

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

Minutes of the Regularly Scheduled February 23, 2009 ACC Meeting

**Members Present:** Vaughn Bradshaw, Eve McDougall, Bill Clark and Sharron Sherfick

**Guests:** Ivo Gregov

**Call to order:**

The 23 February, 2009 regularly scheduled meeting of the Architectural Control Committee (ACC) was called to order at 3:02 p.m. by Chair Sharron Sherfick, member Jim Boyer was absent; all other members were in attendance. Minutes of the Regularly Scheduled February 9, 2009 meeting were approved as written. Attached to these minutes are the Pending Cases reviewed during this meeting.

**Public Forum:**

The new house application of **Frances & Andrea Marik, owners of Lot # 2-3-020, Wheeler Drive** was discussed, with architect Ivo Gregov attending this meeting to inquire how the processing of the application is progressing and whether the neighbors had any comments. Mr. Gregov reported that when completed, he will submit a copy of updated changes to the drainage plan as per Port Ludlow Drainage District (PLDD) Commissioner Walt Cairns requirements. Mr. & Ms. Marik's plans are for a 2,350 sq. ft one level (with daylight basement garage) house, with a maximum elevation of 200.96 at the cupola; most of the building is 197 ft. elevation according to the survey plan. There will be an attached two (2) car garage, no trees will be removed, and paint and roofing material requests as well as a construction agreement form were submitted with the package. Neighbor notices were sent on January 15, 2009, with the comment period due January 29, 2009, no neighbor comments were received. The construction agreement has been signed by Kurt Schweizer and re-submitted. Still pending are the Jefferson County Building permit and the revised Port Ludlow Drainage District (PLDD) approved drainage plan. Mr. Gregov will forward these documents to the ACC. Committee members reviewed all aspects of the plans, unanimously voting to approve the house plans, roof request, and house paint request. This approval is contingent upon submission of the Jefferson County building permit and PLDD approved drainage plan. Chair Sharron Sherfick signed all requests included in the application, a provisional approval letter will be sent to Mr. & Ms. Marik.

**Approvals:**

The ACC duly discussed and approved the following requests:

LOT	DATE	PETITIONER(S)	ADDRESS	REQUEST
1-2-045	2/16/09	Rosemary & Rick Schurman	120 Condon Lane	House Paint
2-3-020	1/12/09	Frances & Andrea Marik	0 Wheeler Drive	New Home Construction

**New Business:**

- Committee members reviewed and approved a **House Paint** request made on February 16, 2009 by **Rosemary & Rick Schurman, owners of lot # 1-2-045, 120 Condon Lane**. Benjamin Moore Squirehill Bluff 1068 (a beige color) will be used for the body of the house and Benjamin Moore Brilliant White 01 will be used for the trim. Additionally, approval will be extended through September 2009 allowing the Schurmans some scheduling flexibility as per their request.
- A tree removal request made on February 18, 2009 by **Gene & Kozue Carmody, owners of lot # 1-1-071, 4 Phinney Lane** was discussed. Mr. & Ms. Carmody have requested permission to remove one six (6) foot diameter Cedar which they report has huge limbs that extend over their house and that of their neighbors, they state that if one of the limbs falls it could cause severe structural damage. Committee member Bill Clark and Chair Sharron Sherfick will conduct a site visit to assess the situation.
- A **Fence** request made by **Ronald and Trinity Walker, owners of lot # 1-3-027, 42 Sayward Lane**, was reviewed. Mr. & Ms. Walker had a previously approved application (dated 5/12/08) for a twenty-two (22) foot by fifty-six (56) foot enclosure of one (1) by six (6) slotted, flat top cedar six (6) foot high fencing for privacy and pet retention. The Walkers new request will use the same materials as in their

previous application, but they request to expand the dimensions to twenty-two (22) feet by one-hundred and twelve (112) feet by fifty (50) feet by forty (40) feet. Their new request was emailed to committee member Vaughn Bradshaw, and then sent to the Beach Club by fax transmission. Ms. Walker states that the property is on the market for sale and that time is of the essence in regard to ACC response. Therefore to expedite this request, neighbor notices were sent out immediately on Friday February 20, 2009 (the day their request was sent). Neighbor comments will be due back by Friday March 6, 2009. Committee member Bill Clark and Chair Sharron Sherfick will conduct a site visit to see how the new dimensions will affect the area.

- Chair Sharron Sherfick read copies of letters forwarded to her from LMC General Manager Brian Belmont regarding a brush removal request made by Gerald Larson, owner of 394 Montgomery Lane to his neighbor John Apiecionek, owner of vacant lot # 2-1-018. Mr. Apiecionek agrees to allow Mr. Larson to remove brush from his empty lot. In his email reply, Mr. Belmont suggested to Mr. Larson that all removal be documented and that any trees over six (6) inches in diameter at breast height would need ACC approval prior to removal. A copy of these letters will be filed in each parties file.

