



## Architectural Committee Meeting Minutes – March 1, 2018

### **BSAC and Staff in Attendance:**

Brian Wheeler  
Dan Hoadley  
Gary Walton  
Maggie Good  
Kate Scott  
Grant Hilton  
Janet Storey  
Suzan Scott

### **Guests in Attendance, Project Attending For:**

Dave Seabury # 0681A Cascade LLC  
Anthony Overbeeke # 04206 Brown Alterations  
Jamie Daugaard # 04206 Brown Alterations  
Joshua Mollenkamp # 02518 Vanyo SFR  
Drew & Jennifer Vanyo # 02518 Vanyo SFR

### Using "Go to Meeting"

Trever McSpadden  
Maggie Good

### **1. Membership Forum - None**

**2. Call to Order** – Brian Wheeler called the meeting to order at 8:04 am.

**3. Meeting Minutes** – The BSAC reviewed the grammatical errors in the February 15, 2018 BSAC Meeting Minutes.

A Motion to approve the February 15, 2018 Meeting Minutes with corrections was made by Maggie Good. Grant Hilton seconded the motion. The Motion passed unanimously.

### **4. Major Alteration Final Plan:**

BSOA #04206 Brown Addition

Legal: Meadow Village Sub. # 1, 2<sup>nd</sup> Filing, Blk 2, Lt 6  
Street: 2570 Curley Bear Rd.

Staff presented the drawings, photos and narrative for the Brown Major Alteration Project Final Review. The architects representing the project, Jamie Daugaard and Anthony Overbeeke, were in attendance at the meeting.

The architects presented the material board. The BSAC discussed the materials and colors proposed for the addition and the renovation of the existing home. The discussion focused on the white paint color proposed for the existing home. The BSAC members felt that the white color didn't meet the intent of the Design Regulations which suggests "natural materials and subdued colors" be used for the main body of the house. The architects included a darker shade of paint, "Moonshine", on the material board as an option if the brighter white was not acceptable to the BSAC. The BSAC felt that the darker color was more appropriate.

The BSAC reviewed the proposed light fixture that is dark sky compliant and also has seeded glass. The metal siding proposed for the garage addition was also reviewed. The BSAC determined that the metal siding met the intent of the Design Regulations allowing metal siding as an accent because the square footage of the metal siding on the home was approximately 15%

of the total surface area.

Staff recommended that the BSAC move to approve the application as submitted based on the finding that the addition to the home complies with the Meadow Village Covenants and, with an Exception for the light fixture with seeded glass, the Design Regulations and is compatible with the neighborhood.

Kate Scott made the Motion to approve the application as submitted with the following exception and condition. Gary Walton seconded the Motion. The Motion passed unanimously.

The Approval included the following Condition:

1. "Moonshine" is the approved color for the existing house.

The Approval included the following Exception:

1. Based on the finding that the Hinkley "Shelter" light fixture is Dark Sky compliant and will be installed in an area where the fixture will not be easily viewed from below an Exception to the Design Regulations prohibiting seeded glass is granted.

#### **5. New Single Family Residence Final Plan:**

BSOA #02518 Vanyo SFR

Legal: Aspen Groves Subdivision, Blk A, Lot 18

Street: TBD Andesite Rd.

Staff presented the drawings, photos and narrative for the Vanyo Single Family Residence Final Plan Review. The Architect, Joshua Mollencamp, and the Owners of the property, Drew and Jennifer Vanyo, were in attendance at the meeting.

The BSAC reviewed the landscape and the site plans. The BSAC discussed the location of the driveway and turn around area which are located in the setback. It was noted that the Design Regulations allow driveways and turn around areas to be located in the setbacks.

The Architect presented the material board and the BSAC reviewed the locations of the proposed materials. Staff added that 2 of the Aspen Groves HOA Board of Directors, Dick Fast and Bill Reed, had reviewed and given verbal approval of the plans and materials for the home.

Staff recommended that the BSAC approve the application as submitted based on the findings that the proposed home complies with the Aspen Groves Subdivision Covenants, the Design Regulations and is consistent with the subdivision.

Gary Walton made the Motion to approve the application as submitted with the following condition. Grant Hilton seconded the Motion. The Motion passed unanimously.

The Approval included the following Condition:

1. All disturbed areas to receive 4" of topsoil, be reseeded with a native grass seed mix and a temporary, above grade irrigation system provided until the seed mix has sprouted and is established.

## 6. Discussion Items:

### a. Project Completion Date Extensions:

#### 1. BSOA #06281A Cascade LLC (Conway) - New SFR Construction

Legal Description: Cascade Block 4 Lot 281A

Street Address: TBD Rising Bull Road

**Final plan Review Date:** 11/3/16

**Sketch Plan Review Date:** 8/18/16

**Pre-Sketch Plan Review Date:** 6/2/16

**Construction Completion Date:** 04/10/18

**Requested Extension:** 27 months to 07/10/20

**Landscape Completion Date:** 08/24/18

**Requested Extension:** 35 months to 07/24/21

Staff presented photos, plans and narrative for the Cascade LLC (Conway) Construction Completion Request. The architect/Designated Project Representative for the project, Dave Seabury, was in attendance at the meeting.

The BSAC discussed the length of the requested extension. The architect stated that, due to delays caused by site conditions and difficulties associated with the installation of the "micro-piers" needed to support the foundation, the installation of the foundation had taken longer than anticipated. The extension time requested was based on projections provided by the project's building contractor. The foundation work is now almost complete and framing should begin shortly. The BSAC acknowledged that work on the project has been diligent and progress is clearly shown in photos taken by staff first in January and again in late February 2018.

The BSAC discussed providing the neighbors with an update on the project and the Construction Completion Date Extension. Suzan Scott mentioned that the neighbor notification process included in the Procedure Resolution states that neighbors will be noticed once. The BSAC discussed an alternative way to update the neighbor and decided that the installation of a sign with the rendering of the home would be an acceptable method. The BSAC decided to consider the Construction Extension Request at the next BSAC meeting. Staff was directed to include the Cascade LLC Extension Request on the March 15, 2018 meeting agenda with the project name and full address.

The request was tabled without a motion.

Please note that the update on the Fairways Condominium Construction Completion Date Extension request that follows was not on the agenda. The discussion occurred at the end of the meeting but, is shown with the Construction Completion Extension discussion items for continuity.

3. BSOA # 312184 & #312188, Fairways Condominiums:

Legal Description: Meadow Village #1, 2<sup>nd</sup> Filing, Tract E, Plat I-12

Address: TBD Little Coyote Rd.

Kate Scott provided a verbal update on the status of the project. Kate stated that she and her husband, Brian Scott, are working with the majority owner to finalize the sale but, the sale has not closed yet. The BSAC discussed extending the Construction Date Extension which expired on March 1<sup>st</sup> an additional 60 days. Kate stated that she felt confident that sale will close within 60 days. Kate also stated that the container and fence currently on the site will be removed and the pile of top soil redistributed if the sale has not closed in 60 days and a formal Construction Completion Date Extension has not been submitted.

Grant Hilton made a Motion to extend the existing Construction Completion Date Extension to April 30, 2018 (60 days). Gary Walton seconded the motion. The Motion passed unanimously.

The Approval included the following Condition:

1. In the event that the sale of the development rights has not closed by April 30, 2018 the existing top soil pile will be redistributed, the fence the storage container will be removed.

**b. Covenant Compliance** – Staff updated the BSAC on the Compliance Tracking Sheet.

1. Emergence Group (Krejci):

Staff presented an update on the Emergence Group construction site. Staff noted that a 3 month update from the attorney, Bridget leFeber was due on March 1, 2018 has not been received. A reminder has been emailed to Ms. leFeber.

2. Doc's Real Estate:

Staff provided an update on the Doc's Real Estate site. At the February 1, 2018 BSAC meeting the BSAC granted an extension until February 19, 2018 for the Designated Project Representative, Kyle Lanier, to submit the revised landscape plan and to complete the revisions of the exterior light fixtures. The revised landscape plan was not submitted by February 28, 2018. In addition, the BSAC was not notified that the lighting revisions were finished. Staff called Kyle and left a voicemail prior to the March 1, 2018 BSAC meeting. Kyle did not return the phone call.

The BSAC determined that the first violation, "Lighting installed is not in compliance with Governing Documents. (BSAC Design Regulations, Section 3.13, Lighting)" was not remedied.

The BSAC determined that the second and third violations, "Modification of the approved Landscape Plan by altering a natural drainage swale other than as approved in Landscape Plan. (BSAC Design Regulations, Section 3.12, Landscaping, Plant Use, Installation, Irrigation & Restoration)" and "Modification of the approved Landscape Plan by installing more grass sod than set forth in approved Landscape Plan. (BSAC Design Regulations, Section 3.12, Landscaping, Plant Use, Installation, Irrigation & Restoration)" were not remedied. Because the remedy to the two violations was to submit a revised landscape plan the BSAC decided to treat the two violations as a single violation.



At the November 30, 2017 "Special Meeting" the BSAC determined that the fine for not remedying the violations listed above would be up to \$100 a day retroactively from the date of the Cease and Desist Order as determined by the BSAC. The BSOA Enforcement Policy sets the maximum amount of the fine at \$10,000 per violation. The date that the Cease and Desist Order was issued was November 23, 2017 however, the date listed on the "Special Meeting Notice" sent to the Owner and the Owner's Designated Representative after the Special Meeting was November 28, 2017. The BSAC decided to use the November 28, 2017 date as the start date of the fine.

The BSAC discussed the fines and determined that the fines imposed for the two violations shall be the maximum amount of \$100 a day with a not to exceed of \$10,000 plus attorney's fees.

Kate Scott made a motion to recommend to the BSOA Legal Committee that fines be levied at \$100 a day retroactively from the Cease and Desist Order date stated on the "Special Meeting Notice", November 28, 2017, with a not to exceed amount of \$10,000 per violation plus Attorney's fees against the Owner of the Doc's Real Estate LLC property, Mr. Robert Olsen. Dan Hoadley seconded the Motion. The Motion passed unanimously.

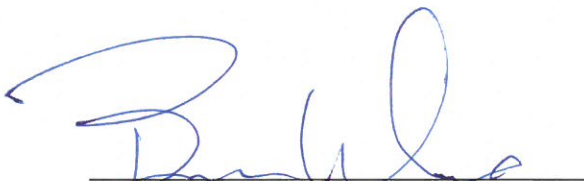
**c. Performance Deposit Tracking:**

Staff updated the performance deposit tracking sheet for the BSAC.

**d. Certificates of Deposit Status:**

Staff updated the Certificate of Deposit tracking sheet for the BSAC noting that no changes have been made.

**e. Adjourn –The BSAC meeting adjourned at 9:50 am.**



Brian Wheeler, Committee Chair