



DESIGN REVIEW GUIDELINES

TABLE OF CONTENTS

- I. INTRODUCTION
- II. OVERVIEW OF THE DESIGN REVIEW GUIDELINES
- III. CRITERIA
- IV. PLANNING
- V. DESIGN REVIEW PROCESS
 - A. Preliminary Application
 - B. Design Review Board Action
 - C. Final Application
 - D. Design Review Board Action
 - E. Town Building Permits
- IV. DESIGN GUIDELINES
 - A. Site Planning
 - B. Architecture
 - C. Landscape Architecture
- VII. CONSTRUCTION AT DUNSTAN CROSSING
 - A. Pre-Construction Activities
 - B. Construction Activities
 - C. Post-Construction Activities
 - D. General Information of Builders

Appendix A: Procedures and Fees



DESIGN REVIEW GUIDELINES

I. INTRODUCTION

The site plan, architectural design, construction and landscaping determine the character and visual quality of a community. The design review process for Dunstan Crossing will help to establish and maintain the community as a nice place to live. It is an important part of the Master Declaration of Covenants, Conditions and Restrictions as recorded in the Cumberland County Registry of Deeds (the “Master Covenants”) that governs all property in the Dunstan Crossing. In the event that there is any conflict between these Guidelines and the Master Covenants, the Master Covenants will control. Capitalized terms used in these Guidelines have the meaning set forth in the Master Covenants.

These materials set forth the design review requirements. They provide useful information for property owners, their designers and builders. These materials should be studied carefully before beginning any design work in order to avoid unnecessary expense and delays in obtaining design approval and permits for construction.

II. OVERVIEW OF THE DESIGN REVIEW GUIDELINES

The standards and process establishes the basis for systematic and uniform review of proposed construction throughout the community. It should enhance the quality of life within the community as well as protect property values. These Guidelines are a legal binding part of the Master Covenants.

These Guidelines describe the activities requiring design approval and explain the standards and necessary criteria for Design Review approval. They also provide some helpful tips for building design and construction. Plans for construction must be submitted for Design Review approval ***well before*** the time for the start of construction. ***Applicants who wait until the last minute are likely to be frustrated and disappointed.***

Initially the Developer acts as the Design Review Board, may establish and amend these Guidelines, and shall control the Design Review process and approvals. References to the Design Review Board in these Guidelines during this period shall be deemed to include the Developer. No Design Review Board approval is required for structures constructed by the Developer or for the infrastructure approved by the Town of Scarborough’s Planning Board.

Once the last Unit in the Dunstan Crossing community has been transferred by the Developer or at such earlier time as the Developer may elect to transfer its authority in whole or part, then the Master Association’s Board shall appoint members of the Design Review Board who shall then exercise design review authority under these Guidelines, subject to the Developer's right to veto such decisions so long as its owns any portion of the Property. The members of the Design Review Board shall be appointed by and shall serve at the pleasure of the Master Association's Board of Directors, and may be removed and/or replaced by the Board with or

without cause at any time. Aggrieved parties may then appeal decisions of members of Design Review Board to the Master Association's Board of Directors on such terms and conditions as the Board of Directors may establish. The decision of the Board of Directors shall be final. The Master Association's Board of Directors shall act as the Design Review Board at any time(s) the Design Review Board is not operational. A majority of voting members shall comprise a quorum and decisions shall be by majority vote of those members present.

The Design Review Board may authorize variances from strict compliance with these Guidelines when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations render compliance infeasible, but only if also approved by Developer or, following the transfer of the last Unit owned by Developer, by the Association's Board of Directors. Such variances may only be granted, however, when unique circumstances dictate and no variance shall (a) be effective unless in writing and recorded in said Registry of Deeds within ninety (90) days of the date of the decision, (b) be contrary to the restrictions set forth in the Master Covenants, or (c) preclude the Developer or Design Review Board from denying or conditioning a variance in other circumstances. Neither the inability to obtain approval of any governmental agency, nor the inability to obtain any permit or license, nor the terms or requirements of any financing, shall be necessarily considered a hardship warranting a variance.

In addition to the Dunstan Crossing Design Review Guidelines, all government regulations and codes must be complied with. The ultimate responsibility for compliance with these governmental requirements rests with the homeowners, not the Design Review Board or the Developer. Approval by the Design Review Board does not relieve the Owner of any review or permit requirement under applicable law. The Design Review Board shall not be liable to any person for damages related to the approval or rejection of a design.

These Guidelines may be amended from time to time and it is the responsibility of each owner or other person to obtain and review a copy of the most recently revised Guidelines.

III. CRITERIA

The Design Review Board will make decisions based on the Master Covenants, on these Guidelines and its own judgment. If there is any conflict, the Master Covenants will control. The approval, conditional approval or rejection of applications may be based upon any grounds, including judgments as to aesthetic appearances which the Design Review Board shall seem appropriate in its sole discretion.

