

# ENVIRONMENTAL CONTROL COMMITTEE BYLAWS

June 25, 2003

The Environmental Control Committee adopts the following Bylaws pursuant to Article X of the Eastman Community Association Declaration of Covenants and Restrictions. These Bylaws supersede all previously approved Bylaws.

## GENERAL

1. NAME:

Eastman Community Association Environmental Control Committee (ECC)

2. OBJECTIVES:

To assure the following:

- Eastman's natural environment is protected.
- All structures are aesthetically compatible with the environment.
- All construction reflects the intent and purposes of Articles XI and XII of the Declaration of Covenants and Restrictions of the ECA and of these Bylaws.

3. DEFINITIONS:

- A. ECA: Eastman Community Association
- B. ECA Board: ECA Board of Directors
- C. ECC: Environmental Control Committee
- D. OWNER: The owner or owners of record of any property that is subject to the Declaration of Covenants and Restrictions of the ECA.
- E. LOT: Any property that is subject to the Declaration of Covenants of the ECA
- F. COVENANTS: The Declaration of Covenants and Restrictions of the Eastman Community Association.
- G. STRUCTURE: Anything that is built, constructed or assembled and placed on a lot.
- H. SITE WORK: All work associated with and located on Eastman lots including, but not limited to, the exterior of any structures, driveways, walkways, utility connections, landscaping, lighting and light posts, signs, etc.
- I. PROFESSIONAL: A Design professional experienced in residential site planning and licensed by the State of New Hampshire. Specifically, these include Septic Designers, Land Surveyors, Engineers and Architects or other design professionals with prior approval from ECC.

3. AUTHORITY:

The committee shall have the authority to do the following:

- Propose, for adoption by the ECA Board, Bylaws for the conduct of its affairs and the implementation of Articles XI and XII of the Covenants.

- Levy and collect fines, based on a schedule of fines approved by the ECA Board, for the violation of the Committee's Bylaws (Article 10.5 of The Covenants).

4. MEMBERSHIP:

The ECC shall be composed of seven (7) members and a number of alternates. Appointments of all members and alternates shall be made by the ECA Board as stated in Article X of the Covenants. Members and alternates may be removed by a vote of two thirds of the members of the ECA Board.

5. OFFICERS:

The ECC shall elect from among its members a Chairman and Vice Chairman (Article 10.1 of the Covenants).

6. MEETINGS:

The Chairman shall call meetings as often as required to fulfill the objectives of the ECC. All matters requiring ECC action shall be decided by a majority vote of the members. When a member of the Committee is absent or recuses himself, the Chairman may designate an alternate to act in that member's stead. The Committee shall prepare and maintain records of its actions and proceedings, which records shall be available for inspection by any Owner at the ECA office (Article 10.4 of the Covenants).

7. AMENDMENTS:

These Bylaws may be amended at any time by a majority vote of the members of the ECC and ratification by the ECA Board. Notice of proposed changes shall be made to all ECC members in writing prior to a vote.

8. INTERPRETATION:

In case of conflict between any provision of these Bylaws and the Covenants, the latter shall prevail.

9. DISSOLUTION:

The ECC may be dissolved or abolished only if Article X of the ECA Covenants is deleted or amended to permit such dissolution.

### PROCEDURES

1. APPLICATION:

No site preparation, construction, or modification to the exterior of an existing structure on any Eastman lot is permitted without completion of the application process and written approval of the ECC.

Exception: Test pits may be dug, provided that a completed test pit application (ECC Form 1) is filed at the ECA office during normal business hours, at least five (5) days prior to digging the test pits.

Applications may be mailed to the ECA, P.O. Box 53, Grantham, NH 03753 or delivered to the ECA office between 8:00 A.M. and 4:30 P.M. Monday through Friday. All application forms to be completed are attached hereto and incorporated by reference. All materials submitted with the application become the property of the ECC. No inspection by the ECC will occur until all application forms and any additional requirements have been completed. The ECC reserves the right to inspect any approved site and/or structure during construction for the purpose of ensuring compliance with the approved application and plan.

If an applicant, owner, or related party is in default of the Declaration of Covenants or the ECC Bylaws or owes assessments or fines to the Eastman Community Association, than that person will be prohibited from going forward with a new project until the old matters are corrected.

