

SENGEKONTACKET COMMUNITY CORPORATION

ARCHITECTURAL COMMITTEE RULE

SINGLE FAMILY PROPERTY IMPROVEMENTS

To preserve and protect the beauty and environment of the Sengekontacket Community, the Master Declarations of Covenants, Conditions and Restrictions (“Sengekontacket Restrictions”) limit the ways in which properties can be improved or altered. ¹ Improvements and alterations generally are not permitted without the prior written approval of the Architectural Committee of SCC. The Architectural Committee is responsible for reviewing proposed improvements within the Community and issuing rules to carry out the Restrictions. Please consult the architectural Committee before planning any changes or improvements to your property. The Committee Chair and Committee Members are happy to answer any questions.

Section 1: What requires Architectural Committee approval?

Any change in the exterior appearance of a single family property from its natural or improved state as of the date the property was first sold. This includes new construction and renovations and alterations of any kind that change the exterior appearance of a house, garage, shed or other building on the property. It also includes changing the appearance of real property by excavation, installation of fencing or barriers, and other alterations to landscape. Fencing is not ordinarily allowed.

Repairs and replacements that do not alter the exterior appearance (such as re-shingling or replacing a roof with the same material and color) require written notification to the Architectural Committee, describing the work to be done, before the work begins.

Section 2: How is an application made?

An application to the Architectural Committee can be made by letter addressed to the Committee Chair. It must be in writing and must include the following documents and information:

1. A brief description of the proposed improvement;
2. A plot plan of the affected property showing the location of existing buildings and proposed improvements;
3. Floor plans for new construction and changes to existing buildings;
4. Drawings showing all elevations;
5. A description of exterior materials and color, with color samples;
6. The Member’s proposed construction schedule;
7. Documentation that concrete bounds are set at all lot corners as laid out by a surveyor or will be installed before work begins;

8. Confirmation that all past and current assessments are paid;
9. An assurance that the Architectural Committee will be allowed to view and approve (a) the location of new construction and (b) any foundation for a new building, before further construction proceeds; and
10. An assurance that all major outside construction noise in the summer months of July and August will be limited to the hours between 8:30 am and 5:30 pm.

An application will not be considered completed and will not be acted upon if it does not include the information and documents listed above. The completed application must be submitted to and approved by the Architectural Committee in writing before work can begin.

Applications for new construction are made and approved in two steps: (1) approval of plans for construction and (2) approval for actual construction. After the initial application of the plans for new construction has been approved, the member must stake out its exact location on the property, and the Architectural Committee must approve the exact location before actual construction can be approved. In addition, the Architectural Committee must have an opportunity to view and approve the foundation for any new construction before continued construction can be approved.

If it becomes necessary to change the work plan for the approved application, the member must submit an amended application to the Architectural Committee for approval of the changes.

Section 3: What is the basis for approving an application?

The Architectural Committee has discretion to approve a completed application for an improvement that:

- a. Conforms to the Sengekontacket Restrictions and to the Architectural Committee Rules;
- b. is reasonably compatible with the standards of Sengekontacket and the purposes of Sengekontacket Restrictions as to quality of workmanship and material, as to harmony of external design with existing structures, and as to location with respect to topography and finished grade elevation; and
- c. complies with all applicable laws, and zoning by-law and building code requirements of the Town of Oak Bluffs.

In addition, applications will not be approved unless concrete bounds have been installed on all corners of the property as laid out by a surveyor and the member has paid all dues and assessments owed. For building approval, its location must be staked out and approved by the Committee, and after the foundation is in, it must again be approved, before any further construction is allowed.

Section 4: Are any other approvals required?

Many improvements require a building permit or approval from the Town of Oak Bluffs. Some improvements also require approval from the Conservation Commission or other local, state or federal agency. Many of these agencies require a copy of the Architectural Committee's approval before they will consider approving new work. Condominium units are also subject to the requirements of the Condominium Master Deed.

Section 5: When can work begin?

Work cannot begin until it has been approved by the Architectural Committee and by any other agency whose approval is required by law.

Section 6: Will the work be approved after completion?

Members must allow the Architectural Committee to inspect the work after it is completed to determine whether it conforms to the approved application. Work that deviates from an approved application may be required to be remodeled or removed at the member's expense.

Section 7: What if an improvement is made without approval?

The SCC Board of Directors may remove the improvement at the member's expense or require the member to remove the improvement at the member's expense.