

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

~ Approved 4/13/09~

~Minutes of the Regularly Scheduled March 23, 2009 ACC Meeting

**Members Present:** Jim Boyer, Vaughn Bradshaw, Bill Clark, Eve McDougall

**Call to order:**

The 23 March, 2009 regularly scheduled meeting of the Architectural Control Committee (ACC) was called to order at 3:06 p.m. by member Bill Clark as Chair Sharron Sherfick was absent, all other members were in attendance. Minutes of the Regularly Scheduled March 9, 2009 meeting were approved as written. Attached to these minutes are the Pending Cases reviewed during this meeting.

**Guests:** James & Melva Fitzmorris, Art Zoloth

**Public Forum:**

- **Dr. Art Zoloth owner of lot # 3-0-52, 632 Rainier Lane** submitted a **fence request** approved and signed by his immediate neighbors, Joan Simpson, James Strader and Tricia Benson, along with photographs of the type of closed fencing he is requesting. The purpose of the 5' to 6' in height by 260' long fencing as stated by Mr. Zoloth is for animal containment and a visual barrier. Committee members advised Mr. Zoloth that closed fencing has never been approved, and that a site visit would be conducted prior to a decision being made by the committee.
- **James and Melva Fitzmorris, owners of lot # 2-3-083, 281 Pioneer Drive**, requested ACC approval to remove thirteen (13) Northwest Cedars varying in size from three (3) feet to ten (10) feet in diameter, these are planted trees that Mr. & Ms. Fitzmorris say are too tall and shading their roof, creating a moss problem. Committee members will conduct a site visit, but all agree that approval could be granted pending the site visit confirmation. An email notification will be sent as soon as possible after the visit as Mr. & Ms. Fitzmorris want to have West Coast Tree Care complete the work on March 28, 2009.

**Approvals:**

The ACC duly discussed and approved the following requests:

LOT	DATE	PETITIONER(S)	ADDRESS	REQUEST
2-3-083	3/18/09	James & Melva Fitzmorris	281 Pioneer Drive	Tree Removal
3-0-024	3/21/09	David & Sally Pendergast	20 Clipper Lane	Roof
1-2-023	3/21/09	Mike & Elizabeth Fessler	31 Condon Lane	Deck Replacement
2-3-058	3/20/09	Eve McDougall	30 Foster Lane	Hazardous Tree Removal
2-3-059		William Tarter, Darcy Garneau		
2-3-106	3/02/09	Ross Robson	140 Fleet	Tree Removal
1-3-107	3/08/09	Jim Ward	107 Ames Lane	Tree Removal

**Denials:**

The ACC duly discussed and denied the following requests:

LOT	DATE	PETITIONER(S)	ADDRESS	REQUEST
1-3-053	3/18/09	Larry & Diane Golphenee	40 Evans Lane	Metal Roofing
1-3-027	2/20/09	Ronald & Trinity Walker	43 Sayward Lane	Fence

**New Business:**

- **Reinhold & Wanda Pflugfelder, owners of lot # 2-1-008, 133 Baldwin Lane**, submitted a **remodeling/addition application** for ACC approval to enclose their two-hundred square foot porch to expand their living room. There will be no changes to the footprint of the house. The siding will remain the same color and material as is presently on the home, the roof is already covering the area so there will be no change in material or color. In his application Mr. Pflugfelder objects to the cost of the application fee at \$250.00, and suggests that it be lowered to \$30.00. A Jefferson County

Building Permit has already been obtained. Neighbor notices will be sent and committee members Jim Boyer and Bill Clark will conduct a site visit.

