

HEISLEY GAZETTE_{SM} NEWS

INSIDE THIS ISSUE:

<i>Editorial</i>	1
<i>Sump Pump Issue Update</i>	1
<i>Heisley Park Garage Sale Details</i>	2
<i>Heisley Park Homeowner</i>	2
<i>Home Owner Association meeting Planned</i>	3
<i>Train Gate Issues— Jackson Street Overpass Update</i>	3
<i>Our Purpose</i>	4
<i>Sign up for an E-Copy of newsletter</i>	4
<i>Notification of Non-affiliation with Heisley Park Homeowners Association</i>	4
<i>Garage Sale Ad</i>	5
<i>Garage Sale Registration form</i>	6

EDITORIAL

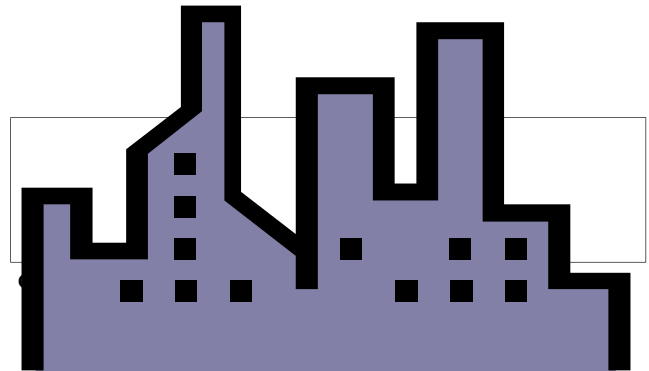
Spring is almost here and we should have a great deal of activity soon in the neighborhood since winter is almost over. You know its spring when people begin to clean out the garages, basements and other areas of the home and barbecues get cranked up. In addition, the kids will be out and about in the neighborhood enjoying the weather.

But, that won't be the only activity going on in the neighborhood. As a result of the recent discussions that the City had with Mortell Associates and Ryan Homes, we expect to see some additional construction work beginning soon on the south boundary of the development (near Birchwood and Elderberry) to address the water and sump pump issues in the development. Again, as I indicated in my last column, we continue to learn a great deal of information about what is going on in the community that could affect the residents of Painesville. But, more importantly we have an opportunity to work with the city administration and council to ensure that we have an input on what is going on in the city and in our neighborhood.

Some highlights this newsletter are the status of the water issue (request for a moratorium); the planned garage sale; and, Heisley Park Homeowner Association related items as presented to us by Scott Lepa of the HOA board.

Finally, if you have a story for us you can contact us at heisley-gazette@ameritech.net

The editor



WATER/SUMP PUMP ISSUE— MORATORIUM REQUEST

There has been a flurry of activity recently with respect to the water issue within Heisley Park. At the March 2, 2009, City Council Meeting, we found out that the City had responded to the proposal made to the city as to what action Mortell was prepared do to fix the water problem for homes in the Birchwood and Elderberry Lane area of Heisley Park. We were initially informed that work would begin shortly.

Originally the fix called for a French drain (note a) to be installed only on the south side of the development near the South end of Birchwood lane. The drain was supposed to connect to a sewer near Birchwood. However, based on an e-mail that the City received on Friday, March 13, 2009, an engineering problem with the proposed fix was identified by the developer and the engineering firm stating that the sewer was too high to accept the French drain at that point. This issue caused them to go back to the drawing boards to revise the plan thus further delaying a resolution of the problem. As of this writing, there is a follow-up proposal that the city has just approved after evaluating. On the surface, it looks better. This second plan calls for two French drains. One will be south of the development and west of Birchwood. The other is east of the development at what appears to be the back of the Elderberry circle and Heisley Park Lane. Both French drains will be entering the storm sewers at points more north in the development to compensate for the depth of the drain levels.

Bottom line, we are still waiting for the actual work to begin and have yet to see the issue resolved. But, we are hopeful! With the recent rains the sump pumps on Birchwood and Elderberry continue to run constantly. There have been additional basements that have flooded. Delays in resolving this issue is continuing to cause great concerns and costs for some homeowners in the development. (Continued on page 2)

WATER/SUMP PUMP ISSUE (CONTINUED)

It was only because of the lack of movement on the project by Mortell and Ryan that at the March 16, 2009 Council meeting, we asked the city for a moratorium on all permits and building work in Heisley Park until the problem was totally resolved. Now, given that Mortell and Ryan have presented finalized plans to the city on the project with work expected to begin shortly that our request for the moratorium will be on hold at least until work is completed and the results are in. If the results do not resolve the issue,

the city in their reply to the developer has already stated, "This plan has not been developed based on an engineering study, thus its effectiveness cannot be evaluated against expected results. Accordingly, the City's review is not intended to confirm or condone the appropriateness of the solution. However, City approval of the layout and design is required prior to implementation. The City intends to monitor the French drains' effectiveness

over time, and retains the right to request additional efforts on your part if adequate results are not obtained."

