

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

~ Approved 3/23/09 ~

~Minutes of the Regularly Scheduled March 9, 2009 ACC Meeting

Members Present: Jim Boyer, Vaughn Bradshaw, and Sharron Sherfick

Call to order:

The 9 March, 2009 regularly scheduled meeting of the Architectural Control Committee (ACC) was called to order at 4:16 p.m. by Chair Sharron Sherfick, some site visits were conducted prior to the meeting thereby delaying the start time. Members Eve McDougall and Bill Clark were absent; all other members were in attendance. Minutes of the Regularly Scheduled February 23, 2009 meeting were approved as written. Attached to these minutes are the Pending Cases reviewed during this meeting.

Public Forum:

No guests were present at today's meeting

Approvals:

The ACC duly discussed and approved the following requests:

LOT	DATE	PETITIONER(S)	ADDRESS	REQUEST
1-3-007	3/8/09	Jim Ward	103 Ames Lane	Tree Removal
1-1-071	3//09	Gene & Kozue Carmody	4 Phinney Lane	Tree Removal

New Business:

- Committee members reviewed a **tree removal application** submitted on March 2, **2009 by Ross Robson, owner of lot # 2-3-106, 140 Fleet Drive.** As read by Chair Sharron Sherfick, Mr. Robson stated in his request "This cedar tree was topped several years ago, perhaps 25. It has grown several large limbs. Most have reached a height of 40' above where the tree was topped. Some are more than 50% the size of the tree trunk. The tree trunk is 5 feet off the house, just outside our bedroom window. Two of the large limbs hang over the roof. Today (2-27-09) I attended a Hazardous Tree Seminar at the WSU Extension Center. By every definition from what I learned today, this is a hazardous tree". Committee members will view the trees after today's meeting but agreed that this request would be provisionally approved pending their findings at the site to verify the conditions
- **Jim Ward, owner of lot # 1-3-007, 103 Ames Lane, submitted a tree removal request** on March 8, 2009, for "One Douglas fir on my property per our discussion (with Jim Boyer and Greenbelt Committee (GBC) Chair, Ted Buehler) on March 7, 2009, please include with removal of other dangerous trees marked with orange tape at my expense". Chair Sharron Sherfick phoned Mr. Buehler during this meeting to confer about this tree. Mr. Buehler said that four (4) trees that Mr. Ward would like to remove are on the Greenbelt and according to Bill Wilke these are infected with beetles; he suspects the tree that is partially on Mr. Ward's property and partially on the greenbelt is infected as well. Committee members agreed that upon Mr. Wilke's and the GBC advice the tree should be removed, an approval letter will be sent.

- 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 conducted a site visit and upon their recommendation they approved this request.

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 contacted Mr. & Ms. Klemp to clarify exactly what they were requesting. Ms. Sherfick received an email from Mr. & Ms. Klemp today, in which Mr. & Ms. Klemp stated that they would only be removing two (2) Maple/Alder trees from their property. A new request form will be sent to the Klemps.
2. The new house application of **Frances & Andrea Marik, owners of Lot # 2-3-020, Wheeler Drive** was discussed. 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. 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. A provisional approval letter will be sent to Mr. & Ms. Marik requesting that their contractor come in for a pre-construction meeting.

3. 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 the Walkers sent the plans 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 conducted a site visit and agreed that this new fence request would be too much for this area and that privacy could be attained by using trees or shrubs, therefore they recommend that the new request as it is should be denied. Ms. Sherfick shared photographs via her cell phone of the area for Mr. Bradshaw and Mr. Boyer. Prior to denying this request, Ms. Sherfick will call the Walkers to ask if there are other reasons why they want this.
4. A **Hazardous Tree Removal** request 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 has been resolved. 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 notification letter was constructed by member Vaughn Bradshaw and sent to Mr. & Ms. Hitch.
5. Recording Secretary Sue Bartkus loaned the ACC book with sample letters, discs and basic procedures for the ACC recording secretary, to committee member Vaughn Bradshaw for his review. This book was originally submitted by former ACC Clerical Support person Olga Wilson to Sue Bartkus then to volunteer Peggy Manspeaker. Letter templates have evolved and changed according to regulations and chairperson and committee members requests. The ACC will be working on fine-tuning language for consistency.
6. Ms. Sherfick reported receiving a request from Mr. Buehler, GBC chair, for any recommendations' that the ACC had regarding satellite dish requirements. Apparently the GBC had an easement request from Jack & Denise Wright, owners of lot # 1-1-012, 10 Gamble Lane, to install a satellite dish on the Greenbelt next to their property. Sharron will speak with Mr. Buehler about FCC requirements.

7. Committee member Vaughn Bradshaw read changes he made (as requested by others during the last ACC meeting) to the draft of the ACC Policies & Procedures, Administrative Procedures. Now incorporated is language that the committee would send neighbor notices prior to approval and/or denial of requests that the committee determines might be controversial. Committee members unanimously approved of the changes. Copies will be submitted to the LMC Board for their consideration.
8. Committee members discussed construction of a time line graph for ACC processing, as demonstrated by GBC chair Ted Buehler during a meeting attended by ACC members present at today's meeting. 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. This will be put on the next agenda for further discussion.
9. Revision of the ACC "REQUIRED DOCUMENTATION FOR CONSTRUCTION PLANS" document was discussed, with Ms. Sherfick reporting that due to the upcoming appeal to the LMC Board, regarding the Hackney/Garretson house approval, she had reviewed this document, as well as the ACC check list (used by the committee to process new home and remodeling requests) and found that they are missing requirements that are in the regulations and therefore need to be amended to include these regulations. One being to have a topographical plat plan with the roof outline superimposed on it, and the other a pre-construction meeting with applicants and/or their contractors.
10. Minutes of the Regularly Scheduled February 23, 2009 meeting were reviewed and approved as written.
11. 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/Garretson (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.

The next regularly scheduled meeting of the Architectural Control Committee will be held on Monday March 23, 2009 at 3:00 PM. The March 9, 2009 meeting adjourned at 6:20 p.m.

Respectfully submitted:
Susan Bartkus,
ACC Recording Secretary