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The Architectural Review Committee (ARC)

The purpose of the ARC is to ensure that any changes to the exterior of a home and to the surrounding private grounds of a home preserve the look of Dalton Farm and its character. It is also to ensure that any change to a home or grounds does not impact on the neighbors' enjoyment of their property.

To achieve this objective, the ARC has established rules that homeowners **MUST** follow when they are planning to make a change to their home or grounds.

Additionally, to assist homeowners with this process, the ARC has established some basic **GUIDELINES** which cover the more common and typical exterior home and grounds improvements that homeowners make. These **GUIDELINES** will be presented later in this document.

Dalton Farm is appreciated by the homeowners for its physical beauty and great care is taken to maintain the grounds and infrastructure for both safety and beauty. One of Dalton Farm's qualities is the variety of homes. There are Carriage Houses, Town Houses, and single-family houses of varying sizes. While Dalton Farm has an overall "look," each of these differing housing groups has its own "look." As such, some exterior allowances are not appropriate for all housing sections.

I. RULES

A. ALL changes to the exterior of one's home and ALL changes to the grounds must come before the ARC. The exception to the grounds is the four-foot space immediately around the house and garage which can be landscaped by the homeowner.

B. For "simple" requests, e.g., replacing windows with the exact same window, or changing a deck color to a color that is common in the neighborhood, the process may be more abbreviated. The property manager will determine approval/disapproval. The extent of change is most critical in Town House clusters.

C. *No work can start without ARC approval.*

Failure to comply can result in a fine or restoration of the house exterior/landscape to its former appearance.

If a project requiring ARC approval is started or completed without approval, the homeowner will be assessed a \$100.00 fine immediately and without warning. The homeowner must remit the \$100.00 together with an ARC submission within 10 days of notification. After 10 days, the fine will be increased to \$250.00. **PLEASE NOTE:** Submission of the ARC application is no guarantee that the project will be approved. If rejected, the project must be returned to its original condition.

- D.** If a homeowner's account is in arrears, they may not submit any plans to, nor receive approval from, the ARC.
- E.** The approval is good for one year. If the work has not started or if it is not completed in a year's time, the homeowner must submit a renewal application.
- F.** The property manager will check for ARC compliance at the project's completion.
- G.** As a rule, submissions should be made by the **7th day** of the month to be reviewed in that month's meeting but simple requests, e.g., replacing windows with the exact same window, or changing a deck color to a color that is common in the neighborhood can be submitted at any time. The property manager will review and may be able to determine approval/disapproval more quickly than new submissions.
- H.** All submissions sent to the ARC (those not approved by the management company) must be reviewed and approved by majority vote by the ARC. In the case of a divided ARC vote, the submission is presented to the HOA Board for a final vote.
- I.** If there is any excavation, it may be necessary to contact the following utility companies to ensure your request does not conflict with the location of utility lines, etc. Please note: once the application is approved you will need to contact Dig Safe (811) or 1(800) 962-7962 or www.digsafelynewyork.com before commencing any digging.
- J.** For any structural changes, it *may* be necessary to contact the Town of Beekman Building, Fire & Zoning Department at 724-5300 and ensure your request meets local and state building code specifications. You may be required to apply for a permit with the Building Department *after* approval from the ARC. If a permit is required, submit a copy of the permit to the property manager prior to commencing work.
- K.** An owner can only submit a request for his own property.

To facilitate sales of homes, the property manager will talk to prospective homeowners about requests they have regarding changes to the property. The property manager would not be able to approve the buyer's request but provide guidance about what is usually acceptable and what is not. The rep would have to make sure that the buyer understands there is *no binding agreement*.

II. SUBMISSIONS

Submission Requirements

1. ARC Submission Form

The printed form can be obtained at the Roosevelt House or an e-copy gotten on line.

2. Copy of a building permit *if applicable*.

If a permit is required, **first** submit your package to the ARC for approval. If the ARC approves the request, then you must ask the town for approval. When the town approves, submit a copy of the permit to the property manager. You will be notified of the completion of the approval process and then may start the project.

3. Copy of contractor's Certificate of Insurance: both *liability* and *workmen's comp*. If the homeowner is doing the work himself, his homeowners' insurance will suffice.

If there is not yet a contractor, the Certificate of Insurance can wait until one is selected. When the contractor is selected, the certificate is given to the property manager *and at that time, the project can start*.

4. Picture(s), promotional material, color sample(s), flyers, advertisement(s) of improvement(s) and materials.

5. Dimension drawings with placement of additions or removals.

6. A copy of the property survey indicating the location of the improvement(s) as required.

For example, if the request is large or is near the property line, the survey is required. The improvement can be "hand drawn" on the survey prior to submitting to the ARC.

In most, but not all requests, keep a four-foot space between the property line and a requested addition or removal.

