

M.L.E.P.O.A., INC.  
MARCEL LAKE ESTATES  
PROPERTY OWNERS ASSOCIATION  
103 Lake Drive  
Dingmans Ferry, PA 18328

***BUILDING RULES  
AND  
REGULATIONS***

A PRIVATE RESIDENTIAL COMMUNITY  
WITH AMENITIES  
Revised 05/20/25

## **1. PURPOSE**

The purpose of these Building Rules and Regulations is to standardize the procedures for all home builders and to assure protection of the Community's common property and Community roads for the Homeowner and quality of home construction complimentary to the development.

One of the reasons that Marcel Lake Estates is a unique place is that all properties within the community are subject to the Deed Restrictions & Covenants and other governing standards of the community. Compliance with these standards is the responsibility of both the MLEPOA property owner and the contractor. The primary objectives to be met by these standards are:

- Encouraging environmental excellence in design and construction.
- Preserving the design integrity and architectural quality of MLEPOA and its dwellings.
- Maintaining high aesthetic standards that make MLEPOA an attractive and desirable place to live.
- Preventing deterioration of the Community to protect and preserve property values for all residents.

The information included here is intended to be for your own benefit and for the benefit of everyone in the Community.

Specifically, before you make any changes to your property, you must check with the MLEPOA Administration Office to verify all requirements and procedures.

These rules and regulations shall be strictly and uniformly enforced throughout the Marcel Lake Development.

This code shall not be construed to conflict with state or local building regulations. Wherever there may be a difference of standards or requirements, the highest standard shall apply.

Each builder is required to familiarize himself with this code prior to the submission of their application, thus reducing the probability of any difficulties with the approval and construction of the home.

Violations of any of the rules and regulations, including requirements to submit applications and wait for written approval, will be fined and a stop work order will be issued by an M.L.E.P.O.A. representative.

## II. PROCEDURE

The procedure for the construction of a residence or the renovation or addition to an existing residence, including, but not limited to porches, decks, and storage sheds, within the Community shall be as follows:

1. Application plans shall be submitted to M.L.E.P.O.A, INC., 12242 Marcel Lake, Dingmans Ferry, PA 18328 or the Association Office located on site. Any omissions will cause the application to be rejected and mailed back. **See attached.**
2. Approval of the application will be made in writing by M.L.E.P.O.A., INC., to the member and builder and include a permit card which will be displayed on the construction site. No work can commence on any lot in the Community until written approval is received and a validated building permit is displayed on the construction site. Permits will be issued within five (5) business days of submittal.
3. Proximity gate cards will be issued when application is completed. Cards will be \$40.00 each and will be active for a one year period. Contractors will be limited to Community access Monday through Friday between the hours of 7:00 AM to 5:00 PM and Saturdays between 9:00 AM to 5:00 PM. No work is to be performed on Sundays or Holidays. Builders/Contractors will follow the directions listed on the **attached paperwork**. These and additional rules and guidelines are included in the paperwork for the proximity gate cards.

## III. GENERAL BUILDING REQUIREMENTS

AS PER ATTACHED BUILDING PERMIT CHECK LIST.

## IV. GENERAL RULES

No heavy equipment or heavy trucks shall be moved or operated nor any any construction work be performed by the contractor on Sunday and National Holidays. The holidays on which contractors will be denied admission or permission to work in Marcel Lake Estates will be Christmas Day, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, the day after Thanksgiving Day. Any contractor or subcontractor desiring authorization to work after 5 P.M., Monday through Friday, must submit a written request to the M.L.E.P.O.A. Office requesting such authorization, indicating the name of the contractor(s), the individual person(s) to whom the request applies and the location and nature of the work to be performed.

1. All set-backs shall be in accordance with the Delaware Township and M.L.E.P.O.A., Inc. restrictions.
2. No track vehicles shall be operated on the community roads.

