

THE SUMMIT RESIDENTIAL OWNERS' ASSOCIATION  
SPECIAL MEETING MINUTES OF THE  
BOARD OF DIRECTORS  
CONFERENCE CALL  
JUNE 23, 2021  
9:00 AM MDT

Board Directors Present: Bruce Fauser  
Craig Batchelor  
Peter Esselstyn  
Paul Peebles  
Tracey Haas

Management Company Present: Annalise Smith, Mountain Home Management

Association Attorney: Jon Schumacher

President Peter Esselstyn called the meeting to order at 9:04 AM with 5 of 5 board members present.

**Unfinished Business:**  
**Updated to Design Guidelines**

Jon Schumacher stated he updated the design review guidelines and that the table of contents has been amended to reflect the changes. Schumacher reviewed the changes with the board which included preservation of easements and guidelines for noise generating devices. The board and counsel discussed specific decibel level requirements but agreed to keep the noise mitigation vague since there were different variables to consider which include placement of the noise producing units. The clean up deposit was updated from \$3,000 to \$5,000; the review fee was increased from \$700 to \$1,200; and the compliance deposit was increased from \$3,000 to \$10,000.

Tracy Haas asked about the amount of bonds and if they would be reviewed case by case. Jon stated it should be case by case. Haas suggested adding to the guidelines that this would be decided through the design review process. Jon agreed that he would add the language in.

The following motion was made by Paul Peebles:

**MOTION:** To adopt the updated design guidelines with the addition of the language regarding the bond amount to be considered on a case-by-case basis.

**SECOND:** Tracey Haas

**VOTE:** Unanimous Approval

**Unfinished Business:**  
**Response to Marcus Lock**

Schumacher explained that Marcus Locks last communication to Jon was to confirm that the irrevocable letter of credit was the final requirement by the DRB and Jon responded he would discuss with the board to confirm. Peter Esselstyn asked Annalise to request a permitting set of plans from Lance Windel.

The board diverted discussion to the lot line variance and adopting new covenants. The board discussed putting the issue to a vote of the homeowners since amending the covenants requires 67% homeowner approval. Schumacher agreed to confirm the specific steps for proposing an amendment to the owners. Esselstyn recommended the board put together a document for the homeowners to consider. Haas asked for clarification on the proposal. Bruce Fauser explained that there were three lots purchased, the lot sizes were combined allowing for a significant increase to the allowable square footage of the home.

Haas asked if this was done with board approval. The board explained the history of the project and stated the previous board was held to grant the variances to gain the easements that serviced the lower, westerly properties. Haas suggested reviewing the variance on a case-by-case basis. Paul Peebles concurred, and the board discussed whether the changes should be made to the covenants or design review guidelines. Haas expressed her opposition to adding more restrictions. The intent is to prevent another 10,000 square foot home being built at the Summit. Jon stated he will send ideas for the board to consider. The board discussed getting feedback from owners.

**Swiss Chalet**

Esselstyn asked Schumacher to write a letter to the Swiss team regarding the condensers and their relocation. Esselstyn asked if a fine could be imposed and Schumacher responded he needed to look at the collections policy, but he believes the short answer is yes. Esselstyn raised concerns about the working hours and directed management to go talk to the Swiss

team to discuss the working hours and the condensers. Schumacher mentioned that the Town of Mt. Crested Butte has, at times, stepped in and enforced association covenants.

The following motion was made by Peter:

**MOTION:** To have Jon Schumacher draft a letter to Gabrielle Barbier-Mueller and the Town of Mt. Crested Butte regarding the condenser fan relocation.

**SECOND:** Craig Batchelor

**VOTE:** Unanimous Approval

Haas left the meeting 10:16 AM MDT.

**Relocation of GCEA Transformer**

Schumacher left the meeting at 10:27 AM. Fauser asked for management to make sure Kent cc's the board on his reviews. The board discussed where the electrical transformer could be relocated. Fauser explained GCEA wants the blessing of the property owner.

The following motion was made by Peter:

**MOTION:** To adjourn the meeting

**SECOND:** Craig Batchelor

**VOTE:** Unanimous Approval

There being no further business, the meeting was adjourned at 10:32 AM.

Respectfully Submitted:

Approved By:

---

Annalise Smith, Recording Secretary

---

Peter Esselstyn, Association President