

**MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF TRUSTEES OF
LUDLOW MAINTENANCE COMMISSION, INC.
Sunday, February 25, 2007– 2:00 p.m. – Bay View Room**

Trustees: Vaughn Bradshaw, Terry O’Brien, Ian Feltham, Art Moyer, Jerry Nelson, Bruce Pyles, Amy Recht, Sonny Sanzaro. and Elizabeth Van Zonneveld.

President O’Brien called the meeting to order at 2:00 p.m. and asked Secretary Moyer for a roll call. Trustees Jerry Nelson and Amy Recht were absent.

Changes to the Agenda: Trustee Moyer made a motion to remove the West Parking Lot Appraisal Discussion from the agenda. This motion was seconded. Trustee Moyer argued that this item was not on the announcement to the Board and, therefore, did not meet Article III of the Bylaws under Special Meetings. President O’Brien responded that the agenda item in question had been placed on the agenda in time for this meeting. He explained that the extent of the discussion he planned for this item was asking General Manager Brian Belmont to solicit bids for the appraisal. Following discussion, the motion carried by a vote of 4:3 opposed by Trustees Van Zonneveld, Sanzaro, and Pyles. The item was removed from the agenda.

Appeal of the ACC House Plans Approval for Baldwin Lane Property (lot # 2-1-003): The Board considered Judy and Robert Blair’s appeal of the ACC decision to approve construction of a two-story house on Baldwin Lane lot # 2-1-003. President O’Brien asked the Board and the Blairs whether his presence in the deliberations, being a neighbor, constituted a conflict of interest. Neither the Board nor the Blairs believed Mr. O’Brien’s situation constituted a conflict of interest in this case.

Following brief introduction made by President O’ Brien, explaining the format of the appeal hearing, ACC Chair Veronica Ryan was called to the stand to present her case of ACC involvement in this matter.

ACC: The ACC acts according to the LMC regulations that dictate that all structures be as compatible as possible with each other and with their natural surroundings. Mrs. Ryan read Regulation II, Article II that allows two-story houses on sloping lots. Mrs. Ryan argued that ACC found the house design to be compatible with the neighborhood of Baldwin Lane because it already has four two-story houses. Mrs. Ryan’s assessment showed the Blairs losing a minor part of their secondary view. Furthermore, she argued that approved position of the house on the on lot would obstruct 75% of the view from the other adjacent existing residence (Baldwin Lane) and moving the house west to preserve the small percentage of the view to be lost by the Blairs would cause a 100% view loss for the adjacent Baldwin Lane residence. Mrs. Ryan stated that the Blairs were the only neighbors who in writing objected to the Eidlin’s plans. Mrs. Ryan admitted that 70’ plus setbacks for the Blairs’ residence and the adjacent to them Montgomery Lane residence were extremely deep but argued that, since the new residence would not face Montgomery Lane, while being built on the corner of Montgomery and Baldwin Lanes, the side setback of 20’ to the 20’ wide deck was appropriate.

The Board went to the side table to see the site plans and pictures provided by Mrs. Ryan. Questions followed.

Following Ms. Ryan's presentation, Mr. & Mrs. Blair were given an opportunity to present their appeal.

Appeal: The Blairs were represented by Michael Uhlig, an attorney with Shiers, Chrey, Cox, Digiovanni, Zak, and Kambich LLP. Mr. Uhlig is registered in the State of Washington. Mr. Uhlig written presentation is filed with these minutes. Mr. Uhlig asked the Board to consider a family relationship between the ACC Chair Veronica Ryan and Trustee Bruce Pyles a conflict of interest. The Board agreed to take this into consideration.

Mr. Uhlig argued that the project as proposed violated LMC Regulations and, therefore, had to be redesigned to comply with regulations to meet height, story, and compatibility restrictions. He argued that by filing this appeal the Blairs were trying to protect their property rights by ensuring that their view was not unreasonably obstructed and that while several structural changes could be made, locating the house closer to the rear of the lot could be a good start.

Mr. Uhlig argued that allowing this construction as proposed would set a dangerous precedent and eliminate the effectiveness of LMC Regulations governing height and neighborhood compatibility.

Responding to Mrs. Ryan remark that this construction would not effect the Blairs' primary view, Mr. Uhlig reminded the Board that the proposed house would protrude over 55' beyond the front of the Blairs' residence, which he found to be unnecessary.

The Eidlins have never met with the Blairs to discuss their house plans.

At 2:55 p.m. the Board retired to the Gallery Room for deliberations.

They reconvened in an open session at 3:55 p.m.

Trustee Moyer made a motion to uphold the ACC decision provided that one bay of the garage (Eidlin's) is removed from the plan and the dwelling is then moved southwest on the lot equal to the width of the bay removed. The revised plan will be submitted to the ACC with no further review required. Seconded by Trustee Sanzaro, this motion carried by a unanimous vote of the trustees present.

Ludlow Bay Village Hearing Examiner's Report: President O'Brien reported that hearing examiner's decision with respect to the build-out of Ludlow Bay Village and Admiralty III had not recognized any of the issues brought up by the LMC Board. President O'Brien asked the Board to allow him to file a motion for reconsideration to the hearing examiner specifically to deal with the issues the LMC felt to be important. A draft of the motion for reconsideration was presented to the Board. Deadline for filing is March 6, 2007. President O'Brien asked the Board to review his draft and comment before the end of the month. Trustee Moyer made a motion to direct President O'Brien to submit a motion for reconsideration, once it was reviewed by the trustees and their comments were incorporated. Trustee Van Zonneveld seconded this motion. Following brief discussion, this motion carried by a unanimous vote of the trustees present.

The meeting was adjourned at 4:02 p.m.

Respectfully submitted,

Art Moyer, Secretary
Ludlow Maintenance Commission, Inc.