

**CRESTVIEW
AT
LAKE KEOWEE**

ENVIRONMENTAL AND LAKE BUFFER GUIDELINES
(To Be Used In Conjunction with Covenants)

June 15, 2002
Revised March, 2012

Crestview Table of Definitions

The following list of definitions is for the document entitled *Environmental and Lake Buffer Guidelines*.

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| Community | Crestview |
| Developer | Crescent Communities S.C., LLC |
| Association | Crestview Owners Association, Inc. |
| County | Oconee County |
| The Lake | Lake Keowee |
| ECC | Environmental Control Committee |
| The Guidelines | Environmental and Lake Buffer Guidelines |
| Mature Trees | Refer to Schedule E “Glossary of Terms” |
| Lake Buffer Area | The Waterfront Setback that is fifty (50) feet from the 800' m.s.l. contour or five (5) feet from the 804' m.s.l. contour, whichever is greater. |
| Septic Maintenance Contractor | Capps Pumping, 324.1404 or 647.8606 |

NOTE: THESE GUIDELINES ARE WRITTEN PURSUANT TO ARTICLE IX OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CRESTVIEW.

Environmental and Lake Buffer Guidelines

Introduction

These Environmental and Lake Buffer Guidelines (the "Guidelines") have been prepared by the ECC for Crestview. The Guidelines are contemplated in and are promulgated pursuant to the Declaration of Covenants, Conditions and Restrictions for the Community (the "Declaration"). (See Article IX) The Guidelines consist of two components: Environmental Guidelines and Lake Buffer Guidelines, as set forth below. All defined terms used in the Guidelines, as indicated by their initial capitalization, shall have the same meanings ascribed to such terms in the Declaration, unless otherwise specifically defined herein.

Composition and Duties of ECC

The ECC derives its duties and authority from Article IX, Covenants. Section 9.2 of the Covenants describes the composition of the ECC. Essentially the ECC is made up of three members that need not be Lot Owners. The committee is appointed annually by the Board of Directors. Members of the ECC may be removed and replaced at any time, with or without cause by the Board of Directors. The ECC has the right to employ and/or use the services of any engineers or other professionals as it deems necessary to carry out its duties as described in Article IX.

Guidelines and the ECC

The Guidelines have been established to provide Lot Owners and their builders with a set of parameters for (i) the preparation of plans, specifications and drawings for Site Improvement ("Site Improvement Plans and Specifications") and (ii) the general application of the "Lake Buffer Guidelines." Each Lot Owner and each Lot Owner's building team should become familiar with the Guidelines and the process set forth herein for the submittal, review and approval of Site Improvement Plans and Specifications. If building in the Community, Lot Owners and their builders are encouraged to consult the ECC with questions regarding the application of the Guidelines to the Lot Owners' design concepts prior to the initiation of any design work and during construction.

The ECC has been created to explain and assist in the review process as well as to review, approve, or disapprove Site Improvement Plans and Specifications. It is the ECC's objective to best control and monitor construction activity as it relates to Erosion Control and to protect the Lake Buffer Area and the Lake itself from silt infiltration. The ECC will act with the implied intent of the Guidelines and Covenants for issues that are not specifically covered in these documents.

Future Amendments

The ECC reserves the right to amend any or all provisions of the Guidelines periodically and at any time, in the sole and absolute discretion of the ECC.

All Site Improvement Plans and Specifications shall be prepared in compliance with the most current version of the Guidelines (and all amendments thereto) that has been promulgated by the ECC at the time such Site Improvement Plans and Specifications are prepared.

Environmental & Lake Buffer Guidelines

Procedures and Approvals

Site Improvement Plans and Specifications Review Process

Prior to the commencement of any construction activity of any type (including grading work or clearing) on any lot, written approval from the ECC must be received by the Lot Owner. The review process for site improvements may consist of three phases. 1. Site Improvement Plans and Specifications Review, 2. Lot Staking, Site Inspection, 3. A meeting or telephone conference call with the Lot Owner, S.C. licensed builder and members of the ECC to review potential problem areas that relate to Covenants and Guidelines. These requirements may be combined or modified by the ECC depending on the extent of the requested lot improvement. Also, all Construction Escrow Deposits required under these Guidelines must be paid to the ECC prior to the commencement of any such work.

Pre-Application Procedure

Each Lot Owner or a representative of each Lot Owner should contact representatives of Duke Lake Services (864-885-4458 or 3425) and any governmental or regulatory agency that has jurisdiction over the property at the beginning of the planning and design process relative to such Owner's Lot to ensure compliance with the rules, regulations and standards of such organizations. Compliance with all governmental and quasi-governmental rules, regulations and standards is the obligation of each Lot Owner and the Lot Owner's builder. It should not be assumed, however, that compliance with the rules, regulations and standards of Duke Lake Services and other governmental and quasi-governmental authorities will satisfy all requirements of the ECC.

Licensed Contractor

The lot owner's builder (until a certificate of occupancy is issued) should be by a properly licensed South Carolina residence contractor. If the lot owner acts as the contractor he/she will be on site during all construction phases except when a S.C. licensed plumber, electrician, or HVAC contractor is the sole contractor on site.

