



Architectural Committee Meeting Minutes – November 13, 2023

<u>BSAC/Staff in Attendance:</u>	<u>Guests in Attendance:</u>	<u>Project Attending For:</u>
Stacy Ossorio, Chair	Brian Lubin	#07509 Lot 3 Moosewood Rd
John Seelye	Joe Schwem	#07509 Lot 3 Moosewood Rd
Brad Reiersen	John McGuire	#07509 Lot 3 Moosewood Rd
Maggie Good		
George Mueller	<u>Guests Joining</u>	
Greg Clark	<u>Virtually:</u>	
Suzan Scott	Tim & Sue Mitchell	#07509 Lot 3 Moosewood Rd
Lisa Chase	Jeff Bloomfield	#07509 Lot 3 Moosewood Rd
	Cindy Lubin	#07509 Lot 3 Moosewood Rd
	Vanessa McGuire	#07509 Lot 3 Moosewood Rd
	Lisa Knorr	#07509 Lot 3 Moosewood Rd

1) **Call to Order** - The Chair called the meeting to order at 9:05 AM.

2). **Single-Family, New Construction Cease & Desist**

a. BSOA: #07509 Brian & Cindy Lubin

Legal: North Fork Creek

Block 3

Street: Moosewood Road

The applicants for New Construction of the single-family residence on Lot 3 of Moosewood Road sought review and approval for a smaller home. However, neither the application nor presentation by the Project Representative requested BSAC approval of the alternate building site and change in driveway length and location. The North Fork Creek CC&Rs require BSAC’s express approval of alternate building sites and locations.

The BSOA determined that the required information was not submitted to the BSAC in the applicant’s submissions and project applications for review at the June 20, 2023, meeting and final review on August 3, 2023. Upon further BSAC review of said project on November 2, 2023, the apparent noncompliance was referred to the BSOA’s Legal Committee (LC). On November 3, 2023, the LC recommended a Cease-and-Desist order, which was then submitted on the same day.

Adjacent neighbors joined the meeting to discuss their concerns regarding the New Construction and site location. Their stance maintained that the North Fork Creek building site envelopes for the subdivision were designed on the final plat based on the following consideration: maximize privacy between homes, minimize environmental disturbance and maintain visual and aesthetic appeal of the land.

The North Fork Creek Covenants read as follows:

C. Building Envelopes.

- i. **All structures to be constructed on Lots Numbers Two through Six shall be within a one acre building envelope at the location designated on the subdivision plat or at an alternate location approved by the architectural committee.**

Although, a recorded plat is filed on record with Gallatin County that depicts a hand-drawn house for Lot 3, the one acre building envelope is not defined other than the hand-drawn house must be within the 1 acre.

Project Manager, Joe Schwem, confirmed that the shading shown on the site plan depicts one acre chosen by the Owner Applicant. It contains the hand-drawn house depiction.

Motion made by George Mueller to keep the Cease and Desist in place until the BSAC meeting, on Thursday, November 16, 2023, where the two issues indicated in the Cease and Desist will be addressed, i.e. building site and driveway location. For further review of the Committee, a written statement is required prior to the meeting on the 16th, that addresses the above two issues. The Committee will waive notice as required to hear this application on the 16th and a courtesy notification will be provided to adjacent neighbors. If the BSAC approves the project on the 16th, the Cease and Desist shall be lifted; seconded by Maggie Good. Motion passed unanimously.

3). **Adjourn** – The meeting adjourned at 11:26 AM.

Stacy Ossorio, BSAC Chair