

**FOREST HILLS VAN-COURT ASSOCIATION**

**ARCHITECTURE AND CONSTRUCTION  
PROCEDURES AND GUIDELINES  
2014**

Forest Hills Van-Court Association, Inc.  
P.O. Box 4112  
Forest Hills, New York 11375

# TABLE OF CONTENTS

<b>INTRODUCTION</b> .....	1
<b>CHAPTER 1</b> .....	2
ARCHITECTURE COMMITTEE.....	2
APPLICATION PROCEDURE.....	2
CRITERIA FOR EVALUATION OF SUBMISSIONS TO THE ARCHITECTURE COMMITTEE.....	2
GENERAL CONSIDERATIONS.....	3
PERMISSION TO PROCEED WITH CONSTRUCTION.....	3
APPEAL PFCEDURE.....	3
ENFORCEMENT OF COVENANTS, GUIDELINES, AND RELATED ARCHITECTURAL MATTERS.....	4
<b>CHAPTER 2</b> .....	5
MINOR ADDITIONS OR ALTERATIONS TO STRUCTURES AND SITES.....	5
REVIEW PROCEDURES.....	5
SUBMISSION REQUIREMENTS.....	5
<b>CHAPTER 3</b> .....	6
MAJOR NEW CONSTRUCTION.....	6
REVIEW PROCEDURES.....	6
PRE-APPLICATION MEETING.....	6
PRELIMINARY REVIEW.....	6
FINAL REVIEW.....	6
SUBMISSION REQUIREMENTS.....	6
PRELIMINARY REVIEW.....	6
FINAL REVIEW.....	7
<b>CHAPTER 4</b> .....	8
GENERAL GUIDELINES FOR DESIGN, MATERIALS AND CONSTRUCTION.....	8
DESIGN AND MATERIAL GUIDELINES.....	8
I. GENERAL INFORMATION.....	8
II. EXTERIOR WALLS.....	8
III. ROOFING.....	9
IV. WINDOWS AND WINDOW REPLACEMENTS.....	9
V. DOORS.....	9
VI. HARDWARE.....	9
VII. AWNINGS.....	9
VIII. WALKS, DRIVES, PATIOS AND OTHER PAVING.....	9
IX. FENCES AND GATES.....	10
X. EXTERIOR AIR-CONDITIONING UNITS.....	10
XI. ANTENNAS AND DISHES.....	10
XII. SIGNS.....	10
XIII. EXTERIOR LIGHTS.....	11
XIV. BUILDINGHEIGHT.....	11
XV. SOLAR PANELS.....	11
XVI. STAINLESS STEEL.....	11
<b>CHAPTER 5</b> .....	12
CONSTRUCTION GUIDELINES.....	12
HOURS OF WORK.....	12
TREES AND SHRUBS.....	12
PROTECTION OF GUTTERS AND STORM DRAINS.....	12
PROTECTION OF SIDEWALKS AND CURBS.....	12
DUMPSTERS/CONTAINERS.....	12
CARE OF GROUNDS DURING CONSTRUCTION.....	12
EXCESS MATERIALS.....	13
SIGNS.....	13
RESTORATION OF GRASS PLOTS.....	13
LANDSCAPING.....	13

## INTRODUCTION

The Forest Hills Van-Court Association, Inc. was formed on November 17, 1969 to continue the enforcement of restrictions on the properties designated as the Vanderveer Tract and the land designated as Forest Hills Court. Covenant restrictions dating back to May and July of 1923 protect each of these areas, respectively.

The Forest Hills Van-Court Association, Inc. area is adjacent to Forest Hills Gardens (called the Gardens Corporation). The 1923 covenant restrictions called for enforcement of the restrictions by the Gardens Corporation and/or any of the homeowners. In 1969 the Gardens Corporation decided to withdraw from the active enforcement of the covenant restrictions. The Forest Hills Van-Court Association was incorporated at that time to carry on with enforcement. The Association represents approximately 320 homeowners in a thirteen square block area in Forest Hills, comprised of Harrow Street from 69<sup>th</sup> Avenue to east of 72<sup>nd</sup> Avenue, Ingram and Juno Streets from 69<sup>th</sup> Avenue to approximately Ascan Avenue and Kessel Street from 69<sup>th</sup> Avenue to 71<sup>st</sup> Avenue, as well as the connecting avenue properties.