The Master Covenants requires approval of all components of the construction process including site planning, landscaping, lighting, fences, building design, materials, height, colors, and other development standards. Because these standards and requirements are included in the Master Covenants, they are legally binding. These Guidelines reinforce the Master Covenants and provide further design guidance and information.

An important objective of these Guidelines is that homes are to be designed in accordance with the features of the site. The characteristics of each location should dictate its design. A preconceived design should not be "forced" onto a site. Accordingly it is advisable to give thought to the type of home to be built before purchasing a lot.

Further decision criteria are as follows:

1. Dunstan Crossing is a thoughtfully planned residential and recreational community. The natural beauty of the environment, the recreational amenities, and the controlled development will contribute to the enjoyment of Dunstan Crossing.
2. The Design Review Board encourages diverse architectural styles that conform to these Guidelines and the Master Covenants.
3. Applicants should strive to preserve the integrity of the natural environment and harmony of building design.
4. As problems arise, every effort will be made to adopt solutions that will avoid recurrence in the future. The policies and guidelines will be subject to review and revision by the Design Review Board as applicable, as necessary, to keep them current and manageable.
5. The Design Review Board will evaluate the building styles and techniques in the Dunstan Crossing community to determine those that successfully fulfill development objectives. Improvements that fall short of development objectives will not be construed as a precedent.
6. It is not desirable to allow low quality development to accommodate cost considerations.
7. A building should be designed for the specific site and for the particular needs of its users. Therefore, buildings shall be reviewed on a site-by-site basis according to the criteria established for the specific area. Approval of a design for one site, even within the same area, will not necessarily mean the same design will be approved for another site.
8. Homes of high quality from stock plans are permitted, provided that the design fits the site.

It is also recognized that each site has its own unique characteristics and that each owner has their own individual needs and desires. For this reason, the Design Review Board has the authority to approve deviations from these Guidelines. However, that any request for a deviation from these Guidelines will be evaluated in the sole discretion of the Design Review Board and that the approval of deviations will be limited to only the most creative design solutions to unique situations. Prior to approval of any deviation from a design guideline, the owner must demonstrate to the Board that the proposal is consistent with the overall objectives of these Guidelines and that the deviation will not adversely affect adjoining lots or Dunstan Crossing as a whole.

The approval of any proposals or plans and specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval, condition or consent as to any subsequent similar proposals or plans and specifications subsequently or additionally submitted for approval or consent.

The Design Review Board and its designees shall not be liable in damages to any applicant or any owner by reason of any action, failure to act, approval, disapproval, or failure to approve or disapprove, with regard to such plans, even if due to its alleged fault or negligence. Any person

submitting plans for approval, by so doing, shall be deemed to have agreed and covenanted that he will not bring any action or suit to recover damages against the Design Review Board, its officers as individuals, or its advisors, employees, or agents.

IV. PLANNING

It is strongly recommended that property owners consult a designer familiar with the design standards at Dunstan Crossing and with the applicable local and state codes and regulations.

It is essential that the buildings and site improvements, as approved, be constructed exactly as indicated on the approved plans. Deviations from plans that could occur during construction *will be subject to penalties* unless such deviations are approved in writing by the Design Review Board prior to construction. The Design Review Board may also require that non-conforming or unapproved construction be removed at the owner's expense, and it is entitled to obtain an injunction to halt such construction.

A. Quality requirements: Residences must be built from plans and specifications with enough features to give the building a distinctive design. The residences should be unique both in design and workmanship and exceed the minimum requirements.

B. Size: Minimum living areas are as follows:

- A. Two story single family residences located on "Estate Lots" (lots which are more than .3 acres in size) must contain a minimum of 2,250 square feet of enclosed living area on the first floor and second floor combined.
- B. One story single family residences located on "Estate Lots" must contain a minimum of 1,800 square feet of enclosed living area.
- C. Two story single family residences located on "Village Lots" (lots which are .3 acres or less in size) must contain a minimum of 1,300 square feet of enclosed living area.
- D. One story single family residences located on "Village Lots" must contain a minimum of 1,000 square feet of enclosed living area.
- E. Condominium Units. No minimum size.

The total enclosed living area of a residence means the habitable living areas enclosed by a roof, windows and walls, excluding any garages, attics, porches, greenhouses, storage sheds, decks, gazebos, below grade floor areas, daylight basements, and the like. Unfinished, insulated second floor areas to be finished in the future and other spaces designed for future residential occupancy, excluding basements, shall be considered living area and included in the calculation of the number of stories for the purpose of calculating the minimum square footage.

C. Landscaping. A minimum of \$5,000 of landscaping, excluding the costs of lawns, fencing, "hardscapes" and other structures, must be installed on each Lot prior to occupancy except that during the months of November through April of each year when a cash deposit paid to the Association may be substituted. If such landscaping not installed for any reason, the Design

Review Board may require that a cash deposit in the amount of up to 125% of the shortfall be paid to the Association prior to occupancy to be held until the required landscaping is installed, or the Board may retain all of any application Deposit.

