

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

~ Approved~

Minutes of the Regularly Scheduled July 19, 2010 ACC Meeting

Members Present: Bill Clark, Vaughn Bradshaw, Sharron Sherfick

Guests: Richard Babaian, Karen Brattain, Bruce Malin

Call to order: The July 19, 2010 meeting of the Ludlow Maintenance Commission (LMC) Architectural Control Committee (ACC) was called to order at 2:57 p.m. by Chair Bill Clark. Members Vaughn Bradshaw and Sharron Sherfick were in attendance.

New and Old Business in order of discussion:

1. In October of 2009, **Verba Abbott, owner of lot # 1-2-038, 210 Condon Lane**, submitted an application to the ACC to remove a six (6) foot in circumference Leland Cypress tree on her own property. After extensive research and review of this matter the ACC had asked Ms. Abbott to provide an engineering report or other expert assurance that removal of the tree would not create any erosion or safety issues on the Abbott's property or for the surrounding properties. Committee members asked Ms. Abbott if it might be possible to get copies of Ms. Abbott's drainage plan (put in approximately five (5) years ago) to establish what provisions were in place to accommodate an increase in saturation; Ms. Abbott responded that she would try to obtain these. Ms. Abbott informed the committee at the June 14, 2010 ACC meeting that she had decided to amend her tree removal request; she stated that she would now like to thin or trim some branches, not to remove the tree in its entirety. Committee members asked Ms. Abbott to take a photo or draw a diagram of the tree, indicating which branches she would like to remove, as well as include a written description of her plans. Ms. Abbott then handed to the committee a partially filled out Fence application form requesting an eighty-eight (88) foot long fence starting at the southwest corner of the Leland Cypress trees along the property line. Committee members conducted a site visit for clarification of this request. After review, chair Bill Clark wrote a letter to Ms. & Mr. Abbott requesting a meeting to discuss their fencing plans. During this day's meeting, Karen Brattain owner of lot #1-2-037, 220 Condon Lane, attended with Bruce Malin to discuss the July 16, 2010 unauthorized trimming of a line of cypress trees, belonging to the Abbott's (one of which was the requested removal referred to above), that border her property. This work was done by Dave's Tree Service for Ms. Abbott, but was not ACC approved in accordance with LMC Regulations. Ms. Brattain expressed her concerns about this action as well as Ms. Abbott and Ms. Anna Bremmeyer (another neighbor who owns lot # 1-2-036 221 Condon Lane) trimming trees within the street median without prior approval, Ms. Brattain witnessed this action. Ms. Brattain did report that she will email photographs of the cypress trees, prior to trimming and after, to LMC General Manager Brian Belmont so

these photographs can be included within the information passed to the LMC Board of Trustees. Ms. Brattain and Mr. Malin did express concern that as the LMC Regulations regarding tree trimming had been disregarded by Ms. Abbott, unapproved fencing plans might be implemented without obtaining ACC approval. Chair Bill Clark did reassure Ms. Brattain that he had written a letter to the Abbott's requesting a meeting with them about the fence, and that prior to approval neighbor notices would be sent. Ms. Brattain also reported concerns about Ms. Bremmeyer (or people living with her) dumping wheelbarrows of yard waste onto Olympic Water & Sewer (OWSY) property. Committee members will refer this matter to the Operations Committee. By a motion made, seconded and unanimously carried committee members agreed that since Ms. Abbott had attended the June 14, 2010 ACC meeting primarily to discuss her cypress tree removal request, and then ignored LMC Regulations and the committees request for more information, this matter would be handed over to the Trustees for their action. Chair Bill Clark will draft a letter to the board.

2. (19:19) Contractor Loren Bishop attended this day's meeting to submit a Addition application packet for his clients, Rick & Barb Dance, owners of lot #4-0-056, 75 Warbler Lane . Mr. Bishop brought a check for the \$250.00 fee, plans with setbacks, paint colors and more. Members reviewed these plans with Mr. Bishop discussing the still needed documents, including an approved Port Ludlow Drainage District (PLDD) Drainage Plan, and a Jefferson County Building Permit. Neighbor notices will be sent and Mr. Bishop will inform the committee when the other documents are in place.
3. (31:00) Members reviewed the **New Home Construction** request of **Ferguson & Cole, owners and developers of lot # 1-4-078 on Machias Loop**, and the new information dropped off this day by project manager Scott Shelton. Mr. Shelton submitted a drainage plan that will be amended as per PLDD requirements, and a plot plan including setbacks, but still needs to acquire a Jefferson County Building Permit. Mr. Shelton will schedule a pre-construction meeting when he obtains these documents.
4. (36:47) Richard Babaian, owner of lot # 1-2-035 211 Condon Lane, attended this day's meeting and expressed his concerns regarding violations (those cited above in item #1) by his neighbor Verba Abbott, as well as potential violations of LMC Regulations by another neighbor **Anna Bremmeyer, owner of lot # 1-2-036, 211 Condon Lane**. Dr. Babaian reported that Ms. Bremmeyer has another family living on her property with her (possible tenants), and that she (or the tenants) have constructed an unapproved fence, an unapproved shed, performed unauthorized trimming and/or removal of trees on Ms. Bremmeyer's property as well as on the common median property, and deposited yard waste onto property belonging to OWSY. By a motion made, seconded and unanimously approved, members agreed that Chair Bill Clark should draft a letter to the board notifying them of the violations as well as notifying the Operations Committee about the yard waste dumping.
5. (48:24) A request to remove 2 or 3 Cedar trees was submitted on July 6, 2010 by Bill and Jean Fuller, owners of lot # 4-0-078 110 Warbler Lane. Members Vaughn Bradshaw and Bill Clark visited the site, observing the trees and

