

Waterville Estates Association

Statement of Generally Accepted Design Standards for New Construction

The Waterville Estates Association Board of Directors would like to offer the following statement as a general scope guideline for the Building Committee's oversight of the new home construction process. The intent of this statement is to preserve home values in the Waterville Estates Community.

A home in Waterville Estates is not just a home in the woods but rather is a part of a larger village community.

The Waterville Estates Association Board of Directors supports the approval of new home applications that demonstrate home design elements generally in keeping with the designs of existing homes within the community such that a uniform theme reflecting the mountain landscape resounds throughout the community. It is our belief that this uniformity of home designs contributes to the homogeneity and harmony of the community as a whole. All new homes applications are subject to all WEA Restrictions Easements & Covenants. The following are guidelines rather than steadfast rules. Applications may meet the general design appearance of the community without conforming with all guidelines. Exceptions to guidelines may be permitted on a case by case basis.

- Homes with the appearance of a ranch from any one viewpoint are thought to be incongruous with the surrounding community of homes.
- A frames are considered undesirable.
- Single level homes are not in keeping with the surrounding homes.
- Homes should have a minimum of 1250 square feet of living space.
- Homes should have a minimum of 2 bedrooms and a loft as well as 1-3/4 bathrooms.
- Homes with multiple roof lines and architectural details are preferable to those without.
- Roofs with a 12/12 pitch or steeper are preferred.
- New home length should not exceed 150% of it's width including attached garages.
- Casement windows are preferable to double hung windows.
- Roofing and siding colors should be earth tone.

WATERVILLE ESTATES ASSOCIATION BUILDING COMMITTEE

Waterville Estates Association Building Committee would like to remind all home and lot owners that their compliance with the Waterville Estates By-Laws and Revised Property Restrictions, Easements, and Covenants (REC's) are required. When you purchased your property, you should have received copies of these documents (also available to property owners at the front desk of the Community Center or on our web page at [Http://www.waterville-estates.com/owners.html](http://www.waterville-estates.com/owners.html)). As a property owner, it is your responsibility to be familiar with these documents.

The Building Committee is primarily concerned with preserving property values through upholding uniform standards of construction and aesthetics. Article VI Section D of the REC's essentially states that any building, or structure, or changes to the exterior of a building should not be started until an application for a permit for such work is submitted to, and approved by, the Building Committee (a copy of the Building Permit Application is appended). It is important to note that, by following the Building Committee application process, homeowners are also reminded of the need for abiding by all Federal, State, and local codes. The process of meeting proper code requirements puts homeowners, and contractors working for homeowners, directly in contact with the experts who have the knowledge to ensure that projects are carried out in a manner that results in a safe and ecologically sound completion. The REC's, By-Laws, and the Building Permit Application Form are the tools by which Waterville Estates Community Members can uphold standards for the community.

The Building Committee requires adherence to the standards stated in the REC's above but renders no professional opinion in regard to the engineering or design of a project beyond aesthetics. The Owner is responsible for ensuring that proper design and engineering techniques are implemented in all scopes of the work undertaken. The Owner is responsible for any incidental damage or depreciation to other properties or roads resulting from changes to the hydrology or aesthetics of their property or to damage to roads or common property resulting from the construction process itself. (I.e. damage to roads from construction and delivery trucks).. Furthermore, the Property Owner is responsible for obtaining and abiding by any and all approvals of the Towns of Campton and Thornton, as well as any department or agency of the State of New Hampshire and Federal Government.

Section VII of the RECs is of particular concern to the Building Committee regarding installation of new heating systems by the homeowners throughout the Estates. Installations should be done by competent licensed installers, who obtain the necessary permits, and then should be inspected by David Tobine, the Campton/Thornton Fire Chief.

- Uninspected installations can result in a host of catastrophes:
 - Improperly ventilated heating utilities can cause carbon monoxide poisoning.
- Improper ventilation can result in heating units shutting down, causing homes to freeze, resulting in severe water damage.
- Improperly installed wood stoves are serious fire hazards.
- Improperly installed fuel storage tanks can result in fuel spills and subsequent ecological damage.
- Wooden chimney enclosures can, over the years of use, become charred internally and are thus subject to a fire, which can spread into the home.

POLICY POSITION FOR UNDEVELOPED AREAS AND UNESTABLISHED LOTS

In the event that a building lot (Living Site) exists in an undeveloped region of Waterville Estates Village District and said lot does not have established road access and/or water access, the owner(s) of the lot are required to upgrade the road and water infrastructure in accordance with WEVD standards.

Development Policy For Contractors and Private Land Owners.

