

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

~ Approved~

Minutes of the Regularly Scheduled February 7, 2011 ACC Meeting

Members Present: Jeff Beres, Vaughn Bradshaw, Bill Clark, Carol Ann Napheys, and Sharron Sherfick

Guests: Peter Joseph, Annette Isaksen, Kent & Wendy Chesney

Call to order: The February 7, 2011 meeting of the Ludlow Maintenance Commission (LMC) Architectural Control Committee (ACC) was called to order at 3:03 p.m. by Chair Bill Clark. Alternate members Charlie Jackson and Joe Thompson were not present at this meeting.

Approvals:

The ACC duly discussed and approved (some contingent upon site visit findings) the following requests:

4-0-046	1/29/11	Wayne & Tracy Kier	23 Falcon Lane	Roofing
1-3-038	2/01/11	Walter Cairns	72 Tye	House Paint
1-3-037	2/01/11	Walter Cairns	72 Tye	Tree Removals
2-3-184	2/02/11	Virginia Brown	82 Seafarer	Tree Removals
1-4-080	2/02/11	Carla Mueller	247 Machias	Roofing
2-3-098	2/05/11	Sasha Coffey	61 Fleet Dr.	Tree Removals

Old & New Business in Order of Discussion:

1. Peter Joseph, a resident of the Townhomes near the Inn, brought to this day's meeting **Decking Plans** submitted to the Townhome Association by Elizabeth Sicktich & Douglas Barker, owners of 18 Heron Road, to discuss with the committee. Reportedly, Ms. Sicktich & Mr. Barker have acquired a Jefferson County Building Permit for their plans to build a deck onto the front of their Townhome. Plans provided show that this deck will inhabit the common area (205 sq. ft) that is shared with Ms. Sicktich & Mr. Barkers neighbor, and will be within the 5' drip line (out of line with LMC regulations). Mr. Joseph provided the ACC with some background history regarding the Townhome Association. He explained that the owners of the Townhomes own the land under their residences and when the first Townhomes were built, decks couldn't extend beyond the drip line, however, as later building progressed, there were decks built that exceeded drip lines. Mr. Joseph also read an excerpt from an attorney letter regarding this matter. Members agree that a sight visit will be conducted on Wednesday February 16, 2011.
2. Neighbors Annette Isaksen (lot # 1-1-008, 50 Gamble Lane) and Kent & Wendy Chesney (lot # 1-1-014, 61 Gamble Lane) attended this day's meeting regarding a request Ms. Isaksen submitted to **remove two (2) trees** from the northern corner of her property, one tree is a Douglas Fir, fourteen (14) inches in diameter, the second tree is a spruce, two (2) feet in diameter. All debris and stumps are to be removed and will be replaced with privacy trees (low growing). Removal is to support the Chesney's request for view

restoration. Committee members agree to conduct a site visit and noted their appreciation for these neighbors coming to a mutual agreement prior to approaching the committee.

