



# *Suissevale*

## **Building & Control Guidelines**

03 May 2010

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# *Suissevale*

## **Building & Control Guidelines**

August 18, 2009

The following constitute the rules and policies governing the construction, renovation and maintenance of homes and property in Suissevale. These rules and policies have been adopted and approved by the Suissevale Board of Directors and shall be enforced by the Suissevale Building & Control Committee.

### **1. Definitions**

As used herein the following terms shall have the following meaning:

- 1.1 **Suissevale Declaration** refers to the Declaration of Easements and Covenants, as subsequently amended and extended and certain related agreements and stipulations and judgments which set forth the rights and obligations of Suissevale members.
- 1.2 **Suissevale or POASI** refers to the Property Owners Association at Suissevale, Incorporated.
- 1.3 **Building & Control Committee (BCC)** refers to the Committee appointed by Board of Directors (BOD) which consist of three board of directors' members and any additional owners appointed by this subcommittee. The Committee may designate one of its board members to act on its behalf. Often abbreviated BCC
- 1.4 **Governmental Regulations** refers to any state, local or other governmental regulations applicable to any development, construction, building, or renovation or other similar activities. The Local jurisdiction is often referred to as the Code Enforcement Office in the local Town Hall.
- 1.5 **Structure** shall mean a single family dwelling, as well as any garage, storage shed or other such building to be constructed on the same lot and which is to be used in concert with such single family dwelling. Structure shall also mean any garage, storage shed or other such building to be constructed on another contiguous lot so long as such contiguous lot is combined with the lot with the single family dwelling making them one lot for all purposes.
- 1.6 **Owner** shall mean the owner of record of one or more lots within Suissevale.
- 1.7 **Outdoor Trash Receptacles** shall be defined as items that store household trash and are kept outside the home, usually near the road for pickup by a commercial trash removal company, but could be used by the homeowner to store household

trash prior to delivering said trash to the local dump. The receptacles may be “trash barrels” or commercial dumpsters.

- 1.8 **Project** shall mean (1) the construction of a new Structure on a lot in Suissevale (“New Structure Project”) or (2) the renovation to an existing structure which materially changes or affects either the existing footprint of the structure or the exterior of the Structure, including, but not limited to projects such as new siding, roofing, or the replacement or addition to a deck, and is such that would require a permit from any state, local or other governmental authority (“Renovation Project”).

## 2. Suissevale Building Control Committee Approval Required

- 2.1 Projects within Suissevale shall be subject to the oversight and approval of the Suissevale Building & Control Committee (BCC) and will require appropriate local Town Permits. The following are a few common examples of those types of projects definitely requiring BCC oversight.

2.1.1 **New Structure Project.** Any new construction, to including additions to or re-modeling of existing buildings shall be governed by and must comply with all Governmental Regulations.

2.1.2 **Renovation Project.** Gutting the interior of an existing structure; Major changes to the exterior of a structure, New roof, re-roofing and or adding dormers; New windows; New siding; New deck or porch greater than 125 ft. sq. or modifications resulting in an area greater than 125 ft. sq;

2.1.3 **Major Lot Modification.**

Major lot clearing to include major excavations, major tree removal or significant changes to the lot’s topology *will require BCC oversight.*

- 2.2 Obtaining a building permit from the Town does not constitute approval to proceed unless Suissevale rules have been followed and approvals (Suissevale Building & Control) obtained. No addition to, or major remodeling of an existing building may result in a Structure which, if it were considered new construction, would violate these guidelines.

2.2.1 Renovations to the outside of structures that are equal to or greater than 125 square feet require BCC approval. An exceptions to this square foot rule are renovations that affect the exterior of a structure. For example, replacement of several windows would require B&C approval.

2.2.2 Renovations to the interior of a structure do not require BCC approval unless it affects the visual appearance of the structure, or is a major renovation of the interior of the structure. The gutting of the interior would require BCC approvals; however a new bathroom or kitchen would not.