V. DESIGN REVIEW PROCESS

Plans for all new construction and for all subsequent alterations or additions must be first reviewed and approved *IN WRITING* by the Design Review Board (“DRB”) prior to the start of construction. If, for any reason, construction is started prior to the receipt of written approval by the Design Review Board, the property owner shall be subject to penalties and corrective measures as determined by the Design Review Board. The Design Review Board may also require that non-conforming or unapproved construction be removed at the owner’s expense, and it is entitled to obtain an injunction to halt unapproved construction. An owner shall be responsible for the Association’s legal expenses, costs and penalties.

Further, construction within the Dunstan Crossing Community must comply with all applicable codes and regulations of the Town of Scarborough.

DESIGN REVIEW AND APPROVAL SEQUENCE

- | | | |
|----|-----------|---|
| A. | Applicant | Submits Preliminary Application, Application Fee, and Preliminary Plans. |
| B. | DRB | Preliminary Application complete? If Not, Return to Applicant. If complete, preliminary Review of Application, Plans, and Stakeout. Notify Applicant of findings. |
| C. | Applicant | Submits Final Plans and Refundable Deposit. |
| D. | DRB | Final Application Complete? If Not, Return to Applicant. If Complete, Final Review of Application, Plans, and Stakeout. If Approved, Issue Design Certificate. |
| E. | Applicant | Obtain Building Permit from the Town of Scarborough. |
| F. | Applicant | Notifies the Design Review Board of final completion including final landscaping and painting. The Design Review Board will refund Deposit if constructed improvements are deemed built according to the approved plans and specifications. |

A. PRELIMINARY APPLICATION

The applicant shall complete a preliminary stakeout and submit a Preliminary Application for comment. This preliminary review is intended to resolve possible design problems before incurring the expense of preparing final plans. The applicant can avoid many of the problems that might create delays in the design

approval process by informally discussing proposed improvements with the Design Review Board.

The Preliminary application shall include:

1. A fully completed Application.
2. Payment of the \$100.00 nonrefundable preliminary application fee. No additional fee shall be required for re-submission of applications revised in response to comments made by the Design Review Board. Applications for review of subsequent alterations or additions to existing buildings shall be subject to the same approval process as new construction.
3. Two (2) sets of the following three types of documents:
 - a. Site Analysis - Scale 1"=20'
 - 1) Indicate views and vistas to and from the site. Photographs keyed to the site plan are helpful but are not required.
 - 2) Show the general location of existing or proposed neighboring buildings, easement areas and indicate possible impacts of the proposed construction. Photos are helpful.
 - 3) Identify other natural or man-made features that could affect the design such as steep slopes, ledges, boulders or areas without trees.
 - 4) Identify the existing drainage patterns on the site.
 - b. Site Plan - Scale 1 = 20'
 - 1) Show existing topography using two (2) foot contour intervals.
 - 2) Indicate property boundaries, set back lines, location of streets and Alleys, and all easements.
 - 3) Locate existing trees. Indicate the construction limit line and circle the trees to be saved. Describe how the trees will be protected and how the construction limit line will be maintained.
 - 4) Show location of all utilities, including telephone, electrical, sewer and water.
 - 5) Generally indicate proposed site improvements including elements such as: driveway, parking areas, patios, decks, fencing, retaining walls, and service yards.
 - 6) Show proposed drainage system. Indicate new grading and changes in topography. If culverts are to be used indicate location, size and anticipated volume and direction of stormwater flow.

- 7) Show proposed landscaping and itemize compliance with the required \$5,000 minimum. Indicate general massing of plant materials and intended species.

c. Architectural Drawings: Minimum scale 1/8"=1' 0"
Acceptable scale 1/4"=1' 0"

- 1) Floor Plans

- a) Show all levels and the relationship of the building to important site features.

- 2) Elevation Drawings

- a) Show all sides of the proposed structure.
- b) Indicate existing grade, proposed grades and finish floor elevations.

Indicate all building materials, including siding, window and door types and intended colors.

- 3) Section Drawings

- a) Show a minimum of one typical building wall section through the most important portion of the house.
- b) Submit a written statement describing how the design and site plan meet these Guidelines and established character for your development area.
- c) Submit any additional information that will aid in the evaluation of proposed building and site design.

- 4) Preliminary Stakeout

Identify the general location of the proposed structure on the site: Identify all corners of the proposed structures, including major site features such as decks, patios, garages, and service yards. Mark the construction limit line.

B. DESIGN REVIEW BOARD ACTION FOR THE PRELIMINARY APPLICATION

Within thirty (30) days of submission of the Preliminary Application, a determination will be made as to whether or not the Preliminary Application is complete. If it is not complete, it will be returned to the applicant without consideration. If it is complete, it will be placed on the next Design Review Board agenda. The Board will make every effort possible to expedite its review and comments. However, the Board may take up the thirty (30) days for preliminary comments, once completeness is determined.

The Design Review Board will then: i) Approve the preliminary design as submitted; ii) Approve the preliminary design subject to conditions; or iii) Reject the application and state the principle reasons for denial.

