

Middlesex Beach Association (MBA)

Listening Sessions, Winter 2018

In response to feedback received from property owners in 2017 and, at the Community Meeting September 2017, the MBA Board scheduled a series of Listening Sessions to attempt to hear about the issues of concern in the community and to gauge the actual level of concern about the issues.

Listening Sessions were scheduled Saturdays, January 20, February 10 and March 10 at 1:00 PM. The first Session was held at the South Coastal Library and the other two were held at the Ocean View Presbyterian Church. Telephone access was made available for the Sessions in January and February.

It was made clear to attendees that the Board would not discuss nor opine on issues. That this was each participant's opportunity to express his feelings and to be heard. Participants were asked to be honest and respectful of others' opinions.

Topics to be discussed were identified as:

- Parking
- Beach Usage
- Size of Houses
- Occupancy Limits of Houses
- Number of Bedrooms in Houses
- FAR (Floor to Area Ratio)
- Rental Fees

Additionally, at the request of attendees, these issues were added for discussion:

- Trash
- Golf Carts

58 properties were represented at the Listening Sessions; and 95 persons attended either in person or on the phone. There were other callers who could not be identified either by name or address so these have not been included in these numbers.

Summary of Comments heard:

- Parking

While some people did not express concern about the availability of parking on the Ocean Side, the overwhelming response was that parking on the Ocean Side has become a problem. A variety of solutions were offered for this.

- Beach Usage

Here again, there were a variety of opinions about crowding or lack of crowding at the beach. There appears to be a majority of the community who would like a non-smoking beach. Misbehaviors by some beach users is a concern. Concern was expressed about a limitation of the number of beach passes issued to each property. The over-riding response was for enforcement of the rules.

- Size of Houses

This is the one of the issues that had the most animated discussion. It is also an issue that is causing a great deal of angst and concern in the community. The community was built in the late 1950's and 1960's for (primarily) people from the metropolitan Washington, DC/Baltimore/Philadelphia areas as a respite from busy daily lives and for peace and quiet. Most houses were built as small seasonal cottages as second homes for their family. Many were rented to others occasionally to off-set the cost of owning a second home. In recent years, many of the original cottages have been torn down and replaced with larger homes. Some new houses have been built for the sole purpose of rental income. There is wide-spread grief and a feeling of loss about the changes in the community. Many expressed concern about how the community was changing and feel this is being driven by the larger houses.

- Occupancy Limits of Houses/Number of Bedrooms in Houses/FAR

All three of these topics are related; and they are related to the size of houses. There is overwhelming concern that the houses are getting too big. The bigger houses bring in more people which impact the beach, the trash, water usage, noise, parking, security, etc. There doesn't appear to be a desire to establish limits on the size of houses and the number of bedrooms. Many attendees verbally did the math on how many people could actually stay in a house with 6-10 bedrooms; and this caused grave concern in each session. There is a desire to establish an occupancy limit but no suggestions about how to do this. There was no support for establishing a FAR.

- Rental Fees

This is the other issue with the most animated discussion. Opinions were about evenly split in support of or not in support of Rental Fees. There has been no actual research done on the impact to the community caused by a growing rental population. More

trash, more cars, more noise, more people on the beach were all issues named as reasons for establishing a rental fee and the usage of such a fee to fund higher expenses of such impacts. Most would like research done to prove this.

- Golf Carts

Many would like to see usage of golf carts by only people who have driver's licenses and would like to see safety requirements such as lights on the golf carts.

- Trash

This is the third topic which generated the most animated discussion. There is agreement that the amount recycling has exceeded the amount of trash. There was agreement that the scheduled pick up times for both trash and recycling were not working well for the community. An early Saturday morning trash pickup does not collect the trash left by renters who depart in the late morning. This causes trash problems for the new renters coming in and an overabundance of trash in the community until the next scheduled pick up. There was overwhelming concern about the amount of the trash that piles up, is unsightly and unhealthy.

Almost every topic in every session was supported by a desire for the rules and regulations to be enforced. This was overwhelmingly the concept that all attendees supported and desired.

