

G U I D E L I N E S

WESLEYAN HILLS ASSOCIATION

ARCHITECTURE AND LANDSCAPE REVIEW COMMITTEE

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1 INTRODUCTION

These Guidelines describe the concepts and criteria used by the Architecture and Landscape Review Committee (ALRC) in reviewing applications for new building site plans and for improvements or changes to property in Wesleyan Hills. They reflect the provisions enumerated in the Declaration of Covenants and Restrictions (the Declaration).

The Declaration is an integral part of the design of the neighborhoods as part of a Planned Residential Development. The Declaration strives to assure the excellence of the neighborhoods for those who own them and live in them. The aim of the Guidelines is to enhance our enjoyment of Wesleyan Hills as a residence, and to maintain and improve our investment in Wesleyan Hills as property owners.

The Declaration establishes the ALRC as one of the means of achieving these purposes. The ALRC administers the requirements of the Declaration. It must give prior approval in writing for all proposed improvements or changes to property in Wesleyan Hills.

These basic principles guide the ALRC:

To provide for the preservation of values and amenities in the community and for the preservation of parks, open spaces, and common facilities.

To direct the development of the property so that all of its buildings and other structures are harmoniously designed, landscaped, and located

These Guidelines are written to reflect the intent of the Declaration (Blue Book) and to guide the Committee in its decisions and processes. To the extent possible, they have been written in plain English.

In the case of a conflict in the definition, interpretation, or application between the wording of these Guidelines and the Blue Book, the Blue Book's wording will prevail.

PLEASE NOTE: The Declarations, By-Laws, and Rules and Regulations of the individual Condominium Associations that are a part of the Wesleyan Hills Association may impose other restrictions and guidelines that are in addition to these Guidelines. Therefore, any proposed changes, modifications, or other alterations to a Condominium Unit, the Common Areas, and/or the Limited Common Areas must have the approval of that Condominium Association's Board of Directors and/or Unit Owners, if required, before an application is submitted to the ALRC for review.

2 IMPROVEMENTS OR CHANGES

REQUIRING APPROVAL

Site Development

All site development plans must have prior approval in writing by the ALRC.

The ALRC must be apprised of any site development project once schematic drawings are prepared by an engineer and before they are submitted to the City Planning Commission for the ALRC's preliminary opinions. The ALRC will work with the developer and engineer from the submission of the schematics to final approval by the City Planning Commission.

The ALRC's initial review will be primarily concerned with:

- 1) Drainage
- 2) Siting of the structures
- 3) Design of the Neighborhood
- 4) Reserved Land set aside for useful purposes
- 5) Sidewalks and paths
- 6) Landscaping
- 7) Roads

Requirements and Procedures for Developers:

The impact of new projects must be compatible with previously developed areas. Impact will be evaluated as a function of:

- I. Proximity to existing sites
- II. Separation of sites by topography and/or open space or reserve land, public streets or roads,
- III. Orientation and views to and from other types of structures
- IV. Variation of architectural style, materials, construction details, color, and other features.

Substantial changes in the exterior appearance or footprint of a site after the initial design development has been approved will require the developer to resubmit plans for conditional approval.

New Building Construction

Buildings must be sited to avoid adverse impact on other's sites related to drainage, shade, view, and privacy. In neighborhoods or sections that impinge visually on another, the architectural style and color of new construction must be compatible with the existing structures.

Buildings at Wesleyan Hills must meet all the requirements of the State of Connecticut and the City of Middletown Building Codes and the City of Middletown Zoning Code for a Planned Residential Development (PRD).

Developers of new sections should give special attention to creative design according to both the letter and spirit of these Guidelines. They should use the services of qualified professionals in doing so.

3 GENERAL CRITERIA

3.1 Conformance with Declaration

Prior consent by the ALRC is required for any improvement or change to which these Guidelines are applicable.

Each application will be considered on its individual merits. Exceptions may be made when justified by special conditions such as the physical handicap of a resident or the unusual characteristics of the property.

All proposed improvements or alterations must be in conformity with, and consistent with, the objectives and the requirements of the Declaration.