3. No soliciting of jobs is permitted in the Community.
4. No burning of trees, brush, or building debris is allowed. All must be Removed by the Builder/Contractor.
5. All Builders/Contractors must leave the community at 5 PM.
6. All heavy equipment and trucks must be parked off the traveled portion of the roadway so as not to restrict traffic.
7. All construction vehicles must abide by Pennsylvania State Motor Vehicle Code and all speed limits posted throughout MLEPOA. No vehicle will be allowed to park on main roads, curves, side streets or any other drivable areas that might endanger the residents of this community.

#### IV. REGULATING THE MAXIMUM WEIGHT OF MOTOR VEHICLES.

1. Purpose – The purpose of this regulation is to protect the roads of the Community by limiting the weight of vehicles traveling over them at times when they are prone to special damage because of freezing and thawing conditions.
2. Period covered and Notice – Weight limits established by the Regulation shall apply to Community roads during the months of January through April as per HBNO.1329.
3. Weight Limit – It shall be unlawful to drive, move or operate a motor vehicle or combination of motor vehicles whose total gross weight exceeds ten (10) tons over or upon any Community road during the period described above. Gross weight shall include the weight of the vehicle or combination of vehicles, the weight of any load, and the weight of the driver and any passengers.
4. Exceptions – All emergency vehicles, rescue vehicles, community contractors and community owned vehicles are exempt from this regulation.

#### V. WORKSITE ORGANIZATION

1. **NO CLEAR CUTTING OF LOTS.** The trees must be marked and approved by M.L.E. Code Enforcement personnel or M.L.E.P.O.A. representative in writing. **(See VI, #11)**
2. The builder should permanently display the Township and Community Building Permits at all times on the construction site.
3. Builders are responsible for the maintenance of an orderly construction site.

4. No tree stumps or other superfluous construction material should not be left on a building site longer than it is judged reasonably necessary by the Association. Contractors are required to maintain a suitable refuse container on the building site at all times during construction.
5. Contractors are required to maintain a port-a-john on site at all times during construction and display Delaware Township Permit.
6. All construction materials should be piled up neatly within the boundaries of the construction site and should be covered whenever possible.
7. Machinery or spoils may not run on neighboring lots.
8. No culvert or drainage ditch should be either temporarily or permanently blocked. If the moving of construction equipment necessitates, a temporary pipeline shall be installed to insure the full flow of drainage. Before construction begins provisions must be made that the drainage swale between street and lot is not blocked.
9. All building debris must be removed from the Community at the end of each work week.
10. There are **no** approved dumpsites in Marcel Lake Estates. **At no time** will builders/contractors be allowed to utilize Community dumpsters for any unused materials, scraps, refuse and other excess materials.
11. The Association will determine whether or not a culvert is required. If it is, the minimum size will be specified and the culvert location will be marked with stakes. This determination will be made within a reasonable time after the Building Permit is submitted. Location of the culvert may not be changed from that specified on the site survey without further approval of the Association. Any earth, grass and/or vegetation disturbed in the MLEPOA right of way between the traveled roadway and Property Owner's driveway is to be restored.

