

ACC Meeting May 16th 2023

I. Call to Order

The ACC meeting was held on May 16rd 2023. Mark Laliberte called the meeting to order at 6:33 PM. Committee members present; Gil Stedman, Rick Nelson, Dave DiSanto, and Mark Laliberte, Robyn Baker, and Jim Gibbs. Members present; Tom Miedema (Lot 200). Members present via ZOOM; Kris Kiriazov (Lot 40), Kieth Pierce (Lot 15), Christine Nichols (Lot 13), Sam Brandt (Lot 163A), Steve Rensel (Lot 24), BORK.

II. Opening Comments (Revised)

Mark had no opening comments and asked if members wished to address the Committee. Steve Rensel posed a multi-topic question. Rick Nelson asked him to submit each question, issue, or complaint in writing and send it to the ACC. The ACC could then respond to each issue specifically. Mark Laliberte moved to accept the revision to the minutes, Jim Gibbs 2nd, the motion passed 5-0-1.

III. Approval of Consent Agenda

Mark Laliberte moved to accept the meeting agenda as published, Rick Nelson 2nd, the motion passed 6-0-0. Rick Nelson moved to accept the meeting minutes of 3 May 2023, Mark Laliberte 2nd, the motion passed 6-0-0.

IV Old Business

Lot 200 Preliminary Design Review - The preliminary design for Lot 200 was reviewed and all DofR requirements were met. A motion to approve the preliminary design and authorization to submit plans to County was made by Rick Nelson, Robyn Baker 2nd, motion passed 6-0-0.

Tom Miedema stated that the County was issuing permits for grading and drainage separate from the final construction permit. He asked if the ACC, given this County practice, would approve the clearing of the property before the final County building permit was issued? The ACC was not aware of this apparent change at the County. The concern is if there was a delay in the final approval, the cleared lot could sit for an extended time. Tom will confirm with the County on this issue, inform the ACC, and the ACC will review his request. A letter will be sent to notify the owner of the above actions.

Lot 58 Auxiliary Structure Preliminary Design Review - No action taken at this meeting

Formal complaint by Lot 013 & 014 against Lot 021 - The Committee reviewed the complaint from the two lot owners that, without approval from the ACC, a pole was installed on Lot 021 supporting a Desert I-Net and was a tower in violation of the DofRs. The owner of Lot 021 was contacted and apologized for not submitting a request, subsequently submitted a request and provided information on the installation. The ACC reviewed the 2001 DofRs amendment on towers, which reads as follows;

The Amendment adopted on TOWERS - 28 March 2001

No auxiliary structure(s) or tower(s) that **might interfere with the transmission or reception of any communication device** in Tonto Hills will be allowed to be constructed on any lot or location in Tonto Hills.

No auxiliary structure or tower, whether attached to a building on the property or not. shall be constructed on any lot or location in Tonto Hills without the express approval of the Architectural Control Committee.

After discussion, the ACC, determined the 'tower' was not in violation of the DofRs as there is no record of Desert I-Net transmission interfering with comm devices in Tonto Hills. The request to ins tall is a 'tower' by owner of Lot 021 was approved with the following conditions;

The owner will ask Desert I-Net to determine if the line-of-sight to the water tank could be maintained if the antenna is moved a few feet south and behind a large growth of vegetation to conceal it from the neighboring properties. Or, the owner will plant vegetation around the antenna to conceal it from the neighbors.

A letter will be sent to the parties involved on this issue.

Letter Reminder to Builders Concerning Addendum A para 2.7 - The ACC approved a letter to be sent to owners of all recently completed and ongoing constructions projects in Tonto Hills reminding owners of the requirements at the completion of a project.

V. New Business

None.

VI. Adjourn

Mark Laliberte moved to adjourn at 7:15 PM, Rick Nelson 2nd, motion passed 6-0-0.

VII. Executive Session (If necessary)

- None