



*Saw Creek Estates  
Community Association, Inc.*

# *Saw Creek Estates Guide for Construction, Architectural and Aesthetic Standards*



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## INTRODUCTION

This Guide establishes the rules and regulations that govern certain activity related to the construction and alteration of buildings and other structures in Saw Creek Estates. It is designed to simplify the application process and assist the prospective property owner or contractor in meeting all requirements of Saw Creek Estates Community Association, Inc. The term “Building Code”, as used in the title of this document, does not conflict with the preemption clause contained in PA Act 45, §7210.104(d). This Guide is not intended to establish construction codes or standards nor to preempt existing state and municipal codes, but only to regulate the conduct of individuals and businesses, operating within the community, which is extraneous to state and municipal building code requirements. In the event of a conflict between this Guide and any local, state or federal requirements, the more restrictive requirement shall apply.

Be sure you read the Guide thoroughly before starting any new home or lot improvement project.

Periodic amendments may be made to the materials contained in this Guide. The effective date of any such amendments shall be thirty (30) days after their adoption by the SCECA Board of Directors, unless another date is specified in the amendment.

## RULE MAKING AUTHORITY & PRECEDENTS

The Declarations and Bylaws of Saw Creek Estates empower the Board of Directors to establish and enforce architectural and aesthetic standards. It's important to note that the Association's enforcement of these standards can be upheld in a court of law. Although its control of property changes is limited to changes within public view, should the Association become aware of changes that do not meet established standards; an owner can be required to bring them into compliance. This applies whether or not the owner was the one who actually made the changes. Any failure to enforce these standards in the past, present or future, does not in any way, establish a precedent or make the standards otherwise unenforceable. In the event of a conflict between this Guide and any local, state or federal requirements, the more restrictive requirement shall apply.

## OBJECTIVES

One of the reasons that Saw Creek Estates is a unique place is that all properties within in the community are subject to the Deed Restrictions & Covenants and other governing standards of the community. Compliance with these standards is the responsibility of both the SCECA property owner and the contractor. The primary objectives to be met by these standards are:

Encouraging environmental excellence in design and construction.

Preserving the design integrity and architectural quality of SCECA and dwellings.

Maintaining high aesthetic standards that make SCECA an attractive, desirable place to live.

Preventing deterioration of the Community to protect and preserve property values for all residents.

These objectives are accomplished in part through the architectural review process and the requirements described in this Guide. The information included here is intended to be for your own benefit and for the benefit of everyone in the Community.

Specifically, before you make any changes to your property, you must check with the SCECA Member Services Office to verify all requirements and procedures. This Package outlines what is involved in getting a project approved and also contains appropriate forms, rules and regulations, and guidelines to help your project progress smoothly and with minimal delay.

## DEFINITIONS

### *Aesthetic Character of Neighborhood Defined*

*The Residents of Saw Creek live in a natural woodland and mountainous setting. All homes should blend in with the environment to maintain this natural setting. Landscaping should make use of the natural materials and characteristics found on one's property. Boulders and rock formations accompanied with plants native to our region can be worked into a naturalistic landscape plan. Approved Colors, building materials, decorative garden and lawn ornaments, that comply with the Lawn Ornament paragraph in this guide, will maintain the serene and woodland setting of Saw Creek Estates.*

**ACCESSORY STRUCTURE:** A permanent structure serving a purpose customarily incidental to and subordinate to the use of the principal use and located on the same lot. Accessory structures include but are not limited to a storage shed, doghouses, dog runs and gazebos. No alterations, additions, or improvements shall be made to any accessory structure that would defeat the primary purpose for which it was intended. Accessory Structure space may NOT be converted to a living space or for storage of motor vehicles (with the exception of motorcycles, three-wheelers and quads). The design, construction and finish of accessory structures must match or compliment to a significant degree, the design, construction and finish characteristics of the main building.

**ADDITION:** Any new construction that increases the square footage, height or floor area of an existing building, structure or deck.

**ALTERATION:** A construction project that makes revisions to particular elements of any existing structure.

**APPROVED:** Approval by the municipal authorities having jurisdiction in a given matter and by Saw Creek Estates Community Association, Inc., (SCECA) as the result of their review, investigation or testing.

**APPROVED AGENCY:** A recognized agency regularly engaged in conducting tests or furnishing inspection or review services, which has been approved by the municipal authorities and by SCECA.

**ASSOCIATION:** The Saw Creek Community Association, Inc. or SCECA as used herein, acting through its Board of Directors, Committees, Officers or Employees, as the case may require.

**BALCONY:** (exterior). An exterior floor system projecting from a structure and supported by that structure, with no additional independent supports.

**BASEMENT/CRAWLSPACE:** That portion of a building, which is partly or completely below grade.

**BMP(s):** Best Management Practices, as defined in Pennsylvania Code, Title 25 – Environmental Protection.

**BUILDING:** Any structure having permanent roof and walls that is intended for shelter, housing or enclosure of persons, animals, vehicles, equipment or materials and that has a total square footage greater than 144 square feet. Any structure involving a permanent roof (such as covered porch or a carport) that is attached to a principal building shall be considered to be a part of that principal building.

**CEILING HEIGHT:** Ceiling height shall be the clear vertical distance from the finished floor to the finished ceiling.

**CONSTRUCTION:** The act of clearing, scrubbing or excavating for, building, fabricating, physically changing or modifying any home, structure or accessory building.

**CONTRACTOR:** Any person or entity engaged in the construction, repair or modification of land, structures or other real property, within the confines of Saw Creek Estates. A property owner(s) who engages in such construction, repair or modification on his/her own property or property owned by others is also defined as a contractor with respect to the requirements of this Guide.

**DECK:** Any exterior floor system structure supported on at least two opposing sides by an adjoining structure and/or posts, piers, or their independent supports.

**DWELLING UNIT:** Any house or residence designed or used exclusively as the home or sleeping place of one or more persons and as described in the Deed Restrictions.

**IMMEDIATE FAMILY:** Spouse, brother or sister, parent, child, grandparent or grandchild, or a spouse of any of the named relatives.

**GARAGE:** A building or part thereof used for storage of one (1) or more motor vehicles, which must comply with the deed covenants.

**GRADE:** The finished ground level adjoining the building at all exterior walls.

**GRADE PLANE:** A reference plane representing the average of the finished ground level adjoining the building as measured along all exterior walls of the structure.

**GREENHOUSE:** An enclosed accessory structure that consists primarily of light-transmitting materials and which is designed and intended to be used exclusively for growing plants.

**GUARDRAIL SYSTEM:** A system of building components located near sides of elevated walking surfaces.

**HABITABLE ROOM:** Any room in a structure that meets all requirements of this code for sleeping, living, cooking or dining purposes, but excluding other enclosed places such as closets, pantries, bath or toilet, roofs, hallways, laundries, storage spaces, utility and similar spaces.

**HANDRAIL:** A horizontal or sloping rail to be grasped for guidance or support by an individual.

**IMPROVEMENT:** Any modifications or changes made to or on buildings, garages, decks, fences and other structures, but not including normal maintenance or minor repairs.

**INSPECTOR:** Shall mean the agent of the SCECA or of its General Manager or Code Enforcement Official.

**KITCHEN:** An area in or accessory to a building used, or designed to be used, for the preparation of food.

**OCCUPIED SPACE:** The total area of a building or other structure on any lot or parcel of ground projected on a horizontal plane, excluding permitted projections as allowed by this code.

**OWNER:** Shall mean any and all owners of a residential lot in the Community.

**PIER:** A column designed to support a concentrated load.

**PERMIT:** Shall mean the authorization(s) to build, install sanitary systems, make improvements, etc., issued by all the appropriate governmental entities having jurisdiction and by SCECA.

**PROPERTY LINE:** (or Lot Line) A line forming the front, rear or side boundary of any residential lots or other parcel of property as described in the recorded chain of title.

**RESIDENTIAL:** Property intended to be or actually improved with a single-family dwelling unit and intended for use by one single-family.

**SINGLE FAMILY:** One or more persons related to each other by blood or marriage constituting an immediate family, together with any domestic servants, all of who maintain one common household.

**STORY:** Story is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that habitable portion of a building included between the upper surfaces of the topmost floor and ceiling or roof above.

**STORY ABOVE GRADE:** Any story having its floor surface entirely above grade except that a basement shall be considered as a story above grade when the finished surface of the floor above the basement is:

1. More than six (6) feet above grade plane.
2. More than six (6) feet above the finished ground level for more than 50% of the total building perimeter or more than 12 feet above the finished ground level at any point.

**STRUCTURE:** Any physical improvement built, erected or constructed, including without limitation any building intended for occupancy or any other use whatsoever, parts which are fastened, anchored, or rests on a permanent foundation or on or under the ground.

**TEMPORARY STRUCTURE:** A prohibited accessory or other structure that cannot be reasonably expected to last as long as the main building on a lot or is designed to be readily assembled, disassembled or relocated on site and without the need for specialized tools or equipment or does not contain rigid floor, wall and roof systems.

**VARIANCE:** An administrative approval that modifies Architectural and Construction Guidelines or municipal ordinance requirements pursuant to the provisions of the Saw Creek Deed Restrictions, Bylaws, Codes and state and local ordinances.

**WALLS:** An upright structure of wood, stone etc. serving to enclose, divide, support or protect.

Retaining Wall – A wall used for the purpose of holding back material for structural needs.

Free Standing Wall – To be limited to 36 inches in height. Example: sitting or decorative wall-non structural.

**WINDOW:** Window shall mean a glazed opening, including portions of glazed doors.

**YARD:** Yard is an open, unimproved, unoccupied space that is unobstructed from the ground to the sky, except where specifically provided by this code, and located on the lot on which a building is situated.