- 2.3 Prior to the start of any Project, including any excavation of a lot for the purpose of constructing a Structure or Renovation Project as defined herein, an Owner must obtain written approval from the BCC prior to commencing with the project.
- 2.4 BCC approval **for a New Structure Project** requires the submission of the following:
- 2.4.1 Satisfactory building plans and specifications detailing the type and size of the structure(s) to be constructed;
  - 2.4.2 A site plan (A formal/Official Site Survey) which depicts compliance with all applicable set back requirements and which clearly depicts the location on the lot of (i) the proposed structure(s), (ii) the septic system (iii) any proposed well;
  - 2.4.3 A copy of the septic system design which has been approved by the required governmental authority;
  - 2.4.4 A certificate of liability insurance (new construction only);
  - 2.4.5 An engineering report addressing: water mitigation, culvert sizing and positioning. A plan which clearly indicates the steps being taken to retain the water that is on the lot so as not to shed said water to adjacent lots, henceforth called a water mitigation plan. Said plan should include any required culverts, with appropriate size, and any retention areas that may be required.
  - 2.4.6 Payment of an Infrastructure Fee.
  - 2.4.7 An Application for Construction or Renovation Approval in a form attached hereto as Exhibit A or other such similar application form which may be adopted from time-to-time by the Building Control Committee (collectively, the “Building Approval Application”).
- 2.5 BCC approval **for a Renovation Project** requires the submission of the following:
- 2.5.1 Satisfactory building plans or sketches and specifications detailing the nature and extent of the proposed renovation and construction;
  - 2.5.2 To the extent necessary, a site plan which depicts compliance with all applicable set back requirements and which clearly depicts the location on the lot of all proposed structure(s);
  - 2.5.3 A certificate of liability insurance is not required for a renovation project.

2.5.4 An Application for Construction or Renovation Approval in a form attached hereto as Exhibit A or other such similar application form which may be adopted from time to time by the Building Control Committee (collectively, the “Building Approval Application”).

2.6.5 No Infrastructure Fee is required for Renovation Projects.

2.6 The BCC or, the Suissevale Business Manager working on behalf of the BCC, shall notify the Owner of its approval or disapproval of a proposed Project within 30 days from the date on which a complete Building Approval Application is submitted to and actually received by the BCC or the Suissevale Business Manager.

2.7 If a proposed Project is not approved, the BCC will provide the reasons for its disapproval in writing.

### **3. Utility Services and Connections**

3.1 POASI maintains and operates a water distribution system. As part of your yearly dues water is provided for your use. If a water service line is in the road at your property, the service valve connection at the road is provided by POASI, but the connection to the building is your responsibility. Please contact Lakes Region Water for assistance with this connection.

3.2 If a new water line is required to service your property, POASI will pay for normal installation for the first 100’ only from the closest location. ( no allowance for any blasting) The remainder is the homeowner’s responsibility.

3.3 If a well is needed, it is the homeowner’s responsibility and requires State of NH approval and coordination through the POASI Business Office.

3.4 Electrical service is the homeowner’s responsibility, as is any telecommunication and / or cable service.

### **4. Lot Restrictions, Setbacks, and Easements.**

4.1 Only one single family dwelling may be constructed per lot, regardless of the size of said lot and whether or not applicable Governmental Regulations would permit additional or different construction.

4.1.1 No use of mobile home trailers or tents are permitted on undeveloped Suissevale property for the occupancy of people.

4.2 No temporary structures may be built on any lot, unless such temporary structure is being used in the connection with the construction of a permanent dwelling permitted to be constructed by these guidelines. In such cases the temporary structure is not permitted for occupancy and must be dismantled and otherwise

removed upon completion of dwelling as defined in Section 4.1, and in all events no later than 30 days after the issuance of an occupancy permit.

- 4.3 The required minimum setbacks for any Structure including a garage or storage shed or other such similar building, shall be at least as follows, unless the then existing Governmental Regulations require a greater setback in which case the Governmental Regulations shall control:
- 25 feet from front line
  - 20 feet from any “side street lot line”
  - 12 feet from any side, rear or other boundary line
- 4.4 Unless the then existing Governmental Regulations provide for a greater easement, in which case the Governmental Regulations shall control, easements are reserved in favor of Suissevale or POASI along and within
- 12 feet of all side lot lines
  - 12 feet of all rear lot lines
  - 15 feet on all front lot lines
- 4.5 Suissevale also reserves such other easements necessary to construct public improvements, such as drainage ditches, pipes, wires, and other similar public improvements. Suissevale reserves the right to have wires or cables pass over a lot so long as such wires or cables do not obstruct or otherwise prevent the construction of a dwelling on said lot.

