

CAPE WINDSOR COMMUNITY ASSOC.

38782 LINCOLN DR., SELBYVILLE, DE 19975

CAPEWINDSOR.ORG

2023 SPRING NEWSLETTER

March 23, 2023

MESSAGE FROM CWCA BOARD

Our transition from 2022 to 2023 was calm for the most part with minimal disruptions. The mild weather for December, January and February gave us great hope that Spring had arrived early. Some of us even wore shorts, although March has reminded us that it was not quite the time to celebrate Spring.

It is always a pleasure to thank members of our community who step up to help without being asked. Thank you goes to the following:

- ★ Thanks to Sarah and Jason Edwards for taking the time to design and push Cape Windsor into the age of social media. Go to the Official Cape Windsor Community Association Facebook Page, <https://www.facebook.com/groups/1306398243518656>. This page is for Cape Windsor residents only. The goal of this page is to share Cape Windsor happenings including, upcoming neighborhood events, important updates, and most importantly, build on our already great community.
- ★ Thanks to Nicole and Dave Jewell for taking the lead in decorating the entrance for Christmas, embracing our Eastern Shore culture of Blue Crabs, the design was a great hit with the Community.
- ★ Thank you to our 126 homeowners who responded to the Boards request for feedback regarding short-term rentals.

In January, we welcomed a new Board member to the team, Mike Baier. Mike and his wife Hope have a home on Tyler Ave, and plan to join the community fulltime in the next couple of years.

The timeline for our new Well House was delayed due to the hardship our neighbors in Florida experienced from Hurricane Ian. Equipment, water lines, wiring, and comcast cables have been staged, although we are at a stand still due to Delmarva Power who has still not installed the new transformer.

You will see construction at our pool starting the last week in March through our May opening. Our new pool vendor, Crystal Clear Pools is making the much-needed safety improvements. The coping stones and the porcelain water line tiles will be replaced, the steps on each ladder will also be replaced, along with maintenance to the pool equipment.

Our fourth ***“Cape Windsor Gone Wild”*** music festival is planned for Saturday, July 1 from 12pm to 5pm. More information will be shared closer to the event.

The Board has approved the installation of security cameras, at the pool, the new well house and the entrance of Cape Windsor. The cameras will view the entrance of Taft Ave., and will clearly read license plates.

A bulk trash pickup is scheduled for Wednesday, May 17 and a rain date of May 18. Details of what will be accepted will be sent out in April.

The Association has a new phone number, it is **302.604.3107**. This number replaces Sue Scrapper’s home number that has been used as the Associations contact number for a number of years.

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We encourage everyone to attend the **2023 Annual Meeting**, the date is Saturday, July 8. The objective of the meeting is twofold, 1) Announce new Board members and 2) to inform the community of the work and Board decisions made from July 2022 to the July 2023 meeting. Final decisions regarding short-term rentals will be communicated.

The Board sent a Survey electronically and some via USPS to all homeowners. The purpose was to obtain feedback to questions regarding how the residents felt about the increasing number of houses being used for weekly rental purposes by their owners.

This survey was intended to get a **"Feel"** as to the community's feedback, and was ***not intended to be a Vote or a Decisionmaker.***

The questions were based on letters the Board received, one-on-one discussions, and emails over the past year, prior to the Survey's release in Mid-November. This topic will be addressed at the annual meeting, the Board is still in discussion regarding the final resolution.

The Board's Job is to manage and maintain Cape Windsor for **ALL** residents. We will continue to monitor this topic to keep Cape Windsor the Great Community it always has been and will continue to be into the Future.

