

Naushop HOA / Architectural Review Committee – Restrictions, Guidelines and Requirements

I. Introduction

Since assuming control of the Board of Trustees (“Board”) and Architectural Review Committee (“ARC”) from the developer, the presently constituted Naushop Homeowners Association (“NHOA”) has operated under a published operating procedure and general guidelines. In addition the Board and ARC have accumulated restrictions, requirements and guidelines through deliberations and issuance of certificates of appropriateness for Owners’ projects.

The actions of the Board and ARC fall within the parameters set out in the common scheme and ARC restrictions of the Protective Covenants and otherwise through the authority and obligations of the Board of Trustees as established in the Naushop Trust as amended.

Recently, the NHOA has observed the trend toward more outdoor living across Nantucket and within Naushop. Many outdoor features including such things as swimming pools, cabanas, hot tubs, second floor decks, fire pits, fireplaces, outdoor TVs, screened and unscreened porches, etc. may arise for consideration by the NHOA. While some communities on Nantucket may be able to accommodate such features without undue neighborhood and community-wide impact (as in the case of 2 to 3 acre zoning and building lots) the average property size of about 1/8th acre within Naushop makes such accommodation impossible.

Recognizing this fact, the NHOA, through its Board and ARC therefore adopt the following restrictions, guidelines and requirements. This document shall prevail should a conflict between it and an existing document exist.

II. Water-related features

Topic	Considerations	Determination	Parameters
Pools (in-ground)	Naushop’s groundwater management system is both complex and fragile. Blueprints and schematics show a multitude of easements and subterranean structures, the exact locations of which are unknown. Any excavation beyond the existing footprint of homes represents a danger to the system. Further, small lot sizes present difficulty in appropriately positioning in-ground pools. Finally,	Restricted	N/A

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	Naushop maintains a community pool that is more than adequate to serve Owners, renters and guests.		
Pools (above ground)	Above ground pools present both logistical and operational challenges on small lots. They lack the long life of in-ground pools and operate at high noise levels. Naushop maintains a community pool that is more than adequate to the serve Owners, renters and guests.	Restricted	N/A
Waterfalls, koi ponds, etc.	As hardscaping, such features require the approval of the ARC or Board. Water interests such as these are potentially a maintenance challenge and health risk if not properly cared for. Owners will be responsible for strict adherence to Board of Health and other regulations.	Allowed if the specific installation is reviewed and approved by the ARC or Board.	Must be approved by the Nantucket departments, boards and commissions that have jurisdiction. Then, the NHOA must grant approval before proceeding.
Hot tubs (both in-ground and above-ground)	Hot tub installations represent a challenge on small lots such as Naushop's.	Restricted	N/A

III. Sports-related features

Topic	Considerations	Determination	Parameters
Trampolines	Trampolines are not only dangerous but are a source of a great deal noise.	Restricted	N/A
Jungle gyms, play sets, swing sets	Naushop provides a suitable play area at the clubhouse. Small lot sizes place the need for size restrictions on such installations. The Common Scheme restrictions require that such installations be	Allowed if the specific plan is acceptable to the ARC or Board.	Must be approved by the Nantucket departments, boards and commissions that have jurisdiction. Then, the NHOA must grant

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	fully screened from the street.		approval before proceeding.
Basketball hoops/backboards	Small lot sizes make placement difficult. These features are a source of a great deal of noise that cannot be mitigated or dispersed.	Restricted	N/A

IV. Noise Generating features

Topic	Considerations	Determination	Parameters
Outdoor sound systems/speakers	Given the small lot sizes within Naushop, it is impossible that outdoor sound systems both fulfill the desires of the Owner while respecting rights of neighbors to the quiet enjoyment of their property.	Restricted	N/A
Outdoor TVs and projection screens	Given the small lot sizes within Naushop, it is impossible that outdoor TV and projection systems both fulfill the desires of the Owner while respecting rights of neighbors to the quiet enjoyment of their property.	Restricted	N/A

V. Architectural features

Topic	Considerations	Determination	Parameters
Porches: screened, open, enclosed (and 3-season structures)	<p>Porches (screened and unscreened) are permitted within Naushop. Care must be taken as to their specific dimensions and positioning relative to lot-lines and proximity to neighbors.</p> <p>Enclosed porches (including 3-season structures) represent a challenge due to proximity</p>	<p>Allowed if the specific plan is acceptable to the ARC or Board.</p> <p>Allowed if the specific plan is acceptable to the ARC or Board.</p>	<p>Must be approved by the Nantucket departments, boards and commissions that have jurisdiction. Then, the NHOA must grant approval before proceeding. Light pollution prevention at night and privacy screening must be</p>

