

EVERGREEN AT HAMILTON ASSOCIATION

ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

I. AUTHORITY

The Evergreen at Hamilton Declaration of Covenants, Easements and Restrictions (the Declaration) provides for the Board of Directors (the Board) to appoint a committee to periodically review the protective covenants and to regulate the external design, appearance, use, location, maintenance, and improvements of the homes in a consistent manner. The committee function would also serve to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography. Thus, the Board created and made appointments to the Committee now known as the Architectural Review Committee herein after known as ARC. The ARC Guidelines are subject to the provisions set forth in the Declaration and, where applicable, Municipal and State rule, Codes, Ordinances and Regulations. Basic authority for maintaining the uniformity and quality of design is outlined in the Declaration, the provisions of which are made a part of every owner's deed. All owners and residents must comply with the provisions or be subject to applicable penalties.

The Declaration states that all exterior alterations require the approval of the Committee. The Committee was given the authority to develop specific guidelines, which must be approved by the Board, for certain exterior home improvements that require no prior approval, but does require the submission of a Property Modification Application (Exhibit A) prior to installation or construction.

NOTE: Whether incorporated into revised Architectural Guidelines or not the guidelines given in;

The Declaration starting on page 65;

The Bylaws starting on page 40 and

The Association Rules and Regulations

apply to all Homeowners as to what is covered under the total regulations for Architectural Guidelines.

II. PURPOSE OF THE GUIDELINES

The ARC Guidelines have been created as an aid for the Committee and the homeowners. The Guidelines are not meant to be all-inclusive, therefore, topics that are covered herein, are those, which are frequently requested. A Property Modification Application is required and can be obtained from the Management Office in the Club House.

The Guidelines will be periodically reviewed to update and protect the integrity of the planned aesthetics of Evergreen at Hamilton. Any alteration must request a Property

Modification Application. The Board of Directors reserves the right to approve any changes to the Guidelines. Please be sure that the application is explicit in describing the work to be done, i.e. colors, size, etc.

III. PROPERTY MODIFICATION APPLICATIONS

Any exterior modifications you want to make to your property must be thoroughly described in the Property Modification Application and submitted for approval to the Property Management Office. These Applications should be specific in measurements and descriptions. These forms are available in the Property Management Office. The ARC holds a meeting once a month to make their decisions.

Expanding on the modification policy here at Evergreen the following excerpts from the Public Offering Statement (The Blue Book) describes what you are allowed or not allowed to do to the exterior of your home. (See Pg 65 of the Declaration).

The following restrictions are for your information:

1. No owner or occupant shall build, plant or maintain any matter or thing upon, in, or under the Property without written consent of the ARC. The homeowner may plant flowers, trees, shrubbery and gardens within the area appurtenant to his home in accordance with Article VI. Item A.
2. Owners shall not have any right to paint, decorate or change the appearance of any portion of the exterior of any home without prior written approval of the ARC.
3. No signs, awnings, canopies, shutters or antennas shall be placed on the exterior walls or roof or any part thereof, nor relocated or extended without prior written consent of the ARC. Television or radio antennas are not permitted under any circumstances.
4. Nothing shall be done to any home, which may impair the structural integrity of the home.

IV. NON-STANDARD APPLICATIONS:

All landscaping, exterior alterations, and/or temporary, seasonal or permanent additions that are not addressed in the Guidelines must also be requested in writing using the Property Modification Form.

Each request will be reviewed on its own merit. Modifications may be granted to reasonable requests that will not adversely affect the existing plan or scheme of the Evergreen at Hamilton community. Consideration will be given to extenuating circumstances pertaining to aesthetics, the elements, health, safety, and normal living comfort.

AN APPROVED APPLICATION FOR EXTERIOR MODIFICATION EXTENDED TO ONE HOMEOWNER DOES NOT CONSTITUTE OUTRIGHT APPROVAL TO ANY OTHER HOMEOWNER.

Examples of requests that do not conform to existing guidelines include, but are not limited to the following:

1. Deviations from the Declaration or Guidelines.
2. Change the exterior material or color of the house;
3. Landscape or alter the Common Areas.
4. Removal or the addition of any permanent fixture.