Design Review Board Rejection: The Board may offer specific suggestions to assist in resolving problems that arise during the review process. The Board can, however, reject an application based on the judgment of its members. Reasons for rejection include, among others:

- Insufficient information to adequately evaluate the design or design intent.
- Poor overall design quality.
- Incompatible design elements.
- Inappropriate design treatment.
- A design found to have an adverse effect on the character of Dunstan Crossing or its residents.

Approval of a preliminary application does not obligate the Review Board to approve the final application. If in the judgment of the Board the final application does not carry out the design principles established by the preliminary application, or if it does not meet these Guidelines as demonstrated, or if it has been modified or revised in a manner unacceptable to the Design Review Board, then it shall be not approved.

C. FINAL APPLICATION SUBMISSION

Final Applications shall include:

1. A final Application and payment of the \$5,000 refundable Deposit.
2. Two complete sets of hard line drawings. Each sheet of drawings and the first page of all other documents shall include the site number, street name, applicant's name, architect or designer, and date of drawings.

Submission shall include:

- a. Site Plan: Scale 1"=20'
Show all information required for a preliminary submission except it shall be accurately drawn "hard line." Identify all materials, show full dimensions, and show exterior lighting if any.
- b. Landscape Plan: Scale 1"=20'
Superimpose the landscape plan over the site plan and indicate the location, bounds, numbers and species of all plants, trees, shrubs and ground cover and itemized budget.
- c. Architectural Drawings
 - 1) Floor Plans: Minimum scale 1/8" = 1' 0"
Preferred scale 1/4" = 1' 0"

- a) Show all changes in floor level and relationship to exterior grades.
 - b) Show all dimensions.
 - c) Include door and window symbols and schedules.
 - d) Show all decks, patios, fences and other appurtenances. Indicate materials and, if appropriate, show sections and elevations.
 - e) Indicate all exterior finishes and materials.
- 2) Elevation Drawings: Minimum scale 1/8" = 1' 0"
Preferred scale 1/4" = 1' 0"
- a) Show all exterior views of the principal structure including those that will be partially blocked from view by elements such as garages or fences. Show all exterior views of accessory structures.
 - b) Indicate building materials, window types, and door types.
 - c) Show finished floor elevations and existing and proposed grade lines.
- 3) Building Section: Scale 3/8" = 1' 0"
Wall Section: Scale 3/4" = 1' 0"
- a) Show a minimum of one building section through the most important portion of the house and the typical exterior wall sections.
 - b) Indicate all materials.
- 4) Roof Plan: Minimum scale 1/8" = 1' 0"
Preferred scale 1/4" = 1' 0"
- a) Show all vents, chimneys, skylights, ridges, valleys, etc.
 - b) Indicate all materials and colors.

3. Exterior Materials, Colors, Specifications, and Samples

Proposed exterior materials shall be included for all buildings, garages, and accessory structures. Physical exterior samples and color chips may be required.

Please include the following: The name, grade and description of roofing, siding, windows and doors; and any other exterior materials of significance to the design. Physical exterior samples and color chips may be required.

4. Construction Schedule

The applicant shall provide a detailed construction schedule indicating the scheduled commencement and completion of the following phases of construction activities:

Site clearing and Foundation Work;

Tie-in to Utilities and Power Water Sewer Driveway—when applicable, indicate expected timing on culvert installation;

Exterior Construction: Framing, Roofing and Siding;

Completion of interior work; and

Landscaping

5. Final Stakeout

The applicant shall clearly identify the location of all property lines and utility lines and easements where applicable, and proposed construction including decks, patios, garages, service yards, driveways, parking areas retaining walls, and major grade modifications.

Clearly identify the construction limit lines and place appropriate barriers so that vegetation outside the limit line is protected. Flag with red tape all trees to be saved and place appropriate barriers so that the trees will be adequately protected during construction. If selective clearing is proposed outside the construction limit line, it must be clearly identified.

D. DESIGN REVIEW BOARD ACTION FOR THE FINAL APPLICATION

The Design Review Board will review the application for completeness and for conformance with these Guidelines and the conditions, if any, in the approved preliminary application. If incomplete, the application will be returned to the applicant without consideration by the Design Review Board. If complete, the applicant will be so notified and the application will be placed on the agenda of the next Design Review Board meeting.

Once the final application is accepted, the Design Review Board has thirty (30) days within which to review and comment on the final application, inspect the site for compliance with plans, and make its final decision.

Decision Review Board Approval: When compliance has been ascertained, the plans shall be stamped "Approved for Design Compliance." A Dunstan Crossing Design Certificate will be issued. The Certificate must be posted and maintained in a visible manner next to the town's Building Permit on the construction site.

E. TOWN BUILDING PERMIT

Approval by the Design Review Board and the issuance of the Dunstan Crossing Design Certification does not waive the requirement for a town building permit. Once

the Town Building Permit is obtained the applicant should post both on the construction site. Only then may the applicant begin site clearance and construction.

F. REFUND OF DEPOSIT

The applicant may request a full refund of the Deposit only once the exterior structure is fully completed and all landscaping plantings and lawns are installed.