Many attendees voiced their appreciation for the opportunity to talk about these issues and to be heard.

Parking

I've never had a problem getting a parking place	x 2
I could not find a place to park the whole summer	
I am uncertain about the parking rules on the Pine Side	
There is a Parking Committee working on parking issues	
There is a parking problem on the Ocean Side. There's not enough for vehicles	
We have had very few instances, usually around July 4, of a problem parking.	
New homes on the Ocean Side are eliminating street parking	x 3
There are disappearing parking spaces on the Ocean Side	
Guests will park on the street on the Pine Side - they don't know better	
There is uneven parking enforcement	
Golf carts only take up 1/2 space	
Need golf cart parking only spaces	
Re-align some of the parking spaces for Gold Cart parking only.	
More 1/2 spaces are needed on the Ocean Side	
I'd rather see security on the beach rather than on the roads especially during the day time	
Driving around the streets controls the parking	
Instead of increasing the fee for lost parking passes, void the lost pass by using QR code	
Ocean Side owners should have the same number of parking passes at Pine Side	
Ocean Side owners didn't use their driveways but used the other spots	
Require all cars to be in driveways at a house	
Courtesy - be careful how we look at this	
I'm concerned this will make a bigger division between Pine & Ocean sides	
The Ocean Side houses will be impacted by a reduced number of parking passes	
Need access to Dune Rd for safety vehicles	x 2
The lots on the Ocean Side are smaller & have less parking availability	
Years ago there were 70 spaces on the Ocean Side	
On the Ocean Side 3 cars maximum in driveway	
Limit the Ocean Side to one parking pass & give them a special sticker/pass for entrance that restricts their parking to their own driveway. The Pine Side residents would retain two parking passes.	
I would like to be able to park on the street on the Pine Side between certain hours. We have a small driveway.	
<p>I understand that some of our members (especially those in the Pines section) get squeezed out of parking on busy, high-volume days. Those of us who park on the ocean side have less of a problem. However, there is no real way to create more parking. Hence a possible solution is to reduce the current level of parking tags given to owners (currently 4) to 3. And... make a concerted communications effort to those on the ocean side to do our best possible to park in our own (larger) driveways in order to create some capacity for those on the Pines section. Now that I understand we have a real parking problem, I will for sure make a special effort to have my family and my guests NOT park on Dune Road.</p>	

Parking

Twice last summer other people parked in my driveway & I couldn't get out. They were other owners not renters.	
Each house should only have two parking passes	
The parking has been affected by the size of the houses & their occupancy	
Need area for overflow parking on both Ocean & Pine Side	
Give 2 hanging tags & 1 sticker	x 4
We don't believe the perceived parking problem justifies severely limiting the number of parking passes. This action affects Pine Side residents as opposed to Ocean Side residents who have driveways & park as many cars as they can plus get the other parking spaces.	

Usage of Beach

Smoking - banning it or limit it.	x 3
There should be no smoking on the beach - need signage	
Where would the smokers go?	
Continue to keep smoking at the back of the beach.	
Neighbors have to control the smoking & this is very uncomfortable	
Self-patrol is not fair	
MBA either needs to pay someone to enforce the rules or the owners need to self-patrol	
People will always push the issue	
Renters need to be aware of the rules	
Noise - radios - wind carries the sound	
What are the rules for music at the beach?	
Canopies that are left there all day with no one with them. They should be placed farther back on the beach.	x 2
Canopies should not block the view of the lifeguards	
Canopies don't bother me	
Lifeguards have asked us to move our canopies	
There are people selling beach passes outside the community	
People shouldn't sell their beach passes	
If some member sold their beach pass, that member should be dealt with individually. The whole community now has to be inconvenienced with one pass over this? Anyone who rents their property will now have a problem because they can't retain one pass while the other resides with the realtor.	x 2
The owner who also rents. Can they get a second pass?	
Limitation on passes discriminates against large houses & families	
The 2 pass system works well	
Need to retain 2 passes: when renters are there, owners can't use the beach	
With 2 passes, 50 people can use the beach for every house	
Instead have 2 passes limiting to 12 -13 people per pass. This allows residents to go to the beach at different times.	
The commercial properties give their passes to their employees	
Increase the fee to replace lost beach passes	
MBA needs to have a beach wheelchair	
Beach walkways need to have a higher priority for maintenance	
Liberalize dog access	x 2
Regarding Dogs on the beach, Dogs urinate. Owners never deal with the urine dogs leave behind. Children play in the sand that a dog could urinate on. How is that being addressed by a change to the rules not allowing dogs on the beach over the Summer season?	x 2
Dog owners don't always pick up after their dogs	x 2
If dog owners don't pick up, they should be fined	
There was a shortage of security & patrol last summer	x 2

