

BBVCC  
 ARCHITECTURAL CONTROL COMMITTEE  
 Meeting Minutes  
 December 2, 2025 at 10:00AM

<b>Committee Members Present</b>		
Lisa Guthrie	Bob Whale, Board Liaison	Patrick Ryan, Board Liaison
Rich Santi	Lyle Sieg	Michael Stringam, Chair
Kevin Ryan		
<b>Committee Members Absent</b>		
	Patrick Ryan, Board Liaison	
<b>Staff Present</b>		
	Justine Brooks, ACC Admin	
<b>Members Present</b>		
	David Scheirman	Dymond Nicon

- I. CALL TO ORDER: at 10:00 am by Michael Stringam
  
- II. ADOPTION OF AGENDA  
**Motion to approve with the addition of process for application and Scheirman letters during Additional Items Discussion.**  
**Motion by:** Lisa Guthrie      **Seconded by:** Lyle Sieg      **Approved**
  
- III. OPEN FORUM:  
 11A-002 – David Scheirman – came as there was no confirmation that the letters he sent would be on the agenda.
  
- IV. RATIFY MINUTES: November 2, 2025  
**Motion to approve, with the correction to Lyle’s last name.**  
**Motion by:** Lisa Guthrie      **Seconded by:** Bob Whale      **Approved**
  
- V. CONSENT AGENDA – Admin Approved  
 A. 8123 Skeena Way – Reno - Rebuild  
**Motion to Approve the Consent Agenda**  
**Motion by:** Lisa Guthrie      **Seconded by:** Rich Santi      **Approved**  
**Revised Motion to Approve the Consent Agenda** with the contingency that they provide the office with impervious calculations.  
**Motion by:** Lisa Guthrie      **Seconded by:** Rich Santi      **Approved**
  
- VI. OLD BUSINESS:  
**No Old Business**
  
- VII. NEW BUSINESS:  
 A. 5812 Salish Rd – Deck & Spa  
**Motion to:** Approve with the verification of the rear setbacks  
**Motion by:** Kevin Ryan      **Seconded by:** Bob Whale      **Approved**

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**B. 8010 Comox Rd – Drainage**

**Motion to:** Approve

**Motion by:** Kevin Ryan      **Seconded by:** Bob Whale      **Approved**

**C. 8138 Comox Loop – Temporary Structure**

**Motion to:** take no action as temporary structures are prohibited and recommend that if the member wishes to have the structure to take it to the Board.

**Motion by:** Lisa Guthrie      **Seconded by:** Kevin Ryan      **Approved**

**D. 5451 Tsawwassen Loop – Deck Replacement**

**Motion to:** Approve subject to getting plans and impervious calculations

**Motion by:** Lisa Guthrie      **Seconded by:** Kevin Ryan      **Approved**

**VIII. ADDITIONAL ITEMS DISCUSSION:**

**Process for Applications**

The ACC reviewed the process for applications and schedule. There were a few revisions discussed including the due date needing to be 9 am on the Monday before the agenda needs to be posted so there is time to review applications, and the ACC member and administrator meeting needs to be in the morning on the scheduled dates due to other meetings on those days.

**Motion to:** Approve the revised process for application with the due date being 9 am Monday before the agenda needs to be posted

**Motion by:** Lisa Guthrie      **Seconded by:** Lyle Sieg      **Approved**

**Revised Motion to:** Approve the revised process for application as revised for 9 am Monday morning and the time for ACC member and administrator meeting to be at 11 am.

**Motion by:** Lisa Guthrie      **Seconded by:** Lyle Sieg      **Approved**

**Scheirman Letters**

The Architectural Control Committee discussed concerns about selective enforcement of tree regulations and the potential legal implications of inconsistent application. It was suggested to conduct a survey to understand community preferences on tree height regulations, but it was recommended to postpone this until the upcoming workshop. The Committee also addressed a disingenuous complaint and emphasized the importance of being cautious about legal risks. They agreed to move the discussion on specific letters and draft documents to the workshop session.

**VIII. ADJOURNMENT:**

**Motion to** adjourn at 11:07 AM

**Motion by:** Bob Whale      **Seconded by:** Lisa Guthrie      **Approved**

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**Working meeting notes**

The ACC discussed and reviewed the notes from the previous work meeting about the Covenants. The Committee has decided to review the Covenants before starting with the rule changes for 64.90 as they have made the recommended change for when the agenda and information need to be submitted, 14 days in advance.

The committee reviewed various declarations and covenants, focusing on easements, road ownership, and membership requirements. They discussed the potential for transferring roads to the county but noted that the Community Club would likely oppose this due to gating and infrastructure requirements. The Committee also addressed the legality of a membership committee, which they believe may have been negated as illegal, and clarified that they are not the Architectural Control Committee but rather the Architectural Control and Maintenance Committee.

The Committee discussed the legal interpretation of ADU (Accessory Dwelling Unit) rules and their applicability to their HOA, with two different attorneys agreeing that the current rules do not apply to their community. They noted that while HOAs founded before 2023 are exempt, there is uncertainty about the scope of the rule and potential future changes. The group expressed skepticism about the clarity of the statute and its implementation, particularly regarding HOAs with planned communities. They also considered the community's preferences regarding ADUs and discussed the possibility of including related questions in an upcoming survey.

The Committee discussed the complexities of amending covenants and restrictions in homeowners' declarations, noting conflicts between sections 12 and 15. It was explained that while the original developer could amend covenants with a two-thirds majority, after transfer to the board, a simple majority is required. David F noted that the legal threshold allowing early implementation of changes before 2028, potentially reducing the required majority to 22%. He emphasized the need to separate controversial from non-controversial changes and mentioned a Supreme Court case, *Wilkinson v. Chihuahua*, which restricts adding new covenants without 100%-member agreement.

The group discussed Declaration 8, focusing on building limitations and the interpretation of certain covenant language. They identified potential issues with the 60-day timeline for ACC decisions, the definition of "natural ground level," and the clarification of house trailers for residential purposes. The discussion also touched on the distinction between mobile homes and modular homes, as well as the ACC's "absolute right" to restrict or prohibit construction. The group agreed to seek legal interpretation of these sections and to consider updating the covenants to address future housing needs and community diversity.

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The meeting focused on reviewing and discussing covenants, particularly regarding restrictions on fireworks and trees. David F emphasized that fireworks are not explicitly restricted in the covenants, suggesting potential legal issues if restrictions were imposed. The discussion also covered the

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interpretation of tree-related clauses, with explaining that current restrictions may need revision. The Committee agreed to recommend amendments to the covenants, such as changing "no trees or natural shrubbery shall be removed" to allow removal with ACC approval.

**Motion to:** recommend to the Board to have the ACC Chairperson sit on the 64.90 Task Force to ensure alignment between the Architectural Control Committee work and the broader community changes.

**Motion By:** Lisa Guthrie

**Seconded By:** Bob Whale

**Approved.**

Working meeting concluded at 12:40pm.