Homeowners are responsible for knowing their property lines. They can get a survey from the Dutchess County Parcel Access web site; the survey clearly shows the property lines. The ARC only approves the architectural appearance and distance from property line. It is not responsible for determination of the property line.

7. A site visit or phone call from an ARC rep may be required.

8. If there are any questions about the submission package, email the ARC at arb@daltonfarm.info or contact the management company.

When the submission package is complete, turn it in to the property manager by email, preferably in a PDF format, or hardcopy.

III. GUIDELINES FOR REQUESTED CHANGES

A. House Exterior

1. Security Cameras

The cameras must be small and installed as inconspicuously as possible.

2. Windows

To preserve the uniformity of the community, all windows in townhomes and carriage houses must be replaced in kind.

3. Shutters

To preserve the uniformity of the section of the community, shutters must be replaced in kind.

4. Doors

To preserve the uniformity of the community, all garage doors, house doors, and windows in townhomes and carriage houses must be replaced in kind with the exception of Griffen Street. On Griffen Street, when garage doors are replaced, they must contain windows consistent with the majority as illustrated below:



OR



Because Thomas Road has both Town Houses and private houses, garage door replacement must be similar to the existing doors with the same style windows.

5. Roofs

- a. Roof repairs may be made, but if a repair becomes a replacement, approval is required.
- b. Roofs of townhouses must match the color of the other roofs in the cluster; carriage houses must match the color of the attached house.

6. Siding

Colors must be in character of the neighborhood. Town houses must match the other homes in the cluster. Carriage houses must match the attached house.

7. Decks

- a. Plans must show size and location on the property.
- b. Plans must show the type of material and colors to be used.
- c. New/total replacement decks require a permit.

8. Painting and Staining

If replacing a painted or stained surface with the same color or one that meets the character of the neighborhood ARC approval is needed but it is a “simple” submission and may be approved by the property manager.

9. Patios

- a. Plans must show size and location on the property.
- b. Plans must show the type of material to be used.

10. Privacy Fences

Due to the diversity of the homes in Dalton Farm, privacy fences for decks and patios need to be approved and must be consistent with the neighborhood: single-family homes, carriage houses, and town houses.

Below are three recommended fences that have won approval in the past.

Picture 1: lattice fence atop the railing.



Picture 2: solid fence with lattice panel.



Picture 3: lattice fence



The color of the fence should match the deck and be a natural color, e.g. redwood rust-red, cedar red, white.

The height should be no more than six feet. If the fence is mounted on the railing, the *combined* height of the railing and fence must be six feet.

If the fence is attached to the railing, it must be anchored on the deck floor.

There can only be two fences, one on each side of the deck or patio. The exception to this is the end unit of a town-house group. The outside rail cannot have a privacy fence.

11. Awnings

- a. An exact replacement is an in-kind submission.
- b. Replacement fabrics, if different color(s), must be approved.
- c. Retractable awnings are permitted.

12. Paths/Walkways

- a. Plans must show size and location on the property.
- b. Plans must show the type of material to be used.

13. Lighting

- a. Lighting should be designed so that it does not have a negative impact on surrounding neighbors.
- b. Mercury vapor and sodium lighting are prohibited.

14. Mechanical Items

- a. new vents
- b. new radon pipes
- c. generators
 1. Generators require a permit.
 2. Generators must be five (5) feet from any opening: doors, windows, dryer vents, etc. This is a protection against carbon monoxide.
 3. Must be hidden by landscaping or fencing, e.g. lattice.
 4. There may be several warnings from generator manufacturers. Read these carefully.
 5. Must have low noise level.

15. Propane Tanks

- a. Plans must show the location on the lot.
- b. Tanks must be hidden by landscaping or fencing, e.g. lattice.
- c. Tanks require a building permit.
- d. ALL propane tanks must be *planned* and *installed* by professionals.

B. Landscaping

Any landscaping beyond a 4-foot perimeter extending from the house, garage, deck, and patio must be approved by the ARC. This includes tree and hedge removals and changes in grading and drainage.

On Townhome lots, all landscaping must have a defined perimeter and not interfere with Association landscaping services.

Vegetable gardens require ARC approval. No plants may exceed 4 feet in height at full maturity; therefore, planting corn is not acceptable. Plans must show proximity to neighbors on all sides, if applicable.

1. Shrubbery/Flowers

The placement of added or removed shrubbery and flower beds must be on the drawing.

2. Trees

- a. Show the tree placement on the drawing. It must not be too close to the property line or the street.

In order to determine the placement near the property line, the approximate size the tree will be when mature should be determined. When purchasing a tree, ask the nursery re the size of the tree when mature. One can also go on line and search the type of tree. For example, if a fir tree will be approximately 16' in diameter, do not place the tree less than 8' near the property line.

