

Architectural Committee
Meeting Agenda
May 16th 2022

7:01 pm MST: Call to order/meeting decorum reminders

Attendees:

- Board members: Gary Starr, Tony Theinen, Cyndie Rippy, Matt Graham, Tim O’Sullivan, Louisa Morrissey (Jennifer Tomsen not in attendance).
- Community members: Louise Marron, Tim Hasselmann, Jack Cody, Jack Metcalf, Carrie Clark, Mike Freeman, Sean Elias, Chris De Santis, Christy Milner, John Rippy

Review of current and new building projects:

1. Lot 7 Hasselmann/Marron: update and fence
 - Louise Marron and Tim Hasselmann were present at the meeting
 - Building plans and \$5000 construction deposit have been submitted and approved by the previous Board in 2021.
 - Building permit is under review and should start building soon
 - Applied to AC to fence their property for horses
 - Review of Covenants determined that they may have horses and cattle (Article V section 4) and may put up a fence “for the active keeping of horses and cows” (Article VI section 4) as long as the fence is outside of the 8 ft. utility easement.
 - Gary Starr motioned to approve the fence, Louisa Morrissey seconded the motion.
 - Motion approved by all Board members present.
2. Lot 6 Tumulty: update and chicken coop
 - Gary Walker and Deborah Tumulty were not present at the meeting, but communicated with the Board via email that they intend to install a chicken coop that matched the original description submitted to the Board on the far side of the garage.
 - The Barn/ADU should be completed by the end of the summer.
3. Lot 12 DeSantis: update, new elevations plan
 - Chris De Santis was present at the meeting
 - Received Board approval to build in 2021.
 - Foundation, well, septic, leach field completed and electric pulled in.
 - Intends to build a recreational cabin as defined by Garfield County: no permit needed and 900 square feet total.
 - Starting framing, windows and insulation

- Submitted revised plans via email to the Board on May 16, 2022 with a second story loft.
- Revised plans show elevations in new plan are higher than the plans submitted and approved in 2021 by approximately 7 ft.
- Still needs to submit required \$5000 construction deposit. Mr. De Santis refused to submit said deposit. Conversation followed.
 - Chris De Santis stated his opinion that that “the Board does not have authority to require a construction deposit since there is no provision in the covenants that gives that authority”.
 - Christy Milner stated her opinion that “the Articles of Incorporation prohibit non-pro rata assessments.”
- Review of policy regarding construction procedures passed by the previous Board last April and signed by Carrie Clark; policy clearly states that a \$5000 construction deposit is required to build.
- Christy Milner and Chris De Santis questioned if the policy regarding construction procedures was passed at an open Board meeting. Carrie Clark confirmed that it had been.
- Tim O’Sullivan made a motion to rescind the approval to build until the \$5000 deposit required per the policy was received. Gary Starr seconded the motion.
- The motion passed with Tim O’ Sullivan, Gary Starr, Cyndie Rippy, Louisa Morrissey and Tony Threinen approving, Matt Graham abstaining, and Jennifer Tomsen absent.
- Mr. De Santis stated that he will continue to move ahead with his building and wanted to initiate a third-party arbitrator.

4. Lot 16 Ellias: update

- Sean Elias was present for a time at the meeting, but not for the entire meeting.
- Structure to be completed by the end of the summer
- Electrical and water supply included in structure (ADU living unit)
- Later in the meeting Cyndie Rippy pointed out that Mr. Elias had not submitted the required \$5000 construction deposit. Mr. Elias was no longer at the meeting when this was brought up.
- Because the two-story large garage also contains an ADU with water and electric and is a living unit, it needs to have the \$5000 construction deposit.
- Cyndie Rippy will follow up with Mr. Elias.

5. Lot 17 Slavinski: Structure removal and timeframe

- Bill Slavinski was not present at the meeting.
- Mr. Slavinski removed his application for a variance for the structure on lot 17.
- Tim O’ Sullivan suggested that July 1, 2022 be the deadline for the structure removal from the property.
- Gary Starr made a motion that the Board send a letter to Mr. Slavinski detailing the violations of covenants, (unapproved structure, temporary structure with no

building plans submitted, used structure) and that the structure must be removed entirely from the property by July 1, 2022. If it remains on the property past this time the Board may impose a fine of up to \$100 per day until the structure is removed. Cyndie Rippy seconded the motion

- Motion passed with all Board members present at the meeting in favor.
- Questions remained regarding if the structure was on lot 18. A survey has been done by True North Survey company. With Mr. Slavinski's permission, Board members inspected the site last week. They found newly placed orange flagging south of the structure. However, the flagging did not say if it delineated the property boundary. A survey map shows the lot 17 structure being partially on lot 18. Gary Starr and Matt Graham will follow up with the survey company to determine where the property boundaries are and if the structure is on lot 18. Mike Freeman and Carrie Clark accepted the Board's decision and will privately pursue the inquiry regarding if the structure was on their property and repair of damage if it was.

6. Lot 31 O'Sullivan: update

- Tim O'Sullivan was at the meeting.
- Last year he received preliminary approval for his driveway, notified neighbors, and submitted a \$5000 construction deposit.
- He submitted more detailed building plans to the Board via email in May 2022.
- The finalized building package should be submitted to the Board in another week.
- Mr. O'Sullivan is targeting June to get a permit for building
- Crimson Builders will be his contractor
- Elevation: actual height will be 26 ft. He will put up a story pole.
- He will need final approval from this Board and should again contact neighbors once the story pole is up.
- Sheldon will be drilling a well this summer.
- He has a camper on site while he is under construction.

7. Lot 32 Cody: update/deposit

- Jack Cody was present for the meeting.
- His building plans were approved in 2019 and his \$5000 deposit has been submitted.
- He planned to build in 2020 but then the Covid pandemic hit.
- He has well and electric in and a 5000 septic tank.
- He has a signed building permit
- He will start building within a month and hopes to finish by the winter
- Building site is to the looker's right of his current trailer and will be dug into the hillside.

8. Summary of construction deposits (Cydie Rippy)

- Have deposits from Hasselmann/Marron, Cody and O'Sullivan

- Never received a deposit from lot 17 because lot 17 never had approval for construction
- Need to follow up with Elias; ADU is a livable unit and needs a deposit
- See item number #3 regarding De Santis

9. Gary Starr motioned to adjourn the meeting, Matt Graham seconded the motion. All Board members present approved. Meeting adjourned at 8:08 MST