Changes to the use of Cape Windsor's Amenities

A digital monitoring system was purchased and has replaced the rubber wrist band for entry to the pool. The added benefit is to assist with the management of the Community's boat ramp and the boat trailer temporary parking area. This barcode program gives us the ability to maintain records on the activities associated with the amenities inside our community. The new policies are effective April 1 and they are:

TEMPORARY BOAT TRAILER PARKING AREA

- The boat trailer area is for resident's boat trailers only. The boat ramp lock and the boat trailer temporary parking will both have a combination lock with the same number. The combination will be given out when the boat trailer identification tags are distributed. As in past years when we publish the number, those who have the number often exceed Cape Windsor homeowners. It is your responsibility to ensure the lock is secured after each use.
- Residents only will register their trailers using the Common Ground Parking Form, you can obtain the form from capewindsor.org or when you pick up your sticker. The data on your form will be entered into the new system and matched to the barcode assigned to your CW home. The barcode sticker will be placed on the top tongue of the trailer. This barcode sticker will assist with the weekly monitoring for legal boat trailers. The scanned barcode will immediately pull the digital file of the owner. If there is no sticker, the trailer will be towed immediately at the owners cost by MAG Towing.
- **NO RENTERS** will be allowed to park boat trailers or other vehicles in the area. As stated above, if there is no owner sticker, all vehicles will be towed at owner/renter cost.

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- The trailer area is a first come first serve basis. We estimate there is room for approximately 65 trailers. The community board will have the right to adjust poorly parked trailers to allow maximum spaces.
- A Board member will be available on Friday, March 31 and Saturday, April 1 from 9-11, to hand out trailer passes, or you can call 302.604.3107 to make arrangements to pick up your sticker.

POOL PASSES AND RULES

- With the new barcode program, pool passes (hard barcode cards) will be created. Each property that is a family only residence will receive pool passes. Most families will start with six cards and can request additional cards in advance or at the kiosk, extra cards will cost \$25 to replace.
- Properties that are RENTALS can purchase pool passes for their renters at a cost of \$25 per card. The cards can remain in the rental property for the future renters. However, only a maximum of 6 cards will be allowed per rental property. Any lost card will cost \$25 to replace (only the owners of the property can order the cards and replacement card). No card will be activated until a cash payment for cards is received.
- As in past seasons, NO POOL PASS CARD NO ENTRY
- Cards can be deactivated by administrated board members. Deactivation can occur for braking rules of the pool (see rules below), lack of payment for passes, failure to pay yearly assessment fees, etc. Based on the Cape Windsor By-laws the elected board can issue fines and make any regulation in the operations of all amenities in the community.

The pool is one of the largest expenses to the community budget each year. The existing pool continues to need considerable repairs to remain operable. During the rental season the majority of occupants of the pool are outside renters, not owners of Cape Windsor. On any given day, the capacity of the pool is exceeded by renters, thereby, not allowing residents to enjoy one of the biggest amenities of the community. Additionally, the owners of rental properties do not contribute for any extra repairs. Using the existing annual budget, the board bears the burden of the costs to maintain and repair the pool, frequently using their own time, expertise and funding to keep the pool operating at minimal cost to owners.

- Each barcode card is assigned to the property digital file, a record will be kept as the card or cards are being used. Cards cannot be shared between properties. If someone owns more than one property in Cape Windsor and these properties are used as rentals, pool passes must be purchased for EACH PROPERTY. The owners of multiple properties need to communicate which property they would like their personal passes associated with.

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POOL RULES

Upon entering the pool all persons must see the pool attendant and be in possession of a CW Pool-Pass in order to be checked *IN or OUT*.

1. Swim At Your Own Risk
2. NO CARD NO ENTRY
3. No smoking of any kind (cigarettes, vapes, or other smoking material)
4. No one under the age of 16 is allowed unless supervised by a parent or guardian while at the pool
5. No loud music
6. No profanity
7. No alcohol, or glass containers in pool area.
8. No running or diving.

Any citing of violations of above rules will mean instant removal from the pool and cards will be deactivated for 24 hours, after a second violation cards will be permanently deactivated and fines will be issued to the property owner.

Pool chairs and tables cannot be reserved. Pool attendants have the right to enforce the Pool rules and to remove personal items when determined that the occupants have left the pool area.