This policy is established to promote safe, efficient and properly engineered and constructed infrastructure upgrades to the Waterville Estates Village District roads.

In the event that a Living Unit is to be constructed on a Living Site which lies on an unfinished road, approval of construction for said Living Unit will be contingent on the satisfactory completion of upgrades to the road servicing the Site as follows:

All topsoil and other yielding material shall be removed from the proposed roadway location and be replaced with suitable fill material to establish the proper grade for the Road Sub Base. All brush, stumps boulders and ledge shall be removed to a uniform cross sectional depth of not less than 12 inches below the sub grade and replaced with sand or 12 inch minus gravel. The Road base should be a compacted thickness of not less than 12 inches, per NH Standard Specifications, 1974, Section 304.

The Finish Base course shall consist of crushed bank run gravel of 1 1/2 inch diameter as a maximum and to a minimum depth of 6 compacted inches covering the entire road width.

Road Width minimum will be 20 feet with additional 3 foot gravel Shoulders on both sides of the road.

Hot bituminous with a base course of 2 inches of 3/4 inch mix and a top coat of 1 inch of 3/8 mix may be required for Road Surfaces on roads with grades of 12% or greater or comers with curve radius of less than 500 feet.

Construction is to be supervised by WEVD management. These standards are general guidelines and the WEVD Commission retains the right to modify these standards on a case by case basis.

The installation of a driveway for new construction requires prior approval by a qualified road agent, Corey Smith, or another qualified individual referred by Mr. Smith. Mr. Smith may be reached at 603-726-3082 or email: corey@waterville-estates.com

Building Permit Application (please print or type) Incomplete fields will delay approval

Map Lot # From W.E. Map: _____
Waterville Estates Address: _____

Owner:

Name: _____
Email Address: _____
Phone: _____

Mailing Address: Street : _____
City: _____ State: _____ Zip: _____

Contractor (if any)

Name: _____
Phone: _____
Mailing Address: Street: _____
City: _____ State: _____ Zip: _____

Owner's Agent (if any)

Name: _____
Phone: _____
Mailing Address: Street: _____
City: _____ State: _____ Zip: _____

I agree to allow the above named agent to represent me to Waterville Estates Association

Owner's Signature: _____

Type of Project Submitted
Fee Structure

- New Building.....\$1350 *
- Addition to Existing Building\$50
- Exterior Changes to existing building (.. e.g. Roof re-shingle, siding, color changes).....\$25
- Changes to Lot...(e.g. Tree cutting, shed, garage, driveway).....\$25
- Condominium Projects.....\$200

* \$1,000 performance deposit to be credited to the C.I.F fund mandatory bill upon completion of the seven (7) step process. In the case of speculative homes not occupied, the C.I.F. Deposit will be refunded when the home is sold, and the C.I.F. Is collected from the new owner.

Please submit color samples on New Building application, and any requests to paint or re-side the dwelling

Items on this page must be completed in detail for all NEW dwellings or additions. Missing or incomplete information will delay your permit

Copies of the following MUST be submitted with this application

- Septic Approval permit.....
- Town building permit approval.....
- Sample of siding/color.....
- Site Plan.....
- Four elevation view with the view from the road clearly marked
- Roof Pitch (must be at least 9/12 .. (33°).....
- Roof Material (Submit Sample).....
- Floor Plans.....
- New dwellings must have at least 1 3/4 baths and two bedrooms.....
- Road agent sign-off on new driveways.....

For Building Committee Use Only (inspector must sign off on each step)

1. Application Complete (Date Stamp and page numbers on plans) _____
2. Trees marked for cutting _____
3. Foundation location marked prior to pouring (conforms to site plan) _____
4. Completion of framing conforms to plans _____
5. Installation of approved siding (including color completed) _____
6. Proof of proper septic completion according to NH subsurface bureau _____
7. Earth work and landscaping complete _____

Notes:

For New Modular I factory built Homes ONLY

Due to the fact that modular homes are erected in a very short time the owner will be required to post a bond or deposit in an escrow account the sum of \$50,000 to insure that the dwelling conforms to the submitted plans. These funds will be released immediately upon completion of the described project. Appendix (a) must be completed

Note #1: If the project is an addition, plans must be submitted to show relationship of existing to new structure.

Note #2: All new building or additions to existing building must have a finish coat of preservative or stain on exterior siding within the allotted 9 month construction period.

Note #3: All information furnished must be complete and conform with information in drawings and text. Drawings must be submitted on new structures showing 3 elevations and a site plan, including septic design.

Note #4: It is the responsibility of the owner and owner's contractor to make certain that the improvements are designed and built in compliance with all State and local building codes.