## VI. ARCHITECTURAL AND ENVIRONMENTAL RULES

1. All improvements must conform to the Building Rules and Regulation and the Declaration of Restrictive Covenants. Proper Building Permits must be obtained.
2. Every fuel oil tank on any residential lot shall be screened in and **not** buried.
3. It is prohibited for any person to discard or dump off along any road or right of way, or private property, any garbage, litter including but not limited; to household or commercial solid waste, rubbish, refuse, junk, vehicles, vehicle parts, tires, appliances or furniture in any place not specifically designed for the purpose of solid waste storage or disposal and/or placed in a closed container if permitted to remain on any lot. Residential property owners or their renters shall store tires in fully enclosed structures or have them removed.
4. No building material of any kind shall be placed upon the lot, except in connection with construction for which proper Building Permits have been issued.
5. Exterior lighting shall not be directed in such a manner as to create an annoyance to their neighbors or interfere with automobile traffic.
6. Obtaining a Delaware Township Building Permit does not waive the need for Association approval.
7. The Association will consider only written request as stated above.
8. All or any fences of any kind must be approved by the Association before a permit is granted. Walls, shrubs and trees should be attractive as well as serviceable and be in keeping with the natural beauty of the community. They shall not interfere with the sight distance on any road or intersection. Since fences, walls, shrubs and trees, may only be installed on your property, it is important to know exactly where the property lines are. Existing pins from a previous survey may be used; however, if there are not existing pins in place, the owner will be required to have their property corners marked by a licensed surveyor. Fencing of any kind may only be used for the backyard. No fencing will be allowed in the front of the property. **See Rules and Regulations for additional information.**
9. **No trees** in excess of one (1) inch thickness or any shrubbery may be removed within the area between any building set back lines and the exterior property lines of any tract except after having first obtained approval in writing by Security/Code Enforcement personnel or M.L.E.P.O.A. representative. Tree removal that is required for building must be indicated on plot plans and tree removal permits. Each tree slated for removal shall be identified with an orange ribbon. As a general rule trees within fifteen (15) feet of any structure should be removed. Also any tree that leans toward a structure and could damage it if it fell and dead trees should be removed. No tree shall be removed until the tree removal permit has been approved. In order to maintain our forest environment, healthy trees anywhere in M.L.E.P.O.A., Inc. cannot be removed without approval. No logging/timbering harvesting or any type of tree or shrub removal or

clear cutting is permitted on any tract within the community. **No clear cutting of lots.**

10. Driveways and parking areas shall be constructed such that they do not interfere with proper drainage, cause an increase in the flow of water onto the roadway or otherwise adversely impact the drainage patterns of any adjacent area. Where no drainage pipe or swale exists, the contractor shall install an adequate swale and pipe under the driveway. Driveway drainage pipes shall be AASHTO approved HDPE. Drainage pipes shall be installed at proper grade and pitch so that surface water flows freely through the pipe. The driveway, related drainage facilities and all relevant dimensions must be included on site plan drawings. Driveways shall be of material such as rock, shale, or crushed stone (minimum  $\frac{3}{4}$  inch), with minimum obstruction to the natural flow of surface water. All paving of existing driveways and parking areas must have an M.L.E.P.O.A., Inc. Permit.
11. Each owner shall keep drainage ditches located on their lot free of obstructions and in in good repair.
12. Minimum dwelling of 1,200sq ft. living space, this does not included basements.
13. All homeowners are required to keep their property/lawns maintained at all times. Reasonable efforts to maintain neatness is the owner's responsibility. Examples of infringements of this rule include: repeated complaints from neighbors in the vicinity of, and about a specific property, any item lying about in disrepair, unregistered vehicles, power equipment left in full view and not stored properly, overgrown weeds/grasses, storage of refuse/discarded items, sheds in disrepair, scattered, left out toys, bulk items, excessive clutter, etc.
14. The following color guidelines apply to all structures, which include but are not limited to: home, shed, fencing, and canopies
  - Must be earth-tone and neutral colors only
  - Avoid using a color that is not complementary to other homes in the community

## VII. MAXIMUM LOT COVERAGE

1. The percentage of the total lot area covered by the footprint(s) of house, garage, shed, driveway(s), walkway(s), parking pad(s), turn-around(s), wetlands and any area covered by a water-resistant surface shall not exceed twenty-five (25%) percent. In this reference, a house's footprint shall include wetlands, all covered or solid surface decks and patios, and any area covered by 2A modified stone, but not lawns.

## VIII. EROSION, SEDIMENTATION AND STORM WATER CONTROL MEASURES

M.L.E.P.O.A., Inc. desires to promote responsible development in strict compliance with the laws and principles of sound environmental design and construction. Title 25 of the Pennsylvania Code shall be strictly enforced in order to ensure the proper design, construction, maintenance and continued effectiveness of erosion, sedimentation and storm water control measures.

