

Carleton Shores Association, Inc.

Guidelines:

Site Planning

House Design

Area Development and House Approval Committee

Revised: October 1988, June 1993 and May 2003

TABLE OF CONTENTS

Guidelines of 1969

1. Introduction	2
2. Site Planning Consideration	3
3. House Planning Considerations	4

Supplement of 1988

4. Introduction	5
5. When Must Approval be Sought	5
6. Site Bond	6
7. Access to Construction Site	6
8. Limit of Clearing	6
9. Notification of Abutters	6
10. Site Plan Requirements	7
11. Completion of Work	7
12. Meeting with Owners and Contractors	7
13. Wood Shingle Roofing	8

Addendum May 2003 – Page 8

Section 3. From By-Laws – Page 9

1. INTRODUCTION

There must exist a variety of factors that have attracted people to purchase land at Carleton Shores. It is likely, however, that to many of us, the unspoiled character of the natural landscape is an important ingredient of this area. Placing a hundred or more house on this land will surely alter the nature of the neighborhood. Let us hope that the future development of Carleton Shores can preserve much of its present character.

The firm of Sasaki, Dawson and Demay of Watertown, Massachusetts, one of the country's leading firms in the field of site planning and land development, has furnished a plan which shows the layout of all future roads, the allocation of open conservation areas, and the subdivision of sites which will allow for the future construction of over a hundred new houses. By taking into account the contours of the land and the character of the natural growth, it is intended that the subdivision of the land will allow houses to be sited in a way that will minimize the disturbance of the landscape, while allowing you, the owner, to take full advantage of the particular characteristics of your piece of property.

To achieve this will require care in site planning and in the design of houses. It is for the purpose of providing guidance and some control over these details, that **the Board of Directors of the Carleton Shores Association established an Area Development & House Approval Committee in 1969.**

The deeds to property at Carleton Shores clearly establish the right of a duly appointed Committee to approve the siting and design of houses and to control significant modifications of the landscaping. (See Restriction #6 in your deed.) This brochure has been developed by this Committee to clarify the overall objectives of these deed restrictions, to establish the general criteria which will be used in the approval of the siting and design of houses, to indicate the points which will be of particular interest to the Committee and, finally, to present you with some suggestions which, experience indicates, will be useful to keep in mind when you deal with the building contractor, the power and telephone companies, the well digger and the many other people who will become involved during the construction process.

Some property owners will start to plan the development of their land soon after they buy their property. Others may wait several years before they start to think about house design. Since, however, most property owners will begin to evolve some general thoughts about future plans at an early stage, whatever their construction schedule may be, we suggest that each property owner should plan an early meeting with the Committee. This will allow for an early exchange of ideas and a discussion of long-term objectives.

A meeting with the Committee can best be arranged by contacting Jack Jillson or the Chairman of this Committee. In the meantime, however, and for future reference, we should like to present the following Guidelines and suggestions which should be useful to you as you start to think about your future plans. Since some members of the Committee may not be permanent residents of Carleton Shores, please allow one or two weeks to arrange a convenient time for a meeting.

2. SITE PLANNING CONSIDERATIONS

UNDER NO CIRCUMSTANCES SHOULD OWNERS CLEAR THE LAND OF EXISTING VEGETATION BEFORE PRESENTING SITE AND HOUSE PLANS TO THE COMMITTEE.

When submitting drawings for approval, allow ample time for the Committee to meet and to consider the proposed design. Also, keep in mind the need to allow time for making changes in case some modifications are proposed by the Committee. **The more contact a property owner has with the Committee before the presentation of drawings, the less likely it is that the Committee will request major changes.** If you want to start construction by a specific date, keep this point in mind.

The less visually obtrusive the individual houses are within the general landscape, the more the present natural character of the land can be retained. This factor should be the dominant consideration in the location and arrangement of the driveway, and in the placement of the house in relation to trees and bushes on the site, and to the adjoining property and access road. We hope that the natural landscape of the area can remain visually dominant, even after many houses have been built. Achieving this result will require careful attention to all of these factors.

The location of wells, septic tanks, power and telephone lines, as well as access to routes to the house by the building contractor, must be carefully thought out beforehand in order to avoid the unnecessary destruction of undergrowth which may take many years to replace. Too often, these points are not given enough attention during the construction period. However, by relating the areas of the land which must necessarily be disturbed during construction to the expected location of the driveway and to the portions of the land that will intentionally be cleared to provide outdoor living space, the area of unwanted destruction of natural growth can be greatly limited. Also, although some builders are unaccustomed to restricting the size of the work area messed up around a house during construction, this can be done! Careful planning at the right time can save a lot of re-landscaping and expense in the future.