Note #5: Review by the WEA Building Committee of the Building Application, documents submitted with the application, and the actual construction shall be for the sole benefit of the WEA. It shall be the responsibility of the Owner, Owner's contractor or Owner's lender to make such inspections for their own use and benefit.

Note #6: Work is not to commence prior to approval of application by the Building Committee and MUST be completed within nine (9) months of approval.

Note #7: In the event of a failure of Owner to comply with the terms of the Building Permit within nine (9) months, WEA shall have the right to undertake completion and or ensure the correction of the project deficiencies, and bill the owner.

Note #8: If the dwelling uses exterior fuel tank(s), they must either be buried or hidden from view of the public and/or neighbors .

Note #9: Either party may exercise its right to enforce the RECs and the terms of this Agreement in a court of competent jurisdiction as it relates to the building project in question. The party prevailing in such an action shall be entitled to costs, interest and attorney's fees from the non-prevailing party.

It is strongly recommended that the owners thoroughly familiarize themselves with the Waterville Estates Association's By-laws and Restrictions, Easements and Covenants before undertaking any project

ARTICLE III of the REC's: BUILDING COMMITTEE

C. In all respects, where approval authority was heretofore granted to the Building Committee relative to residential units on Living Sites and Cluster Living Sites, such approval authority shall be extended to include construction of residential units on condominium sites. This shall include, but not be limited to securing the approval of plans prior to commencement of construction. The Building Committee shall have the power to place conditions prior to and during construction to ensure and enforce compliance with these Property Restrictions, Easements and Covenants. The Building Committee may require a performance bond and/or letter of credit prior to granting approval.

Description of Project:

I, the undersigned Owner agree, prior to taking occupancy of the new structure or addition that is the subject of this application, to certify in writing that all work on the project has been performed in accordance with the plans and specifications submitted as part of this application. Furthermore, if any substantive changes or deviations from the plans and specifications submitted as part of this application are contemplated, I will seek the approval of the Building Committee prior to constructing any such changes or deviations.

I further understand that this building application will automatically expire nine (9) months after approval and will be withdrawn, If the project is not complete by the nine month period the owner may request an extension

Name _____
(owner's signature)

- Project not approved.
- Project approved for completion in seven (7) step procedure in application.
- Project approved with the following conditions:

Building Committee Representative
Name _____ Date _____

The approval of this application has been issued based on the plans and specifications submitted by the property owner or his designee. The Waterville Estates Association Building Committee does not render any professional opinion in regard to the engineering design of this project and therefore approves the application based upon specifications in your building application and specifications of the Waterville Estates Restrictions, Easements and Covenants.

The property owner is responsible for any and all changes to the hydrology of the property and any incidental damage or effect it may have on the property of others. The property owner is responsible for obtaining any and all required approvals from the Towns of Campton or Thornton or any required department or agency of the State of New Hampshire and Federal Government."

Office Use Only Date Received
Check Number _
By Whom _
Amount _

Completed Application should be forwarded to
Building Committee Waterville Estates Association 562 Winterbrook Road Campton, NH 03223

Appendix (a) for New Modular Homes ONLY

WATERVILLE ESTATE ASSOCIATION
CONSTRUCTION PERFORMANCE AND ESCROW AGREEMENT

WHEREAS, the undersigned Owner of property in Waterville Estates, with an address of _____ ' (hereinafter "Property") desires to erect or otherwise place a modular dwelling on said Property ("Dwelling");

WHEREAS, Article VI (Construction on Home Sites, Cluster Home Sites and Condominium Sites) of the property Restrictions, Easements and Covenants ("RECs") of Waterville Estate, as amended on 6/1/05, creates binding requirements on the Owner as to the terms and conditions of the erection and/or construction of said Dwelling on the Property;

WHEREAS, Article VI, D (Approval of Plans) establishes the permitting process and criteria for approval of construction plans by the Waterville Estates Association Building Committee ("Building Committee"), including the plans of the Owner, herein;

WHEREAS, the Building Committee has approved the Owner's plans and upon execution of this Agreement will issue a building permit for the construction of the Dwelling on the Property ("Building Permit");

WHEREAS, the Owner has agreed to deposit certain funds with the Escrow Agent (defined below) in order to insure that the construction of the Dwelling complies with the following conditions (collectively "Conditions"):