Usage of Beach

Rules have to be enforced	x 3
MBA needs to hire extra security guards & patrol	
The other issues (noise, beach behavior and dogs) are related to compliance with the rules, regardless of the size of a house. We simply need more neighbor-to-neighbor cooperation and compliance and probably a bit more security/compliance monitoring.	
There need to be potties at the beach	
Usage of the beach by non-MBA people at the south end has improved	
The beach is sparsely used. It's quite open compared with So Bethany & Sea Colony	
There is not a density problem on the beach	
People should be liable to follow the rules	
There should be a bond put up for clean up after special events	
Large events by homeowners at the beach should be scheduled during non-holiday times	
A fee should be charged for large events	
Last summer people were bringing glass containers to the beach & the lifeguards just told them to keep them away from children	

Size of Houses

Right now the size of houses is not limited & they are too large	x 2
These big houses are an investment not a home	
The smaller cottages are being torn down & replaced with large houses built for the sole purpose of renting	
Investment - future value & rental	
The original houses were not built for year-round living	
What was the intent for the community 50 years ago?	
As long as it is in compliance with rules & regs, should be able to build any size	
Is the problem size or is it the purpose of the house? Volume/capacity vs investment	
The original owners built homes for families	
The impact on the environment of the big houses: sewage & wells	
There is too much noise & trash from the bigger houses	
Too many trees are being cut down, this changes the character	
It is possible to design around trees	
Pervious vs impervious surface	
Do the Covenants address trees?	
We have height & setback restrictions, keep enforcing them.	
In reference to "growth-induced" challenges, there is no reasonable (and legal) way to set building restrictions for the future without negatively impacting the property value of those who want to sell a smaller house , knowing that the buyer will expand the house or demolish it and build a larger house. If we did attempt to set construction limits (size limits) I would guess it would face a protracted and expensive legal challenge. A suggestion going forward (perhaps as of Jan 1, 2019) would be to create a differential HOA dues structure for future property owners. If you buy an existing house or build a new house that is larger than "X" square feet (or has a FAR of .4 or above) your annual homeowners dues would be 15% greater than the existing (grandfathered) homeowners. The rationale, your larger house and your guests whether they be renter or friends/family place greater demands on trash removal, security and other resources. So... most would pay \$2200 per year but new HOA members would pay approx. \$2500 per year. Or, something similar. Maybe even \$2700. This brings more revenue into the HOA to help address some of the problems and a higher HOA dues for future members will not keep someone from buying in Middlesex. But if a new purchaser buys a smaller house and keeps it small, he/she pays the lower rate.	
Another consideration is to also set an "entrance/new member" fee for future home buyers (regardless of house size) of \$1,000. Many HOA's do this. It is a recognition that a new buyer is, to some extent, already benefiting from past improvements made by the HOA. Again, a \$1,000 (one time) fee is not going to prevent anyone from purchasing in Middlesex.	
Covenants address this with setbacks, height, coverage of lots. This is adequate.	
There are capacity issues	
There is a new economic reality. When one spends \$\$ for a lot, the house must be commiserate with the cost of the lot	
This might be a stronger driver for the Ocean Side	
The Pine Side houses are getting too big	