## **PROPERTY OWNER AND CONTRACTOR RESPONSIBILITIES**

1. The property owner and contractor are responsible for ensuring that all work is completed in accordance with the approved plans and specifications and with all local, state and federal building, health and safety codes.
2. The property owner and contractor are responsible for compliance with the legally binding Declarations of Covenants and all rules and regulations of Saw Creek Estates Community Association, Inc. Failure to fully comply with the Declarations of Covenants or Rules and Regulations will result in the assessment of fines and/or issuance of a Stop Work Order. Refer to Fines and Assessments section for additional information.
3. The property owner is ultimately responsible for all of the actions of the owner's contractor or other persons as they relate to construction or other activity at or on the owner's property.
4. No changes or alterations are to be made to approved plans or drawings without the prior approval of the Code Enforcement Official, General Manager or their designated representative.
5. A permit will not be issued until all appropriate building fees have been paid together with any outstanding balance due to the Association, the appropriate Township Permits have been received and the building plans have been approved by SCECA.
6. Upon completion of construction a Township Certificate of Occupancy must be provided to SCECA.
7. The property owner and/or contractor shall provide and SCECA shall have the right to request, any additional data, which, in the opinion of SCECA, is required to review and approve a project.
8. No building shall be occupied prior to issuance of a Township Certificate of Occupancy and SCECA Certificate of Compliance.

## **NO PERMIT OR APPROVAL REQUIRED**

The following projects do not require a permit or prior approval of SCECA. However, the Property Owner and Contractor Responsibilities listed above apply to these and all other projects, regardless of the size and scope of the project. All other work requires a SCECA Minor Work Permit or a SCECA Construction Permit or Municipal zoning/building permit. Members are free to make these improvements, subject to the conditions and limitations indicated below.

1. Replacing Windows or Doors (same size).
2. Replacing Roofing Material (with like color and type).
3. Interior Modifications Not Requiring Structural, Plumbing or Electrical Changes.
4. Routine Maintenance of Existing Buildings, Grounds and Drainage Conveyances

## **MINOR WORK PERMIT REQUIRED**

This Guidebook is primarily intended to address the requirements for projects such as these. In the sections that follow, you will find virtually all of the information you need to prepare your application and ensure that your finished project complies with applicable community standards. Detailed standards on a wide variety of topics and projects are listed alphabetically, beginning on Page 17. Once again, you are encouraged to check with the SCECA Administration Office, should you have any questions. In order to maintain the aesthetic standards of the community, the following projects require a Minor Work Permit from SCECA.

1. Landscaping With Impervious Cover or Changes to Existing Grade
2. Accessory Structures (not to exceed 144 sq. ft.)
3. Exterior Painting, Staining or Siding (approved colors only).
4. Replacement of an existing deck with no dimensional change (municipal permit also required).
5. New Driveway, Resurfacing or Regrading an Existing Driveway.
6. Tree Planting or Removal
7. Fences, Guardrails and Vegetative Screening
8. Structural Play Equipment
9. Repair/Replacement of Culvert Pipes, Swales, etc..

## **MINOR WORK APPLICATION PROCESS**

Homeowners are advised to plan their projects well in advance of the anticipated start date. The SCECA staff is available to answer questions concerning the requirements for your project, the application process or the rules that might apply in a particular case.

1. Pick up a Minor Work Permit Application form at the Administration Office (copy attached).
2. Request a preliminary project review meeting, if desired, prior to submitting your application.
3. Fill in the form completely (be sure to include contractor information when necessary).
4. Submit completed application and supporting documents to the SCECA Administration Office.
5. SCECA Staff or the Building & Architectural Committee will review the application as appropriate.
6. Most applications will be approved, returned for correction, or denied within seven (7) business days and the applicant will be notified accordingly.
7. In some cases it may be necessary for the Building & Architectural Committee to review a project prior to final approval. In such cases, the review will be handled as expeditiously as possible, subject to the availability of a quorum of committee members.

8. When an application is approved, SCECA will issue a Permit indicating any conditions or limitations of approval.

The completed application, including all forms, specifications, drawings and supporting documents will be retained by and become the property of Saw Creek Estates Community Association, Inc.

## **CONSTRUCTION PERMIT REQUIRED**

The following projects require a SCECA Construction Permit and municipal zoning/building permit. This Guide is intended to address these projects as they are strictly regulated by state and local codes as well as the requirements contained in the SCECA Covenants, bylaws and Rules (including this Guide). This Guide contains complete information on obtaining approval for any of the projects listed below. **Failure to obtain a permit any work requiring a SCECA municipal permit is a violation of SCECA Rules & Regulations.**

1. New home construction and additions.
2. Screen Porch, Sunroom or similar structure.
3. New Decks or deck alterations and additions (including exact replacement).
4. Accessory Structures.
5. Interior Structural, Plumbing and Electrical modifications.
6. Any other construction requiring structural modification.

## **CONSTRUCTION PERMIT APPLICATION PROCESS**

1. Pick up the appropriate application documents from the Member Services Office.
2. Fill in all documents completely (be sure to include owner & contractor signatures where required).
3. Obtain all necessary permits from the Township.
4. Submit the completed application, including all supporting documents and fees to SCECA.
5. SCECA management and staff will review the application as appropriate.
6. Applications will be approved, returned for correction, or rejected within seven (7) business days and the applicant will be notified accordingly.
7. If necessary, corrected and resubmitted applications will be reviewed within five (5) business days and the applicant will be notified accordingly.
8. When an application is approved, SCECA will issue a Construction Permit.
9. The completed application, including all forms, specifications, drawings and other supporting documents will be retained by and shall become the property of Saw Creek Estates Community Association, Inc.

## **APPEAL PROCESS**

In the unusual event that an application is denied or approved with conditions considered unacceptable by the applicant, an appeal process is available to members in good standing. The appeal process applies only to the merits and specific details of the proposed project as they relate to approved architectural and aesthetic standards. It is not intended to adjudicate an appeal of fines or violations of other SCECA rules and regulations. Such other rule violations and citations may be appealed through a separate and distinct process.

A request for an appeal should be made in writing, to the Code Enforcement Official, indicating the reason(s) for the appeal and any additional information that may be helpful in deciding the case. An appeal will be scheduled at the earliest, mutually acceptable time for the applicant and the Building & Architectural Committee. If the committee fails to grant an appeal, the applicant may petition the Board of Directors for a final appeal on the matter. The Board of Directors shall be under no obligation to grant such an appeal and may, at its discretion, issue a summary judgment for or against the applicant, which judgment shall be final.

## EXPIRATION AND RENEWAL OF PERMITS

All permits shall be valid for a period of one (1) year. At the expiration of that one (1) year, a permit renewal application shall be required. The cost of a renewal application shall be fifty percent (50%) of the original permit fee and, if approved, the renewal shall be valid for a period of one (1) year. Renewal applications shall include either a certification by the owner and contractor that there have been no design or construction changes whatsoever in relation to the original plans, specifications and other supporting documents in the original application or resubmission of supporting documents describing all design and construction changes.

Notwithstanding the above, all work must be completed within six months from the actual start of construction (see Deed Restrictions & Covenants). An extension fee equal to twenty-five percent (25%) of the original permit fee shall be assessed for any failure to substantially complete all work (including site work) within six months from the actual start of construction.

## PERMIT FEES, ASSESSMENTS & INSURANCE REQUIREMENTS

1. For construction, the following must be submitted to SCECA at the time of application:
  - a. Fees will be based on a "Per Square Foot Building Space" as follows.
    - i. Minimum fee: \$ 50.00
    - ii. Living space: multiply total square footage by \$ 0.562
    - iii. Garage: multiply total square footage by \$ 0.141
    - iv. Deck: multiply total square footage by \$ 0.109
  - b. Other alterations, renovations & repairs:
    - i. Contractor's contracts over \$ 1000.00 are \$ 60.00 for the first \$ 1000.00 and \$5.00 per \$1000.00 of work thereafter.
    - ii. Contractor's contracts under \$ 1000.00 are \$ 30.00 flat fee. (Copy of contract must be provided).
    - iii. Homeowner acting as contractor: a material list must be provided from a reputable material supplier, fees will be applicable as above.
  - c. A current certificate of insurance, naming Saw Creek Estates Community Association, Inc. as additional insured. Contractor must carry a minimum of \$1,000,000 liability coverage and \$50,000 liability umbrella for all sub-contractors that do not carry at least \$25,000 of their own liability coverage. Proof of insurance coverage is required by all contractors and subcontractors and must remain in full force and effect throughout the duration of the project. The requirements of this section shall not apply to property owners in good standing who apply for a Construction Permit for work to be performed solely by the property owner.

## COMPLETE CONSTRUCTION PERMIT APPLICATION CONTENTS

1. One (1) set of detailed construction and elevation plans, drawn to scale.

2. One (1) set of specifications, which must include exterior color scheme.
3. Two (2) plot plans, drawn to scale and as specified below (see PLANS AND DRAWINGS).
4. Two (2) copies of an Erosion & Sediment Control Plan (per Title 25 PA Code; § 102.4 *et. seq.*).
5. Two (2) copies of a tree conservation and landscape plan (may be included in 4, above).
6. One (1) copy of the approved municipal building permit and permit application form.
7. One (1) copy of the approved municipal zoning permit and permit application form.
8. One (1) completed copy of the Financial Arrangement form (See Appendix A).
9. One (1) completed copy of the Contract/Construction Agreement signed by all parties involved.
10. One (1) completed Contractors Compliance & Indemnification Agreement (See Appendix A).
11. One (1) completed SCECA Lot Owner Release and Waiver (See Appendix A).
12. Certificate(s) of Insurance for general contractor and all sub-contractors.
13. Two checks or money orders payable to Saw Creek Estates Community Association, Inc.
14. One (1) completed copy of the SCECA Construction Permit Application Form and Checklist.

## PLANS AND DRAWINGS

Except as noted below, applications should include a neatly drawn sketch of the property, including the location of existing buildings, roads, driveways, drainage culverts, trees to be planted or removed and landscape features, as well as any proposed changes or additions to them. The level of detail needed in your sketch depends upon the complexity of your project (for example, drainage culverts do not need to be shown for a tree removal application). Generally speaking however, the more detail you can provide, the better. Quite often, your contractor or design firm will provide a sketch of the project at little or no additional cost. A brief narrative should be included to further explain certain details shown on your sketch. For your convenience, you may submit the sketch and narrative on the back of the Minor Work Permit Application form or use a separate sheet(s) if necessary.

