

**THE FOOTHILLS CLUSTERS HOMEOWNERS ASSOCIATION
AGENDA - BOARD OF DIRECTORS SPECIAL MEETING**

FEBRUARY 5, 2024 6:30 PM

Meeting Minutes

1.. CALL TO ORDER / ROLL CALL

The meeting was called to order at 6:30 PM

Board Member/Term Expiration	Present	Absent	Proxy
Brian Bickel 2024			x
Greg Piraino 2024	x		
Austin Wesnitzer 2024		x	
Ron Steffens 2025	x		
Vacant 2025			
Vacant 2025			
Gigi Bainbridge 2026	x		
Aletha Kalish 2026	x		
Donn Stoltzfus 2026	x		

2. PRESIDENTS COMMENTS AND REVIEW OF THE PROCEDURES FOR PUBLIC COMMENT ON AN ACTION ITEM

Aletha Kalish welcomed the homeowners in attendance and thanked all of those who participated in the revision of the Architectural Control Committee Guidelines, those who read the draft and those who made comments to the text. She noted that the Board is made up of residents who volunteer their time for the community and share the desire to make the Guidelines a clear and objective framework. Following the presentation about the revised guidelines, homeowners will be able to address the Board, keeping comments to a maximum of three minutes per homeowner.

3. OVERVIEW OF THE FCHOA COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs) AND GUIDELINES PERTAINING TO PROPOSED CONSTRUCTION

As the Chair of the Architectural Control Committee, Greg Piraino made a PowerPoint presentation that included representative comments from homeowners who supported the revisions and homeowners who were critical of them. He noted that all comments from the community received within the review period were distributed to the Board to review and are part of the public record. A few emails

with similar comments did come in after the review period which will be shared with the Board and also become part of the public record. Greg stated that several changes had been made to the proposed guidelines as a direct result of community input.

Greg then referred to Section V of the CC&Rs, noting the references to height, location, and materials of proposed structures, and direction to the ACC with evaluating each proposal in terms of the "harmony and external design" in relation to each structure. These references both create the reason for and place limits on the Guidelines, which Greg stated has the benefit of providing a reference for architects, builders, and homeowners; should minimize the number of reviews and plan corrections before approval, and provide consistency for the future. Greg noted that the majority of HOAs in Arizona use design guidelines to review new construction.

Greg said it was important to revise the guidelines as a tool for the future, as he anticipated redevelopment of the Clusters, i.e. major additions or complete rebuilds to become more common due to the rising property values, desirable views from the neighborhood, and the aging of the housing stock. Such redevelopment can adversely impact existing homeowners unless it is regulated to maintain the harmony and values of the neighborhood.

Several homeowners spoke to the topic, as summarized herein:

John Bronner stated that the CC&Rs contain both specific statements and generalities, and expressed concern that some of the proposed revisions may not be supported by the CC&Rs. He also questioned whether design controls, particularly some of the proposed specific criteria, should be determined by the Board, or by all 367 homeowners. He agreed that home replacement is likely to be needed in the future.

Martin Leuking thanked everyone who participated for their hard work and stated that he thought the revised guidelines were well-done.

Jonathan Weinberg commented that the suggested changes were good, aligned with the CC&Rs, and helped to clarify certain matters. He said that additional clarification of the CC&Rs would be helpful and he would like the Board to consider that in the future.

Lisa Gobar thanked the Board for its professionalism and hard work in revising the Guidelines. She asked that the requirement to submit professionally-prepared drawings be reconsidered in light of her own experience of high costs to do so. She also asked that the Board institute an appeals process for homeowners whose application was denied.

Greg responded that the requirement for professionally-prepared plans was not intended to apply to small, routine projects and he would revise the application forms to clarify that.

Gigi Bainbridge commented that she was appreciative of all the work that went into the revisions. She emphasized that the guidelines need to continue to be forward-looking as home construction and materials have changed since the CC&Rs were written. In particular, the Guidelines should support construction of energy-efficient and environmentally responsible construction.

John Bronner commented that some of the listed approved materials, such as slump block, were not energy-efficient, and there was a brief discussion of other materials and finishes that resulted in Greg noting he would make a minor change to clarify the materials section of the Guidelines.

Kate MacKay addressed the Board and questioned whether residents had been given proper notice of the meeting and the availability of the Guidelines for comment. Donn Stoltzfus explained that the legal requirements had been exceeded, and that information was posted on the website throughout the process, including several days notice of the meeting. MacKay said she still had concerns and questioned whether residents routinely checked the community website. Stoltzfus noted there were some discussions ongoing among Board members about making changes to the notification process to improve awareness.

4. DISCUSSION AND POSSIBLE ACTION REGARDING REVISIONS TO THE ARCHITECTURAL CONTROL COMMITTEE GUIDELINES

Greg Piraino made a motion to that the Board enact the proposed updates to the ACC Guidelines, with a stipulation to make a future edit to address the requirements of complete home construction and to clarify that a stucco finish is acceptable for new construction.

A few Board members spoke briefly to compliment Greg for his efforts, Larry Holmes for his assistance with posting information of the website, and the community for participating and providing much valuable input.

A roll call vote was held, with each Board member in attendance voting in favor of the motion. It passed 6-0.

5. ADJOURN

A motion was made and the meeting adjourned at 7:34 PM.