The Forest Hills Van-Court Association, Inc. area is subject to the Covenants and Restrictions set forth in Article 6 of the 1923 Agreements that run with the land and are binding upon every property owner in the Forest Hills Van-Court Association, Inc. area. Article 6 provides that "No building, fence, wall or other structure shall be erected or maintained nor any change or alteration made therein unless the plans and specifications therefor showing the nature, kind, shape, height, material, color-scheme and location of such structure...shall have been submitted to and approved in writing by a committee of the Gardens Corporation (or the Forest Hills Van-Court Association, Inc. (the "FHVCA") as its successor)."

Ultimately, however, the community's future depends on the willingness of each one of its residents to protect, preserve and maintain it.

*The purpose of these Procedures and Guidelines is to help homeowners in this goal and to ensure that any new construction, additions or alterations to existing structures and sites in Forest Hills Van-Court shall blend into the area and be in accordance with the FHVCA's Covenants and Restrictions.* These Procedures and Guidelines have been adopted by the Board of Directors of the FHVCA. They have been developed to provide uniform and consistent standards by which all projects will be evaluated. These Procedures and Guidelines will govern the manner in which property owners seeking an architectural approval from the Board of Directors must proceed, and will guide the Architecture Committee and the Board of Directors in their actions and deliberations.

The importance of compliance with these Procedures and Guidelines cannot be overstated. The value of our homes and the existence of Forest Hills Van-Court, as we have known it, depend upon our cooperation in the maintenance of the architectural standards.

# CHAPTER 1

## **ARCHITECTURE COMMITTEE**

The process of review and approval of all exterior construction and alteration of homes within Forest Hills Van-Court is overseen by the Architecture Committee, which reports to the Board of Directors of the FHVCA. This Committee is composed of a chairperson, appointed by the President of the FHVCA, and other additional members appointed by the chairperson. The Board of Directors ratifies committee membership.

Whenever possible, the committee will hold one regularly scheduled evening meeting each quarter. The chairperson will hold additional meetings or change the time of meetings as conditions warrant. Homeowners seeking Architecture Committee review and approval may attend these meetings when specifically invited.

Projects which are reviewed by the Architecture Committee and which must receive an architectural approval from the board of Directors fall into two major categories: (1) minor additions and/or alterations to structures and sites; and (2) major new construction.

## **APPLICATION PROCEDURE**

Any and all proposed changes to the exterior of the house or to structures or sites must have written approval from the FHVCA before work may commence. This pertains to new work as well as replacement work and painting. See Chapter 2 Submission Requirements and Chapter 3 Submission Requirements for a list of the specific information required to be submitted.

A completed application form outlining the scope of the work and any construction drawings, samples, pictures, or other specific information that is available, must be submitted to the Architecture Committee so it can fully evaluate the proposed work.

Plans and/or proposals are reviewed by the Architecture Committee. A member of the committee will contact the homeowner and a site visit will be made. If access to the property is not required, the homeowner may not be contacted during the review process.

The Architecture Committee will respond, in writing, advising results of the review. The response will be approval, disapproval, or a request for further information. No work may commence without *written approval* from the Architecture Committee.

## **CRITERIA FOR EVALUATION OF SUBMISSIONS TO THE ARCHITECTURE COMMITTEE**

All changes to structure and sites will be evaluated by the FHVCA Architecture Committee in terms of

1. Conformity to provisions of the Covenants and Restrictions (Article 6);
2. Consistency and/or compatibility with adjoining or nearby structures, surfaces, and site conditions and with respect to nature and quality of design scale, materials and details;
3. Long-term implications of proposed construction, additions, or alterations in terms of setting a precedent or example for comparable work in the future.

## **GENERAL CONSIDERATIONS**

An existing condition is not a binding consideration on the Architecture Committee. The fact that work on a project has begun in no way exempts the owner from submitting plans, which will be subject to Architecture Committee review and approval. In the event that plans are either not submitted, or are disapproved by the Committee, the Board of Directors may require that the completed work be removed by the owner, and the site and any affected structures be brought back to their original or acceptable conditions at the homeowner's expense.