Site Improvement Plans and Specifications Review Procedure

The successful completion of the Site Improvement Plans and Specifications review procedure as described in these Guidelines will be facilitated by reviewing and complying with the requirements outlined in these Guidelines. Site Improvement Plans and Specifications must be submitted by the Lot Owner or the Lot Owner's representative to the ECC. Each submittal of Site Improvement Plans and Specifications must be accompanied by the following:

- Applicable completed Schedule A, and/or Schedule C (signed by Lot Owner),
- Attach two copies of a Site Improvement Plan at 10 scale (1"= 10') showing precise location of home site (include porches, decks) include set back distances from lot lines , lot improvements, driveway, Lake Buffer Area, retaining walls with distance from LBA, septic tank location, septic drain field location, location of erosion control devices and any other pertinent and/or applicable information as requested by the ECC. A certified SC surveyor will note on the site plan all mature trees within the Lake Buffer Area and identify them as deciduous or evergreen and note their caliper as described in Schedule E. (Refer to Section 7 of the Covenants for additional construction information)
- An elevation of the house (two copies) noting roof slope, types of exterior construction materials and approximate location where each type of exterior material starts and ends,
- Plan view of interior of house (two copies) to include garage and noting heated finished square footage of each level. (room sizes are not required)
- One check may be written to the "Crestview Owners Association" for all applicable deposits, fees or escrow amounts.
- \$5,000.00 for Construction Escrow Deposit. If only Shoreline Improvement is requested, the deposit is \$1,000.
- \$175 for ECC Compliance/Administrative fee for house construction.
- Septic Fee of \$75. (For new house construction only)

After a certificate of occupancy is issued, other site/home improvements may require an escrow deposit and ECC Compliance/Administrative fee as determined by the ECC.

Construction/ Home Improvement, Shoreline Escrow fees that are revised may be considered retroactive if that phase of construction has not begun. Example: An owner deposits \$1,000 as a road construction deposit for a road to his dock, but delays construction of his house for several years. The house construction escrow deposit is increased during that time from \$3,000 to \$5,000. The owner would be responsible for the revised difference in escrow of \$4,000.

All required items listed on the previous page, along with any other materials necessary for the ECC to review shall be sent to:

Environmental Control Committee
PO Box 8277
Seneca, S.C. 29678

Review of Site Improvement Plans, House Elevations

The ECC will review the Site Improvement Plans and Specifications, House Elevation, and House Plan View (hereafter know as “Plans”) that have been properly submitted within ten working days. If found not to be in compliance with the Guidelines or if found to be otherwise unacceptable to the ECC, the Lot Owner and his representative shall be notified in writing of the items found not to be in compliance or to be otherwise unacceptable to the ECC.

When the Plans are approved by the ECC, one copy of these Plans shall be retained by the ECC and the other complete set of the approved Plans shall be marked “Approved as Submitted”, dated and initialed by a member of the ECC and returned to the Lot Owner or his representative.

Any modification or change to the “Approved” set of Plans must be re-submitted to the ECC for its review and written approval using the same procedure as set forth herein.

Note: ECC approval is current for one year from date of approval unless construction is started. (house foundation completed or improvement started) If not, the Lot Owner must petition the ECC in writing for a one year renewal of the original request. If any construction or improvement requirements in the Covenants or Guidelines have been added or revised during that time period, the ECC will require these changes be incorporated in the original request.

Lot Staking, Site Inspection and Approval to Commence Work

Once the plans have been approved by the ECC, the Lot Owner or the Lot Owner's representative shall stake the Lot for review and approval by the ECC prior to commencing any construction work thereon (including grading work). The primary purpose of the site inspection is to ensure compliance with the approved Site Improvement Plans and Specifications, to prevent any unnecessary damage to mature trees and other unique site features. The Lot Owner or the Lot Owner's representative must ensure the following is completed prior to the site inspection:

- Stake the Lake Buffer Area (defining the Lake Buffer Area requires a S.C. certified surveyor) and place barricade type tape along the length of boundary and install silt fencing as required by the ECC.
- Stake the location of Improvement (i.e. - stake the primary home corners, garage, retaining walls, construction entrance, etc.)
- Dumpster location, material placement and concrete washout visually located.
- Erosion control measures (silt fences, silt fence with wire, hay bales, diversion swales, stone filter dams, etc., as required by ECC) must be installed.
- Water Hook – Up will be completed and a long hose installed at the curb side for street cleanup and tire washing. This “hook-up” will be completed before any construction activity begins. The “hook-up” will remain in place until the certificate of occupancy is issued.

Note: visual viewing of stakes, foundations, sub-bases, retaining walls, etc. or other forms of identification is not approval of that phase of the construction. ONLY a certified survey by a registered S.C. surveyor is verification of the aforementioned.

After the Lot has been staked in accordance with this Section of the Guidelines, the Lot Owner or the Lot Owner's representative shall request the ECC to make a site inspection prior to written approval to begin construction. The ECC with the lot owner or his representative shall conduct the site inspection within seven (7) business days after the request is received by the ECC.

No clearing and/or construction work will begin until written approval to begin construction is received from the ECC.

Lot Owner, Builder, ECC Communication

In an effort to keep the Lot Owner aware of any problems that relate to restrictions or requirements that may be a potential violation of the Covenants and Guidelines, any ECC written communication with the builder may also be sent to the Lot Owner and Crestview BOD via email or certified letter. Verbal communication between the builder/Lot Owner and ECC is kept to a minimum and is usually followed with an email to the Lot Owner, builder and BOD.

Stop Work

The ECC shall have the right to stop any unauthorized clearing and/or unauthorized construction activities that are commenced on a Lot that is in violation of the terms and requirements of the Covenants and/or Guidelines.

Foundation Survey

Within 15 days of pouring the foundations/footers, sub bases etc. for house, garage including retaining walls, or other site improvements, etc. a foundation survey completed by a registered S.C. surveyor must be submitted for the ECC to verify the house or site improvement location is within the setbacks and not within the Lake Buffer Area. Measured distances must be shown. If the foundation survey is not submitted within this 15-day period, the ECC may use up to \$1500.00 of the Construction Escrow Deposit to comply with this requirement.