speaking with Mr. & Ms. Fuller, who would also like to remove a previously approved (but never done) tree on the other side of their driveway. Members discussed the damage being done to the Fuller's roof by these trees and agreed to approve this request. The approval letter to be sent will reflect the inclusion of the previously approved tree, as the 6 month approval window had expired for that request.

6. (53:00) Members discussed View Obstruction issues briefly. Chair Bill Clark read an email exchange with Ms. Annette Isaksen regarding tree removals requested by her neighbor's Kent & Wendy Chesney, and how she was willing to work with them to improve/restore their view, this reflected how some members are beginning to implement the new Tree View Regulation.
7. (59:00) Members reviewed a February 2010 **Hazardous Tree request made by Bill & Shirley Curd, owners of lot # 3-0-085**, 31 Yawl Lane, concerning a large maple tree located on lot # 3-0-084, Yawl Lane, owned by Stephen Perry regarding Mr. & Ms. Curd stated in their request that *"(vacant) Lot next to ours, (#3-0-084, 0 Yawl Lane, owned by Stephen Perry) due east, red tape has been placed around tree. 6 ft. in diameter large multi-trunk maple, sheds large limbs. One of the limbs fell several weeks ago and damaged a guest's car. Have picture of damage. If possible would like tree taken down. May cause extensive damage when it comes down, quite large"*. A notification letter was written to Mr. Perry on April 5, 2010. Chair Bill Clark also repeatedly tried to contact Mr. Perry. When Mr. Clark was finally able to meet with Mr. Perry on April 18, 2010, Mr. Perry stated that at this time he could not afford to pay for having the tree removed. Mr. Clark gave him a tree removal application and encouraged Mr. Perry to apply for removal as soon as he is able. During this day's meeting members agreed that Mr. & Ms. Curd could be informed that if they so desired to pay for the removal, Mr. Perry would probably be agreeable to this solution, members also agreed that the ACC has done all it can do regarding this matter, Bill Clark will write a letter to the Curds, it will now be removed from the agenda.
8. (1:05) Members reviewed and approved the minutes of the June 7, and June 14, 2010 ACC meetings as written, members requested that recording secretary Sue Bartkus forward draft minutes to the LMC Trustees
9. (1:10) New forms for the ACC to make a monthly report to the Trustee's were reviewed as well as new Tree Removal Application forms and View Obstruction Relief forms (with member Vaughn Bradshaw requesting that the "and" be removed from the title of the later form).
10. (1:15) On March 14, 2010 Bill Clark and Eve McDougall visited lot #'s 3-0-025 & 3-0-026, at the request of **Gayle Hurd, owner of lot # 3-0-025, 42 Clipper Lane**. Ms. Hurd had stated in her February 23, 2010 **Hazardous Tree request** that *"1 large Fir, 20" in circumference was wrapped with a 9" wild (east) choke cherry, it is leaning towards kitchen. Also, a 9" Fir leaning toward kitchen beside the gravel path on the north east side"*. These trees are located on vacant lot # 3-0-026, belonging to Gary & Mary Pat Griswold. A letter was sent on March 16, 2010 to Mr. Griswold by the ACC. Bill Clark reported that on April 5, 2010 he had spoken with Mr. Griswold, who asked Mr. Clark to have Ms. Hurd contact him directly as they could not determine exactly what tree was being referred to. Mr.

Clark did so by email on April 9, 2010, and requested that the neighbors will let the ACC know the outcome. Mr. Clark met with Mr. Griswold on April 18, 2010, who asked again to have the Hurds contact him. Bill repeatedly tried to email and telephone the Hurds with no result as they are traveling. Members agree that this matter will now be removed from the agenda until the ACC receives a new request.

11. (1:20) Members discussed new core sampling equipment that will be used to help determine tree age. This will be stored in the ACC Pending Case File drawer.
12. (1:21) Member Vaughn Bradshaw reported viewing trees requested for removal on July 2, 2010 by Lani Stone & Joe Bartlett, owners of lot # 3-0-001, 61 Schooner Lane. After difficulty locating the address (not in the usual order of street addresses) Mr. Bradshaw determined that one tree is touching the roof of the house, one was rotten and two more trees that are just above the six inch minimum circumference at breast height, are right in the middle of the circular driveway turnaround, and are potentially creating an obstruction of vehicle access. Members agree to approve this request, an approval letter will be sent.

The July 19, 2010 ACC meeting adjourned at 4:35 p.m.

Respectfully submitted:
Susan Bartkus, ACC Recording Secretary