The Following is a Sample. Place Your Information Below

- a. The dwelling will be a 28' x 38' "Alpine" style house built by New England Homes of Greenland, NH and installed by XInt Land Inc. of Bristol, NH. The dwelling is a "chalet style" house with a 12/12-roof pitch.**
- b. The front of the house will be situated on the property as shown on the plans with the 28' front section facing the street. (The front section has 2 - triangle windows, 1 - picture window, 1 - pentagon window and 3 - Patio doors facing the street. The walk out basement will have 2 - 6' patio doors facing the street).**
- c. The color of the roof will be Driftwood IKO Chateau architectural shingles.**
- d. The vinyl siding will be Georgia-Pacific D4 Vision Pro. The color will be Flint. The trim, fascia, rakes and corner boards will be white. Soffits and corner trim will be vinyl and the rakes and fascia will be painted white.**

WHEREAS, the Building Committee and the Owner, for his heirs, successor and assigns, agree to the following:

1. Owner agrees to construct the Dwelling in compliance with the Building Permit and the Conditions :
2. Upon execution of this Agreement, Owner agrees to deliver to the Escrow Agent (defined below) a certified bank check or certified cashier's check drawn on a New England bank for the sum of Fifty Thousand (\$50,000.00) Dollars ("Escrow Funds"), said check to be made payable to Scott D. McGuffin, Esquire IOLTA, attorney for Waterville Estates Association ("Escrow Agent"). This sum shall be held in escrow by the Escrow Agent in the Escrow Agent's IOLTA Client Fund Account in accordance with the terms of this Agreement or by

further order of the court. The Escrow Funds will not earn interest in said account.

In the event that a dispute arises relative to the Escrow Funds, which said dispute shall not, in the discretion of the Escrow Agent, be resolved between the parties within a reasonable time, the Escrow Agent may, in his sole discretion, pay said Escrow Funds in to the Clerk of Court of proper jurisdiction in an action of Inter pleader, providing each party with notice hereof, and thereupon the Escrow Agent shall be discharged from any and all obligations of the Escrow Agent to the parties and each party to this agreement shall thereafter hold the Escrow Agent harmless in such capacity.

3. Upon construction and completion of the Conditions, the Building Committee will inspect said Conditions. (The deck design and structure is to be completed at a later date and is not part of this agreement.) In the event the Dwelling has been constructed pursuant to the Conditions, the Building Committee shall direct the Escrow Agent, in writing, to forthwith return the Escrow Funds to the Owner.

4. Escrow of the Escrow Funds shall be required until the Dwelling is constructed in accordance with the Conditions, the inspection is performed by the Building Committee, and the Building Committee provides written notice to the Escrow Agent as provided above. Notwithstanding the foregoing, in the event the Building Committee does not inspect the Dwelling and/or provide said written notice to the Escrow Agent within five (5) business days following the receipt of a written request for inspection from the Owner, approval by the Building Committee of the Conditions will be automatically granted and the Escrow Agent shall forthwith release the Escrow Funds to the Owner.

5. In the event of a failure of the Owner to construct the Dwelling in compliance with the Conditions, the Building Committee shall:

E. Notify the Owner in writing of the non-compliance of the Conditions.

The Owner shall have seven (7) business days to correct the deficiency or to otherwise enter into a mutually acceptable agreement with the Building Committee as to the details and time frames for achieving compliance of the Conditions.

F. If the Building Committee and Owner are unable to agree whether the Dwelling has been constructed in accordance with the Conditions, either party may exercise its right to enforce its respective rights pursuant to the terms of this Agreement in a court of competent jurisdiction.

G. The party prevailing in such an action shall be entitled to costs, interest and attorney's fees from the non-prevailing party. The Escrow Agent shall disburse the Escrow Funds pursuant to the order of the court.

H. During the pendency of such court action and/or until all issues are resolved by the court or to the mutual satisfaction of the parties, the Escrow Funds shall continue to be held in escrow by the Escrow Agent.

I. If authorized by the court, the Building Committee shall be entitled to utilize all or a portion of the Escrow Funds to construct the Dwelling in accordance with the Conditions. The balance of the Escrow Funds, if any, shall be returned to the Owner.

6. Any notice, demand or other communication under this Agreement shall be in writing and be duly delivered when mailed, certified mail, return receipt requested, or delivered by a national overnight carrier, addressed as follows:

If to the Building Committee:

Waterville Estates Association
Attention: Building Committee Chairman 562 Winterbrook Road, Box 36 Campton, N.H. 03223

With a copy to:

Scott D. McGuffin, Esq.
67 Water Street, Ste 107 Laconia, NH 03246-3300

If to Owner:

Revised 5/18/2009

Owners Name and Address Goes Here

With a copy to:

Owners Attorney Information Goes Here

For purposes of the calculation of time periods after notice, notice shall be deemed to have been given effective upon the delivery as reflected by the date endorsed on the certified or registered mail receipt or by the national overnight carrier delivery receipt.

Reviewed and agreed to on the day of ., 2006

Owner

Waterville Estates Association
Building Committee