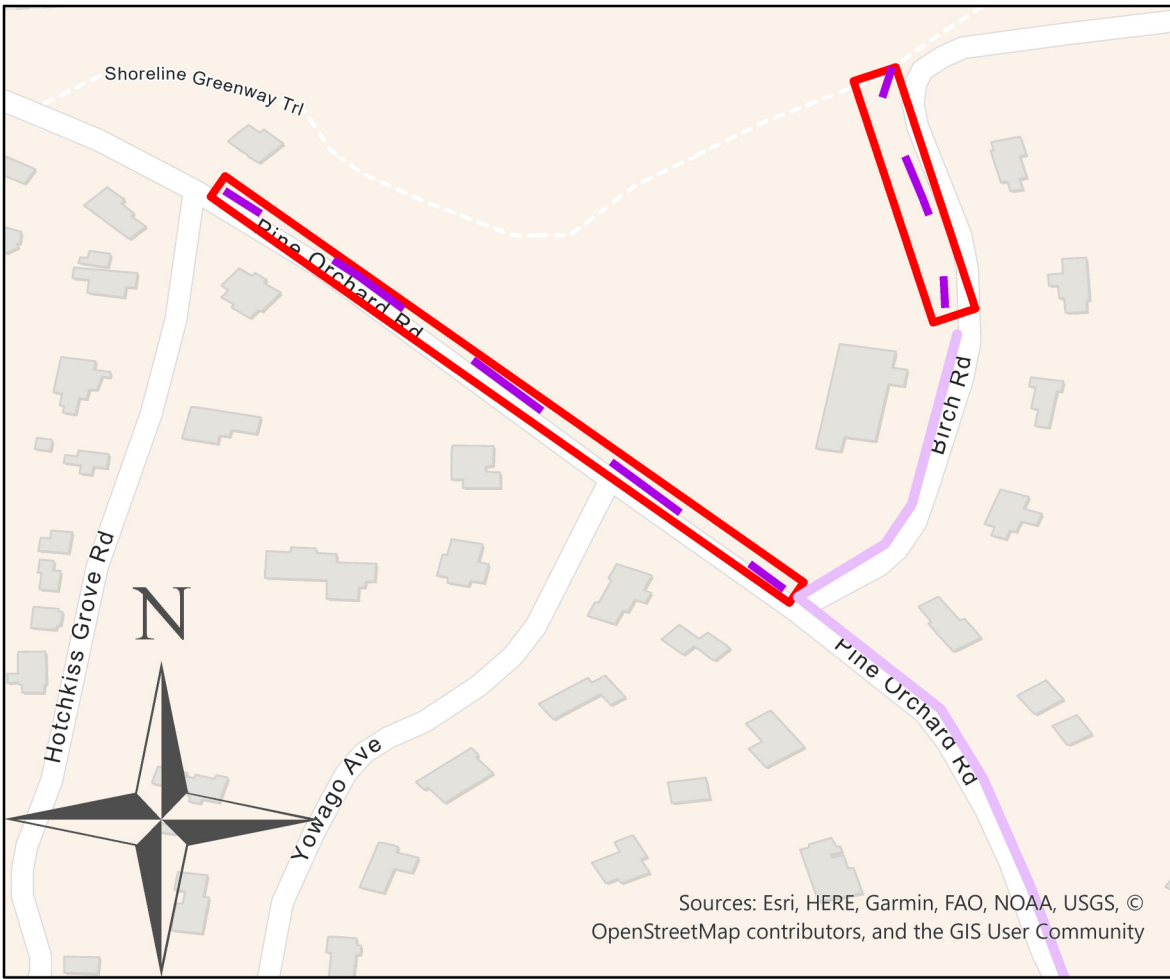




Pine Orchard Phase 3

- Proposed Sidewalks
- Existing Sidewalk
- Potential Vegetation Removal



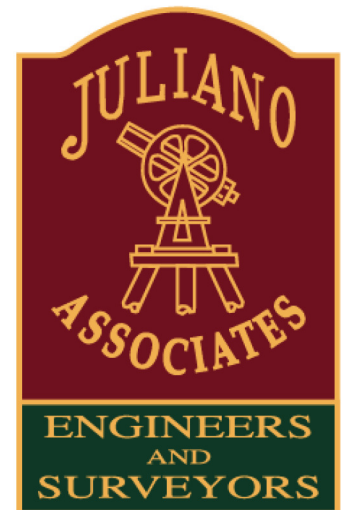
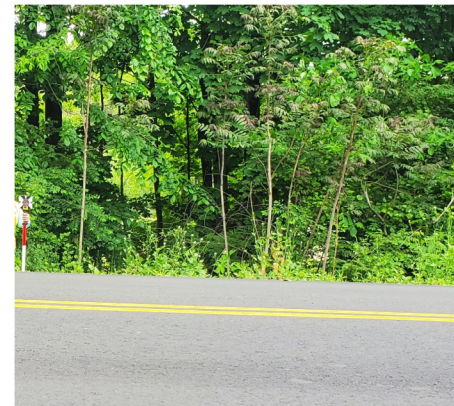
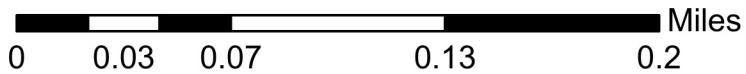


