

**MINUTES**  
**ARCHITECTURAL REVIEW COMMITTEE**  
TUESDAY, JUNE 6, 2006  
POOL CONFERENCE ROOM 5:30-7:30 p.m.

**Members Present**

Charlie Barger, Chairperson  
Rich Wilbur  
Andy Mack  
Jean Gregory  
Marjorie Goldenberg  
Art Simmons

- I. **Call to Order:** Chair Barger called the June 6, 2006 meeting of the ARC to order at 5:30 p.m. in the pool conference room and it was noted a quorum was present.
- II. **Announcement of New Members:** Chair Barger welcomed new members Art Simmons and Marjorie Goldenberg and announced that Jean Gregory was serving as member and Secretary until member Nancy Katz returns in the fall.
- III. **Approval of Minutes:** A motion was presented by Rich Wilbur, seconded by Andy Mack and unanimously carried to approve the May 2, 2006 Minutes as written.
- IV. **Old Business:**
  - A. **Fencing Rule** - Rich Wilbur noted that Section 6:10 of the Covenants provide that "in order to maintain the "ambiance" and "character" of UP, any fencing must be kept to an "absolute minimum", this requirement on minimum fencing is also designed to preserve and protect the "appearance" and "values" of our community. It was suggested that "minimum" is a strong word meaning the lowest amount possible; "absolute" is a strong word adding emphasis to the term "minimum", making the policy disfavoring fences a strong one. However, the last sentence of Section 6:10 also expresses a clear preference for trees and hedges rather than fences and allows the Developer to install and the ARC to approve a combination of fence and landscaping where deemed reasonably appropriate "such as along certain perimeter lots which may abut other properties." Discussion continued and all members agreed that the guidelines may not under any circumstances contradict the plain provisions of the restrictive covenants, especially when expressed in the strong language here. Accordingly, the following rule was proposed: