

MONTGOMERY WOODS HOMEOWNERS ASSOCIATION
Princeton, New Jersey

MONTGOMERY WOODS HOMEOWNERS ASSOCIATION
ARCHITECTURAL POLICY 1.0
PATIO AND DECK POLICY
EFFECTIVE AUGUST 1, 1990
REVISED JUNE 18, 1992

The following list of guidelines forms the official policy of the Montgomery Woods Homeowners Association on construction of patios and decks. All patio and deck construction projects must be approved by the MWA Architectural Committee, in writing, and also by the Montgomery Township authorities prior to commencement of construction. MWA has the sole authority to disapprove of any construction project or improvement which affects the common property within the jurisdiction of MWA.

1. SIZE

A. Ashwood, Birchwood, and Cherrywood Units

Patios or low level decks may be built up to sixteen (16) feet out from the patio doors of the unit and may be up to fourteen (14) feet in width to the beginning of the dining room windows, provided they do not encroach on common grounds, property of others, or easements of record. in the case of Ashwood units, the width may be up to fifteen (15) feet.

B. Devonwood and Erinwood Units

Decks may be extended to a maximum of twelve (12) feet from the rear face of the unit and may be a maximum width equal to the width of the unit. Patios are not allowed.

2. HEIGHT

A. Ashwood, Birchwood, and Cherrywood Units

Patios/decks shall be constructed as low as possible for the site. (i.e., no raised or multi-level extensions will be permitted.) Built-in benches or flower boxes may not exceed eighteen (18) inches in height as measured from the patio/deck surface and any such features must be incorporated in the deck and patio plans submitted for approval. Any portions of decks or patios which has a vertical drop greater than eighteen (18) inches to ground level must incorporate railings.

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B. Devonwood and Erinwood Units

Deck additional cannot exceed the height of the current decks built and benches or flower boxes may not exceed eighteen (18) inches in height as measured from the patio/deck surface, and any such features must be incorporated in the deck or patio plans submitted for approval. Any portion of decks or patios which has a vertical drop of greater than eighteen (18) inches to ground level must incorporate railings.

3. CONSTRUCTION

- A. Existing concrete slabs must be covered with material identical to the patio/deck material used for extensions.
- B. Wooden decks shall be constructed of pressure treated (wolmanized) lumber suitable for use in ground contact applications. All decks and deck extensions shall conform with the existing style for pressure treated lumber decks prevalent in Montgomery Woods including lumber dimensions, railings, and steps. A minimum of two inches is required between the soil and all wooden deck materials. All wooden supports and columns shall be supported on concrete piers or foundations. which are sufficient to prevent heaving or moving under all weather conditions, including freezing and thawing ground.
- C. All wooden decks will be treated with an approved sealer within one (1) year after construction is complete. No use of paints, stains, varnish, polyurethane, carpeting, vinyl, etc. will be permitted.
- D. The perimeter of all patio extensions shall be supported by pressure treated six inch by six inch (6" x 6") lumber or suitable approved alternate.
- E. Literature or samples of proposed patio materials must be submitted with plans and are subject to approval by the Architectural Committee if other than treated lumber.

4. DRAINAGE

Patio and deck modifications shall not alter the natural drainage in the area or cause pooling or flooding water.

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5. WEED CONTROL

Proper measures shall be taken to control the growth of weeds under decks and in-between patio stones, blocks, or other materials. Weed control shall be the responsibility of the homeowner and not of the MWA or its subcontractors.

6. STORAGE

The homeowner shall not use the space under decks for storage of any materials including lawn furniture, gardening equipment or barbecues, unless specifically approved by the MWA Architectural Committee. Additionally, the homeowner is responsible for maintenance of all items stored on decks or patios in an orderly and attractive manner avoiding clutter and unsightly appearance.

7. MAINTENANCE

Maintenance and repair of all improvements shall be the sole responsibility of the homeowner. Any modified decks or privacy fences shall be maintained by the homeowner in their entirety.

8. LANDSCAPING

Any landscaping associated with the installation of the patio or deck must be submitted with the plans for approval by the MWA Architectural Committee. All maintenance of approved landscaping will be the sole responsibility of the owner and not of the MWA or its subcontractors.

9. PRIVACY FENCES

Extension of existing privacy fences may be allowed up to six feet beyond the existing fence and it must follow the slope of the fence. Construction shall be of like style and material of present fence. No new fences shall be permitted whether natural or of man-made construction.

10. APPROVAL

A. Other Jurisdiction Approval

The design and construction of all decks and patios must meet all applicable State and local building codes. Application building permits, fees, and inspections are the sole responsibility of the owner. Proof of compliance to local and State building codes must be submitted to the MWA Architectural Committee prior to construction.

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B. Approval by MWA

Written approval of improvement application and plans must be obtained from the MWA Architectural Committee Chairperson prior to seeking approval from the local authorities. After submittal of proof of compliance (copy of approved construction permit), construction may commence. If construction begins prior to submittal of proof of compliance or in absence of proof of compliance. MWA has the right to order construction to cease and possibly order removal of any construction which has been completed and restoration of the property to its original state at the owner's expense.

11. COMPLIANCE

- A.** If a homeowner does not comply with the aforementioned policy guidelines, rules, and regulations, the homeowner is subject to fines and/or liens against his property as well as the possible removal of offending construction and restoration of modified property at the owners expense.
- B.** Any decks and patios which were previously constructed with written approval from MWA prior to the effective date of this policy are not subject to this policy. All others are subject to penalties outlined in section 10 A. and have exactly one (1) year from the effective date of this policy to make their deck compliant with the above policy including approval for the existing deck or patio.