

**Corrotoman By The Bay Association  
Roads Committee Meeting  
10 a.m. January 28, 2014  
At Corrotoman By The Bay Clubhouse**

**Attendance:**

**Lancaster County:**

**Frank Pleva, County Administrator  
Don Gill, Planning and Land Use Director**

**Virginia Department of Transportation**

**Michael Doczi, P.E., VDOT Area Land Use Engineer  
David T. Brown, P.E., VDOT Residency Administrator**

**CBTB:**

**Bill Saunders, Catherine Bennett  
Absent – Robert Bennett**

**Mrs. Bennett opened the meeting and gave an overview of the topics for which had requested the meeting: Reducing the speed limit and having VDOT take over CBTB's currently private roads.**

**Speed:**

**Request to reduce the speed limit in CBTB from 35 to 25 mph throughout community because:**

- It would be more conducive to and safer for walkers, bicycling and golf carts
- Many of the above go back and forth to the clubhouse since it is more of a destination due to fitness center, wi-fi, pool, tennis
- Corrotoman Drive is the only way in and out so should be slower

**County & VDOT Recommendation:**

Retain, and not reduce, the current speed limit of 35 mph.

### Rationale:

1. 35 mph is the usual standard for a rural neighborhood like this.
2. The speed is decided following an analytic review based on geometrics, road conditions and survey data of what speed the traveling public typically comfortably goes.
3. If it is arbitrarily lowered and you're setting a speed trap and giving walkers, golf carters and bicyclers a false sense of security
4. Build more houses because that means there are more driveways closer to each other and the traveling speed would naturally reduce.
5. The last speed study was done five years ago (2009) according to Board of Supervisors minutes. A request for a new study will be made because there are now more houses built between Sutherland and Marina Road since then. Recommendations can be made based on a new, scientific study.
6. A petition from CBTB will not be considered, speed is determined by science.
7. If CBTB owned the roads again, we can set our speed rules as we like and even add speed bumps.

### Action:

#### VDOT:

1. To conduct and evaluate a new speed study.
2. Consider reducing the speed on Corrotoman Drive from Sutherland to Marina Drive because of the sharp turn.

### **Golf Carts:**

#### Request:

1. Make all of CBTB a golf cart community.
2. Extend the golf cart "zone" to include Sutherland

### County & VDOT Recommendation:

Because of the speed issue, CBTB can create a separate golf cart path by getting permission to cross individuals yards.

Rationale:

Virginia code requires the speed to be 25 mph or less in order to utilize golf carts in a public right of way. Vehicles travel at too high a speed and it will be dangerous to golf carts.

Action:

VDOT: Consider extending golf cart zone from Marina to Sutherland

CBTB can ask Lancaster County District 1 Supervisor Butch Jenkins to help work with VDOT to push this along.

**Transferring CBTB Private Roads to VDOT:**

Request: VDOT to take over maintenance of all CBTB roads

County & VDOT Recommendation:

CBTB must create a master plan of prioritized 50 foot wide roads with a minimum of three houses on each road. Then, with the involvement of VDOT and the county, build each road up to VDOT standards, after which they can be transferred to VDOT

Rationale:

VDOT Superintendent Robert Harper has 25 years experience in the county but he cannot find an approved set of plans for CBTB. Regardless, VDOT has already have taken over maintenance of three roads in CBTB:

- Rt. 1070 – Corrotoman Drive
- Rt. 1071 – Bayview Drive
- Rt. 1072 – Marina Road

If it doesn't have a road number, it is not VDOTs.

VDOT looked at all CBTB's roads. Some look as though they are not 50 ft right of way.

Sutherland is 30 feet and does not have a cul-de-sac on the recorded plat.

Dock Road goes down to 20 feet on both ends

Landsend drops down to 25 feet

If CBTB does not acquire additional land to make them 50 feet, they cannot become part of VDOT. CBTB can encourage or pay the owners for Right of Ways so the road meets VDOT requirements. An easement gives you a right to cross whereas a Right of Way (ROW) creates ownership.

While some roads, like West Highview, are closer to being ready to become a VDOT compliant road, others are dropping from 50 ft to 25 ft, don't have cul-de-sacs, don't have at least three houses on them, and two cul-de-sacs have trees in the middle of them. VDOT said the roads are basically very primitive now and would need to look like the three roads VDOT already has taken over. VDOT no longer builds roads to take over. The subdivision has to have an approved set of plans and build them as those plans to VDOT standards.

VDOT standards to which CBTB would have to bring these roads to include:

6 inches of stone

18 inches seal

Right of way has to be cleared

Drainage easements have to function

Cul-de-sacs to turn around

Service requirements: At least three houses on that street

50 feet Right of Way and utilities have to be off that

Gravel roads are no longer acceptable.

Drainage easements allow roadways to drain and are usually located on private property. Without being platted and recorded, you couldn't tell

where the culverts are. Standards today are different when the developer built CBTB.