3.2 Design Compatibility

The features of a house, building, or any other construction on a site must be compatible with each other. The construction on one site must be compatible with that of adjoining sites and with others in the Neighborhood. Compatibility considers the similarity of architectural style, quality of workmanship, similar or complementary use of materials, color, and construction detail.

3.3 Location and Impact of Neighbors

Any proposed construction, alteration, or improvement must take into account the landscape, neighbors' homes and improvements, and the overall composition of the Neighborhood.

Of primary concern are privacy, access, view, sunlight, ventilation, and drainage. Changes to a property that may affect a neighbor's property or a neighbor's views must be discussed with that neighbor before submitting an application to the ALRC. The application submitted to the ALRC must be signed by all neighbors affected by these changes. A signature by itself merely indicates awareness of the application, not necessarily agreement with it.

The approval of a condominium association, wherever applicable, must be submitted.

3.4 Scale

The size dimensions of any proposed construction must blend in with the topography of the site and the vicinity, as well as with existing structures.

3.5 Color

Colors must be harmonious on a single house or lot, between adjoining properties, within a Neighborhood, and between contiguous sections.

3.6 Materials

Preference should be given to wood construction. Vinyl siding may be applied for in the following areas: Blue, Yellow, and Ridgely & Long Hill Condo's

3.7 Landscaping

Trees and shrubs must not obstruct traffic sight lines, a neighbor's view of common space, or of a public street. They must not overreach a neighbor's property or cast an objectionable shadow on it.

Plantings must not be used to delineate property lines. Straight-line plantings are discouraged for a more natural look. Plant materials should be selected that, upon maturity, will be of an appropriate size in height and breadth.

Vegetable gardens at private residences must be located in the rear yards and on land that will not cause water to run onto adjacent property.

3.8 Drainage

Surface or storm water must be channeled or controlled to prevent its flow onto a neighbor's property. Excess flow must be directed into natural or constructed drainage facilities in public ways or into common space

3.9 Construction Schedules

Construction must be scheduled so that a project will not be left partially completed for undue periods.

4 SPECIFIC CRITERIA

4.1 Fences

Fences are to be permitted only when natural landscaping solutions are not feasible when needed to provide visual and/or acoustical privacy, to define space, or to provide security. Their design, material, and color must be compatible with nearby buildings and other fences in the vicinity and with the finished side of the fence facing out. Chain link fences are not permitted. Fencing will require landscaping.

4.2 Decks, Patios & Terraces

Supporting systems for decks shall be recessed. Sample Deck Plans are available from the ALRC for previously approved deck additions.

Decks must be compatible in design, material, and color with the buildings to which they are attached, and they must be of durable construction. They must not affect the privacy of neighbors.

Sample Patio and Terrace Plans are available from the ALRC for previously approved additions.

4.3 Storage Sheds

Storage sheds must be located to the rear or side of dwelling units. (Unless special justification for location elsewhere) They must have a common wall with the main structure. They must not impair a neighbor's view.

4.4 Storm and Screen Windows and Doors

Storm doors and screen doors must be painted to match or complement the entry doors behind them, or with justification, architectural door trim. Vinyl replacement windows and storm doors are permitted only in some areas.

4.5 Recreation and Play Equipment

Recreation and play equipment must be located to the rear of dwellings unless specially justified for location elsewhere. They must not obstruct the view of common space from another property or a public street. Recreation and play equipment must be of appropriate scale and approved color.

Consideration must be given to the impact on neighbors and the neighborhood, both visual and acoustic. The view, visibility, noise, amount and time of use, lot size, equipment size, visual screening, etc., all are factors for consideration.

4.6 Awnings and Trellises

Awnings and trellises must be compatible with the architectural character of the house to which they are attached in style, color, and material. Solid colors are preferred.

The location of any awning or trellis must not adversely affect the views, sunlight, or natural ventilation of adjacent properties.

4.7 Swimming Pools

Only in-ground pools swimming pools are allowed at Wesleyan Hills. They must meet the strict criteria established by both the City of Middletown and of Wesleyan Hills.