Size of Houses

Too big houses are changing the character of the community	
If house sizes are to be limited, it has to be done on both sides of the community	

Occupancy Limits on Houses

This is not enforceable	x 2
Is there a Sussex County ordinance?	
Require a certain number of trash & recycling containers for each bedroom & # of people	
Require a certain number of bathrooms for occupancy	
Have to adhere to the Fair Housing Rules with the limitation of people	
Some of the new larger homes are only built for rentals. Hard to restrict that but there must be laws about restricting occupancy. There must be a fire code aspect with the houses with 6 bedrooms with bunk beds, pull-outs, crib, cots; plus twin, doubles, queen & king sized beds.	
The big houses often have large parties which makes more noise	
Community Patrol should deal with noise	
Are there different expectations for the community now?	
The advertising I've seen for the rentals of the big houses really highlight the maximum amount of sleeping capacity and parking	
Honestly, there is a house advertising 18 parking spaces!	
Noise is a very big issue	
There should be a limit on the number of people allowed in houses	
People bought here in MBA because it was a small community	
People didn't buy here for the "hotels"	
How would this be policed?	
There should be a minimum age for renting houses	
There is no oversight with VRBO etc.	
Using a real estate agent gives more control or not?	

Limit on the Number of Bedrooms

Can't do that as long as the house otherwise complies

I'm OK with limiting the number of bedrooms but need to be clear about it

I don't want to define how one designs the interior of their house

Sigh!

There is now a difference between "me" vs "community interests"

Don't want to restrict this

Rooms can be labeled different ways ie a den can have pull out couches and/or a TV room could be used for TV one season & turn into a bedroom the next season

I don't know if this can be done legally

Want us to be a community & not a real estate project

People need to be responsible owners

FAR
(Floor to Area Ratio)

It ends up being the same kind of restriction
The current requirements already do this
The size of the lots on the Pine Side are consistent and the lots on the Ocean Side are consistent
Setbacks and height restrictions are more important
FAR wouldn't work on the Ocean Side because of setbacks & DNREC, etc
This would be a bad thing
People need to understand the potential for the size of the houses especially on the Pine Side
It would allow for VERY big houses on the Pine Side

Trash

Need trash pickup 7 days a week	
Recycling pick up has more of a demand than trash pick up	x 2
There should be extra trash pick ups after holidays.	
Recycling is not picked up if trash or food waste is mixed in with the recycling. People don't differentiate so it sits there without being picked up	
This is why the recycling containers were removed at the beach walkways	
There needs to be better communication about recycling	
The trash drivers are limited to the number of hours they can drive & then they stop	
There is a monopoly on trash collection	
Houses need a second recycling bin	
The renters need to be informed about trash collection days & instructions	x 3
The trash pick up is 7:00 AM Saturdays but renters leave at 11:00 so the trash just sits there	x 2
Trash left there creates health issues	
Private trash collectors can be hired to pick up left out trash. A list of phone numbers for this should be available. The cost of this should be born by the homeowner	x 4
People need more trash bins	
Renters put trash in other peoples' bins	
There is too much trash. Sometimes 10 bags. It's not picked up enough & this looks ugly.	
Trash trucks don't always pick up from houses they know are rentals.	

Golf Carts

There needs to be a class to teach people how to drive them	
Should we encourage golf carts?	
Carts cross Rt 1 without enforcement	
Golf carts have to be driven by licensed drivers. This is a rule???	
Golf carts limited to owners only	
How would we differentiate this?	
We need safety rules	
Lights should be required on them	
Shouldn't make any policy that assumes the law is being broken	