The tree must be at least 3' from the street.

- b. If you have a "laneway" tree (within 10' of the roadway in front or on the side of

your home) that has been removed, (with prior approval) or has been destroyed during a storm, you are required to replace it. Below is a list of approved trees (5'—7') that you may use:

1. Flowering Dogwoods – three colors – red, white and pink
 2. Flowering Cherry trees – white, pink
 3. Flowering Plum trees – usually pink
 4. Crabapple – multiple varieties
 5. Magnolia Trees – multiple varieties
 6. Red Bud
- c. Removal
1. Show the location of the tree on the drawing.
 2. No live tree having a caliper in excess of 3", measured three feet from the ground, shall be removed from any lot beyond the four foot perimeter. The fine for this violation will be \$1,000 per tree, plus the estimated value of the tree that was removed.
 3. For permission to remove a dead tree, please contact the Property Manager.
 4. The stump must be ground up or cut down to the ground level.

C. Infrastructure

1. Play Sets

Plans must show size and location on the property.

2. Pools

- a. Only in-ground pools are allowed and only in single-family homes.
- b. No excessive lighting.
- c. All pool equipment must be hidden by fencing or landscaping.
- d. Black aluminum "Saratoga" style fencing is required.
- e. Plans must show size and location on the property.
- f. Pools require a permit.

3. Hot Tubs

- a. Plans must show size and location on the property.
- b. Requires a permit.

4. Built-In Barbecues and Built-In Fire Pits

Plans must show size and location on the property.

5. Walls

Plans must show size and location on the property.

6. Fences

- a. Chain link fences are prohibited.
- b. Within the Commons area, only 4-foot high white picket fences are allowed.
- c. In all other areas, with the exception of Townhomes, only 4-foot-high, split-rail fences with optional green mesh that blends with the environment, are allowed.
- d. All fences must be placed within the property line.

- e. Fences that border the road must be 18” to 3’ from the road.
- f. Fences in front of the home are prohibited.

7. Pergolas

- a. Must be anchored.
- b. Must include a photograph with the submission.

The following are pergolas and gazebos that are approved when anchored to the deck or patio.



These are NOT approved



8. Home Addition

- a. Requires architectural plans.
- b. Requires a permit.

D. Temporary Structures

- a. Temporary structures such as tents, trailers and sheds are prohibited.
- b. Screen houses, gazebos and sun canopies are prohibited.
- c. Party tents require a request for permission from the property manager and a time limit must be set.

D. Flag Poles

A flag pole may be installed providing it meets the following stipulations:

- a. The placement of the flagpole must be approved by the ARC.
- b. Only the Flag of The United States of America shall be displayed.
- c. The property owner must be an active or former member of the U.S. Armed Services.
- d. The flag pole be removed upon vacating the property by sale, to renter or at the death of the member of the armed services.
- e. The flag pole has an inground installation sleeve to mount the pole, in a concrete base, and a height not exceeding 15 feet.

IV. NEIGHBOR IMPACT

A. Noise

Recreational areas such as pools and hot tubs should be as far from neighbors as possible.

B. Views

Dalton Farm is known for its beautiful views. ***Don't build something that blocks a neighbor's view.***

V. GLOSSARY of TERMS

1. Mullions

Vertical and horizontal strips separating individual window panes in both doors and windows.

2. Grilles

Decorative vertical and horizontal strips attached to a single pane of glass in a door or window; used in place of mullions.

3. Setback

The space between the front of a house and the street.

The space between the back of the house, with structures such as decks, and the end of the property.

The space between the sides of the house and the borders of the property.

4. Plot

The lines defining a piece of property for purposes of ownership. To get a copy of one's property plot, call the Town of Beekman Building Department.

5. Survey

Determines and delineates the form, extent and position of a tract of land. The survey can be a drawing or descriptive text.

6. Survey Map

A drawing made to scale, based upon survey measurements, showing land boundaries and natural and man-made objects, made by or under the direction of a New York State

licensed land surveyor. To get a copy of one's property survey, call the Town of Beekman Building Department.

7. Parcel Access

Parcel Access is a Dutchess County website that gives information about one's piece of property such as, but not limited to: zone, school district, assessment.

8. Variance

There are two different types of variances when it comes to land use - area variances (common) and use variances (uncommon). Area variances are required when certain dimensions governed by Code cannot be met for a desired development, e.g., building a deck that protrudes into a required setback. Use of variances are very rare and of no real concern.

VI. Beekman Building Department List of Requirements for Permits



TOWN OF BEEKMAN
4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: 724-5300 • FAX: 724-3245

What projects require a Building Permit?