Claims of personal or financial hardship or exigency may not influence the Committee in its evaluation of a specific project, nor will they become the basis for a recommendation to the Board of Directors that it waive procedural requirements, standards, or criteria in the enforcement of the Covenants and Restrictions.

All applications must comply with the submission requirements before they will be reviewed by the Committee or by the Board of Directors. The unwillingness of an owner to secure professional services in the preparation of plans will not exempt the owner from the submission requirements indicated in these procedures.

All construction, whether major or minor, must comply with the Building Code of the City of New York and all applicable City, State and Federal regulations. The FHVCA's review and permission to proceed with proposed construction and/or alteration is explicitly limited to rules, regulations and restrictions defined in Article 6 and architectural design and esthetic aspects of the proposed work. **Approval of design and permission to proceed with construction does not override or provide a substitute for compliance with governmental regulations having jurisdiction with respect to that work.** The FHVCA is not responsible for implementation of governmental regulations and will not be responsible for any actions or failings relating to those regulations.

**Compliance with the Building Code of the City of New York and other City, State and Federal governing regulations is mandatory and collateral to compliance with FHVCA rules and regulations, and does not imply or guarantee approval by the FHVCA.**

## **PERMISSION TO PROCEED WITH CONSTRUCTION**

Upon final written approval by the Architecture Committee and/or Board of Directors of the FHVCA of any proposed alteration or construction, whether major or minor, the FHVCA will issue written authorization to the property owner that the construction or alteration may commence.

No changes from the approved plans and specifications are to be made unless the approval of the Architecture Committee and/or Board of Directors of the FHVCA has first been secured in writing.

Approval of plans when given is not assignable, but is personal to the owner submitting plans. Commencement of approved work must occur within one year from date of approval, or such approval will expire, unless extended in writing by the Board of Directors of the FHVCA.

## **APPEAL PROCEDURE**

If the homeowner is not satisfied with the action taken by the Architecture Committee, the homeowner may request, by writing to the President of the FHVCA within two weeks, that the submission be reviewed by the Board of Directors of the FHVCA. The Board of Directors will honor the request for a review if the submission conforms to the submission requirements, and if no further review of the application by the Architecture Committee is pending.

## ***ENFORCEMENT OF COVENANTS, GUIDELINES AND RELATED ARCHITECTURAL MATTERS***

Compliance with FHVCA Covenants, Guidelines and related architectural matters is required of all property owners as per Article 6. The members of the Architecture Committee and the Board of Directors will first attempt to help the homeowner effect the change requested. However, in the event that a homeowner does not follow procedure and makes a change that is not approved by the Architecture Committee, the Board of Directors is resolved to enforce compliance. The Board of Directors will exercise such options as may be available. Some of these options are: Notice of Violation filed on the property's title, injunction, legal suit, and claim for legal fees and expenses.

## CHAPTER 2

### **MINOR ADDITIONS OR ALTERATIONS TO STRUCTURES AND SITES**

Refinements and minor additions or alterations to structures and sites shall include but not be limited to such items as:

1. Alterations in exterior building surfaces, including paint color, masonry repairs and re-painting.
2. Alterations, replacements, additions or deletions of windows, doors, or other openings.
3. Alterations or additions to existing structures not requiring foundations or roofs, such as entrance enclosures, awnings, canopies, porch decks, patios, and exterior stairways, except when they are in the rear of the house.
4. New or altered or replaced paving for sidewalks and driveways.
5. Fences, walls, walks, and gates.
6. Signs.
7. Quoins, medallions, and other decorative details/mouldings are not permitted except as exceptions on a case-by-case basis.

### **REVIEW PROCEDURES**

Insofar as practicable, minor construction or alterations will be reviewed by the Committee within two weeks after the submission of fully complete plans. Homeowners will be notified of approval (or non-approval) within one week thereafter, or sooner whenever possible. Incomplete applications requiring additional information will delay review. *Work may not begin until the application receives written approval.* Action to be taken upon review can consist of:

1. Approval.
2. Approval conditional upon incorporation of specific changes. If the homeowner refuses to make specified changes, approval will be rescinded.
3. Disapproval based on architectural considerations, which the homeowner may remedy in a new submission.
4. Unconditional disapproval based on inappropriateness of proposed submission, under the terms of the FHVCA covenants and restrictions.

