

SOMERSET ESTATES HOMEOWNERS ASSOCIATION

Maximizing Home Values, Quality of Life, Positioning as Premier Community

What's Up #80: October 26, 2022

November 15th Board Meeting

All homeowners are invited to attend the Board meeting on November 15 at 6:30 PM at the Mountain View Fire Station at 8500 Niwot Rd. **The agenda will be posted on the SEHOA website (somersetstates-hoa.com) the day before the meeting.**

Updated Bylaws and Conduct of Meeting Policy

As reported in recent issues of What's Up, the Board is reviewing all the governing documents for changes required by new laws, as well as changes informed by our experience using the documents since SEHOA was incorporated four years ago.

At the October 18 meeting, two changes were approved by the Board. The first was to simplify Section 4.4 in the Bylaws **available by clicking here** to "Terms. The terms of Directors shall be for two years." This change from a term limit of two two-year terms was not without dissent from some homeowners who argued for the value of term limits to force Board turnover. The Board agrees turnover is valuable but balanced with continuity. Our history in four years is that 12 homeowners have served as Directors, most for one or two years. While most HOAs have three-year terms, SEHOA's two-year terms encourage homeowners to participate. **For anyone interested in considering running for a Board position, three positions will be up for election at the March 2023 Annual Meeting.**

The other approved change was to the Conduct of Meeting Policy as explained

in What's Up #79. This is a change required by legislative changes to CCIOA. No homeowner comments were received about the proposed change. The revised policy is **available by clicking here**.

Architectural Control Committee Members

At the October Board meeting, the Board reappointed Larry Becker and Bob Uhler to terms on the ACC ending in October 2024. **We thank Larry and Bob for their dedication to this important work over the past four years. The Board also appointed Erik Hoenes as a fifth member of the ACC.** Erik recently moved into the new home on Strawberry Lane after purchasing the lot with his wife Candice over two years ago. The experience of constructing their home has given him insight into the design and landscaping process. He is a mechanical engineer by profession. **A big thank you to Erik for jumping in as an SEHOA volunteer!**

Details about the ACC, including members, Architectural and Landscaping Standards, and the application process and forms can be found on the ACC tab of the website or by [clicking here](#).

Proposed Changes to Lot Easement Policy

One of the biggest challenges the Board has dealt with since 2018 is determining whether SEHOA or an owner is responsible for an improvement on a lot. **The general rule is that all improvements on the common properties (owned by SEHOA) are the responsibility of the Association, and all improvements on lots are the responsibility of the lot owner.** There are exceptions to the second part of this rule. When Somerset Estates was developed, the developer included in the plats (legal maps of the subdivision) a number of easements on lots described as for specific purposes (signage, landscape, pedestrian pathways, utilities, drainage, etc.). Such improvements were subsequently installed by the developer for the general benefit of the community.

Other improvements were included in various lots sold by the developer that give a certain "look and feel" to the community, but which are not in an easement or otherwise described as Association responsibility in the

Declaration or plats. In the current version of the Lot Easement Policy adopted in 2020, the Board determined that some of these improvements can be considered as Association responsibility with the goal of protecting the look and feel of the neighborhood and on the basis that such improvements might be considered to be part of an "implied easement". Upon further review of CCIOA and discussion with the Association's legal counsel, the Board has concluded that **improvements not in an easement or otherwise identified in the Declaration as Association responsibility are properly the owner's responsibility**. This doesn't mean that the Association will allow such improvements to fall into disrepair. **Owners must maintain all improvements on lots in accordance with the Architectural and Landscaping Standards, managed by the ACC.**

Consistent with this principle, the Board is proposing a revised Lot Easement Policy. **Homeowners may review a redlined (marked) version of the proposed revised Lot Easement Policy (available here) and a clean version (available here)**. Changes to the sections on Purpose (to specify the recorded easements that form the basis of Association responsibility), Street Monuments, Pedestrian Pathways and Drainage and Utility Easements are for clarity. The Fencing paragraph was approved by the Board in June 2022 and is not being considered for further review. The Rock and Stone Walls paragraph moves these walls from Association to Owner responsibility as no easements or other provision of the Declaration allows the Association to claim them. The Ponds paragraph does not shift any responsibility from the current policy but is intended to clarify such responsibility, including vegetation control around the ponds that are on private property. It also states that recreational use of all the ponds is prohibited, a condition of the Association's insurance.

Comments from homeowners are welcome and may be sent to info@somersetstates-hoa.com. A homeowner at the October board meeting suggested that comments be posted for other homeowners to see. If you are okay having your comments posted anonymously, please indicate this in your email. Homeowners are also invited to the November 15 board meeting to comment. Policies are adopted and amended by Board vote after homeowner comment.

Roads Woes

The Board conducted a survey earlier this year about how we might proceed with Boulder County on repairing the roads in the subdivision. The roads are owned by the County, so SEHOA is only peripherally involved but is acting as a

communication link. Steve Lehan on the Board provides a not very encouraging update that can be read by **clicking here**. We are hoping to be able to **explore private repaving paid for by a subdivision Public Improvement District (PID) once asphalt shortages work themselves out**. Any homeowners with expertise or contacts in large paving work are encouraged to contact Steve at stewel@somersetstates-hoa.com.

The County is supposed to fix potholes, even if it won't repave the streets. Direct calls from homeowners may be more effective than from the HOA or property manager. **If there is a pothole or other damage on your street, please call the Road Maintenance Division at 303-441-3962**. The County website also has an online "submit a request" form ([available here](#)). Ask your neighbors to also put in a request!

Upcoming Events at a Glance

Please monitor the SEHOA website for any schedule changes
-somersetstates-hoa.com.

Executive Board Meeting --November 15 at 6:30 PM. Please check somersetstates-hoa.com for meeting information.

Somerset Estates Book Club -- Next meeting will be held on December 13 at 4 PM at the home of Shari Kalm. The book is *The Marriage Portrait* by Maggie O'Farrell. Please let Paula Hemenway know at p.hemenway@comcast.net if you want to be added to the Book Club distribution list.

Monday Mahjong -- Mondays at 3 PM. Contact Melissa Koller at mzkoller@gmail.com for more information.

Contact SEHOA

Association General Information

Somerset Estates Homeowners Association
P.O. Box 621
Niwot CO 80544

Website: SomersetEstates-HOA.com
Email Inquiries: Info@SomersetEstates-HOA.com

Property Management

Allan Orendorff
TrioProperty@comcast.net

Executive Board

Scott Abrahamson, President
ScottA@SomersetEstates-HOA.com

Architectural Control Committee

Larry Becker, Chairman
LarryB@SomersetEstates-HOA.com

Social and Welcome Committee

Pea Lawson, Board Representative
PeaL@SomersetEstates-HOA.com

©2022 Somerset Estates HOA | PO Box 621, Niwot CO 80544

[Web Version](#)

[Preferences](#)

[Forward](#)

[Unsubscribe](#)

Powered by
[GoDaddy Email Marketing](#)®