VI. DESIGN GUIDELINES

A. SITE PLANNING

1. Grading

Site grading may be used to create visual interest, to provide privacy, to improve climate control and to minimize impacts on abutting lots. It is important that all grading be softened to avoid abrupt changes in the natural terrain.

It is recommended that site planning and building design accommodate any natural ledge conditions. Blasting is discouraged and requires a special permit from the Design Review Board. If permitted, blasting must be carefully controlled.

Earth cuts and fills must be re-vegetated, terraced or controlled by retaining walls to protect against erosion and sedimentation.

2. Drainage

Careful consideration should be given to the impact your site development will have on the overall drainage patterns of your development area.

When building on sloped terrain, the drainage system for your site should distribute the runoff from storms or irrigation over large areas of land to slow runoff velocity and increase absorption. Natural overland drainage is recommended when possible. Open lined channels are recommended only in difficult conditions and culverts are required under driveways large enough for the roadside swale runoff.

You should also be aware that sparse vegetative cover, fine grained soils, and steep slopes create conditions that can result in erosion and sedimentation. Where large changes in grade requires extensive cut and fill and the resulting slope is greater than 3:1, retaining walls, terracing, and/or a combination of jute mesh to retain soil and grasses which are both fast growing and erosion resistant are recommended. Where resulting slopes are in excess of 2:1, retaining walls will be required.

3. Siting

Buildings shall comply with the street, Alley and sideline setbacks and building coverage under the Town of Scarborough Zoning Ordinance and the Subdivision Approval (see attached sheet).

In addition, all residences located on Estate Lots shall be set back between 30 and 50 feet from the Lot's front boundary with the legal street line (the boundary is generally located inside of the sidewalks, *not* at the edge of the street pavement). Residences located on Village Lots shall be set back between 5 and 15 feet from the Lot's front boundary (namely the boundary line marked by corner pins, not the sidewalk or street pavement); the exact setback in this range will be determined by the DRC. For corner Lots, these setbacks only apply to the front yard, not the side street yard.

The normal minimum side yard setback is 15 feet, but may be reduced to a minimum of 5 feet. Where a building is located less than 15 feet from the common side line with another Lot, *both* that building and any building on the adjoining lot must comply with the additional exterior fire rating requirements established by the Town applicable to both that lot and the neighboring lot (presently being the Fire Rating required under the NFPA 101 Life Safety Code), even if no building is then located on the adjoining Lot. Full compliance may not be required for "minimal intrusions" Or if the separation from an existing building on an abutting lot is 30 feet or more. Applicants should consult with the Town Fire Department and Building Inspection Department to verify the scope of and terms of compliance with these requirements.

Applicants are strongly encouraged to use a surveyor to verify compliance with these requirements. Setbacks shall be measured in accordance with the procedures for measuring yards setbacks under the Town of Scarborough Zoning Ordinance, and applicants must also comply with the Town's subdivision approval requirements (see attached excerpt).

The Town's Zoning Ordinance sets a 60% maximum for the ratio of the building footprint to the lot area.

4. Driveways, Parking and Storage

Driveways must provide for safe access onto Dunstan Crossing roads and Alleys. Intersections should be designed to provide for maximum visibility and should be close to perpendicular. For Village Lots with Alley access, driveways may only enter lots from Alleys. Driveways should be designed to provide reasonable grades, not to exceed 12% unless approved by the Design Review Board.

Driveways on sloping ground should not run perpendicular to land contours. All cut and fill areas should be softened and re-vegetated to prevent erosion. Interference with natural drainage flows should be avoided, as should interception of surface drainage from roadways.

At least two off-street parking spaces shall be provided for each dwelling unit, which may include garage spaces and parking spaces in front of the garage. Note that the Town of Scarborough does not permit overnight parking in public streets and the Association does not permit overnight parking in private streets. Applicants should consult the Master Association's Rules and Regulations for the full text of parking restrictions.

Between 2 AM and 6 AM of each day, parking on any portion of the Alleys is prohibited and is also prohibited on the private streets and drives, pending acceptance of the streets by the Town.

No boats, recreational vehicles, snowmobiles, all terrain vehicles, campers, trailers, tractors, mobile homes or other vehicles or recreational equipment or similar items may be kept or stored on the Property except within a fully enclosed, approved garage forming a part of the Unit or in an area at the rear of the Unit screened so that it is not readily visible from the streets or another Unit.

