

**MINUTES OF**  
**REGULAR MEETING OF**  
**BOARD OF DIRECTORS**  
**CRESTMoor PARK (2<sup>ND</sup> FILING) HOMES ASSOCIATION**  
**(Date: November 11, 2014)**

The regular meeting of the Board of Directors of Crestmoor Park (2<sup>nd</sup> Filing) Homes Association on November 11, 2014 was called to order by John Sadwith, Chairman of the Board, at the home of Mr. Sadwith at 6:10 p.m.

1. **Directors in Attendance.** John Sadwith, Chris Withers, Julia Stone, Stuart Gottesfeld, Tom Deline, and Robert Brown.

2. **Architectural Committee.** Mr. Deline presented to the Board several construction approval requests of homeowners.

a. **205 Locust Lane.** Mr. Deline reported having received plans but no notice letters to neighbors even though Mr. Hickman had requested such letters multiple times. The homeowners have started construction without Architectural Committee approval. Plans submitted show improvements are being constructed only in the rear of the house and show no encroachments into subdivision setbacks. Mr. Deline recommended, and the Board approved, asking Mr. Hickman to request the owners' architect to confirm that construction is being conducted in compliance with the plans as submitted and to require that neighbor letters be sent.

b. **215 Jersey Street.** The owners have submitted two sets of alternate plans. The "Preferred Design" has a five foot front setback encroachment extending 35 feet in width along the front of the house to accommodate a covered porch. The "Alternative Design" shows a four foot encroachment of a much shorter width covering the front door area, approximately eight feet in width. Mr. Hickman has concluded that the home could be set back three feet further on the lot than now planned, leaving a two foot encroachment in the case of the Preferred Design. The Board reviewed language in the Declaration permitting (i) a four foot encroachment by vestibules and (ii) a ten foot encroachment by uncovered porches but not by covered porches, into the front setback. The Board agreed that the permissibility of an encroachment by a vestibule was inconsistent with language possibly prohibiting encroachment by a covered porch, and if the vestibule encroaching four feet is permitted, pillars and roofing encroaching four feet should also be permitted.

The Board discussed at length prior actions of the Board in approving or not approving homes in the subdivision in similar circumstances, the apparent conflict in language in the Declaration, and the desire to treat homeowners equitably, including rewarding homeowners who are anxious to comply with homeowner association requirements. Mr. Brown moved (i) to approve the proposed Alternate Design construction since it was consistent with a permissible four foot vestibule encroachment and (ii) to have Mr. Deline contact Mr. Hickman to draft

language implementing the Board's interpretation of the Declaration to resolve the internally inconsistent language. The motion passed on a vote of 4:1 with Mr. Deline opposing and Mr. Sadwith abstaining.

c. **5 South Jersey Street.** Although plans have been submitted to Mr. Deline, no approvals have yet been issued and the homeowners have commenced construction. In addition to a major interior gut and reconstruction, the homeowners are requesting that the garage be extended approximately two and one-half feet into the front setback. (Mr. Deline could not locate the provision in the Declaration establishing the front setback at 25 feet rather than 30 feet, but, for the purposes of the meeting, the Board assumes the appropriate setback is 25 feet, consistent with the location of this house and adjacent homes.) After full discussion, Ms. Stone moved to deny the extension request, noting, based on Mr. Deline's discussion, that the Board had a policy that frontloaded garages be set back from the front of the house. The motion was seconded by Mr. Brown and passed unanimously.

3. **Lowry/Buckley.** Mr. Sadwith briefly discussed the lawsuit brought by Greg Kerwin and others against Lowry Redevelopment Authority and noted that Monty Force denied Mr. Kerwin's request for mandatory arbitration.

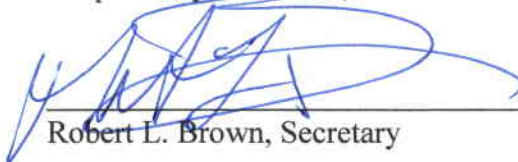
4. **Crestmoor Island Signage.** Mr. Sadwith reported that another Crestmoor sign has been removed. Mr. Withers volunteered to investigate why this signage appears to be removed so easily.

5. **Landscaping.** Mr. Sadwith reported that JBK Landscaping removed all of the annuals in the entry islands, turned the beds, and sent a bill to the Association for \$0.00. The Board commented generally on how good the beds looked this year and how grateful the Association was for JBK's efforts.

6. **Financial Report.** Only one homeowner has dues unpaid for 2014. Mr. Brown will follow up with a letter. Ms. Stone noted many outstanding late fee charges. The Board agreed that no current action should be taken to collect such fees and that amounts owed would be added to statements sent out in February to affected homeowners. Mr. Brown suggested that Mr. Sadwith e-mail all homeowners notifying them of this proposed course of action.

7. **Adjournment.** There being no further business to come before the meeting, the Board of Directors Meeting adjourned at approximately 7:40 p.m.

Respectfully submitted,



Robert L. Brown, Secretary