

MINUTES OF
SPECIAL MEETING OF
BOARD OF DIRECTORS AND ARCHITECTURAL REVIEW COMMITTEE
CRESTMoor PARK (2ND FILING) HOMES ASSOCIATION
(November 4, 2024)

A special meeting of the Board of Directors and Architectural Review Committee (“ARC”) of Crestmoor Park (2nd Filing) Homes Association was held on November 4, 2024, by video conference hosted by Ted Martin; the meeting was called to order at approximately 4:00 p.m.

1. **Directors in Attendance.** Cecilia Retelle Zywicki, Rebecca Kenny, Tom Deline, Robert Brown, Ted Martin, and Jeff Burnside attended the video meeting. All directors in attendance waived notice of the meeting. Directors not in attendance, John Derungs, Mariette Bell, Andy Draper, all subsequently reviewed these Minutes, waived notice, and approved the actions taken as described below.

2. **125 Southmoor Drive.** Mr. Deline, Chair of the ARC, led a discussion with the Board of developments related to 125 Southmoor Drive subsequent to the special meeting of the Board of Directors and the ARC on October 29, 2024. Mr. Deline reported that the owner of 125 Southmoor Drive, Ryan Yoffe, had promptly responded to the letter to him from the ARC advising him that his property was in violation of the approved plans notably with a dramatic change in proposed color and substitution of a raised-seam metal roof (which is specifically prohibited by the Design Guidelines) in place of the asphalt shingles called for by the plans. Those in attendance discussed Mr. Yoffe’s response and found his statement that the raised-seam metal roof was intended only as a temporary measure and would be replaced with asphalt shingles to not be a credible explanation of the apparent clear deviation from the approved plans and the Design Guidelines. Mr. Deline presented to the ARC and Board a proposed follow up letter to Mr. Yoffe, a draft of which had been circulated to the Board and the ARC earlier in the afternoon. After discussion, the Board approved Mr. Deline’s letter with minor, non-substantive, modifications and approved the preparation, execution, and recording of a Notice of Noncompliance.

Board members also discussed remedies available to ensure Mr. Yoffe’s compliance with the approved plans and Design Guidelines. It was noted that a lawsuit seeking damages would not be satisfactory because of the difficulty of computing damages to the HOA and its members of this clear apparent violation of the Design Guidelines. The members of the Board who are lawyers agreed that the relief requested in any lawsuit would need to be specific performance requiring the removal of the metal roof and replacement with asphalt shingles and otherwise complying with the approved plans.

3. **Adjournment.** There being no further business to come before the meeting, the meeting adjourned at approximately 5:25 p.m.

Respectfully submitted,



Robert L. Brown, Secretary

November 12, 2024