- 1) In-ground pools will be approved only if the particular site is found to be appropriate for an installation.
- 2) Pools must be located to the rear of dwellings. They shall not be located closer than ten feet to the line of the property on which they are located. The pump and filter installation shall be located not closer than ten feet to any property line, and it must be enclosed to minimize noise and aesthetic impact.
- 3) The fencing installed to meet City and State fencing requirements for pools must also meet ALRC Guidelines.
- 4) Any lighting used to illuminate a swimming pool shall be arranged to deflect its light from adjoining property.

4.8 Major Exterior Alterations

Major alterations must be compatible with the architectural character of the house to which they are attached in scale, materials, color, and its site, and with those of adjacent properties and other properties predominating in the Neighborhood.

Pitched roofs should match the slope of the existing roof.

Windows and doors must match or complement the type used in the existing building and must be located to relate to the location of existing exterior openings.

Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material and debris should be removed as soon as possible. Sites must be cleaned and secured daily.

4.9 Garage and Carports

Garages are required on all newly constructed detached homes. Attached garages and carports must be designed as integral parts of buildings to which they are attached.

Detached garages and carports must be of compatible design with the buildings they serve or to which they are closely related. Architectural style, materials, and color must be similar to or complementary with each other and the other buildings. Garage doors must be of straightforward design without ornamentation. Roof slopes, configuration, and ridgelines must be in harmony with related structures.

Garages and carports must not restrict a neighbor's view, or obstruct a neighbor's sunlight or ventilation. They must be placed and oriented to be a component, not a dominant feature, of a site.

4.10 Driveways and/or Parking Pads

Driveways and/or parking pads must have a gravel base sufficient so that it is not depressed or rutted by vehicle use in wet weather.

Gravel, crushed stone, with or without rock dust, or washed stones are acceptable surfaces. For hard surfaces, asphalt is preferred.

4.11 Greenhouses

Greenhouses/Sunrooms must be attached to the main structure and located in the rear of dwelling units unless location elsewhere is justified. They must be compatible with the primary building shape, materials, and color. They must not impair a neighbor's view. They must be of durable construction.

5 MISCELLANEOUS

For numerous other exterior modifications that are of similar scale to the previously noted items, the same basic principles of harmony of scale, materials, and color apply, as do adverse visual or acoustical impact on neighboring properties.

5.1 Air Conditioners

Air-cooling units permanently installed through a wall or in window must be approved for the location. Compressors for central air condition units must be approved and must be screened by architectural treatment or landscaping. Exterior units may be added or relocated only when they do not interfere visually or acoustically with neighbors.

5.2 Attic Ventilators

Attic ventilators or other mechanical apparatus requiring penetration of the roof should be as small as functionally possible and should be painted to match the roof. They generally should be located on the least visible side of the roof and not extend above the ridgeline.

5.3 Chimneys and Metal Flues

Metal flues, masonry chimneys, and wood flue enclosures may be used when compatible in design, location, and color with the existing house or building. They must comply with City safety specifications. They require approval by the ALRC and the City.

5.4 Dog Houses and Runs

Houses or other shelter for dogs must be unobtrusive from the view of neighbors, the public streets, or common open space. They must be compatible in materials and color with the owner's dwelling. Dog runs must be unobtrusive.

5.5 Exterior Lighting

Exterior lighting must be located and directed, and of such height and intensity, that it does not affect a neighbor's property, common open space, or on the view from either. Exterior lighting fixtures must be compatible with the architectural design of the building or buildings they serve.

Plain fixtures are preferred. They should be of sturdy construction. Poles should be installed correctly and should be plumb. Any wood part touching the ground should be protected from rot. Black or gray metal paint is preferred on metal poles. Wood poles painted or stained in earth tones are preferred. Planting at the base of poles is encouraged.

5.6 Retaining Walls

Retaining walls may be used to preserve trees, improve drainage patterns, and define areas. Walls should be kept as low as possible. Use of indigenous rock or wood treated to prevent rot in combination with appropriate landscaping is preferred.

Because retaining walls may alter existing landforms, the design of such walls should be carefully considered to avoid adversely affecting drainage patterns.

