

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

~ Approved ~

~Minutes of the Regularly Scheduled September 14, 2009 ACC Meeting

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

Guest: Richard Babaian

Call to order:

The September 14, 2009 meeting of the Ludlow Maintenance Commission (LMC) Architectural Control Committee (ACC) was called to order at 3:00 p.m. by Chair Bill Clark. Also in attendance were members Jim Boyer, Vaughn Bradshaw, Eve McDougall. Member Sharron Sherfick was not in attendance. Attached to these minutes are the Pending Cases that were reviewed during this meeting.

Approvals:

The ACC duly discussed and approved the following requests:

LOT #	In Date	Due Date	PETITIONER(S)	REQUEST
3-0-064	9/3/09	10/3/09	W. Anderson & K. Wilson	Re-roof
4-0-051	9/12/09	10/12/09	Carol & Bill Shamhart	Re-roof
4-0-043	9/12/09	10/12/09	Sue & Mike Bartkus	Re-roof

Denial:

The ACC duly discussed and denied the following request:

LOT #	In Date	Due Date	PETITIONER(S)	REQUEST
1-1-008	8/23/09	9/23/09	Annett Isaksen	Tree Trimming

Public Forum: There were no issues brought to the committees attention during this forum

Old & New Business in Order of Discussion:

1. Committee members reviewed **Fence & Shed Requests** made by **Timothy Bangle, owner of 120 Baldwin Lane, lot # 2-1-025**. Mr. Bangle would like to have approval to build a storage shed made of wood, painted the same color as his home, with roofing shingles to match those on the house. The shed would be located in the back yard on the north side, it would be six feet six inches high (6'6") by ten feet long (10') by six feet wide (6). The fence requested would be made of cedar six feet high (6) by sixteen feet long (16) with dog-eared fencing slats, Mr. Bangle stated in his request that the fence would be for privacy and to conceal the shed. All members scheduled a site visit to observe the area on Monday, September 21, 2009 at 3:00 p.m. Neighbor Notices were sent out on September 1, 2009 and comments will be due back by Wednesday, September 16, 2009. Members will determine approval/disapproval during the September 28, 2009 ACC meeting.

2. Another **Shed** request was reviewed, this one submitted by **Peter Tallerico, owner of 90 Sparrow Court, lot # 4-0-018**. Mr. Tallerico would like to build a storage shed made of wood, painted the same color as his house, with shingles to match the house. The shed would be located on the east side of the home and would be seven feet two inches high (7'2") by twelve feet long (12') by eight feet wide (8'). Members agreed that they would visit the site on Monday September 21, 2009. Neighbor Notices were sent out on Thursday September 3, 2009 and are due back by Friday, September 18, 2009. Members will determine approval/disapproval during the September 28, 2009 ACC meeting.
3. Members reviewed an application for **new roofing material** submitted by **Wayne Anderson and Kathy Wilson, owners of 680 Rainier Lane, lot # 3-0-064**. Mr. Anderson and Ms. Wilson's request to install Pabco Premier 40 year, Harvest Brown Laminated Fiberglass Shingles, with the work to be done by Hope Roofing was unanimously approved. An approval letter will be sent.
4. Members reviewed an application for **new roofing material** submitted by **Carol and Bill Shamhart, owners of 80 Warbler Lane, lot # 4-0-051**. Mr. and Ms. Shamhart's request to install Pabco Premier 40 year, Driftwood, Laminated Fiberglass Shingles, with the work to be done by Do-It-Right or Hope Roofing was unanimously approved. An approval letter will be sent.
5. Members reviewed another application for **new roofing material** submitted by **Sue and Mike Bartkus, owners of 51 Falcon Lane, lot # 4-0-043**. Mr. and Ms. Bartkus' request to install Pabco Premier 40 year, Driftwood, Laminated Fiberglass Shingles, with the work to be done by Do-It-Right or Hope Roofing was unanimously approved. An approval letter will be sent.
6. Members reviewed a **Tree Trimming** request made on August 23, 2009 by **Annette Isaksen**, owner of lot # 1-1-008, 50 Gamble Lane. Ms. Isaksen would like to top one split trunk Douglas fir with two tree tops above eight foot high, and an adjacent Fir tree that is located on the northwest corner of her lot. She stated in her request that she wants to do this to improve the view for her neighbors, Kent & Wendy Chesney, owners of lot # 1-1-014, 61 Gamble Lane. Members visited the site and reported to the committee that there are many questions as to clarification of what exactly Ms. Isaksen is requesting. Ms. McDougall stated that there are the two (2) trees adjacent to the street cable line and the Port Ludlow Associates (PLA) water meter boxes, and that property boundaries were hard to distinguish as there were no ground stakes at the location. Members determined that as there was insufficient time to acquire more information, this request would have to be denied as submitted. Chair Bill Clark will draft a denial letter, encouraging Ms. Isaksen to re-apply with more clarification of how much she wanted to trim from these trees, and to resolve the property boundary issues.
7. Chair Bill Clark reported to the committee that the LMC Board of Trustees had sent Tree Moratorium notification letters to members involved in cases that had been passed to the board from the ACC (these are cases that the ACC was unable to resolve for a variety of reasons).

