

SHADOW LAKE VILLAGE CONDOMINIUM ASSOCIATION

ARCHITECTURAL CONTROL GUIDELINES

OBJECTIVE

To maintain and improve our significant investment in Shadow Lake Village, by assuring that the structural integrity and appearance of residential buildings and the grounds immediately adjacent to residential buildings remain at a standard as set forth in these guidelines established by the Architectural Control Committee and the Board of Trustees.

APPLICATION

Under the By-Laws of Shadow Lake Village Condominium Association, a member may not make any structural modifications or alterations to the interior or exterior of a unit, or of the adjacent common areas, without the written consent of the Board of Trustees as promulgated in the Rules and Regulations included in “Your Information Guide to Shadow Lake Village” and these guidelines. The Architectural Control Committee exists to review modification requests submitted by residents. The Committee shall have the authority to approve projects on behalf of the Board of Trustees. Adverse decisions of the Committee are subject to appeal to the Board of Trustees. The decision of the Board shall be final.

ORGANIZATION

The Shadow Lake Village Condominium Association Board of Trustees has appointed an Architectural Control Committee to propose policies and to approve or disapprove property modification requests to individual units. The purpose of these policies and decisions is to maintain the aesthetic appearance of Shadow Lake Village, and to preserve and improve the property of the Association. The Architectural Control Committee sets standards, with the approval of the Board of Trustees, and applies these standards with regard to residential buildings and the grounds immediately adjacent thereto.

The Architectural Control Committee shall consist, as a minimum, of a Chairperson and at least two additional members, one of whom shall serve as Vice-Chairperson. The Chairperson and members shall be appointed by the President of the Board with the advice and consent of a majority of the Board of Trustees. The Chairperson of the Committee shall serve for a one-year term unless re-appointed. Upon vacating the office, the Chairperson shall be an ex-officio member of the committee for one additional year. Professional experts and residents with skills in the building trades may be consulted concerning matters in their area of expertise.

There are three separate but related documents that are maintained by the Architectural Control Committee. They are:

1. This Architectural Control Committee Guidelines
2. The Landscape Guidelines document
3. The Building Paint Colors document.

These are individually updated by the Architectural Control Committee and subject to review and approval by the Board of Trustees.

DUTIES AND RESPONSIBILITIES

The Committee is responsible:

1. To review and approve or disapprove all requests from owners to make any alteration or modification in the structure of any residential unit or building, or the appearance and/or color of any residential building exterior or part thereof. Note that unusual situations may be negotiated with the ACC before a Property Modification Request is filed, to improve the initial application.
2. To respond in a timely manner, within 7 days for requests not requiring additional information or review.
3. In the case of denial, to provide the Board with background information relative to the request and the reason for denial. Reports of experts who were consulted will be presented to the Board.

The SLV association office is responsible:

1. To assemble the complete Property Modification Request and forward it to the ACC.
2. To inform the owner in writing of the approval or disapproval of requested changes.
3. To inform the Board of Trustees on requests for changes which have been denied.
4. To file all records of approval or disapproval in the resident's file.

MODIFICATIONS THAT AFFECT THE APPEARANCE OF RESIDENTIAL BUILDINGS

Pursuant to the ACC objective of assuring that the structural integrity and appearance of residential buildings are maintained, the following guidelines shall be observed.

1. **BUILDING COLORS** – The color of the buildings, including the exterior door, is determined by the Architectural Control Committee with the approval of the Board of Trustees. Refer to the Building Paint Colors document for a list of the currently approved color schemes. The document is available from the SLV Office and on the SLV web site.
2. **HOUSE NUMBERING** – Numbering of units in a consistent and visible way is important for residents and for fire and emergency services. House numbering is also regulated by the Township of Middletown and must meet the standards of the code. House numbers shall be five inches in height and shall be of a reflective material or have sufficient visual contrast to the background material to be easily visible at night with the aid of an emergency vehicle spotlight. They shall be conspicuously placed on the building parallel to the street and within ten feet of the main entrance, or either above or near an upper corner of the garage door so they can be seen in daylight by the average person. Numbers should not be placed on the garage door itself, because they are then not visible when the door is raised.

