

TO: Members of the Rosenmiller Farm Homeowners Association (“RFHOA”)
FROM: RFHOA Board, and,
Rosenmiller Farm Design Review Board (“DRB”)
DATE: January 12, 2015
RE: Information regarding Architectural Design Review process

As you may be aware, 2014 marked the 25th Anniversary of our neighborhood. In 2014, the neighborhood took the important step of renewing the architectural design review process, which has been a key aspect of maintaining the aesthetic beauty of Rosenmiller Farm since the founding of the neighborhood in 1989.

In recognition of the renewal of the architectural design review process, the Board of the RFHOA, in conjunction with the DRB, has prepared the attached “Guidelines Related To Design Review Board” for neighbors. There are two primary purposes for the attached document:

- (1) To provide a primary source of information for neighbors on the processes and standards associated with architectural design review. This same information will also be available through the RFHOA website to allow neighbors to access it remotely; and,
- (2) To implement updates to the architectural design review process and standards, as are now incorporated into the attached document, which are being made following an evaluation process involving the RFHOA Board, the DRB, neighborhood volunteers and outside counsel.

Should you have any questions regarding the attached document, please contact Bob Merino, RFHOA Board President, who will arrange for a response to be provided to your questions.

ROSENMILLER FARM

GUIDELINES RELATED TO DESIGN REVIEW BOARD

INTRODUCTION

Pursuant to Section I(A)(1) of the Rosenmiller Farm Declaration of Restrictive Covenants & Conditions (the "Declaration"), a Design Review Board (hereinafter "DRB") was established to oversee and implement the Declaration with regard to improvements on lots within the Association. The term "improvements" includes but is not limited to any structure, landscaping, planting, including color schemes in kind and quality on any lot. This document supplements, but is not intended to supplant or supersede, any requirements for or obligations of the DRB as set forth in the Declaration and Bylaws. (This document does, however, supersede the May 1, 2008, cover letter from then-Chair of the DRB, Lew Zuber, along with its attachments.) The DRB shall follow this document and the Guidelines attached hereto as Exhibit "A" in carrying out its duties. This document and/or the Guidelines also set forth the process to appeal any decision of the DRB. This document and the Guidelines are not all-inclusive; discretion is left to the DRB in matters not set forth herein or under the Guidelines. The DRB is responsible for enforcement of these Guidelines as directed by the Board of the Rosenmiller Farm Homeowners Association (the "RFHOA Board"). A variance from the Declaration requires approval by the RFHOA Board. If the variance is also of a governmental ordinance or regulation, then appropriate governmental approval is also required, which shall be the obligation of the lot owner(s) to obtain.

APPROVAL PROCEDURE:

Before commencement of any improvement, the lot owner(s) must request and receive written approval from the DRB.

Documented plans and specifications along with the completed approval form shall be submitted by the lot owner(s) to a member of the DRB for processing.

All plans shall be reviewed by the DRB and approved or rejected within thirty (30) days after complete submission, however, such thirty (30) day time period does not commence until the lot owner has provided answers or responses for all documents, information, questions or requests asked for by the DRB. Lot owners will be notified of approval or rejection by notation on a returned copy of the form.

Note: Documents submitted by the lot owner(s) in paper or electronic form will not be returned. Submissions will be retained as set forth in the Guidelines.

The DRB recommends that a lot owner who is submitting a plan to the DRB for approval provide notice of that plan to neighbors who will be significantly impacted by either the execution or end result of the plan. The DRB retains discretion to request that a lot owner

provide notice of a plan to other lot owners who will be significantly impacted by the plan or, alternatively, if a lot owner is unwilling to provide such notice, the DRB may, in its discretion, provide notice directly to such other lot owners.

ENFORCEMENT:

In accordance with the Declaration, enforcement shall be by proceedings at law or equity against any person(s) violating or attempting to violate the Declaration. The intent of the DRB is to work on behalf of all lot owners to provide for and maintain the harmonious development of property within the Association. To that end, the DRB, on behalf of the Board, may ask lot owners to (1) remove additions or improvements if not approved by the DRB or if not in compliance with the approval provided by the DRB; (2) complete additions or improvements, if otherwise incomplete, to the extent such additions or improvements were a basis for an approval provided by the DRB; and (3) engage in property maintenance if the existing maintenance levels are inconsistent with the basis upon which a lot approval was granted.

DRB RESPONSIBILITIES:

1. Receiving, reviewing and approving/rejecting plans received from lot owners.
2. Notifying lot owners of approval status within thirty days of receiving completed submissions.
3. Retaining all submissions for files and future monitoring of work in accordance with approved plans.
4. Responding to requests from current and prospective lot owners.
5. Providing periodic oversight to monitor compliance with approved plans and documented restrictions.

NOTE REGARDING RESTRICTED VIEW EASEMENT CORRIDOR:

With respect to Lots 19 to 36 (west of Grantley Road; between Grantley Road and Rosewood Lane), the open space (as shown on the Association's final, approved subdivision Plan) in the back of individual homes lies behind the building envelope of each lot. Building envelopes are as documented in the final subdivision plan and on individual deeds. The open space is sometimes called the Restricted View Easement Corridor and may also be referred to in this document or the Guidelines as the "Corridor". As an analogy, consider the open space as an easement on a lot to provide for and protect the Corridor. The Corridor is a unique feature of the lots in the Association and the area. The Corridor adds beauty and value to individual homes and to all RFHOA properties. The Corridor extends across Grantley Road to the open space and farm buildings. Please note that the Corridor inside Rosewood Lane to the west of Grantley Road is not common land available for neighborhood use, but rather the private property of the respective lot owners, meaning it is not for use as a walkway or for any other purpose or access by other than the respective property owners.

