

THE OAKTON ECHO

Oakton Estates Homeowners' Association

P.O. Box 479, Oakton, VA 22124

MARCH 2016



Thanks to OEHA Homeowners -- The Best Neighbors

Once again, our wonderful community came together to help each other during the recent snow storm – OEHA members with snowblowers cleaned neighbors' driveways, sidewalks, and entire streets!!! Kudos to our community for caring for each other!!!



WELCOME TO NEW HOMEOWNERS

- Adler Family at 3242 History Drive
- Harte/Lee family at 3239 History Drive
- Mehr family at 11453 Bronzedale Drive

Oakton Swim and Racquet Club "Priority Membership" Update

The OSRC annual meeting was held on November 11, 2015. The Board of Directors discussed the numerous inquiries received regarding the November 2008 letter to members regarding a "priority membership" status for homeowners in the Oakton Estates Homeowners Association. The priority membership announced in the November 2008 letter was adopted in an effort to comply with Condition 5 imposed by Fairfax County in granting a Special Operating Permit, originally in 1982 and carried forward through the most recent amendment to the permit in 2008.

Condition 5 can be traced to a provision in the original land grant of the current 6.75 acres to OSRC. Under that provision, OSRC set aside approximately 192 memberships for the owners of home sites (developed or to be developed) in Waples Mill Estates (aka OEHA). The owners of those parcels were provided a 90-day right of first refusal to purchase an OSRC membership. During a hearing in 1982 related to the approval of OSRC, a Planning Commissioner requested the Special Operating Permit codify the "priority" provision in the 1982 Land Grant Agreement. In response to that request, the Fairfax County Board of Zoning Appeals drafted Condition 5 in the OSRC Special Permit to codify the OEHA resident priority rule for OSRC membership.

In May 2015, the Board requested guidance from Fairfax County regarding the issue. As a result of the inquiries, the OSRC Board initiated a review of the priority membership issue, conducted research into the origin of Condition 5, and has engaged in discussions with Fairfax County officials. On November 5, 2015, Fairfax County responded in writing and confirmed Condition 5.

The County's confirmation of Condition 5 means they are upholding the requirement of priority membership for Oakton Estates homeowners. This causes several immediate problems for OSRC. (1) They can decide to not comply with the County's requirement and thereby run the risk the County will revoke the Pool's operating permit and shut down the pool. (2) They can decide to comply with Condition 5 and the priority membership status for OE homeowners and thereby be in violation of the Pool's bylaws (i.e. a class distinction within the members). (3) Pool members from other Associations other than OEHA are interested in having the priority membership status apply to them equally. (4) Numerous issues involving pool membership and the sale or purchase of a home within OEHA as well as the redemption of memberships following the November 2008 letter.

The OSRC Board expects to present alternatives to the members of OSRC as soon as practicable. After presenting the alternatives, the Board will hold a Special Meeting of Members to discuss the alternatives and determine which course of action is in the best interest of OSRC.

If you would like a copy of OSRC's May 2015 letter to the County and the County's November 2015 response, please write Phil Kotiza at pkotiza@gmail.com.



Lake Martin Tributary Restoration Project

Continuing a series of drainwater channel remediation projects that have recently included the Difficult Run tributary remediation proximate to the south of the Oakton Swim and Racket Club, the Fairfax County Department of Public Works and Environmental Services (DPWES) Stormwater Planning Division will undertake the Lake Martin Tributary Restoration Project during 2016 and 2017.

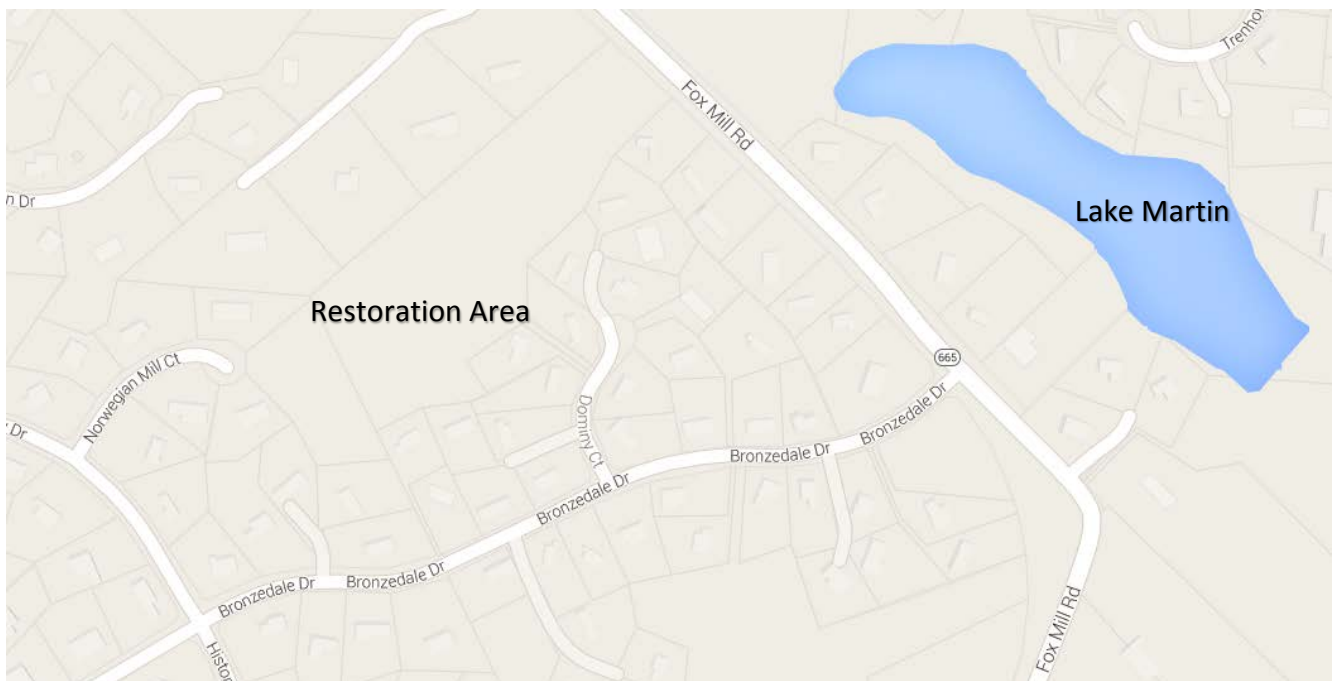
This project will stabilize approximately 2,000 linear feet of stream to stop erosion, tree loss and sediment and nutrient discharges to Lake Martin, which is across Fox Mill Rd from Oakton Estates, on to Difficult Run and, ultimately, to the Chesapeake Bay.