NOTE: Visual inspection of stakes, foundations, sub-bases, drawings or other forms of identification is not approval of that phase of the construction. ONLY a certified survey by a registered S.C. surveyor is verification of the aforementioned. A second survey by another certified S.C. surveyor may be requested at the ECC's option and the lot owner's expense. Any dispute between the surveys must be resolved before construction continues on that phase of construction. See Covenants Article IX

Failure of the ECC to Act

If the ECC fails to approve or disapprove the Plans and other submittals which conform (and which relate to Improvements which will conform) with the requirements of the Guidelines and of the Declaration or to reject them as being inadequate or unacceptable within thirty (30) business days after receipt thereof, and provided such submittal was a full and complete submittal, in accordance with the Guidelines and the Declaration, of all items that were to have been submitted to the ECC, the Lot Owner shall give written notice to the ECC asking it to act on the submittal. If the ECC again fails to approve or disapprove the Site Improvement Plans and Specifications and other submittals within ten (10) business days after receipt of the Lot Owner's written request, the ECC shall be deemed to have approved such conforming Plans and other submittals; provided, that the *ECC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the Declaration or any Additional Declaration for the Phase in which the Lot is located, and further provided, that the ECC shall not be deemed to have waived any of the requirements set forth in the Declaration or any corresponding provisions in the Guidelines.* If final Site Improvement Plans and Specifications or other submittals are not sufficiently complete or are otherwise inadequate, the ECC may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject or approve the balance.

Homesite and Septic Improvement

ECC written approval is required prior to the commencement of construction of home site or home site improvement and septic improvement within the Community (see **Schedule A**).

Building Setbacks

The building setbacks required by the Developer for the Community may exceed the minimum setbacks required by the County, and will be listed on the recorded plat for the Community.

Septic Drain Fields

The chosen method of residential waste disposal within the Community is individual on-site septic systems. Each site has a planned initial primary system and a designated area for a repair system.

Septic System Installation and Maintenance

Builders and landscape contractors shall become familiar with the layout and installation of the septic system components and drain field envelope requirements prior to performing any work in these designated areas. All septic installations shall contain an approved filter and inspection access riser cover that extends to the finished graded lot. It is recommended that two inspection access risers be installed to facilitate any future septic maintenance requirements. Additional septic information can be received by contacting the Septic Maintenance Contractor or ECC. An annual inspection of each septic system is required by a BOD approved septic tank inspector. The Association contracts to have this performed which includes cleaning of the filter, assessing the condition of the septic system and providing the owner with a written report.

Failure by the Owners, their builders or their contractors to comply with the guidelines concerning septic system installation and maintenance resulting in damage to the septic system or its components shall result in their being liable for bearing responsibility for repair costs and/or fines imposed by the Association.

DOCK & SHORELINE IMPROVEMENT

General

The location, dimensions and materials of any improvement other than a dock, boatslip, or pier constructed adjacent to or appurtenant to a Waterfront Lot or otherwise within the boundary of the Lake must be approved in advance in writing by the ECC. It is the Owner's sole responsibility to

obtain all permits or approvals required from Duke Lake Services and/or other applicable agencies and make them available to the ECC upon request.

Any waterfront Improvement should have a low profile and open design to minimize obstruction of neighbors' views. Enclosed or two-level docks (sitting area on top) and enclosed or two-level boathouses will not be allowed.

All shoreline stabilization, docks, boat slips, mooring posts, and any other type of waterfront structure or Improvement shall be performed only by contractors approved by the ECC. A list of approved ECC contractors who perform this type of work is available from the ECC.

Docks, Piers, Boat Slips Installation/Location

Duke Lake Services written approval is required prior to the installation of any individual dock, pier, or boat slip within the Community. Docks, piers, and boat slips, must be located within the recorded pier zone and constructed so as to minimize grading and clearing of vegetation at or near waterfront areas. Location of the dock, pier, or boat slip is the responsibility of the lot owner and may require verification by a certified S.C. surveyor.

The point of access of a dock, pier or boat slip and any site disturbance or clearing associated with its placement or construction must be submitted to the ECC for approval.

Docks, piers, and boat slips must be constructed of new materials; handrails a minimum of two (2) inches in diameter, treated wood stained and should be compatible in style with other Improvements on the Lot. Roof color will be compatible with other dock roof colors (brown or green) and the surrounding vegetation. Logos or other decorative designs will not be painted, imprinted or attached by other means to the dock roof.

Shoreline Stabilization

Duke Lake Services and ECC written approval is required prior to the installation of shoreline stabilization within the Community (see Schedule C). Shoreline Stabilization should be located and constructed so as to minimize grading and clearing of vegetation at or near waterfront areas. Methods of stabilization will be limited to riprap, masonry walls, interlocking block walls and/or vegetation as required by Duke Lake Services. Refer to Duke Energy's Shoreline Management Guidelines for additional information.

All forms of shoreline stabilization must be constructed of new materials, and should be compatible in style with other Improvements on the Lot.

Walkways

ECC written approval is required prior to the installation of any walkways through the Lake Buffer Areas within the Community. Walkways should be located and constructed so as to not disturb existing mature trees. Walkways over 4 feet in finished width require written ECC approval. Turn-

around paths are not permitted in the Lake Buffer Area. Back-in paths will be approved in lieu of a turn-around unless disability requirements dictate otherwise. All approvals must be in writing.

Water Withdrawal Systems

Water withdrawal systems must be approved by Duke Lake Services. Placement of the pump and withdrawal pipe must be placed as required by Duke Lake Services.

Waterfalls

Waterfalls, water return systems must be approved in writing by ECC and Duke Lake Services. Water return must not create erosion and construction quality must be constructed to contain the water and prevent future erosion.

Lake Buffer Restriction

The 150 square foot Lake Buffer restriction is found in Section 7.5 of the Covenants. Construction in this area must be low profile and not obstruct the view from other lots. Swings, etc. are not permitted. Written approval from the ECC is required for construction in this area.

LAKE BUFFER IMPROVEMENT

Introduction

In order to insure the natural beauty and the recreational benefits of the Lake and to help preserve the quality of water in the Lake, the ECC has prepared the following Lake Buffer Guidelines for the Community:

The Lake Buffer Guidelines provide for a “Lake Buffer” which is a minimum distance setback from the full pond contour elevation along the entire shoreline of the Lake, within the boundaries of the Community as noted on the final plat. The areas within the Lake Buffer compose the “Lake Buffer Areas.”