The Community's board will determine a pool capacity level. Once the capacity is met, no other persons will be admitted to the pool area. As occupants leave, others will be admitted on a one-to-one basis.

HAVE A HAPPY AND SAFE SUMMER!

Cape Windsor Board Members

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CONDOLENCES

OUR CONDOLENCES TO THE FAMILY & FRIENDS OF:

- Harry and Carol Sykes 38835 Roosevelt Ave. (26R)

Harry and Carol passed within a month of each other, both had experienced a number of health issues over the last few years. Harry was a Board member of Cape Windsor for almost 20 years. Our sympathy goes out to Harry and Carol's family and the Cape Windsor Community.

Trash and Recycling

As the number of visitors increase for the Summer so does the volume of recycle and trash. It is the responsibility of the homeowner to communicate **to their family, friends and renters**, the day of trash and recycling pickup. Drivers do not exit their truck to retrieve trash bags left on the ground.

If a Board member responds to your home to place bags in containers or pick up trash off the street, you will be billed \$100 for each incident.

Recycling for Delaware

Get familiar with the state's rules to recycle. **Do not place your recycling in a plastic bag**, all items must be loose. If one full plastic bag is dumped into the recycle truck, the entire load must go to the dump. Items must be clean; clean cardboard (no pizza boxes), plastic, glass and milk containers are to be washed and labels removed. No shredded paper, paper towels, etc., **go to: capewindsor.org /Public Info/Trash schedule.**

2023 Assessment Payments

- More than 10 homeowners have not paid their assessment that was due January 31.
- If payment is not received by April 1st, your account will be forwarded to the community's attorney. Your amount due will increase with attorney, court and administrative fees.

Election of Officers for 2023 - 2026

Each year at the Communities Annual Meeting, the appointment of new Officers is announced. This year we have three Officer terms ending: Tom Rockstroh, Greg Lusby and RB Diffenderfer.

If you would like to be a member of a team of volunteers to lead our community's daily operations and long-term improvements, then submit your name for nomination for a three-year term. Please contact Charlotte Fisher the Nominating Committee Chair with your information at 410-274-6142.

Submit a one paragraph bio to introduce yourself to the community, and forward it to capewindsorhelp@gmail.com or capewindsor.org, by May 15. Your information will be forwarded to Charlotte. Positions on the Board are voted on and assigned at the August 12 meeting.

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Quick Reminder of Our Community Regulations

➤ **Speed Limit is 15 mph**

- Please slow down, don't text & drive and let's work together to keep our residents and roads safe. The driver of golf carts should possess a valid driver's license and understand the rules of the road, speed limit, and safety of others. Children should not drive golf carts.

➤ **Noise**

- Community rules are; noise to be kept to a minimum between the hours of 11:00 PM to 7:00 AM
- No fireworks on Cape Windsor property
- No blocking the streets, when playing games, such a cornhole

➤ **Parking**

- No parking or overhang parking on any street. Overflow parking is provided on Lincoln Drive.

➤ **Pick up after your pets!**

- Storm water carries pet waste and other pollutants directly into waterways.
- A blue container is located on the common ground across from Cleveland Ave., this is for **dog waste only**, no one should use this as an extra container for discarding trash.

➤ **Construction Regulations**

- Submit a building package to the Board for approval.
- To locate the Building Package with Cape Windsor's Demolition and Construction Regulations go to: ***capewindsor.org/documents/legal/ Building Package (Rev 08/22).pdf***

➤ **Lagoons are "No Wake Zone"**

- Cape Windsor Lagoons are "Slow/No Wake Zones" to 100' beyond the entrance and speeds must be 6 MPH or less to prevent damage to your neighbor's property and to comply with State Regulations. A sign will be placed at the boat ramp to remind everyone of these regulations.
- **A fishing license is required to crab** in all waters of the State of Delaware. (This includes at your dock)

Note: For those considering to change your propane company, Cape Windsor has an agreement with CATO Gas, Oil and Propane, as long as we have 100 homes or more, they will give us a discount. This month the price per gallon is \$2.04 (this price fluctuates), other communities' providers are charging \$4.00 or more. Cato's information is: 1004 Parsons Rd, Salisbury, MD 21801, (410) 546-1215

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Dates to Remember

April 1, 2023

- Boat trailers only can be parked on the Common Grounds, with appropriate identification.

