

Architectural Control Committee – Meeting Minutes – Approved

Date: April 3, 2023

Location: PIPOA Office, 14015 Fortuna Bay Drive

1. Call to Order

- a. David Heitzman called the meeting to order at 5:30 PM.

2. Roll Call

- a. In attendance: David Heitzman, Michael Hall Bill Hibbs
- b. Not in attendance: Charlie Guzman, Josh Senecal
- c. Board/Staff: Heather Cooley Cox

3. Approval of Meeting Minutes

- a. The March 2023 meeting minutes were approved.

4. Member Comments

- a. Mr. Andy Savas, 15602 Three Fathoms Bank Drive, discussed his outstanding pre review request for a five (5) foot exception to the platted 15-foot mooring line, for the construction of a boat lift. Mr. Savas' property is adjacent to 13790 Three Fathoms where, in 2015, the owners were granted a 10-foot exception to construct a deck/dock/lift extending 25 feet from the bulkhead.
- b. Mrs. Elizabeth Quigley provided a sketch and discussed her ideas for a multi-family property at 13973 Fortuna Bay Drive. Last year, a three-unit building was approved; however, Mrs. Quigley is considering a four-unit residence instead.

5. Old Business

a. Structures Beyond Mooring Areas/License to Encroach

- i. At its February 2022 meeting, the Board of Directors created an ad hoc committee to further study and develop procedures for its December 2022-approved motion for the use of canal property for minor extensions to decks/docks/lifts, if such a request is approved by the ACC.

(The motion supports years of owner requests for minor extensions to allow for a boat lift design that keeps boat props a max distance from the bulkhead and avoid prop wash, negate/compensate for PIPOA- riprap (from bulkhead cap repairs) adjacent to the bulkhead, ingress/egress safety, facilitate lift designs on curved lots, to receive the same exception allowance of many fellow property owners, etc.)

- ii. In December 2022, the ACC a draft procedure document for the "License to Encroach" policy to the Board for approval. The one-page draft outlines general info such as limiting exceptions to the restrictions for mooring areas only, defines exception allowances at 1-foot increments to a max 5 feet on 80' wide canals and one (1) foot increments to a max 10 feet on wider canals, review and approval process by the ACC and board, and an annual license. The Board, in its December motion, defined the license fee. The ACC and owners continue to wait for a board decision.
- iii. The ad hoc committee held a workshop on 03/29/2023 at the POA office. Board attendees included Board President Drew Diggins and new board members Bill Davenport and David Rossi. ACC attendees included Bill Hibbs and Josh Senecal.

To assist in the discussion and to bring new board members Bill Davenport and David Rossi up to speed, the ACC prepared materials to include all 2022/2023 ACC and Board minutes regarding the subject, numerous board attorney legal opinions supporting the license to encroach concept/restriction exception, USACE allowances/approvals, examples of previous granted exceptions (from PIPOA inception to present day), summaries of nine (9) pending requests and pre reviews, drafts of procedures prepared by Drew Diggins and the ACC, and a sample PIPOA-specific license agreement. All topics were discussed in detail at the workshop.

- b. Disclosures
 - i. The ACC continues with its perfect record. In a review of 2+ years of applications, ACC members who served as an owner’s engineer recused themselves 100% of the time from any application decisions. 36 applications total. Report attached and provided to Board.
 - ii. The ACC drafted a Disclosure Policy Motion that, among other things, ensures that no person who receives remuneration for certain services may lobby or pressure the ACC for any motion, resolution or policy related to their services. The draft policy was a task of the Ad Hoc committee created by the Board at its February 2023 meeting. Board members Sandy Graves and Frank Stover and ACC member Bill Hibbs served on the committee.
- c. Silting/shoaling sand at 14451 Leeward Drive (at Granada).
 - i. No updates received.

6. New Business

- a. None

7. Review of Applications

- a. The ACC reviewed applications.

8. Next Meeting Date

- a. The next ACC meeting is scheduled for May 1, 2023 at 5:30 PM at the POA office.

9. Adjourn

- a. Bill Hibbs made a motion to adjourn the meeting. Michael Hall seconded. The meeting was adjourned at 6:45 PM.