Thus, if your lot abuts the Lake, there is a “Lake Buffer” established on it. The intent of the buffers is to implement land use restrictions, which preserve the Lake Buffer Areas in a “near-natural” state. The buffers are stated on the recorded plat(s) for the Community. In order to create the Community, some work has occurred in the Lake Buffer Areas such as utility and drainage improvement construction and construction of pathways for water access. However, any disturbances thus far inside the Lake Buffer Areas have been stabilized. Mature trees (as defined in Schedule E, “Glossary of Terms”) within the Lake Buffer Areas may not be removed unless dead or diseased and written approval is obtained for the ECC. Any construction (or modification of the surrounding environment) by individual Owners near, or in, the Lake Buffer Areas must be reviewed and approved in writing by the ECC in accordance with the Lake Buffer Guidelines before commencing any such activity.

WATER DRAINAGE

Storm water passes from the street curb inlet system to the underground storm drainage network. At the outlets of this underground drainage system, the concentrated flow leaving the drainage pipe is slowed down through energy dissipation, and dispersed to create a sheet flow. These outlets are located within easements over the Lots and must be maintained and protected. To assist in slowing and control of the storm water flow from the underground storm drainage network, construction of a drainage control system using vegetation, stone or similar material may be installed within the easements. It is the Owners responsibility to install and maintain such systems to prevent washouts into the lake. If these installed systems require maintenance or enhancement, written approval from the ECC is required.

Additional storm water piping from the house gutter system, driveway drainage or similar water drainage systems will not be installed that drain directly into the lake without first being filtered thru properly designed holding area utilizing vegetation or rock and utilizing sheet flow to dissipate the energy. These systems should empty 'short' of the LBA. Whenever possible, all such drainage installations will be installed so as to utilize the storm drainage easements. If a storm drainage easement is not available, a rock or vegetation designed drainage system may be constructed if written approval is obtained by the ECC. Examples of such a system are found between lots 6 and 7 and lots 44 and 45. It is the Owners responsibility to install and maintain such systems to prevent washouts into the lake.

Water drainage or back flushing from a swimming pool or pond must not be discharged into the lake or allowed to enter the drainage system described in this section. Drainage from driveways, gutters, etc. will not be drained directly into the lake.

General Requirements

- Erosion control devices are to be installed out of the Lake Buffer Areas.
- Shoreline Stabilization is allowed only from the lakeside as long as minimal disturbance to the Lake Buffer occurs, and ECC/Duke Lake Services written approval has been obtained.
- The following may be permitted once ECC written approval has been granted:
 - Removal of Dead or Diseased Trees
 - Removal of Poisonous Plants
 - Selective Clearing of Underbrush
 - Planting of Shrubs and Groundcover (see Duke Energy "Shoreline Management Guidelines")
 - Stump removal by self propelled grinders

Lake Buffer Prohibitions and Restrictions

- No grass or lawn areas will be permitted within the Lake Buffer Areas.

- Removal of natural leaf fall from within the Lake Buffer Areas is not encouraged.
- No mature trees or trees that are dead or diseased may be removed without written approval from the ECC.
- Heavy equipment such as, but not limited to bobcats, front-end loaders, etc. unless approved in writing by the ECC.
- No fences in the Lake Buffer Area.
- Fire pits must be low profile and written approval for construction obtained from the ECC.
- Planting of trees or bushes that create a hedge or ‘privacy fence’ that block the view and create a lack of openness are not allowed.

Lake Buffer Guideline Vegetation Requirements

- Tree pruning within the Lake Buffer Areas is allowed by removing only lateral links from the lower fifty percent of the tree’s height. Topping is not allowed.
- Planting of additional native trees, shrubs, and perennials within the Lake Buffer Areas may be allowed if done with minimal disturbance to root systems of existing trees. ECC approval is required for plantings. See Duke Energy “Shoreline Management Guidelines”

Tree Valuation Schedule and Reimbursement Obligations Relating to Damaged or Destroyed Trees.

With the care given to protecting and preserving existing trees as outlined above and as set forth in the Lake Buffer Guidelines, there should be little or no damage to trees during the course of construction on any Lot. However, accidents and possibly even negligence on the part of contractors and/or subcontractors will likely occur to some limited degree, resulting in the destruction of existing trees intended to remain on the Lot after the completion of construction of the Improvement thereon. The Tree Valuation Schedule, set forth in Figure 4.5.1 below, will be used to place an appropriate monetary value on any and all such existing trees severely damaged and/or destroyed within the tree preservation areas. Quantifying the value of existing trees will provide each Lot Owner with a method for calculating the proper amount of reimbursement such Lot Owner must pay to the Association upon written request as a result of the irreparable damage to, or destruction of, existing trees caused by a contractor’s or subcontractor’s construction operations on the Lot. The Association shall use the reimbursement amount to rehabilitate, restore and/or replace, as appropriate, the damaged or destroyed trees to the extent practicable and the reimbursement amount shall constitute a Special Individual Assessment under the Declaration. Completion of any replacement vegetation/trees must be with an ECC approved planting design. (See Section 4.6) The Association shall retain any of the reimbursement amount not used for this purpose. For purposes of the Tree Valuation Schedule, the tree’s trunk diameter is measured at twelve (12) inches above natural grade level before any construction activity. Trunk diameters that fall between any two sizes presented in the Tree Valuation Schedule shall be assigned a value calculated proportionally.

A qualified arborist and/or landscape architect, at the Lot Owner's expense, shall evaluate the quality of the damaged or destroyed tree(s), as they would have existed prior to their being damaged or destroyed. The Tree Valuation Schedule (Figure 4.5.1) shall be used to determine the replacement value.

| Tree Valuation Schedule | | | |
|--------------------------------|--------------------------------|----------------------|-------------------------|
| Trunk Diameter Inches (DBH) | Cross Section Square Inches | Deciduous Tree Value | Evergreen Tree Value |
| 2 | 3 | \$102.72 | \$89.88 |
| 4 | 13 | \$445.12 | \$389.48 |
| 6 | 28 | 958.72 | \$838.88 |
| 8 | 50 | \$1712.00 | \$1498.00 |
| 10 | 79 | \$2704.96 | \$2366.84 |
| 12 | 113 | \$3869.12 | \$3385.48 |
| 15 | 177 | \$6060.48 | \$5302.92 |
| 20 | 314 | \$10,751.36 | \$9407.44 |
| 30 | 707 | \$24,207.68 | \$21,181.72 |
| 48 | 1809 | \$61,940.16 | \$54,197.64 |

This schedule is calculated using plant appraisal techniques derived from The Guide for Plant Appraisal, 9th Edition, published by *The Council of Tree and Landscape Appraisers* and *The International Society of Arboriculture*, in conjunction with information provided by the Southern Chapter of the International Society of Arboriculture. This schedule may be superseded by the most current, updated, information available from future editions and/or official publications.