### **SUBMISSION REQUIREMENTS**

The homeowner must submit a signed and dated letter together with a copy of a sheet or set of drawings, drawn to scale, which will include:

1. Site plans.
2. Photographs of entire house and close ups of the area to be altered.
3. When appropriate, plans, elevations, sections, and details as required to evaluate the suitability of proposed alteration or addition, including relationship to existing structures and surfaces on site.
4. Samples, photographs, or accurate descriptions of materials as required to evaluate the suitability of proposed alterations or additions.
5. Product literature prepared by the manufacturer(s) of the prefabricated components of the proposed project (e.g. windows, fences, doors, grilles, etc.)

## **CHAPTER 3**

### ***MAJOR NEW CONSTRUCTION***

Major new construction shall include but not be limited to:

1. Additions or alterations to existing structures substantial enough to require foundations and/or roofs.
2. New structures (residential or any other permitted use).
3. New garages or other ancillary structures.

### ***REVIEW PROCEDURES***

The review procedure for major construction requires three steps: pre-application meeting, preliminary review, and final review. Work may not begin until all steps are completed.

#### **PRE-APPLICATION MEETING**

The purpose of this meeting is to discuss the project design on a conceptual level as well as relevant planning requirements. Conceptual drawings may be shown. This meeting can help participants clarify concerns and ideas regarding the project.

#### **PRELIMINARY REVIEW**

Insofar as practicable, a preliminary review will take place approximately two weeks after submission of fully complete preliminary plans. Action to be taken upon preliminary review can consist of:

1. Preliminary approval with final approval subject to receipt and approval of final plans.
2. Preliminary approval conditional upon incorporation of specified changes in final plans.
3. Disapproval based on architectural considerations, which the homeowner may attempt to remedy in a new submission.
4. Unconditional disapproval based on inappropriateness of proposed submission, under the terms of the FHVCA covenants and restrictions.

#### **FINAL REVIEW**

If there has been a preliminary review as described above, a final review will take place approximately two weeks after submission of a complete package of acceptable final plans. This package must include all necessary specifications, samples and product information. Action to be taken upon final review can consist of:

1. Final approval
2. Final approval conditional upon incorporation of specified changes in final plans. If the homeowner refuses to make changes specified, approval will be rescinded.
3. Disapproval based on architectural considerations, which the homeowner may remedy in a new submission.
4. Final approval, if given, must be upon plans signed and agreed to by both the and the FHVCA.

### ***SUBMISSION REQUIREMENTS***

#### **PRELIMINARY REVIEW**

The homeowner must submit a signed and dated letter together with a copy of a set of drawings, and/or other documents as appropriate, including:



1. An illustration and/or photograph of any existing structure(s) or conditions, in order to facilitate the evaluation of proposed alterations or additions.
2. Site plans at a scale no smaller than 1" = 10'0" including all existing and contemplated site conditions, grade elevations, and planting. These plans must also show the relationship of proposed construction or alteration to parcel boundaries ("lot lines"), and to the nearest structures in adjacent parcels.
3. Adequately illustrated and dimensioned floor plans, elevations, and sections drawn to scale no smaller than 1/4" = 1'0" indicating all surface materials, and showing relationship to adjoining or other structures on the same parcel.

## **FINAL REVIEW**

The homeowner must submit a copy of a set of construction (working) drawings, signed and dated by a licensed architect and/or engineer, which include:

1. Fully dimensioned floor plans, elevations, and sections drawn to a scale no smaller than 1/4" = 1'0" identifying all materials, and showing relationship to adjoining or other structures on the same parcel.
2. Fully dimensioned roof plan at same scale as floor plans.
3. All exterior architectural details, fully dimensioned sections, elevations, and plans, at a scale no smaller than 1" = 1'0".
4. Site plans at a scale no smaller than 1" = 10'0" showing relationship of proposed construction or alteration to parcel boundaries ("lot lines").
5. For all visible exterior surfaces, actual samples of materials and color.
6. Product literature prepared by the manufacturer(s) of the prefabricated components of the proposed project (e.g. windows, fences, doors, grilles, etc.).