#### **Old Business:**

1. A tree removal request by **Daniel & Ann Klemp, owners of vacant lot # 2-3-010, 0 Keller Lane** was again reviewed by the committee. Mr. & Ms. Klemp previously submitted a request to remove all cedar trees (except those in the Jefferson County right of way) and two (2) maple trees ten (10) inches in diameter at breast height. Prior to this submittal, Mr. & Mrs. Klemp had sent a letter to the LMC/ACC (received 1/13/09), stating that they were going to be removing all the trees on the lot. Vaughn Bradshaw called and explained to Ms. Klemp that LMC Covenants require them to obtain permission from the ACC before they can cut trees. Ms. Klemp stated the trees had become overgrown over the years and they wanted to cut some trees to either build a house or to show that it was a view lot in case they decided to sell the property; she then requested that a site visit be done. Mr. Bradshaw relayed all information to other committee members via email and telephone contact; subsequently a new plan was submitted by the Klemps, and a site visit was conducted by Sharron, Vaughn and Jim on Saturday January 17, 2009. Committee members sent an approval letter after the February 9, 2009 ACC meeting contingent upon the following conditions being met a) a PLDD approved detailed drainage plan must be obtained b) a Jefferson County permit must be obtained prior to any driveway being constructed (whether temporary or permanent) on the county right of way c) the easterly edge of the property boundary must be marked, Mr. & Ms. Klemp were also instructed that burning of debris from the process (as they noted on their request) on the property is prohibited by LMC Regulations. Copies of the ACC approval letter were sent to Walt Cairns, PLDD Commissioner and Terry Duff, of Jefferson County Public Works. Mr. & Ms. Klemp sent a follow-up letter to the ACC stating that they would comply with the ACC stipulations. However, Mr. & Ms. Klemp had reported to Mr. Cairns that only two (2) Maple trees would be removed from their property, as a result the PLDD declined to make drainage recommendations, stating that no PLDD approval would be required (this is cited in an email notification from PLDD Commissioner Cairns). As this new information isn't what the ACC had based its previous decision on, Chair Sharron Sherfick will contact Mr. & Ms. Klemp to clarify exactly what they are requesting. Ms. Sherfick will also extend an invitation to Mr. Cairns to attend the March 9, 2009 ACC meeting to discuss this request and the PLDD policies regarding drainage issues resulting from tree removal on vacant lots.
2. Discussion concerning tree removal and other issues continued with committee members recalling times that they had been contacted by homeowners complaining that they had not been notified prior to an ACC approval. Committee member Bill Clark pointed out that the ACC Policies and Procedures should include language that gives the ACC the ability to reserve the right to send out neighbor notifications in the case of any applications that the committee determines may be controversial. Committee member Vaughn Bradshaw will include this into the draft of the ACC Policies & Procedures.
3. A request for a **Hazardous Tree Removal** made by **George Jones (lot # 1-3-009), 90 Ames Lane** about a tree belonging to **Mark & Maggie Hitch (lot # 1-3-008)** on their vacant Ames Lane property was again reviewed. Mr. Jones reported that the tree in question is leaning ninety (90) degrees toward his house. Ms. Sherfick was called by Mr. Jones property manager Christina Nelson of Townsend Bay Property Management, Sharron advised Ms. Nelson to submit a request and mark the tree. Committee members viewed the site after the February 9, 2009 meeting and agreed that the tree needed to be removed. A draft letter has been constructed, with member Vaughn Bradshaw requesting that further review of the letter be done prior to sending. Mr. Bradshaw also asked about ACC letter templates and whether previously approved templates were being used with language that was recommended by LMC attorneys and agreed upon by former ACC members. Recording Secretary, Sue Bartkus reported that a basic format for each

letter is used with LMC Regulations cited, but that as each case is individual there are adjustments made to each letter sent out. Sue will ask General Manager Brian Belmont for the book with sample letters, discs and basic procedures for the ACC recording secretary that was originally submitted by former ACC Clerical Support person Olga Wilson to Sue Bartkus then to volunteer Peggy Manspeaker. Each of whom updated language and cited regulations as requested by the committee. This information (and sample letters) will be brought to the March 9, 2009 ACC meeting for the committees review.

4. Committee member Bill Clark reported that Steve Siegel a Greenbelt Committee (GBC) member called him regarding some problems with the approved new home being built by **Rene & Stacy Ritch, owners of lot # 1-3-042**. It seems the contractor needs to remove some dirt and building materials put onto the Greenbelt area, and the drain across the greenbelt is in the wrong place and will have to be moved, Mr. Siegel will call about the violations. Mr. Clark will contact Hi-Line Homes (the builder) about the sub-contractors and to remind him of the construction Regulations.
5. Minutes of the Regularly Scheduled February 9, 2009 meeting were reviewed and approved as written.
6. The committee discussed preparation for the March 21, 2009 scheduled appeal to the LMC Board of Trustees of the ACC approved new home construction of Hackney/Garrettson (lot # 2-1-054). This appeal has been filed by neighbors Mr. & Mrs. Bangle (2-1-025), Mrs. Brannan (2-1-024), Ms. Brown (2-1-035), Mr. & Mrs. Eddy (2-1-032), Mr. & Mrs. March (2-1-036), Mr. & Mrs. Gautestad (2-1-023), Mr. & Mrs. Hendrie (2-1-034), Mr. & Mrs. Reasoner (2-1-037). Neighbors cite that the issues concerning them are the final bench mark and the height of the house. During today's meeting, the committee went through each item cited by the complainants, again reviewing the plans and documentation. Chair Sharron Sherfick requested the Building Review Checklist be updated to be more in line with the Regulations, specifically having a topographical plat with the roofline superimposed on it.
7. Committee members adjourned at 6:27 p.m.

The next regularly scheduled meeting of the Architectural Control Committee will be held on Monday March 9, 2009 at 3:00 PM. The February 23, 2009 meeting adjourned at 6:27 p.m.

Respectfully submitted:  
Susan Bartkus,  
ACC Recording Secretary