

# seashore news

Published Monthly by Niguel Shores Community Association

[www.niguelshores.org](http://www.niguelshores.org)

September 2004

Issue 371

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## BOARD ACTIONS

- ▶ The Board conferred with legal counsel on legal and litigation issues, conducted several violation hearings and imposed fines.
- ▶ The Board reviewed a proposed deck expansion by a Breakers Isle resident and referred the matter to an independent engineer to assess the proposed construction. NSCA policy requires that all related engineering and architect's costs are paid for by the resident applying for approval of a project when such reviews are deemed necessary by the Board and/or Architectural Control Committee.
- ▶ The Board presided over two homeowner appeals for reversal of Tree View Blockage Committee decisions and after visits to the sites determined that the Committee's decisions should be upheld.
- ▶ Approval was given on the suggestion by the Design Coordination Committee to paint the blue lettering on the entry signs throughout the community a bronze color to match the dolphins.
- ▶ The Board approved amendments to the Architectural Control Committee *Exterior Modification Submittal* form to bring it into agreement with recent Rule changes and also to incorporate construction hours that comply with City of Dana Point Municipal Code 11.10.014 and the Federal Holiday schedule.

*Board Actions continued on page 2*

## FROM THE HELM

In my last From the Helm article I failed to mention the Women's Club volunteers who worked the hot dog booth. Please accept my tardy thank you for all of your hard work to help make the Independence Day celebration a great success.

As a reminder, the brochure and introductory letter and ballots for the proposed Renovation of the Community Center have been mailed to each property owner. If you have not received one, please notify the office staff at 493-0122. If you have questions regarding the brochure or ballot, please give the office a call. The staff can take your question and have someone from the committee call you. I would like to thank the renovation *ad-hoc* committee members for their work on this very important project.

If you have concerns or questions please contact the office before casting your ballot. The ballots are due to the office by 5:30 pm on September 15. I would like to thank you again for taking the time to read the brochures and stopping at the office to see the proposed plans.

*From the Helm continued on page 2*

Editorial deadline for the October issue of the *Seashore News* is September 17.

**NSCA HOMEOWNERS FORUM**  
**Wednesday, September 15**  
**7:30 pm**

## BOARD ACTIONS *continued*

- ▶ A request by a resident for reimbursement for towing costs was denied by the Board.
- ▶ The Board discussed NSCA representation at City Council meetings and agreed that Board members would attend on a rotation basis.
- ▶ The Board discussed and approved installation of a drinking fountain at the Beach Bluff Park and later rescinded approval and deferred further action (at this time) due to requirements by the County of Orange Health Care Agency for its installation.
- ▶ A contract to replace the concrete aprons with interlocking pavers at the entrance to four of the streets in the Sea Terrace Garden Homes was approved at a cost not to exceed \$37,014. The remaining entries will be replaced incrementally over the next 4 to 5 years.
- ▶ The Board of Directors approved implementation of an updated *Litigation Disclosure Statement* (available at the NSCA office) that advises that the Association tendered a claim and request for ADR to the Association's insurance carrier and is awaiting confirmation of the assignment of legal counsel to represent the Association in the forthcoming proceedings.

## FROM THE HELM *continued*

You have noticed construction trucks and orange cones placed along the south lanes of Pacific Coast Highway near the Monarch Links Golf course. The City of Dana Point is building a water treatment facility specifically for the runoff water that drains into the ocean. The six million-dollar project will take approximately one year to complete. It is funded by the City of Dana Point and a grant from the Environmental Protection Agency. The land and access easements were donated by the owners of the St. Regis Hotel.

I attended a meeting held by the City where assurances were made that there would be no noise or odors from the new facility. Should you require additional information, please call the City of Dana Point Administration office.

Summer is a busy time for families, so take a moment to buckle up, stay safe and enjoy each wonderful day.