Rental Fees

Pro Rental Fee Comments

Anti Rental Fee Comments

The owner of the house is responsible not the renter		Rental Fees are not fair	
Rental fees are charged to the renters not the owners	x 2	The owner has to pay this to the community and it knocks out some renters	
There is a rental fee petition but the community has not seen it		How do you prove rentals? Address the problems instead	
The annual dues have increased over the years. Rental fees can reduce the annual assessment & do other things for the community		Legally, currently, a rental fee cannot be imposed & collected	
Renters impact trash, more cars, streets, security, beach, larger numbers	x 2	MBA cannot legally charge a tax	
People own more than one home the other is just a rental		The institution of these fees changes the community	
If one goes to a hotel or rents VRBO there are fees, people are not put off by fees		Talk to your neighbors	x 2
Weekly fees: Bethany, Fenwick, Sussex Shores, Breakwater Beach		How do rentals differ from non-rentals?	
Some communities charge a flat fee		How will it be monitored?	x 2
How many properties are rented?	x 2	There will be a cost to MBA to manage this	x 2
It would be a simple deal to change the covenants to allow for this.		Enforce the rules!	x 6
The summer season has the most demand on the services		Communicate the rules	
I am in favor of a rental fee - I'd like 5%		Renting only breaks even for some	
We don't rent; but as a former renter I can tell you that a rental fee of 6-8% WOULD NOT have made me look elsewhere. There are always fees attached to rentals. It's a necessary part of it. The rental fee can also be a revenue generator for the community and would help to keep annual assessments at bay. I'm sure this kind of projection could be easily done.		Not renters vs owners	x 2
		What is the impact of houses that are rented for only certain months vs houses that are lived in year round?	

Rental Fees

The number of renters has increased & will continue to increase		I am not in favor of this - how would you enforce it?	
Other communities charge rental fees successfully		I would not vote for a Covenant change to allow this	
Who manages the fees?		The implicit requirement to provide personal earnings info to MBA is a violation of my Constitutional Rights	
We have to be objective in how we decide this		Community members who have invested in their properties & rent them should not be penalized with a rental fee. Investment in the community should be encouraged as it raises property values. The rental fee has the opposite effect. In my case, the investment in my property and rental income is part of my retirement.	
I support a fee. You can't ignore things. It's standard now.		I do not feel the problem is "renters." The challenges created by growing pains (larger homes with more capacity) impacts parking, trash collection, and workload of security.	
There is a benefit because it helps to lower community costs for the whole community		The reason for attending today's meeting was to voice opposition to any covenant change allowing for a rental fee, changes to existing building limits or changes to any occupancy limits.	
Costs do go up. Fees help to manage increasing costs.		There hasn't been any research done on how or whether renters incur more expenses for the community. This research needs to be done before any of this is considered.	
Is there a way to decide the process to figure out how to start?		12 people (family or renters) the cost is the same	
There is a direct cost to the community for the renters		NO - I don't know how you would do it anyway	
An initial fee should be manageable		It will affect the homeowner as it reduces the income to him	
The fees go to support specific things in the community		Do we want to be a community who raises income?	
Is it possible to have equity?		Rather than a rental fee, increase the annual assessment for the larger houses	
Would it work on an honor system?		Is it legal?	
I don't have any philosophical opposition to this concept			
It is standard in most communities now	x 3		
Houses which are used/built for the sole purpose of rental should pay a rental fee			
It could be a flat fee and not a percentage			

Rental Fees

<p>I would to propose a minimum amount of time for each rental time. It should require a minimum time of 1-2 weeks. It should be restricted to families with no more than 3 unrelated individuals staying overnight and restrict the number of vehicles. MBA is becoming known as the place for party weekends due to lack of oversight and enforcement. Large numbers of individuals are entering our community, making a mess, producing excess garbage and recyclables, and constituting a security risk. I think a minimum limit would discourage these weekend partiers. Owners who rent their property should be registered and held responsible for all violations and disturbances.</p>			
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MBA Listening Sessions