A drawing is not required for a "Burning Permit" or "Exterior Paint, Stain or Siding" application. Simply complete the form and submit it for approval. Include a color sample or select one from the approved Color Sample Chart if you are applying for "Exterior Paint, Stain or Siding" approval.

The following notes may be helpful in developing your sketch. Please remember, these are only guidelines for preparing the most complete application possible. You need not include all of the information below, but should carefully consider what elements are essential for a prompt and thorough review of your application.

1. The Pennsylvania Construction Code Act applies to all construction in the community.
2. Standards and requirements found in the Saw Creek Estates Deed Restrictions and Covenants apply to all construction in the community.
3. Where a fireplace is proposed for a building, the location, type, size and the type of fuel are to be shown on the plan and in the specifications form. Spark arresters are mandatory.
4. All plans submitted shall include a statement of compliance with the Statewide Code and Saw Creek Estates Deed Restrictions.
5. Each sheet of drawings shall indicate:

- a. Name of owner (s)
  - b. Lot and section number
  - c. Street name
  - d. Name and title of person preparing documents (engineer, builder, architect or other)
  - e. Page number and date
  - f. Scale of each drawing
6. Site surveys and plot plans shall include, in addition to the above:
- a. Scale of one (1) inch equals forty (20) feet (or less)
  - b. Lot boundaries, dimensions, setbacks and easements
  - c. Location and dimensions of building
  - d. Location of grinder pump
  - e. Location of all utilities (including fuel tanks)
  - f. Location of trees to be planted or removed
  - g. Exact location, dimensions and slope of driveway
  - h. Compass point showing north
  - i. Predominant slope direction and grade
  - j. Impervious area in sq. ft. and percent of total lot area
7. Erosion & Sediment Control Plans shall include:
- a. The existing topographic features of the project site and the immediate surrounding area.
  - b. The types, depth, slope, locations and limitations of the soils.
  - c. The characteristics of the earth disturbance activity, including the past, present and proposed land uses and the proposed alteration to the project site.
  - d. The amount of runoff from the project area and its upstream watershed area.
  - e. The location of waters of this Commonwealth which may receive runoff within or from the project site and their classification pursuant to Title 25 PA Code, Chapter 93.
  - f. A written depiction of the location and type of perimeter and onsite BMPs to be used before, during and after the earth disturbance activity.
  - g. A sequence of BMP installation and removal in relation to the scheduling of earth disturbance activities, prior to, during and after earth disturbance activities.
  - h. Supporting calculations for design elements required per Title 25 PA Code.
  - i. Plan drawings in accordance with Title 25 PA Code.
  - j. A maintenance program that provides for inspection of BMPs on a weekly basis and after each measurable rainfall event, including the repair of the BMPs to ensure effective and efficient operation.
  - k. Tree conservation and landscape drawing and narrative.
  - l. Procedures, which ensure that proper measures for recycling or disposal of materials associated with or from the project site, will be undertaken in accordance with Title 25 PA Code.

## DETAILED CONSTRUCTION GUIDELINES

1. Construction Scheduling:
  - a. No construction, including clearing or excavation, is to be undertaken until an SCECA Permit is received by the owner and/or builder and posted at the project site, in clear view, along with the township construction permit.
  - a. Except as specified below, all construction activity shall occur between the hours of 8:00am and 5:00pm, Monday through Friday, excluding national holidays.
  - b. Any contractor or subcontractor desiring authorization to work after 5:00pm, Monday through Friday, must submit a written request to the SCECA Code Enforcement Official or General Manager, requesting such authorization, indicating the name of the contractor(s), the individual person(s) to whom the request applies and the location and nature of the work to be performed.

- c. Construction activity will not be permitted at any hour on Saturdays, Sundays or nationally recognized holidays except that a homeowner, acting as a contractor, may perform work on his/her own home at any hour on Saturdays, Sundays and holidays provided the work does not violate any other SCECA rules (such as Disturbing the Peace).

**2. Lot Bounds, Setbacks and Easements:**

- a. Each lot shall have a minimum of four (4) corner markers (iron pins driven into the earth and marked with fluorescent orange surveyors' tape or paint) unless otherwise indicated on the approved subdivision plan. At the time of initial sale, all lots had pins installed by the developer. Any replacement or additional pin placements are the responsibility of the contractor.
- b. No building shall be erected on any lot within twenty-five (25) feet of the right-of-way or within fifteen (15) feet to the side or rear lines of the lot. In the case of corner lots, no building shall be erected within twenty-five (25) feet of either line adjacent to a right-of-way. Municipal ordinances may differ with respect to side setbacks. In such cases, the municipal ordinance shall control.
- c. Easements for installation and maintenance of utilities and drainage facilities shall be reserved over ten (10) feet adjacent to all right-of-ways and five (5) feet adjacent to all other lot lines. Such easements shall be improved by the contractor as needed for the installation of temporary and permanent BMPs in accordance with the approved Erosion and Sediment Control Plan and all applicable codes and standards.

**3. Preconstruction Layout and Inspection:**

- a. Prior to any construction, clearing or earth disturbance activity, the location of all proposed buildings, decks, driveways and other pertinent features shall be marked with wooden stakes or iron pins. Stakes or pins shall be marked with fluorescent paint or surveyors' tape and labeled to indicate their location with respect to the site plan.
- b. All trees to be removed, which are located outside of the perimeter of the building and decks shall be marked with fluorescent paint or surveyors' tape in a single line around their full circumference. No live tree which is more than ten (10) feet from the perimeter of the proposed building or decks may be removed without explicit written approval of SCECA. Unauthorized removal of any live tree shall result in issuance of a citation and fine in the amount of \$1000 per tree. Mature trees must be planted to replace those that were removed without authorization.
- c. Upon completion of the preconstruction layout as described above, the contractor shall request an inspection by the SCECA Code Enforcement Official.
- d. Temporary BMPs shall be installed by the contractor prior to the start of any earth disturbance activity in accordance with the approved Erosion and Sediment Control Plan.

**4. Construction Site Sanitation and Maintenance:**

- a. Job sites shall be kept clean, free of debris and trash on a daily basis and throughout the duration of the project.
- b. Contractors must provide a 10 cubic yard capacity or larger dumpster on the lot for removal of construction debris. The dumpster must be in place upon completion of the foundation and shall be emptied regularly during construction at an appropriate dumping facility outside Saw Creek Estates. Dumpster(s) shall be promptly removed from the lot at the completion of the work.
- c. If no indoor toilet facilities are available on a work site, a portable toilet must be made available until indoor plumbing is available, at which time the portable toilet must be promptly removed. Portable toilet facilities may require permits from the township or DEP.
- d. Contractor shall not allow any crawler track equipment (e.g., bulldozer, excavator, etc.) or other heavy equipment to be used or travel upon or damage Saw Creek Estates roadways or common areas. If such damage does occur, the builder will be billed for the cost of all repairs.

**5. Location of Bulk Fuel Storage Tanks:**

If a bulk LP gas tank or other similar equipment is to be used for fuel storage, the tank must be hidden from view from all roads. This can be done by landscaping and/or natural conditions that should blend into the natural environment. The types of landscaping to be used may include shrubs, lattice, berms or a combination of these elements. Underground tanks complying with all applicable codes are permitted and recommended.

**6. Erosion, Sedimentation and Storm Water Control Measures:**

Saw Creek Estates Community Association desires to promote responsible development in strict compliance with the laws and principles of sound environmental design and construction. Title 25 of the Pennsylvania Code shall be strictly enforced in order to ensure the proper design, construction, maintenance and continued effectiveness of erosion, sedimentation and storm water control measures.

Installation or improvement of roadside swales and other storm water conveyances must be included in the site development plan. Where no roadside swales or other storm water conveyance exists, they must be constructed or installed by the contractor in accordance with PA DEP Best Management Practices.

Contractors should contact the Pike County Conservation District or consult the DEP Erosion and Sediment Pollution Control Program Manual for guidance in developing an effective Erosion and Sediment Control Plan. Such a plan is required as part of the SCECA Construction Permit application package. Contractors must incorporate both temporary and permanent BMPs in their development plans, either within the existing drainage easements or elsewhere as required to prevent any increased erosion, sedimentation or runoff.

**7. Blasting:**

All blasting activity must comply with Title 25 PA Code, Chapter 211. An SCECA Construction Permit does not cover blasting. A separate Blasting Permit Application is required and may be obtained from the SCECA Member Services Office. Application for a SCECA Blasting Permit must be submitted at least 72 hours in advance and include the following:

- a. A copy of a completed and approved PA DEP Blasting Activity Permit with all attachments or,
- b. In the case of a “blasting activity permit-by-rule”, all information required by Title 25 PA Code, § 211.124 as if a DEP Blasting Activity Permit were required, including but not limited to
  - i. Contractors certificate of insurance evidencing \$1,000,000 of general liability coverage
  - ii. Proof of notification to affected building owners and utility companies.
- c. A representative of SCECA must be present during the blasting to ensure that;
  - i. Residents within 500 ft. of the blast are notified
  - ii. adequate traffic controls are in place and
  - iii. a blasting signal is given immediately prior to blasting

**8. Temporary Construction Entrances and Driveways:**

A tracking pad and temporary construction entrance must be installed with an approved and adequately sized (see below) culvert drainage pipe, prior to actual start of construction.

Driveways and parking areas shall be constructed such that they do not interfere with proper drainage, cause an increase in the flow of water onto the roadway or otherwise adversely impact the drainage patterns of any adjacent area. Where no drainage pipe or swale exists, the contractor shall install an adequate swale and pipe under the driveway. Driveway drainage pipes shall be AASHTO-approved HDPE, eighteen (18) inches in diameter or larger as required by actual flow calculations. Drainage pipes shall be installed at proper grade and pitch so that surface water flows freely through the pipe. The driveway, related drainage facilities and all relevant dimensions must be included on site plan drawings.