- **Mike & Elizabeth Fessler, owners of lot # 1-2-023, 31 Condon Lane** submitted a request to replace their front porch deck and paint it the same color as their home. Committee members agreed that approval could be granted to expedite this request after a site visit confirmation by Vaughn Bradshaw and Eve McDougall is conducted. The Fessler's would like to complete the work prior to the Hood Canal Bridge Closure in May of 2009. Mr. Bradshaw will confer with the other ACC members by email.
- **Larry & Diane Golphenee, owners of lot # 1-3-053, 40 Evans Lane**, submitted a request to replace their existing roof with a standing seam metal roof. After much discussion and deliberation the committee agreed that as the ACC has a standing policy to deny the approval of this type of roof material this request was denied. A letter will be sent to Mr. & Mrs. Golphenee. Committee Member Vaughn Bradshaw will add to the ACC Policies and Procedures the statement that metal roofing material will only be approved if it simulates the look of shingles.
- **David & Sally Pendergast, owners of lot # 3-0-024, 20 Clipper Lane**, submitted a request for approval to have Joe Bartlett Construction re-roof their home with fifty (50) year Black Cambridge LT & Roofshake shingles, after viewing the material committee members unanimously approved of this request. An approval letter will be sent.
- **Eve McDougall, owner of lot # 2-3-058, 30 Foster Lane**, submitted a hazardous tree removal request for two (2) large Cedar trees located on the vacant **lot # 2-3-059, belonging to Darcy Garneau & William Tarter**. Ms. McDougall (an ACC member who recused herself from voting on this issue) states in her application that the trees are very near her bedroom window and she fears that during strong winds they might come down on her home. Mr. Tarter and Mr. Garneau faxed their signed agreement for the trees to be removed, and Ms. McDougall enclosed photographs with her application. Committee members who have viewed the site, agreed to approve this request. Approval letters will be sent to Ms. McDougall, Mr. Garneau & Mr. Tarter.
- At the request of **General Manager Brian Belmont**, the pink tape required on tree removal applications to mark "all trees to remain" on the property, will be changed to "brightly colored vinyl tape, obtainable at the Beach Club or at hardware stores" and marking "trees to be removed" on the property. Sue will change the forms.
- Committee Member Eve McDougall reported receiving a telephone call from Sandra Flarherty, owner of lot # 5-0-004, 65 Montgomery Court, regarding water runoff coming down the hill and onto her property. Ms. McDougall advised her to call General Manager Brian Belmont.
- On March 21, 2009 an email request was made by **Jim Ward, owner of lot # 1-3-107, 103 Ames Lane** requesting that one more tree be added to his previously approved tree removal request, this tree as well as four others were infected with beetles (this verified by Bill Wilke), most were located on the Greenbelt with two being partially on Mr. Wards property. Committee members had viewed the site along with Greenbelt Chair Ted Buehler; they agreed to grant approval for removal of the additional tree. An approval letter will be sent.

#### **Old Business:**

1. Committee members discussed the **new home construction of Gary Hackney and Susan Garretson, owners of lot # 2-1-054, 201 Montgomery Lane**, and sending a letter to them regarding their pre-construction meeting and the possibility that they should contact Jefferson County regarding the shoreline management and the Interim Critical Area Ordinance (ICAO) tree removal requirements or restrictions before trees are removed in compliance with the LMC appeal hearing directive.
2. **Obtaining equipment to measure elevations** was discussed. Committee member Vaughn Bradshaw will incorporate language to reflect this into the ACC Policies & Procedures draft.
3. Committee members reviewed approval of a **tree removal application** submitted on March 2, 2009 by **Ross Robson, owner of lot # 2-3-106, 140 Fleet Drive**. Committee members viewed the trees after the March 9, 2009 meeting to verify the condition of the trees and agreed to send approval right away after the site visit.
4. A **Fence** request made by **Ronald and Trinity Walker, owners of lot # 1-3-027, 42 Sayward Lane**, was again 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 the Walkers sent the plans 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 were due back by Friday March 6, 2009. Committee member Bill Clark and Chair Sharron Sherfick conducted a site visit. After Ms. Sherfick emailed the Walkers again to try and gain further insight, the committee agreed that this new fence request would be too extensive for this area and that privacy could be attained by using trees or shrubs. The committee also felt that since the property is up for sale having fence approval upon speculation would not be advisable. New owners would always have the option to apply themselves. The committee denied this request, a letter will be sent to Mr. & Ms. Walker.

5. There was nothing new to report regarding the new house application of **Frances & Andrea Marik, owners of Lot # 2-3-020, Wheeler Drive**. 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, the Mariks architect agreed during the last ACC meeting to forward these documents to the ACC as soon as they were received. During the last meeting, 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.
6. Committee members discussed construction of a **time line graph for ACC processing**. This time line would incorporate the following factors: request submittal – consideration – decision - 15 day neighbor notices - 30 day limit - appeal limits, and other factors that could inform applicants of the process and what they could expect. Committee members were informed that the LMC board wanted a list from the ACC about what issues or violations would require fines. Member Bill Clark suggested that since requests increase at this time of year, it would be more efficient to have an ACC workshop to work on the timeline and violation issues rather than trying to make time for these topics during regular meetings all other members present agreed and will work on scheduling a workshop meeting.
7. Minutes of the Regularly Scheduled March 9, 2009 meeting were reviewed and approved as written.

The next regularly scheduled meeting of the Architectural Control Committee will be held on Monday April 13, 2009 at 3:00 PM. The March 23, 2009 meeting adjourned at 5:50 p.m.

Respectfully submitted:  
Susan Bartkus,  
ACC Recording Secretary