Permission is required for all changes. Every homeowner must submit a Property Modification Application before starting any alteration or landscaping project. Requests must be explicit as possible and include blueprints and/or plans.

V. MUNICIPAL AND HEALTH AUTHORITIES

In addition to obtaining a written approval, installations such as decks, skylights, sunrooms and alterations, may require prior approval from the Township of Hamilton and/or the local Health Authority. It is the responsibility of the homeowner to secure all applicable approvals, waivers, or permits to comply with local codes and provide the management with a copy.

VI. ARCHITECTURAL STANDARDS

The items listed below are permitted. There can be no deviations.

A. FRONT BEDS:

1. Flowers (bulbs, annuals, etc.) planted a minimum of four (4) inches from the grass line to allow for edging maintenance.
2. Shrubs replaced on a one for one basis (see Exhibit D).
3. Unit owner must maintain any planting they install.
4. The number of ornaments, which includes artificial/plastic flowers, should not exceed ten (10) per home with a maximum of (6) ornaments at the front of the house. Any exceptions must be submitted to the ARC.
5. The number of bird feeders are limited to two (2) per home. Bird feeders located within the foundation planting shall count toward the maximum number of ornaments as described in Article VI, A Item 4.

B. STORM AND SCREEN DOORS

1. All front, storm and screen doors must be white or perfectly match color of front door. Homeowners are allowed to change the color of their front door to a colonial color; however they must get prior approval from the ARC. The homeowner is responsible for all future painting and

maintenance and must restore door to original Sharbell color if and when unit is sold. (See Exhibit G).

C. FRONT PORCH:

1. Patio/porch planters---number of planters should be in proportion to the size of the porch.
2. Properly maintained hanging planters should be in proportion to size of the space.
3. Chairs and /or bench in proportion to the size of the porch.
4. Column modifications that either replace or eliminate the “box” must retain the “collar” and “square” and must seek prior approval by submitting a Property Modification form to the ARC.

D. TRELLISES:

1. The number of trellises are limited to one (1) for each side of the house. No trellises are allowed in the front of the house. Trellises have a maximum of up to eight (8) feet from the ground, no more than four (4) feet in width and must be secured.

E. AWNINGS:

One awning off the back of the house is permitted if the conditions listed below are met and a Property Modification Application is submitted and approved.

1. The width of the awning cannot exceed twenty (20) feet and the extension should not exceed ten (10) feet, *with the exception of the Juniper Model which may have a 22 feet width because of the window situation.*
2. The awning must be a solid color and must match the siding, roof, or trim of the back of the house. It is deemed prudent to present the color and material swatch to the Evergreen at Hamilton Management Office prior to installation. Stripes, plaids, prints, insignias, or initials are NOT allowed. Lights may not be permanently attached to the awning i.e. they must be removed in twenty-four (24) hours of use.
3. Material must be similar to the swatches on file at the Evergreen at Hamilton Management office.
4. The awning must be retractable.

F. PATIOS AND DECKS:

1. Wood Decks: The proposed deck must meet the standards and specifications to Exhibit C, a Township permit must be obtained and a Property Modification Application including blueprints and or/ plans must be submitted and approved prior to construction.
2. Patio Block or Brick:
Provided that the proposed patio meets the specifications in Exhibit C, an Application for Property Modification with plans is required. The size of

the patio should not exceed ten (10 feet out by twenty (20) feet wide. The only exception is the Juniper Model, which may have a patio measuring 10' x 22', due to the window location.

3. Concrete:

Provided that the proposed concrete patio meets the specification in Exhibit C, except the Juniper Model with the measurement of 10' x 22', a Property Modification Application must be submitted and approved before construction.

VII. NON-CONFORMING USE

Listed below are a few examples of items NOT PERMITTED by these standards in the back or front yards:

1. Trees, bushes, and plants that branch over into a neighboring yard.
2. Trees that will reach a mature height of over fifteen feet (15'). If the tree does the homeowner is required to trim the tree and keep it within the 15' requirement. Residents can request an exception to the fifteen (15) foot maturity height regulation for trees planted by homeowners by submitting a Property Modification form to the ARC.
3. Fruit trees are not permitted
4. Clotheslines are not permitted.
5. For Sale or For Rent signs inside and outside of the home are permitted only on the day (s) of the "Open House" and such signs must be removed by 4 P.M. of the same day.
6. Hot Tubs
7. Ornaments in the front yard. (Only 6 are permitted in front bed and not to exceed 36" in height.
8. Permanent flagpoles.
9. Gazebos.
10. Screen Houses.
11. Yard Sales
12. Dog Houses, nor outdoor runs or pens.
13. Sheds
14. Allow gas only fireplaces. A homeowner adding or changing a fireplace must comply with and provide copies of approved applicable municipal permits with their Property Modification form request.
15. Cement driveways.