May 22, 2023 (Volunteer Day)

- Volunteer Day – Meet at the pool at 9 am to place pool furniture

May 26, 2023

- Water Aerobics is 10:00 am to 11:00 am
- Pool opens at 11:00 am

2023 Pool Schedule - Hours 11 am to 7 pm	
May 26, 27, 28, 29	(04 days open)
Jun 2-4, 9-11, 16-18, 23-30	(17 days open)
Jul 1-31	(31 days open)
Aug 1 -31	(31 days open)
Sep 1-10	(10 days open)

June 30, 2023 (Volunteer Day)

- Volunteer Day – Meet at the large tent for instructions, setup of tents, tables, chairs

July 1, 2023

- Music Festival/Cape Windsor Gone Wild, 12:00 pm to 5:00 pm

July 8, 2022

- Cape Windsor's annual meeting/ Roxana Dining Hall 9:00 am

September 11, 2023 (Volunteer Day)

- Volunteer Day – Remove the pool furniture from deck and store for the winter.

October 31, 2022

- Boat trailers must be removed from the Common Grounds by November 1

January 15, 2024

- Annual Assessment Due, if notice is not received it is the responsibility of the homeowner to contact the Treasurer for the amount owed.

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Preliminary Findings – Short-term Rentals

During the Annual meeting last year, we Emphasized how the Community's amenities (Pool/Parking/Trash) and infrastructure (Roads/Water/Sewer) have been impacted by the increase in the numbers of larger houses renting to parties of 12 or more people per week.

The Board was asked to look into this and we have, and the Board still considers Rental homes (Especially when owned by Investment groups or LLC's) to be a Commercial activity. A Bylaw change or Table of Contents to clarify the interpretation of terms is needed based on preliminary research at this point.

The following is to notify all property owners that their elected board is moving forward on re-evaluation and/or re-writing the Cape Windsor's Bylaws. The last time the Cape Windsor By-Laws were amended was 2011.

The growth and footprint of Cape Windsor as a trailer park has changed drastically into a community of Trailers, Ranchers and Multilevel homes. Just in the past 10 years, in most cases, every time a trailer is removed from a property, a large 2 or 3 floor home is built. We welcome this development and know it is creating a beautiful future footprint. However, this development comes with stress and cost to the existing infrastructure (i.e., water, sewage lines, pool, roads, etc.).

The Cape Windsor Community has also grown in rental properties, causing the community to become a commercial vacation area. Rental Properties take a single-family home and create a revolving stress on the infrastructure and amenities of the community, with no additional revenue for Cape Windsor. An owner of a property that rents, makes profits from the rental, but pays the same amount of assessment as a single-family owner. However, the rental property causes more stress on the amenities.

The Bylaws that are in place clarify numerous items that cover rentals inside of Cape Windsor. In the Deed Restriction Covenants and Conditions, which is the homeowner's contract to the Communities rules, the property owner receives these documents upon purchasing, it is a state law to provide these documents prior to settlement.

The Board considers rental properties as commercial activity, per Covenant **#11 (That no commercial activity of any type shall be conducted on the residential lots plotted in plot of Cape Windsor.)**

The IRS determines an owner of the property/landlord buys the property under the agreement in Delaware that it is not a primary home and the property will be used as a rental. The property generates business income and profits. Most owners use the property as LLC write offs. The board concludes that new Bylaws are needed to clarify a full description of commercial activity and ultimately the termination of rental properties in Cape Windsor.