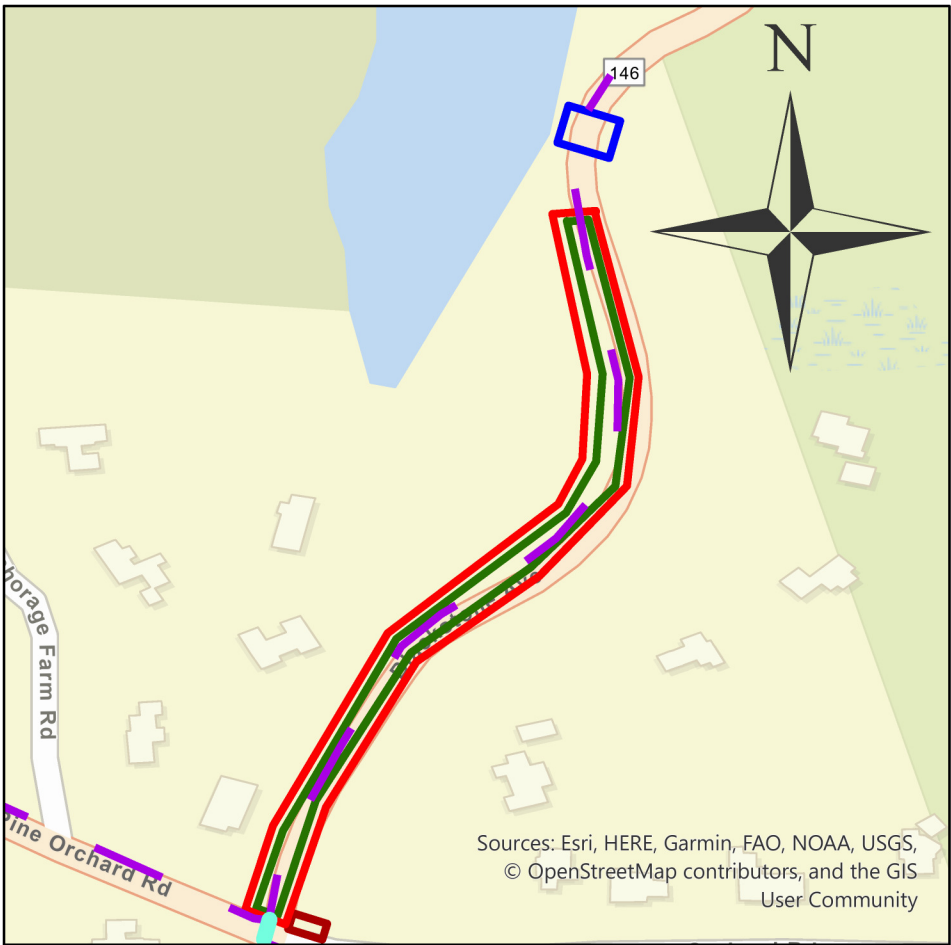
Pine Orchard Phase 4

- - - Proposed Sidewalks
- Existing Sidewalk
- Grading Issues

Note: Included in two of the photos edge is a prism pole at a height of 4.7' when it is on ground level.

