



# CDPOA COMMUNICATOR

*Published monthly for our neighbors in Clemson Downs—A 55+ Retirement Community*

**October 2022**

## **Welcome New Neighbors!**

We welcome **Pat Ivester**, 39 Hickory Way, to Clemson Downs. Pat hails from Westminster and is a graduate of Clemson University specializing in financial management and accounting. She retired from a career as a CPA and now has time to enjoy her hobbies: tennis, bridge, reading, hiking, and traveling. Pat has one daughter and one son plus 4 grandchildren and 4 great grandchildren. Pat's parents lived in the home at 39 Hickory Way, and after they passed away, she decided it was time for her to downsize. Pat finds Clemson Downs a very safe community with friendly and good people. The Downs is an ideal location for her because her family is not far away. As a bonus, a number of her very close friends live in Clemson Downs. Welcome home, Pat!

## **President's Letter**

Dear Members,

As we have been discussing this year, your CDPOA Board of Directors has been busy working toward a 55+ certification under the Housing for Older Persons Act (HOPA) of 1995. We hoped that the act would enable us to enforce that, for occupancy, at least one person per household would have to be at least 55 years of age. As such, the Board made potential draft changes to the Covenants and Bylaws to meet the certification requirements.

Also, during the year, some POA members expressed an interest in limiting the number of rental properties in the community. Even though the current number of rentals is only 6% of the total property units (8 of 138), the Board thought this was worthy of consideration given the housing pressures that exist in Clemson.

In early summer, the Board submitted the draft Restrictive Covenants and Bylaws for the 55+ certification and the question about limitation of rentals to our attorneys for their review and opinion. Last month, we received their reply. We then met with them in person to receive clarifications. The attorneys generally supported our efforts for the certification but said that HOPA did not provide the power for the POA to enforce the age stipulation that we were seeking.

On the rental limitation issue, the lawyers said that limiting the number of rental units, while well intended, was not a good idea. Such a policy would leave the POA open to lawsuits that, in their legal opinion, could not be defended in court.

These opinions were disappointing and not what we wanted to hear. On September 21<sup>st</sup>, the Board held a special session to discuss the impact of these legal reviews. The Board members felt that pursuing the 55+ certification was pointless unless the POA had enforceability powers. Secondly, the Board did not want to put the POA in legal jeopardy by limiting rentals. So, on these two issues, the Board voted unanimously to discontinue these efforts. We can still advertise Clemson Downs as a 55+ retirement community, but we cannot control who resides in the homes here.

In both these cases, your Board's intent was to preclude events that may have an adverse effect on POA property values in the future. As of today, we do not have a problem. Without question, our current households with at least one person at or exceeding 55 years of age is near 100%. Our rentals have not been more than 9 units in recent years. However, the greater Clemson area, like any other, is dynamic and forever changing. Your Board intends to keep engaging in those actions and programs that promote quality senior living for our membership.

Warmest regards,  
Denny Walling  
President, CDPOA  
864-723-5977  
drwalling313@gmail.com

### **Board Meeting Highlights**

- Speed limit signs have been installed on Hickory Way and Downs Boulevard inbound toward Bayberry. Additional signs will be placed on Downs Boulevard outbound.
- Please remind contractors to stay off the grass in the medians on Downs Boulevard and Bayberry. Ask them to find alternative places to park that won't tear up the ground and grass.

### **ARC Reminders**

Your Architectural Review Committee (ARC) would like to remind all residents that if you plan to start any exterior project such as painting, construction, hardscape, door/window replacement etc., please be sure to get your application in to an ARC member before that date so that we can get it processed for you as soon as possible before you begin your project. Application forms are available for download on our website at [www.cdpoa.com](http://www.cdpoa.com). Click on *About CDPOA—Architectural Review—Architectural Review Request Form*.

You're always welcome to attend the ARC committee meeting; the ARC meets the first Tuesday of each month at 10:00 am in the small conference room at the Corley Center.