NYS Title 19 Part 1203 (a) Building permits (1) Building permits shall be required for work which must conform

to the Uniform Code which includes the NYS Building, Residential, Existing Building, Fire, Property Maintenance, Fuel Gas and Mechanical Codes. Examples include but are not limited to: Structural

- Any erection, construction, enlargement, alteration, removal, demolition, conversion or change in use or occupancy. If in doubt, email the Building Department.
- New Single or Multi Family Dwellings
- New Commercial Buildings, additions, renovations or change of use
- Sheds/Accessory Structures including Covered Membrane Structures larger than 120 square feet (all accessory structures that have electricity must have a building permit)
- Additions/Renovations
- Demolition of any building, structure or any project that required a building permit to construct (The Assessor only makes adjustments to your assessment when properly documented with demolition permits)
- Mobile homes (only permitted in Mobile Home Parks and certain Farms)
- Porches, decks, pool decks, arbors, sunrooms, greenhouses and gazebos
- Satellite dishes (large ones, not DISH network or Primestar receivers)
- Accessory apartments (also requires a Special Use Permit) There are no “Mother/Daughters” in Beekman.
- Garages and carports (attached and detached)
- Converting a garage to living space
- Finished Basements, Bonus Rooms and any areas previously unfinished
- Replacement of any project that required a Building Permit (Deck, shed, pool, etc).

Replacements must

comply with current Zoning and Building Code requirements. There is no “grandfathering”

Heating

Installation or Replacement of a fuel fired appliance (furnace/boiler) including change of fuels

Heat Pumps, Fireplaces, pellet stoves, wood stoves, gas fireplaces, LP gas appliances or fireplaces including

Inserts and Solar Thermal Systems

Removal, replacement, installation or abandonment of fuel tanks including propane *****Outdoor Wood Furnaces/Boilers were banned by the Town of Beekman (Town Code 152)*****

Exterior

Decks, Porches and Entryways- any size

Any pool deeper than 24 inches (above or in ground)

Hot tubs, spas

Fences higher than 6 feet (also need a variance)

Sheds/Accessory Structures/Tents/Carports/Detached Garage/Gazebos/Greenhouses/Covered Membrane Structures larger than 120 square feet (all accessory structures that have electricity must have a building permit). All Accessory Structures must comply with Town Code 155-26 Accessory Structures

Electric- Any new or additional wiring including but not limited to:

Central air conditioning/Ductless air conditioning/Heat Pumps Upgrades of electric service Solar Electric Arrays and Systems



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Standby Generators and/or Generator transfer switches/outlets Electric Car Charging Stations

Plumbing- Any new or replacement plumbing

Projects that do not require Building Permits- There are very few projects that you can do in your home

or on your property that do not require Building Permits

- Sheds or accessory structures 120 square feet or less and do not have electricity or plumbing. Must comply with Town Code 155-26 Accessory Structures
- Fences 6 feet high or smaller. Fencing for animals must comply with Town Code 155-34.
- Installation of replacement windows that do not require structural changes.
- Replacing the shingles on a roof unless the sheathing or rafters have to be replaced.

- Swings or Playground equipment for single family homes.
- ® **Retaining walls under 4 feet in height unless the walls have a set of steps or are part of an entry to a home or building.**
- Painting, wallpapering, tiling, carpentry or other finish work
- Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- Replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications;
- Paving a driveway. Contact the Highway Superintendent first and check the driveway code! (724-5013)

Repairs, provided that such repairs do not involve:

- (a) the removal or cutting away of a loadbearing wall, partition, or portion thereof, or of any structural beam or load bearing component;
- (b) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress;
- (c) the enlargement, alteration, replacement or relocation of any building system;
- (d) the removal from service of all or part of a fire protection system for any period of time.

When in doubt, email the Building Department at beekmanbuildingdepaartment@gmail.com or call (845) 724-5300 X6

Penalties for projects without Building Permits.

- **Stop Work Orders-** Issued for projects currently underway without Building Permits or other necessary approvals. Once issued, all work ceases immediately until a Building Permit is issued/approvals are obtained. Fine \$250
- **“As Builts”-** Any project found without a Building Permit is charged an “As Built” permit fee of triple the normal fee. “As Builts” also require stamped and signed plans from a NYS Licensed Engineer if the project involves structure (Finished Basements, Deck, etc.) or required inspections were not performed.
- **Appearance Tickets-** If an Appearance Ticket is issued, you are required to appear in Justice Court for a minimum of two court sessions and fines are weekly and continue until the violation has been corrected.
- **Variances-** Area Variances for “As Builts” require a \$300 application and \$1500 escrow fund and there is a possibility that they may be denied. Use Variances require a \$750 application and are usually NOT granted.

Unfortunately, the property owner is ultimately responsible for projects without Building Permits. New York is also a “Buyer Beware” state where you may have purchased a home with violations but unfortunately you are responsible for them.

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