5. SPACE AND BULK CRITERIA:

DUNSTAN VILLAGE RESIDENTIAL ZONING DISTRICT ZONE					
NET RESIDENTIAL DENSITY:	2 DWELLING UNITS PER NET RESIDENTIAL ACRE				
SEWERED	SINGLE-FAMILY	TWO-FAMILY	MULTIFLEX	TOWNHOUSES	NON-RESIDENTIAL
MIN. LOT SIZE:	5,000 SF.	7,500 SF.	15,000 SF.	15,000 SF.	15,000 SF.
MIN. STREET FRONTAGE:	30 FT.	50 FT.	70 FT.	70 FT.	70 FT.
MIN. FRONT YARD:	5 FT.	5 FT.	5 FT.	5 FT.	5 FT.
MIN. SIDE YARD:	15 FT.*	15 FT.*	15 FT.**	15 FT.**	15 FT.**
MIN. REAR YARD:	15 FT.*	15 FT.*	15 FT.**	15 FT.**	15 FT.**
MAX. BUILDING HEIGHT:	35 FT.	35 FT.	35 FT.	35 FT.	35 FT.
MAX. BUILDING COVERAGE:	60%	60%	60%	60%	60%

- * May be reduced to 5 feet for single-family dwellings within the same residential development if the dwelling and the abutting dwellings meet the fire rating requirements for the lesser setback as per the NFPA 101 Life Safety Code.
- ** May be reduced to 10 feet for two-family dwellings if the structures meet the Fire Rating requirements as per the NFPA 101 Life Safety Code. The Planning Board may also allow lesser separation between two-family and multi-family dwellings than the setback requirements dictated above if these dwellings are located on the same lot and the structures meet the Fire Rating requirements for the lesser separation as per the NFPA 101 Life Safety Code.

6. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON ON THE GROUND FIELD SURVEY PERFORMED IN JANUARY 2001 THROUGH APRIL 2003 BY SEBAGO TECHNICS INC.

7. WETLAND INFORMATION PROVIDED BY MARK HAMPTON ASSOCIATES. THE WETLAND AREAS SHOWN ON THE INDIVIDUAL LOTS SHALL NOT BE DISTURBED UNLESS THE REQUIRED PERMITS ARE FIRST OBTAINED. THE INDIVIDUAL LOTS ARE NOT ELIGIBLE FOR THE 4,300 SF. FILL EXEMPTION.

8. THE PROPERTY SHOWN ON THIS PLAN MAY BE DEVELOPED AND USED ONLY AS DEPICTED ON THIS APPROVED PLAN. ALL ELEMENTS AND FEATURES OF THIS PLAN AND ALL REPRESENTATIONS MADE BY THE APPLICANT CONCERNING THE DEVELOPMENT AND USE OF THE PROPERTY WHICH APPEAR IN THE RECORD OF THE PLANNING BOARD PROCEEDINGS ARE CONDITIONS OF APPROVAL. NO CHANGE FROM THE CONDITIONS OF APPROVAL IS PERMITTED UNLESS AN AMENDED SUBDIVISION PLAN IS FIRST SUBMITTED TO AND APPROVED BY THE PLANNING BOARD.

9. THE SCARBOROUGH ENGINEERING DEPARTMENT RESERVES THE RIGHT TO REQUIRE ADDITIONAL WORK BEYOND WHAT IS SHOWN ON THE PLAN AS UNFORESEEN FIELD CONDITIONS REQUIRE. ANY CHANGES MADE DURING CONSTRUCTION SHALL BE COORDINATED WITH AND APPROVED BY THE SCARBOROUGH ENGINEERING DEPT.

10. THE PERFORMANCE GUARANTEE REQUIRED BY SECTION 9J OF THE TOWN OF SCARBOROUGH SUBDIVISION ORDINANCE SHALL BE FURNISHED SEPARATELY FOR EACH PHASE. NO LOTS WITHIN ANY PHASE SHALL BE SOLD, LEASED OR OFFERED FOR SALE OR BUILT UPON UNTIL THE PERFORMANCE GUARANTEE FOR THAT PHASE, IN AN AMOUNT AND IN A FORM ACCEPTABLE TO AND APPROVED BY THE PLANNING BOARD AND TOWN TREASURER, HAS BEEN TENDERED BY THE SUBDIVIDER.

11. THE OWNER SHALL SCHEDULE A PRE-CONSTRUCTION MEETING PRIOR TO THE START OF CONSTRUCTION. THOSE IN ATTENDANCE SHALL INCLUDE THE CONTRACTOR, REPRESENTATIVES OF THE OWNER, CENTRAL MAINE POWER CO., VERIZON, TIME WARNER CABLE, THE MUNICIPAL ENGINEER, FIELD INSPECTOR AND CONSULTING ENGINEER. ANY UTILITY PLAN REVISIONS NECESSITATED AS A RESULT OF THIS MEETING SHALL BE PREPARED AND SUBMITTED TO ALL OF THE PARTIES LISTED ABOVE.

12. THE LOT GRADING AND BUILDING FOUNDATION ELEVATIONS FOR A SINGLE FAMILY RESIDENTIAL HOUSE ON A LOT SHALL BE SET SUCH THAT: THE BOTTOM OF THE FOOTING ELEVATIONS SHALL BE SET TO MAINTAIN A MINIMUM PITCH OF 1/8 INCH PER FOOT ALONG THE FOUNDATION DRAIN TO A FREE FLOWING OUTLET LOCATED WITHIN THE LOT LIMITS OR TO THE SUBSURFACE STORM DRAINAGE INFRASTRUCTURE WITHIN THE RIGHT-OF-WAY. ADDITIONALLY, LOT GRADING SHALL BE ACCOMPLISHED IN GENERAL CONFORMITY WITH THE OVERALL CONCEPTUAL GRADING PLAN OF THE PROJECT.

