

ARCHITECTURAL GUIDELINES
of the
ARCHITECTURE COMMITTEE
of the
BALLYMEADE PROPERTY OWNERS ASSOCIATION

May 7, 2005

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INTRODUCTION

The Architecture Committee of Ballymeade Property Owners Association has been established in accordance with the provisions of Article VI of “The Amended and Restated Declaration of Covenants, Easements and Restrictions” dated March 31, 1995, (Covenants and Restrictions). These Guidelines establish procedures for processing applications by the Architecture Committee. The Covenants and Restrictions include specific requirements that must be complied with. Particular attention should be given to Articles IV and VI of the Covenants and Restrictions. The Guidelines provide information about the processing of applications and issues concerning architectural style. Article IV provides detailed information concerning construction requirements and restrictions. Article VI describes the steps involved in obtaining Architecture Committee approval. Those steps are summarized at the end of these Guidelines.

The Architecture Committee has been created to “preserve the values and appearance of Ballymeade Estates.” The intention is to create a community which is aesthetically unified through the use of a common set of design guidelines by all homeowners. The Guidelines are not intended by any means to stifle creativity but rather to assist homeowners and their designers with their planning and to enable a fair and uniform review process.

The Architecture Committee’s role is to review designs for conformance to the Guidelines and not to participate in a substantial way in the design process or to suggest alternative designs. We strongly recommend that applicants retain a licensed architect or other qualified professional architectural designer to design their house. (Article VI section 6.4 requires that final drawings bear the stamp of an architect licensed to practice in the Commonwealth of Massachusetts.) We further recommend that applicants advise designers to familiarize themselves with the style of homes that are currently being approved by the Committee before beginning their work.

THE GUIDELINES

STYLE

The Architecture Committee has created the Architectural Guidelines with a particular architectural style in mind. It is a style rooted in traditional Cape Cod and New England forms but with a bias towards traditional Colonial Architecture. The model home at Ballymeade is a representative example of the style the Committee encourages applicants to emulate.

SITING

Note that the Setback Lines as defined in Article IV, Section 4.2d of the Covenants and Restrictions are greater than those required by the Town of Falmouth

SIZE

Minimum building sizes are defined in Article IV, section 4.2 of the Covenants and Restrictions, but cannot be smaller than any additional size requirements in Purchase and Sales Agreements. These requirements must be adhered to.

SCALE

Houses should be scaled to compliment the lot size, geometry, and the existing landscaping as well as neighboring houses, where applicable. Scale is relative and does not necessarily impact size; a house can be large in area and still feel small in scale if properly designed.

PROPORTION/MASSING/LAYERING

The Committee encourages designs in which separate building elements are in proper proportion to one another and in which the massing or scale of individual building blocks relative to each other is appropriate. As an example, a wing off the main house would be expected to be smaller and stop forward or back of elements which project out from the main planes of the building to break up otherwise long, monotonous wall planes.

SIDING

The emphasis should be on muted, monochromatic earth tone color schemes and on natural wood materials rather than on masonry or other siding. Cedar shingles are preferred with woven corners.

ROOF TREATMENT

A variety of roof planes which result in appropriate proportion, massing and scale are required. Roof pitches should be 8 in 12 minimum on other than farmer's porch or

dormer roofs, which a minimum of 4 in 12 pitches will generally be required. Flat roof pitches as roof decks are allowed. Approved roof shingles are GAF Timberline “Weather Wood Blend,” Bird “Architect 90 Weathered Wood” and red cedar roof shingles.

TRIM

A variety of trim details and colors are acceptable as long as they compliment the overall design, Designers should specify trim sizes and colors clearly on preliminary plans.

CHIMNEYS

Chimneys may be masonry or wood framed with siding to match the rest of the house. The location, sale, and detailing of chimneys should be carefully planned.

SKYLIGHTS

The size and position of skylights on roof planes should compliment the overall design. A variety of manufacturers will be accepted. Bubble skylights will not be allowed.

DORMERS

A variety of dormer configurations are acceptable and will be judged on how they compliment the overall design. Dormers which step in from the plane of the wall below are preferred and shed dormers should start below the ridge wherever possible and have cheeks on each end.

WINDOW/DOORS

A wide variety of window and door treatments and manufacturers will be allowed and will be judged as they relate to the overall design of the house.

DECKS

Decks should be well integrated onto the overall design of the house. Elevated second level decks which extend too far off the house tend to look awkward and their supports too spindly and will not be approved. First level decks should be low to the ground, where it is appropriate that they be somewhat elevated above grade, lattice may be required below. First floor decks should not be too large in related to the house and must be integrated with the design of the house and the landscaping.

FOUNDATIONS

Houses and foundations should be designed to fit the natural grade of the lot in such a way that no more than 8” of concrete is exposed above average existing or natural grade. All basement windows must have areaways. In cases of unusual grade conditions where complying with these requirements is not possible, the Committee will consider landscaping solution that mitigate the use of exposed foundations.

EXTERIOR LIGHTING

Exterior wall mounted light fixtures of a variety of styles and manufacturers are accepted and will be judged by their relationship to the overall design of the house.