*Dianna Cannariato*  
NSCA, President

## MESSAGE FROM GENERAL MANAGER

**WEEKEND AND AFTER HOURS CONTACT PROCEDURE** – Contrary to the desire of NSCA residents it is not possible to staff the NSCA office 24-7. However, procedures are in place to help resolve “emergencies.” If you need assistance or need to report a “situation” after hours, call the guardhouse. Telephone numbers for office and maintenance staff are not made available to residents. However, the guard on duty will contact proper NSCA personnel and relay your information. Non-emergency situations will be handled as soon as possible on the next business day.

Monday through Friday, the NSCA office opens at 8:30 am, closes for lunch from 12:30-1:30 pm, re-opens at 1:30 pm and closes at 5:30 pm.

The office is also closed evenings, weekends and on holidays. Even though the office is not open, an evening/weekend clerk is available to answer the phone and take messages between 5:30 pm and 9:00 pm Monday-Friday, on Saturday from 9:00 am - 9:00 pm and on Sunday from noon until 9:00 pm.

**CONSTRUCTION CLEANUP REQUIREMENTS** – Please advise your contractors that they must clean up their debris, sand, and construction remnants from streets and gutters every Friday, and that dumping dirt or sand in planted areas maintained by the Association is not allowed. Violations will be issued to the resident that hired the contractor and a fine imposed against the homeowner after a hearing before the Board of Directors.

Cash, credit card and debit card payments are not accepted at the Niguel Shores office. All payments must be either by check or money order.

*Carol Porcella*  
General Manager

**DANA POINT  
CITY COUNCIL TV**  
2nd and 4th Thursday  
Start 6:00 pm  
Recess 6:30 pm  
Resume 7:00 pm

## TRAFFIC AND SAFETY COMMITTEE

1. Just a reminder, residents are responsible for the conduct of their renters and/or guests and liable for their actions.

2. Visitor Parking: Parking in the common areas should be in designated spaces. This is especially important in case emergency vehicles need access to your area.

3. A reminder that school is back in session: Be extra careful in the morning and afternoon while driving in the community for the safety of youngsters.

Watch for delayed TRASH PICKUP day the week of Labor Day, September 6.

## LANDSCAPE COMMITTEE

Homeowners should keep shrubs, bushes, and vines trimmed to no higher than the top of the view fences, to prevent view blockage, and also for appearances sake.

Dog walkers, please be more diligent about cleaning up after pets! To those persons walking dogs along Ports O'Call (south of the bridge), please keep them on the sidewalks, rather than the adjacent ground cover, which is being destroyed.

There have been incidents of homeowners being rude to their landscape representative. Please remember that persons serving on various committees are volunteers, and they are merely trying to do their jobs!

## ARCHITECTURAL CONTROL COMMITTEE

### PLANTING GUIDELINES

The planting of king, queen, and *kentia* palms, *eucalyptus*, giant Sequoias and any other trees that grow over 15 feet tall and cannot be easily trimmed will not be approved because of potential view blockage. Also, trees that have invasive root systems such as *ficus benjamina* and bamboo will only be approved if they are planted in pots. Please do not ask to plant either Boston Ivy or creeping fig (or any other vine which has little feet) on the wall separating your property from your neighbor. Apparently, the only way to paint or repair that wall is to use a blowtorch to remove the feet. Also, if there is a crack in the wall, these vines, can cause major damage.

## RECREATION COMMITTEE

Many thanks to all who enjoyed the "Bon Appétit by the Sea" and more importantly to all the volunteers who made it happen.

On October 23 the best chili recipes in Niguel Shores will be put to the test at a chili cook off in the multi-purpose room. Chefs will bring their culinary creations to the multi-purpose room to be judged by experts from local restaurants.

Entertainment will be provided along with additional refreshments and food. Entry forms and rules will be available at the office.

