



2016 Spring Update

Greetings from the trustees of the Partridgeberry Woods Homeowners Trust.

We hope everyone has had a good winter and is ready for spring.

There has been a lot of activity to communicate since our annual meeting in September prompting this additional newsletter. Our goal is to do a newsletter mailing once a year in conjunction with the collection of annual dues in July. Given that there are new neighbors and that not every neighbor has provided an updated email address, we are sending out this additional mailing. We are asking again that you please update your email information on the website as future updates will be done by email. Please send your email address to: trustees@pbwoods.org

Trustee Update - Looking for a New Member:

At the September meeting, elections were held. Two new trustees were voted in as were the three incumbents, Kevin O'Brien, Jessica O'Toole and Steve Pike. The new trustees elected were Jan Cochran and Levent Bozkurt. Mr. Bozkurt has subsequently chosen to step down creating an opening on the board. We are currently looking for a new member who is willing to volunteer their time to support the trust and protection of our neighborhood conservation land. If you are interested, please email the Trustees at trustees@pbwoods.org. This position will be in place until the next annual meeting where re-elections will take place.

Role of the Board of Trustees:

We have received inquiries regarding the role and responsibilities of the Trustees and would like to clarify these.

The Trust and the structure put in place covers the common land parcels that are within our neighborhood. This land is open to the public for use with restrictions that are governed by our towns Conservation Commission.

With regard to the responsibilities of this group, Article VI of the trust document defines the duties as follows:

1. To see to the maintainance of the common lands or to see to the repair, replacement or improvement of the trails, pond, landscaping or other features of the landscape
2. To provide and see to the maintainance of such structures as benches, signs or the like which the trusttes decide to install in the common land.
3. To take action necessary to fulfil the terms and provisions contained in this trust.
4. To assess each owner for his propoportionate share of the common expenses
5. To establish bank accounts for the trust, and pursuant to a vote of the beneficiaries at an annual meeting, borrow money on behalf of said trust

Trust vs Restrictive Covenants:

In addition to the Trust covering the common lands in the neighborhood, there are restrictions and covenants that are part of the Partridgeberry Woods Subdivision. Given the complexity of these documents,

we engaged our attorney, Charles Vander Linden, to address questions raised regarding these documents to provide some clarity to the homeowners

There are four separate documents covering the subdivision: *(all can be found at pbwoods.org)*

- Conservation Restriction & Easement (Book 21403 page 593) define the common land and it's restrictions so as to preserve and protect the Nashua watershed.
- Conservation Restriction & Easement (Book 21403 page 603) basically states the same as above, but for the remaining lots in the subdivision.
- Declaration of Protective Covenants (Book 21494 page 14) clarifies that covenants expire 25 years from recorded date of October 1991.
- Declaration of Covenants and Restrictions (Book 24654 page 183) references remaining lots

Our correspondence from Mr. Vander Linden and the above referenced documents can be found on the website under: <http://pbwoods.org/documents/>. What these documents outline is that each resident in the Subdivision has the right, on their own to enforce any violation of these covenants. This would be done at their own expense and not covered by annual homeowner dues.

Covenants are due to expire this year and there is no provision for extension. Attorney Vander Linden advised that it is possible to draft new covenants but they would require the agreement of 100% of the homeowners as well as their lenders or mortgage companies. This would be time-consuming, very difficult, and costly and in our opinion, has little chance of success.

Communications:

We have received inquiries with regard to people being interested in neighborhood parties, creating a vendor list, and starting a neighborhood watch program, etc. If you are interested in leading one of these initiatives, please step up and get something started. As a resource, there is currently a Facebook page for the neighborhood (search Facebook for Partridgeberry Woods), which is not maintained by the Board.

Common Land:

As a reminder, the common land in the neighborhood is open for public use. If you see any illegal activity, please contact the Groton Police.

Over the last couple of years, we have received inquiries regarding beaver damage around the pond area. Last year we discussed options with the Town as well as trappers. What we found is that the removal of beavers will usually be temporary, given their territorial nature, a new group will move in after removal. Given recent concerns regarding tree damage, we will be talking again with the town regarding alternatives.

Finances:

To ensure we keep the Trust costs down, we have recently put our insurance contracts to bid. What we found is that the rates we are getting from Murphy Insurance (in town) is the lowest possible and will therefore continue with Murphy for this year's renewal. We will also be looking to re-bid our lawn maintenance work and welcome suggestions regarding businesses to include in the bid process.

Please note our contact information below, should you need to contact any of us. We continue to do our best in keeping the trust in order and making sure the upkeep of the neighborhood and common lands is maintained. If needed, please contact any one of us with your land questions or concerns:

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