

# *Cape Cod Village Club, Inc.*

## **Board of Directors and By-Law Committee Meeting September 3, 2016**

Present: Mike Rizza, Ted Hodecker, JC Bambach, Karen Spano, Margie Graham, Mike Hmelovsky and Bob Atiyeh

Absent: George Stanford

Meeting Called to Order at 10:03am by Mike Rizza

Object of this meeting was to get everyone on the by-law committee and the board of directors together to discuss what and how we present the proposed by-law changes at this evenings CCVC general membership meeting.

Karen provided copies of the proposed by-law changes in the side by side version as she only had a couple copies of the full version.

Mike Rizza thanked everyone on the by-law committee and board of directors for their time and hard work as this was a major undertaking. We made quite a bit of progress with revisions to the membership by-laws but based on advice from the board and the fantastic job Marjie did in getting a full slate of officers we will wait to deal with membership by-laws in the spring. At the general membership this evening the by-law proposed changes will be limited to the architectural by-laws and a few general housekeeping changes.

The big question is how do we present the proposed by-law changes this evening? Mike Hmelovsky suggested breaking in down into sections – group all the trivial items together and present them first with a yah or nay vote – these would be clerical type items i.e. typos. Then present the more detailed by-law changes.

Mike Hmelovsky clarified for the members present that a vote can only be taken on the proposed by-laws changes that have been presented to the membership via the general membership meeting announcement and proxy but the proposed by-law changes can have minor modifications and still be voted on.

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Proposed By-Law Changes review and additional modifications approved by the board of directors and by-law committee members present:

**Section 1.3.A:** Update number of single family residences to 33. Add CCVC in front of secretary

**Section 1.3A (2):** the “t” in front of club should be lower case

**Section 1.3A (3):** the “t” in front of club should be lower case

**Section 7.2G and 7.2H:** Mike Rizza provided an explanation for the change to this by-law. There are members of the board that do not want to assume the responsibilities of vice president because of the dock master responsibilities, or they are not qualified to be dock master or not at the lake enough during the peak of the summer season. Mike Hmelovsky provided the history behind the reason the by-law was changed years ago to have someone on the board to be dock master. After a discussion the members present agreed to remove the duties of dock master from the vice president and allow the board of directors to appoint a dock master and/or dock committee who will assume the duties of assigning members, guests and renters boat slips, oversee dock installation and removal, coordinate dock repairs.

**Section 8.2:** Remove the responsibility of dock master from the vice president’s duties based on the changes to section 7.2G and 7.2H

**Section 10.1 and Section 10.2:** Clarification on wording to make consistent with other sections of the by-laws, added titles to section 10.1 and section 10.2.

**Section 11.1 (1) :** Addition of a refundable retainer/deposit for any new construction which includes remodels, renovations, additions that require a member to submit a set of architectural plans to the architectural committee. Bob Atiyeh recommended that we reinforce the fee is refundable. When he was making calls members seemed to be confused or objected not understanding it was refundable and was to protect the association and its members. There was discussion about the amount of the fee and what constitutes completion of the project. The following modifications to the already proposed by-law change were approved by the members present:

- Add total to in front of square foot and include maximum dollar amount of \$2500.00 to read: The member must submit .... with a refundable deposit equal to \$1.00 per total square foot of new construction with a minimum refundable deposit of \$500.00 and maximum of \$2500.00
- Any expenses the club would incur... remove with either and add including but not limited to legal fees ....
- Clarified the definition of what is the completion of project for the refund of the balance of the deposit. It was agreed with members present the refund of balance of deposit is to be made within 30 days of completion of a project whose date is determined by the Board of Directors.

**Section 11.1 (2):** There was discussion regarding members being able to go to the town for approvals in tandem with obtain CCVC approval. Members present agreed to proceed with CCVC approval prior to obtaining town approval. Stressing that this rule does not preclude a member from consulting with the town for application preparation or going before the town zoning board for a variance if necessary, they cannot go before the planning board until obtaining CCVC approval.

**Section 11.1 (3):** Reduce timeline for application approval from 180 days down to 90 days.

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**Section 11.1 (3)(a):** Change time line date from 15 days to 7 days for the architectural committee to respond that all information required by the by-laws has been received or inform the member what additional information is required.

**Section 11.1 (3) (e):** Add approval remains in effect for 2 years from the date of approval

**Section 11.1 (3) (f):** After discussion members agreed to require members to meet with at least two board members to discuss the construction process and project and to put it in this section verses section 11.2

**Section 11.1 (3) (g):** Addition of exterior construction must be completed within two years from the start of construction.

**Section 11.3:** Criteria to meet differentiating between east and west side of route 9N. Wendy Atiyeh to give a presentation this evening at the general membership meeting demonstrating why the east and west side of route 9N should be treated differently. Mike Hmelovsky stated it is okay to have two different zones without is being considered selective enforcement. This was confirmed by two different lawyers.

**Section 11.3A and all subsections:** No members present had issues with the wording of this section as it relates to construction on houses residing on the east side of route 9N.

**Section 11.3B and all subsections:** No members present had issues with the wording of this section as it relates to construction on houses/lots on the west side of route 9N. The only difference from section 11.3A is the height of 25 feet and what is not included in total square footage of first floor compared to the east side of route 9N.

**Section 11.5 (1):** Outlines what constitutes major construction. It is a start and met as a general guideline

**Section 11.6 (1):** A discussion was held regarding the necessity to submit amendments to an application to the general membership. The members present agreed to that once the board of directors approve the changes a written notice of change or changes will be sent to the general membership that there does not need to be a comment period for the general membership.

**Section 12.1:** Removal of items related to the club house

Mike Rizza would like to discuss with the board of directors who will be presenting the by-law changes at the general membership meeting this evening. He will get in touch with Mike Hmelovsky later today if we need him to present.

It was recommended at the general membership meeting when we get to the discussion of by-law changes that Wendy Atiyeh does her presentation first. Karen and Margie recommended that Mike Rizza brings his map of Atiyeh's lot with the image of a typical east side lot super imposed on it as it provides a great visual.

Meeting adjourned at 11.25AM

Respectfully submitted

Karen B. Spano

CCVC Secretary

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