5.7 Postal and Other Delivery Boxes

Where needed, newspaper Boxes (supplied by the newspapers) and standard, Postmaster approved, single color, unadorned boxes installed on plain wood or metal posts do not require approval. Variations or custom designs should be submitted for approval.

Posts must be plumb and any wood part below ground protected against rot.

Boxes and posts of odd design, adorned, or embellished are not permitted. Metal posts should be painted black or dark gray. Wood posts should be stained the predominant color of the dwelling, painted or stained in an earth tone, or allowed to weather. Planting at the base of posts is encouraged.

5.8 Shutters

Shutters must be of a size and shape compatible with the architectural style of the building and of a color that harmonizes with building color.

Each shutter should be correctly sized.

5.9 Ornamental Statuary

Ornamental sculpture or statuary must be screened from view of neighbors, a public street, and common open space

5.10 Flagpoles

Flagpoles must be of a height, color, and location appropriate for the size of the property and the background. Freestanding poles for the American Flag only must be installed and maintained to blend with natural surroundings. Any decorative or seasonal flag must be installed on the house.

5.11 Gutters and Downspouts

Gutters and downspouts must be compatible with the color of that portion of the building to which they are attached.

The outflow from the downspouts should be spread onto protective ground cover to prevent erosion and it should not flow onto another's property.

5.12 Clothes Lines

Clotheslines must be in rear yards and screened from the view of other properties, the public streets, and common open space. Clotheslines are seasonal can be put up April 1 and must be removed by October 31.

5.13 Antennae and Satellite Dishes

Exterior television and radio antennas are not permitted. Satellite Dishes, where permitted, must comply with FTC Regulations.

5.14 Signs

No sign of any kind shall be displayed on any lot or structure, or from the windows of any structure, except the following:

- 1) One sign containing not more than five (5) square feet advertising the property for sale or rent and which is approved by the Association.
- 2) One sign not more than two hundred (200) square inches in size setting forth only the name and profession, if any, of the owner or tenant living there.

5.15 Solar Panels

Solar panels may be approved where the location of the house permits.

6 APPLICATION PROCEDURE

6.1 Format

Applications to the Committee for approval or consent pursuant to Article X of the Declaration shall be in such form as required by the Committee. Applications shall be submitted to the Property Management Company at least a week before a scheduled ALRC Meeting. Application forms are available at the Association's Management office.

6.2 Time for Action

A decision shall be rendered on any application properly submitted to the ALRC within thirty-five (35) days of the date the application is filed with the ALRC. Failure of the ALRC to take action on an application within that period shall be deemed approval of an application if the application is in accordance with the provisions of these Guidelines. The ALRC, through the Association's designee, shall issue a Certificate of Compliance in accordance with Article X of the Declaration upon the completion of any work set forth in the application in compliance with it.

6.3 Decision

The Committee may approve, approve with condition, disapprove, or defer decisions. Should any application not be approved, deferred, or approved with condition, the reason for such action shall be set forth in the notice of decision.

The homeowner must obtain a building permit from the City of Middletown as required by it. Otherwise, the ALRC approval will be void.

6.4 Notice of Decision

The Committee, through the Association's designee, shall notify all applicants of its decision within 2 days by mailing a Notice of Decision to the applicant at the address in the application. The applicant must wait seven (7) days from the postmark date of the Notice before starting approved work to allow time for possible appeals. The Committee, through the Association's designee, shall also send notices of its decisions to one representative in each Neighborhood and to the Management Company. A special notice shall be sent to neighbors when new construction is approved in a partially completed neighborhood.

7 APPEALS PROCEDURE

7.1 Right of Appeal

An applicant or any person claiming to be aggrieved by a decision of the Committee may appeal from that decision in accordance with the Declaration.

7.2 Notice of Appeal

Any appeal of an action of the ALRC shall be made within seven (7) days from the postmark of the Notice sent to the applicant or the Neighborhood representatives. It shall be in the form of a written notice of appeal transmitted in accordance with the Declaration.

7.3 Notification of Decision

Notification of decisions made by the Appeals Committee shall be given to the ALRC.