## CHAPTER 4

### **GENERAL GUIDELINES FOR DESIGN, MATERIALS AND CONSTRUCTION**

In preparing your submission, homeowners should refer to the following items, if applicable. If a homeowner is unclear as to submission requirements, the Board will respond with any needed clarification. These guidelines are for homeowners' guidance only and applications will be evaluated on a case-by-case basis according to the criteria set forth in Chapter 1. In all matters of aesthetics, style, and materials, the decisions of the Architecture Committee and the Board of Directors shall prevail.

### **DESIGN AND MATERIAL GUIDELINES**

#### **I. GENERAL INFORMATION**

**MATERIALS:** In general, natural and traditional materials are to be used unless otherwise approved.

**MATCHING OLD WORK:** In case of an alteration, replacement or addition, where new materials and work are to match old, the Board of Directors of the FHVCA is to be the judge as to whether the new materials and work are the best match obtainable, and the decision of the Architecture Committee of the FHVCA is to prevail.

**PAINTING:** Samples of colors for all exterior paint and stain are to be submitted and approved before commencing work. New paint must blend into or match the most common house colors existing on the block.

**REPLACEMENT IN KIND OF EXISTING CONDITIONS:** If existing conditions do not conform to the Architecture Guidelines and addenda, replacement must conform to the Guidelines or standards in use at the time of replacement or revision.

**NEW TECHNOLOGIES:** New materials, methods and devices for exterior use, which come upon the marketplace from time to time, shall be evaluated by the FHVCA as to their appropriateness for use within the Forest Hills Van-Court area.

#### **II. EXTERIOR WALLS**

The use of brick, stucco, stone aggregate and wood trim is generally considered appropriate for FHVCA houses. All exterior walls and all gables shall be built of solid masonry to the height of the cornice for walls and to the highest point of the roof for gables. The thickness of masonry walls shall conform to definitions and requirements of the Department of Buildings of the City of New York. All framing of floor joists shall bear on the solid masonry walls for the complete exterior of the house.

The use of siding made of wood, metal or vinyl is not appropriate for Forest Hills Van-Court houses and is not permitted unless specifically approved for limited use. Additions should be compatible with the primary structure.

**BRICK AND STONE WORK:** Samples of brick or stone shall be submitted to and approved by the Board of Directors of the FHVCA *before ordering*. Once brick or stone work is to begin, a test area may be required before approval will be considered by the FHVCA.

**POINTING:** New pointing must match the existing in color, texture and technique. Prior to commencing work, a test area at least 4 feet square must be prepared on the building surface for review by the Architectural Committee. The final work on the building must match the approved test area.

**STUCCO:** A sample of the finish coat of stucco is to be submitted to and approved by the Architectural Committee for color and texture *before* any work of stuccoing is started. A test area on the building wall may be required before approval will be considered.

### III. ROOFING

A sample of roofing material is to be submitted to and approved by the Architectural Committee of the FHVCA *before ordering*.

### IV. WINDOWS AND WINDOW REPLACEMENTS

**INTRODUCTION:** Windows typically make up a substantial percent of the surface area of a home. As such, they are a crucial design element, one that often helps define a home's special character. When the windows of most homes were designed, aesthetics was the key, if not the only, consideration. Window design is important in maintaining the unique character of the Forest Hills Van-Court Association area. *Any window changes or replacements must be approved by the Architectural Committee.*

**WINDOW DESIGN:** Unless otherwise approved, new windows must be in character with the house in terms of design, color and other visual qualities.

The key design elements of a window are:

1. The type of window (double hung, casement, fixed, awning (louver), bay, etc.).
2. The number of panes of glass, as well as their size (double-hung windows are designated by the number of panes in the upper and lower sash, such as six over six).
3. The overall size of the windows, including sash, all frame dimensions, and rough openings.
4. Any decorative elements such as arched tops, or stained or leaded glass.