13. NO LOAM OR TOPSOIL SHALL BE REMOVED FROM THE SUBDIVISION WITHOUT AN APPROVED PLAN FOR SUCH REMOVAL UNDER THE TOWN OF SCARBOROUGH EXTRACTIVE INDUSTRY, WASTE CONTROL, LANDFILL, AND LAND RECLAMATION ORDINANCE, EXCEPT FOR:

- a). REMOVAL OF EXCESS MATERIAL NECESSARY FOR THE CONSTRUCTION OF THE ROADS, UTILITIES AND STORM WATER MANAGEMENT INFRASTRUCTURE SHOWN ON THE APPROVED PLANS FOR THE SUBDIVISION; OR
- b). REMOVAL OF EXCESS MATERIAL NECESSARY TO CONSTRUCT A BUILDING OR BUILDINGS ON A LOT WITHIN THE SUBDIVISION WHEN APPROVED BY THE CODE ENFORCEMENT OFFICER IN CONNECTION WITH THE ISSUANCE OF A BUILDING PERMIT.

14. STREET SIGNS SHALL BE INSTALLED PER TOWN STANDARDS AND PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY. TRAFFIC CONTROL SIGNAGE SHALL CONFORM TO CURRENT MUTCD STANDARDS.

15. DEED OF SALE FOR THE INDIVIDUAL LOTS SHALL LIMIT THE USE OF LAWN FERTILIZERS TO NATURAL AND / OR ORGANIC COMPOUNDS.

5. Pools, Tennis Courts, Children Play Areas, etc.

Above-ground swimming pools are prohibited. Tennis courts, trampolines, swing sets, basketball hoops, tents and all other outdoor recreational structures and improvements must be approved under these design standards. In-ground pools and movable children’s play equipment should be located so as to minimize the impact from the street and on neighbors.

6. Utilities

All utility lines must be buried underground. They should be located under or immediately adjacent to driveways whenever possible to minimize the necessary cutting of trees and to provide easy access for repairs.

B. ARCHITECTURE

1. Foundations

Exposed concrete must be avoided wherever possible. All finished building walls shall extend no higher than 24” from grade. The closure between the grade and the wall shall appear solid if it is not a foundation wall.

2. Exterior Walls

No dwelling or other building erected on any Lot will be covered with exposed tar paper, asphalt siding or corrugated metal siding, but shall be covered with wood clapboards, wood shingles, vinyl, natural and cultured stone, brick and other siding material approved by the Design Review Board. Wood siding should be treated with natural preserving stains or paint. All exterior colors and materials must be approved by the Design Review Board.

3. Roofs, Chimneys and Height

Roofs are an important architectural form within the community, particularly as viewed from the streets and public areas. Therefore, the roof deserves careful consideration.

Roof forms should be more forceful than wall forms and should contribute to the impression that the building is firmly grounded. Therefore, pitched, gable, and hip variations and composites are preferred. Roof dormers are encouraged. A minimum roof line slope of 8/12 should generally be used.

Rooftop access stairways, radio or TV antennae, etc. shall not protrude from the roof where visible from the street – antennas are further restricted in accordance with the Rules and Regulations. The design, location and size

of skylights are subject to Design Review Board approval and should be set back from the eave line, placed as close to the roof surface as is functional and located parallel to the roof plane.

Preferred flue materials are brick and masonry-finish. Exposed metal chimneys are not permitted, except for the final 16”.

Preferred roofing materials are: architectural asphalt shingles or fire treated shakes or shingles. In general, the roof color should be darker than the wall color. Innovative materials are encouraged but must be approved under the Design Review Guidelines.

No portion of any building, tower, antenna, flag pole or structure shall exceed height permitted under the Town’s Land Use Ordinance.

4. Porches and Decks

Front porches are highly encouraged. Screened porches must be an integral part of the building design.

5. Fencing and Walls

Fencing and walls are encouraged to delineate individual home site or residential property boundaries. They may be used as windbreakers, provide privacy, screen service yards, define outdoor living areas, or aid in pet control.

Yards located in Village Lots abutting Alleys must be fenced-in or have permanent landscaping which visually separates the yards from the Alleys, unless otherwise approved by the Design Review Board.

Choice of fencing or wall type and materials will depend on the architectural design of related buildings, and on the specific use or purpose of the fence. Chain link and wire fencing is not permitted.

For aesthetic and environmental reasons, fencing shall not exceed six (6) feet in height. The support and/or brace material member should be on the interior side of the fence.

6. Gateways and Entrances, Mailboxes and House Numbers

The individual character of a residence or development area may be strengthened by a well designed entrance or gate. Because entrances and gates can provide visual interest and help establish building or neighborhood locations, they are encouraged, subject to Design Review Board Approval.

The Size, Color, & Style of Mailboxes and Posts must be approved by the design review board.