[Note a - A French drain is a ditch covered with gravel or rock that redirects surface and ground water away from an area. A French drain can have hollow pipes along the bottom to quick vent water that seeps down through the upper gravel or rock. French drains are common drainage systems, primarily used to

Heisley Park Garage Sale Details

The dates for the 2009 Heisley Park Neighborhood Sale will be Friday, May 15 and Saturday, May 16.

Please see the attached flyer & registration pages.

Charissa Bly, our neighborhood's Garage Sale organizer, asks that everyone either e-mail and/or print and pass this flyer out to ALL of your neighbors. This year the only way for our fellow neighbors to find out about this year's sale will be by word-of-

mouth and the Heisley Park website (which can be found on the Heisley Park website at <http://heisleyparkhoa.com/>

In order to participate, the city of Painesville requires each home owner (sale participant) have a city permit. Also, each home owner will be responsible for displaying their own "garage sale" sign and please read the City of Painesville's permit regarding the size and placements of signs. The city WILL confiscate your sign if it is not properly displayed.

Charissa indicated that she would be more than happy to take your individually signed permit to the city and deliver it back to you before the sale. I will need to have all permits and \$2 contributions for the newspaper ad to her by Monday, May 11 (evening). Contact information is:

Charissa Bly
1455 Greenfield Lane
(440) 352-7152
rissab29@yahoo.com

“Garage Sale Being Planned”

Heisley Park Home Owner Association Items

Scott Lepa, an HOA board member has submitted for publication some information relative to what is happening within the Home Owner Association will likely be of interest to homeowners.

HOA Regulations Being Updated

First, Scott reports that the HOA recently completed updating rules and regulations. The updated regulations are designed to clarify and further define the HOA covenants. They are currently being reviewed by the association's attorney. Scott indicates that the review should be completed shortly and that he hopes to the revised rules ready for distribution

to residents at the annual meeting in late May/early June timeframe

HOA Service Provider Contracts Under Review

Scott also indicated that the HOA is in the process of reviewing service provider contracts for 2009 and renegotiating lower annual rates based on current economic conditions. They are hoping to shave some expense from the 2009 budget allowing for additional assets allocated to the reserve fund.

Retention Ponds

Finally, Scott wanted us to men-

tion that the water levels in the retention ponds behind Beechwood and Poplar have been dramatically reduced. The high water level has been a concern of many residents as they have brought it to the attention of HOA board members on multiple occasions. The city dredged the swale and stream on the other side of the tracks to bring the water levels down. It seems like the blockage was due to beavers. (Is it any wonder why the Painesville Riverside teams are nicknamed the Beavers?) At least there is some better news with water issues in the neighborhood!

“HOA recently completed rules”

“HOA reviewing service provider contracts.”

“Retention Ponds water levels reduced”

Home Owner Association Meeting Planned

Based on what Scott Lepa indicated in the HOA related article, the Heisley Park Homeowners Association, Inc. apparently plans to have its annual meeting sometime in late May or Early June. I'm sure we will have more details from the HOA board members as the meeting date is finalized. All homeowners are encouraged to attend to hear from the board as to the state of the association's business. All homeowners should have a copy of the proposed budget for this year. I know it was sent out by Barnett Management recently as I have my copy. In talking with many homeowners, I understand that some have some

concerns that they would like to see addressed by the board. To this point, I would just suggest that if a homeowner has an item for the board that they submitted it in writing to Barnett Management prior to the meeting. This should allow them and the board members time to research any issues that may need to be addressed. You can also forward a copy of any concern here to us here at the Heisley Gazette (heisleygazette@ameritech.net) so that we can share the concerns with others who may not be able to attend the meeting and ultimately post the board's responses. For example, one of

my concerns is whether or not the HOA is paying for the electricity to run the pump across the street from me. My thoughts are that given the water problem that the pump was put in for by the builder/developer actually was to resolve an issue believed by the City to be theirs. That being the case, then why should those costs be borne by the HOA and all homeowners?

*“annual meeting
sometime in late May
or Early June ”*

Apartment Houses No Longer Planned

It would appear that the plan for apartment houses for the area south of Heisley Park development at the corner of Jackson and Elizabeth has been tabled. Apparently the decision to post-

pone the work was based on the fact that a water table problem was indeed found on the property that would have had to have been addressed before building started.

We've been told that should development be authorized in the future, the area would have to confront the water table issue.