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	to neighbors and their possible nighttime use.		provided, especially along lot side-lines.
Decks: (ground level, 2nd floor)	Ground level decks are permitted depending upon their specific design. 2 nd floor decks are not permitted due to the potential for loss of privacy by neighbors and the capacity for noise dispersal their elevation provides.	Ground level allowed depending upon a design acceptable to the ARC or Board. 2 nd floor decks are restricted	Ground level decks must be approved by the Nantucket departments, boards and commissions that have jurisdiction. Then, the NHOA must grant approval before proceeding.
Fire pits	Owing to their compact nature, non-permanent fire pits are permitted within Naushop. Permanent (e.g., brick, stone, mortared in-place) are not permitted.	Non-permanent fire pits allowed. Owners are encouraged to be respectful of neighbors regarding excess smoke and noise.	N/A
Fireplaces (permanent, free-standing)	Fireplaces made entirely or in-part of stone or brick are problematic due to their overall size and wood-burning capacity.	Restricted	N/A

VI. Animal-related features

Topic	Considerations	Determination	Parameters
Dog/Cat Shelters	While barking dogs must be controlled and the common scheme prohibits the keeping of animals, such shelters may be permitted for one or two household pets.	Up to two shelters are permitted when well-constructed and of modest size. These must be fully screened from view in all directions and must be in good sanitary condition.	The ARC or Board will only intervene on the basis of complaints.
Animal runs and/or pens	These cannot be accommodated on the small Lots of Naushop.	Restricted	N/A

VII. Alternative Energy features

Topic	Considerations	Determination	Parameters
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Wind turbines	By their nature, these are architecturally obtrusive and require a large volume of space in which to operate. Naushop cannot reasonably accommodate them.	Restricted	N/A
Solar panels, tiles and/or arrays	For installations to operate efficiently, they must have certain exposures to the sun. However, these installations are architecturally obtrusive.	Only photovoltaic systems are allowed if the specific plan is acceptable to the ARC or Board. Installations may not be visible from the Lot front line and must be mounted on the primary or secondary (if any) dwelling.	The ARC and Board will seek a balance between support for renewable energy and aesthetics. Must be approved by the Nantucket departments, boards and commissions that have jurisdiction. Then, the NHOA must grant approval before proceeding.

VIII. Restrictions/Requirements Specified in the Protective Covenants

In issuing Conditional Approvals, or based on periodic inspections, the ARC and Board have referred to those several requirements set forth in the Protective Covenants. They are recapitulated here for convenience and should not be considered exhaustive.

- a. Above ground propane/fuel storage tanks must be shielded in view from the roadway and abutting properties.
- b. Trash containers must be shielded in view from the roadway and abutting properties.

IX. Restrictions/Requirements Adopted by the Board by Resolution

These items have been determined under previous actions of the Board

- a. Secondary structures shall be no greater than one story and 18' in height.
- b. Permanent wood fired outdoor fire pits are restricted.
- c. No pre-existing white picket fences shall be removed from a property.

X. Positions/Restrictions/Requirements Set Forth in Past Conditional Approval Letters

The following are the collected decisions of the ARC as established within the Certificates of Approval granted to Owners of various properties.

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- a. Shutters must be constructed of wood, and they must be operable.
- b. Exterior trim must be painted white.
- c. Window trim, casements, sashes and muntins must be white. Muntins must not be of the snap-in variety.
- d. No spotlights shall be affixed to a structure.
- e. No satellite dishes shall be affixed to the front plane of a house or affixed to the forward half of the sides of houses.
- f. White picket fences shall be installed at the time of a new home construction project. Such fences must be constructed of wood or manmade materials that are wood-like in appearance and white in color, but not vinyl, and be of the conventional Naushop style. (Modified by vote of the board on 9/21/2023.)
- g. Downspouts must be boxed in.
- h. Outdoor showers must not be visible from the roadway.
- ~~i. No front porticos (meaning: a sheltering structure above or over a front entry door, held on posts or columns with a flat roofline) shall be allowed on new or existing houses. (Removed by vote of ARC, 9/22/2022)~~
- j. No side yard fences shall extend forward of the front plane of a house.
- k. Exterior piping associated with A/C systems shall be covered and shall be kept to a minimum.
- l. A/C units shall be placed at the rear of a house or in the forward half of a house if placed on its sides (keeping noise away from neighboring patios).
- m. No ultra-glossy marine style paint shall be used on a house.
- n. Driveways associated with new home construction must be sized to accommodate 2 vehicles (minimum).
- o. Where stone driveways are added, a Belgian block or equivalent apron must be provided to prevent spillover to the sidewalk and streets.
- p. No shells or pea gravel shall be used in driveways.

XI. Additional Restrictions, Guidelines and Requirements adopted by this document

- a. No landscaping up-lighting (in the spirit of the Town's low-lighting and energy saving initiatives).
- b. No lamp posts (same as 'a').
- c. No vinyl or other artificial siding (clapboard), gutters or other features, although wood-like man-made materials such as Azek are permitted so long as they are white in color. (Modified by the board on 9/21/2023.)