The schedule of activities for the balance of the year is as follows:

Sept. 5	Beach BBQ
Oct. 3	Last Beach BBQ
Oct. 23	Chili Cook Off
Oct. 24	Tennis Social
Oct. 27	Aldrich Lecture
Oct. 30	Halloween Party
Nov. 4/5	55 Alive Driving Class
Nov. 7	Art Affaire
Nov. 21	Potluck
Dec. 19	Christmas Party and Tree Lighting Ceremony



## CHANGES FOR USE OF BEACH BLUFF PARK PICNIC TABLES

The picnic tables are intended for use by all NSCA residents on a first-come, first-served, basis. Residents may no longer claim a table for private use and then leave the Beach Bluff.

Reserving the Beach Bluff for private parties is permitted with a signed reservation agreement, deposit, insurance certificate and rental fee. The agreement is for non-exclusive use and only includes one table.

Contact the office regarding fees and further information.

## VOICE OF THE PEOPLE

Letters are welcome and limited to 200 words, typed if possible, including name, address and phone number of writer. Refer to NSCA Rule #5221,2,3. Submissions are due on the 17th of the month except in Feb., Nov, and Dec. when due on the 15th of the month.

*Over the past months I have read several negative letters in the Seashore News regarding the renovation of the Community Center. Interestingly enough, month after month the same people are responsible for many of these negative letters. If you don't believe this, go back and review your past copies of the Seashore News. Most newspapers are not allowed to print comments from the same person over and over again. Unfortunately, our Editor has to print each and every letter received every month.*

*Please think for yourself, study the information printed in the brochure and make your best decision on the necessity of renovating our 35 year old structure that belongs to each of us.*

*Larry Linger*

*I am disturbed by the flood of negative flyers being distributed throughout Niguel Shores.*

*Yes, mistakes were made in the beginning, but the Board and the Planning Committee listened to the homeowner complaints, went back to the drawing board and returned with a viable alternate plan. The brochure for Plan B was professional, informative, and cohesive.*

*NSCA has no option but to rectify the numerous code violations that plague the present buildings. A lawsuit by an injured party could cost us a lot more than the projected 2.3 million.*

*It makes financial and esthetic sense to do the renovation of the Community Center in a controlled, timely fashion rather than create an uncoordinated, semi-permanent building site eyesore.*

*Yet despite countless owner forums explaining the need for upgrades, some homeowners still cannot see beyond their original reaction to **any** renovation; even the eventual vote count is viewed with suspicion. This erosion of trust is poisoning community spirit. Let's all work together in good faith on this.*

*Gerlinde Duffy*

*I have always proudly told my friends that Niguel Shores is the only place, outside of our church home, that my husband and I have ever experienced real community. I define it as:*

- Abiding by the rules

- Volunteering to serve on boards and committees
- Picking up after dogs so that neighbors don't walk in their doo
- Keeping trees trimmed so as not to spoil neighbors' views
- Supporting the Family Club programs even when you have no kids of your own
- Keeping your property looking nice
- Voting in community elections
- And, shouldering responsibility for everything that is within our walls

*This community: every street, every amenity, every common area, the landscaping, the Bluff, the Community Center – belongs to everyone who owns a property here. Community means coming together for the common good. Couldn't you feel it on July 4? In short, it means putting the needs of your neighbors before your own. It means being responsible. I pray we don't lose community with this ballot.*

*Marion A. Evans*

*I urge a "NO" vote on the remodel of the MPR for this reason. We should have a choice. We have never been presented with the figures on cost to just repair what must be fixed as opposed to a more grandiose remodel. This would more clearly show the differences and allow members to make a more informative decision.*

*Sid Kahn*

*Rich Hill's July letter on the many current Shores residents staying period is well taken. I have heard close to 25% of Shore residence are renters. I have had six renters move in and out in two houses next door since 1997. With our high home prices most young families find it hard to buy, so rent and move on. This gives absentee owners an envied return on their small investment back in the seventies and eighties.*

*As Mr. Hill states, some of us are retirees and part time owners with a pride of ownership, stay longer and are upgrading our homes on every street which absentee owners tend not to do with rental ceilings in mind.*

*Many of us think a completely new "Plan For The Future" is very attractive but upgrading may be more practical as we watch the economic cost barometer and overruns in the building business of today go up and down.*

*D. Weston*

*Voice of the People continued on page 5*

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*Voice of the People continued on page 5*

## VOICE OF THE PEOPLE *continued*

Have you thought of reserving the Bluffs beach overlook for two consecutive nights for an easy \$100? Get a grip.