No driveway or parking area shall be installed over any roadside utility vault.

The following dimensions shall apply to all driveways:

- a. Minimum traveled way width shall be 10 ft.
- b. Minimum distance to adjacent property line shall be 5 ft.
- c. Minimum distance to any curb stand, barrel or blow off valve shall be 6 ft.
- d. Minimum distance to any fire hydrant or standpipe shall be 15 ft.
- e. Side slopes shall not be steeper than 3:1
- f. All driveways must maintain the existing contour and slope of the roadway crown for a minimum distance of 4 feet from the edge of the roadway pavement.

Driveways shall be of material such as rock, shale, or crushed stone (minimum  $\frac{3}{4}$ -inch), with minimum obstruction to the natural flow of surface water. Paving and resurfacing driveways requires a separate Minor Work Permit (see Appendix A).

**Paving of Existing Driveways:** If the owner wishes to cover standard shale or gravel driveway and/or parking pad with bituminous pavement, the owner or contractor must obtain a Minor Work Permit from SCECA prior to construction. The lot will be inspected prior to issuance of the permit. Existing driveways to be paved must meet current driveway standards.

#### 9. Water and Sewer Utility Connections:

Pennsylvania-American Water Company, a public utility company, provides sewer and water service. The property owner must submit an application for the utility service prior to scheduling the connection to the central water and sewer systems.

**Sewer Service –** Sewer service is provided by a low-pressure sewer collection, transportation and treatment system. Each residence must include a sewage grinder pump in order to transfer wastes into the low-pressure collection system. The grinder pump must be of a size and type approved by the utility company. The contractor is responsible for the purchase and installation of the grinder pump. The occupants of the residence must not introduce into the sewage collection system items such as grease, rubber, plastic or other articles that may clog or foul the grinder pump.

**Water service –** Each new home must include plumbing hardware that allows a water meter to be installed by the water utility company. The contractor should contact the water utility company for current connection requirements. The utility company owns the water meter and remote reading device. Tampering with a meter or remote reading device may cause water service to be discontinued and other actions taken as may be authorized by law.

**Customer service lines –** The utility is responsible for the customer's water and sewer lateral service lines up to the point where the laterals cross the customer's property line. The contractor is responsible for the installation of the water and sewer lateral service lines from the shut off valves to the house, all internal plumbing and the grinder pump. Unless otherwise specified by the utility, the property owner's lateral service lines shall be installed in a trench at least 48 inches deep and must be laid in at least 12 inches of sand both above and below the lines, a total of 2 feet of sand.

#### 10. Exterior Finish Materials and Colors:

All exterior finish materials shall be of high quality and aesthetically complimentary to the existing structures in Saw Creek Estates.

All exterior colors shall match as closely as possible, those found in the approved color chart (see Appendix C). The approved color chart is provided for illustrative purposes only and does not constitute a recommendation or endorsement by SCECA of any particular product or manufacturer. Approved colors apply to all exterior finishes including paint, stain, vinyl or other siding materials.

## 11. Grading and Soil Stabilization:

Consistent with paragraph 6, of this section, both temporary and permanent soil stabilization is required on all lots to control soil erosion, sedimentation and storm water runoff. Final grading, soil stabilization and permanent BMPs required for the diversion, detention or conveyance of storm water, shall be included in the Erosion and Sediment Control Plan and shall be installed according to that plan. Water flows resulting from any land disturbance activity or newly constructed impervious surface area must not adversely affect any adjoining or downstream properties or storm water facilities. All temporary BMPs (silt fence, hay bales, *et. al.*) shall be removed promptly upon attainment of 75% or greater vegetative cover and soil stabilization, whichever shall occur later.

## COMPLIANCE INSPECTIONS

Saw Creek Deed Restrictions and Bylaws affirm that Saw Creek Estates Community Association, Inc. has the authority to administer and enforce its Deed Restrictions and Covenants. In addition, the power to promulgate and enforce rules and regulations involving Architectural Construction standards rests solely with the Board of Directors of SCECA and its agents or authorized representatives. To this end, the Code Enforcement Official, General Manager or other designated representative of SCECA shall have the right and responsibility to make periodic inspections of proposed and ongoing development projects to ensure continued compliance.

Construction Permits and a copy of the Erosion and Sediment Control Plan must be available at the job site throughout the duration of the project. In addition to state and municipal inspection requirements, the following minimum number of inspections shall be made by SCECA.

1. Initial site review upon Saw Creek permit application.
2. Pre-construction layout of proposed buildings, driveway, proposed tree removal, etc.
3. Erosion control measures in place and excavation or lot clearing in progress.
4. General compliance reviews during construction.
5. Final compliance review upon project completion.

Additional inspections may be made at any time at the sole discretion of SCECA.

A final Certificate of Compliance may be issued by SCECA for a new home, alterations or addition of living space only after all inspections are passed and SCECA has received a copy of the Certificate of Occupancy issued by the municipal authorities.

## FINES AND ASESMENTS

Failure by any contractor or owner to comply with the requirements of this Guide or SCECA Rules and Regulations may result in the imposition of fines. In any and all instances in which SCECA must expend funds, labor-hours, equipment time or material to correct any non-complying matter, the full cost of such expenditures, including the reasonable cost of legal defense and recovery, shall be borne by the contractor or owner.

**A fine of one thousand dollars (\$1,000) per day shall be assessed for any construction activity which requires a SCECA permit and which occurs prior to the approval and issuance of a permit by SCECA. This same fine applies to any construction activity on a project for which a “Stop Work Order” is in effect. A Stop Work Order may be issued for any failure to comply with the provisions of this Homeowner’s Guide or SCECA Rules and Regulations. A Stop Work Order may only be rescinded by explicit written notification from an authorized employee or agent of SCECA.**

Where no amount is specified for a particular violation of SCECA Rules and Regulations or this Guide, the fine assessed shall be a tier 2 citation.

No property owner or contractor who has an unpaid, outstanding citation will be granted a permit until all citations and administrative costs have been paid in full. If you have questions, please contact the Administration Office at (570) 588-9329 from 9 AM to 5 PM, Monday - Friday.

In addition to penalties noted above and elsewhere in this Guide, the schedule of violations and fines shown on the following page shall apply to all persons within the community:

<b><u>VIOLATION</u></b>	<b><u>AMOUNT OF FINE</u></b>
Speeding.....	\$ 100.00
Failure to Stop at Stop Sign.....	\$ 100.00
Failure to Comply with Public Safety or Member Services Staff.....	\$ 100.00
Illegally Parked Vehicle(s) or Obstructing Traffic Lanes.....	\$ 50.00
Intentionally Crashing or Improperly Passing Gate Upon Entry/Exit.....	\$ 500.00
Untidy Lot or Untidy Job Site.....	\$ 100.00
Unlawful Trespassing on Private or Community Property.....	\$ 250.00
Careless or Reckless Driving.....	\$ 500.00
Causing Intentional Damage to Association Property.....	\$ 500.00
Burning Without a SCECA Permit.....	\$ 50.00
Blasting Without a SCECA Permit.....	\$ 500.00
Unauthorized construction activity (weekends, holidays or after 5:00 PM).....	\$ 100.00
Construction or Site Work Not In Accordance w/Approved Plans.....	\$ 100.00

# ARCHITECTURAL & AESTHETIC STANDARDS

The following paragraphs represent the Architectural & Aesthetic Standards of the community. They are listed in alphabetical order and describe the standards or requirements specific to each given topic. These standards are not intended to control your actions or property, but rather, they are the most important and effective means of fulfilling the Association's duty to preserve your property values and provide a safe, well managed and properly maintained, beautiful community.

The residents of Saw Creek Estates Community Association live in a natural woodland and mountainous setting. All homes should blend in with the environment to maintain this natural setting. Landscaping should make use of the natural materials and characteristics found on one's property. Boulders and rock formations accompanied with plants native to our region can be worked into a naturalistic landscape plan. Approved colors, building materials, decorative gardens and lawn ornaments, that comply with the articles below as well as in our Homeowners guide, must maintain the serene and woodland setting of Saw Creek Estates.

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## **Air Conditioners & Heat Pumps**

Approval is required for the addition or relocation of air conditioners, heat pumps or similar equipment. Such equipment should be located in the rear yard when possible, or in the side yard, but not forward of the front plane of the home. Information required for approval shall include:

- A site plan showing the dimensions and location of the unit(s) in relation to the house and property lines.
- A sketch and description of how the unit(s) will be screened from street view (where applicable).

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## **Awnings or Sun Shades**

Canvas, cloth and wood are preferred materials. Awnings must be made of a clean, straightforward design, without excessive embellishment such as scallops, fringes, and contrasting colored stitches. Solid colors only are permitted and they must be consistent with the color scheme of the house to which they are attached. Frames for canvas awnings should be painted to match dominant color of the house. If awnings are removed the frames must also be removed. An application for approval is required and must include:

- Dimensions and location(s).
- Color and style of structure(s).
- Color (sample if possible) and description of materials to be used.
- Detailed drawings of the awning(s).
- Description of method to support and attachment to the structure.

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## **Basketball Hoop and Backboard - Portable and Permanent**

A basketball hoop and backboard may be installed in one of three areas:

- Attached to the house above the garage.
- Mounted on a pole on the house end of the driveway.
- In the rear yard area, immediately behind the dwelling.

Color of the backboard must be white or clear and properly maintained at all times. The removal or restoration of the hoop and backboard and grounds is required when the house is sold. No basketball hoop and backboard shall be erected next to any right of way nor should any portable hoop be placed on or adjacent to the street.

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## **Car Repairs**

See Deed Restrictions & Covenants, paragraph 12. Cars without current (valid) license plates, and those that are inoperable for legal road use due to on going repairs or otherwise, cannot be stored on any lot in a manner so as to be visible to adjacent properties or roads.

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## **Clotheslines**

Approval is not required for clotheslines that meet all of the following criteria:

It is located in the back yard.  
It is reachable from the ground.  
Clothes and line are removed and stored out of sight when not in use or overnight.  
Retractable lines are attached to the dwelling or deck and finished to match same.