Numbering shall be progressively brought into compliance with this guideline as each building is painted. Additional house numbers that are decorative or include names are allowed under the same rules as "Ornaments," see below. Personalized numbers should not conflict with the official ones. No renumbering of units is implied by this guideline.

MODIFICATIONS AND ALTERATIONS TO RESIDENCES

Prior to any alterations, variations, modifications, or substitutions to any residence, or to the general overall appearance of the common property adjacent to a residence, all owners must submit their requests to the Architectural Control Committee for a determination. All requests must be submitted to the SLV association Office in writing and must be accompanied by plans and drawings in sufficient detail for the ACC to evaluate the application adequately, and to provide a permanent record of the work. The licensed contractor who will do the work must be indicated and have a record of insurance on file in the Office. The SLV Office shall prescribe a form of application to be used. It shall be incumbent on the applicant to provide all the necessary plans, facts, and data, in order for the ACC to make a proper determination. The ACC shall act expeditiously, normally

within 7 days of receipt of the completed application, unless further information or negotiation is required. If a request is denied, the owner will be advised if a revision to the application will permit approval. If a request is denied, the owner may, in writing, request the Board of Trustees to reconsider the decision. The owner may appear before the Board to present arguments and evidence as to why the denial should be set aside and/or modified.

If permission is granted for any extension, enclosure, or other such alteration, the owner will be required to execute an appropriate document in legal form under which he, his heirs or assigns agree that they will not hold the Association responsible for any maintenance of any kind resulting from the modification, and moreover, any additional maintenance or damage resulting directly or indirectly from this modification shall be the responsibility of the owner. This document will be recorded in the Monmouth County Hall of Records if applicable at the expense of the unit owner. The failure of a unit owner to execute such a document and/or to pay the recording fee shall be a reason for denying the request.

If any alteration or modification is made for which approval has not been secured, either in advance or after the fact, or for which the ACC, or the Board through the review process, has refused approval, the owner must restore the property in question to its original condition at his or her expense, or the Association will restore the property to its original condition and the cost will be charged to the owner.

UNAUTHORIZED ALTERATION

When it has been determined that an unauthorized alteration or modification of a residential building or its immediate grounds has been made, the SLV association office shall notify the unit owner that proper application for retroactive approval must be made. A satisfactory explanation for failure to secure approval must be filed with the application, which must be submitted within ten days. Final decision for approval or disapproval will be rendered by the ACC, under the same guidelines as normal pre-construction approval. A final decision by the ACC disapproving an unauthorized alteration or modification shall be simultaneously forwarded to the Violations Committee by the SLV Office. This written notice shall be considered a formal complaint conferring jurisdiction on said Committee to set a reasonable time for compliance. The Violations Committee shall not have jurisdiction or authority to vacate or modify the decision of the ACC or the Board of Trustees.

GUIDELINES FOR APPLICATION FOR MODIFICATIONS

Modifications are either REPLACEMENT or ALTERATIONS.

REPLACEMENT

Replacement Modifications are those where an existing window, door, or item is replaced with a like unit. (Example: sliding door replacing a sliding door.). These modifications shall be in like color and not require alterations.

ALTERATIONS

These modifications change the structure, appearance, or configuration of the building. (Examples: a garage window, new window in a wall, or change in construction.)

EXTERIOR CHANGES

The outside wall of all residences, except the windows, sliding doors, entry doors, and storm doors are the property of the Association. Approval must be secured to attach any permanent or removable accessory to the exterior of any residence. Any exterior change requiring the addition or removal of siding must be approved. Should any alterations be made without the approval of the ACC, or

should any construction be made in a manner, or with materials other than those which have been approved, the owner will be required to restore the property to its original condition at the owner's expense. If the unit owner fails to make such restoration, the Association may do so and charge the cost to the owner. The Association has the authority to place a lien against any property where expenses of the above nature are charged to the owner and the Association is not promptly reimbursed. A condition of every approval will be to obtain a Building Permit from Middletown Township prior to commencement of work in all cases in which Middletown Township Ordinances require such a permit.