A check for application fees should be made payable to the ECA. Application fees are listed below:

- a. **New House Construction..... \$ 500**
- b. **Addition to Living Space..... \$ 250**
- c. **New Garage..... \$ 250**
- d. **Miscellaneous Structures..... \$ 75**
- e. **Change to an existing Driveway ..... \$150**

**In cases when initial plans are inadequate and additional engineering review is required, the committee will assess an additional fee of \$ 250.00 for each additional review**

**Exception: No application fee is charged for tree removal, color changes on existing structures, or any project for which the cost of building materials is less than \$1,000. Driveway work is not included in this exception.**

2. PERFORMANCE BOND:

The purpose of performance bonds is to ensure compliance with the ECA Covenants and these Bylaws.

All Owners shall execute a performance bond at the time of submission of the application according to the schedule below. Monies shall be deposited into an escrow account in a New Hampshire bank to secure the bond. Proof of the bond acceptable to the ECC shall be provided and the escrow account shall be held in the name of the ECA. Interest on the account shall accumulate to the benefit of the depositor unless there is a default of the terms in the performance bond, in which case, accrued interest may be payable to the ECA. Inspection by the ECC shall not occur and site preparation or construction of any kind is not permitted until a performance bond is executed and the bond is escrowed.

Amounts of Performance Bonds are as follows:

- 1. **New House Construction..... \$5,000**
- 2. **Addition to Living Area..... \$1,000**
- 3. **New Garages..... \$1,000**
- 4. **Driveway Construction or Paving ..... \$ 200**
- 5. **Miscellaneous structures including, but not limited to, the following:  
deck, porch, woodshed, exterior alteration ..... \$ 200**

**Exception: No performance bond is required if the building materials cost less than \$1,000. “Driveway work is not included in this exception”**

3. RELEASE OF THE PERFORMANCE BOND:

It is the responsibility of the Owner to notify the ECC that the site work and exterior of the structure are completed in all respects and may be inspected for final approval. The ECC shall release the performance bond when it determines that the requirements of the Covenants, these Bylaws, and conditions of approval of the ECC, if any, have been met.

4. DEFAULT:

New House Construction

The performance bond on New House Construction is in default if the construction of the exterior of any structure and site work are not completed in accordance with the approved plans within

eight (8) months of the date of the initial clearing of the site.

If the bond on New House Construction is defaulted, a penalty of \$100 for each working day beyond the eight-month period will be deducted from the amount of the bond. In addition to this per diem assessment, the ECA reserves the right to bring an action in a court of appropriate jurisdiction for injunctive relief and damages in excess of the amount of the performance bond in order to ensure compliance.

#### Other Construction

Performance bonds in all other categories are in default if work is not completed according to the approved application four (4) months from the start of construction. In such cases, a penalty of \$50 per day for thirty (30) working days will be assessed. The ECA reserves the right to complete the approved project at the property owner's expense.

Projects not requiring a performance bond must be completed within four (4) months of the date of approval.

#### Extensions

The committee will consider requests for extensions to the eight (8) and four (4) month construction periods cited above. Such requests will be approved only in situations of hardship which are beyond the Owner's control.

#### 5. CHANGES TO NEW CONSTRUCTION PLANS:

No exterior changes of any kind, including but not limited to, colors, materials, site plans, lot clearing and/or configurations or additions shall be made to the approved plans and applications without prior written approval of the ECC. To obtain approval of a change in the original plan and application, the Owner or his/her agent(s) must submit to the ECC an amended plan with accompanying documentation (as required during the original application process).

#### 6. ALTERATIONS/ADDITIONS TO EXISTING STRUCTURES:

No alteration to the approved site plan or the exterior of any structure (including any change in the exterior color) and no additions to any structure existing on any lot or on Association Land or Special Place Reserved Land (see Article 2 of the Covenants) shall be made without the prior written consent of the ECC (Articles 11.1 and 11.2 of the Covenants).

Exception: Association Land as described in the Supplementary Declaration of Covenants and Restrictions dated June 29, 1979 is not subject to these Bylaws.

#### 7. APPROVALS:

Approval or disapproval of an application shall be given by the ECC in writing within thirty days (30) days of the submission of an application with all applicable forms included. The decision of the ECC will be sent to the address listed on the application. Advisory opinions and on-site approvals shall not be issued by the ECC.

#### 8. EXPIRATION OF APPROVAL:

If building construction has not begun within six (6) months of approval of any application, such approval expires. Following expiration, reapplication and written approval are required before construction can begin.