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### **Decks, Patios & Walkways**

This guideline refers to any new or expanded decks, patios and walkways, or to any material changes in existing decks, patios and walkways. All new materials should be of a neutral color, such as concrete, stone or clay brick, or treated wood.

All hardware must meet applicable building and safety code requirements.

The height of the deck or patio is limited to ground level or the finished floor lines on one or two story dwellings.

An application must be completed for all decks, patios or walkways

Generally speaking, new decks, patios and walkways should:

Disturb existing contours as little as possible.

Where necessary or desirable, terracing should follow existing land contours and in small increments.

Be located to provide reasonable visual privacy for applicants and their neighbors.

Screening or plantings should be considered where it is necessary to preserve privacy.

The application must include:

A site plan with dimensions of new and existing walkways, decks, or patios in relation to existing houses, trees, and lot boundaries

A list and description of materials to be used, including a color sample, where applicable.

Project plans showing elevations and dimensions.

Description of proposed lawn contour changes, plantings, screening, benches, new exterior lighting, etc.

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### **Dog Houses and Dog Runs**

No dog house shall be approved as a regular or permanent place of habitation for any animal. Approved dog houses shall serve only as temporary, intermittent shelter from the weather, while the dog is outdoors for exercise or respite.

Any dog house or dog run must be located in the rear yard and immediately behind the dwelling if possible, and as close as practical to the dwelling. Screening shall be required to ensure it is not visible from the road or adjacent property. Dog houses and dog runs must be compatible in color with the dwelling and natural surroundings.

Post and fence construction must be of galvanized metal. Wire mesh must be anodized, powder coated or vinyl coated (black, brown or green).

Dog houses and runs must be removed when the property is sold and/or an animal is no longer on the premises.

An application is required for all dog houses/runs, regardless of size or location, and must include the following:

Site plan showing the relationship of the dog house/run to the dwelling and the property lines.

Dimensions, construction materials (types and colors), and location.

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### **Driveways**

An application is required for a new driveway and modifying or resurfacing an existing driveway. All driveways must maintain the contour and slope of the roadway for a minimum distance of 4 feet from the edge of the roadway pavement. The completed application must include:

Site plan with dimensions showing the relation to existing structures, trees, and property lines.

Description of materials to be used, including color and texture.

Proposed changes in grade. (Please note, care must be exercised in any proposed drainage change.)

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### **Fences (See Attachment)**

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**Garages**

Only one-car or two-car, attached garages are permitted. No alterations, additions or improvements shall be made to any garage that would defeat the purpose for which it was intended. Garage space may NOT be converted to a living area (i.e., family room, bedroom) unless detailed plans, specifications and permits are obtained as required by SCECA and municipal codes (refer to the Contractor's Guide for additional details).

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**Gardens (Rock)**

Written approval is not necessary for rock gardens at grade, provided that rocks are left in their natural color.

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**Gardens (Vegetable)**

Written approval is not necessary for vegetable gardens, provided the following conditions are fulfilled:

It is located between the rear line of the house and the rear property line.

Its size does not exceed 1/4 of the area described above.

It is not placed on a grade which might cause damage to property below it, through the flow of water.

It may not be fenced or enclosed in a manner inconsistent with other provisions of these standards.

An application must be completed for all other situations.

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**Gazebos**

Each improved lot is entitled to no more than one Gazebo. Gazebos must be open on all sides and no privacy screening of the structure will be permitted. The floor may not exceed one (1) foot above the ground or deck floor and the wall height may not exceed eight (8) feet.

Gazebos must be constructed of wood, stained or painted to match the house or left to weather naturally. However, clear preservatives may be used to protect the wood. If the gazebo is constructed as part of a deck, the construction and finish should match the deck. Gazebos must be located at least five (5) feet from adjacent property lines. A full application is required and must include:

A site plan which shows the relationship of the gazebo to the adjacent house and property lines.

A picture and/or detailed drawing of the gazebo, to include dimensions.

A description of material to be used.

A description of the color of gazebo and house.

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**Gutters and Downspouts**

Written approval is required for the replacement of gutters and downspouts to ensure that adequate erosion and storm water management measures are included in the project.

Approval is not required for exact replacement of gutters and downspouts which were installed after January, 2006 as part of new home construction.

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**Landscaping & Border Structures (also see Plantings and Trees)**

An application for approval is required for any landscape project that involves the addition of impervious surface area or changes to existing grade. A review of such projects is necessary to ensure that adequate erosion and storm water management measures are included in the project.

Except as note above, approval is not required for the installation of landscaping and/or border structures made exclusively from natural materials or synthetic materials specifically designed for such use and having a natural appearance. Examples of acceptable materials are: rip-rap stone, natural stones/boulders, cultured stone or pavers, interlocking block systems, ground covers or low-lying shrubs, flowers and general decorative or accent plantings.

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### **Lawn Ornaments and Lawn Embellishments**

Lawn ornaments and embellishments over two (2) feet in height must be submitted for approval and must be located in the rear yard. All lawn ornaments and embellishments two (2) feet in height and under must be in keeping with the architectural and aesthetic character of the neighborhood. This includes ornamentation on a patio, porch, and outside steps.

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### **Lighting (Residential)**

The replacement of an existing light fixture, if accomplished with a realistic match to the old fixture, does not require approval. If a change in style, size, shape, color, or positioning is desired, or if additional light fixtures are to be installed on or around existing or new structures, an application is required. Permanent lighting and wiring requires approval. Exterior lighting may not shine on adjacent properties or public spaces, and should be aesthetically planned for each location.

Floodlights and various types of high output lights fall under the category of security lighting. Exterior lighting of this type must be considered more carefully because of the impact on neighboring properties. Light fixtures of this type should be carefully aimed so that they illuminate only a specific area, such as a doorway. Some high output light fixtures may have to be shielded in order to prevent unwanted intrusion of light from one property to another.

Temporary lighting for decoration, holiday, and festival use, does not require a formal application. Holiday lighting may be operative for a period not to exceed six weeks. After the period of use, all temporary lighting and decorations shall be removed.

In general, fluorescent lights used outdoors will not be approved.

Bug lights must be portable and kept ten (10) feet from the property lines.

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### **Maintenance of Premises and Improvements**

Maintenance requirements for premises and improvements will vary significantly due to materials, age, use and weather patterns, past maintenance practices and many other variables. While it is impractical to define specific maintenance requirements and schedules for all properties, a de facto standard of care and maintenance does exist to the extent that the community actively enforces aesthetic standards. This standard of care and maintenance is defined more by appearance than functionality and therefore, should be applied generally as a means of preserving the desired aesthetic qualities of the community. Structural or functional integrity is also a concern insofar as it negatively impacts aesthetic qualities or poses a risk to health, safety or the environment. Homeowners are encouraged to practice sound preventive maintenance on their homes and properties. In cases where preventive maintenance is lacking to the point of disrepair or *substantial* degradation of aesthetic quality, the association may require corrective maintenance measures to restore the desired aesthetic. The term *substantial*, as used herein, shall mean “considerable in degree, value or extent” such that any reasonable person would find the object of the term to be predominant within the given context.

The exterior of all homes, accessory structures, decks, driveways, walkways and any appurtenances must be maintained in like-new condition, subject to normal wear and weathering. Exterior finishes must be restored or replaced to like-new condition prior to onset of substantial flaking, peeling, fading, chipping, warping or other similar defect.

Lawn areas may be left in their natural state or landscaped, but in either case they shall be maintained as such and kept free of trash, debris and excessive or substantial overgrowth of vegetation. Dead or dying trees and vegetation must be promptly removed and disposed of properly.

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**Plantings and Trees (also see Landscaping & Border Structures)**

- A. Approval is not required for foundation plantings or accent plantings.
- B. Approval is required for planting vegetative screening or hedges.
- C. No live tree, which is more than ten (10) feet from the perimeter of a building, may be removed without explicit written approval.
- D. Any tree damaged beyond the point that it cannot heal itself (Determined at the discretion of the code enforcement officer) will result in having to replace the tree with a minimum tree height of ten feet and a Tier 4 citation.

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**Private Pools and Hot Tubs**

Private pools are generally not acceptable because there are very few locations where they can be placed without affecting adjacent properties, therefore, no above-ground or in-ground pools are permitted.

A complete Construction Permit application must be filed for hot tubs. A municipal building permit may also be required. Check with the Admin. Office or municipal code officials.

Approval of privacy screening is contingent upon the design and location of the hot tub.

The size of the hot tub may be limited by the maximum size of the enclosure permitted for privacy screening.

The impact of privacy screening on open space must be carefully related to adjacent property.

Applications must include:

A site plan showing the location and dimensions of the hot tub and related structures and equipment in relation to house, property lines, and adjacent dwelling(s).

Detailed drawings and plans of the hot tub, deck area, lighting, and water supply, drainage and disposal systems.

A plan for privacy screening must be submitted if needed to obscure the view from roads or adjoining property.

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**Repainting, Staining**

Approval is required when a house or accessory structure, siding, shutters, or trim are to be painted or stained a different approved color.

In addition, because of the relatively high density and visibility of many houses, and especially in areas where natural landscape buffers between houses are lacking, neighboring houses become, in effect, the landscapes of each other, into which each should blend. Therefore, complimentary color tones should be considered within neighborhoods to create a complimentary blending of houses with landscapes. Applications must include samples of all color changes, as well as a description of where on the house changes will occur.

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**Residing and Restyling Structures**

Approval is required for residing or restyling building exteriors. Natural materials are the preferred choice for residing. Color requirements apply as in "Repainting, Staining", above. Approval is required if the proposed residing material differs in color or texture from the existing siding on the structure, or if it results in a change in architectural style. New siding materials should be consistent or compatible with the style and color of the siding materials on the homes immediately surrounding it.

The style of existing trim work at soffits, corners, eaves, windows and doors, and of accent panels, shutters, or other stylistic features, should be retained in the residing design.

