

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

~ APPROVED ~

~Minutes of the Regularly Scheduled June 22, 2009 ACC Meeting

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

**Call to order:**

The June 22, 2009 meeting of the Ludlow Maintenance Commission (LMC) Architectural Control Committee (ACC) was called to order at 3:00 p.m. by member Vaughn Bradshaw. In attendance were member Eve McDougall and trustee Mike Larkin. Absent from this meeting were Chair Bill Clark, member Jim Boyer, and member Sharron Sherfick. Attached to these minutes are the Pending Cases reviewed during this meeting.

**Guests:** Richard & Mary Babaian, Karl Perry and Cary Casal.

**Approvals:**

The ACC duly discussed and approved the following requests:

LOT #	Submission Date	PETITIONER(S)	REQUEST
1-1-033	6/21/09	Karl & Melinie Perry	House Paint, Roofing
4-0-071	6/21/09	Marilyn Lee	Hazardous Tree Removal
2-1-050	6/12/09	Joel & Sandra Seres	House Paint
1-1-003	5/26/09	Bruce & Carla Kramer	Shed

**Public Forum:**

- **Richard & Mary Babaian, owners of lot # 1-2-035, 211 Condon Lane** attended this days meeting to discuss a letter they wrote to the LMC and the ACC regarding a complaint made by Verba Abbott, (owner of lot # 1-2-038, 210 Condon Lane). Ms. Abbott filed a **View Obstruction Relief** request on March 28, 2009 concerning lot #'s 1-2-034, 201 Condon Lane and 1-2-035, 211 Condon Lane, belonging to Dan & Jennifer Miller, and Richard & Mary Babaian respectively. On her applications Ms. Abbott stated that *"Trees have grown into view and cause infringement of previous view to water. Topping will solve problems temporarily"* photographs of the areas were included with Ms. Abbott's applications. Committee members Jim Boyer and Sharron Sherfick visited the site after the May 11, 2009 ACC meeting and agreed with the other ACC members (who viewed the issues previously) that the trees are infringing on Ms. Abbotts' view. Letters were sent by the ACC requesting the trimming and/or removal of these trees. During the June 8, 2009 ACC meeting, members read a response letter from Mr. & Ms. Babaian in which they stated *"There is significant background information relating to the Abbot's and lot # 1-2-038. However, we will not entertain responding any further to their complaint regarding Regulation II, Article I Paragraph 3 until a certified picture at the time the Abbot's purchased their house is provided as stipulated in subsection b. The picture provided does not fulfill this requirement. Furthermore, before and after pictures from 2005 and 2009 respectively are appropriate in*

*resolving any issue that may exist. If and when the complaint meets the established documentation requirements set forth in the Regulations, is then provided to us and approved by the ACC, we would intend to appeal the decision.”* ACC members agreed to research the issue more and discuss it again. During this meeting (June 22, 2009) member Eve McDougall stated that she thought further discussion should be tabled until all ACC members were in attendance. Mr. & Ms. Babaian did bring up their viewpoint again, stating that the issue is the view regulation not the height regulation (8' or roof height for planted trees). ACC member Vaughn Bradshaw read aloud the Regulations cited above, and after prolonged discussion with Mr. & Ms. Babaian, Mr. Bradshaw maintained that more clarification is needed and that he thought the LMC Board and/or the Covenants & Regulations Committee (CRC) should evaluate the issue. Further discussion will be tabled until Ms. Abbot has been contacted to see if more documentation can be submitted and until the whole ACC is able to review the situation.

- **Karl Perry, owner of lot # 1-1-033, 83 Helm Lane** attended this meeting to facilitate any question the committee might have regarding roof and house paint requests he had submitted on June 21, 2009. The committee reviewed each request and agreed to approve his roof request for Pabco Premier Weathered Wood (color) 40 year shingles. Mr. Perry's house paint request for Super Deck stain in the color of Driftwood # 2107 for the body of the house, Behr Tundra # EC83-2 for the trim, Glidden 10/489 Rapture for the doors, and Super Deck Blue Oak stain for the deck were also approved. An approval letter will be sent. Mr. Perry was present during the earlier View and Obstruction discussion during this meeting; he noted that LMC Regulations do not take into account seasonal views, specifically less in summer, more in winter due to vegetation growth and/or dormancy that someone would have when their home was purchased. Mr. Perry also commented that he does not think a pre-approved house paint color palette should be used by the ACC; he likes the opportunity for individuality.

#### **Old & New Business in Order of Discussion:**

1. Members reviewed and approved a **house paint request** made by **Joel & Sandra Seres, owners of lot # 2-1-050, 261 Montgomery Lane**. The Seres will be using Benjamin Moore AC-34 (light tan/gray) for the body of the house, and Benjamin Moore 2134-20 Midsummer night for the trim. An approval letter will be sent.
2. After reviewing this days meeting agenda, members realized that there was an extra week between regularly scheduled meetings and some cases would not be able to be decided within the thirty (30) day time frame unless a special meeting were scheduled to review these requests. Member Vaughn Bradshaw will contact the other ACC members to see if a special meeting could be arranged. Mr. Bradshaw also asked recording secretary Sue Bartkus to add a column to future pending case agendas that would include an expiration date; this would allow the committee to see what date a decision would have to be made by in order to comply with the thirty (30) day limit as per LMC regulations. Mike Larkin, LMC Trustee, CRC member and substitute ACC member, commented that perhaps the language in the Regulations that requires a decision be made by the ACC within thirty (30) days of submittal of a lot owners request, be