- 1A. **UNCOVERED PATIOS** – Any extension or addition to an existing or any new patio is an encroachment on common property. Thus, permission must be secured to alter an existing patio in any manner or install a new patio. All patios constructed as uncovered must remain uncovered. No patio may extend beyond nine (9') from the base of the building foundation of the residence or be extended beyond the building line of the adjacent units, whichever is shorter, nor be more than sixteen (16') wide. All patios must have direct access to the interior of the unit. Details and plans must be submitted, prior to the start of any work, showing materials to be used, method of construction and associated plantings if any. If an aesthetic or noise factor exists, the owner may be required to provide visual screening (e.g., shrubs, fencing, etc.) as requested by the ACC. Consideration shall be given to any applicant wishing to adapt the shape of a patio to the local conditions, provided the total area of the patio is approximately 144 square feet.
- 1B. The ACC shall deny any extension, change, or addition to any patio, if the change is not esthetically appropriate or encroaches upon a neighbor's privacy. If any approved extended patio together with landscaping, has to be torn up for any legitimate purpose, e.g., to reach utilities, sewer lines, TV lines, etc., the Association is responsible for restoring the patio and landscaping to the original condition. The Association will not repair or restore any unauthorized additions or modifications. If any patio is constructed without the approval of the ACC, or constructed in a manner or with materials other than that which have been approved, the owner must restore the property to its original condition at his or her expense or the Association will restore the property to its original condition at the owner's expense.
2. **COVERED PATIOS** – Covered patios are those patios classified as covered patios in the original building plan. Any enclosure or change to a covered patio is an infringement or encroachment on common property. Thus permission to enclose or alter the covered patios in any manner must be secured, and the following rules apply:
 - a.) Plans must be submitted to the SLV association office for approval by the ACC.
 - b.) Covered patios may be enclosed at the building line, with sliding glass doors (highly recommended), doors, windows, or screens. Any incidental siding required as part of the enclosure must match the existing structure.
 - c.) If permission is granted for the enclosure or alteration to a covered patio, the owner must sign a release that he, his heirs, or assignees do not hold the Association responsible for any damage, structural, or otherwise, caused directly or indirectly by the enclosure and for any repairs or maintenance including the screens and windows. This release must be recorded at the County's Hall of Records at the owner's expense.
 - d.) If the patio to be covered is immediately below an uncovered, second floor patio, the first floor resident assumes all responsibility for any water intrusion from the second

floor, and should provide for adequate waterproofing of the ceiling in plans to enclose the first floor patio.

- e.) Permission to enclose a covered patio will only be granted on condition that a building permit will be secured by the owner. A copy of the building permit must be filed with the SLV office before work commences.
 - f.) The ACC has the right to deny any enclosure of a covered patio, if in their opinion, it is not consistent with the surrounding architecture.
3. **AWNINGS** – Outside window visors, or any other type of covering for sun protection attached to the outside wall of a residence are subject to the approval of the ACC and must be of a permanent material blending properly with the building to which it is attached. Awning must be of roll-up type.
 4. **FENCES** – Fences of any type may not be installed without the approval of the ACC.
 5. **OUTSIDE PLANTINGS** – All plantings within four feet of the building foundation or patio edge are restricted to a 5' maximum height. The Landscape Guidelines document shall be consulted for details. Trellises near the building must be movable to facilitate building maintenance.
 6. **DECORATIVE OBJECTS, LAWN ORNAMENTS/PLANTERS ETC.** – Statuary ornaments, planters, urns, bird feeders, birdbaths and other ornamental objects shall be located in existing foundation beds or on patios. Ornamental objects shall be limited to three (3), and, with the exception of pole-mounted bird feeders and bird houses, shall not exceed a height of thirty-six (36) inches. Flagpoles must be attached to brackets on the building, freestanding flagpoles are not allowed. Planters are limited to a maximum of four (4) and shall be located on ground level. They shall not exceed a height of thirty-six inches. Flower boxes are not permitted on any railings.
 7. **PATIO UMBRELLAS** – One patio umbrella, maintained in good condition, is permitted per unit and no approval is required for use exclusively on the patio.
 8. **SHUTTERS** – Shutters of any type are not permitted on the exterior of windows of any building.
 9. **ANTENNAS** – No TV or radio antennas, including satellite "dish" antennas, are permitted in common areas. Antennas may only be installed in an interior area where the resident has exclusive use.
 10. **EXTERIOR LIGHTS** – Exterior light fixtures may not be changed or added without approval. They should be located with consideration for the privacy of neighbors.
 11. **LAWN SPRINKLING** – Individual fixtures for the Village underground water distribution system are available throughout the village. Additional ones may be installed near the foundation of a residential building at the owner's expense. Above-ground faucets shall be labeled "non-potable." Hoses and hose reels shall be properly stowed when not in use, so that they do not impede grounds maintenance.