In those cases in which residents wish to alter the stylistic features of the existing facade (for example, by replacing rough vertical groove paneling with smooth, horizontal clapboard siding or by adding shutters or accent panels) the application approval may be decided based on the following considerations:

The size and shape of the residence in relation to existing and proposed materials.

The variety of styles and siding materials of the homes immediately surrounding the residence.

The overall visibility of the residence from nearby public and private properties.

A complete application must be submitted and is to include:

A photograph or sketch of the existing house, including the color and texture of the existing siding materials.  
A description of the proposed residing material including the color, texture, and manner in which it will be applied.  
Color and texture samples must be submitted with the application. Significant changes of present trim size and location, and removal or addition of other stylistic features should also be noted.  
Proposed treatment of outbuildings, such as sheds. Residing or repainting such structures may be required.

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### **Screens, Storm Windows, and Doors**

Approval is not required for exact replacement of screens, storm windows or doors, provided that they are of an *approved* color and style that match the house. Full view storm doors are permitted but must correspond to front door color or trim color of doorframe. All other types of door and window alterations require an application. All applications must include a picture and descriptions of the material, color, and style to be used.

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### **Sheds and Accessory Structures**

See Attachment

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### **Signs**

See Deed Restrictions & Covenants, paragraph 12. No signs of any type or size are permitted except for the required Lot/Section number signs, which must be displayed in a prominent location, within 10 feet of the road.

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### **Storage**

Storage of up to 4 cords of firewood may be located near the rear of the property, neatly stacked to a height of no more than four (4) feet. Firewood stacks may be covered with canvas or earth-tone fabrics. Brightly covered canvas or tarps should not be used.

Storage of miscellaneous items, i.e., ladders, toys, bicycles, trash cans, etc., is restricted to the rear yard area, immediately adjacent to the house, or to another otherwise approved and screened area.

No temporary structures of any kind shall be erected upon the premises without written approval from SCECA Code Enforcement Officer or Community Manager.

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### **Swing Sets, Tree Houses and Play Structures**

The equipment must be located behind the house as inconspicuously as possible. It must be at least ten (10) feet from the rear and side property lines. New swing sets and sandboxes do not have to be painted. Metal play equipment must be painted dark green.

Tree houses are not permitted

Playhouses, if not made of plastic, must follow the same standards as are required for accessory structures. A complete application is needed for all other instances and should include:

Color and materials.

A site plan with dimensions showing the location relative to the houses and property lines.

A picture or sketch of the equipment showing dimensions and screening where required.

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### **Trash and Debris**

See Deed Restrictions & Covenants, paragraph 13.

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### **Vehicles. Commercial and Recreational**

See Deed Restrictions & Covenants, paragraph 13.

## Attachments

### General Policy

#### Sheds & Accessory Structures

Permits must be obtained from the Township and SCECA as a first step in the approval process of sheds and accessory structures.

A full application is required for all sheds & accessory structures which must include:

1. A site plan which shows the relationship of the shed to the adjacent property lines.
2. A picture and or detailed drawing of the shed must include the dimensions.
3. A description of materials to be used.
4. The color of the proposed shed and color of the existing house.
5. The method of screening to be used, if applicable.
6. Any planting plan that may be used adjacent to the shed.

Sheds and Accessory Structures must be located in the rear yard, whenever possible.

Sheds must be located at least five (5) feet from adjacent property lines.

If a shed is to be located immediately adjacent to the dwelling, then one wall must be in common with the dwelling and it must be constructed of the same material as the dwelling. The siding, doors and trim must be the same size, color and texture as that of the dwelling. The roof must be the same color as that of the dwelling.

Landscaping such as trees or shrubs may be required for screening.

Each improved Lot is entitled to no more than one shed.

Square footage may not exceed one hundred forty four (144) square feet.

The maxim height for all shed walls is eight (8) feet. Roof peaks should be no taller than ten (10) feet.

Vinyl sheds must be esthetically complementary to the existing, approved exterior of the home structure.

Wooden sheds must have roof shingles and siding to match the home.

Present metal sheds will be approved providing they are in compliance from the Code Enforcement Officer. No new metal sheds will be approved.

Shed space may not be converted to a living area for human habitation, nor as a primary shelter for pets, nor for storage of passenger vehicles. No alterations, additions or improvements shall be made to any shed that would defeat the original purpose for which the shed was intended. If the house is restyled, resided or a paint change is made, the existing shed must be matched.

Temporary structures are not permitted as per the Communities Covenants.

Registering Sheds:

All sheds must be registered with the SCECA Code Enforcement Officer. Shed Registration Forms are available at the Member Services Office.

Existing Noncompliant Structures

Existing Accessory Structures that have been properly registered but are not in compliance, must be in compliance upon resale or such other time that has been agreed upon in writing by SCECA's Code Enforcement Officer, which ever date occurs first.

Failure to Register:

If a shed is not registered, it will be considered as being non-compliance and will be classified as a "non-approved" shed. The property owner would be subject to receiving citations and fines.

Inspections:

After your shed is registered, the Code Compliance Official will visit Your lot, inspects the shed, and determines if the shed complies with the current SCECA Architectural Standards.

Determinations:

If the shed is determined to be in compliance it will be classified as an "approved" shed. If the shed is determined to be non-compliant it will be classified as a "non-approved" shed.

Approved Sheds:

If classified "approved" a Shed Permit will be issued to the property owner. Thereafter, the property owner is required to maintain the shed by following the SCECA Architectural & Aesthetic Standards Guide. A copy of the approved shed permit shall be kept in the Homeowners file.

Non-Approved Sheds:

If classified as "non-approved" the property owner will be provided written notification as to why the shed is considered being non-compliant. The Code enforcement Officer shall work with the Homeowner on a timeframe to come into compliance.

Compliance:

After the property owner corrects the non-compliant issues, the Code Enforcement Official will re-inspect the shed. If the shed now complies with SCECA Architectural Standards, it will be re-classified as an "approved" shed.

Failure to Comply:

If a "non-approved" shed is not brought into compliance within the allocated time-frame, the property owner must remove the shed from the property and/or be subject to receiving citations and fines.

<b>DETACHED CARPORTS</b>	<b>NOT ALLOWED.</b>
<b>GREENHOUSES</b>	<b>NOT ALLOWED</b>
<b>DOGHOUSES AND DOG RUNS</b>	<b>See "Standards Section" of this document.</b>
<b>GAZEBOS</b>	<b>See "Standards Section" of this document.</b>

## **GENERAL POLICY – FENCES**

### **ARTICLE 1 – All Fences Require a Permit.**

**1.1** Saw Creek Estates Community Association shall regulate all fences. A property owner must apply for and receive a fence permit prior to constructing any fence, in compliance with the standards in this Article. The SCECA Code Enforcement Officer and the Building and Architectural Committee shall review applications for fences. Site plans are required to be submitted by lot owners who wish to erect fences in the community. The SCEA Code Enforcement Officer shall issue fence permits based on applications that comply with the standards of this Chapter

**1.2** Fences made of safe, flexible plastic mesh or other similar materials that cannot be easily observed from any road or from neighboring properties, and which are used primarily to keep deer away from landscape plantings or serving as a landscape improvement.

### **ARTICLE 11 – Fence Permit Application and Procedures**

**2.1** Any owner of a lot in Saw Creek Estates may erect a fence on the lot upon receipt of a Minor Work permit. There is no permit fee required. To apply for a permit, the owner must file a completed application form with the Code Enforcement Officer, along with two copies of a completed Site Plan. The Site Plan shall show:

1. The location of the fence.
2. The parcel boundaries of the lot upon which the fence is to be erected.
3. The location of other fences (if applicable), of the home and of other structures on the lot.
4. The detailed design of the proposed fence, including color.  
(Approved colors are: brown, bronze, hunter green, black and natural wood).
5. The material(s) of which the fence is (to be) made.
6. The detailed dimensions of the completed fence.
7. No fence shall be constructed beyond the front line of the dwelling except for split rail fencing.
8. All fences must be completed within a thirty day commencement date.

After review of the application and Site Plan, the Code Enforcement Officer may issue a fence permit. Fence construction is not permitted without a valid fence permit.

#### **2.2 No fence shall be erected which:**

1. Is of solid construction.
2. Generally obstructs the passage of air or light.

3. Obstructs an observer's line of sight from either side and has slats spaced less than two (2) inches apart.
4. Has slats greater than six (6) inches wide.
5. Is of chain link construction.
6. Is located in any area that is subject to an easement.
7. Is higher than six (6) feet above ground level at any point.
  - a. Exception would be seven (7) feet for mesh (deer fencing) fence.
8. Obstructs the visual sight triangle at any road intersection.
9. Is inherently dangerous (such as barbed wire or electrically charged).
10. Is board on board except for screening of air condition units, propane tanks and oil tanks. At a maximum height of six (6) feet.

### **ARTICLE III – PENALTY**

**3.1** The erection of a fence without a permit, or non-compliance with any other legal conditions affecting a permit shall result in the issuance of a Tier Three Citation.

## **APPENDIX - A**

**The following attachments should be reproduced as needed and submitted along with all drawings, plans, specifications, and other items required by this Guide. Please DO NOT submit this entire document or the original forms contained herein. Submit single-sided copies of application and attachments ONLY.**

- A.1 Permit Application Form and Checklist**
- A.2 SCECA – Lot Owners’ Release and Waiver**
- A.3 Contractors’ Compliance and Indemnification Agreement**
- A.4 Statement of Financial Arrangement**
- A.5 Minor Work Permit Application**
- A.6 Blasting Permit Application**
- A.7 Contractor Rules & Regulations For Vehicle Passes**

# CONSTRUCTION PERMIT APPLICATION FORM & CHECKLIST

Enclosed are the following documents necessary for your review.

