

WATERVIEW ASSOCIATION, INC.
P.O. Box 1041
Oak Bluffs, MA 02557

Architectural Requirements

Revised and Approved: March 19, 2022

These requirements are for the purpose of convenient, quick reference and do not supersede or modify any of the provisions of (1) the Declaration of Covenants and Restrictions entered into by members of the Waterview Association, Inc.; (2) the Protective Provisions set forth in a deed from Island Properties, Inc. to Robert E. and Nancy P. Cooke, recorded in the Dukes County Registry of Deeds in Book 285, Page 495; (3) any applicable provision of law, including the Town of Oak Bluffs by-laws; or (4) any ruling by any body legally empowered to make enforceable rulings affecting Waterview Farm.

1. NEW CONSTRUCTION - Any construction undertaken, including garages, outbuildings, sheds, walls and fences, must be of the character, style and appearance adopted by Island Properties, Inc. in the period 1968-1973. All construction plans must be reviewed by the Architectural Review Committee and approved by the Board of Directors of the Waterview Association, Inc., **prior** to the beginning of construction. This includes obtaining written Association approval of the location of the structure(s) on the lot, which must be surveyed and marked by a professional land surveyor prior to such approval.

The guiding principle is to have each structure exhibit an exterior appearance in complete harmony with that initially permitted in the period 1968-1973. The “*character and style*” referred to above and the desired “*harmony*” are based essentially on the following features:

a. Siding- The siding must be individual vertical tongue-and-groove or ship-lap siding with a rough-sawn outside texture. These vertical boards should be between 5 and 7 ½ inches in width. Textured panels are not acceptable.

b. Chimney- The chimney may be natural red brick or cinder-block, stuccoed or timber framed. Regardless of construction materials, white is preferred.

c. Foundations- Part or all of the structure may rest on pile piers. If a foundation is used, cinder-block or poured concrete may be employed. The visible portion of the foundation after backfilling, should not exceed 40 inches and must reflect the color, texture and composition of the intended vertical appearance.

d. Windows and Doors- In order to reflect the initial style and appearance of Waterview Farm, windows should be clear panels, casement, awnings or sliders, with grey or terratone sashes, frames and trim. White trim is acceptable only after consideration by the ARC and Board. Double hung windows, with 1 over 1 sashes (no mullions) are acceptable. The main doors should be solid, may have a single large glass panel and painted gray to match the siding, or painted with a subtle, neutral color. Jalousie and sliding doors are acceptable for decks. Garage, shed or outbuilding doors and windows should have the same color, texture and appearance of the primary structure.

e. Pitch of Roof- All roofs must be 12 x 12 pitch. This means the slope of each roof pitch is 45°.

f. Roof- The roof material for every structure must be:

1) cedar shingles with 5” of each shingle exposed to the weather,

- or -

2) Enviroshake in Silvered Cedar color (<https://enviroshake.com/enviroshake-product/>) with 7” of each shake exposed to the weather.

g. Decks- The floor and railings should be similar to the initial style and character of Waterview Farm.

h. Color- All structure must be stained or painted a “weathered gray”. This includes walls, decks, garage doors, trim and foundations. Acceptable colors include Cabot’s “Driftwood Gray” (Note: not transparent or semi-transparent.)

i. Modules- Each house should consist of two or more modules with accompanying ridge-lines at different heights and different angles or the exterior must be designed to give the appearance of a multi-modular style of original Waterview Farm structures. The primary objective is to prevent the appearance of a box-like structure.

j. Overhang- The cedar roof overhang should not exceed six inches (i.e. the lower edge of the roof should not extend more than six inches beyond the vertical siding). Gutters and downspouts are acceptable but must be of the same “weathered gray” color of the structure.

k. Size- The ground floor of the primary dwelling should have at least 1,000 square feet of floor space. A smaller structure may be considered if it meets all other requirements. The accumulated square footage of garages, sheds and/or outbuildings should be less than 75% of the primary dwelling’s ground floor area.

l. Height- The height of any structure may vary from 20 feet or less up to the Town of Oak Bluffs limit of 32 feet, depending on the location of the structure on the lot and the possibility of interference with other Association member’s existing views of the skyline or the water.

2. REMODELING - Any exterior remodeling of, or addition to, an existing structure must be reviewed by the Architectural Review Committee and approved by the Board of Directors.

3. SINGLE FAMILY CHARACTER - All buildings are to be single family residences. Separate apartments or bedroom with their own kitchen and sanitary facilities are not permissible.

4. TEMPORARY CONSTRUCTION STRUCTURES - No sheds, buildings, trailers, campers, or any other temporary structure of any kind shall be moved on to any Waterview Farm property without the advanced written approval of the Board of Directors.

5. PROPERTY SIGNS - No sign greater than one square foot shall be displayed prior to review by the Architectural Review Committee and approved by the Board of Directors.

6. FUEL STORAGE TANKS and ENERGY SYSTEMS - No tank for the storage of fuel or HVAC systems (compressors) may be located and maintained on any premises prior to review by the Architectural Review Committee and written approval by the Board of Directors. All fuel storage tanks must be buried or enclosed in an Oak Bluffs Fire Department approved structure. Alternative energy systems such as solar and heat pumps must be approved by the Board of Directors.

7. BUILDING MATERIALS - No building materials of any kind shall be placed or stored on the premises until the owner is ready, willing and able to initiate construction and has all necessary permits and approvals from both the Waterview Association Board of Directors and the Town of Oak Bluffs to commence construction.

8. UTILITY ACCESS – All utilities run from Waterview Association roads must be on the property owners lot or within Association established easements.

9. SITE STORAGE – Off season storage of boats, other equipment or materials may be permitted on the owners property but must be covered. Tarps or covers must be brown, green or a neutral color. Bright blue tarps are not permitted.

10. LEGAL ACTION - If, in order to ensure compliance with these requirements, it becomes necessary for Waterview Association, Inc. to invoke legal assistance, the cost of such legal actions will be borne by the person(s) violating these requirements. Full payment of these costs must be received by Waterview Association, Inc. before approval will be given for construction to start.

11. APPLICATION - To facilitate review of all subject building plans by the Architectural Review Committee and Board of Directors, applicants must complete and submit an application to the Waterview Association, Inc. The application must include a site survey plan prepared by a registered land surveyor, locating the structure(s) on the lot(s) and showing existing and proposed elevations, grades and drainage. Structure(s) plans and specifications must include each floor plan, section details for all elevations and views, materials schedule for roof, siding, doors, windows and decks, landscape plan for the premises and driveway/walks description. See application checklist for detail.

12. CONTACTING THE ASSOCIATION - Anyone contemplating construction of any new structure or re-modeling of an existing structure should contact the Association as early in the planning process as possible. Contact may be established through the President of Waterview Association, Inc., P.O. Box 1041, Oak Bluffs, MA 02557.

13. DEVIATION FROM GUIDELINES -The Board of Directors, after review and comment by the Architectural Review Committee, may authorize deviations from these guidelines if the Board feels such deviations are in the best interest of Waterview Association, Inc. and address the Waterview Farm theme regards, style, character and appearance.

14. CONSTRUCTION SCHEDULE – No major construction activity, as determined by the Board of Directors, may take place between June 15th and Labor Day.

15. RESTORATION AND MITIGATION – The applicant/owner is required to repair and restore all Association roadways disturbed by utility trenching and truck/equipment related construction activities. Any construction-related site access involving Waterview common lands or private property must be restored or mitigated to the satisfaction of the Board of Directors and/or affected property owners. A written restoration agreement must be approved and executed between the parties (Association, applicant/owner and/or private property owner) prior to initiation of site work.