VIII. MAINTENANCE STANDARDS

All owners are responsible for properly maintaining certain portions of their property. Maintenance means repair/upkeep. All work must be performed in a professional/workman like manner. Property is defined as the home, other structures, and grounds, such as, but not limited to the following:

A. BACKYARD

1. Concrete, brick, block and deck patios should be repaired if cracked or chipped. Wooden decks should be routinely treated as prescribed by the manufacturer to prevent rotting and termite control.
2. Only portable barbecues that are commercially manufactured are permitted, subject to applicable township ordinances. No outside natural gas line from house to grill unless PERMISSION is given by ARC. Final inspection by PSE&G. A permit is required by Hamilton and a quick disconnect is required by ARC.
3. Propane tanks on a back deck, patio or porch must be secured.
4. The size of a storage box on the back deck or patio that is approximately 27" x 36" x 54". Exceptions must be submitted to and approved by the ARC.

B. EXTERIOR OF HOME:

1. Storm and Screen doors must be white in color or perfectly match the color of the front door.
2. All new roofs and repairs must meet building codes set by Hamilton Township. Color of roof cannot be changed from original color.
3. All permanent installations such as: skylights and attic ventilators require a Property Modification Application.
4. House numbers may be placed on the white area of the garage frame or under outside garage light. You may also place numbers in the flowerbed on a sign designed for this use. Homeowners, who want to, may install house numbers on the back of their home.
5. Only white non-decorated railings may be added to front porch. Only white railings securely anchored are permitted on the back patio.
6. A Property Modification form must be submitted to the property manager for your home file regarding any changes in columns, collars or squares on any exterior portion of the home and approved by the ARC.
7. Flags must be removed at night unless properly illuminated. Temporary flagpoles must be installed in landscaped area only. Up to, but no more than two (2) flags may be flown. If only one flag it must be an official flag of the United States of America. If two flags, one must be the official flag of the United States of America; the second may be one of the following:
Official flag of the State of New Jersey.
MIA/POW
US Army
US Navy

US Air Force
US Marine
US Coast Guard
US Merchant Marines

8. Homeowners may paint the exterior foundation of their home. A Property Modification Form must be submitted and the paint must be one of those on file at the Clubhouse office.
9. Any change in garage doors requires a Property Modification form which must be approved by the ARC.

C. TRASH, GARBAGE AND RECYCLING RECEPTACLES

1. All garbage **MUST** be placed in *closed containers with secured lids or in heavy-duty plastic bags that are properly tied*. Receptacles must be removed from the street area on the **SAME DAY of pickup**. If a resident expects to be away during that period, appropriate arrangements should be made for removal of the empty receptacle(s).
2. Storage of trash, garbage and recycling receptacles is restricted to the **BACK YARD OR GARAGE**.
3. Receptacles and other items for pickup must be placed by the curb no earlier than sunset the evening before collection day.

D. PETS

Only two dogs or cats are permitted per household. They must be walked on a leash no longer than 8' and must be curbed. All animal waste **MUST** be picked up immediately. **This is a Hamilton Township Law.**

EXHIBIT A:
PROPERTY MODIFICATION APPLICATION
EVERGREEN AT HAMILTON

Management Office: 30 Nightingale Drive, Hamilton, NJ 08690
Telephone Number: 609-584-2460
Fax: 609-584-2469

*PLEASE USE BALL POINT PEN

Application No.: _____

PROPERTY MODIFICATION APPLICATION

NAME: _____ DATE: _____
ADDRESS: _____ HOME PHONE: _____
LOT NO. _____ NAME OF MODEL HOME: _____

*Any contemplated change or addition to the exterior of the house or lot must have **PRIOR** written approval of the Architectural Review Committee. A full description of the proposed improvement, change, addition, or alteration must be submitted in writing to the Architectural Review Committee. All applications must be sent to the Management Office located in the Club House. The application will be sent to the Architectural Review Committee for approval. The Committee usually meets on the first or second Thursday of each month.*