1.  One (1) sets of detailed construction and elevation plans, drawn to scale.
2.  One (1) sets of specifications, which must include exterior color scheme or samples.
3.  Two (2) plot plans, drawn to scale and in accordance with requirements of the Guide.
4.  Two (2) copies of an Erosion & Sediment Control Plan (per PA Code, Title 25; § 102.4 *et. seq.*).
5.  Two (2) copies of a tree conservation and landscape plan (check here  if included in 4. above).
6.  One (1) copy of the approved municipal building permit and permit application form.
7.  One (1) copy of the approved municipal zoning permit and permit application form.
8.  One (1) completed copy of the Financial Arrangement form (See Attachment).
9.  One (1) completed copy of the Contract/Construction Agreement signed by all parties involved.
10.  One (1) completed Contractors Compliance & Indemnification Agreement (See Attachment)
11.  One (1) completed SCECA - Lot Owners' Release and Waiver (See Attachment).
12.  Certificate(s) of Insurance for general contractor and all sub-contractors.
13.  Certified check or money order payable to Saw Creek Estates Community Association.

I/We the undersigned owner(s) and Contractor(s) have read and agree to all of the requirements set forth in the Guide and have carefully examined all of the contents of this application. I/We affirm that the information in this application is a true and complete representation of the work to be performed and that no change shall be made without prior review and approval of Saw Creek Estates Community Association, Inc.

\_\_\_\_\_  
Home Owner (print name)

\_\_\_\_\_  
Contractors Representative (print name)

\_\_\_\_\_  
Home Owner Signature

\_\_\_\_\_  
Contractors Representative Signature

Lot / Section No. \_\_\_\_\_ / \_\_\_\_\_

Date: \_\_\_\_\_

**FOR SCECA OFFICE USE ONLY**

Date Rec'd: \_\_\_\_\_

Application Contents Complete: Y / N

Reviewed by: \_\_\_\_\_

Owner/Contractor Records Check: Y / N

**APPROVED**     **W/CONDITIONS**     **RETURNED**     **DENIED**

Date: \_\_\_\_\_

Comments: \_\_\_\_\_



**SAW CREEK ESTATES COMMUNITY ASSOCIATION**

**LOT OWNERS' RELEASE AND WAIVER**

I UNDERSTAND AND AGREE THAT THE SUBMISSION OF THIS APPLICATION FOR A CONSTRUCTION PERMIT AND THE SAW CREEK ESTATES GUIDE CREATE NO PROMISE, GUARANTEE OR WARRANTY OF ANY KIND BY SAW CREEK ESTATES COMMUNITY ASSOCIATION, INC. (SCECA).

I FURTHER AGREE THAT SCECA HAS NO DUTY, OBLIGATION, RESPONSIBILITY OR LIABILITY OF ANY KIND, WHETHER LEGAL, EQUITABLE, OR OTHERWISE, ARISING OUT OF, OR IN CONNECTION WITH THIS APPLICATION OR THE GUIDE.

LOT OWNER, FOR HIMSELF/HERSELF, HIS/HER HEIRS, PERSONAL REPRESENTATIVES AND ASSIGNS, RELEASES, DISCHARGES AND AGREES TO HOLD HARMLESS AND INDEMNIFY SCECA, AS WELL AS ITS DIRECTORS, OFFICERS, AGENTS, EMPLOYEES, INSURERS AND MEMBERS, FROM ALL LIABILITY, LOSS CLAIMS, DEMANDS AND POSSIBLE CAUSES OF ACTION THAT MAY ACCRUE FROM LOSS, DAMAGE OR INJURY TO PERSONS OR PROPERTY, IN ANY WAY RESULTING FROM, OR ARISING IN CONNECTION WITH, ANY WORK CONTEMPLATED OR ACTUALLY PERFORMED PURSUANT TO THE REQUIREMENTS OF THIS GUIDE, AND FROM ANY OTHER CAUSE WHATSOEVER, INCLUDING, WITHOUT LIMITATION, THE FAILURE TO ENFORCE THE TERMS OF THIS GUIDE, THE FAILURE TO OBTAIN ADEQUATE BONDING FROM BUILDER OR THE FAILURE TO MAKE INSPECTIONS.

IT IS THE OWNERS RESPONSIBILITY TO EXERCISE DUE DILIGENCE IN SELECTING AND CONTRACTING WITH A BUILDER. OWNERS SHALL NOT BE ENTITLED TO RELY UPON THE EXISTENCE OF THE GUIDE TO IMPOSE LIABILITY UPON SCECA, ITS DIRECTORS, OFFICERS, AGENTS, INSURERS, EMPLOYEES AND MEMBERS.

**I/WE HAVE READ THIS RELEASE AND WAIVER AND AGREE TO ITS TERMS.**

\_\_\_\_\_  
Lot Owner Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Lot Owner Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

**To: Saw Creek Estates Community Association, Inc. (SCECA)**

**From:** \_\_\_\_\_  
Contractors Authorized Representative (print clearly)

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

**Re: Contractors Compliance and Indemnification Agreement**

By affixing my signature below, I affirm my understanding and agreement that;

I am solely responsible for all work performed in connection with the property indicated below and as described in the plans and specifications of this construction permit application package and furthermore, I acknowledge and accept that such work shall specifically include, but not be limited to, identification of the correct lot and section, proper location within approved setbacks of all structures, maintenance and improvement of all culverts, swales and storm water conveyances within existing easements on or adjacent to the property and maintaining full compliance with all rules and regulations of SCECA as they relate to construction and other activities within the community.

I will indemnify and hold harmless Saw Creek Estates Community Association, Inc., its directors, officers, employees, agents and members from any and all liability, loss, claims, demands and possible causes of action that otherwise may accrue from loss, damage or injury to persons or property, in any way resulting from, or arising in connection with my work in the Saw Creek Estates community.

Issuance of a Construction Permit is subject to the approval of SCECA and contingent upon my understanding and acceptance of the foregoing statements.

Agreed: \_\_\_\_\_  
Contractors Representative Signature

Company name: \_\_\_\_\_

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

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Saw Creek Estates Lot / Section No. \_\_\_\_\_ / \_\_\_\_\_



1125 Saw Creek Estates  
Bushkill, PA 18324  
(570) 588-9329

### STATEMENT OF FINANCIAL ARRANGEMENTS

I /We understand that the Saw Creek Estates Community Association has reason to be concerned that proper financial arrangements have been secured to insure the prompt completion of our home insofar as a lack of such financial arrangements could result in long-standing incomplete homes within the community which in turn, could have a negative effect on the valuation of other homes in the community and pose a potential health and safety hazard to individuals. Therefore, I/we submit the following information:

Construction of our new home is (check one):

Financed through a construction mortgage with: \_\_\_\_\_  
Name of Lending Institution

Being paid for in cash directly to the builder

Being paid with cash held in escrow by: \_\_\_\_\_  
Name of Attorney, Bank, other

The amount of our contract, including options is: \$ \_\_\_\_\_

and the amount being held in escrow or financed is: \$ \_\_\_\_\_

Our house can best be described as one of the following:

A turnkey home

A completed (or modular) home with some interior work to be completed

Other (Please explain.) \_\_\_\_\_

This information will be held in the strictest confidence by Saw Creek Estates and will not be disclosed to any third party. The sole purpose of providing this information is for SCECA to maintain proper oversight of construction financing and contract practices within the community.

Print Name: \_\_\_\_\_ Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signed: \_\_\_\_\_

Lot: \_\_\_\_\_ Section: \_\_\_\_\_



## Minor Work Permit Application

Use this form to request a permit or authorization to perform minor alterations to your home or property as indicated below. This form may not be used for new construction, major renovations or any other work that requires a municipal construction permit or SCECA construction permit.

**To help expedite the permit process, please read the *entire* permit application before submitting.**

<b>Name:</b> _____ <i>Placing your name on this document gives SCECA permission to enter your property.</i>	<b>Lot / Section:</b> _____
<b>Daytime Phone:</b> _____	<b>Street Address:</b> _____
<b>Type of Request (check one or more):</b>	
<i>Shed Registration</i> <input type="checkbox"/> New <input type="checkbox"/> Existing	
<i>Driveway Resurfacing Permit</i> <input type="checkbox"/> Stone <input type="checkbox"/> Pavement <input type="checkbox"/> Accessory Structures (dog houses, dog runs, etc)	
<input type="checkbox"/> Landscaping Permit (impervious cover/grade change) <input type="checkbox"/> Exterior Paint, Stain or Siding (color change)	
<input type="checkbox"/> Drainage Culvert Repair/Replacement <input type="checkbox"/> Fence	
<i>Tree Permit</i> <input type="checkbox"/> Removal <input type="checkbox"/> Trimming <input type="checkbox"/> Other (preliminary project review/approval)	
Always exercise due diligence in selecting a contractor. If no contractor is involved, please print "Applicant" in the space below and indicate the project start/end dates.	
<b>Contractor:</b> _____	<b>Proposed Start Date:</b> _____
<b>Phone:</b> _____	<b>Expected End Date:</b> _____

**GENERAL REQUIREMENTS:** Applicants are responsible for understanding all Saw Creek Estates rules and regulations that apply to the proposed work. If you are uncertain about the requirements for your project, you may request a preliminary review/approval by checking the "Other" box above. You will be contacted to discuss the details of your project and receive an explanation of applicable requirements.

Except as noted below, all applications should include a neatly drawn sketch of your lot that shows the location of existing buildings, roads, driveways, drainage culverts, trees to be removed or landscape features, as well as any proposed changes or additions to them. The level of detail needed in your sketch depends upon the complexity of your project (for example, drainage culverts do not need to be shown for a tree removal application). Generally speaking however, the more detail you can provide, the better. For more complex projects, a brief narrative may be helpful to further explain certain details shown on your sketch. For your convenience, you may submit your sketch and narrative on the back of this form.

A sample of the color or siding you wish to use must be submitted with any "Exterior Paint, Stain, or Siding" application.

Please note that with a new shed or fence application you must follow the specific policies regarding each permit issue. You can find these policies online at [www.sawcreek.org](http://www.sawcreek.org) or at the Member Services Office.