Additional discussion of an urgent situation for a CBTB private road:

There is a problem with Corrotoman Drive Extended being undercut by the Corrotoman River. Even though VDOT maintains Corrotoman Drive, Corrotoman Extended belongs to CBTB, not VDOT. Trees have fallen over. Typically it is up to the individual property owners who use that road to maintain the road. It is not VDOT's responsibility, it is CBTB's. It appears that the road is going across private property that goes into state waters. CBTB will need legal advice on how to proceed to work with the property owner(s) in resolving this issue. Depending on how the HOA documents are written, CBTB may have some responsibility in maintaining that road. The recorded deeds will specify if it has an easement or ROW, however based on a plat VDOT has, it shows that the HOA is responsible for the road because the property lines do not go to the center of the road.

Don Gill copied off a set of CBTB's original Covenants & Restrictions. Unlike every other C&R he has seen, there is nothing in CBTB's about road maintenance. Have they been amended? Does the Policy & Procedures have something? By-Laws? HOA is responsible for a problem and needs to work with legal counsel to work on this. There is a reserved area along there that is CBTB common property. Are the sloughing off of banks the owner's issue? It is natural sedimentation. Not legally a cul-de-sac.

Action on Transferring CBTB Private Roads to VDOT:

CBTB's master plan for upgrading roads to transfer to VDOT will need to take the following steps:

1. Pick a few points of contact within the CBTB.
2. Prioritize streets to transfer. Must have 50 feet and three houses. Pick the most bang for your buck. Make sure the people on the road want this and are supportive of donating the right of way.

3. Get an experienced class 3 land surveyor or civil engineer to produce a set of road plans that will depict all the things that VDOT needs, such as a pavement section. Contact Miss Utility (811) to check utilities.
4. Because there are no plans on file for the CBTB subdivision right now, we would submit the plan to Lancaster County. Don Gill would write a letter and forward our road plans to VDOT to review. There may be revisions required.
5. When the county and VDOT are both happy with what we're going to produce based on our road plan, CBTB gets bids and hires and pays for a contractor to make those upgrades to the roads. VDOT will check on the construction process to ensure the upgrade work was done properly.
6. There are some bonds and fees required at the administrative process when the roads are ready to be taken into the VDOT system but these are minor in comparison with the construction costs to bring the roads into VDOT compliance.
7. Once a cost analysis is completed, CBTB will need to decide if we prefer to continue the current practice of graveling or begin the transition to VDOT. That transition would be through baby steps because of the length and width and current condition of upgrading our roads. Taking little steps might better suit the way CBTB likes to spend.

There was a recap of action items.  
The meeting adjourned around 11:30.

Submitted by Catherine Bennett  
March 13, 2014

# Corrotoman By The Bay Association, Inc, Administrative Policy Manual

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## D. Road Policy

### Roads:

There are both "Public Roads" and "Private Roads" within Corrotoman-By-The-Bay Association, Inc. (the "Association"), as defined below:

1. **Public Roads:** Roads maintained by Virginia Department of Transportation, the Commonwealth of Virginia and/or the County of Lancaster. The laws, ordinances and regulations of the Commonwealth of Virginia and the County of Lancaster govern the use of Public Roads. Public Roads in the Association include (but may not be limited to) Corrotoman Drive (to the intersection of Bayview Drive and Forest Drive), Bayview Drive and Marina Road. Per the documents in the chain of title to the Association and Association lots, the road right of way for Public Roads extends twenty-five feet from centerline of the road to the private property lines of Association lots along both sides of the road.
2. **Private Roads:** All roads on Association common area maintained by the Association that are not Public Roads. Per the documents in the chain of title to the Association and Association lots, the road right of way for Public Roads extends twenty-five feet from centerline of the road to the private property lines of Association lots along both sides of the road.

### Policy:

It shall be the policy of the Board of Directors to support and promote a safe environment on all roads within the Association, and to protect Association property.

1. Any unsafe or unlawful act on Public Roads or Private Roads should be reported to the appropriate law enforcement agency or agencies, which have enforcement authority over both Public Roads and Private Roads within the Association.
2. The maximum speed for vehicles on all Private Roads shall be 15 mph.
3. No unlicensed motorized vehicle of any type (all terrain vehicles, 4-wheelers, motorized bicycles, dune buggies, mopeds, golf carts, go-carts, or any vehicles not registered or not eligible to be registered with the Virginia Department of Motor Vehicles) shall be allowed to operate on the Private Roads; except for lawn maintenance equipment in transit to a job site as long as the proper slow moving sign is displayed and the maximum speed of said equipment does not exceed 7 mph.
4. Any person or entity which damages any of the Private Roads in the Association shall be liable to the Association for such damage and shall be billed by the Association for such damage. Moreover, Association members shall be jointly and severally liable for and billed by the Association for any damage to any of the



Private Roads in the Association caused by their family members, tenants, guests, agents and invitees.

5. Permitted uses of Private Roads for construction purposes are outlined in the Association's architectural control application, which must be approved prior to beginning work.
6. Parking of vehicles on Association controlled property shall only be allowed in designated parking areas.

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors on the 14<sup>th</sup> day of February, 2008 and is effective on the 14<sup>th</sup> day of February, 2008.

Michael G. Carter