

Timothy M. Mulford

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Sent: Friday, March 20, 2015 10:05 PM
To: Timothy M. Mulford
Cc: Yvonne Leshin
Subject: Draft Architectural Guidelines

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Dear HOA Board of Directors

While my wife and I will be unable to make it to the meeting held on March 24th, 2015 to discuss the Architectural Guidelines and Architectural Change Application, we would like to submit comments for discussion. My wife and I would have preferred to make these comments in person, however, due to the short notice of the meeting, one opportunity to comment, and child care constraints combined with preexisting business travel we are unable to do so.

Overall, while we understand the desire to maintain a level of uniformity in the community, the breadth of the proposed guidelines should be subjected to a greater level of scrutiny over a longer period of time. Multiple versions and revisions should be made and opportunities to comment on those revisions should be allowed. This is a large community with a long history and more clarity is required when proposing such sweeping new rules. There are a large number of existing issues to consider and homeowner's should be given more than one chance to examine and speak on the proposed rules. These rules were developed over a period of seven months, it seems that a period longer than one month should be allowed so that a greater number of people have the opportunity to comment.

Our comments are detailed below due to our inability to air our concerns in person. If a second opportunity is added to do so, we will make an attempt to attend. The comments are ordered roughly as the sections the comments relate to appear in the documents.

Architectural Change Application:

- 1) The fine of 1,000 dollars seems excessive compared to the previous fine of 150 dollars.
- 2) It is unclear how these proposed fines are consistent with the Covenant Section 12.06, subpart a, which states that fines not to exceed 25 dollars per day may be issued for a given offense.
- 3) There is no provision for an expedited review process in case of emergency. The point of the architectural guidelines is to help promote a level of uniformity in the homes and this goal is not advanced by forcing a homeowner to either break the rules to fix an emergent issue (leaking roof or broken window) or suffer the additional consequences of leaving those issues unfixed while the architectural review process proceeds.
- 4) Many contractors issue quotes for a limited period, during which it may not be possible to have your application reviewed by the committee based on the current monthly schedule. I realize that this is the current model and not a proposed change, but perhaps that should be re-evaluated as well during this process.
- 5) Under Checklist, there is the recommendation that the Homeowner attend the meeting but then wait for notification for a further week even though the decision is made at the meeting. If the Homeowner is present at the meeting, verbal approval should suffice for the Homeowner to move forward with the plans while the written authorization is processed and finalized.
- 6) Under Homeowner's Acknowledgement section 6, this should be clarified to recognize that the right to enter the property for inspection is limited to the exterior of the property, excluding emergencies. This would be closer to how it is stated in the covenant.

- 7) There should be a process whereby, when an application is rejected, a recommendation for a modification (if possible) to the plan that would be approved should be made. This recommendation would constitute approval pending an email from the homeowner accepting the modification.
- 8) If a homeowner is proposing a modification to their home within the proposed guidelines, they should not be required to obtain neighbor signatures. This would reduce the time required to submit forms to the committee. Signatures can still be required for any architectural changes outside the "norm" (ie windows, roofs, storm doors, etc).

Architectural Guidelines:

- 1) The document states that this is a "going forward" document. Does that mean that all houses currently in good standing can not be retroactively audited based on the new guidelines?
- 2) What constitutes a change? Is direct replacement of an exterior feature a change? Is painting exterior trim a matching color to the existing color a change or considered routine maintenance? Is re-sealing a driveway, with no extension, addition or change in color, considered a change or routine maintenance? Is re-hanging a gutter using trim-matched hardware (ie replace nails with screws) a change or routine maintenance? Is removing a dead or dying plant and replacing with same type of plant that may not have reached the same size and shape as the dead or dying plant a change or maintenance of the exterior of the property?
- 3) Under Garage Door Windows (pg 5-6), it states that Centex homes may have only raised panels. The original garage doors for this home type came with recessed panels. The type of paneling for a garage door should not be based on the model home you have but rather should be any of the three acceptable variants.
- 4) Roof flashing should have the option of matching either the roof OR the color of the brick for brick homes.
- 5) Under Siding, do any of the activities mentioned under maintenance require Board approval? Doing so will significantly add to the time to replace rotted boards and during that time the presence of rot will detract from a homes overall appearance.
- 6) A list of pre-approved paint colors for Front Doors should be developed, and use of a pre-approved paint color should constitute automatic approval by the Board. This will save time and encourage homeowner's to better maintain their door rather than put off routine paint maintenance due to lack of desire to go through a formal application process.
- 7) Again, there needs to be a emergency approval procedure for windows and roofs so that a homeowner can quickly replace something broken or leaking so that they don't have to put up plywood or other unsightly patches for the up to two month period before being able to get approval from the Board. A suggestion would be a list of preapproved options from which a homeowner could select that come with automatic approval.
- 8) The third paragraph under Front Porches is unclear. Not all homes have front "decks". Are they not allowed to maintain a hose if it is in an enclosed or covered box?
- 9) Since the government is encouraging a transition from the use of incandescent to LED bulbs, the rules should be updated to take into account the different properties of this new bulb type.
- 10) Under Rear Patios/Hardscaping, we suggest that "permanent play structures" be changed to "permanent play structures and trampolines."
- 11) Under Addendum: Lawn Care, we have significant disagreement with the requirement that lawn clippings be bagged. Lawn clippings left on the lawn do not damage the lawn in any way. In fact it is the opposite. On Scott's Lawn Care site (<http://www.scotts.com/smg/goart2/Don%27t+Bag+Those+Clippings!/16200018/>):