January-March 2018

MBA Street Address	Property Owners Attending	#		Session 1		Session 2		Session 3
13 Bridge	Adams, Sharon	1		1/20/2018				
32 E. Short	Aiello, KC						1	3/10/2018
18 Addy	Alter, Nora		email				1	3/10/2018
9 Bayberry	Baratta, Pamela	1	on phone	1/20/2018	1	2/10/2018		
19 Addy	Barrett, Judy & Dick	2		1/20/2018				
13 Short	Bradley, Paul		by email				1	3/10/2018
31 E. Errett	Brandt, Sally	1		1/20/2018				
23 Bridge	Branstad, Kathy	1		1/20/2018			1	3/10/2018
4 Errett	Burgess, David	1		1/20/2018				
32 E. Errett	Byrd, Jack	2		1/20/2018			1	3/10/2018
58 Dune	Coffay, Molly						1	3/10/2018
37 Dune	Dawson, Skip				1	2/10/2018		
40 Dune	DeBois, Cheryl	1		1/20/2018				
15 Short	Ducey, David & Nancy Conlon	2		1/20/2018				
54 Dune	Fegley, Amanda	1		1/20/2018				
27 Addy	Finder, Cindy & Ben	2		1/20/2018			1	3/10/2018
11 Dune	Foreman, Tucker						1	3/10/2018
113 Evergreen	Gay, Bill & Diane	2		1/20/2018				
11 Errett	Glasgow, Nancy	1		1/20/2018	1	2/10/2018	1	3/10/2018
23 Bayberry	Holle, Jim & Dee	2		1/20/2018				
unknown	Hurley, J.P.	1		1/20/2018				
2 Dune	Katzka, Jerry & Rita Cavanaugh				2	2/10/2018		
16 Errett	Kaufman, Rob				1	2/10/2018		
6, 25, 53 Dune	Kazemzadah, Jennifer	1		1/20/2018				
123 Evergreen	Lafleur, Janet & Rich	2		1/20/2018				
6 Bridge	Larsen, Steve				1	2/10/2018		
20 Bridge	Levri, A.	1	on phone	1/20/2018				
5 Addy	Liddle, David	1	on phone	1/20/2018				
2 Errett	Lyons, Peg & Katherine	2		1/20/2018				
12 Errett	Mintz, Solange	1		1/20/2018				
10 Short	Moore, Mary		on phone		1	2/10/2018		
111 Evergreen	Murphy, Sally						2	3/10/2018
7 Addy	Nemeroff, Ed				1	2/10/2018		
10 Addy	Parlett, Joe						1	3/10/2018
21 & 8 Errett	Paul, Carol & Steve	2		1/20/2018				
20 Dune	Pichler, Greg	1	on phone	1/20/2018	1	2/10/2018	1	3/10/2018
32 Dune	Raskaukas, Ann	1		1/20/2018				
20 Addy	Rayburn, Kent	1		1/20/2018				
12 Bridge	Reatig, Natasha	1		1/20/2018				
7 Short	Reilly, Mark & Terri	2	on phone	1/20/2018			1	3/10/2018

MBA Listening Sessions

January-March 2018

29 Dune	Rivest, Jeffrey	1		1/20/2018				
6 Short	Rhue, Sue & Jennifer Ricketts	2		1/20/2018				
3 Bridge	Ross, Alvin	1		1/20/2018				
11 Addy	Rossitor, Marie						1	3/10/2018
47 Dune	Seeto, Reg				1	2/10/2018		
25 Short	Sella, Paula	2	on phone	1/20/2018	2	2/10/2018		
19 Bayberry	Shector, Marty	1		1/20/2018				
16 Addy	Sparrow, Jason						1	3/10/2018
21 Short	Taylor, Chuck & Peggy	2		1/20/2018	1	2/10/2018	1	3/10/2018
1 Bridge	Taylor, David	1		1/20/2018	1	2/10/2018		
14 Errett	Throop, Ellen	1		1/20/2018	1	2/10/2018		
7 Bayberry	Van Ness, Scott						1	3/10/2018
30 Addy	Visnick, Cheryl	1		1/20/2018				
26 Short	Wolf, David	1		1/20/2018				
33 E. Addy	Woolman, Joe	1	on phone	1/20/2018				
25 Bayberry	Youniss, Dorothy & Jim	2		1/20/2018				
	unknown	8	on phone	1/20/2018				
57 Properties	Total Attendees:	61			16		18	95