Figure 4.5.1

Replacement of Damaged or Destroyed Trees

The Association, or the ECC as its agent, in its sole discretion, may require the planting of additional trees as a result of disturbance, damage, or destruction of existing trees on individual Lots. In this instance, a replanting plan will be requested by the ECC, detailing the size, type, and location of replacement vegetation. The replanting plan will be followed during the replanting process unless revisions are approved in writing from the ECC. All vegetation planted for the purposes of replacement must be guaranteed for three years after installation. Any vegetation that is noted as dying, dead, or otherwise in poor health at the end of its first or second installation year will be required to be replaced. If such trees are replaced, the newly installed trees will also be subject to the three year guaranteed requirement.

Under circumstances of extreme weather conditions, the ECC may, in its sole discretion, grant a Lot Owner a postponement of the buffer mitigation planting. The request for such a postponement must be submitted in writing to the ECC. Postponements of buffer mitigation planting will be considered

only for the hotter summer months between mid June and mid September and for prolonged periods of below-freezing weather forecasted during the winter months.

For trees to be placed within the Lake Buffer Areas, all trees installed as part of a buffer mitigation plan will be considered “protected” regardless of caliper size.

Owner Responsibilities

General

The Community, as a unique, wooded, lake front community, gains its intrinsic value from the Lake Buffer Areas. The Lake Buffer Areas are to be preserved by the Owner in accordance with the Lake Buffer Guidelines, this does not mean that these areas cannot be entered or modified, but activities are limited and subject to ECC review and written approval.

Other Permissible and Impermissible Activities

Recreation - The natural habitat preserved in the Lake Buffer Areas is an amenity for the Owner and can be used for walks, nature study, and limited children’s play. These areas should be shown considerate respect by limiting children’s impact and not allowing play areas to cause erosion or structures (such as play houses) to create impervious cover. Repeated, intense use could lead to denuded areas and subsequent erosion problems.

Disposal - Disposal of spent oil, chemicals (household cleaners, paint thinner, etc.), swimming pool/pond drainage or other liquids or solids with the potential for damage into the storm drainage system or on the ground near the Lake Buffer Areas is prohibited.

Construction of Boat Piers must be permitted by Duke Lake Services, and any part of the pier or access thereto which is located over the Lake Buffer Areas must be reviewed by the ECC. In addition to the specific regulations, the Owner is encouraged to avoid the excessive use of fertilizers, pesticides or herbicides and to avoid land-disturbing activities immediately adjacent to the Lake Buffer Areas.

Miscellaneous Matters

ECC Right of Entry

Section 9.4.1 of the Covenants provides the ECC and any agent the right of entry and inspection upon any portion of any Lot for the purpose of determining whether any construction violates any approved plans by the ECC, the terms of the Guidelines or terms of the Covenants or its amendments. The ECC or its agent will be accompanied by another member of the ECC or BOD member. A reasonable effort to establish phone contact with the Lot Owner prior to entry will be completed by the ECC.

Diligent Construction

Any Home Site Improvement to be constructed on a Lot must be completed within one (1) year following commencement of construction (i.e., commencement of grading) of the first of such Home Site Improvement, unless a longer time is approved in writing by the ECC. See Section 7.3 of the Covenants.

All Waterfront Improvement (including Dock & Pier, and Shoreline Stabilization) shall be completed in a time frame approved by the ECC at final approval of Improvement. If construction activity ceases for a period of thirty (30) days, the Lake Buffer Area is to be stabilized to the ECC's satisfaction.

New home construction will be completed (certificate of occupancy issued) within 18 months after the initial foundation is started. The Covenants, Section 7.3 require the exterior to be completed within 12 months,

Erosion and Sediment Controls

The design and development concepts of the Community call for the utilization and enhancement of the existing natural environment. The ECC is particularly conscious of the erosion and sediment disturbances that can occur during any clearing, grading, or construction activity on a Lot. To help minimize erosion and sediment disturbances, an erosion control plan (using erosion control measures such as silt fences, silt fences with wire support, hay bales, diversion swales, stone filter dams, etc., as required) must be utilized. Written approval of the erosion control plan must be obtained from the ECC prior to any earth-disturbing operations on any Lot. Particular care must be exercised on Lots fronting the Lake to prevent any negative effect or impact upon the Lake and/or the Lake Buffer Areas. Erosion control measures implemented pursuant to an approved erosion control plan must remain in place and be properly maintained until such time as all disturbed areas have been stabilized.

All erosion control plans submitted to the ECC shall be considered individually for each Lot. Recommendations or requirements of the ECC in that regard will be based on individual Lot location, terrain, soil conditions, vegetation, drainage, proposed cuts and fills, and any other conditions the ECC determines impact upon the possible erosion and sediment disturbances for the Lot. At a minimum, however, each Lot Owner shall be responsible for causing the following minimum erosion control practices to be implemented and maintained throughout the course of all earth-disturbing operations until final seeding:

(a) Roadway and Homesite Construction Entrance. Prior to the commencement of any earth-disturbing operation, a stone construction entrance shall be installed on the building site (the "Construction Entrance"). The Construction Entrance shall: (i) if possible, be installed in the same location as the proposed driveway so as to minimize the amount of disturbed area; (ii) extend a

minimum distance as approved by the ECC; and (iii) be installed, preserved and replaced as required by the ECC.