#### 9. DEVIATIONS:

The ECC may grant permission to Owners to deviate from these Bylaws when such deviation is consistent with the Objectives Section of the Bylaws (Article 10.6 of the Covenants). The request for a deviation shall be made at the time of application or, within thirty (30) days of the date of written notice of the ECC decision relating to an application. The request shall be in writing and

state the reason for the requested deviation. ECC Form 8 shall be used for this purpose. The ECC shall notify the Owner of its decision within thirty (30) days of the receipt of the request.

10. APPEALS OF ECC DECISIONS:

Any Owner aggrieved by a decision of the ECC may appeal the decision as follows:

- Within thirty (30) days of receipt of written notice of the ECC decision, the Owner shall set forth in writing the specific objection(s) to the ECC decision and shall file the appeal, including a request for a hearing if desired, with the ECA Board President at P.O. Box 53, Grantham, NH 03753.
- Within thirty (30) days of receipt of the appeal, an Appellate Committee comprising three Board members will meet to discuss the facts relating to the ECC decision and the appeal. A hearing will be held upon request of the Owner.
- Based on a majority vote, the Appellate Committee will, within fourteen days of its meeting (or hearing, if requested) recommend to the full Board that it affirm, reject, or modify the decision by the ECC.
- The Owner will be notified of the date that the Board will act on the appeal. The Board's decision is final (Article 10.7 of the Covenants). The Board will provide the decision to the Owner in writing.

11. SCHEDULE OF FINES

See Appendix A.

**REQUIREMENTS**

1. APPLICATION PROCESS:

Listed below are the forms necessary for the approval of various projects (see Appendix B for copies of the forms).

<u>Form Title</u>	<u>Form Number</u>
Test Pit Application	ECC Form 1
Performance Bond	ECC Form 2
New House Application	ECC Form 3
Driveway/Culvert Application	ECC Form 4
Tree Removal Application	ECC Form 5
Alteration to Property Application	ECC Form 6
Color Change Application	ECC Form 7
Request for Deviation	ECC Form 8

## New House Construction

The Owner and/or his/her agent(s) shall meet with the ECC at the ECA office to review the proposed construction plans and shall then walk the building lot with ECC members prior to approval of the application.

The following items are necessary in order to begin construction of a new house:

- Town building permit.
- Approval by the Eastman Village Water District.
- Approval for connection to the sewer system or, documentation showing approval of the proposed septic system by the New Hampshire Water Supply and Pollution Control Commission.
- Approval of the Town Conservation Commission (when necessary).
- ECC Forms 1, 2, 3, 4, and 5.
- A complete set of plans of the structure to scale, including all exterior elevations.
- **A boundary survey prepared and sealed by a NH Licensed Land Surveyor which includes all easements, Open Space Grants, golf course rough buffer areas, etc. All property corners shall be set with iron pins or other permanent markers.**
- A detailed site plan **prepared and sealed by a Professional depicting existing site features and proposed construction including, at a minimum:**
  - (a) **existing and proposed contours at two-foot interval**
  - (b) **easements, open space grants, building setbacks**
  - (c) **existing roads and ditches, including culverts if impacted by the proposed construction**
  - (d) **existing utilities such as water, sewer, utility poles**
  - (e) **proposed location of all structures, fuel tanks, septic system or sewer tie-in, water line**
  - (f) **proposed driveway location and grading, road/driveway interface, culvert detail (as required), parking area**
  - (g) **proposed location of electrical, telephone and cable television wires**
  - (h) **proposed location and wattage of all exterior lighting**
  - (i) **general landscaping details**
  - (j) **erosion and sediment control measures, including construction and maintenance details**
  - (k) **measures to control drainage impacts on roads and/or abutting properties, as necessitated by site conditions**
  - (l) **perimeter of area to be cleared**
- **Copies of State approved septic system design and New Hampshire DES construction approval**

**On Site Identification, Per Appendix “C” of these Bylaws:**

- **The perimeter of the area to be cleared shall be flagged**
- **The corners of all structures shall be staked and flagged**
- **The septic system, driveway, and utilities shall be staked and flagged**

Surveyor's pins, which indicate all boundaries of the lot, shall be in place. Corners of all structures shall be staked and flagged. Septic fields shall be staked and flagged. Driveway, parking area perimeters, fuel tank locations, water and electrical lines shall all be clearly marked. The perimeter of the area to be cleared shall be clearly marked (see Appendix C for Staking and Flagging requirements).