TYPE OF MODIFICATION: _____
DATE RECEIVED IN OFFICE: _____
DATE REVIEWED BY COMMITTEE: _____
APPROVED _____ **DISAPPROVED** _____

INSTRUCTIONS:

1. Submit a detailed drawing, photo, or sketch of the proposed modification or alteration.
2. Provide a site plan, (copy of survey) indicating where improvement will take place.
3. Include types of materials to be used, height, width, length, color, etc. Incomplete applications will be sent back to office.
4. Send application and details to the On Site Management Office.
5. Homeowners will be notified promptly of the Committee's decision.
6. Where applicable, Township permits must be obtained by homeowner.
7. Changes to existing planting beds and shrubs must be submitted and approved.
8. All improvements or changes must be in compliance with the current *Architectural Review Committee Guidelines* booklet.
9. All modifications are subject to review by the Committee upon their completion.

Applicants Signature _____

**Item circled denotes missing information.*

Management Office Agent's Signature: _____

DISTRIBUTION OF COPIES:

Original - Management Office
Yellow copy – Architectural Review Committee
Pink copy - Applicant

EXHIBIT C

PATIO & DECK SPECIFICATIONS

1. Approved materials:
 - Treated wood
 - Trex
 - Patio blocks
 - Brick
 - Pavers
 - Concrete
 2. Hamilton Township will not grant a permit unless the homeowner receives approval on a Property Modification Application and that a work plan has been duly approved.
 3. All work must be completed within one (1) year after approval.
 4. Vehicles are not permitted on the common areas. All mechanical equipment needed must be approved by ARC and all cleanup of road, etc. is mandatory.
 5. Safe working practices should be followed and the requester is responsible for all liabilities.
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A. WOOD DECKS:

1. A Township permit is required and construction codes must be followed.
2. The size of a deck is limited 10' depth x 10' to 20' wide (with the exception of the Juniper Model), which has a problem with a window and therefore may extend the deck to 22' wide.
 - Air conditioning units cannot be moved or elevated. Allowance should be made around the unit for normal maintenance.
 - Wood must be first quality; pressure treated, and water resistant and fasteners must be galvanized or rust resistant.
 - Easy access should be available to treat the area from unwanted pests and insects.
 - Close in base against weeds, insects, and animals.

B. PATIO BLOCK AND BRICK:

The size of the patio or brick patio is limited to 10' depth x 10' to 20' wide (unless a Juniper and governed by the following conditions:

1. Patio blocks and bricks may be natural or any commercially manufactured color.
2. Patio block and brick must be set in sand or screenings.

C. CONCRETE:

The maximum height of the concrete above ground cannot exceed 2" (two) inches. Concrete must be at least 4" (four) inches thick and reinforced with wire or bars. Local construction codes must be followed.

Including an existing patio, a concrete patio is limited to 10' (ten) feet depth to 20' (twenty) feet wide, with the exception of the Juniper Model.

Air conditioning units may not be moved.

EXHIBIT D

LANDSCAPING:

Owner replacement of shrubs – (front planting beds)

Owners who wish to replace a shrub originally planted by the Developer may do so at their own cost and responsibility. You cannot change the size of the front flower/shrub beds. The side and back beds must be no more than 36” from base of house and have permission from the ARC Committee. A shrub or flower bed on the side that borders the berm, the retention basin or the street can be extended to 48” (any part of the house that borders another house must remain at 36”).

Types of Shrubs:

All requests must be made to the ARC for approval. Please submit a drawing of any changes to shrubs or trees, etc. with names of shrubs and plants and approximate size. Remember that trees are limited to 15’ (fifteen) feet in height in rear of house and must be kept trimmed to that height by owner.

Any flowerbeds along side of house must be submitted to ARC for approval. They must stay within 36” from base of house, unless they border the berm, street or retention basin, in which case they may be extended to 48”.