### **Our Sympathies Go To**

Our condolences go to the family and friends of Harry Sutton, 606 Downs Loop. Harry passed away September 14, 2022. A long-time resident of the Downs, Harry will be sorely missed.

### **Telephone Directory Corrections and Additions**

**Remember: You can find the most current edition of the directory online at our website: [www.cdpoa.com](http://www.cdpoa.com).** Click on Our Community—CDPOA Directory. You will need a password to access the directory—contact Anne Snider at 864-723-2878 or [sniderah@gmail.com](mailto:sniderah@gmail.com) to obtain the password. Listings that have changed since the last directory was printed are highlighted in pale yellow.

If your email address or phone number changes, please contact Anne to update your contact information for listing in our directory.

#### **Corrections**

##### **Thomas Skelton**

Please correct Tom Skelton's email address to: [tskelsr@gmail.com](mailto:tskelsr@gmail.com)

#### **Additions**

**Pat Ivester**, 39 Hickory Way | 864-903-3473 (Cell); [patriciz@nctv.com](mailto:patriciz@nctv.com)

## **FYI—For Your Information**

The October First Friday is October 7<sup>th</sup> and will be hosted by Margaret Layne, Mimi Bopp, and Jean Kuhn. Bring your beverage of choice, an appetizer to share, and—if you can—a neighbor. Don't forget your name tag!

## **Things to Remember**

**Please remind your yard contractors:** Only CARC and Property Owners self-generated yard trimmings are allowed in the brush pile at the end of Bayberry. If we continue to put in unacceptable items for the city to pick up, we may go the way of recyclables and the city will no longer pick up for us.

Acceptable items:

- Tree limbs under 8" in diameter and 6' in length
- shrub trimmings
- brush
- leaves
- grass clippings
- NOTHING ELSE!

We have found garbage bags, landscape timbers, treated lumber, and cardboard boxes—all unacceptable items—in the brush pile.

# OCTOBER 2022

| Sun                                                                                                                                        | Mon                                                                                                            | Tue                                                                                  | Wed       | Thu       | Fri                                                                                      | Sat                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-----------|-----------|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
|  <p style="text-align: center;"><b>TIS THE SEASON</b></p> |                                                                                                                |                                                                                      |           |           |                                                                                          | <b>1</b><br><br>NC State<br>(Home)     |
| <b>2</b>                                                                                                                                   | <b>3</b>                                                                                                       | <b>4</b> ARC Mtg.<br>10 am<br>Corley Ctr.                                            | <b>5</b>  | <b>6</b>  | <b>7</b> CPC Mtg.<br>11 am<br>Corley Ctr.<br><hr/> First Friday<br>4-6 pm<br>Corley Ctr. | <b>8</b><br><br>Boston Coll.<br>(Away) |
| <b>9</b>                                                                                                                                   | <b>10</b><br><br>COLUMBUS DAY | <b>11</b><br>Board Mtg.<br>10:40 am<br>Corley Ctr.                                   | <b>12</b> | <b>13</b> | <b>14</b>                                                                                | <b>15</b><br><br>FSU (Away)            |
| <b>16</b>                                                                                                                                  | <b>17</b>                                                                                                      | <b>18</b>                                                                            | <b>19</b> | <b>20</b> | <b>21</b>                                                                                | <b>22</b><br><br>Syracuse<br>(Away)  |
| <b>23</b>                                                                                                                                  | <b>24</b>                                                                                                      | <b>25</b>                                                                            | <b>26</b> | <b>27</b> | <b>28</b>                                                                                | <b>29</b>                                                                                                                 |
| <b>30</b>                                                                                                                                  | <b>31</b><br>               |  |           |           |                                                                                          |                                                                                                                           |

### September 2022

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    | 1  | 2  | 3  |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 |    |

### Notes:

As the days get shorter and darkness comes earlier, please be cautious of walkers when you drive after dark. If you walk in the neighborhood after dark, please make sure you wear light colors or carry a flashlight. Be safe!

### November 2022

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 |    |    |    |