(b) Silt Control Devices. Prior to the commencement of any earth-disturbing operation, a diversion ditch and rock check (or stone filter) dam or other similar measures approved by the ECC shall be constructed and maintained on the building site (collectively, "Silt Control Devices"). The Silt Control Devices shall be located at the boundary of the estimated disturbed areas and shall be constructed, preserved, and replaced, if necessary. Silt fences with 4" wire fence support are encouraged and will be installed and maintained by the owner as required by the ECC.

Drainage/Water Runoff

Drainage considerations for individual Lots play an important part in the ecological balance of the Community. Generally, where feasible, each Lot should be graded such that all water draining from such Lot does not drain onto any adjoining Lots. Water runoff and control is the responsibility of each Lot Owner relative to such Owner's Lot. The water runoff (including water runoff from house gutters, driveways, etc.) shall be handled in such a manner as not to adversely affect any neighboring Lots or the Lake.

Purpose and Use of Construction Escrow Deposit

The required Construction Escrow Deposit shall be deposited by the ECC in an escrow account. Any and all interest earned on the Construction Escrow Deposit shall be credited to and retained by the ECC for its sole use and benefit. The Construction Escrow Deposit paid by an Owner may thereafter be used by the ECC for any of the following purposes:

To pay for the cost to repair any damage to the Roadways or Common Areas in the Community caused by the Owner or the Owner's builder or subcontractors and not repaired by the responsible Owner or such Owner's builder or subcontractors.

To pay for the cost of completing any Improvement(s) so that they are in accordance with the approved Site Improvement Plans and Specifications, if and to the extent the Owner fails so to complete such Improvement(s) consistent with the terms of the Guidelines and the Declaration.

To pay for the cost of restoring or replacing any trees, other vegetation, or other natural features improperly removed, altered or destroyed by the Owner, or Owner's builder or subcontractors, in violation of the Guidelines.

To reimburse the ECC for the cost of cleaning up any significant amount of dirt, cement, or debris left by the Owner or by the Owner's builder or subcontractors on any street or adjacent lots, common areas or right of way, if and to the extent such materials and debris is not immediately removed by the Owner or the Owner's builder or subcontractors.

To pay for the cost of legal counsel and/or action to enforce any of the Owner's other obligations under the Guidelines or the Covenants.

To pay for the foundation survey.

To pay any other costs, fines, expenses or Special Individual Assessments that, by the express terms of the Guidelines, may be deducted from the Construction Escrow Deposit. Upon the completion of all improvement and all landscape improvements and the performance of all other obligations by the owner pursuant to the terms of the Guidelines and the Declaration, the ECC shall return to the owner the unused portion (if any) of the Owner's Construction Escrow Deposit. In the event the ECC expends sums on the Owner's behalf as provided above in excess of the Owner's Construction Escrow Deposit, the Owner shall pay the excess to the ECC within twenty (20) days of notice thereof. If the Owner fails to do so, the ECC shall request the Association to levy a Special Individual Assessment or lien against the Owner's house or property.

Fines may be levied for infractions of the Covenants or these Guidelines as determined by the ECC and approved by the BOD. The Owner will be advised of the fine by certified letter. The Owner may appeal the fine within 30 days of receipt of the certified letter to the BOD during their normal meeting schedule. The appeal to the BOD will be final.

An example of fines follows and are not meant to be an all inclusive list. These fines may be adjusted by the ECC according to the magnitude of the infraction. These fines do not include the cost to correct the infraction.

- Concrete spillage or construction debris dumping on unapproved area - \$250
- Dirt tracked from building site - \$150
- Building site in unkempt condition - \$25 per day
- Silt fencing not properly maintained or installed per ECC - \$25 per day
- Washout into lake from silt fencing not installed/maintained or LBA not maintained in natural state - \$150 each washout zone
- New home construction in excess of Covenant 12 month exterior completion requirement or 18 month CO Guideline requirement - \$25 per day
- Vegetation/tree removal from LBA without written ECC approval - \$1,000. Depending on the magnitude of the infraction, the Tree Valuation Schedule may be imposed.
- Construction vehicles or other vehicles in LBA - \$500 each infraction
- Debris burning - \$200
- Grass or other unapproved vegetation in LBA - \$10 per sq. ft. of area and \$25 per week
- Wall or other unapproved structure in LBA - \$15 per sq. ft. of area and \$30 per week
- Unapproved vehicle, watercraft or trailer in driveway or property – \$25 per day
- Damage to common area - \$200
- Disposal of yard debris on property other than Owners - \$100 per occurrence
- Swimming pool or back flushing pool water drained into lake - \$500 per occurrence

Final Inspection and Construction Escrow Refund.

Once all Improvements have been completed, a final inspection must be conducted to ensure compliance with the ECC's approval of Site Improvement Plans and Specifications. A request must be made to the ECC in writing to conduct a final on-site inspection (see **Schedule D**). The Construction Escrow Deposit will be refunded after this inspection has been conducted and the Lot is deemed to be "in compliance" with the approved Site Improvement Plans and Specifications, provided that some or all the Construction Escrow Deposit has not been utilized during the building process.

Notices

Each notice, document or submittal (collectively, "notice") required or permitted to be given under the Guidelines must be given in compliance with these requirements.

Each notice shall be in writing.

Any notice to be given to the ECC shall be deemed to have been duly served and to be effective only when a receipt acknowledging such delivery (such as a certified mail, overnight express service or hand delivery receipt) is signed by a member or authorized representative of the ECC. The address of the ECC for delivery of notices shall be as follows:

Environmental Control Committee
PO Box 8277
Seneca, S.C.
29678

Any notice to be given to an Owner shall be deemed to be duly served when picked up by the Owner (or the Owner's builder, as the case may be) at the ECC's office or when delivered to the address of the Owner (or the Owner's builder's, as the case may be) by regular U.S. Mail Service (such delivery being presumed to have occurred on the second (2nd) day following the deposit of such notice by the ECC in the U.S. Mail) or when sent by facsimile transmission to the Owner's or Owner's builder's facsimile number, (such delivery being presumed to have been duly served on the day same is sent by the ECC). The address of an Owner (and facsimile number, if applicable) shall be as set forth in the Owner's submittal of Site Improvement Plans and Specifications.