To allow for the expected introduction of underground power lines at Carleton Shores, all power lines within the limits of the individual property lines must be placed underground at the time the house is built. In planning this, also consider the desirability of locating the unsightly outdoor electric meter in a position which will not mar the appearance of the house. This meter can be readily mounted on a short post at some distance from the house, as long as access to it is convenient for the power company.

In locating and orienting your house, consider the relationship of the bulk and height of the house to the view of neighbors and to your own view, both from within the house and from outdoor living areas. What degree of privacy will you achieve? Also, consider the orientation of the plan to the summer and winter sun, as well as the direction of the prevailing wind – from the southwest in summer and the northwest during the winter months.

3. HOUSE DESIGN CONSIDERATIONS

To allow the Committee to review the site plan and house design intelligently, it is essential that you submit drawings scaled ¼" to 1 ft. that accurately represent the proposed site development, including the driveway and all presently contemplated future additions, garages, etc. The drawings should also include floor plans and complete exterior elevations that show materials, size and type of windows, trim, etc.

Although the Committee will not grant approval for a proposed design without the drawings described above, we nevertheless encourage you to hold early, informal discussions with the Committee, using less finished drawings.

We anticipate that a wide variety of designs -- traditional as well as contemporary -- will be built at Carleton Shores. (Houses that have been built in the past are not necessarily a good guide to what we might approve in the future.) Whatever your design approach might be, the Committee encourages designs of a character which, through the years, will enhance the value of the neighborhood because we believe that the quality of every house design contributes somewhat to the quality of the total community. After all, it will be the quality of the design of existing houses that will determine the appeal of the neighborhood to future landowners.

The use of an architect is not essential to, or even a guarantee of, achieving a good design. Nevertheless, you might find it useful to seek the advice of a professional trained to work with the manipulation and visualization of space and experienced in the use of materials. If you do not know such a professional, our Committee could suggest some names to you.

Roofs may be sloped or flat. Because of the dominant visual importance of sloped roofs in this type of landscape, where frequently it is only the roof that is visible from a distance, the Committee **requires the use of cedar shingles**, and proposes that, when existing roofs are replaced, only cedar shingles be used to replace the existing roofing material, except on flat roofs. (Also see #13 on Pg. 8.)

To the extent that the selection and color of exterior finish materials, the arrangement of windows, the nature of roof line, etc. will determine the overall quality of the design, as well as the visual obtrusiveness of the houses built at Carleton Shores, these are all the details which will receive the careful consideration of the Committee. We are all interested to see the community develop into an attractive one. With this thought in mind, and without trying to impose unreasonable restrictions, the Committee should be able to provide many useful and positive recommendations if it fulfills its intended function well.

1988 SUPPLEMENT

4. INTRODUCTION TO THE 1988 SUPPLEMENT

The guidelines prepared in 1969 set forth the general responsibilities and concerns of the Area Development & House Approval Committee. However, our experience with these original guidelines during the past twenty years indicates that several more specific items should now be included.

Our experience has been that, despite the early concern of some owners that our Committee could unreasonably infringe on the rights of property owners at Carleton Shores, this has rarely been perceived as a problem. More often, property owners have been disturbed about other owners (or their contractors) who went ahead and built or landscaped without the approval of the Committee. In some instances, owners have been upset about designs with which they did not agree but that *were* approved by the Committee.

On balance, rather than feeling threatened by a potential infringement of rights, it is apparent that most owners at Carleton Shores want to see our Guidelines more clearly defined and more strictly enforced. These owners look upon these Guidelines as a critically important measure for protecting the long-term value of their property and the unique character of Carleton Shores. We therefore augment the original Guidelines with the following:

5. WHEN MUST APPROVAL BE SOUGHT?

Although it is not feasible to anticipate every item that must be reviewed and approved by our Committee, we should like to enumerate several items here to indicate clearly the general range of our concerns:

- Construction of houses and additions thereto, including decks and porches
- All major landscaping work
- Any work within the right-of-way zones which border the roads within Carleton Shores. (Generally, the right-of-way zone extends 10 to 15 ft. beyond the edges of the paved roadway.)
- Reroofing, exterior repainting and other exterior changes
- Relocation of driveways
- Erection of fences or other barriers, flagpoles, TV satellite dishes, etc.
- Construction of any outbuildings such as garages, tool sheds, etc.
- Placement of roadway mailboxes

If you intend to do any of these things, or if you are in doubt about what the Guidelines mean, contact a member of the Committee. Also, if you see someone else undertaking any of the activities listed here that might be a problem, please let us know right away. The sooner a potential problem is dealt with the better. Later is usually more difficult.

6. SITE BOND

Before the Committee will approve your plans for any construction project, we will require you or your contractor provide a site bond. This bond will assure the Carleton Shores Association that any damage, intended or otherwise, to roads, right-of-way, vegetation on the building site – beyond the defined and agreed to “limit of clearing” – will be repaired.