12. **PAINING EXTERIOR WALLS** – Approval must be secured to alter or paint any portion of the residence, including outside doors, or any other common elements. The color of the buildings, including the exterior door, is determined by the ACC with the approval of the Board of Trustees.
13. **RESIDENCE UNIT WINDOWS AND DOORS** – Any change of windows or doors, including storm doors and exterior sliders, requires approval and must be compatible with original architectural standards, as determined by the ACC. Design and color of frames must be compatible with existing windows and doors. Replacement sliders shall be brown on the exterior, including any optional decorative grilles within the individual window panes.
14. **EXTERIOR ENTRY DOORS** – Decorative entry doors require the approval of the ACC. If a resident paints a main entry door for any reason, it should be painted the trim color listed in the Paint Colors Document. Any deviation from the standard color for doors must be approved by the ACC. The resident is responsible for seeing that a new, unpainted entry door is painted either soon after installation or as soon as weather permits.
15. **STORM DOORS AND WINDOW TRIM** – Most new storm doors and windows are pre-painted at the factory and are available in only a limited range of colors. The exterior of such doors and windows shall be brown, matching as closely as possible the existing trim colors prevalent in the Village.
16. **EXTERIOR BUILDING RAILINGS** – Any railings removed in the process of repairing or replacing exterior windows or doors should be restored to their original location. In the exceptional situation that a railing is to be permanently removed, note that it remains the property of the Association and should be returned to the Maintenance Office.
17. **HANDICAP RAMPS** – Reasonable accommodation shall be made for ramps or other devices to facilitate handicap access. Such devices are the responsibility of the resident and shall be of a temporary nature such that they can be easily removed when they are no longer needed. Application may be denied if the device impedes pedestrian traffic or if it presents a safety hazard to others.
18. **VENTS, ATTIC FANS, SKYLIGHTS, SOLAR TUBES** – Approval must be secured to install any outside vents, roof vents, attic exhaust fans, skylights, or solar tubes, or to put a hole in the roof for any purpose. A maximum of either a) one skylight plus two solar tubes, or b) three solar tubes, are permitted in a unit. The skylight must be installed in the plane of the roof and may not exceed 4 feet by 4 feet. Building permits required by Middletown Township shall be obtained by the unit owner. A one-time fee is established by the Board of Trustees for any roof openings.
19. **BARBECUE GRILLS** – Propane grills must be stored on or immediately adjacent to a patio. Use and storage of propane grills is subject to local and state regulations, therefore, grills and propane tanks must only be used and stored on ground floor level, and not within five feet of a building structure. Propane or butane tanks shall not be stored in a garage or in the interior of a residential building.

20. **MULCH** – Level of mulch or soil at foundation must be below the bottom edge of siding to help prevent damage to siding (moisture, mold, termites, etc.).

CHANGES IN INTERIOR OF UNIT AND GARAGES

All interior changes to the structure of units and garages as noted below must be approved by the ACC and the proper building permit must be obtained from the Township, where applicable, and a copy thereof provided to the SLV association office. No other structural changes are permitted.

