

INNIS ARDEN BOARD MEETING MINUTES
July 12, 2022

The meeting was called to order at 7:05 PM by President Cynthia Esselman. Board members present: Cindy Esselman, Jason Barth, Bruce Vincent, Maggie Tabor, Dave Fosmire and Jennifer Mace.

PRESIDENT, Cynthia Esselman –

The directory is being updated and will be ready to go to press in the next few weeks. It has been delayed due to a transition with the hiring of our new Communications person, Joy Griffith. We are also working on the long overdue, rekeying the clubhouse.

Bruce Vincent is leaving the Board at the end of July. He and his wife have sold their home and are moving east of the mountains. Bruce has been an insightful and hardworking asset to the community both as a lifelong resident and as an exceptional Board member. He will be missed, and we wish him all the best.

Going forward the Board is proposing that Bill Schilling fill Bruce's place on the Board until the upcoming election in January. Bill has been an active member of our community and will have much to contribute to the Board.

The following motion was made, seconded and unanimously approved.

Approve the appointment of Bill Schilling to the Board in the position of Board Member, to fill the vacancy of Bruce Vincent until the upcoming election in January 2023.

Vice President/ Legal Affairs, Omar Nur –

Swim Club Lease Agreement is still in progress. Counsel for the club and special counsel continue to work on finalizing the new lease agreement with the swim club. We expect a first draft to be ready soon and will provide an update as soon as possible.

June 28, 2022 Compliance Hearing RE: McHugh and Joseph Properties was cancelled to allow the parties and the club to work together to achieve compliance. RE: Joseph's property at 18008 13th Ave NW, after notice of the compliance hearing was issued, the Joseph's took action to remedy the issues that brought on the compliance hearing. The Board is working with the Joseph's and their attorney and will have more information for the community soon. RE: McHugh's property at 18770 NW Ridgefield Way, the McHugh's have agreed to speak with their neighbors to determine how to remedy the view blocking vegetation. We will touch base in the next month or two to check on the progress and plans.

Executive Session Motion, Bruce Vincent–

The following motion was made, seconded, and passed unanimously by the Board:

“I move to hold one, or two, Executive Sessions prior to the June Board meeting to discuss ongoing outstanding view compliance issues updates on IASC lease amendments and revisions.”

COMPLIANCE, Bruce Vincent, Acting Chair–

Members of the Compliance Committee and IAC Counsel are continuing to focus on gaining compliance on all properties that the board has received a Compliance Request Form of merit on. The Committee greatly appreciates the efforts of all members that are continually working with their neighbors and keeping all of the vegetation on their properties from blocking any of their neighbors views of the sound and mountains.

The Compliance Committee wants all IAC property owners to know the following about view protections and compliance:

- Your protected views are of the Sound and/or Mountains and are from your lot in its entirety (e.g. from any floor level in your home, patio, yard, etc...).
- The IAC applies the following provisions: The View Preservation Amendment, Covenant #10. Fences, Hedges, and Covenant #11. Noxious Use of Property: Spite Fences. The View Preservation Amendment sets a maximum not minimum height for vegetation which in any way obstructs the view from a neighboring lot or lots and does not preclude further regulation under Covenant 10 and/or Covenant 11. Therefore, depending on the situation and context, it may be necessary to trim/height reduce vegetation to a height below the average roof height in order to comply with the Covenants, especially in areas of your property where there are not structures. Recent case law, such as the 2017 Carlson Decision, provides additional clarification.
- Your property may have longstanding view compliance issues that were present, or not disclosed to you, prior to purchase and which have not be resolved so as to achieve Covenant compliance. As an Innis Arden property owner, you are required to maintain your property in compliance with all applicable Covenants.
- It’s your responsibility to pay all costs to maintain the vegetation on your property in compliance, regardless of the property’s size and location.
- Revised planting selections (i.e. smaller and/or slower growing) may help reduce annual trimming costs.
- Depending on the type of vegetation at issue, how quickly it grows, and the height at which has been maintained, etc., annual trimming may be necessary to comply with the Covenants year round .
- The Board encourages you to get to know your neighbors, to regularly assess the vegetation on your property, and to endeavor in good faith to promptly remedy any violations that may exist on your property.
- Should you be found out of compliance, the board may enforce fines and other penalties (e.g., a lien on your property) until your property becomes compliant.