Shortly after our favorite neighborhood venue completed its lovely rehab a couple of months ago, folks "reserved" it for a wedding and rehearsal for the amount stated.

How do we as residents feel about this particular venue's exclusive use for non-community events? Might we approve such use if the fee were, say, \$1,000? More? (An eye towards the income stream.)

Maybe the Bluffs is too unique an amenity, one we all value for its view, sunsets, solitude, or availability to stage that spur of the moment get together, no matter the wind, weather or calendar. Might we "hang loose" on this topic and let you residents decide?

Beth Eriksen

I want to apologize to the chairpersons of the July 4 activities. Nancy Tinnes and Carol Kuhn and recipients of the 2004 Dorothy Dudley Award Jack & Ann Christiansen, who were also the grand marshals of the parade.

The Communication Committee chose to remove their photos and others that had been carefully submitted by the Recreation Committee for use in the August issue of the Seashore News.

Bob Borland

Editor's note: The committee regrets the oversight.

How many Niguel Shores maintenance men does it take to screw in a light bulb? Who knows? Why? Because they don't do it, at least not in a timely manner.

The point is that homeowners should think about probable increased maintenance costs that will accompany the Board's "Community Center Renovation Plan" if it passes. At present, maintenance is barely adequate; thus, it stands to reason that maintenance costs, as well as Association dues, will increase because of new facilities (gazebo, children's pool, rock feature, etc.) and increased size of existing facilities (new office complex, expanded multi-purpose room, etc.) that are encompassed in the Board's plan.

However, nothing has been heard from the Board regarding maintenance costs once the renovation project is completed. The Board owes homeowners an explanation of what increased maintenance costs, if any, will be forthcoming and if these costs will be financed through increased Association dues and/or assessments.

D. Inglis

Niguel Shores as a summer camp? Summer camp for our resident children is a great idea, and in the past was a tradition from 9:00 - 4:00 during the summer weeks. However the day camp has become a business which provides childcare from 8:00 - 5:00 and later. What's more a large number of the children participating are NOT residents of Niguel Shores. The camp runs a business here using our facilities, the pool, the park and our beach access. They pocket the tuition and are only required to show proof of having insurance, presumably to cover injuries. Sweet deal, it seems. Niguel Shores owners and their guests are crowded out of the pool. Residents who live near the park or are at the pool or playing tennis attempt to ignore the counselors' loudly shouted orders and directions to the children to scream "louder, louder." Forget tranquility. We are providing a wonderful setting for children from neighboring cities, for a business which profits the directors of the camp business with nothing for upkeep or wear and tear of our facilities. Let the Recreation Committee know if you oppose a child-care camp with non-residents, with loud counselors and no revenue for NSCA.

Joan Sandberg

If the Board allows the current renovation proposal to proceed, it will split our community in ways that will take many years to repair.

Most of the people in our community expected this Board to repair the damage done by the previous Board; unfortunately our new president decided to lead in the same arrogant manner as the last one.

For those who haven't voted yet, a NO vote to the current renovation proposal will enable common sense to return to planning for improving and maintaining our Community Center.

Bernie Fornadley

The proposed plan to renovate our Community Center is just that, a proposed plan. How can the Board of Directors ask us to vote for something that isn't finalized? How can the budget be "firm with contingencies anticipated" when talking about a "proposal?" We'd like to see an itemized list of what needs to be done, the quoted cost for each item versus the quoted cost for a complete renovation and precisely what that involves.

