

**Hearthstone at Hillsborough Community Association**  
**1 Waterman Lane – Hillsborough, NJ 08844**  
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## **DECK AND PATIO POLICY RECOMMENDATIONS**

The Board of Trustees has established the following guidelines for the construction of decks/patios; however each deck/patio plan MUST be reviewed and approved individually by the Architectural Review Committee (ARC) and/or the Board before construction can begin. Denial of a deck/patio construction request may be appealed directly to the Board of Trustees.

1. A detailed diagram of the deck/patio MUST be presented to the Board before construction approval can be granted. This diagram must indicate all of the dimensions, materials to be used, and the relative location of the air conditioner, steps, railings, etc. The Hillsborough Township Building Department WILL NOT issue permits prior to receiving an approval letter from the Association.
2. Decks/patios may be constructed by a licensed contractor. A copy of his license, Workmen's Compensation, and liability insurance certificate must be presented to the Management Office before final approval can be granted. If any construction is performed by the unit owner, it is done so with the complete knowledge that all liability for personal safety, property damage to personal and/or Association property is solely at the unit owner's risk.
3. Your contractor must call (800) 272-1000 for a buried utility mark-out, as per State Law. PSE&G must be called in prior to the submission of the construction plan to determine if any holes to be dug (or other ground modification) will interfere with any of their pipes, and to determine the proper clearance required for servicing the gas meter. This service may require a nominal fee. The unit owner must pay any expenses associated with inspections. If a deck/patio plan requires changing, it MUST be re-submitted to the ARC before approval can be granted.
4. A building permit from Hillsborough Township is required for the construction of all decks/patios/steps. In order to receive a permit the unit owner must supply the Township Building Inspector with a Conditional Approval Letter from the ARC and a copy of the land survey with the deck/patio sketched in pencil for the Zoning Board.
5. Once approval has been granted, work must commence within 60 days and must be completed no more than 45 days after the work commences. Failure to complete within 45 days may result in the Association taking action to complete or remove the deck/patio at the unit owner's expense.

6. All Township regulations, as well as the ARC approved plan, **MUST BE STRICTLY ADHERED TO**. Any deck/patio found to be in violation of these regulations and those set forth herein by the Board must be brought into compliance at the unit owner's expense within 45 days of notification.
7. To prevent weeds and other plant growth or animal nesting under the deck and to insure proper drainage, all existing grass and weeds must be removed from the area upon which the deck will be constructed. The entire area must be covered with Reemay's "Tympar Landscape Fabric" or equal (a spun bonded, non-woven polypropylene cloth material that will allow water to penetrate but will prevent the growth of weeds), followed by a ¾' layer of crushed stone.
8. All wood used in the construction of decks must be pressure treated (wolmanized). All non-wood materials used in the construction of patios must be specifically designated as "paving quality" (designed to withstand the stress of freezing and thawing).
9. Nails must be corrosion resistant (i.e. aluminum, zinc-coated).
10. Deck footing must apply to local Township code. The Building Inspector from Hillsborough Township must be called in to inspect and sign-off all deck footings prior to construction of the deck. A copy of that authorization must be presented to the Management Company.
11. Decks/patios may only extend 10 feet from the back of the unit and 12 feet wide across; and must have a 4 foot setback from property line on either side of the unit. Existing privacy fences may not be moved or altered in any way in order to ease construction of the deck/patio.
12. The deck/patio must be flush against the existing concrete patio on all models, unless the deck/patio is to cover the existing patio, in which case it must be at least two inches below the bottom of the rear doors.
13. All deck/patio surfaces must be properly sloped to drain away from the building (a 1/8" slope per foot is sufficient).
14. Decks/patios may be one level only and may not contain any lighting or electricity.
15. Decks are to be fixed structures, and as such may not be hinged or otherwise give access to the area underneath the deck. Storage of anything underneath the deck is prohibited.
16. All exposed ends of the deck away from the townhouse must have fascia trim to conceal the deck supports and ground underneath the deck. Fascia trim material

should be the same as decking material, although lattice and other types of decorative construction materials will be considered. Fascia trim must not have direct contact with the ground.

