

## FOREST GLEN HOMEOWNERS' ASSOCIATION

### Special Meeting

June 19, 2023

Bayside Lakes Clubhouse

1. **Call to Order:** The Meeting was called to order by Larry Cayabyab at 10:00AM. A quorum was established with 5 of 5 Directors present.
2. **Proof of Meeting Notice:** Notice was posted on Bulletin Board at entrance to Forest Glen.

### 3. New Business:

a. **6 foot fences:** There is currently one home with a 6 foot fence in the community and that home will not be affected by any decisions going forward involving the fence.

1. Larry Cayabyab motioned to vacate all decisions that were made concerning the height and stile spacing going forward, Lana Jobes 2<sup>nd</sup>, all approved. Larry would like the document posted referencing the 2018 decision made on fencing slate spaces be removed and posted with the May meeting minutes so there is no confusion for homeowners as it implies there is a blanket approval for stile spacing or fence height.

2. Larry Cayabyab motioned that the ARC Committee be directed to follow the current CCRs and not decision that were made by previous boards, if a question on how the CCRS are interpreted should arise, the arc chair will bring it to the board for review, Diane Barrett 2<sup>nd</sup>, all approved.

Larrys Rationale for his motion is fence style and type does not include height or spacing. There are 9 types of fencing and height and spacing are specifications defined by the end user, not the type or style. The 9 fencing types that are prevalent are wooden, wrought iron, aluminum, vinyl, composite, chain-link, bamboo, and masonry. The Term privacy and security are a result of the fencing not type or style. A privacy fence can be 4 feet high or 12 feet high. Security is defined by the threat or deterrent capability of the end user. Most customers that request a privacy or security fence have standardized their needs and upfront specifications. This is what the CCRs provide. They in a separate paragraph define the height of all structures allowed in Forest Glen. Some could argue that since stile spacing is in the same paragraph that provides the board the opportunity to adjust the type and style one could conclude the board can adjust spacing. Spacing is a question that will need to go to the lawyer.

3. Larry Cayabyab motioned that any ARC application submitted that differs from the CCRS be brought to the board for a decision, Diane Barret 2<sup>nd</sup>, all approved.

### b. House Plans

1. Larry Cayabyab motioned to vacate the decision made by the previous boards definition of "house plans", Lana Jobes 2<sup>nd</sup>, all approved. Larry explained that paragraph one in the CCRS defines what should be submitted when submitting an ARC form. The use of house plans in the second sentence can be defined as an "appositive" re-enforcing the nouns in the previous sentence further restating the requirement using "house plans" holistically when talking about the first sentence. This is supported by paragraph (d) of the same section which refers to the "plans"

2. Larry Cayabyab motioned to start working on Amendments to eliminate the \$25 ARC Fee, define fence slate spacing to be anywhere from a ½ inch to 1 inch to allow tolerance, and to lower the amount of yes votes needed to make amendments from 2/3 of the community to 50% plus 1, Diane Barret 2<sup>nd</sup>, all approved

### 4. Open Discussion

1. Carmen Faccio spoke on not receiving the CCRS, Larry Cayabyab gave her a copy during the meeting and directed her to Fairways website for a copy of the BYLaws.

### Adjournment:

The meeting was adjourned at 11:09AM

Minutes Prepared By:

Joy Simon- Fairway Management