

# **MT. MANSFIELD TOWNHOUSE ASSOCIATION OF OWNERS**

## **LIMITED COMMON ELEMENTS MODIFICATION AND/OR ADDITION REVIEW AND APPROVAL POLICY**

### **A.) INTRODUCTION, BACKGROUND, AND APPLICABILITY**

The Second Amended and Restated Declaration and By-laws of the MT. MANSFIELD COMPANY CONDOMINIUM TOWNHOUSES #1 ASSOCIATION OF OWNERS provide that the Board can approve requests of individual Unit Owners for any structural alterations to the Common Elements or the annexation of Limited Common Elements to Units and contains a prohibition against structural changes by Unit Owners without prior written approval of the Board of Directors.

At the July 2, 1983 summer homeowner's meeting certain modifications and additions, as shown on drawings and elevations prepared by architects, were adopted as so-called "standard modifications and/or additions" that could be approved by the Board of Directors. All other modifications or additions that would use, occur on, or alter the Association's Common Elements or any Limited Common Elements would require approval by a majority of Owners a duly called meeting.

Expanded standard modifications were approved at the January 14, 2006 winter homeowners' meeting. On September 1, 2015, the Association adopted its Second Amended and Restated Declaration and By-laws comprehensively addressing the process for seeking approval for modifications to Common Elements or the creation or alteration of Limited Common Elements. The Second Amended and Restated Declaration also gave the Board of Directors the authority to adopt rules establishing a process for approving the use and alteration of Common Elements and Limited Common Elements.

This Limited Common Elements Modification and/or Addition Review and Approval Policy is intended to be used and interpreted together with the Second Amended and Restated Declaration, particularly Section III(E) and Appendices D and E thereof.

### **B.) STANDARD MODIFICATIONS THAT THE BOARD OF DIRECTORS CAN APPROVE**

#### **1) "A" TYPE BUILDING (1,2,3 bedroom units with crawl spaces)**

Building Numbers 1, 4, 7, 8, 10, 12, 17

- a. Removal of skylights
- b. Bedroom expansion into ground level alcove ("B" units)
- c. Expand kitchen onto covered porch ("A" units)
- d. Entry mudroom one-story ("A" and "C" units)
  - i. Modified to include wood box and garbage box
- e. Entry mudroom two-story ("B" units)
- f. Entry mudroom with room above (2-story) ("A" unit)
- g. Ski closets for "C" units

- 2) "B" TYPE BUILDING (Three, two-bedroom units with basements)
  - Building Numbers 2, 3, 5, 6, 9, 11, 13, 14, 15, 16
  - a. Removal of skylights
  - b. Living room expansion onto balcony ("A", "B" and "C" units)
  - c. Entry mudroom one-story ("A" and "C" units)
    - i. Modified to include wood box and garbage box
  - d. Rear mudroom ("A", "B", and "C" units)
  - e. Middle unit front mudroom one-story
  - f. Entry mudroom with room above (2-story) ("A" and "C" units)

The Board of Directors can approve minor deviations from the standard Design and Beyond drawings.

C.) OTHER STANDARD MODIFICATIONS THAT BOARD OF DIRECTORS CAN APPROVE

1. Heating modifications
2. Window and through wall a/c units
3. Finish "B" type building basements including installation of bathroom
4. Minor window, entry door, storm door, sliding door changes or additions
5. Interior common area plumbing and electrical revisions or additions
6. Living room fireplace revisions or additions including propane fired units
7. Individual unit small satellite dish installations
8. Exterior light fixtures
9. Basement egress windows

D.) STANDARD MODIFICATION APPROVAL PROCEDURE:

1. Owner shall prepare a modification request letter and drawing package to include plans, elevations, construction details, foundation drawing(s), material and equipment specifications, landscaping plans and any other drawing or information needed to clearly show all work that is proposed to be done.
2. Owner shall review letter, drawings, etc. with Manager and/or Buildings Grounds Chair.
3. Owner shall make the revisions requested by Manager and/or Buildings Grounds Chair and prepare all information required to finalize package for submission to the full Board of Directors.
4. Manger will submit owner's completed request package to the full Board of Directors for review a minimum of three weeks prior to a duly scheduled Board meeting.
5. The Board of Directors will review each Standard Modification request to ensure it adheres to the existing approved drawings.

6. Standard Modification requests may be approved by majority vote of the Directors as provided for in Section II(F) of the Second Amended and Restated Bylaws of the Association.

#### E.) NON-STANDARD MODIFICATION APPROVAL PROCEDURE

Pursuant to Section III(E)(2) of the Second Amended and Restated Declaration, Non-standard Modifications require approval of the Owners at a meeting of the Association for which the request is an agenda item. The following procedure shall apply to all Non-standard Modification requests:

1. Board encourages Owner to prepare preliminary sketches of proposed modification(s) and/or addition(s) and review them with Manager and Building/Grounds Chair prior to preparing detailed drawings, specifications and plans.
2. Owner shall prepare modification request letter and drawing package to include plans, elevations, construction details, foundation drawings, material and equipment specifications, landscaping plans and any other drawings or information needed to clearly show all work that will be done.
3. Owners or his representative shall review the letter, drawings, etc. with Manager and Building/Grounds Chair.
4. Owner shall make the revisions or additions requested and prepare all required information to finalize modification request package.
5. Manager shall review the request package with Building/Grounds Chair a minimum of three months prior to the Association homeowners' meeting at which the request will be presented for approval.
6. Any suggestions, revisions or additional information required by Building/Grounds Chair or Manager will be communicated by Manager to Owner or his representative.
7. Manager will furnish each Director a completed modification(s)/addition(s) request package a minimum of three weeks prior to a scheduled Board meeting which would be a minimum of two months prior to the homeowners' meeting at which the request is to be considered.
8. Directors will review; any suggestions, revisions, or additional information required will be communicated to Owner by Building/Grounds Chair and/or Manager.
9. A completed modification package will be sent to all Homeowners explaining the individual Owner's request. This letter shall be sent a minimum of one month prior to a duly scheduled Homeowner's Meeting at which request will be considered.

10. Owner must be present at the Homeowner's Meeting to present the request and answer any homeowner questions.

F.) NORMAL APPROVAL CONDITIONS AND CONTINGENCIES FOR BOTH STANDARD AND NON-STANDARD MODIFICATIONS

1. Letter of agreement between Owner and Association including plans, specifications and conditions as approved by the Board or the homeowners at a meeting as provided for above and in the Second Amended Declaration and Bylaws. The letter of agreement must be signed by the Owner and the Building/Grounds Chair prior to the commencement of construction.
2. Any required Maintenance Agreement(s) if space or facility not included and covered by common area fee square footage.
3. Appropriate CAF agreement(s) if space or facility not included and covered by common area fee square footage.
4. Modification or addition will meet all local and state codes.
5. All required permits will be obtained by Owner and filed with the Association.
6. Construction rules and regulations are to be adhered to as stipulated in the letter of agreement.
7. Two-year completion date from date of approval letter.
8. Written "STOP WORK ORDER" letter can be issued by the Board of Directors if work not being done per approved drawings and specifications.
9. Completed modifications are to be reviewed and approved by the Building/Grounds Chair.
10. An approved unit modification can be transferred to a new owner if the unit is sold before modification is built/completed. However, the new owner must sign the existing approval letter and the original two year completion date still applies.

DULY ADOPTED POLICY  
BOARD OF DIRECTORS  
JULY 5, 1997

REVISED  
JULY 21, 2001  
JULY 14, 2006  
DECEMBER 14, 2016