Contractors should contact the Pike County Conservation District or consult the DEP Erosion and Sediment Pollution Control Program Manual for guidance in developing an effective Erosion and Sediment Control Plan. Such a plan is required as part of the M.L.E.P.O.A. Construction Permit application.

Contractors must incorporate both temporary and permanent Basin Management Plan in their development plans, either within the existing drainage easements or elsewhere as required to prevent any increased erosion, sedimentation or runoff.

## IX. DRIVEWAYS

Driveways and parking areas shall be constructed such that they do not interfere with proper drainage, cause an increase in the flow of water onto the roadway or otherwise adversely impact the drainage patterns of any adjacent area. Where no drainage pipe or swale exists, the contractor shall install an adequate swale and pipe under the driveway. Driveway drainage pipes shall be AASHTO approved HDPE at proper grade and pitch so that surface water flows freely through the pipe. The driveway, related drainage facilities and all relevant dimensions must be included on the site plan drawings.

No driveway or parking area shall be installed over any roadside utility vault.

The following dimensions shall apply to all driveways:

- Minimum traveled way width shall be 10 feet.
- Minimum distance to adjacent property line shall be 5 feet.
- Minimum distance to any curb stand, barrel or blow off valve shall be 6 feet.
- Minimum distance to any fire hydrant or standpipe shall be 25 feet.
- Side slopes shall not be steeper than 3:1.

Driveways shall be of material such as rock, shale or crushed stone (minimum  $\frac{3}{4}$ " ), with minimum obstruction to the natural flow of surface water. Paving and resurfacing driveways requires a separate Permit.

## X. GRADING AND SOIL STABILIZATION

Consistent with paragraph VIII, of this section, both temporary and permanent soil stabilization is required on all lots to control soil erosion, sedimentation and storm water runoff. Final grading, soil stabilization and permanent BMP's required for the diversion,



detention or conveyance of storm water, shall be included in the Erosion and Sediment Control Plan and shall be installed according to that plan. Water flows resulting from any land disturbance activity or newly constructed impervious surface areas must not adversely affect any adjoining or downstream properties or storm water facilities. All temporary BMP's (silt fence, hay bales, et. al.) shall be removed within one (1) week after completion of the project.

Any disturbance of wet lands must have permission from the EPA via a wet land litigator.

#### XI. COMPLIANCE INSPECTIONS

Marcel Lake Estates Deed Restrictions and By-Laws affirm that M.L.E.P.O.A., INC. has the authority to administer and enforce its Deed Restrictions and Covenants. In addition, the power to promulgate and enforce rules and regulations involving Architectural Construction standards rests solely with the Board of Directors of M.L.E.P.O.A., INC. and its agents or authorized representatives. To this end, the Community Coordinator, Manager or other designated representative of M.L.E.P.O.A., INC. shall have the right and responsibility to make periodic inspections; including roads, of proposed and ongoing development projects to ensure continued compliance. Please see Fine Schedule. Any damages to community road and/or property will be the contractor's responsibility to repair or pay community for repairs done.

All covenants and regulations contained in the deed, whether referred to or not in this document, shall apply and be fully observed.

Any violations to the M.L.E.P.O.A., INC. Building Codes shall be immediately brought to the attention of the violators. If no corrective action is taken within the next forty-eight (48) hours, a written notification will be issued. The builder shall be informed of the breach in writing by M.L.E.P.O.A., INC. Corrections of any violations shall be effective immediately. If within the specified time any so informed builder does not remedy his default, M.L.E.P.O.A., INC. may remove the builder from the list at M.L.P.O.A., the builder will then be subjected to suspension until the correction is made.

In the event of suspension, the builder will be denied permission to build in M.L.P.O.A.,

M.L.E.P.O.A., INC. reserves the right to make any changes of the Building codes within thirty (30) days' notice as posted within the Association Office.

**BUILDING PERMITS WILL BE ISSUED TO MEMBERS IN GOOD  
STANDING ONLY!!!!**

## **ADDENDUM TO M.L.E.P.O.A., INC. RULES & REGULATIONS**

This Addendum is adopted in an effort to treat all lot owners at Marcel Lakes Estates fairly and equitably, recognizing that many lot owners have held title to their properties for many years without being able to build on them because of the building moratorium.