Light fixtures shall be of a type which produce soft levels of illumination. Bright light sources will not be allowed. All exterior lighting must be located or shielded in such a manner as to avoid spillover from the lot in intensities of over one (1) foot candle. Recommended walk and driveway lighting is a fixture with an indirect type light source, garden type with a height of 1’ – 6” or less.

LANDSCAPING

Applicants should be familiar with Article IV of the Covenants and Restrictions which addresses site planning issues that bear heavily on landscaping planning. Section 4.1(d) specifies that the applicant shall use a landscape architect registered in the Commonwealth of Massachusetts. The Architecture Committee urges the applicant to have their landscape architect study Article IV of the Covenants and Restrictions and to study other work already approved by the Committee before beginning any design work. Preliminary landscape plans shall be submitted with preliminary building plans. These must specifically delineate any areas to be cleared to facilitate construction. In cleared areas, the proposed landscaping must be in enough detail to show what is to be planted to replace the vegetation destroyed. In some cases, the applicant may be required to provide a complete Final Landscape Plan when applying for Preliminary Approval.

APPLICATION PROCEDURES

Applicants shall apply for Preliminary and Final review or for Minor Improvements in accordance with the procedures outlined in the Covenants and Restrictions as summarized below. The appropriate application forms accompany these Guidelines.

FEES

A fee to cover ARC review expenses will be assessed at the time of the original Submission by the Property Owner. This fee is to cover the out of pocket costs associated with a review and approval and will be based on the costs expected for the particular application being requested. Additional fees may be assessed if necessary to cover

unexpected review and approval expenditures. Filing fees are subject to being doubled if an activity requiring Architecture Committee approval is begun without first obtaining approval. Checks should be made out to the Ballymeade Property Owners Association, Inc. and deposited at the same time as the original request for approval, See Page 12 for details.

METHOD OF OBTAINING APPROVAL

In order to obtain the approval of the Architecture Committee as required in Article IV, section 4.1(c) or elsewhere in the Covenants and Restrictions, an applicant may either:

- (1) Apply first for Preliminary Approval, and later apply for Final Approval.
- (2) Apply for Final Approval at the outset.

PRELIMINARY APPROVAL

Preliminary Approval is agreement by the Architecture Committee that the design concept proposed is in accord with the architectural requirements of the Covenant. Preliminary Approval will authorize the Owner to begin excavation, foundation work and construction. It means that certain other requirements for Full Approval are not yet met; the most usual of which are lack of submission of a Final Landscape Plan and designation of roof, siding and trim type and colors. Approval of roof, siding and trim type and colors must be obtained before installing these features. The Final Landscape Plan must be submitted no later than eight (8) calendar months after the date of the Preliminary Approval.

In order to Obtain Preliminary Approval, an Owner shall submit to the Architecture Committee two (2) complete sets of plans and specifications based on the Falmouth Building Permit and embossed with the seal of a Registered Architect and that of the Town of Falmouth.

They must include a Site Plan described in Section 4.1(a) of the Covenants and Restrictions, a foundation plan, and working drawings for the proposed improvements embossed with the seal of an architect licensed to practice in the Commonwealth of Massachusetts, front, side and rear elevations. Such final Plans shall include as appropriate; the proposed locations, grade, elevations, shape, dimensions, exterior color plans, approximate costs, and nature, size, type and color of building materials. They must also specifically designate the building envelope; the area to be cleared for foundation and building and sufficient Landscaping Plan to show the vegetation proposed to replace that destroyed. The objective is to preserve as much of the natural vegetation as possible, and to replace that destroyed with mitigating landscape plantings. In some cases, the applicant may be required to submit a full Final Landscape Plan.

The Architecture Committee may also require the submission of samples of building materials proposed for use and the submission of additional information and materials as may be reasonably necessary for the Architecture Committee to evaluate the proposed construction or alteration. The Architecture Committee may waive portions of the above requirements for improvements of a minor nature but shall not approve any final plans

which in its judgment would impair the general scheme or plan of development in Ballymeade Estates.

FINAL APPROVAL

In order to obtain Final Approval, the applicant must meet all the requirements above for Preliminary Approval plus submission and approval of all items required by the Covenant not previously authorized in the Preliminary Approval, such as a Final Landscape Plan and designation of roof, siding and trim type and colors. Submission to the ARC of these above mentioned items must be made no later than eight (8) calendar months after the date of the Preliminary Approval.

A landscaping plan (the "Landscape Plan") is described in Article 4.1 (d) of the Covenant. The Landscape Plan for each lot must be submitted to and approved in writing by the Architecture Committee showing the location, type, size and variety of all proposed landscaping, including trees, shrubbery and grass. Each Landscape Plan shall be prepared and sealed by a Landscape Architect registered to practice in the Commonwealth of Massachusetts. All other requirements of Article 4.1 (d) must also be met unless some are waived by the Architecture Committee.

At the time a Final Approval is requested, the applicant will be given the option of having the ARC record the document with the Barnstable County Registry of Deeds for a fee described in the Fee Schedule on page 12 or receiving a recordable document the Owner may register himself.