House Number size, color, style and location must be approved by the design review board.

C. LANDSCAPE ARCHITECTURE

The natural landscape at Dunstan Crossing is a significant factor in the development's aesthetic character. The ultimate goal is to maintain an integrated and harmonious continuity between man and nature.

Steep or unusual terrain will present an opportunity to use retaining walls or planters to resolve an otherwise difficult relationship between grades. Generally, slopes over 3:1 should be mitigated with retaining walls and slopes over 2:1 must be controlled with retaining walls. Stone and concrete are the preferred materials, although carefully designed construction with pressure treated timbers is also acceptable. The use of concrete blocks and stucco is not permitted.

Exterior lighting systems must be chosen with care to avoid impacts on neighbors. All exterior lighting must direct light downward to avoid glare. Generally areas requiring illumination should be lit with a number of low-intensity sources rather than a large single source. Flood lighting is particularly discouraged. Low intensity accent and landscaping lighting is permitted.

VII. CONSTRUCTION AT DUNSTAN CROSSING

A. PRE-CONSTRUCTION ACTIVITIES

1. No lot is to be cleared or construction otherwise started without first receiving the approval of the Design Review Board, even if a Building Permit has been obtained from the town.
2. Approval by the Design Review Board does not preclude the need to obtain a Building Permit from the town and for compliance with all applicable codes and regulations.
3. There is no dumping area available at Dunstan Crossing, nor is there a pit for obtaining earth fill. These services should be obtained from other sources.

B. CONSTRUCTION ACTIVITIES

While visitors and residents all understand the need for construction activity, they will enjoy their time here more if construction activities take place in an orderly and timely manner. Therefore we ask your cooperation with the following procedural requirements:

1. In order to minimize the damage to the natural terrain, ingress and egress to the lot shall be made through only as indicated on the final application. Costs of repairing damage to streets, common areas and trees as a result of construction will be assessed and charged to the respective Lot owner.
2. Only those trees indicated to be removed on the approved site plan shall be removed. Care should be exercised to protect all other trees from equipment damage and/or filling. Fencing should be placed outside the drip line of the trees to be saved.

Care should be taken during construction to avoid cutting, placing any fill, or storage of equipment or materials under the tree drip line. The procedure shall be established as part of the final application.
3. Materials must be stored in an inconspicuous area of the site within the established limits of construction as specified in the final application. No vehicles or materials will be permitted outside the construction limit line. The use of adjoining properties for access to the site or for the storage of materials is forbidden unless written permission is obtained from the owners.
4. Cleanliness will be practiced and contractors are required to make frequent cleanups of surplus materials, trash, coffee cups, wrappers, etc. Cleanups shall be made at least once a week on Fridays so that the community will be clean for weekend visitors. Unsightly building sites constitute nuisances to the community and will be handled according to the Master Covenants.
5. Only one single consolidated sign identifying the contractor, architect and landscape architect and other parties may be displayed on the lot. No other signs including "For Sale" Signs will be displayed at any time.
6. Care must be taken to insure that water and sewer lines have been installed in the utility areas shown on the final application, and that all water and sewer connections have been made prior to paving drives, walks, etc.
7. Once construction has commenced, work thereon must be prosecuted diligently. All exterior siding, finish trim, landscaping, grading, seeding, driveway and other exterior work must be completed with due diligence and continuity within a reasonable time, not to exceed one (1) year from the start of excavation and construction. No building shall be occupied without an occupancy permit from the town. It is recognized that landscape planting periods are limited; however, building construction is not considered complete until all site work is finished.
8. All disturbed areas on any Lot must be re-vegetated in accordance with good erosion practice methods as soon as possible, prior to which good erosion control practices shall be followed. Growth of grass or other

ground cover must be established within six (6) months from the time of disturbance, exclusive of the months of November through April.

Construction shall avoid interfering with the flow of surface waters across a neighbor's parcel or any land abutting a lot or altering its intended flow to the storm drainage, streams and ponds.

The Design Review Board may enter upon the Property and inspect the Property to determine compliance.

C. POST-CONSTRUCTION ACTIVITIES

Upon the completion of construction, the property owner and the contractor are responsible for:

1. Promptly removing all remaining building debris and materials from the site and surrounding areas; and
2. Promptly removing contractor's signs.

No permission or approval is required to repaint in accordance with an originally approved color scheme, or to rebuild in accordance with originally approved plans and specifications. Nothing contained herein shall be construed to limit the right of an Owner to remodel the interior of the Owner's Unit, or to paint the interior of the Owner's Unit.

A copy of each approved set of plans and specifications shall be permanently retained by the applicant and the Design Review Board. Each Unit Owner shall provide any subsequent purchaser of the Unit with copies of the approved plans and specifications.

D. GENERAL INFORMATION FOR BUILDERS

The working hours for outside construction at Dunstan Crossing are from 7 AM to 8 PM, Monday through Friday and 8 AM to 5 PM on Saturday or in accordance with the Town standards, whichever is more restrictive. No outside work on Sunday is allowed.