The project will stabilize the intermittent stormwater streambed from the drainwater outfalls originating in the OEHA common area off Norwegian Mill Court to the now filled-in stormwater retention pond location to the north using regenerative stormwater conveyance (RSC) systems. RSC is a technique which uses open-channel, sand seepage filtering systems accomplished via a series of shallow aquatic pools, riffle weir grade controls, native vegetation, and an underlying sand channel to treat and safely detain and convey storm flow, and convert stormwater to groundwater through infiltration. These techniques will be used to remediate the existing deeply-cut drainage channels that will continue eroding due to the fast-flowing, narrow drainage streams that result.

The project will involve removing the existing silted-in stormwater management pond and restoring the lower (to the north, toward Lake Martin) 1,600 feet of stream channel using RSC techniques. The project will minimize existing tree loss, control invasive plant species, and restore the construction access areas and stream banks with native trees and shrubs.

Since DPWES only has an easement closely surrounding the existing drainage channel in the OEHA common area involved, they requested and received from OEHA a temporary construction easement to allow them to carry out the grading, planting and other construction activity to complete the project. Once the project is completed, the easement will be cancelled.

Project planning is underway and will be completed during 2016; construction will commence in spring/summer 2017, and should be completed in approximately three months.



Planning exterior work to your home?

Many changes to the outside of your property require approval, such as installation of satellite dishes, decks, pools, re-siding, sheds, etc.). Please have your architectural review form signed by your immediate neighbors and submit to Dave Adams 30 days prior to the start date of your project. Dave's email is: dave@joanneadams.com and his phone number is: 703-648-9258.



Selling your home?

If you are selling your home and need a Resale Disclosure Packet (RDP), please email Dave Adams at dave@joanneadams.com. An RDP application form will be emailed to you to complete.

In your request for an RDP, please indicate if you want the packet e-mailed **or** delivered via US mail (include mailing address) and include permission for the Association to inspect the exterior of your home and lot for compliance with the architectural covenants. Before the RDP can be released, a check for \$100 payable to OEHA c/o Dave Adams, 3249 History Drive, Oakton, VA 22124 must be received. Please note that the Association is allowed 14 calendar days from receipt of the request and check until the packet is delivered. If you have any questions, Dave can be reached at 703-648-9258.

OEHA Common Area Tree Guidelines

The OEHA follows the Commonwealth of Virginia's law for liability for fallen trees. In Virginia, the general rule for fallen trees, or similar accidents that may be qualified as an "Act of God," is that the affected owner is responsible for the damages to his/her own property, including clean up, removal and similar expenses. Such accidents are normally covered by the affected owner's insurance and are usually resolved by reporting the claim.

The exception to the general rule is that the owner of the property where the tree originated will be responsible for damage to a neighbor's property if the owner knew or had reason to know that the tree presented a danger to adjoining property. For example, if a tree was diseased and had been weakened by previous storms, it may be fair to say that the owner had reason to believe that the tree would fall and, judging by its size, damage a neighbor's property. Otherwise, the accident is considered an "Act of God" and the affected owner is therefore responsible for the damage to his or her property.

Tree Down in the Street/ Road: Contact

<http://www.virginiadot.org/travel/citizen.asp>

Streets/roads in OEHA are the responsibility of VDOT



OEHA MEETINGS

**Board Meetings: Third Tuesday of January,
April and September**

Annual Meeting: Third Tuesday of November

**Homeowners are encourage to attend all meetings
which are held in the OSRC social room**

The OEHA Board would like to thank Greg Davis and Jerry Mikula for their many years of service as
Committee Chairs for our Homeowner's Association.

2016 Board of Directors and Committee Chair

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