### V. DOORS

**ENTRY DOORS:** The design of entry doors shall be of a panel type (including panel with divided lights) or other design consistent with styles found in traditional FHVCA houses and shall be made of wood unless otherwise approved by the FHVCA. Replacement doors must be consistent with other doors in the house. Flush doors of any material are not permitted.

**GARAGE DOORS:** Garage doors facing a street must match other exterior house trim, with or without windows. Appropriateness of design shall be judged on a case-by-case basis.

### VI. HARDWARE

Exterior hardware, such as mailboxes and light fixtures and hardware used on doors and shutters, shall be of a type appropriate to the style of the building. Finishes should match or be compatible with exterior finishes found elsewhere on the building.

### VII. AWNINGS

Awnings visible from the street must be submitted for approval. Fixed metal, plastic or fiberglass awnings are typically not permitted.

### VIII. WALKS, DRIVES, PATIOS AND OTHER PAVING

Except for back yards, all sidewalks and drives are to be of concrete or scrubbed pebble finish. No other form of concrete paving is acceptable.

Other materials such as brick and stone may be approved by the FHVCA Architectural Committee when appropriate and compatible with existing walks, drives and buildings. Blacktop or asphalt paving is not permitted.

Plans for new walks and drives, patios or other paving must receive approval *before laying*, following the procedure for minor work.

The tree and grass planting strip between the sidewalk and the curb *must remain in a natural state* and free of concrete, brick, paving stones or similar materials. Existing non-conforming materials must be removed and cannot be replaced if the curb-to-sidewalk strip is renovated.

Front paths, driveway aprons or any other paving must be installed and maintained at a proper elevation with respect to other FHVCA homes, sidewalks, roads and curbs so as to eliminate any difference in elevation between these structures. This is necessary for proper drainage and prevention of tripping hazards.

If driveway aprons are being replaced, New York City Department of Transportation code requires 7-inch thickness exposed aggregate concrete. All curbs must be 18 inches deep (to prevent frost damage). An expansion joint must be allowed to separate driveway apron and driveway curb. All driveway aprons must be scrubbed pebble or concrete finish like the adjoining sidewalks. Driveway or walkways on the homeowner's property should be pitched to the lawn area, not toward the street, whenever possible. Sidewalks should be minimum 4-inch scrubbed pebble or concrete finish. Soil base should be compacted mechanically.

## **IX. FENCES AND GATES**

Concern for open spaces shall be a factor influencing approval, which must be obtained for all installations of fences and gates. Appropriateness as to design, materials and location will be reviewed on a case-by-case basis.

However, in general, rear property line fences are limited to six feet, and lesser heights not to exceed four feet must be used along side lot lines. Front yard fencing is not permitted. Chain link fences are not permitted unless screened by shrubbery. Gates should be selected to complement the house and garden and should avoid heavy decoration. Plantings may be required on the exterior side of the fence.

All gates must be transparent and fences along side lot lines must also be transparent, with a minimum of one inch of space between pickets. Rear property line fences may be solid, i.e. non-transparent. However, on corner lots, or lots 60 feet wide or greater, the rear property line fence may be non-transparent and six feet in height only in regard to the portion of the fence that is parallel to the house footprint, i.e. it cannot extend past the house footprint. Additional rear lot line fencing cannot exceed four feet in height and must be transparent.

See also the FHVCA Community Guidelines, Section 5: Standards of Approval for Fence Construction.

## **X. EXTERIOR AIR-CONDITIONING UNITS**

Location of all such proposed units along with any appropriate screening must be submitted for approval. Large HVAC condensing units may have considerable noise impact upon neighboring houses and design measures may be needed to minimize this problem.

## **XI. ANTENNAS AND DISHES**

The use of exterior antennas other than the traditional UHF/VHF antennas, either receiving or broadcasting, as well as satellite dishes, must be reviewed and approved by the FHVCA with regard to their design and placement, which must be as inconspicuous as possible. Satellite dishes should not exceed 18 inches.

## **XII. SIGNS**

No signs are permitted with the exception of small, temporary "open house" signs to be placed and removed on the day of the open house.