It is the Owner's responsibility to provide the Association with their most current mailing address and telephone contact.

Construction Rules

Applicability. These construction rules (collectively, the “Construction Rules”) shall apply to all Lot Owners and their builders, and any reference to an Owner shall also apply to the Owner's builder and subcontractors. All Owners shall abide by the Construction Rules and such other rules as the Board and/or the ECC may establish from time to time.

Construction Hours and Noise. All construction activities must be conducted and all deliveries must be made from 7:00 a.m. until 8:00 p.m. Monday through Saturday; provided, however, no construction activities shall be conducted and no deliveries shall be made on July 4, Labor Day, Thanksgiving Day, Christmas Day or New Year's Day. Additionally, certain construction activities are permitted on Sundays, but such activities shall be performed in a manner as to be considered “low impact” by the ECC in its sole discretion; excessive noise and the use of heavy equipment shall be prohibited on Sundays. No loud radios or distracting noise (other than normal construction noise) will be allowed within the Community during construction. This is distracting to Lot Owners. Normal radio levels are acceptable within the interior of fully enclosed homes. Radio and stereo speakers shall not be mounted on vehicles or outside of homes under construction.

Rubbish, Debris and Cleared Trees/Vegetation. In order to maintain a neat and orderly appearance at all times throughout the Community, the following rubbish, debris and cleared trees/vegetation must be strictly followed:

Exterior Construction Debris. The construction lot will be kept in a neat and orderly manner. Materials that are not directly related to a phase of construction within 30 days, will be removed from the lot or stored in the completed garage. Construction equipment such as Bobcats, trailers, etc. will not be stored on the lot if not required for a specific phase of construction within 14 days.

At the end of each day on which work occurs on the Lot, all lightweight, blowable construction debris, such as roofing paper, insulation bags, foam sheathing, polyethylene, etc., must be placed in an approved containment device on the Lot.

Cleared Trees/Vegetation will be removed from the lot after the lot is cleared or placed in such manner to not be easily visible from the paved roads or adjacent residences.

No Burning or Burial. Burning or burial of construction debris or vegetation is prohibited.

Street Cleaning. The ECC Committee shall have the right, without notice, to clean up any significant amount of dirt, gravel, cement, etc., left on any street, common area, right of way, common area or adjacent lot, if the same is not immediately removed by the responsible Owner, and to charge the cost of such clean up to the responsible Owner's Construction Deposit.

Water “Hook – Up” will be completed and a hose installed at the curb side for street cleanup and tire washing. This “hook-up” will be completed before any construction begins and remain in place until a CO is issued.

Silt Fences. Silt fences and/or other devices for sedimentation control shall be installed (bottom 4 inches buried) and maintained where necessary or as directed by the ECC, and as shown on the approved Site plan. Silt fences with 4” wire fence support are encouraged and will be installed as required by the ECC.

Material Storage. No construction materials, equipment or debris of any kind may be stored on any street, curb, sidewalk or area between streets and sidewalks, on any adjacent Lots or otherwise than in the locations approved by the ECC.

Trailers. No construction office trailers may be placed, erected or allowed to remain on any Lot or in any other area in the Community, except as approved in writing by the ECC.

Construction Access. During the time a residence or other Improvements are being built, all construction access shall be confined to the approved driveway for the Lot, unless the ECC approves in writing an alternate access way.

Gravel Drives. Prior to the commencement of construction on a Lot, the Owner of such Lot or such Owner’s contractor shall provide and maintain at the approved driveway location a gravel drive with a minimum of five (5) inches of #3 crushed stone base from the paved street toward the house under construction.

Parking. All vehicles must be parked so as not to impede traffic or damage vegetation. No vehicles (trucks, vans, cars, trailers, construction equipment, etc.) may be left parked on any streets within the Community overnight. Construction vehicles may be left on the gravel drive of a Lot overnight only if additional use of the vehicle will be made within the following three (3) days. Subcontractors are to be instructed to park on the street adjacent to the Lot or on the gravel drive, NOT in common areas or within the right-of-way.

Miscellaneous Practices. The following practices are prohibited within the Community:

- Changing oil of any vehicle or equipment;
- Allowing concrete suppliers and contractors to clean their equipment in areas other than the Lot on which the house is being constructed;
- Carrying and/or discharging any type of firearms, except by law enforcement officials and security personnel authorized in writing by the Developer;
- Careless disposition of cigarettes and other flammable material; and
- Operators of vehicles are required to use due care to ensure that they do not spill any damaging materials while within the Community. If spillage does occur, it is the

responsibility of the operator of the vehicle to properly clean up the spill. Any such clean up operations completed by the Developer's personnel will be charged to the responsible party. Any spills must be reported to the ECC and the Developer in writing as soon as possible.

- Builder and contractor personnel may not bring pets into the Community.
- Common Areas. Except with the prior written permission of the ECC, builder and contractor personnel are not allowed in the Common Areas, and no construction access will be allowed across the Common Areas. The Common Area will be returned to its natural state if any construction activity or vehicle destruction occurs in this area.
- Accidents. The ECC shall be notified immediately of any accidents, injuries or other emergency occurrences.
- Portable Chemical Toilets. An enclosed and regularly serviced portable chemical toilet must be provided at each residence under construction, and must be located in as inconspicuous a location as possible.
- Vehicular Traffic and Speed Limits. All vehicles must travel at safe operable speeds for construction traffic through an inhabited neighborhood.
- Signs. See Covenants Section 7.12 for specific guidance. Building permits are to be attached to a post in a manner protected from the elements; and in no event may building permits or any other signage or documentation be attached to trees. (An exception is the dock installation permit required by Duke Lake Services.)
- Road/Curb and Other Property Damage. Any damage to streets and curbs, drainage inlets, water meters or boxes, streetlights, street markers, mailboxes, walls, fences, etc. may be repaired by Developer/ECC and the cost of such repairs will be billed to the responsible Owner. If not paid promptly, the repair cost will be assessed as a Special Individual Assessment. If any telephone, cable TV, electrical, water or other utility lines are cut, it is the responsible party's obligation to report such an accident within thirty (30) minutes to the ECC and any cost incurred in connection with repairing such damage shall be borne by the responsible party. Tracked equipment must not be loaded/ unloaded or driven on the streets or curbs. Any damage incurred will be billed as described above.
- Regarding masonry mailboxes or other structures that infringe on the right-of way of any of the Roads. Refer to Covenants, Section 7.5.
- Construction activity and movement will be confined to the related construction lot platted boundaries.