How many homeowners actually voted for what's been proposed? When we were polled, how many people actually voted for a larger lobby, water feature, card room, etc.? Does the spa really need be moved

Voice of the People continued on page 6

## VOICE OF THE PEOPLE *continued*

*and enlarged? We've never seen it at capacity with people waiting in line to use it. Is it really such a hardship for the office staff to walk to the bathrooms? And when did the size of our Community Center become such an issue?*

*Yes, our Community Center needs repairs and updating. But we have many unanswered questions and concerns about this project and the way it's been handled. Until we feel confident about what will be done, we will vote no.*

*Ron & Patty Cook*

*Personally I am rather tired of the constant complaints about spending money for a beautiful renovation. Niguel Shores has always been a more expensive place to live. Therefore, if you are blessed enough to live here, you are not poor. Our investment in our home has brought us more financial gains than anything else we have done. It is time for everyone to see this as an investment. Real estate is a very sound investment especially during these otherwise financially depressed times. This neighborhood is a great place to live and continues to have so much potential. Why must there be a constant struggle to achieve that potential.*

*Patty Boehmer*

Vector control is doing periodic spraying throughout Niguel Shores for the West Nile virus.

## MENS CLUB

The Niguel Shores Men's Club meets in the multipurpose room at 8:00 am the first and third Tuesday each month for breakfast, a short business meeting, and a guest speaker.

On September 7 the speaker will be Cathryn DeYoung, member of the Board of Directors, Orange County Transportation Authority.

The speaker on September 21 will be Assemblywoman Pat Bates, who will provide an update on what's going on in Sacramento.

All men of the community may take the opportunity to hear speakers and consider participating in the Mens Club meetings, golf, and many outside activities. Newcomers are welcome. A club member will be assigned to you as a sponsor to help you become acquainted with fellow members and the many social activities sponsored by the club. Hope to see you there.

## MENS GOLF

The first round of the Mens Club Championship got underway with 26 players on August 10 at Fallbrook Golf Club. Players advancing up the playoff ladder were Charlie Clark, Mac Brown, Myron Miller, Jack Sweeney, Dave Ontiverios, Jack Christiansen, Bob Converse, Jim Woodward and Carl Printz.

Individual low net score winners were as follows:

- Flight #1 Bob Borland and Charlie Clark
- Flight #2 Bob Gutknecht and Jack Sweeney
- Flight #3 Sean Tierney and Bob Scott
- Flight #4 Bob Converse and Jim Woodward

The Lachel Closest to the Pin Awards went to Sean Tierney on nine and Bob Converse on hole eleven. The next tournament and second round will be at San Clemente in September. Players will try out the new course, Arroyo Trabuco, for the first time. There are 32 more absolute truths of golf, and number 8 is, "When your shot has to carry over water, you can either hit one more club or two more balls."

## WOMENS CLUB

The Womens Club will meet on Thursday, September 9. Social hour starts at noon, with luncheon at 12:30 pm. Laura Crain of Pacific Silk Flowers in San Juan Capistrano will be guest speaker. Members will see a variety of flower arrangements and learn tips on making their own.

The bus trip to the Reagan Library is set for Thursday, September 16. Departure from Niguel Shores is at 9:00 am, with a two-hour tour scheduled for 11:00. The bus will return around 5:00 pm. Cost per person is \$30, which includes entrance fee, bus and driver gratuity. Lunch can be bought on the library grounds, or participants can take sack lunches. Reservations will be taken up to September 13, provided spaces are still available. Guests are welcome.

The October program will be a travel venture into the wildlife of Kenya, presented by Dr. Richard Moersch. A fashion show by Chico's is scheduled for November.