To learn more about view protections and compliance see [IA-New-Neighbor-Guide.pdf \(innisarden.org\)](#) and HOA FAQ's "Is Innis Arden a Puget Sound and Mountain view protected community?" at <http://www.innisarden.org/hoa-faq/>

There still are 13 (-1 & +1) petitioned (CRF) properties with unresolved compliance issues as follows:

*18760 Ridgefield Rd. NW (formerly Schuler): At the 11/16/2021 Compliance Hearing this property was found to be non-compliant. A more detailed written decision by the IAC Board, consistent with its votes at the hearings, is pending. The property has changed ownership. The new owner's assume the responsibilities for current non-compliance, including fines and/or penalties. Omar will be in contact with the new owners to start moving forward with gaining their voluntary compliance.

*915 NW RB Road (formerly Yu): At the 11/16/2021 Compliance Hearing this property was found to be non-compliant. On 2/23/2022 the IAC issued a Written Decision concerning the vegetation compliance on this property. The decision notes the owner's failure to submit a compliance plan for review and approval by the IAC along with fines of \$50 per day accruing from the 11/16/2021 Compliance Hearing and up until full compliance has been achieved. This property has changed ownership. The new owner's assume the responsibilities for current non-compliance, including fines and/or penalties.

*1001 NW Richmond Beach Road (Zawtkowski): –no update–

*17727 17th Ave NW (Lawson): At the 11/30/2021 Compliance Hearing this property was found to be non-compliant. A more detailed written decision by the IAC Board, consistent with its votes at the hearings, is pending.

*18029 13th Ave NW (Hjelle): IAC counsel is assembling results of outside consultants vegetation review. The IAC subsequently will be scheduling another hearing on this property in the near future. The forecast timing of the new hearing will be updated by IAC counsel.

*18770 Ridgefield Rd. NW (McHugh): Omar has contacted the McHugh's and followed up with some discussions of the POV photos and impact to neighboring properties. Based on these discussions, the Compliance Committee will hold a Vegetation Compliance Hearing on this property to help better define the potentially view blocking vegetation that would be required to be brought into compliance. The Compliance Hearing scheduled for 6/8/22 was cancelled.

*18742 Ridgefield Rd. NW (Gesinger): The Board has delayed holding a Vegetation Compliance Hearing, pending courtesy site visits with the owners to directly discuss the potentially view blocking vegetation noted in now assembled photo support. Omar has contacted the Gesinger's and they have been working collaboratively with their neighbors to bring the vegetation into compliance.

*17732 17th Ave NW (Bargreen): At the 11/30/2021 Compliance Hearing this property was found to be non-compliant. A more detailed written decision by the IAC Board, consistent with its votes at the hearings, is pending.

*933 NW Richmond Beach Road (Shen, formerly Knauer): On 2/25/2022 the IAC submitted a written request to the owner's for a Compliance Update. A prompt response was received by the IAC, from the Shens, that will be reviewed with those effected properties to confirm full compliance. The Cindy & Bruce met onsite with Grace Shen on 3/17/2022 to review the vegetation identified in the 5/4/2021 written decision and whether or not it is all in full compliance. Based on that site visit, it appeared that about 90% of the vegetation is in compliance, but that will be reviewed with IAC Counsel. During the 3/17/2022 site visit, a number of smaller western red cedars appear to be potentially view blocking an may also require trimming.

*1250 NW 175th St. (Sullivan): A CRF was received on 8/10/2020 for this property. Cindy and Bruce made a site visit on 4/28/2022 to discuss with the Owner. Bruce made another site visit 5/27/22, at the request of the owner, to meet with Ballard Tree and look at trimming options that may be able to restore neighboring properties views. Voluntarily gain compliance. The Board is awaiting an update from the Owner on their plans and timing.

*17770 14th Ave NW (Tynan): A CRF dated 2/12/2022 was received on this property. There is a previous written decision in July of 2017 that found the property not in compliance.

*17037 14th Ave NW (Kirkness): A CRF dated 3/24/2022 was received on this property. On 3/29/2022 the Compliance Committee requested more specific information from the Petitioner's before the schedules a site visit with the owner's.

*18008 13th Ave NW (Joseph): A CRF dated 5/5/2022 was received on this property regarding a long-standing remodeling project that received B&R approval in 2020, yet has expired. The Compliance Hearing scheduled for 6/8/22 was cancelled. IA Counsel is advising and the IAC Board is working on negotiating a solution.