- **A Civil Engineer, licensed and insured in the State of New Hampshire and retained by the ECA, will review each construction site. The purpose of this review is to determine whether the proposed construction will create a change in the drainage pattern that may be detrimental to abutting properties. If, in the opinion of the Civil Engineer, abutting properties will be adversely affected by the new construction, it shall be the responsibility of the owner of the property being developed to provide remedies to such adverse effects that are satisfactory to the ECA Civil Engineer.**

**Alterations/Additions to Existing Structures**

The following items are required for alterations or additions to existing structures:

- Town building permit when necessary.
- Documentation showing approval of the proposed septic system by the New Hampshire Water Supply and Pollution Control Commission (when necessary).
- Approval by the Town Conservation Commission (when necessary).
- ECC Form 2 if a Performance Bond is necessary.
- ECC Form 5 if tree removal is requested.
- A sketch to scale with elevation drawings if applicable, or,
- An indication on the existing site plan showing the precise location of the alteration/addition along with a sketch or the manufacturer's description (that is, a shed, sunroom, swing set, etc.).
- Corners of the new structure(s) must be staked and flagged (see Appendix C).
- **A Civil Engineer, licensed and insured in the State of New Hampshire and retained by the ECA, will review each construction site. The purpose of this review is to determine whether the proposed construction will create a change in the drainage pattern that may be detrimental to abutting properties. If, in the opinion of the Civil Engineer, abutting properties will be adversely affected by the new construction, it shall be the responsibility of the owner of the property being developed to provide remedies to such adverse effects that are satisfactory to the ECA Civil Engineer.**

2. **SITE WORK:**

- A. **Clearing of the Site:** No clearing shall be done other than that specified in the site plan. The ECC may require the Owner to plant tree cover in any area that has been cleared without approval and may impose a fine for such clearing.

- B. Culverts: A metal culvert of at least twelve (12) inches in diameter and sixteen (16) gauge thickness may be required at the junction of the driveway and the road or other locations as required to facilitate surface drainage. A plastic culvert may be used provided it is covered by at least one foot of approved material (see Appendix D).
- C. Utility Lines: Electrical, telephone, and cable television wires shall be buried underground from the utility pole to the dwelling.

3. PROJECT DESCRIPTION:

Owners are encouraged to discuss any aspect of any project regarding ECA/ECC requirements with the ECC.

A. Building Materials Other Than Roofing:

- (1) The siding and trim of all structures must be wood. This restriction includes, but is not limited to the following: decks and enclosures for meter boxes, fuel tanks, and power generators.
- (2) Cement fiberboard that resembles wood is an allowed exception to this requirement.
- (3) Acceptance of other synthetic materials for siding, trim, decks, and screening is permitted at the discretion of the ECC.
- (4) Aluminum or vinyl materials for siding or trim are not acceptable.
- (5) House exteriors of genuine or synthetic logs are not permitted.

The requirements listed above do not apply to the following:

- (1) Deck flooring, doors (entry and garage), shutters, louvered vents, window frames, and window boxes of some synthetic material may be acceptable if it resembles natural wood.
- (2) Glass and metal framing for sun rooms, clad windows and door assemblies, basement bulkhead entrances, rain gutters and leaders, drains and other pipes and vents, lighting and electrical fixtures, and awning supports.

B. Roofing Materials and Colors:

- (1) Roofing colors shall be selected from the Color Book at the ECA office.
- (2) A change in roofing material and/or color requires ECC approval.
- (3) The same roofing material and color shall be used on all structures on a given property. However, metal ice/snow panels, not to extend more than three (3) feet from the drip edge of the roof, may be installed with ECC approval. The color of these panels shall closely match the primary color of the roof. Highly reflective roofing materials are not acceptable

C. Siding and Trim Colors:

The Color Book containing samples of acceptable colors for exterior siding and trim is available at the ECA office during normal business hours, Monday – Friday, 8:00 AM – 4:30 PM. Exterior siding and trim colors for new structures and additions or color changes on existing structures should be selected from the colors in this book. In addition, colors approved under previous guidelines which may not be included in the Color Book, may also be used on new/ existing structures. Any combination of colors may be used for siding and trim provided that not more than two colors are selected. Exterior color schemes of all structures on a property must be consistent. Samples of the exact stains/colors chosen from the Color Book or from existing Eastman structures with colors not shown in the Color Book must be submitted for ECC approval.