- changed to read thirty (30) days from the first scheduled meeting after the request is received.
3. A **fence request** made by **Phillip & Coleen Bobzien, lot # 1-1-055, 62 Puget Loop** was discussed briefly, members will conduct a site visit and discuss this request with the whole committee prior to making a decision.
  4. Members discussed a **hazardous tree branch removal** request made by **Marilyn Lee, owner of lot # 4-0-071, 61 Mockingbird Lane**. Ms. Lee called member Jim Boyer on June 21 stating that a fifteen (15) foot long broken tree branch on her property was hanging over her neighbor's yard. Mr. Boyer conferred with members Vaughn Bradshaw and Eve McDougall, all agreed to grant emergency approval prior to this days meeting. An approval confirmation letter will be sent.
  5. **Lee Amundson, owner of lot # 2-3-208, 32 Navigator Lane** submitted a **tree removal request** for one eight and one quarter inch (8 ¼") diameter Cedar tree that an arborist recommend be removed before it interferes with the growth of a vine maple tree nearby, Mr. Amundson marked the tree with vinyl tape, and has drawn a diagram on the back of his request. Members will conduct a site visit prior to making a decision.
  6. Members reviewed a **tree removal request** made by agent Kathy Morgan on behalf of her clients **Norman & Jocelyne Thomson, owners of lot # 3-0-035, 22 Barque Lane**. This request is for eleven (11) trees that are all close to the house and diseased. Member Vaughn Bradshaw viewed the property and believes that some of the trees may be on the Greenbelt. Mr. Bradshaw will notify Ted Buehler, chair of the Greenbelt Committee. Members will conduct another site visit and discuss this case during the next ACC meeting.
  7. **Bruce and Carla Kramer, owners of lot # 1-1-003, 132 Gamble Lane**, submitted a **Shed** request on June 26, 2009. Members reviewed plans and an artists rendering of the proposed building for what Mr. & Ms. Kramer describe as "A two (2) season artist's studio, 9'10" high x 10' Long x 10' wide with wood siding, composition shingle and paint to match residence. Members Vaughn Bradshaw & Jim Boyer conducted a site visit to evaluate this request. After much discussion members agreed to approve this request with a specific mention in their approval letter that Mr. & Ms. Kramer build the shed (studio) exactly as described in their request application with no changes to the design without approval by the ACC.
  8. Members reviewed the **New Home application** packet submitted by **Cary Casal, owner of lot # 1-0-053, 0 Puget Loop**. Mr. Casal, who attended this meeting, is a contractor by trade and he plans to build an eighteen hundred (1,800) sq. ft. Ranch style home with 3 bedrooms and 2 bathrooms. His packet includes the following: house plans & elevations, a request to remove four (4) cedar trees, a propane tank screen request, a roofing request for Pabco 40 year black laminate material, and a house paint request for dark gray for the body of the house, white paint for the trim and black paint for the front door. Still needed to complete this application are a Port Ludlow Drainage District (PLDD) approved Drainage plan and a copy of his Jefferson County Building permit. Neighbor notices were sent and any comments are due back by June 30, 2009. Mr. Casal asked that he be given permission to start clearing the brush on his property, and remove the trees in his tree removal request. Members agreed to these requests, as well as approving the house paint, roofing materials, and propane tank screening. Conditional approval was given to Mr. Casals house plans, pending the date of the neighbor notice comment period passing with no

opposition, an approved PLDD drainage plan, and a Jefferson County Building Permit. Members conducted a pre-construction meeting with Mr. Casal since he was present. A letter will be sent to Mr. Casal confirming this conditional approval.

9. **Jim & Diane Strader, owners of lot # 3-0-043, 624 Rainier Lane** submitted a letter and photographic submission of their **View Obstruction** complaint concerning overgrown trees and brush on **lot # 7-0-019, 0 Rainier Lane**, belonging to Renee Linnabery. Members conducted a site visit after the June 8, 2009 ACC meeting. Members Vaughn Bradshaw and Eve McDougall suggested that a letter be sent to Ms. Linnabery informing her that her neighbor Dr. Zoloth, owner of lot # 3-0-052, 632 Rainier Lane, offered to help with trimming the brush and if possible, perhaps these neighbors could reach an agreement about brush removal and lot maintenance as per Regulation II, Article I, Paragraph 3.b which states in part: *...All interested parties to the request are encouraged to work out an agreement amongst themselves, including financial responsibility, subject to the committee's approval.* A letter will be sent to Ms. Linnabery with copies to Ms. Strader and Dr. Zoloth.

Approval of the June 8, 2009 Regularly Scheduled ACC Meeting were deferred until the July 13, 2009 ACC Meeting.

The next regularly scheduled meeting of the ACC will be held Monday July 13, 2009 at 3:00 PM. The June 22, 2009 meeting adjourned at 6:05 p.m.

Respectfully submitted:  
Susan Bartkus,  
ACC Recording Secretary