17. Railings are required on decks seven inches or higher off the ground. The railing must be between 36 and 38 inches high. Openings between rails may not exceed 5 inches. An access gap in the railing of at least 36 inches wide (i.e. for stairs) must be provided on the side opposite the townhouse. Deck steps may not extend beyond the end of the deck, but must be contained within the perimeter of the deck so long as it is within the property boundaries and will not interfere with landscaping. Steps must be placed on the side of the deck and not permitted off the front of the deck.
18. Built-in planters are not permitted. Built-in benches are allowed only inside the deck/patio area, and must be constructed of the same materials as the deck/patio.
19. Decks can be stained only with a natural oil stain, clear coat water protectant, or left in their natural state. Polyurethane, paints or varnishes are not allowed.
20. Privacy lattice extending upward from deck rails is not permitted.
21. Hot tubs are not permitted on decks/patios or anywhere within the community.
22. Decks/patios must be built around air conditioners and gas pipes/meters.
23. Absolutely no trucks are to be driven on common grounds. Any damage done to common grounds (grass, trees, bushes, sidewalks, curbs, etc.) will be corrected by the Association at the unit owner's expense.
24. Any damage caused to the common elements resulting from the installation or use of the deck/patio is the sole responsibility of the unit owner.
25. All contractors must adhere to parking signage within the community.
26. All construction debris must be completely removed from the deck/patio area as well as from the Association grounds, at the owner's expense. Should the unit owner fail to remove all of the above mentioned debris, the Association will have it removed at the unit owner's expense.
27. **Absolutely none of the debris is to be deposited in dumpsters or left for removal by our garbage contractor.**
28. **Absolutely none of the debris is to be deposited in the surrounding wooded areas or any common areas.**
29. Any contractor signs must be removed on the date the work is finalized.

30. Any wires, pipes, etc., that are in need of repair and are located beneath the deck will result in the removal/replacement of the deck/patio by a licensed contractor at the unit owner's expense.
31. Once all work is completed, the unit owner must notify the Management Company in writing, at which time the Management Company or ARC will inspect the completed construction for compliance to code and to the approved plan.
32. Do not hand in the initial paperwork to the Management Office unless all of the paperwork is included. They are:
  - Modification Request Form filled out entirely;
  - Copy of site plan with deck/patio penciled in at its location;
  - Copy of contractor license;
  - Contractor certificate of insurance naming Hearthstone at Hillsborough Community Association, 1 Waterman Lane, Hillsborough, NJ 08844 as additional insured;
  - Detailed diagram of deck/patio;
  - Detailed description of materials to be utilized.
33. You must be a member in good standing to receive any approval letters.
34. The Township will require you to also have a zoning permit, building permit and a flood certification to build, in addition to the Association Approval Letter.
35. Any landscaping plan surrounding the deck/patio must also be approved by the ARC. A detailed diagram including the type of plantings must be submitted.

## **Hearthstone at Hillsborough Community Association**

### **Additional Conditions for Brick Patio Installation**

In addition to the attached conditions, the unit owner must adhere to the following special conditions regarding the installation of a brick patio. Violation of any of these conditions may result in a fine levied against the unit owner. Please read them carefully!

1. Natural or sand colored blocks may be used. Any other color must be approved in advance to ensure continuity of the patios.
2. Patio must be bordered with invisible edging such as, aluminum or commercial grade plastic invisible edging. Other edging such as brick/concrete soldier courses or landscape timber (pressure treated) will also be considered for approval but must be level with surrounding soil level.
3. All building materials (i.e. brick, sand, cement, etc.) may be delivered only as far as the unit owner's front curb. Materials may only be delivered to your driveway or any unnumbered parking space as long as you personally notify neighbors on both sides of you and any other neighbors who normally might utilize that spot at least 2 days prior to delivery. Under no circumstances may building materials be delivered beyond the curb.
4. It is furthermore the sole responsibility of the unit owner to contain all delivered materials in an orderly fashion. Sand must be contained in either a bin, bags, or a plastic tarp so as not to spread it all over the parking area. Even though the parking area is considered common element, the unit owner accepts full responsibility and liability for any damages and/or injuries resulting from the presence of materials on the common element.
5. The unit owner will have 48 hours from the time of delivery in which to remove all building materials from the common element (i.e. parking space). If the unit owner fails to do this, the Association reserves the right to have all materials removed at the unit owner's expense. Materials may be stored in the unit owner's patio area for a period of not more than 30 days, after which if the construction of the patio has not been completed, the Association reserves the right to have all building materials removed at the unit owner's expense. Under no circumstances may building materials be stored on the grass area or any other common area.
6. The unit owner is responsible for cleaning any common areas used for temporary storage of materials during delivery (i.e. parking spaces). A detailed inspection will be performed 48 hours after delivery of all materials to the unit. If the affected common area fails inspection, the Association reserves the right to take any corrective action necessary to clean the common area, at the unit owner's expense.

7. The unit owner must inform the Association office of all material deliveries no less than 48 hours prior to the scheduled delivery date. The Association office will in turn notify the Board.

**FURTHERMORE, a copy of any and all FINAL TOWNSHIP PERMITS MUST be submitted to the Management Office upon completion of the project.**

Any questions, please contact the following:

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MEM Property Management  
Managing Agents for Hearthstone at Hillsborough  
Community Association  
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