Colors from paint/stain manufacturers not represented in the Color Book may also be used provided they are within the range of colors in the Color Book and approved by

the ECC. Proposed additions to the approved colors in the Color Book may be submitted for ECC approval provided they are consistent with the range of approved colors in the Color Book. Any color proposed which is not represented in the Color Book or not on an existing Eastman structure must be submitted for approval on a sample of the siding and/or trim to be used. The colors black and white are not acceptable for siding.

D. Miscellaneous Guidelines:

- (1) The term "trim" includes the following: frames around windows and all doors, shutters, rake, fascia, and corner boards.
- (2) Because differences in materials exist, the color of garage doors must be identical or reasonably equivalent to the color of the siding or trim.
- (3) The color of entry doors, excluding garage doors, may be different from the siding and trim.
- (4) The wooden window sash must match or be reasonably equivalent to the siding or trim color.
- (5) The entire deck structure may be stained/painted the color of the siding or trim or be allowed to weather naturally.
- (6) Fabric awnings affixed to the structure, including striped awnings, are acceptable as long as color tones harmonize with the surrounding environment. Removable awnings should meet this standard. Samples of the exact awning material shall be submitted for approval by the ECC.
- (7) Flower boxes attached to the structure shall be stained/painted the same as the siding or trim.
- (8) All exterior enclosures, pipes, and vents shall be painted the same or approximate color as the siding. Roof vents shall be painted to blend with the roof.
- (9) Septic vents and underground propane tank towers shall be painted an approved color or painted a color that will blend with the immediate surroundings.
- (10) Any alteration of the exterior appearance of any structure on a property that is not specifically delineated above shall meet the intent of these guidelines and shall require prior ECC approval before being undertaken.

4. CONSTRUCTION RULES:

- A. Setback requirements: Any structure shall be constructed to conform to the setback restrictions of the town in which it is located, but in no case shall there be less than thirty-five (35) feet from the property line bordering any road-right-of-way and ten (10) feet from all other boundary lines.
- B. Chimneys: Chimneys not made of stone or brick must be enclosed. The materials and the color of the enclosure must match the siding.  
**NOTE:** White chimneys are prohibited.
- C. Storage Tanks. Tanks for the storage of fuel are considered to be structures and shall be buried or enclosed with wooden fencing (Article 12.1 (b) of the Covenants). The fencing shall be stained/painted to match the siding of the house or an approved color that will blend

with the immediate surroundings. Natural vegetation may also be used (for example, conifers) if it is sufficient to provide complete screening. Generators must be similarly enclosed. (The intent of this requirement is that tanks and generators not be visible from the roadway or nearby properties.)

- D. Utility meters: All utility meters must be completely enclosed. The materials and color of the enclosure must match the siding.
- E. Alarms: No audible exterior alarm devices are permitted.
- F. Exterior Lighting: All exterior lighting must be located and be of a wattage so that the lighting does not shine unreasonably beyond the boundaries of the lot and does not create a hazard to traffic.
- G. Parking Spaces: A minimum of two off-road parking spaces must be provided for each house.
- H. Signs: Advertising signs of any size are prohibited during construction. Thereafter, no name signs exceeding two hundred (200) square inches are permitted (Article 12.1 (f) of the Covenants).
- I. Debris: No logs, brush, or other debris shall be left in the road right-of-way or on the property of other Owners without the Owners' written consent.
- J. Roads/Drainage: Roads and drainage shall not be blocked during construction.
- K. Work Days: From June 15<sup>th</sup> to September 15<sup>th</sup>, construction activities at houses and condominiums (which create noise that can be heard beyond the construction site) may only be conducted Monday through Friday. Such construction is also prohibited on Independence Day and Labor Day. Construction may be done on Saturdays during the remainder of the year.

Exception: An Owner may request an exception to this restriction at the time of application, provided the restriction constitutes a perceived hardship. If this exception is approved by the ECC, construction by the Owner will be permitted on Saturday and Sunday between 9:00 A.M. and 5:00 P.M. It is encouraged that this work be done on Saturdays.

