

**NEPENTHE ARCHITECTURAL REVIEW COMMITTEE MINUTES
November 2022**

Thursday, November 10, 2022, conducted in person and via videoconferencing.

Members present: Alan Watters, chairperson; Allen Davenport; Ken Luttrell; Paul Serafimidis; Pat Singer, secretary.

Absent: Lee Blachowicz (excused). Markus Dascher

Also Present: General Community Manager Bettsi Ledesma.

Meeting was convened at 5:30 pm.

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. **1213 Vanderbilt Way** – a solar tube to be installed in the master bath of this 2000 model by JMJ Natural Lighting of Rancho Cordova. To be installed is the 10-inch Solatube, model 160 DS Tubular Skylight. **Approval recommended with Condition: Nepenthe’s Roof Penetration policy will apply: the homeowner will assume responsibility for any water intrusion through the roof in the area of this installation.**

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

1. **212 Dunbarton Circle** – HVAC system replacement is requested in this 3300 Model. A 4.0-ton Amana Air conditioner and a 96%-efficiency Amana gas furnace are to be installed. The air conditioning compressor 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 One Hour Heating & Air Conditioning, of Rocklin. Voting was conducted by email with all five members responding voting in the affirmative. **Emergency Approval granted November 8, 2022.**
2. **508 Elmhurst Circle** – Emergency HVAC replacement is requested in this 4400 model. A 4-Ton, 24-SEER Lennox Variable-Capacity Heat Pump Model SL25XPV-048 is to be installed in the original location. The existing refrigerant line set will be re-used, and no new wiring is required. The contractor is to be Bell Brothers. Voting was conducted by email with all five members responding voting in the affirmative. **Emergency Approval granted November 9, 2022.**

B.2.B. Homeowner Requests Approved via Emergency Approvals: *Post Meeting review*

1. **1581 University Avenue** – HVAC system replacement is requested in this 4400 Model on an emergency basis. A 3.5-ton American Standard split heat pump system is to be installed. The heat pump compressor will be sited in the original

location, and the existing refrigerant line set is to be re-used. No new wiring is required. The contractor is to be All Year Solar, Heating & Air. Voting was conducted by email with all five members responding voting in the affirmative. **Emergency Approval granted November 14, 2022.**

B.3. Homeowner Requests Not Approved: (All votes unanimous unless otherwise noted.)

1. **28 Adelphi Court** – HVAC replacement to be done in this 1400 model. Love & Care of Sacramento installed a new 3-ton 16-SEER Ox Box heat pump shortly after the home was purchased in August 2022; at the time, the resident was not aware that an application and approval were required. The line set was replaced and there is now covered box-like metal conduit mounted onto the siding of this home. Such an installation of refrigerant piping is contrary to the Architectural Guidelines. The HOA office issued a violation letter, and the Board reviewed this matter at the November 6 meeting. **Application formally denied. Board is taking action with resident.**
2. **1016 Dunbarton Circle** – Window replacement to be done in this 5500A model. Using five Milgard Tuscan windows and three sliding doors, except for two narrow sidelight windows which will use Milgard's Style Line. The contractor is to be Capital Glass and Construction of Sacramento. A new proposal was submitted on Sept 25; a list of questions was sent back on Sept 26. As of this meeting, 46 days have passed since submission with no additional feedback from resident. **Application denied.**

C. Old Business:

1. **Architectural Compliance Estoppel Rule and rule requiring copy of permit:** - Bettsi informed the Committee that the documentation ARC offered to the Board for the Estoppel Rule was reviewed by Legal. The attorney is recommending the change of wording – that the Association *may*, rather than *shall*, initiate the estoppel process, so that the Association does not become liable if it inadvertently fails to perform the process.

The Board will provide the community notice of the proposed rule adoption at least 28 days before a Board meeting where the Board will decide whether to adopt the rule changes.

D. New Business:

1. **ARC application submission schedule.** The Committee agreed to establish a non-emergency application submission cut-off date of seven (7) days prior to the scheduled monthly ARC meeting (end of business on the Thursday before the meeting). This will provide adequate time for the Committee members to do a thorough review of the application. Emergency applications will be reviewed as promptly as possible.
 - a. Bettsi and Pat will craft a message to residents about the cut-off date, to be communicated in the Outreach Packets, on the ARC Homepage, and in the newsletters.

2. **Application completeness and review time:** A very high number of incomplete applications have been submitted over the past few months. Additionally, it has been noted that residents are not aware of the application review time set forth in the CC&Rs for Nepenthe. The Committee is to abide by the CC&Rs' stated **30-day limit**, starting from the formal acceptance of the application (the applications is satisfying all requirements) to the providing a recommendation to the Board.
 - a. Bettsi and Pat will include in the application form a paragraph explaining the estimated timing of ARC review and Board approval, also highlighting that the review clock will not begin until ARC deems the application complete. The HOA Office will verbally provide this information with each application submission, also informing the resident of that month's submission cut-off date.
3. **ARC communications between meetings** – All Committee Members confirmed that email is the best way to reach each other for emergency applications.
4. **Updating the ARC “Rules” and associated forms** – The Committee agreed to a thorough review and updating of the ARC rules (Board recently changed “Guidelines” to “Rules.” Alan made section assignments, with the first draft of the document due prior to the next Committee meeting, in December 2022.
5. **Approvals of ARC Application recommendations** - The Board may only hold an executive session in December. They have delegated to Markus Dascher the authority to review and approve any ARC recommendations made on applications in lieu of their December 8th meeting.

E. Notices of Completion: Alan signed several.

Meeting adjourned at 6:30 pm.

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