

Volume 12 – No. 7

October 2012

The Hickory Farms Newsletter

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Architectural Control Comm.

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John Kitzmiller 503-3443

Newsletter & Web Site

Kirk Randall 425-0210

Sarah Maurer – Assoc Ed

Community Yard Sale (Fall)

Pete Scala 764-0730

Email (“Listserv”)

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Stefan Schwarz

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Dawn Dempster 503-0561

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Arnold, Ed Kiechlin

Claire & Sean Coleman

Get Email addresses at

www.hickoryfarms.org

All telephone area

codes are 703-

Hickory Farms Community Association

P.O. Box 2239, Fairfax VA 22031

www.hickoryfarms.org

**Our Annual Meeting will be held
Wednesday October 10th at 8 PM at Green
Acres School/Center on Sideburn Road.
Homeowners will be considering
proposed amendments to our Rules
and Regulations (page 5).**

***We need you in person or your proxy at
the Annual Meeting in order to have a
quorum. Please submit a proxy if you
can't attend in person (page 10).***

**We are short one Board member.
Please volunteer at the Annual Meeting
or call John Kitzmiller at
703-503-3443.**

**Thank you, Leslie Morrissette (Farm
House) for volunteering to deliver
newsletters to your neighbors.**

**Halloween Parade & Pizza Party
Saturday, October 27th at 4 PM (p. 4)**

Join the Hickory Farms email “Listserv”

- Get up-to-the-minute news on neighborhood happenings
- Ask your neighbors to recommend a contractor/repairman
- Locate a lost and found item
- Get an advance copy of this newsletter

Visit <http://groups.yahoo.com/group/HickoryFarms/> -- Click "Join this Group"

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Do You Have Old Photos of Hickory Farms?

A number of residents have asked what Hickory Farms looked like “in the old days.” Do you have photos of early the Hickory Farms area and neighborhood evens (1970s or early 1980s), or even before the community existed and this land was a farm? Got a photo of the kids playing in front of the house during those early years? If so, Kirk Randall would like to borrow them for a few hours to copy for publication or posting on the web page. Please email kirk_randall@hotmail.com or call 703-425-0210

(4-10)

To Report a Burned Out Streetlight

... or one that's on during daylight hours, too. Call 1-888-667-3000. You'll need the address of the home nearest the streetlight. It is also helpful to copy the number off the streetlight pole – something like C-415 W096.

(10)

Vehicle Registration Services Available at Fairfax City Hall

Limited DMV services are available 8:30-4:30 weekdays at Fairfax City Hall on Armstrong Street. Services include license plates, handicapped permits, and title and registration transactions. This office does not issue drivers licenses or identification cards. You can often get your business done in less than 20 minutes!

(4-10)

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Architectural Control Committee Approvals

- 4372 Harvester Farm – Deck
- 4324 Farm House – Front Door
- 4356 Farm House – Patio
- 4363 Harvester Farm – Shed

Home Maintenance To-Do's

<p>Dehumidifier Shutdown – Clean out the dehumidifier bucket and vacuum the coils when you shut it down for the season.</p>
<p>Smoke Alarms & Carbon Monoxide Detectors Check – Replace smoke detector batteries (don't wait for them to die). Press test buttons on carbon monoxide detectors. Open each unit and vacuum dust that could interfere with operation. Carbon monoxide detector batteries are usually not replaceable by the user; replace the unit when indicated on the unit's instructions.</p>
<p>Water Heater Flushing – Drain the hot water heater to remove sediment that makes it run inefficiently. If gas operated: Turn the gas valve to the “pilot” setting. If electric: Turn off the circuit breaker. Shut off the cold water supply valve. Connect a hose from the water heater drain valve to the nearby floor drain or outdoors. Open a nearby hot water faucet to help the water drain freely. Open the water heater drain valve. When the water starts running cold, close the heater drain valve and remove the hose. Open the cold water supply valve. When water flows freely from the open sink faucet, turn off the faucet. Turn the gas control back to the “on” setting, or the electric circuit breaker back on.</p>
<p>Furnace & Heat Pump Fall Checkup – Schedule a fall service checkup.</p>

Gather up your Ghosts & Goblins
And put on a Scary Face!