## 5. Construction Completion Requirements

- 5.1 For New Structure Projects the **exterior shell of all Structures shall be completed within two hundred and seventy (270) days from the start of construction.** For the purpose of this section the start of construction shall be the commencement date identified by the Owner in the Building Approval Application. Building Control Committee approval shall be null and void unless construction has commenced within 90 days from the date of issuance. Completion on the exterior shall mean the exterior shell of the structure shall be completed, including the installation of all windows and doors, and finished siding and roofing. If the siding is an exterior wood surface, exterior completion means the application of the “finish” coat of paint, stain or varnish. Completion of the exterior shall also include the removal of lot excavation materials such as trees, brush, rocks and any construction debris and a general landscaping of the lot.
- 5.2 **Renovation Projects shall also be completed within two hundred and seventy (270) days from the start of construction,** which shall be the commencement date identified by the Owner in the Building Approval Application and the BCC approval shall be null and void unless construction has commenced within 90

days from the date of issuance. **The Owner must notify the BCC of the completion of the Renovation Project.**

- 5.3 No building or construction material or equipment of any kind or character may be stored on any lot until the Owner is ready, willing and able to commence and complete construction in accordance with these guidelines and as identified in the Building Approval Application.
- 5.4 No excavation of any lot shall be made until the owner is ready, willing and able to commence and complete construction in accordance with these guidelines.

## **6. Building and Construction Standards.**

- 6.1 In addition to all Governmental Regulations which may be applicable to any Project, the following standards shall apply:
  - 6.1.1 Unless otherwise approved by the Building Control Committee, any new residence shall have a minimum finished floor area of 1,400 square feet, exclusive of the basement.
  - 6.1.2 A residence may be a maximum of two stories in height above the foundation level, but in all events any Structure must be in compliance with existing Governmental Regulations, including height requirements.
  - 6.1.3 The basement or other space between the ground and the first floor shall be closed in and finished in the same manner as or harmonious with the other exterior surfaces of the house.
  - 6.1.4 No Structure may be left covered with tar paper, Tyvec or any other temporary wall covering for more than 30 days.
  - 6.1.5 Any exterior walls made of concrete block or placed concrete foundation must have two coats of masonry paint.
  - 6.1.6 All building and construction materials and equipment, including vehicles, must be stored on the lot and may not be parked or left on any Suissevale road.
  - 6.1.7 Construction or building activities, including the cutting of timber or other lot clearing activities may not commence before 7:00 a.m. or such other time consistent with the Town of Moultonborough regulations.
  - 6.1.8 Drainage from individual lots will be addressed in a separate document **[see also Section 9 below]**
  - 6.1.9 “Driveway Culverts” address these issues in Section 9 below,
  - 6.1.10 Contractors are to control the trash on their site on a daily basis.

6.1.11 Landscaping and lot clearing guidelines will be addressed in a future revision.

## 7. Garages

7.1 Any garage or outbuilding must conform to the local building codes. The garage must conform to any and all set back requirements. This garage space shall not be habitable as “Living Space”.

7.1.1 If a new entrance from the road to the proposed garage is required, approval of the location of that entrance is required by the “Roads Committee”. This is obtained through the Business Manager’s Office. Refer to Section 9, Driveways and Drainage Ditches to see if there is any impact on existing infrastructure, or if a culvert is required.

## 8. Sewerage and Septic Systems

8.1 All sewerage and waste disposal systems shall be by a septic tank which meets all applicable Governmental Regulations. The Suissevale Building Control Committee shall be **provided a copy of the approved Septic System plan as part of the Application** for Construction Approval. If the approved Septic System plan is not available at the time of the Application for Construction Approval, it shall be submitted as soon as practicable thereafter, and in all events prior to Building Control Committee approval and thus the start of any actual construction activities, including any site excavation.

## 9. Driveway Culverts and Drainage Ditches

### 9.1 New Construction

9.1.1 During the approval process for new home construction, the applicant shall identify the location(s) of the driveway into the lot to be developed on the site plan.

9.1.2 It will be the determination of the BCC or their agent if a culvert will be needed to allow the unimpeded flow of rain water runoff under the driveway.

9.1.3 The size, length and location of the culvert in relation to the roadway will be decided by the building site, slope of the road and existing conditions. The BCC or their agent will work together with the member in deciding what is in the best interest for Suissevale and the member.

9.1.4 Culverts to be installed shall be manufactured by Advanced Drainage Systems(ADS) or an approved equivalent.

9.1.5 All costs associated with the installation of the culvert shall be the responsibility of the member/developer of the site.

## 9.2 Replacement

9.2.1 If an existing driveway culvert fails due to its age, damage, etc., it is the responsibility of the lot owner to repair/replace the culvert to avoid damage to the travel way.