The Womens Club is open to all women residents or homeowners in Niguel Shores. Call Betty Steinwinter at 240-4462 or Ardis Ghobrial at 496-8403 to join. Annual dues are \$5.

Members who have not been contacted by Monday, September 6, should call Kay Wittmack at 661-8177 or Robbie Wolff at 487-7879.

The Board will meet on Thursday, September 2, at 4:00 pm in the conference room.



## WOMENS GOLF

Monday, September 13, is Niguel Shores Womens golf Fun Day. The golf captains for the day are Margaret Banerian and Margaret Brugger. Please call one of these 'Margarets', 661-5307 or 493-1438, to be placed in a golf foursome. Lunch hostesses are May Gramer and Lee Sweeney, 248-1272 or 661-5924. Call one of these ladies if you will be at lunch but not at golf.

Once again, all women golfers of any ability are welcome to join the group. Aliso Creek Golf Course is a nine-hole course along a beautiful canyon floor. The golf play is casual, a golf handicap is not necessary and 'Fun Day' is just that, an enjoyable game with friends and neighbors. Joan Beyer, 496-1428, is hospitality chair for the group, and Chris Beaver, 493-7430, is president. It just takes one phone call.

The August winners were:

The team of Marlene Lynch, May Gramer, Judy Boitano, and Bev Longfield (low 'scramble' score); the team of Joan Beyer, Barbara Brabeck, Pat Johnson and Irene McDonald (low putts). Marlene Lynch had the longest drive on #9 hole, Irene McDonald was closest to the pin on the #6 hole and Liz Kelsch was closest to the pin on hole #8.

THE POOL WILL BE CLOSED FOR  
CLEANING EVERY THURSDAY FROM  
10:00 am - 11:30 am

## GARDEN CLUB

The Garden Club will meet in the MPR at noon on Monday, September 20. The speaker will be Steve Kawaratani from Landscapes by Laguna Nursery. His topic will be landscaping and design for small coastal spaces, as well as discussion of Bonsai gardening.

Members: please remember to bring items for the horticultural table and your pennies for the pines project.

There will be a sign up sheet available for the October field trip to Mission San Juan Capistrano.

All residents of Niguel Shores are invited to participate in the Garden Club. If you are a new resident or considering joining the club, please contact our membership chairman Janet Dohner at 489-9385.

## FROM THE OFFICE

Please be considerate to others waiting to conduct business in the NSCA office by turning off your cell phone.

## NEIGHBORHOOD ADS

Items for *Seashore News* ads must be submitted by the 17th of the month except in Feb., Nov., and Dec. when due on the 15th of the month. Include a check payable to NSCA, \$3 for a maximum of 30 words. Advertisers must fill out a form available at the Association office. Neither NSCA nor the *Seashore News* assumes responsibility or liability for quality of goods advertised. See Rule 5525.

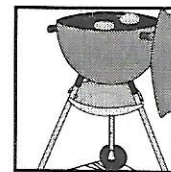
Furnished 2 BD (plus den) beach home with private pool/spa, ocean side of PCH. Call for winter and summer rates (short or long term). Available now! Contact Phil Immel for information 249-2020.

For Lease: Great location - single level, very open and bright. 3 BD, 2 B w/addt'l patio room - private, large walled yard. Available after August 15. Call Pat Powers 496-1900 for appt.

Available for rent (September - June) Halyard Drive. Full ocean view - ocean side of street. 3 BD/2 bath/1 story/2 car garage. Multiple months only. Please call (626) 795-9155.

For Rent: Sea Terrace I Townhome. 2 BD, 2 1/2 bath, 2 car garage. Near ocean, bike path in rear. Please call 552-3062.

For Rent: 2 BD, 2 bath, fireplace, 2 car garage, new carpet, paint. \$1,900 mo. available August 15. Please call 376-1956.



**Beach Bluff Barbecue  
Sunday, September 5  
5:00 pm**

- BBQ coals provided
- Enjoy the sunset with friends and neighbors