8. Members held a brief discussion regarding ACC Shed Guidelines, agreeing to study the issue as homework during the next two weeks and to discuss their findings during the next ACC meeting.
9. Committee members briefly discussed the ACC Timeline Draft that the Covenants and Regulations Committee (C&RC) submitted back to the ACC. Members agreed to work on issues of concern after the regular ACC meeting was adjourned.
10. Members agreed that further discussion of a \$500.00 New Home Construction fee was no longer necessary. This item will now be removed from the Agenda.
11. A response letter to the ACC from David & Alice Siemssen (owners of lot # 2-3-084, 150 Jefferson Ave.) was read and discussed. This was regarding a complaint made by **James & Melva Fitzmorris, owners of lot # 2-3-083, 281 Pioneer Drive**. Mr. & Ms. Fitzmorris reported to the ACC that Mr. & Ms. Siemssen had on their property an unscreened propane tank, a television antenna, and a fence that does not conform to ACC guidelines. Members thoroughly investigated each aspect of Mr. & Ms. Fitzmorris' complaint with regard to LMC Covenants and Regulations, as well as FCC regulations regarding antennas. Chair Bill Clark sent a letter to Mr. & Ms. Siemssen stating the following *"The propane tank is not screened. Upon looking back in the records your propane tank was approved to be screened with vegetation. Vegetation is not currently present so we are requesting that you either re-screen it with vegetation or enclose it with a small fence structure. If you need more information on the latter please contact one of the ACC members listed below. There is an illegal fence. Upon looking back in the records we find no approval of the fence structure that exists on the Pioneer Street side of your house. The regulations state that construction of fences is generally discouraged, however if you wish to plea for an exception it is necessary to make application to the ACC (an Application for Fences is attached, as well as ACC Fencing Guidelines), otherwise it must be removed. Television Antenna. While the regulations do not specifically require that antennas be removed. If the antenna is no longer being used (most are not) we request that you remove it."* Mr. & Ms. Siemssen responded with the following 1. *"When you approved the propane tank installation December 2003, there were cedar trees and laurel between our house and theirs which effectively screened the propane tank. Over the years we have tried to be good neighbors and did most of the things they asked us to do. For example: they complained that they were not getting any light in their bedroom and could we take out the laurel and brush between the houses that were on our property. We did that and then they wanted the cedar trees limbed up, which we did. This was done over a period of time. Then they wanted the trees totally removed, which we reluctantly agreed to. Now that all the cedar trees are out, they are complaining about the propane tank which they cannot see from any place in their house. However, before this formal complaint was filed, we did go to the nursery and bought a bush that will effectively screen the tank when it reaches maturity.* 2. *As far as the so-called illegal "fence" is concerned, it is a dog-run and was there when we purchased the house. There is even a pet door connected to the run. There are plantings that will screen it from the road when they reach maturity.*

3. *The antenna was relatively screened from sight when the trees were there. We use it to receive HDTV from Seattle and Bellingham. As we're sure you understand, some neighbors cause problems for others and some live and let live. Just so you have an idea of what we have been dealing with, just recently, she was outside pulling weeds on our property. I didn't know she was there until I opened a bathroom window. When I saw what she was doing I offered to spray some glysophate but her rejoinder was that she would have to look at dead sticks. Unfortunately, I have five bulging discs in my lower back, and my doctor has forbidden me to do any bending or pulling.*" Chair Bill Clark will write a response letter to Mr. & Ms. Siemssen after the committee looks at the shrubbery that has been planted around the propane tank, this issue will be further discussed at the next ACC meeting.
12. A letter submitted to the ACC, the LMC Trustees and many other entities in Port Ludlow, from members Anita & Dave Weakley regarding Tree removals and how this affects drainage and erosion was read and discussed. A copy of this letter will be posted with these minutes.
13. A letter of closing submitted by Ted Buehler, regarding the tree removal and clearing of lot #2-3-112 belonging to David Daniels was read and discussed. Member Eve McDougall suggested that the name of the arborist referred to in Mr. Buehler's letter should be documented for the file. Chair Bill Clark will draft a follow-up letter to Mr. Buehler, thanking him for his closure as well as asking about the remaining debris still on the property and for the arborist's name.

Members reviewed and approved the August 24, 2009 Meeting Minutes as corrected.

The next regularly scheduled meeting of the ACC will be held Monday September 28, 2009 at 3:00 p.m. The September, 2009 ACC meeting adjourned at 4:30 p.m.

Respectfully submitted:
Susan Bartkus,
ACC Recording Secretary