

**Ludlow Maintenance Commission
Architectural Control Committee
Post Office Box 65060
Port Ludlow, WA 98365**

~ APPROVED ~

Minutes of the Regularly Scheduled October 19, 2009 ACC Meeting

Members Present: Bill Clark, Eve McDougall, Sharron Sherfick

Guests: No guests attended this days meeting

Call to order:

The October 19, 2009 meeting of the Ludlow Maintenance Commission (LMC) Architectural Control Committee (ACC) was called to order at 3:05 p.m. by Chair Bill Clark. Also in attendance were members Eve McDougall and Sharron Sherfick. Members Vaughn Bradshaw and Jim Boyer were not in attendance. Attached to these minutes are the Pending Cases that were reviewed during this meeting.

No New Business was discussed at this meeting

No Guests were present at this meeting

Old Business:

1. Chair Bill Clark reported speaking with Carla Caldwell the day of this meeting, **Tim & Carla Caldwell, owners of lot number 1-2-046, 531 Montgomery Lane** had previously submitted a **View, Obstruction & Hazard Relief Request** that was processed during the October 5, 2009 ACC Meeting. Mr. & Ms. Caldwell stated in their request *"We are not asking for trees to be removed. There are 3 lots in front of us who have allowed evergreens to grow up (were not here when we moved in) and they are obstructing our view. We would like them to be trimmed or limbed. Because it involves several properties, we would like someone or the committee to come over to see the situation. We have before and after pictures. We have met with one homeowner and will not ask for their tree's removal. Our view can be restored to us – mostly – with some simple limbing.* Members agreed that this request could not be considered at this time until the Trees and Views Moratorium is no longer in effect. Their request will remain on the ACC *Tree Moratorium Case File List* to be considered at such a time as the LMC Board of Trustees gives direction to the ACC regarding these matters. LMC Tree and View policy is still being reviewed by legal consul at the request of the LMC Board of Trustees. The issue of whether the LMC has the authority to require owners to cut or remove trees to maintain or restore views for their neighbors is in question. Members agreed that until legal review of the policy is completed, and the LMC Trustees instruct the ACC to continue considering these cases, all applications to consider Neighbor Tree Removal Requests would have to be suspended, site visits will still be conducted and owners submitting these requests will be sent a letter advising them of this situation, but decisions will wait until the Trustees advise

the ACC. Chair Bill Clark prepared a letter that will be sent to each requestor acknowledging their requests, but advising them of the current situation, this letter was sent to Mr. & Ms. Caldwell. During Mr. Clark's conversation with Ms. Caldwell, Mr. Clark informed her that though there is a moratorium on *neighbor requests* regarding Trees & View Obstructions, anyone applying to trim or remove trees *on their own property* would be able to have their request processed.

2. Member Eve McDougall and Chair Bill Clark discussed Tree & View Moratorium cases on the ACC Pending Cases Agenda with member Sharron Sherfick, as Ms. Sherfick was unable to attend the last few ACC meetings. Mr. Clark also reviewed a letter that was previously submitted to the ACC, the LMC Trustees and many other entities in Port Ludlow, from members Anita & Dave Weakley regarding Tree removals and how the impact these removals have on drainage and erosion (a copy of this letter has been posted on the ACC bulletin board).
3. A letter that was written to the LMC President Elizabeth Van Zonneveld, from John Henderson, owner of lot # 2-1-060, regarding Trees & Views and LMC Regulations referring to the subject, was read and reviewed by committee members. Chair Bill Clark noticed that Mr. Henderson had underlined and put a question mark by footnote # 9 Revision approved by the Board of Trustees, Dec. 15, 2007, of Regulation II, Article I, Approval Requirement; which he had attached to his response letter. Mr. Clark replied that he also had questions regarding this revision, and he would ask Katherine Garrettson to clarify this for the ACC.

The next regularly scheduled meeting of the ACC will be held Monday November 2, 2009 at 3:00 p.m. The October 19, 2009 ACC meeting adjourned at 3:27 p.m.

Respectfully submitted:
Susan Bartkus,
ACC Recording Secretary