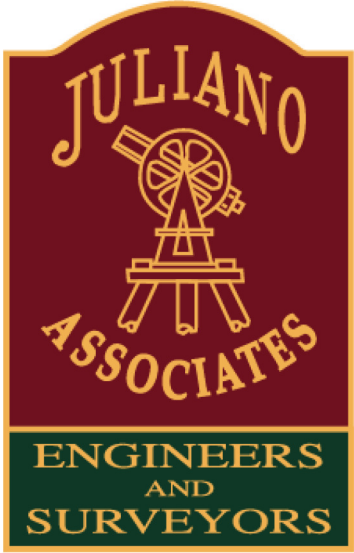
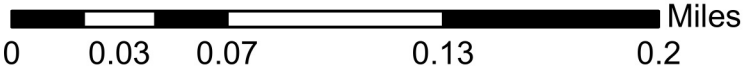
The photos included do not show the exact location of issue highlighted, they are included to give an example of what the highlighted issues look like in the area.

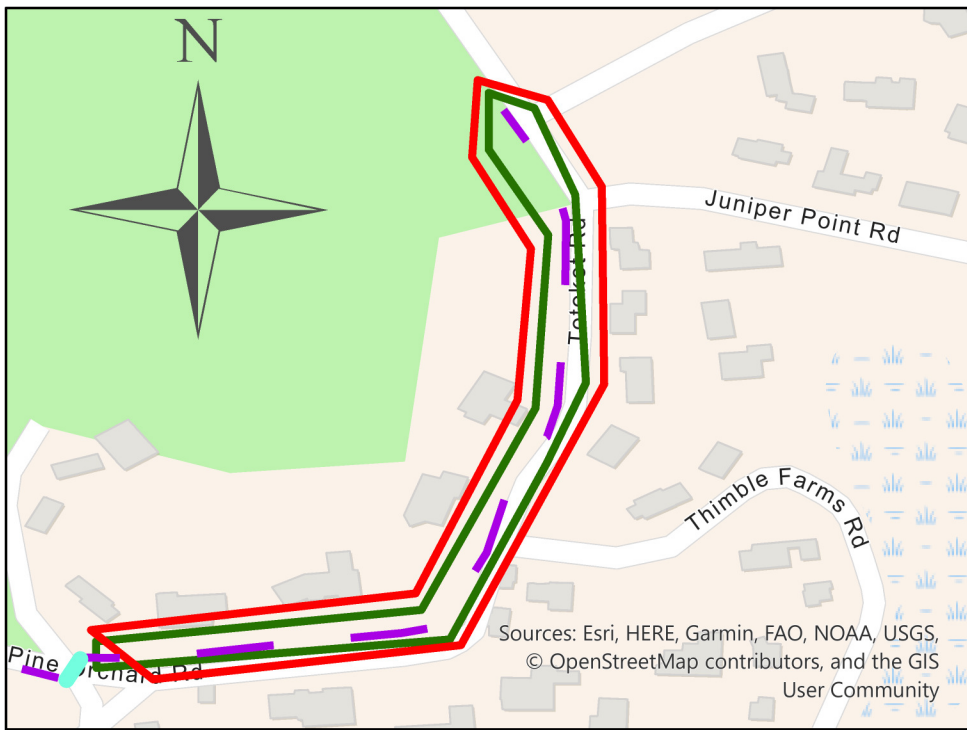




Pine Orchard Phase 5

- - - Proposed Sidewalks
- Proposed Crosswalk
- Vegetation to be Cleared
- Rock Wall to be Removed
- Narrow Bridge
- Grading Issues





Pine Orchard Phase 6

- Proposed Sidewalks
- Proposed Crosswalk
- Vegetation to be Cleared
- Grading Issues

Note: Along with grading/vegetation issues, there are also utilities (i.e manholes, electric poles, irrigation systems) that are within the desired sidewalk areas.

(Manhole seen through bush)



0 0.02 0.05 0.1 0.15 0.2 Miles