"It's a question we all face when mowing: Should I bag my clippings or leave them on the lawn? In most cases, the answer is easy: Leave the clippings on the lawn! Leaving the clippings will save you time and energy, and it will return valuable nutrients to the lawn.

The most important thing you can do for your lawn is to feed it regularly, and grass clippings contain the same beneficial nitrogen, phosphorus, and potassium nutrients as fertilizer. In fact, clippings can provide as much as one-third of the annual feeding requirement for your lawn."

Furthermore, Montgomery county, as part of their environmental initiatives, recommends "grasscycling" which is to leave lawn clippings on the grass.
(<http://www.montgomerycountymd.gov/sws/grasscycling/>). This is the environmentally friendly option, reducing costs to the homeowner and reducing the need for fertilizer. In fact,

"Fact: Excessive thatch is composed of grass roots, not grass clippings. Thatch build-up is caused by improper fertilization and short, frequent watering that encourages root systems to remain shallow.

Myth: Grasscycling looks messy

Fact: Grass is composed of up to 85 percent water, short grass clippings disappear within a day or two. When a lawn is properly mowed and watered, grasscycling actually creates a greener, healthier looking lawn.

Myth: Grasscycling causes lawn disease

Fact: Grass clippings won't increase the risk of disease for a properly maintained lawn. Diseases are caused by improper watering and fertilizing."

Allowing the homeowner to leave their lawn clippings is a green initiative, much the way the suggestion on page 7 to use a metal roof as a green roofing option is a green initiative. Other states, such as New York (<http://www.dec.ny.gov/chemical/8816.html>) and New Jersey (<http://www.state.nj.us/dep/dshw/recycling/brochures/recycling%20brochures/grass.pdf>) are encouraging their citizens to pick the green option. We strongly encourage that the statement requiring the bagging of yard waste be removed.

12) Under Fertilizer, Pest Control and Mulch, I strongly disagree with the notion that an organic pesticide should be preferentially recommended. As a human health toxicologist currently working in the field of pesticide regulatory toxicology, I should point out that organic pesticides are in no way safer than conventional pesticides and are often strong chemicals in their own right. All pesticides, including biopesticides, organic, antimicrobial, and conventional pesticides, are regulated by the EPA and should be used as directed by the label. If a resident is concerned that a pesticide is not being applied properly, please contact the EPA's Office of Enforcement and Compliance Assurance for instructions on reporting. The HOA's recommendation for pest control should simply state that all pesticides used must be in compliance with local and federal law and be applied in the manner required by the label.

As a more general note, we feel it would behoove the board and architectural review committee to come up with a list of pre-approved options for things like trim, front door paint, windows, garages, roofs, etc. In today's modern world, keeping a list of options on the Washingtonian Woods website is not unreasonable. If you already will be approved, why must the homeowner bother going through a tedious process. Streamlining this process is more likely to keep homeowner's in compliance and decrease the burden of paperwork and time on both the homeowner and the board and committee for review. Furthermore, by streamlining the process you encourage homeowners to better maintain their properties, thus raising "curb appeal."

We thank the Board for considering our concerns and reviewing our comments regarding these proposed changes.

Respectfully,

Jonathan and Yvonne Leshin
318 Midsummer Drive