*“plan for appartment
houses ... tabled ”*

Train Gate Issues— Turn Lanes into Heisley Park

At the March 2, 2009 council meeting we informed the city that the railroad crossing went down again on Jackson Street and it was becoming a safety issue. We asked if anything can be done between the City and Township working together on this issue. We also asked with Heisley Meadows not going in, will there be any improvements on how will residents get in and

out of the Heisley Park development? The city Manager, Ms. Rita McMahon replied both issues are tied together. The City is working with the County Engineer and Township put in a request to meet with the Norfolk & Southern railroad and is waiting for a date. Residents in the Township are expressing similar issues with the railroad crossing. Ms. McMahon also

stated the left turning lanes and widening from Jackson into Heisley that were previously discussed with the County may be warranted since Heisley Meadows is not going in right now. The overpass over the railroad tracks is still under consideration but dependent upon funding and state budget approvals/planning. .

*“turning lanes and
widening of Jackson...
discussed ”*

No Parking on Fire Hydrant Side of Streets

It's a city ordinance in Painesville that parking is not allowed on the fire hydrant side of the street. It's been noted and reported to the city that residents and/or guests on Greenfield Lane have been

parking on both sides of the street. The city reported that the police can ticket cars since they are illegally parked. There is a safety concern since fire trucks cannot pass

with cars parked on both sides. Residents can contact the Painesville Police Department at the non-emergency number is 440-354-3535 to report these violations.

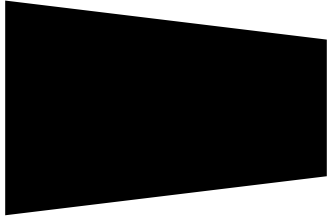
*“Parking is not allowed
on hydrant side of
street.”*

The Heisley Gazettesm
News

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OUR PURPOSE

The residents of Birchwood Lane have come together because of a common concern. That initial concern is to see what can and should be done for homeowners whose sump pumps run constantly; whose sump pumps have failed; and, whose basements have flooded. It is also our goal that by creating this newsletter to communicate information about our community to other homeowners who may benefit from our concerns and efforts. We intend to work cooperatively with the City and the builder so that we do not negatively impact home values within the development further given the state of the real estate market. In doing so we also want to ensure that any future costs incurred by the city and taxes to support the community are well spent. We hope to see all of you attend the Painesville City Council meetings held the 1st and 3rd Mondays of the month to remain informed about what is happening in our city and community.

SIGN UP FOR AN E-COPY OF NEWSLETTER

Sign up for copies the newsletter by sending an e-mail to: the Editor—Heisley Park Gazette at: heisleygazette@ameritech.net. We encourage all readers to share this newsletter with residents within the community.

SUBMIT ARTICLES

Articles may be submitted at any time for consideration. Please e-mail articles in a word document and include your name, address, contact number so that if we have questions about the article we can contact you. Articles should be of interest to the homeowners here in Heisley Park or Painesville Residents in general. Thanks. The Editor

NOTIFICATION: WE ARE NOT ASSOCIATED NOR SHOULD WE BE CONFUSED WITH THE HEISLEY PARK HOMEOWNERS ASSOCIATION, INC. WE ARE AN INDEPENDENT PUBLICATION / ORGANIZATION.

Third Annual
Heisley Park
Neighborhood Garage Sale



Friday May 15, 2009 (9:00 a.m. - 2:00 p.m.)
- *and* -
Saturday May 16, 2009 (9:00 a.m. - 2:00 p.m)

You will be responsible for your own “garage sale” signs, and also for obtaining your permit from the city of Painesville (it’s free though!). A contribution of \$2 to Charissa Bly will help cover the News-Herald ad and have your address added to the map.

Contact the sales coordinator to register or for additional information.

Charissa Bly
1455 Greenfield Lane
rissab29@yahoo.com
(440) 352-7152



Community Development Dept.
7 Richmond St., Painesville, OH 44077
Ph# (440) 392-5931, Fax (440) 392-0981

**GARAGE / YARD / PORCH
SALES REGISTRATION**

Section 735.06 - There shall be **no fee** for the registration of garage, yard or porch sales conducted on residential property. However, such activities shall be limited to no longer than **three (3)** consecutive days and not issued on the same individual or for a sale on the same parcel for more than **four (4)** times in a calendar year.

GARAGE SALE SIGNS ARE PERMITTED ONLY ON THE PROPERTY WHERE THE SALE IS BEING HELD
Signs must be a minimum of 5 feet from all property lines, not exceeding 6 square feet in area or exceed 3 feet in height. **Signs shall not be posted within the public right-of-way, meaning on city trees and tree lawns, curb side mail boxes, traffic sign posts or utility posts.**

A copy of this registration must be kept at the premises where the sale is occurring for proof of registration

Sale Location: _____
Sale Dates: _____ / _____

Applicant: _____
(Please Check One) Owner Tenant Other:

Address: _____

Phone: _____ Cell phone: _____

- If not the owner, please indicate **owner's name** and **address**:

Applicant's Signature: _____ **Date:** _____
By signing this I state I have read the information above and agree to comply with the City Ordinance for Garage/Yard/Porch Sales

*** For Official Use Only ***

Department Signature: _____ **Date:** _____