The funds to be set aside for this site bond can be in the form of an insurance company bond, a bank letter of credit, a passbook savings account, or some other acceptable instrument.

The amount of the bond will be equal to 5% of the total cost of the project.

The Committee has authority to, and will, release the bond promptly after completion of the construction work or, if required, the completion of appropriate repair work.

7. ACCESS TO CONSTRUCTION SITE

Access to the site, across the Carleton Shores right-of-way zones along the road, will be restricted to the route of the proposed driveway shown on the site plan. The site plan must indicate the proposed grading of this driveway to show how existing grades will be altered. You should describe plans to stabilize temporarily the soil in the driveway during the construction period. This will allow concrete and other trucks and vehicles to enter the site without causing excessive damage to and soiling the roadway.

8. LIMIT OF CLEARING

The site plan submitted to the Committee – in addition to showing the location of the house, the driveway, the well, etc. (see #10 below) – must also show the approximate “limit of clearing”. (This is information now required by the Town of Sandwich Conservation Commission whenever the Commission is involved in the approval process.)

Once the extent of the clearing, as proposed, has been approved the perimeter of this area of clearing must be marked at the site and maintained (by the contractor) throughout the construction period. We suggest the use of surveyor-type stakes and brightly colored plastic tape or cord to define the perimeter of the clearing area. These rules apply also to situations where limited clearing may need to be done prior to the sale of a lot, for percolation testing, well drilling, etc.

9. NOTIFICATION OF ABUTTERS

We recognize the interest of abutters when an adjacent owner plans to do some construction, landscaping, installation, etc. The Committee will therefore promptly notify immediate neighbors when anyone seeks our approval for such work.

10. SITE PLAN REQUIREMENTS

The original Guidelines call for the submission of a site plan, drawn to scale, that illustrates the proposed site development. This site plan should indicate the location, and the distance(s) to property lines where appropriate, of the following:

- The proposed structure
- Driveway, including contours
- “Limit of clearing” area
- Septic tank and leaching field
- Well and water lines
- Other utilities
- Grade contour lines, both existing and proposed regrading
- Outlines of structures on abutting properties

You won’t need to show the complete plan outline of adjacent structures but the drawing should show, at minimum, the outline of the end of the neighboring structure(s) closest to the property line in order to make the relationship of these structures to the proposed new construction clearly apparent.

11. COMPLETION OF WORK

Once work has begun on any building project, alteration, remodeling, landscaping, etc., **it must be conducted with diligence**. The landscaping and exterior of a dwelling or other structure shall be fully completed **within one year** from the beginning of construction. (The Town of Sandwich imposes similar time constraints on construction projects.)

12. MEETING WITH OWNERS & CONTRACTORS

As one of the last steps before the Committee formally approves any proposed construction project, it will require a meeting with both the property owner and his contractor. This will give the Committee an opportunity to ask and respond to questions, and to discuss explicitly such items as how the contractor intends to enter the site, remove vegetation, and other related matters.

The written house plan approval, notarized and provided by our Committee after this meeting, will itemize any special conditions on which the approval is contingent.

13. **WOOD SHINGLE ROOFING** (with June 1993 changes included)

Although several houses built in the 1960s were roofed with asphalt shingles before the original Guidelines were prepared in 1969, these Guidelines make it clear that all sloping roofs must use wood shingles **or architectural grade asphalt shingles equal in quality and appearance to “Timberline” as manufactured by GAF. Samples of shingles must be submitted to this Committee and written approval obtained before any work is started.**

Because the roof of a home is usually the most visible element within the wooded landscape of this area, it has been a long-standing policy of this Committee that wood shingles or wood-like asphalt shingles provide a particularly attractive, consistent design element within Carleton Shores.

(Note: The Committee makes this recommendation for the following reasons: 1. Longer life and less maintenance with architectural grade asphalt shingles; 2. Better fire-resistance rating; 3. Lower cost.)

<p>Addendum - May 2003</p>

- A dumpster or container for building debris must be on site from beginning of construction to completion.
- A chemical toilet must be on site from beginning of construction to completion.
- The site must be loamed or left in its natural state from the edge of the street to at least 10 feet back onto the property. No woodchips or bark mulch should be within 10 feet of the street. This is to prevent the catch basins from clogging up.
- A \$2,500.00 site bond is required for all additions to the existing dwelling, detached buildings, swimming pools or any project requiring heavy equipment.

