

**RESOLUTION**  
**of the**  
**MANAGEMENT COMMITTEE**  
**of**  
**LAKE WALLKILL COMMUNITY, INC.**

**WHEREAS**, Article VII, Section 10 of the by-laws, provides that the Management Committee is the legislative and policy making body of Lake Wallkill; and

**WHEREAS**, the Rules and Regulations Article XII, Section 2, reads: "Plans for any desired fence shall be submitted to the Management Committee for approval prior to erection. No fence deemed by the Management Committee as detrimental to the property or the Community in general shall be erected or placed on any property; and

**WHEREAS**, the Management Committee has a desire to communicate guidance to Members that might consider installation or replacement of fencing and define guidelines for fences that are considered acceptable and not detrimental to the property or the community; and

**WHEREAS**, the Management Committee has an interest in preserving the character of the Lake Wallkill Community and maintaining the natural views and vistas to the greatest extent possible by developing guidelines and criteria for evaluating any fence application; and

**WHEREAS**, the Management Committee has an interest in exercising its authority to manage and control the installation of fences on all Community and individual member properties has conducted a survey of fences in Lake Wallkill Community; and

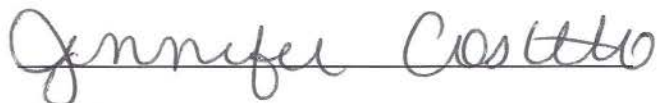
**WHEREAS**, the Management Committee, having completed a fence survey, understands there are inconsistencies in the documentation of Management Committee approvals for existing fences; and

**WHEREAS**, the Management Committee, has determined that it is in the best interests of Lake Wallkill and the entire Lake Wallkill Community that this resolution be made to adopt Fence Guidelines and put in place a process for application and approval of new or replacement fences by the Management Committee; and

**NOW, THEREFORE, BE IT RESOLVED** by the Management Committee that proposed Fence Guidelines and Application Process be established as follows:

1. Adoption of the Fence Guidelines attached to the Resolution.
2. Adoption of the Fence Application for use in the approval process.
3. All new fence applications effective September 4<sup>th</sup>, 2016 shall conform to the guidelines and Application & Approval Process.
4. All fences included in the 2016 Fence Survey are approved by the Management Committee in their current form and placement.
5. Any existing fence (a fence included in the 2016 Fence Survey) is approved only for the life of the fence. Any fence replacement must apply and be approved under the Fence Guidelines adopted in this resolution.
6. Once a fence is approved by the Management Committee, the applicant shall have 12 Months to complete installation of the fence. If the approved fence is not installed within 12 months, the applicant must repeat the application and approval process.

**ADOPTED** this Saturday, September 3rd, 2016 by the Management Committee of Lake Wallkill Community, Inc., in the presence of a quorum.



Jennifer Costello

Secretary

# Lake Wallkill Community Fence Guidelines/Fence Application

## **Introduction:**

The Rules & Regulations of Lake Wallkill require all fences to be approved by the Management Committee. Fences deemed detrimental to the property or community by Management Committee, in their sole discretion, can be denied.

Members that install a fence contrary to the Rules & Regulations can be subject to penalties up to and including Suspension of Membership Privileges. Suspension of Membership Privileges does not relieve the member from their obligation to pay dues.

## **Fence Criteria:**

To maintain the character of the community and unobstructed views there is a strong preference to avoid installation of fences. Natural barriers of shrubs and bushes are preferred and do not require a fence approval.

For members that have a particular hardship, they can apply to the Management Committee for permission to install a fence with the understanding the Management Committee has several criteria that will be considered in the approval process:

**Height:** Lower is better and all efforts should be made not to exceed four (4) feet in height. Members considering a fence to contain pets should explain why an “invisible fence” will not suit that purpose.

**Style:** Less solid fencing is better. Efforts should be made to select a fence style that provides a minimum of fifty (50) percent open coverage. Split rail, picket and similar open fence styles are preferred. Mesh material may be used in conjunction with an open style to increase the containment functionality.

**Property:** The location of a fence on the property is another consideration. Rear yard fencing that meets the other criteria is preferred. Side yard fencing can be considered with stronger reliance on the height and style criteria, being lower and more open. Front yard fences are discouraged.

**Location:** Installation of fencing on main roadways should be avoided as well as locations where traffic and safety can be a concern. The more visible the fence the less likely it will pass a test of whether it will be detrimental to the community.

**Landscaping:** Incorporating a landscaping plan into any fence project is preferred as it serves to camouflage the fence and maintain the natural woods view and feel of the community.

If you think you have a hardship that can be relieved by installing a fence and can meet the above criteria complete an application for approval by the Management Committee. Allow adequate time as the Management committee meets six (6) times per year for regular business.

**Guideline for replacing an existing Fence:**

Members that have completed the Management Committee Approval process may replace their fence with a “like for like” fence that includes all of the original design elements including style, height, placement on property, landscaping and so forth. The replacement of an existing fence that was approved by the Management Committee does not need an approval for replacement.

Any Member that did not receive Management Committee Approval on an existing fence MUST submit an application prior to the installation of a replacement fence, even if it is like for like.

**Fence Approvals:**

Once a Member/applicant applies and is approved to erect a fence, the installation must occur within 12 months of the management Committee approval. If not installed within the 12 month timeframe, the Member/applicant must return to the Management Committee for approval.

APPLICATION

Fence Approval Request

Lake Wallkill Community INC.

Name: \_\_\_\_\_

Lake Address: \_\_\_\_\_

Contact Info (Phone/E-Mail): \_\_\_\_\_

Reason for fence request (please include any hardship considerations):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Fence Information:**

New Fence

Replacement Fence

Proposed Height: \_\_\_\_\_ Proposed Style: \_\_\_\_\_

Property/Location: Please attach a marked up survey or property sketch with the proposed fence.

Landscaping Plan: include any proposed landscaping on the survey/sketch.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Approval/Denial – Management Committee Decision:

\_\_\_\_\_ Approved

Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Proposed Fence: (Include a sketch or marked up survey of property and placement of proposed fence)