The Board received written notice on 9/22/21 about potential compliance issues with the following property:

*1408 NW 186th St. and/or Blue Heron Reserve: The location of the potentially view blocking tree is unclear and no documents have been provided to the Board to support. Existing site property line survey data will be reviewed.

ROW, Bruce Vincent

Right-of-Way Trees/Vegetation:

*No ROW tree permitting, or ROW work, is scheduled or pending to-date.

SECURITY, Bruce Vincent

2022 Off-Duty Shoreline Police/KCSO Deputy Officers Patrolling IA

A total of 20 hours of Deputy time was logged for May, and 20 hours for June, with Deputies patrolling on random days and at random times. Patrol vehicles are both “marked” and “unmarked”. All roadways will be patrolled during IAC duty hours. You may see Deputies at reserve entrances, or even walking some trails in the reserves. They may be also checking license plates of vehicles parked at reserve entrances for non-residents.

Any campfire and/or camping in either a IA Reserve, the IA Grounds, or in the City of Shoreline Innis Arden Reserve Park, should be reported (as noted below). If the Fire Department responds and decides a Police response is also required, they will make that request.

Detectives Paula Kieland and Erik Soderstrom again emphasize the continued need to REPORT, REPORT,REPORT. If you don’t report a incident, no matter how minor, your KCSO Police will not know about it.

Please continue to report activities to the Shoreline Police (KCSO) using these Guidelines:

- If it is an emergency CALL 911
- If it is not an emergency, you can call 911 and tell them “It’s not an emergency” and then you will be routed to a Non-Emergency Call Receiver.
- Alternately, you can call the KCSO Non-Emergency phone at 206-296-3311 and you will also be routed to a Non-Emergency Call Receiver.
- A Call Receiver will ask you many questions to triage the call. When they ask, “Do you want contact?”, always answer “Yes”, if you want an officer to respond onsite. If you answer “No”, an officer/s may, or may not, be dispatched.
- Please tell the Call Receiver you “I saw this _____, and I’m willing to assist with being a witness for the prosecution.”

BUILDING AND REMODEL, Jason Barth –

Nothing to report for July meeting

August Meeting agenda:

Schmidt, Andrew
18555 Springdale Ct NW
Shoreline, WA 98177
Garden/Storage Shed

TREASURER, Jennifer Mace –

At the close of June, our Operating Checking was \$146,603, Collections Savings was \$10,174, and the Asset Reserves Savings was \$441,197.

CLUBHOUSE, Mary Ruhlman – There were seven rentals in the month of June, none of which were sponsored by the Activities Committee. For the month of July, we have four rentals, one of which is sponsored by the Activities Committee.

If you have questions about renting the clubhouse, please contact Joy Griffith at 206-542-5558 or communications@innisarden.org.

NATURAL RESERVES, Steve Johnston –

Trails

Seasonal weed whacking occurred as required. The Boeing Creek gate required adjustment.

Invasive Plant Control

Invasive plant control occurred as needed.

Trees

The giant Maple in Blue Heron was pruned to remove diseased limbs threatening nearby homes and the walking trail.

ACTIVITIES, Maggie Taber –

Save the Dates:

2022 Rummage Sale on hold due to covid.

Salmon BBQ - Wednesday, July 20th, 5PM-8PM

Four Corners Brewfest - Saturday, August 6th

Overnight Family Camp Out - Saturday, August 27th

Wine Tasting - Thursday, September 8th

Halloween Costume Parade - Sunday, October 30th

Halloween w/Neighborhood Treat-or-Treat Map - Monday, October 31st.

The Petanque Night was Sunday, June 26th. Many thanks to the Edmonds Petanque club for joining and instructing.

The Annual Salmon BBQ is coming up on Wednesday, July 20th. Tickets are available via Brown Paper Tickets through July 13th. No tickets will be sold at the door. There are still a few volunteer spots open, please consider signing up and helping us make this a great event!

The Four Corners Brewfest will be held on the Innis Arden grounds Saturday, August 6th, 3 pm to 7 pm. Tickets are available via Eventbrite and in person at Beach House Greetings.

Next meeting: Monday, August 1st, 7 pm, clubhouse patio. Please join us - all are welcome!

Meeting was adjourned at 7:45pm.

If you are new or have changed your phone number and/or email address, please email updates to communications@innisarden.org and be sure to include your address!