21. **FIREPLACES** – Designs for the construction of and alterations to fireplaces and chimneys are subject to approval. Chimneys shall be inspected at the resident's expense and cleaned as required. Inspections must be performed every two years, or as required by our insurance carrier. A certificate of inspection must be presented to the Association. An affidavit stating that the fireplace will not be used may be submitted to the Association Office as an alternative to inspection. The office has a form for this purpose. The form is also available on the Shadow Lake web site.
22. **DRYER VENTS** – Exhaust vents for clothes dryers must be vented to the exterior of the building in a manner approved by the Maintenance Department. Venting dryers into the attic is prohibited because the buildup of lint is a safety hazard, and excess humidity reduces the lifetime of the roof.
23. **HOT WATER HEATERS** – Installation or replacement of hot water heaters requires Township approval, which must be obtained before the work commences. Hot water heaters must be installed above a drip pan drained to the outside to prevent leaks within the unit or to the unit on the floor below.
24. **GARAGE ACCESS DOORS** – Installation of rear or side access doors to garages is subject to approval. Installation of electrical garage door openers must include an external emergency release device where no other access to the garage is provided.
25. **PULL DOWN STAIRS** – Installation of pull down stairs is not permitted in any residence or garage.
26. **REMOVAL OF INTERIOR SLIDING GLASS DOORS** – When a covered patio is enclosed, the interior sliding glass doors may be removed with their tracks and the opening re-trimmed.
27. **PASS THROUGH OPENINGS** – Pass through openings from kitchen to dining area are permitted provided suitable structural framing is employed, subject to approval.
28. **FLOORS IN SECOND FLOOR UNITS** – Because of the potential for creating excessive noise, flooring other than carpet installed on any interior floor of any unit above a first floor unit, excluding bathrooms and kitchens, must be installed over a soundproofing system that provides a SOUND TRANSMISSION CLASS (STC) and IMPACT INSULATION CLASS (IIC) of at least 55 (Grade I), as defined in the Guide to Airborne, Impact, and Structure Borne Noise Control in Multifamily Dwellings published by the U.S. Department of Housing and Urban Development. The installer must certify that the proposed flooring meets the above standard, and such certification must accompany the property modification request.

29. **AIR CONDITIONERS** – For purposes of Architectural Control, there are three types of air conditioners installed in the Village. "SLEEVE" units are self-contained wall or window units that ordinarily mount through an opening in the wall designed for that purpose. They have no associated ductwork. "CLOSET" type units have the condenser unit, and sometimes the air handler as well, mounted in a utility closet. They attach to ductwork within the unit. The condenser unit mounts flush with the wall of the building, behind a grille. "OUTDOOR" units have a separate condenser unit, usually mounted on a concrete pedestal, on the ground outside the unit, attached by plumbing to an air handler inside the unit. The following rules shall apply:

- A) SLEEVE air conditioners must be replaced with like units. The resident is responsible for replacement of the sleeve itself, if required for the new AC unit, or if it is deteriorated or causing structural damage. The resident is also responsible for any associated structural repair work that may be necessary.
- B) CLOSET air conditioners in multi-story buildings where units have a common entry hallway must be replaced with CLOSET units.
- C) Otherwise, it is strongly urged that CLOSET air conditioners be replaced with like units. It is required that CLOSET units be used if all of the criteria for OUTDOOR units cannot be met.
- D) OUTDOOR units, either new or replacements, shall:
 - i. Extend no further than 5 feet from the building foundation.
 - ii. Not extend beyond the confines of the unit on either side.
 - iii. Not infringe upon limited use common property where a downstairs neighbor either has or could construct a patio.
 - iv. Not block, or be in tandem with, existing air conditioning condensers, including closet-style, or any utility enclosure or access point.
 - v. Not be in close proximity to original windows in the unit, especially bedroom windows.

Application to install any new unit must include make, model number, and decibel rating cited from the manufacturer's technical specifications. Contractor must submit a statement advising that the exposed ducts were inspected and are serviceable for the new installation. No make or model may be substituted without approval of the ACC after the initial application has been submitted. The ACC shall consider the aesthetic and noise impact on surrounding neighbors. If an aesthetic or noise factor is judged to be an issue, the applicant may be required to provide visual screening or noise abatement (shrubs, fence, etc.) Any insulation disturbed by the contractor must be replaced. It is the unit owner's responsibility to obtain any permits required by the Township. All of the above rules applying to air conditioners also apply to heat pumps. In addition, the contractor must certify that the duct work in the unit meets the capacity required for heat pump use.

Approved by the BOARD OF TRUSTEES: _____ Date: April 23, 2009