<b><u>FOR SCECA OFFICE USE ONLY</u></b>	
Date Received: _____	Application Contents Complete: Y / N
Received by: _____	Owner/Contractor Records Check: Y / N
Reviewed By: _____	Date Reviewed: _____
<input type="checkbox"/> APPROVED <input type="checkbox"/> W/CONDITIONS <input type="checkbox"/> RETURNED <input type="checkbox"/> DENIED            Date: _____	
Comments: _____	



Saw Creek Estates  
Community Association, Inc.

## Blasting Activity Permit Application

A Saw Creek Estates Construction Permit does not cover blasting activity. Use this form to request a Blasting Permit for any and all blasting activity within the Saw Creek Estates Community Association subdivision.

**GENERAL REQUIREMENTS:** Applicants are responsible for understanding all SCECA rules and regulations that apply to the proposed work. All blasting activity must comply with Title 25 PA Code, Chapter 211 and all other applicable codes and standards. This form must be submitted together with a copy of a completed and approved PA DEP Blasting Activity Permit with all attachments or, in case of a "blasting activity permit-by-rule", all information required by Title 25 PA Code, § 211.124, as if a DEP Blasting Activity Permit were required.

Applicant Name: _____	Lot / Section: _____
Address: _____	Contact Person: _____
City, State, Zip: _____	Daytime Phone: _____
<b><u>Blasting Contractor Information (check here <input type="checkbox"/> if same as above and indicate License No. below):</u></b>	
Contractor Name: _____	Blaster's License No. _____
Address: _____	Contact Person: _____
City, State, Zip: _____	Daytime Phone: _____
<b><u>Blasting Activity Summary:</u></b>	
<input type="checkbox"/> PA Blasting Activity Permit Attached	<input type="checkbox"/> No Permit Required (permit-by-rule)
Name and Description of Project: _____ _____	
<b><u>Project Duration and Times:</u></b>	
Proposed Start Date: _____	Proposed End Date: _____
Daily Hours of Operation: _____ AM / PM thru _____ AM / PM	

\_\_\_\_\_  
Applicants' Signature

\_\_\_\_\_  
Date

<b>FOR SCECA OFFICE USE ONLY</b>	
Date Received: _____	Application Contents Complete: Y / N
Reviewed by: _____	Owner/Contractor Records Check: Y / N
<input type="checkbox"/> APPROVED <input type="checkbox"/> W/CONDITIONS <input type="checkbox"/> RETURNED <input type="checkbox"/> DENIED	Date: _____
Comments: _____	



## **CONTRACTOR RULES & REGULATIONS FOR VEHICLE PASSES**

**The following rules apply to all contractors (and all subcontractors) authorized to work within the Saw Creek Estates community. Failure to abide by Saw Creek rules may result in fines, suspension of your pass privileges and/or being escorted off of and refused future access to the community.**

- 1. All contractors must stop at the gate(s) and be recognized by Security personnel.**
- 2. Passes shall be issued daily by Gate Security personnel.**
- 3. Contractor passes must be prominently displayed in the vehicle at all times.**
- 4. Contractor passes are NOT transferable.**
- 5. Using another's pass is a violation, subject to fines.**
- 6. Contractors must use the most direct route to/from their job site(s).**
- 7. Contractors normal work hours are Mon-Fri, 8:00 AM to 5:00 PM, excluding holidays. Any work after 5:00 PM must be authorized by SCECA.**
- 8. Contractors must obey all posted speed limits, parking and traffic regulations within the community.**
- 9. Contractors are responsible for understanding and obeying all community rules and regulations relating to construction activity.**
- 10. Fines will be issued for all violations.**

**I understand and agree to comply with the rules and regulations of Saw Creek Estates Community Association, Inc. (SCECA). I further accept that my entry into Saw Creek Estates is contingent upon my continued compliance with such rules and regulations and that SCECA and its directors, employees or agents may, at their sole discretion, impose fines and/or revoke my entry privileges for any form of non-compliance whatsoever. By affixing my signature below, I certify that I have read the foregoing statements and agree to be subject to all of the conditions stipulated therein.**

\_\_\_\_\_  
**Contractors' Signature**

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

## APPENDIX – B

### SAW CREEK ESTATES DEED RESTRICTIONS & COVENANTS

1. The premises shall be used for residential purposes only. No building shall be erected, placed or permitted to remain on the premises other than one detached single family dwelling, not to exceed two and one-half stories in height and a private Garage for not more than two cars, which garage is to be attached to the dwelling.
2. No building, structure or fence shall be erected upon the premises hereby conveyed without first obtaining the approval in writing, of the grantor, as to location, elevation, plan and design. Any exterior structure or construction must be completed within six months after it has started. The dwelling must contain a minimum of one thousand square feet of living space.
3. Any building erected on the premises shall be subject to all governmental regulations relative to construction. In addition to the covenants, easements, reservations charges and conditions herein contained In the event of a conflict of the provisions of these covenants with any local subdivision or zoning ordinance, such ordinance shall control.
4. No building shall be erected on any lot within twenty-five (25) feet of any road, nor within fifteen (15) feet to the side or rear line of said lot, except in the case of corner lots whereon no buildings shall be erected within twenty five (25) feet of said road. **[NOTE: In some cases, local ordinances differ from paragraph 4 above. Per paragraph 3 above, such local ordinances shall control. ]**
5. Easements for installations and maintenance of utilities and drainage facilities shall be reserved over ten (10) feet adjacent to all streets and ways and five (5) feet adjacent to all other lines.
6. The keeping of poultry, livestock, or any animals other than those classified as family pets (i.e. dogs, cats and caged birds, etc.) shall be prohibited No more than two dogs or two cats or one dog and one cat shall be allowed per dwelling.
7. Grantor grants and conveys to grantee the right to ingress egress and regress to and from the grantor's lot over and upon that portion of grantor's land shown, as streets on the recorded maps of the land which premises hereby conveyed are apart.
8. The grantees, their heirs, executors, administrators, successors or assigns agree to pay to grantor or its successors such annual fee for maintenance of roads and recreational facilities, which may be assessed from time to time.
9. Grantees, their families and guests have the right to use in common with grantor, its successors and assign such recreational facilities, which may be established on the premises. Subject to the grantee having paid the aforementioned annual fees, in full, with no lapse in payment from previous years for existing Association members.
10. Title to the recreational facilities and road shall remain in grantor, its successors and assigns such recreational facilities which maybe established on the premises. Subject to such charges that may be levied and subject to grantee having paid the aforementioned annual fees.
11. No signs of any type shall be erected or maintained on the premises. The grantee agrees to remove any signs within five (5) days after notice from the grantor to such, and in the event the same are not removed within five (5) days, the grantor reserves the right to enter onto the premises hereby conveyed for the purpose of removing said signs and the grantee agrees to pay the reasonable cost of said removal.
12. All garbage, trash and rubbish shall be kept in sanitary containers at all times and promptly removed. No unlicensed motor vehicles or farm implements, and no junk, building materials or other items that would tend to degrade the environment, appearance or value of the development shall be kept on the premises. The grantee agrees to remove any such items within five (5) days after notice from the grantor and in the event the same are not removed within five days the grantor has the right to enter upon the premises hereby conveyed for the purpose of removing any of said items and the grantee agrees to pay the reasonable cost of said removal.

## SAW CREEK ESTATES DEED RESTRICTIONS & COVENANTS

(continued)

13. No tent, trailer, mobile home or temporary type of structure of any kind shall be placed or used upon any part of the premises hereby conveyed, at any time. The Grantee agrees to remove any such tent, trailer, mobile home or temporary structure within five days after notice from the Grantor, and in the event same are not removed within five days the Grantor reserves the right to enter onto the premises hereby conveyed, for the purpose of removing any of said objects, and the Grantee agrees to pay the reasonable cost of said removal.

14. Firing of guns of any kind is prohibited at all times on the premises hereby conveyed, and on the premises of which this lot is a part, except in areas specifically reserved for that purpose, if any.

15. No sewage disposal system or water system shall be installed or utilized on the premises other than that specifically approved by the Township of Lehman and/or the Commonwealth of Pennsylvania, Department of Environmental Resources. Grantee, their heirs and assigns agree to pay such charges as may be established and levied by the Grantor or its assigns for water and sewer services, including but not limited to, standby fees, hookup fees and annual service fees. If such fees are not paid within 60 days of due date, Grantor or its assigns has the right to impose a lien on such premises until such fees are paid.

16. Grantor reserves the right to allow the central water and sewage systems to be owned by a private company, or a non-profit authority or corporation or to a property owner's association which may be formed. The Grantor reserves the sole option to determine the entity to eventually own and operate the central water system and central sewage system.

17. Failure to enforce promptly any of the above provisions shall not be deemed a waiver of the right to do so thereafter, and the invalidation of any of the above provisions by decision of any competent court shall in no way effect any of the other provisions, which shall remain in full force and effect.

18. The provisions of this instrument shall bind the Grantor and the Grantee and their respective successors, heirs, executors, administrators and assigns.

19. No unlicensed motorized vehicles shall be permitted on the cartways (roads and cul-de-sacs) of the Saw Creek Estates subdivision.

## APPENDIX – C

### **SCECA APPROVED EXTERIOR COLOR CHART**

We believe that the Saw Creek Estates community has a unique, natural beauty and ambiance and are concerned that homes and amenities within the community blend in appropriately with the environment. For this reason, the community has adopted certain aesthetic guidelines that include specifications for exterior finishes and color schemes.

The attached color chart contains some of the accepted colors for exterior paint, stain and vinyl finishes. The color chart does not constitute a recommendation or endorsement by SCECA of any particular product or manufacturer. Any brand of paint, stain or siding is generally acceptable, provided the color is essentially the same as those represented on the approved color chart. When in doubt about the acceptability of a chosen color, please contact the Member Services Office for guidance.

Remember that it's the natural beauty of the area that brought many of our residents to this community. We only wish to maintain the scenic charm that makes Saw Creek Estates one of the most desirable communities in the Pocono region.

**NOTE:** Due to differences in the color rendering capabilities of various hardware/software combinations, the SCECA APPROVED EXTERIOR COLOR CHART is not available for on-line viewing. A hard copy of the chart may be obtained from the SCECA Member Services Office upon request.