It's the Annual HFCA
Halloween Parade & Pizza Party

Saturday, October 27th, 4 PM



Parade: Corner of Cotton Farm & Still Meadow
Pizza Party following Parade behind the Dudley's House,
435.8 Farm House Ln.

Please bring a salad or appetizer to share.

RSVP: jhough03@gmail.com
Cancel for Heavy Rain (check your email for cancellation)

Neighborhood Watch

John Kitzmiller

Please volunteer for this important activity!! It only takes one three hour shift every three months on a Friday or Saturday evening. Neighborhood Watch has been proven to cut crime! It's also a great way to meet your neighbors! Contact: John Kitzmiller 703-503-3443

Fri	Oct 5	John Verheul	Tammy Verheul
Sat	Oct 6	Harry Herchert	Ginny Herchert
Fri	Oct 12	Dave Maurer	Sanjeev Munjal
Sat	Oct 13	David Froberg	Beverly Froberg
Fri	Oct 19	Jaime Gutierrez	Ed Wagner
Sat	Oct 20	Dave Dempster	Dawn Dempster
Fri	Oct 26	Susan Mulliner	Brenton Mulliner
Sat	Oct 27	Ron Arnold	Charles Walters
Fri	Nov 2		
Sat	Nov 3	Greg Gillette	Kathy Gillette
Fri	Nov 9		
Sat	Nov 10	Kirk Randall	Chris Woody
Fri	Nov 16	Jeff Lindsay	Larry Rogers
Sat	Nov 17	Angel Meza	Jason Meza
Fri	Nov 23	Eric Maribojoc	Clarisa Dacanay
Sat	Nov 24	Bob Montgomery	George Rosenkranz
Fri	Nov 30	Mike Martin	John Kitzmiller
Sat	Dec 1	Pete Scala	Rose Scala

Directions to Annual Meeting October 10 at 8PM Green Acres Center Room 110

Directions to Green Acres Center – From Still Meadow Road, turn right on Roberts Road. At the stop sign, turn left on Forest Avenue and then turn left on Sideburn Road. Green Acres Center is two blocks down on the left.

Got Stink Bugs?

Stink bugs want to get inside your warm home this time of the year. Well, they found an interesting way into our home - through the gas furnace vent that runs from the basement to the roof. Hundreds of stinkbugs entered the furnace vent opening on the roof and then wandered to the bottom in the basement, where we could hear them crawling around at the bottom of the metal flue. The cat was most amused, possibly thinking it to be a mouse or other critter. We popped off the bottom flue cap and hundreds of dead and alive stink bugs fell into the trash can below. Note: This does not apply to heat pumps which have no exhaust flues. Got a high efficiency gas furnace? Stink bugs might be able to enter the vent that comes out the side of your house. I'm glad we did this before we turned on the furnace because the hot exhaust air would have certainly cooked the stinkbugs, likely creating a big stink!

Proposed Amendments to the Hickory Farms Rules and Regulations

Note: On September 19, the Board of Directors voted to withdraw proposed paragraph 8(b) regarding pets.

The Board of Directors has sent two lengthy emails to the HF email community (“Listserv”) about the proposed amendments. If you are not a member of the Listserv (You should be! See page 1) and would like copies, email kirk_randall@hotmail.com .