APPROVAL OR DISAPPROVAL BY THE ARCHITECTURE COMMITTEE

Except as provided in Section 4.1(c) of the Covenants and Restrictions, the Architecture Committee may decline to approve any plans of any type which, in its sole judgment, it deems not suitable or desirable. Any and all approvals or disapprovals of the Architecture Committee shall be in writing and shall be sent to the Community Association Board and to the Owner. Evidence of such approval or disapproval shall be made by means of a certificate in recordable form, executed under seal by the President or Clerk of the Community Association if requested by the Property Owner. Upon proposed improvements being approved by the Architecture Committee, such approval cannot be removed; provided, however, that the approval for Improvements on the Single Family Lot shall expire in the event construction does not commence within the time period set forth in Section 4.1(b) of the Covenants and Restrictions. After the Architecture Committee Turnover Date, an Owner aggrieved by a decision of the Architecture Committee shall have the right to request a review thereof by the Ballymeade Property Owners Association Board (BPOA) by written request within thirty (30) days after such decision. The determination of the BPOA Board upon reviewing any such decision of the Architecture Committee shall be final.

In the event the Architecture Committee fails to approve or to disapprove in writing any Preliminary Plans or Final Plans (1) within thirty (30) days after the date of submission to the Architecture Committee, as evidenced by a dated receipt thereof by the Architecture Committee, or (2), in the event of a written notice of a deficiency to the applicant, within thirty (30) days after submission of any reasonable requested information and materials related thereof required to correct the deficiency, then said Preliminary Plans or Final Plans shall be deemed been approved by the forthwith.

REVIEW APPLICATION FOR BALLYMEADE PROPERTY OWNERS ASSOCIATION

To be completed by applicant:

Date_____	Lot Number_____
Owner_____	Address_____
Telephone_____	City/State/Zip_____
Architect_____	Address_____
Telephone_____	City/State/Zip_____
Landscape Architect_____	Address_____
	City/State/Zip_____

Applications shall submit the following drawings with this application:

- 1) Final Site Plan (1"=10'-0") showing:
 - North Arrow
 - Setback lines
 - Property lines with dimensions
 - Location of all trees over 4" in diameter in work area
 - Roof Plan
 - Proposed walks, decks, driveways
 - Limits of construction
 - Exterior light location and type
 - Utility locations and meters including water service
 - Septic tank and field

- 2) Landscape Plan (1"=10'-0") showing:
 - Variety, size, location, and number of all plant material
 - Retaining walls & other landscape features of significance

- 3) Floor Plan (1/4"=1'-0") showing:
 - Room uses labeled
 - All walls shown and dimensioned

- All windows and doors shown and dimensioned
 - Overall dimensions of plans
 - Trash and other enclosure
- 4) Foundation Plan (1/4"=1'-0") showing:
- All Foundation walls dimensioned
 - Structural Information
 - Bulkhead, walkouts, other features noted
- 5) Elevations (1/4"=1'-0") one for each major exposure showing:
- Outline, window and doors
 - Principal building materials rendered and noted
 - Building relation to grade levels
 - Overall height from grade to ridge
 - Roof pitches
- 6) Sections (1/4"-1'-0") showing:
- Cross Sections as required to show structure of house, materials, floor elevations, etc
- 7) Optional Drawings
- Schedules (finishes, doors, windows)
 - Electrical Plans
 - Mechanical Plans
 - Additional Details

MINOR MODIFICATION (IMPROVEMENT) APPLICATION
BALLYMEADE PROPERTY OWNERS ASSOCIATION

To be completed by applicant:

Date_____ Lot Number_____

Owner_____ Address_____

Telephone_____ City/State/Zip_____

Architect_____ Address_____

Telephone_____ City/State/Zip_____

Landscape Architect_____ Address_____

City/State/Zip

Minor improvement description:

Reason for change:

Applicants should submit drawings or other information as deemed relevant to this application. The Architecture Committee may require additional information depending on the scope of the proposed project.

FEE SCHEDULE

A fee to cover ARC review and approval expenses will be assessed at the time of the original Submission by the Property Owner. This fee is to cover the out of pocket costs associated with review and approval according to the schedule below.

Further fees will be assessed if subsequent steps in the approval process generate additional out of pocket costs for reviewing or approving the application.

Checks should be made out to the Ballymeade Property Owners Association, Inc. and deposited at the same time as the request for approval with the required plans and drawings; either mailed to the Chairman of the BPOA Architecture Committee or left to his attention at the Ballymeade Realty Sales Office on Falmouth Woods Road in Ballymeade.

BASIC REVIEW

	ITEM
Simple Review (Opinion, Preliminary or Initial Final)	\$200
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Total	\$200

ADDITIONAL COSTS POSSIBLE

1. Plans changed requiring second full review	\$200	per review
2. If Environmental Review required		
a. Basic	\$150	for one hour
b. Wetlands Review required (minimum)	\$250	for 1 hour
c. Expert court testimony required (minimum)	\$250	per hour
3. Recording Final Approval by ARC	\$100	