9.2.2 Replacement of all culverts shall utilize ADS piping

9.2.3 It is advised that before repair or replacement of an existing culvert, the member contact Suissevale's business manager. The business manager will check to see if there is going to be an upgrade of that road in the foreseeable future to avoid any potential conflict.

## 9.3 Road Projects

9.3.1 Suissevale is continually improving its roads. During the course of upgrades it may be necessary to relocate, resize, or replace existing culverts, install new culverts, and construct drainage ditches along the roads to ensure proper drainage.

9.3.2 If a culvert, which a member has installed per directions of the BCC, needs to be relocated during the road improvement project, any costs associated with the relocation shall be the responsibility of Suissevale.

9.3.3 If during the course of a project, a culvert, which is in working condition, has been determined should be upgraded, the member shall only be responsible for the cost of the new pipe. Suissevale shall assume the cost of labor and equipment necessary for the installation and upgrade. Suissevale will attempt to notify the lot owner of any upgrades before work is started.

## 9.4 Maintenance

9.4.1 It is the responsibility of the lot owner to maintain their Culverts and Drainage Ditches to allow the unrestricted flow of water.

9.4.2 If a culvert or drainage ditch is found to be failing, Suissevale will attempt to notify the lot owner of the need to perform maintenance.

(a) If the culvert and or drainage ditch is not repaired or cleaned out, and damage to Suissevale's roads is being caused by the culvert's failure, Suissevale will make repairs as needed to protect its member's road system. Costs for such repairs will be the responsibility of the lot owner.

- (b) In the event that Suissevale has had to take action to clean out the drainage ditch or culvert, the lot owner will be back charged for that cost. An attempt will be made to notify the lot owner before Suissevale takes any action, unless circumstances require an immediate response.

## 10. Water Systems

10.1 No well may be dug without first submitting to POASI a plan of the lot showing the location of the proposed well with reference to all structures and septic tanks on the lot as well as the location of structures and septic tanks on all adjoining lots. In addition, the following procedures shall apply for those Lot Owners intending to drill a well:

10.1.1 A well for domestic water use requires state approval. It is the homeowner's responsibility to obtain the necessary approval to install this well and supply copies of these approvals to the Building & Control Committee.

10.2 The following procedures apply for those Owners seeking to connect to and use the Suissevale water system.

10.2.1 An initial Infrastructure Fee (in an amount established from time to time by the Suissevale Board of Directors) must be paid at the time the Building Approval Application is submitted to the Building Control Committee for approval. This Fee enables connection to the water system, any drainage ditches that may be required, and coordination of the building process.

10.2.2 There is a rebate due the homeowner when construction is completed and the Building & Control Guidelines have been met. The Homeowner needs to notify the Business Office when construction is completed and apply for the rebate.

### 10.3 Exterior Water Sprinkler Systems/ Irrigation.

10.3.1 **Sprinkler systems are acceptable, but require registration with the Business Office.** If the system utilizes well water no other action is required. If the system utilizes community water, a form registering use of this system is required.

- (a) The system must be "shut down" on or before the 10<sup>th</sup> of October. Shut down is defined as properly drained and the source water shut off.
- (b) When registering the system, a sketch shall be provided depicting the location of the shut off valve and the name of any commercial service that may assist in maintaining your system.

- (c) You must agree to the terms of the use of community water for this system. The rules are constantly updated with input from the state of NH, and various agencies. **There shall be no outside watering from Friday afternoon until Monday morning during the months of July and August.** Refer to any current updates.

10.3.2 Pools that use more than 500 gal. of water and are being filled utilizing the community water system, shall not be filled during high peak water usage times, which are from Friday afternoons until Monday morning during the months of July and August.

## 11. Property Maintenance Policies.

11.1 In addition to all Governmental Regulations which may be applicable, the following standards and policies shall apply to the maintenance of all buildings, structures and lots within Suissevale:

11.1.1 All Structures and the cleared and developed portions of all lots must be kept in a neat condition and in conformity with all applicable Governmental Regulations.

11.1.2 **Outdoor Trash Receptacles.** These receptacles shall not be visible from the road. If the Trash Receptacle is near the road, a privacy screen (fence on hinges or removable) is required.

- (a) The use of Dumpsters and commercial Trash receptacles for trash removal is an example of items that need to be near the road to enable the trash truck to easily empty the container.

- (b) Barrels can be contained in an appropriate enclosure and will not require a privacy fence. Care should be taken to protect the “trash” from animals rummaging through them and creating a debris field.