- L. Work Hours: Construction activities at houses and condominiums (which create noise that can be heard beyond the construction site) may only be conducted between the hours of 7:00 A.M. and 5:00 P.M. on days when construction is permitted. Site work may be done from 7:00 A.M. to 6:00 P.M. on days when construction is permitted.
- M. Trucks Over Six (6) Tons:
- Are not permitted on Eastman roads on Saturdays or Sundays from June 15<sup>th</sup> to September 15<sup>th</sup> without permission from the General Manager or the Head of the Maintenance Department.
  - May use Eastman roads on Saturdays but not Sundays from September 15<sup>th</sup> to June 15<sup>th</sup> of the following year.
  - Are not permitted on Eastman roads between the hours of 5:00 P.M. and 7:00 A.M. without permission from the General Manager or the Head of the Maintenance Department.
- N. Roads: Roads damaged during construction will be repaired daily. The Maintenance Department may repair road damage left unrepaired and the cost of repair will be charged to and paid by the Owner. Trucks and construction equipment left on roadways overnight may be towed at the Owner's expense. General contractors are responsible for immediate pick-up and removal of any debris inadvertently dumped on roadways during hauling.

- O. Appearance: Construction sites are to be kept neat and clear of debris, including but not limited to, trash generated by workers.  
**A dumpster/container, of a size adequate to accommodate all debris and trash, must be on the construction site from the start of construction to its completion.**
- P. Sanitary Facilities: Portable sanitary facilities are required at each site at the start of construction. The facilities are to be screened from adjacent lots and roads when possible.
- Q. Dogs: Workers' dogs must not be allowed to roam freely or leave the construction site.
- R. Radios: The volume of radios, stereos, etc. should not be audible beyond the bounds of the construction site.
- S. Open Fires: No open burning is permitted on Saturdays, Sundays or Holidays from June 15<sup>th</sup> to September 15<sup>th</sup>. Open burning is allowed only when the Town Fire Marshall issues a permit. All fires shall be attended until they are completely extinguished.

5. RESPONSIBILITIES:

General contractors are responsible for the actions of their workers and their sub-contractors. The cost of any work undertaken by the ECA to correct conditions in violation of these rules will be charged to and paid by the Owner.

6. REPEATED RULE VIOLATIONS:

In case of the repeated violation of construction rules set forth in these Bylaws, the ECC may recommend to the ECA Board that it prohibit the use of Eastman roads by any person, company, corporation, or firm guilty of such violations.

7. TREE REMOVAL:

No standing tree, dead or alive, having a diameter of four (4) inches or more at a point one (1) foot above the surrounding ground level shall be cut or removed from the premises beyond fifteen (15) feet of any structure or within five (5) feet of the side and rear property lines without permission of the ECC. Trees within fifteen (15) feet of any structure may be removed unless the fifteen (15) feet encroaches on the setback restrictions or an Open Space Grant (See Article 11.7 of the Covenants).

No trees or vegetation of any size located within a natural woodland buffer zone of one- hundred-fifty (150) feet of the shoreline of Anderson Pond, Eastman Pond, or Mill Pond as guided by the New Hampshire Shoreline Protection Act (CRSA-483-B) shall be cut, removed, topped, low limbed, or windowed without the prior written consent of the ECC (see Article 11.8 of the Covenants).

8. DRIVEWAY REQUIREMENTS:

See Appendix D.

9. GENERAL:

A. Single Family Residences: Only single family residences are permitted. Single family residences are defined as follows: A single residential building containing one (1) dwelling unit designed for occupancy by not more than one (1) family. A dwelling unit consists of one (1) or more rooms arranged for use as a separate, independent housekeeping unit containing cooking, living, sleeping, and sanitary facilities (see Article 11.6 of the Covenants).

B. Manufactured Housing: Manufactured housing is not permitted. Manufactured housing is

defined as follows: Any structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or when erected on site, is three-hundred-twenty (320) square feet or more, and which is built on a permanent chassis and designed to be a dwelling unit with or without a permanent foundation when connected to utilities, which include plumbing, heating, and electrical heating systems contained therein. Manufactured housing as defined herein shall not include pre-site built housing as defined in the New Hampshire RSA, Chapter 673:31-a (see Article 11.5 of the Covenants).

- C. Structures Destroyed by Fire: No structure which has been totally or partially destroyed by fire or other means shall be allowed to remain in such a state. If the Owner decides not to rebuild, the foundation must be filled to ground level and the site restored to a natural condition within three (3) months from the time of the destruction. For restoration or reconstruction, the regular application procedure and written approval of the ECC are required.
- D. The ECC shall not be responsible for defects in plans, surveys, materials, or workmanship involved in any approved construction.

**ADOPTED by Environmental Control Committee May 7, 2003**

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**ECC Chairman**

**RATIFIED by Eastman Community Association Board of Directors July 24, 2003**

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**ECA Board President**