The Board of Directors is proposing to amend the Hickory Farms Rules and Regulations. The Board is also initiating a discussion on the HF “Listserv” email service where you are invited to comment on these proposals. The Board will then present the amendments for homeowner approval at the October 10th Annual Meeting. If you are unable to participate in the email discussion or would like to have your comments contributed anonymously, please deliver them to Kirk Randall at 4279 Country Squire or email them to kirk_randall@hotmail.com. The current complete Rules and Regulations may be seen at www.hickoryfarms.org -> [Laws, Rules and Regulations That Apply to Hickory Farms Residents](#). The following text includes only the paragraphs that are being proposed for amendment by the Board. Homeowners are welcome to propose new rules or amendments to existing rules in the course of the email discussion or at the Annual Meeting.

Proposed language is shown in underline and deletions are shown in strikethrough.

~~WHEREAS, Article VII, Section 1(c) of the By-Laws assigns the Board of Directors all powers, duties and authority vested and delegated to the Hickory Farms Community Association (“Association” or “HFCA”); and,~~

WHEREAS, Article VII, Section 1(c) of the By-Laws directs the Board of Directors (“Board”) to exercise for the Hickory Farms Community Association (“Association” or “HFCA”) all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Association’s By-laws, the Association’s Articles of Incorporation, or the Association’s Deed of Dedication and Declaration of Covenants, Conditions and Restrictions (“Declarations”).

These Rules and Regulations amplify or clarify various sections of the HFCA Declarations, including Restrictive Covenants, and HFCA By-Laws. These sections are referred to as appropriate, but are not repeated in their entirety here.

1) Use of the Common Areas and facilities [By-Laws, Article VII, Section 1(a)]:

f) The Common Areas shall not be used for private storage or business purposes. Personal items may not be left in the Common Areas. The Association shall not be liable for any damage to personal items left in the Common Area, including damage in the course of resident activities or maintenance. After use, residents are to leave the Common Areas in good, trash-free, undisturbed condition.

h) The discharge of firearms, bows and arrows and pellet/air guns (including so-called “airsoft” guns) on, over, or into the Common Areas is strictly prohibited.

i) Open fires are prohibited in the Common Areas. This includes the use of cook pits,

freestanding metal fire pits, or permanent or temporary fireplace fixtures. Portable propane or charcoal grills are permitted for short term day use provided they do not damage Common Area vegetation.

j) The discharge of fireworks on, over, or into the Common Areas is prohibited.

k) Residents who host activities in the Common Areas that are expected to include more than 20 persons shall notify a member of the Board of Directors at least seven days in advance of the event.

3) When approval of the Architectural Control Committee (ACC) is required [Declarations, Article VII (Restrictive Covenants), Section 2]:

c) ACC approval is required before project construction commences. In the event structure alterations take place without the consent and notification of the Architectural Control Committee, the offending homeowner shall be notified that the Application for approval must be submitted.

e) Neither the ACC nor the Board of Directors may grant a waiver of the Restrictive Covenants as they relate to activities subject to the jurisdiction of the ACC, unless specifically permitted in the Declaration. For example, the prohibition against fences in front yards cannot be waived.

5) Maintaining lots, yards, and carports in a neat and attractive manner so as not to detract from the appearance of the development [Declarations, Article VII (Restrictive Covenants), Section 4: “All lots and yards in the above described subdivision shall be maintained in a neat and attractive manner so as not to detract from the appearance of the above described development.”]:

b) Grass shall be mowed regularly and maintained in a neat, even manner. (It is recommended that the lawn be mowed well before the average grass height is 8 inches above the ground. When the height of grass exceeds 8 inches, the Board of Directors may contact the owner or property manager to direct them to cut the grass. If the owner or property manager does not have the grass cut within seven days of such notification, the Board of Directors may arrange to cut the grass at HFCA expense and send the bill to the Association’s attorneys for collection.