3. Committee members agreed to approve a request for new **Roofing** shingles submitted by Wayne & Tracy Kier, owners of lot # 4-0-046, 23 Falcon Lane. Mr. & Ms. Kier will be having Pabco Premier 40 year shingles in the color of Driftwood, installed on their roof. An approval letter will be sent.
4. Members reviewed a **House Paint** application submitted by Walter Cairns, owner of lot # 1-0-038, 72 Tye Lane. Mr. Cairns application indicated that he will be painting the body of his home with Benjamin Moore Aura ex.-06341X (new hope glory), a light gray/blue shade. As the application had no trim color, a telephone call was made to Mr. Cairns during this meeting to ascertain if he was painting the trim, he stated that he would be painting it white. Members approved his request, an approval letter will be sent.
5. A **Tree Removal** request was also submitted by Mr. Cairns. This request is to remove four (4) trees, one (1) dead Hemlock, two (2) other Hemlocks, and one (1) Douglas Fir on Mr. Cairns vacant lot # 1-0-037 (next to his home). Members agreed to approve this request pending site visit findings, if warranted an approval letter will be sent.
6. Members agreed to approve upon site visit findings a **Tree Removal** request submitted by Virginia Brown, owner of lot # 2-3-184, 82 Seafarer Lane. Ms. Brown would like to remove a stand of Willows from back of her property at the request of her neighbor, some trees along her driveway that are making it difficult to navigate, and some Cedars that are dead. If members conducting the site visit find this request warranted an approval letter will be sent.
7. Carla Mueller, owner of lot # 1-4-80, 247 Machias Loop submitted a **Roofing** request to have Certainteed Landmark Premium 50 year shingles in the color of Max Def. Weatherwood to be installed by Haider Construction. As members had never heard of this company, they decided that included with her approval letter should be a request that Ms. Mueller inform the company of the LMC regulations about work hours and clean-up.
8. Members approved a request pending site visit findings that was made by Sasha Coffey, resident of lot # 2-3-098, 61 Fleet Drive, to remove three (3) **Trees** on the property that are dead and posing a possible hazard.
9. Ron & Mary Kletti, new owners of lot # 1-4-076, 323 Machias Loop, submitted a **Tree Removal Request** to remove a number of Cedar trees. Mr. & Ms. Kletti are worried that high winds will drop trees onto their new home. Their neighbor Larry Gast has told them he agrees with the tree removal. Committee members agreed to approve this request pending site visit findings.
10. Chair Bill Clark distributed copies of **letter** drafts to be sent to Larry Gast and Port Ludlow Associates (PLA) manager Diane Smeland, informing them that there are trees on their properties (1-4-067, and 1-4-068 respectively) that could be considered hazardous. Members reviewed and revised the drafts, final notification letters will be sent. These letters state. *As we discussed in January 2011 a complaint was made regarding two trees that could be perceived to be hazardous that are located on your vacant lot. Two members of the Architectural Control Committee (ACC) visited the site and determined that although these trees do not seem to pose any threat to structures, they could harm an individual or automobile passing by. The committee members agree that these trees are perceived to be hazardous. We recommend that you remove the trees that we discussed with you at the site visitation at which you were present. Should you choose to let the trees remain, the liability of said trees are your burden.*
11. Another letter draft **letter was reviewed** and approved by the committee, this concerning unauthorized cutting of two (2) trees by Dan & Jennifer Miller, owners of lot # 1-2-034, 201 Condon Lane. Members agreed that the following was appropriate. *It has come to the attention of the Architectural Control Committee (ACC) that one or more trees have been removed from your property without the authorization of the ACC. The Ludlow*

Maintenance Commission (LMC) Regulation II, Article I, Item 2 states in part, "No tree(s) of six inches or more breast high diameter shall be cut, topped, or limbed until it has been individually identified to be cut and ACC approval is received." Further, we must advise you that since your property lies within the Jefferson County's Critical Area Ordinance (CA), permission must also be received from Jefferson County prior to removal. Obviously, at this point little can be done to restore the damage that has been done. Normally, in an area such as yours, where the bluff erosion has been a problem, the ACC recommends that a professional, such as a geotechnical engineer, be consulted to determine if erosion damage might occur if such a tree is removed. Assuming that you were ignorant of the regulations, the only reasonable action at this point is for you to submit a retroactive tree removal request. All homeowner request forms are available online at www.lmcbeachclub.com, as are the LMC Regulations. Further, the ACC will ultimately require a professional opinion regarding the tree removal, so it would be prudent to submit this with your retroactive application

- 12.** Another **letter draft** was reviewed, this to be sent to Don & Verba Abbott, owners of lot # 1-2-038, 210 Condon Lane, concerning their retroactive tree limbing application. Members agreed to approve the following. *We've received your retroactive application to limb-up several trees on your property. Since you live in an area where bluff erosion is a concern, and tree removal or alteration may contribute to the erosion (the properties immediately across the street from you are deemed a Critical Area by Jefferson County), the Architectural Control Committee (ACC) takes the position that a professional assessment should be made prior to such removal or alteration. During the June 14, 2010 ACC meeting we discussed these drainage and erosion issues with you and we again request that you provide a professional study (such as that done by a geotechnical engineer) to determine if any erosion problems have resulted from your actions. Also, said professional may have recommendations (such as new plantings) that may help reduce any negative impact.*
- 13.** Chair Clark and member Sharron Sherfick reported speaking with a resident on Cressey Lane regarding a request they had, but as no application was received prior to this meeting, Ms. Sherfick will contact them again.
- 14.** Chair Clark reported that he spoke with Jimmy Goode (chair of the Operations Committee) and Mr. Goode will present the **Tree Removal** request of Michael & Jackie Nilssen, owners of 23199 51 Harms Lane to his committee. This would be concerning trees that Mr. & Ms. Nilssen would like trimmed/removed from the LMC property (Kehele Park) that are combined with trees on their own property that they want to trim/remove.

The February 7, 2011 ACC meeting was adjourned at 4:55 p.m.

Respectfully submitted:
Susan Bartkus, ACC Recording Secretary