Mulch:

Any mulch that is used by the owner must be similar to that which is used by our landscape company. Do not change the color of mulch. Remember that ARC can require you to change to required mulch at homeowner’s expense.

The various types of stone that are being used in place of mulch are not permitted in Evergreen unless approved by ARC.

Trees:

You must request permission to ARC to plant any additional trees. No additional trees will be permitted in the front of the house as well as between the houses. No fruit trees will be permitted. When making any requests to ARC be sure to indicate the type of tree or trees that you wish to plant and their expected height at maturity.

EXHIBIT E

SATELLITE DISHES

Satellite Dishes have been approved by the Evergreen Board of Directors, but must abide by the following restrictions:

1. The satellite dish must be no larger than 24 (twenty-four) inches in diameter.
2. The satellite dish must be installed on a pole no higher than 4 (four) feet above the ground and located in the rear yard or in front side of house as close to the house as possible. ***It cannot be attached to the house or the privacy fence.***
3. If the proper signal cannot be achieved as indicated above, then a request must be submitted to the ARC asking for a special variance. Of course, proof from the installer must be provided.

In any event, before you begin installation of any satellite dish, the Property Modification Application must be submitted to the Evergreen Management Office to be reviewed by the ARC for approval.

EXHIBIT F

LANDSCAPING WITH ROCKS

Landscaping rocks are allowed to adorn our properties, but must satisfy the following requirements and/or restrictions:

- The rocks must be no larger than 18-24 inches in height and breadth and must be placed between 12 to 15 feet apart (or more) in the mulch area adjacent to the house. No more than 6 (six) rocks of this size will be permitted.
- All other requests such as the clustering/grouping of smaller rocks must be submitted to the ARC for approval.

To be sure you are in compliance with the guidelines, it is always a good idea to complete the Property Modification Application and submit it to the Evergreen Management Office for approval by the ARC.

Suggestions for Vinyl Privacy Fence Maintenance Bulletin

The new Vinyl Privacy Fences being installed between Owners of attached homes are a high quality product and have a lifetime warrantee on the material and a two (2) year warrantee on the installation. They will never need painting or other such maintenance. They are considered the property of the community, but the Homeowners are responsible for their maintenance and preservation. They should continue to look good for many years with a minimum of care by our Owners. There are some regulations to be obeyed by all

- 1.- There shall be **no holes** drilled or otherwise made by any means, for any purpose not authorized by the Board.
- 2.- Nothing shall be attached to the fence such as hose reels, planters, flower pot holders, etc., in any manner, by any fastener (screws, nails, glue, bolt and nuts, etc.). It may not hold a satellite dish or other such objects nor be a support for them.
- 3.- Hangers that are of a weather resistant material such as stainless steel or vinyl coated metals, may be **hooked over the top rail** to suspend items as long as they are not held in place by a fastener. FRICTION FIT ONLY!!!
- 4.- Fences may be hosed down or washed as you would your automobile. A mild soap solution may be used, but harsh chemical compounds should be avoided.

- 5.- While the vinyl compound used in the manufacture of the fence is inherently resistive to weather and to many chemicals, there are some that can cause damage such as acetone based products, lacquerer thinners and similar chemicals. If in doubt – don't use.
- 6.- While the fences are considered to be community property, homeowners shall be held responsible for the full repair or replacement costs for any and all damage to the fence on their property line.
- 7.- Keep barbeque grills five (5) feet from the fence and also your vinyl siding **when in use**. Heat from the grill will soften and distort or melt vinyl materials.

PARKING REGULATIONS

NO PARKING:

On Clubhouse Drive entrance or exit road.

On circle to Clubhouse – ***drop-off only***.

At any time in front of the mailboxes, fire hydrants and on finger streets.

For commercial vehicles in residents' driveway or on any street overnight.

For vehicles without a valid registration and inspection sticker on any street, parking lot and/or residents' driveway

On any street when snow is forecast or it interferes with the snow removal.

HANDICAP PARKING SPACES ARE FOR MEMBERS USING CLUBHOUSE AND POOL.

ALLOWED PARKING:

Clubhouse Parking Lot at rear by tennis courts,

Snow removal, bus trips, overnight vacations,

Moving trucks, overnight, with the Association's permission

Greenhouse Parking Lot for Snow Removal