### **XIII. EXTERIOR LIGHTS**

All exterior lighting, whether for ornamental or security purposes, must not be bothersome to adjacent property.

### **XIV. BUILDING HEIGHT**

Alterations to existing buildings shall not increase their height. New construction shall not exceed thirty-five (35) feet in height.

### **XV. SOLAR PANELS**

Recognizing the environmental and energy-saving benefits of solar panels, FHVCA will permit the installation of solar panels within the homeowner's property line with the prior approval of the FHVCA Board. Approval will be based on the type of solar panel to be used and location where panels are to be installed on the property; they must blend in as inconspicuously as possible. Detailed plans must be submitted to the FHVCA Board prior to any construction or renovation.

### **XVI. STAINLESS STEEL**

Inasmuch as stainless steel - whether polished, satin, brushed or any other finish - is not consistent with the traditional architectural styles prevalent in FHVC, it is not permitted in any form on the exterior of houses. This restriction includes, but is not limited to, stainless steel entrances, storm or security doors, fences and gates, handrails, window grates or grills, or any exterior ornamentation.

## CHAPTER 5

### **CONSTRUCTION GUIDELINES**

These regulations do not replace any New York City Building Department codes or approvals that may be needed. All construction, whether major or minor, must comply with the Building Code of the City of New York and all applicable City, State and Federal regulations. FHVCA review and permission to proceed with proposed construction and/or alteration is explicitly limited to rules, regulations and restrictions defined in Article 6, and architectural design and aesthetic aspects of the proposed work and approval of design and permission to proceed with construction does not override or provide a substitute for compliance with governmental regulations having jurisdiction for that work. FHVCA is not responsible for implementation of governmental regulations and will not be responsible for any actions or failings relating to those regulations.

Compliance with the Building Code of the City of New York and other applicable City, State and Federal governing regulations is mandatory and collateral to compliance with FHVCA's rules and regulations, but it does not imply or guarantee approval by the FHVCA.

When appropriate, homeowners should be sure to check with utility companies about locations of utility lines prior to performing any work.

#### **HOURS OF WORK**

Approved work may take place during the hours officially designated by the City, which currently are 7:00 a.m. to 6:00 p.m. weekdays. Work may take place on weekends from 10:00 a.m. to 4:00 p.m. but a *special permit* may have to be obtained from the City of New York. Excessive noise levels are to be avoided at all times.

#### **TREES AND SHRUBS**

All shrubs and trees in and adjoining the property are to be adequately protected before any excavation or building starts.

#### **PROTECTION OF GUTTERS AND STORM DRAINS**

Gutters and drains to storm sewers must be kept clear of building materials and debris. All openings to storm drains must be covered to prevent dirt from washing into the sewer. Unused mortar, concrete and other construction debris shall not be disposed of in storm drains.

#### **PROTECTION OF SIDEWALKS AND CURBS**

Heavy planks shall be placed over sidewalks and curbs to form a runway for trucks driving into the lot. Owners will replace all damaged flags in sidewalks and all damaged curbs to the satisfaction of the FHVCA.

#### **DUMPSTERS/CONTAINERS**

Dumpsters and demolition containers should be placed in the homeowner's driveway when possible.

#### **CARE OF GROUNDS DURING CONSTRUCTION**

While construction is in progress, the contractor is responsible for keeping the site free from all paper, bottles, scraps of materials, etc. There should be no stockpiling of broken concrete or demolition materials in the street.

**EXCESS MATERIALS**

All debris is to be frequently hauled away from the premises and the site kept as neatly as possible. All excess materials must be removed upon completion of construction (or sooner whenever possible).

**SIGNS**

No signs, with the exception of those required by New York City Building Code, shall be erected on or about the building during construction or afterwards without the written approval of the Board of Directors of the FHVCA. Contractor advertising is specifically prohibited.

**RESTORATION OF GRASS PLOTS**

Upon completion of construction work, the homeowner is responsible for the condition of the grass between the sidewalk and the curb. All grass that has been damaged must be replaced.

**LANDSCAPING**

A planting or green area must be provided for and maintained as part of the front yard (the area between the sidewalk and the front of the house) of a home in the FHVCA area.