- (c) In the event that “Trash” or debris is strewn around the Outdoor Trash Receptacles, POASI may take action to cleanup the mess and back charge the homeowner.

11.2 **Storage Containers.** Storage containers are not normally allowed unless this is new construction. There shall be no use of temporary storage containers on occupied lots. If there are special circumstances, apply to the BCC in writing, and

if granted, obtain written consent of the BCC before proceeding with the use of a storage container.

11.3 **Sheds.** Sheds need to meet the normal setback regulations per the building or town codes. The shed must be in good repair and not degrade the property.

11.4 **Vehicles.**

11.4.1 **No more than one unregistered motor vehicle may be kept or stored on Suissevale property. An unregistered Plow Truck would be an example.**

11.4.2 **No “junk” cars or trucks are allowed.** Unregistered trailers; boat, snowmobile or utility, should be stored on the lot in a manner that does not detract the looks of the property.

## 12. **Enforcement/Penalties.**

12.1 The Suissevale BCC shall report to the Suissevale Board of Directors any failure by an Owner to comply with any of the Suissevale Building Guidelines, or any applicable Governmental Regulations that will be brought to the BOD for action.

12.2 Failure to comply

12.2.1 In the event an Owner fails to comply with any of the Suissevale Building Guidelines, or any applicable Governmental Regulations, the Suissevale Board of Directors shall take appropriate action to compel compliance, including but not limited to: (i) instituting appropriate legal action against said Owner; (ii) assessing and collecting the Well Application Fee Rebate Amount and / or the Water Connection Fee Rebate Amount referenced in section 10.1.1 ; (iii) withholding approval to hookup to Suissevale Water System or shutting off Water System services; and (iv) withholding any or all Suissevale provided services and amenities, including but not limited to any marina, beach parking or clubhouse use privileges, and imposing a fine by attaching a lean against the property.

12.3 Fines and Penalties.

12.3.1 A monetary fine could be issued for failure to comply with POASI rules and regulations. The amount of that fine is determined by the BOD. If payment is not forthcoming, a lean against the property may be issued.

Adopted and Approved by Suissevale Board of Directors on the \_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
John Skelton, President

\_\_\_\_\_  
Nick DeMeo, Secretary/Clerk

# SUISSEVALE

Exhibit A

## APPLICATION FOR CONSTRUCTION or RENOVATION APPROVAL

### BUILDING & CONTROL COMMITTEE

Owner: \_\_\_\_\_ Application Date \_\_\_\_\_

Lot Number \_\_\_\_\_ Street Location \_\_\_\_\_ BCC Ref # \_\_\_\_\_

New Construction \_\_\_\_\_ Renovation \_\_\_\_\_ Approval Date: \_\_\_\_\_

Owner Contact information: \_\_\_\_\_ Signed BCC: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

(H): \_\_\_\_\_ (W): \_\_\_\_\_

(cell): \_\_\_\_\_ (e-mail): \_\_\_\_\_

Description of Proposed Construction: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Contractor: \_\_\_\_\_

Plans/permits Submitted with Application (please check all that apply):

- Lot plans, including drainage control systems
- Site survey (new construction only) \_\_\_\_\_
- Building plans and specifications \_\_\_\_\_
- Septic System plan \_\_\_\_\_
- Water Mitigation if required \_\_\_\_\_
- Driveway Culvert if required \_\_\_\_\_
- Other (please describe): \_\_\_\_\_

Start Date (including Site Excavation): \_\_\_\_\_

Completion Date (Must be within 9 Months of Start Date) \_\_\_\_\_

Water Hookup (Yes or No) , if no Well Application Fee must be submitted): \_\_\_\_\_

Lot/ Home Owner: \_\_\_\_\_ BCC Ref: \_\_\_\_\_

Date: \_\_\_\_\_ **ACKNOWLEDGMENT**

By submitting this Application for Construction Approval, the Lot Owner hereby acknowledges that he or she has read the Suissevale Building Guidelines and agrees to comply with the Suissevale Building Guidelines and all applicable Governmental Regulations in connection with the proposed Project identified herein. **The Lot Owner further agrees that to the extent the Lot Owner subsequently seeks any variance of any applicable Governmental Regulations, the Suissevale approval shall be null and void and the Lot Owner must submit a new approval package.** The Lot Owner further agrees that to the extent that it is necessary for the Suissevale Board of Directors to institute legal action to compel compliance with the Suissevale Building Guidelines or any applicable Governmental Regulations the Lot Owner shall reimburse Suissevale for all costs associated with such legal action, including reasonable attorney fees.