6) Membership of the Architectural Control Committee (ACC) [Declarations, Article VII (Restrictive Covenants), Section 5]:

~~c) The ACC’s primary responsibility is to assure that the community maintains its high property value through strict compliance with the Restrictive Covenants. The ACC shall provide assistance to residents in determining if a County Building Permit is needed for their particular project.~~ The ACC’s primary responsibility is to enforce the Restrictive Covenants, thereby helping to ensure that homes in the community retain their high property values.

d) The ACC does not advise homeowners regarding the Fairfax County building code. Homeowners are encouraged to consult with Fairfax County officials to determine if a building permit is required. The ACC evaluates the proposed project irrespective of whether the homeowner has secured a building permit.

7) Designating ACC approval, and cases where the ACC does not take action within 30 days of submittal [Declarations, Article VII (Restrictive Covenants), Section 6]:

b) The date that plans and specifications have been submitted to the ACC (the “Application

Completion Date) shall be the date that the ACC receives the properly completed Application, including the necessary plans and specifications. If the ACC needs additional information from the Applicant in order to properly evaluate the Application, the Application Completion Date shall be the date when the additional information has been submitted to the ACC. If the Applicant desires a return receipt for the submission, he or she may request one by supplying a self-addressed stamped envelope with the Application, or request one via email.

- ~~i) that the ACC receives the properly completed Application,~~
- ~~ii) with the necessary plans and specifications,~~
- ~~iii) and indicates receipt on a copy of the Application or on a receipt form.~~

e) A majority vote of ACC members is needed for approval or rejection of an Application. For controversial or precedent-setting projects, the ACC may consult with the Board of Directors and members of the Association for a sense of the community.

f) ACC approval is valid only for the project as described in the Application. If the homeowner deviates from the specifications in the Application, the ACC approval is not valid; the homeowner would then be required to submit a new Application.

g) The homeowner has one year from the date of ACC approval to complete the project. The homeowner may request one extension of the one year completion period of up to one additional year, provided that the homeowner requests the extension before the initial one year period has expired. Otherwise, the approval is null and void.

h) The requirement in Section 6 of the Restrictive Covenants that ACC approvals or disapprovals be in writing is satisfied through email communication.

i) Each Application shall be evaluated by the ACC, which is charged by the Association membership to consistently and equitably interpret the Restrictive Covenants and Rules and Regulations in effect at the time the Application is evaluated.

8) Restrictions on livestock and pets on property [Declarations, Article VII (Restrictive Covenants), Section 7]:

~~b) Under Section 7 of the Restrictive Covenants, no more than two domestic pets may be kept at any one time. This restriction cannot be waived.~~

9) Restriction on use of temporary structures, tents, trailers, etc. as a temporary or permanent residence [Declarations, Article VII (Restrictive Covenants), Section 10]:

~~a) Tents and trailers shall be considered to be a temporary residence (and hence, prohibited) if they are erected and used as sleeping quarters for more than seven days. The use of temporary structures or vehicles as sleeping quarters for more than seven consecutive days constitutes use as a residence and is, accordingly, prohibited.~~

b) At no time shall a garage be used as a residence or sleeping quarters unless it has been legally converted according to Fairfax County Code to finished living area and been subject to approval of the Architectural Control Committee. Any such conversion must be considered by the ACC to be in harmony of external design with existing structures.

10) Restriction on parking boats, trailers, tents or temporary structures or portable vehicles other than automobiles forward of a dwelling for longer than seven calendar days [Declarations, Article VII (Restrictive Covenants), Section 11]:

12) Violation of Restrictive Covenants [Declarations, Article VII (Restrictive Covenants), Section 14]:

c) Homeowners are responsible for violations occurring on their property. If the property is leased to a tenant, homeowners should ensure tenants are familiar with the provisions of the Restrictive Covenants ~~or~~ and Rules and Regulations, but this will not relieve the homeowners of responsibility for the condition of their property or responsibility to comply with the Restrictive Covenants ~~or~~ and Rules and Regulations.

