

ARCHITECTURAL REVIEW COMMITTEE

OWNER/DEVELOPER OBLIGATIONS DURING CONSTRUCTION

As part of the Architectural Design approval process the White Horse HOA Board of Directors wants all property owners to be aware that it is their responsibility to insure that construction activities on their property do not adversely affect other surrounding property owners. This responsibility is shared with the Developer, White Horse LLC who is also required to conduct all of its construction and improvement within the Subdivision in a manner that minimizes impact on nearby owners. There are impacts which have been a problem in the past such as sand blowing from construction zones and trash and construction debris escaping from the site and there may be other impacts which lot owners should try to mitigate on behalf of their neighbors.

Wind is a fact of life at White Horse and it can come up unexpectedly at any time of the year. When the soil on a building lot is disturbed by vehicle traffic or excavation activity the wind can carry the fine sand to a neighbor's lot and bury their landscaping and irrigation equipment and cover their walks and patios. There are a variety of techniques which can be used to mitigate the blowing sand. Watering the disturbed areas with sprinklers is a very effective technique. If you choose to do this please be aware the additional cost of the water is your responsibility and your contractor or construction manager should account for this cost in your contract if necessary. Another common method of controlling the blowing sand is sand fencing on the downwind side of the construction site. This fencing does not block the sand but disturbs the air flow and causes the sand to drop out on the downwind side of the fence. Another common impact from construction activity is trash and debris blowing in the wind. It can quickly blow into a neighbor's yard and become a problem. The Grand County Land Use Code General Development Standards, Section 6.9.9, requires that there be a dumpster for trash with a lid. While this is not common, the HOA encourages all homeowners to ask that dumpsters be covered in some fashion to prevent the contents from blowing. Your contractor should also be asked not to accumulate or store construction materials which will not be used on your site.

The HOA Board realizes that there are circumstances beyond the control of the homeowners and the builder and do not want to impose hardships on an already difficult process. However each lot owner should be aware that consistent disregard of their responsibilities could result in fines for them and/or the Developer after being notified and given 30 days to correct the problem. Please be a good neighbor and have the same respect for nearby lot owners that you would want given to you.

LOT # _____

OWNER'S SIGNATURE _____

CONSTRUCTION RULES AND GUIDELINES

In accordance with Article 5.5 and Article 10.2.b of the revised and recorded CC&R's of the White Horse Homeowner's Association, Inc., the following rules are enacted regarding construction impacts:

1. Any time the wind is able to carry soil off of a homeowner's property, the homeowner or another responsible person is obligated to use reasonably available measures to prevent the soil from leaving the property. The fact that no one is on the property at the time is not sufficient reason to not have taken these steps. The owner needs to make sure someone is responsible to monitor and respond to wind events 24 hours a day, 7 days a week.
 - A. Measures to control blowing sand must include at least one and frequently a combination of the following:
 - Sprinklers;
 - Fabric erosion barriers
 - Sand fencing (If you use fencing be sure to set it back far enough from your property boundary to account for the sand deposition on the downwind side (see this website for more information <https://foresternetwork.com/daily/construction/jobsite-infrastructure/working-with-dirt-when-the-wind-blows/>)
 - Tackifier on sand not expected to be disturbed; or
 - Spreading reject sand.
2. Minimize soil disturbance at the site by limiting daily construction workers vehicles to a one lane track to enter and exit the construction site. Only large or specialized trucks or construction equipment are allowed access off the established access lane. Parking on the roadway rather than the construction site is recommended.
3. Limit earth moving activity on days with high wind conditions.
4. Dumpsters need to be covered at all times to prevent trash from spreading to neighboring properties. Dumpsters may not be placed on adjacent lots or in roadways. The lot owner is responsible for costs associated with cleanup of debris from adjoining lots or common areas.
5. Materials which are not to be used for construction on a homeowner's site should not be stored on that site. White Horse LLC may designate a location for the storage of materials and equipment but it should be kept neat and free of debris and not be unsightly from the surrounding lots.
6. Contractors working in the subdivision must take extra care to prevent damage to neighboring lots, roadways, curbs and utilities. Any damage done must be repaired immediately at no cost to the homeowner or the Homeowner's Association.
7. All construction sites or project sites must be maintained in a clean and organized manner. This includes keeping the site free of loose materials, trash, and construction debris at all times.

Please remember that you, as a homeowner, are responsible for making sure your builder or construction manager are aware of these rules and are willing to abide by them.