8 COMPLIANCE WITH DECISION OF COMMITTEE

8.1 Time for Compliance

Applicants shall be required to start work on any application (or extension thereof) approved by the ALRC within six (6) months of the notice of decision and to complete the work without unreasonable delay. The failure of any applicant to comply with this provision shall render any approval of the ALRC null and void.

8.2 Monitoring

The ALRC, through the Association's designee, shall monitor the progress of work by any applicant to assure its performance according to the approval and consent rendered by the ALRC.

8.3 Deviation from Approval

Where any applicant performs work in a manner that deviates from an approval granted by the ALRC, the applicant will be required to show cause why the approval should not be revoked by the ALRC. Penalty may include removal and associated cost of removal, or a fine at the rate of \$25 per day until resolved, or both.

8.4 Certificate of Compliance

Upon completion of any construction in full compliance with an application approved by the Committee, an applicant may request, and the Committee, through the Association's designee, shall issue, a Certificate of Compliance.

The Committee, through the Association's designee, shall record any written notice of purported deviations from any of the ALRC Guidelines. It shall respond to the writer of the notice concerning the review and the actions taken by the ALRC within thirty [30] days of the receipt of the notification.

Application for Exterior Alteration or Maintenance of Building or Land

CONTROLLED BY DECLARATION OF COVENANTS AND RESTRICTIONS, AFFECTING WESLEYAN HILLS ASSOCIATION, INC. PROPERTIES — ARTICLE X

To: Wesleyan Hills Association, Inc.
Architecture and Landscape Review Committee

Date

In accordance with the Declaration of Covenants and Restrictions referred to in deed covering the below described property, I/We hereby apply for written consent to make the following exterior changes to the premises located at

.....
Lot number and address

Description of Changes desired (give full details of exact locations on the above property, purpose, type and color of materials used):

.....
.....
.....
.....

(If change is other than exterior painting or reroofing of structure—attach hereto sketch, architectural plan, etc. of structural change; ground planting, fencing or rearrangement.)

I/We desire to do this work on or before

If work is not commenced in six (6) months from date:
request must be resubmitted.

I, /we understand and agree that no work on this request shall commence written approval by the Wesleyan Hills Association, Inc. Architecture and Landscape Review Committee has been: by me/us.

Signature (s)

.....
Owner(s) of-Record

The following is copied from the Declaration of Covenants and Restrictions:

"ARTICLE X
ARCHITECTURE AND LANDSCAPE REVIEW

10.1 No structure or other improvement of **any** kind or description, including without **limitation by the specification** thereof, any building (including accessory buildings), trailer, tennis court, fence, hedge, **windbreak, swimming** pool, patio, statuary or monument shall be constructed or moved onto any Lot or onto the Common Land or *any* Mini-Neighborhood Reserved Area without the prior written consent of the *Committee*.

10.2 No alteration to the exterior of any structure (including any alteration in the exterior color thereof) and **no** additions to any structure at any time existing **on** any Lot or on the Common Land or **any Mini-Neighborhood Reserved Area** shall be made without *the* prior written consent of the Committee.

10.3 As a condition to considering any application for permission to construct, alter or **make additions to** any structure or other improvements, the Committee shall have the right to require the applicant (including the Associations and any Mini-Neighborhood Association) to deposit and leave on file with it any **information relating** to the proposed construction, alteration or addition which the Committee shall reasonably request including, without limitation, complete plans, specifications and lot plans therefore, showing the exterior design, height, building materials and exterior color thereof, the location of the proposed structure plotted horizontally and vertically, the general plan of landscaping, the location and dimensions of any driveways, fencing, walls and windbreaks, any exterior lighting systems or fixtures, any antennas and the grading plan.

10.4 The Committee shall have the right to grant its permission for any such construction, alteration or addition on the condition that it be modified or changed in such manner as the Committee shall direct or in the event or any such modification or change to withhold its written consent until the applicant shall deposit with the Committee such plans, specifications and lot plans as the Committee shall request showing the proposed construction, alteration or addition, as finally approved."

If you do not have a copy of the Declaration of Covenants and Restrictions, you may obtain a copy upon request at the Association Office.