EXHIBIT "A" - GUIDELINES

A. DESIGN, REVIEW AND APPROVAL:

1. Before commencement of construction of any structure or other improvement on any lot, property owner(s) must receive approval from the DRB.
2. Construction or improvements shall be performed only in accordance with plans and specifications submitted to and approved by the DRB.
3. One or more members of the DRB may enter upon the lot of any owner(s) who has/have submitted a plan for approval in order to evaluate the proposed plan or confirm that all requirements under the Declaration, Bylaws, Rules/Regulations, or proposals in the Plan have been or can be satisfied. Reasonable notice will be provided prior to the DRB member's visit.
4. Any unfavorable decision by the DRB may be appealed within twenty (20) days of the date of the decision to the HOA Board by submitting in writing to the HOA Secretary and/or HOA President a notice of appeal which shall state the reason for the appeal (i.e., the basis upon which the owner believes the DRB decision is in error) and enclose a copy of the DRB's decision. Any unfavorable decisions to which no appeal is timely filed shall be considered final.
5. Upon receipt of an appeal from a decision of the DRB, the RFHOA (Secretary shall notify the President (who) shall place the item on the agenda for discussion at the next regularly-scheduled meeting of the RFHOA Board. At such meeting, the aggrieved owner(s) shall have the opportunity to present to the RFHOA Board his/her/their argument as to why the DRB decision is in error; thereafter, a member of the DRB shall present to the RFHOA Board the reason(s) for the DRB decision. After any discussion and deliberation, the RFHOA Board shall vote to affirm the DRB decision (rejecting the appeal) or overturn the DRB decision (approving the proposal) and state its reasoning for its decision. Any decision by the RFHOA Board is final and binding.

B. GUIDELINES TO BE USED BY THE DRB INCLUDE:

1. Aesthetic aspects of architectural design and placement on lot of any structure, landscaping, color scheme, exterior finishes and materials.

C. CONTENTS OF PLANS AND SPECIFICATIONS:

1. All proposed plans must be submitted to a member of the DRB in both paper and in electronic (preferably PDF) format containing only the submission.
2. Each submission shall also include:
 - a. An architectural sketch or rendering

b. A site plan showing property lines, easements, rights-of-way and proposed location of all structures on the lot; proposed grading and landscaping; the location of all building set back lines and building envelopes

c. Elevation drawings of any proposed structures showing facades shall indicate exterior finishes and any ornamental features

d. Specifications indicating the building materials to be used in construction.

D. RESTRICTIONS INCLUDE, BUT ARE NOT LIMITED TO:

Please see Section I(B) of the Declaration for "Site Design Restrictions and Requirements."

E. EXCLUSIONS

1. Within the Corridor inside Rosewood Lane to the west of Grantley Road, the replanting of damaged or diseased trees does not require DRB approval as long as the replacement tree is of the same or a similar variety as the one being removed.

2. Fencing that otherwise meets any requirements of the Declaration, Bylaws and Rules/Regulations (and applicable Township or County ordinance or law) shall be permitted in circumstances where existing setback requirements do not make sense relative to the purpose(s) of the fencing proposal. A fence may be located as permitted by local ordinances as long as they do not conflict with underground utilities that might be located within relevant utility easements, and provided the fence is otherwise consistent with the Declaration and the Guidelines.

F. DOCUMENT RETENTION

1. All documents submitted to the DRB for approval shall remain the property of the Association. The documents shall be retained by the Association, in hard or electronic form, for a period of at least twelve (12) months from the date of submission. After that period, the Association may remove the documents from its files and dispose of same.

2. Within the period of twelve (12) months from the date of submission, relevant documents shall be available for review by the submitting owner(s), other lot owners, any DRB member, and any member of the Board. No other access shall be permitted without authorization from the submitting owner(s).

G. PLANTING IN RESTRICTIVE VIEW EASEMENT CORRIDOR (Lots 19 to 36)

Restrictive View Easement Corridor improvements shall be restricted to plantings; no non-pervious surfaces (including fence, playground equipment, posts, rocks, stone, or sand or buildings) are permitted. All proposed plans for plantings must be submitted for review and receive approval from the DRB before commencement of planting:

1. Plantings in the open space area must relate in design as well as function to the sum total of all open space in 18 contiguous lots (lots 19 – 36)
2. Within each lot open space area, the proposed landscape can be made up of different parts with plantings of many kinds. Each part should be carefully designed and planted as a separate entity with maintenance necessary to establish and maintain a panoramic view of the entire neighborhood open space in mind.
3. Plantings in the open space will be random and not in a straight or circular configuration. A minimum open space in all directions, both within and extending across adjacent lot lines, between plantings equal to or exceeding the diameter of adjacent plant foliage at plants maturity will be met.

END