**NEPENTHE ARCHITECTURAL REVIEW COMMITTEE MINUTES**

**March, 2023**

Meeting was cancelled. A subsequent special meeting was held while other business was conducted by email.

**B.1. Homeowner requests not voted on:** none.

**B.2. Homeowner Requests Recommended to be Approved:** (With conditions if so noted.) (All votes unanimous unless otherwise noted).

1. **1467 University Avenue** -- Patio hardscape replacement requested in this 4400 model. The existing patio will be removed. The homeowner and Juan from Chavez Landscaping met with two ARC members. Chavez has designed the new concrete to meet necessary drainage requirements, draining toward the alley. The patio will consist of concrete rectangles resting on a gravel substrate, and there will be gravel separating the patio rectangles. The water collected via these gravel areas will be collected and thence drain westward through a 3-inch-diameter, buried drainpipe that will exhaust its water west of the fence into the common area bordering the alley. The homeowner and contractor were advised that the planned planter borders along the fence and neighbor’s wall to the south must be several inches away horizontally from those structures and that soil and mulch must be two inches below the edge of the siding and fence. A planned water feature, we are told, has been deleted. However, the homeowner was advised that so long as a manufactured water feature envisioned for placement near the south fence is not permanently installed and can be removed to allow access for fence or siding maintenance, a water feature or fountain will be allowed. The backyard designer is to be Shelly Messner Landscape Design and the contractor is to be Chavez Landscaping (both previously been approved for Nepenthe hardscape replacements)**.** Voting was conducted by email on March 9, 2023, with all five members voting yes.  **Approval Recommended.**
2. **30 Adelphi Court** – New window creation; windows replacement; window removal and door installation requested in this 1384 model. Two 2 x 3 Ply-Gem dual-glazed vinyl-framed windows have been installed, one replacing the kitchen window on the first story and the second installed as a new window creation in a second-story bathroom. The kitchen patio sliding door was removed, then an exterior wall constructed, and a pre-hung swing door was installed in its place. The Board has asked the ARC to consider this application. The ARC met in special session on March 14, with five out of five members responding voting to deny this application. Please see Appendix A for discussion. **Approval Not Recommended**.
3. **1045 Vanderbilt Way** – Windows replacement in this Model 3000. One sliding patio door and eight windows are requested to be replaced, using Simonton DaylightMax dual-paned Contemporary Patio sliders and windows in Bronze exterior color in a retrofit installation. The contractor is to be C.E.C.S. with Gary Lee estimating. Voting was conducted by email on March 22, with all members voting yes.  **Approval recommended**.

**B.2.A. Homeowner Requests Approved via Emergency Approvals:**

3. ***Post Meeting:* 2318 American River Drive –** Emergency replacement of the HVAC system is requested in this 1625 Model. A 3.0-Ton Trane XR16 Seer2 heat pump and Trane R410A air handler are to be installed. The heat pump condenser will be sited in the original location, and the existing refrigerant line set will be re-used. No new wiring is required. The contractor is to be Buckley Heat Air Solar. Voting was conducted by email with all five members responding voting in the affirmative. **Emergency Approval granted March 18, 2023.**

**C. Old Business: Ongoing**

1. **Updating the Rules for Home Improvement and associated forms –** Paul Serafimidis worked on the draft Rules document and the Committee met to do a final review. Pat Singer worked on finalizing the document format and updated all related questionnaires and forms. The Committee will conduct one final review before submitting the documents to the Board for their review in April.

**D. New Business:**

1. **Architectural Estoppel Inspections performed:** 503 Dunbarton Circle, 1143 Vanderbilt Way, 1071 Vanderbilt Way, 3 Adelphi Court, 1449 University, 1197 Vanderbilt.

**E. Notices of Completion:** None.

Respectfully submitted, Pat Singer, A.R.C. secretary

**Appendix A Discussion of issues arising from the 30 Adelphi Court application**

Explanation of ARC’s concerns

1. The application is incomplete.
2. The windows questionnaire turned in as part of the application states that the windows’ exterior color will be white. Inspection of the recently created second-story bathroom window shows at least some white visible. White exterior windows framed are not allowed; we want bronze or dark brown.
3. There is no statement about the creation of a new window, and no explanation, rationale nor argument is presented. The window’s placement does seem to alter the architectural appearance, being visible above the fence line and from the common area and alley. Admittedly, judging such a request is a subjective matter of esthetics largely, between whether such a window would detract from the architectural scheme of deliberate suppression of windows (i.e., bathrooms) versus the homeowner’s wish to have a window. At least one such window location has been approved ten years ago, but that location was more concealed from the common area.
4. The application lacks a spec sheet for this Ply-Gem window. We are not given model number, nor measurements, etc. The floor plan has written on it “same style as existing windows,” but this claim is incorrect because this window is a double-hung type, which is not the same as the sliding windows Nepenthe uses. Nor is there any statement about the necessary framing construction alterations nor creation of a rectangular “hole” in the siding and the attendant sealing against water.
5. About the kitchen window replacement, and the suitability of the product chosen, not enough information is given. The same omissions noted above apply.
6. About the removal of the patio sliding door and its replacement with wall and a side-hinged, swing door, several alterations to former patio doors have been approved over the years because largely they are not visible from the common area. Indeed, in the last two years a request to remove a kitchen patio slider and replace it with wall and a Dutch door received approval. The same omissions noted above apply. However, with this application we have no information about the necessary construction of this exterior wall, its waterproof membrane, its exterior siding (which presumably the homeowner implicitly expects the HOA to maintain) and its sealing against rain. Usually, we would rely on a City inspection, but the City building permit submitted to Nepenthe omits any mention of construction of an exterior wall, involving new balloon framing, drywall, waterproof membrane, siding and sealing against water intrusion, so there will be no inspection of these components.