- **General Builder Responsibilities.** Builders are encouraged to maintain strict control over subcontractors to minimize soil and mud build-up in streets. Builders are advised to educate employees and subcontractors as to the location of the Lake Buffer Areas, the restrictions applicable to the Lake Buffer Areas and the ramifications for violation of the Lake Buffer Guidelines (i.e., fines). Planning home construction with the erosion control measures and the Lake Buffer Guidelines specifically in mind will be crucial to the success of each builder in the Community. Where the builder desires to modify the vegetation in the Lake Buffer Area or construct pathways or shoreline stabilization in the Lake Buffer Area, a Lake buffer plan must be first submitted to the ECC for written approval prior to construction. In addition to protecting the Lake Buffer Areas and controlling erosion, builders are encouraged to develop Lot plans which preserve natural wooded areas wherever possible and which minimize Lot grading and disturbance. Alignment of utilities and access should be planned to minimize the cutting of mature trees.

Schedule A
New Home Construction, Existing Home/Lot Improvement, Septic Improvements
Request for Review

(To be completed and signed by lot owner only)

Lot Owners Name(s) _____ Date _____

Phone # _____ Email Address _____ Lot # _____

Mailing Address _____

Describe erosion control measures, devices, and relative position on lot. _____

I am knowledgeable of Crestview's Covenants, Conditions, Restrictions, and the Environmental and Lake Buffer Guidelines and the requirement to protect the lake buffer area and agree to abide by their requirements and restrictions.

In accordance with Article IX, Section 9.4, Enforcement of the Declaration of Covenants, Conditions, and Restrictions of the community, the ECC shall have the right to enter the above referenced lot to remedy any violation that remains after the owner or owner's agent has been notified as referenced in the Environmental and Lake Buffer Guidelines.

Owner's Signature _____ Date _____

- Attach Site Plan (use Recorded Plat or Plot Plan) at 10 Scale (1"=10') Showing precise location of home site, Lot Improvements, Lake Buffer Area, Lake Buffer Area mature trees, setbacks, septic drain field locations, proposed locations of erosion control devices and any other pertinent and/or applicable information.
- Include check as outlined in Section 1 of the Guidelines
- Mail to:

Environmental Control Committee
P.O. Box 8277
Seneca, SC 29678

SCHEDULE B
Dock and Pier
Request for Review
REMOVED WITH ECC REVISION
MARCH, 2012

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Schedule D
Request for Final Inspection/Escrow Refund

Owner's Name _____

Lot Number _____ Requested Date of Inspection _____

I certify in good faith that the home construction or lot improvements have been completed on the above lot and the disturbed areas have been properly stabilized. The lot conforms to the Crestview Covenants/ECC requirements and standards as well as the plans as approved by the ECC. All site work, landscaping, cleaning, debris removal, drainage, removal of temporary utilities and repair of damage to rights of way and common areas has been completed.

Owner's Signature _____ Date _____

ECC use:

_____ Deposit Returned in Full _____ Partial Refund Return

Amount Returned _____ Date of Return _____

Check Number _____

Reason for withholding

SCHEDULE E

GLOSSARY OF TERMS

Caliper Used to Define Mature Trees

A term used in the nursery industry to describe the diameter of a tree to distinguish its relative size. Trees are measured at twelve inches above natural grade (before any construction activity) to determine their caliper size. Trees four inches and above in diameter are determined to be mature trees. Refer to Section 4.5 for additional information.

Construction Escrow Deposit

A deposit is required of all lot owners which is returned in full to the depositor when all construction is completed according to the ECC Guidelines. All or a portion of the deposit may be forfeited in the event that the Guidelines are not followed, in the sole discretion of the ECC.

Crown or Canopy

These terms are used interchangeably to refer to the top part of a tree where the branching occurs and where the majority of the leaves exist on the tree.

Deciduous Tree or Shrub

Numerous plant species which lose or shed their leaves in the autumn, are without leaves for the colder winter months, and send out new leaves in the spring which remain throughout the summer.

Drainfield Envelope

Refers to the area that contains nitrification (drainfield) lines of the on-site septic system for and individual dwelling. The term can also be used to refer to the reserved repair area.

Drip-Line (Tree)

This refers to the outermost perimeter of any tree or shrub canopy. It would be accurately described by the shadow cast by the sun if it were directly above the tree. This line on the ground surface generally coincides with the outermost root growth of the tree.

Evergreen (Tree or Shrub)

Trees, shrubs and ground cover, etc. which retain the majority of their leaves throughout the year.

Landscape Architect

A professional educated and trained in the thoughtful design of exterior spaces, whose design incorporate utility, practicality and aesthetics. Licensure is required in S.C. to refer to oneself as a landscape architect.

Landscape Designer

One who designs landscapes. This person may or may not have formal education in his or her field and licensure is not required.

Lateral Branch

A lateral branch of a tree is one that emanates from the main trunk. The main trunk has a vertical orientation relative to the lateral branches, which are more horizontal. The lateral branches comprise the majority of the tree's crown or canopy.

Shade Tree

A large mature tree, such as most oaks and elms which develop significantly large canopies or crowns.