Section 3. RESTRICTIVE COVENANTS (from By-Laws)

1. No numbered lot shall be used except for residential purposes and no building shall be placed or be permitted to remain thereon except a single one-family dwelling house together with a garage and such necessary buildings for private use in connection with said dwelling as may be permitted under these Restrictive Covenants.
2. No lot once shown as a numbered lot on a subdivision plan shall be further subdivided.
3. The numbered lots on said plan shall be used for residential purposes only and shall in no manner or degree whatsoever be used for any business, mechanical, industrial or commercial purposes. No lodging house, rooming house, veterinarian or professional office shall be maintained or kept on the premises and no hotel, school, hospital, sanitarium, nursing home or similar business shall be operated or carried on the said premises.
4. The lots shown on subdivision plan, Section 1, Plan Book 180, Page 13 as "Private Beach", "Recreation Area", and "Parking Area" shall be reserved for the exclusive use of the owners and occupants of the subdivision known as Carleton Shores consisting of presently three sections with more sections to be added in the future. In no way or manner shall such areas be used for any commercial purposes and no building other than which may be required for the usual recreational or sanitary purposes shall be constructed thereon.
5. No animals except domestic or household pets owned by the occupants of the premises (which pets shall include only dogs, cats, caged birds, goldfish and tropical fish) shall be kept on the premises. Roosters, chickens, hens, pigeons and other fowl, and kenneled, stabled or caged animals of every nature are to be excluded there from at all times and no commercial breeding of domestic or household pets shall be permitted thereon.
6. No dwelling or other structure shall be moved on to, erected or maintained upon the granted premises, or any portion thereof, and no alteration, addition, remodeling or change in the exterior or outside of the dwelling or any other building on such premises shall be undertaken or made until plans and specifications showing the nature, kind, shape, height, materials, floor plan, location and grading plan thereof have been submitted to and approved by the Area Development and Home Approval Committee. The Area Development and Home Approval Committee shall have the right to refuse to approve any such plans, specifications or location or any building or structure, which in its opinion, are not suitable or desirable for aesthetic or other reasons and shall take into consideration among other factors, the suitability of the proposed building or other structure, the site which it is proposed to erect the same, the harmony thereof with the general neighborhood and the effect of the building or other structure as planned on the outlook from adjacent or neighboring property. In the event that the Area Development and Home Approval

Committee shall fail to approve or disapprove such plans and specifications in writing within thirty (30) days after they have been submitted to him, then this provision shall be deemed to be fully complied with.

7. Construction Time: When construction of any structure on the premises is once begun, or work of remodeling or alteration started, work must be prosecuted diligently and the exterior of any such dwelling or other structure to be erected, placed or maintained on the granted premises shall be fully completed within six (6) months from the beginning of construction.

8. No trailer or tent shall be placed or maintained on the said premises nor shall any uncompleted basement area of any building, nor the garage, nor the boathouse be occupied as a dwelling.

9. No boats or trailers of any nature shall be kept on the granted premises except within an area enclosed or a building approved and no trucks of any nature shall be parked overnight on any lot except in an enclosed garage.

10. No loam, sand, gravel or top soil, except that resulting from landscaping, or from construction permitted under these restrictions, shall be moved from the premises and the grade of the granted premises shall not be materially changed.

11. No hedge or fence shall be erected or maintained at a height greater than four (4) feet and no trees shall be grown, placed or maintained in such a way as to materially interfere with the view from other lots, without a written permit from the said agent or his successor agent or from the owner of the lot whose view is so affected.

12. The Board of Directors shall have the right to at any time require any lot owner, or occupant, to remove filth, garbage, trash or debris or other material offensive to the neighborhood in general, for the benefit of other lot owners. If any owner or occupant should refuse to comply with such request within ten (10) days from the date of such notification from said Board, then the said Board shall have the right to affect such removal at the expense of the lot owner.

13. Similar restrictions will be imposed on all of the lots in the various subdivisions known as Carleton Shores, subject to the discretion of the said agent or his successor to vary the same, when in his opinion special circumstances of a particular lot location dictate that a particular restriction or restrictions be modified or waived. These restrictive provisions shall run with and bind the land subdivided and known as Carleton Shores for a period of thirty (30) years from Sept. 15, 1963, and may be extended as provided by Massachusetts General Laws (ter. Ed.) Ch. 184, Sec. 26 to 30. Purpose of restrictions is for the protection and benefit of the Lot Owners in said subdivision. Failure to enforce any restriction, condition or other provision herein contained in any particular instance shall in no event be deemed a waiver of the right to do so as to any subsequent breach.

14. With the adoption of these amended By-Laws, September, 1982, John S. Jillson, agent for Carleton Shores has chosen to transfer his authority to the Carleton Shores Association, Inc.

ARTICLE IX

AUTHORITY OF PROCEDURE

Robert's Rules of Order, Revised and Robert's Parliamentary Law shall be the Parliamentary rule.

ARTICLE X

AMENDMENTS

These By-Laws may be amended at any meeting of the Association by a majority vote of the members present and voting, provided notice of the proposed amendments has been submitted in writing to each member at least fourteen (14) days before the meeting at which they are to be voted on.

As Amended: September, 1986, August 1997, September 1998, August 2001, August 2002 and August 2004.