13) Enforcement of restrictions, conditions, covenants, reservations, liens, and charges [Declarations, Article VIII, Section 1]:

c) A clarification of the second provision of Article VIII, Section 1 follows. In cases where, by inaction on the part of the ACC for a period of 30 days after submittal of an architectural request, ~~a project was allowed to proceed that would normally be in violation of a Restrictive Covenant or restriction, the Restrictive Covenant or restriction is considered to have been met in accordance with Article VII, Section 6, and may not be subsequently enforced against that homeowner for that project.~~ resulting in neither an approval nor a rejection, a homeowner proceeded with a project that would considered to be in violation of the Restrictive Covenants, the Restrictive Covenant is considered to have been met in accordance with Article VII, Section 6 of the Declaration, and may not be subsequently enforced against that homeowner for the project specified in the Application. It shall remain in force for all other homeowners and all other existing and future projects.

14) Maintenance of trees in the Common Areas.

m) The procedures in this Section 14 also apply to other Common Areas vegetation such as shrubs.

15) General Policies.

a) It is the policy of the Association to maintain a cash balance approximately equal to the Association's annual expenses. The purpose of the cash balance is to provide for expenditures that exceed the Association's regular annual expenses, such as significant levels of Common Areas maintenance and path repair or replacement. The fund shall be invested prudently by the Board of Directors in an insured account such that it can be accessed readily, when needed.

b) When a Hickory Farms home is sold, the Virginia Property Owners' Association Act requires that the Association inform the purchaser through a disclosure letter of "improvements or alterations to [the] property that are in violation of the Restrictive Covenants or Rules and Regulations." In order to comply with the law, the Association shall report all violations to the purchaser in such a disclosure letter.

c) Under the HFCA By-Laws and the Virginia Property Owners Association Act, the Board of Directors has sole authority to enact Rules and Regulations for the Association. However, it is the policy of the HFCA that the Board of Directors shall obtain homeowner approval before such revisions to the Rules and Regulations are enacted.

The Newsletter is published January, March-May, July, and September-December. E-mail submissions to the Editor by the 25th of the prior month. For past issues and information for advertisers, see www.hickoryfarms.org --> Newsletters. The Editor, subject to review by the Board of Directors, may reject or edit any submission. Advertisers in this newsletter are not endorsed by the HFCA. The editor is Kirk Randall 703-425-0210 – kirk_randall@hotmail.com

**Hickory Farms Community Association Annual Meeting October 10 - 8 PM
Green Acres School/Center - 4401 Sideburn Road**

Directions to Green Acres Center: Take Still Meadow Road to right on Roberts Road. At the stop sign, turn left on Forest Avenue and then turn left on Sideburn Road. Green Acres Center is two blocks down on the left.

Items to be discussed are next year's proposed budget, proposed Rules and Regulations, and the election of the HFCA Board of Directors. Anyone who has other topics that they want added to the agenda is invited to submit them in advance to HFCA President John Kitzmiller.

The Board of Directors is short one member. Please note that these volunteer jobs require just a few hours a month, depending upon position. Anyone who wishes to run for a position on the Board is invited to submit their name to the Board in advance, so that their candidacy can be announced before the annual meeting. Nominees from the floor will be accepted at the Annual Meeting as well.

We need you in person or your proxy at the meeting in order to have a quorum. If you cannot attend the meeting, please complete this proxy form so that your vote may be counted. You can appoint another homeowner to vote on your behalf or designate the HFCA Secretary to vote for you.

Hickory Farms Annual Meeting Proxy

If you can't attend the Annual Meeting, please:

- Deliver this form to a Board of Directors member before the Annual Meeting; or
- If you choose a neighbor to vote on your behalf, have them present this form to the Secretary or Treasurer at the Annual Meeting.

I, _____, member of the HFCA:

_____ appoint the Secretary of the HFCA, or

_____ appoint _____

to be my proxy with all of the powers I would have if I were present, and cast my vote on any matter which may arise during the HFCA Annual Meeting of the members to be held on October 10, 2012, or any adjournment meeting thereof.

(Signature) _____

Street Address _____ Date _____