Pursuant to the M.L.E.P.O.A., Inc. Declaration of Restrictive Covenants and By-Laws Article VI, Section 1, Subdivision n, and Article 1, Section 1, the M.L.E.P.O.A., Inc. Board of Directors is authorized to adopt and amend rules and regulations applicable to the building, construction or improvements of structures on any lot in the Development. In light of the moratorium release of 50 building lots as stated in the letter to the Community residents from American Water dated \_\_\_\_\_, attached hereto the Board has adopted this Addendum to the Community building permit application process.

Property owners who seek to submit a Community building permit application for one of the 50 moratorium release building lots must meet each of the four following eligibility criteria:

1 - Community building permit applications will only be accepted from property owners who have maintained their status as a Member in Good Standing (see M.L.E.P.O.A., Inc By-Laws, Article I, section 1; M.L.E.P.O.A., Inc. Rules & Regulations, Definitions) throughout ownership of the lot specified in the permit application.

2 - Community building permit applications will be reviewed and issued on a strict seniority basis. Once the submission deadline of the Notice of Intent Form (as discussed below) has passed, the Board will place all property owners in good standing in a seniority queue based on the date of ownership, determined by the date of the recorded Deed, of the lot in question. The Association will maintain a list of eligible properties in order of seniority as determined above. Community building permit applications for lots that have been waiting the longest for the moratorium to be lifted will be accepted first for review & approval. Once the first 50 building lots have been assigned, any remaining eligible property owners in the seniority queue will be placed on a waitlist in the same order as they were in the original seniority queue.

3. Community building permit applications will only be accepted from property owners who commit on their Notice of Intent Form (Appendix A) to begin construction within the first **3 months** after receiving both the Community and Township building permits.

4. Property owners shall be entitled to submit one Community building permit application for one lot regardless of the number of lots owned. In the event of joint ownership of a lot or lots, only one permit application may be submitted for one lot. For example, if John Doe owns three lots, he may only submit one application for one of those lots. In the case of property owners who own multiple lots with one or more joint owners, only one of those joint owners may submit one permit application for one lot, e.g., if John and Jane Doe jointly own three lots, then John or Jane Doe may submit one application for one of those multiple lots but then the other may not submit a permit application for one of their other lots.

All community applications for one of the 50 moratoriums building lots will be accepted and reviewed in the following three steps:

First: Interested property owners must submit the **Notice of Intent Form** (Appendix A) in person or electronically by the deadline of **30 days** of receipt of the American Water Notice of Serviceability, to the M.L.E.P.O.A., Inc.'s Association Office located at 103 Lake Drive, Dingmans Ferry, PA 18328 where receipt of the form will be recorded by an Association representative and the applicant will receive a date stamped receipt.

Second: Once the deadline for submission of the Notice of Intent Form has passed, the Board will then review each submission to confirm each property owner has met the eligibility criteria discussed above and to determine that owner's position on the seniority queue. The first 50 approved property owners on the seniority queue will then receive a **Permission to Proceed Letter** from the Board notifying them that they now have permission to submit their Township Building Permit application. This Permission to Proceed Letter must be attached to their Township Building Permit Application, and the property owner must submit their Township Building Permit Application to the Township within **30 days** of receipt of the Permission to Proceed letter. Failure to submit their complete Township Building Permit Application by the stated deadline will constitute a

withdrawal of the property owner's Notice of Intent Form for one of the first 50 building lots. Their Permission to Proceed Letter will be revoked; their name will be moved to the end of the waitlist and the next eligible property owner on the waitlist will be issued a Permission to Proceed Letter to submit to the Township for their Township Building Permit Application .

Third: Once the property owner receives all required Township permits, said property owner must submit copies of the Township permits and all permit documentation to the Association Office within **30 days** of receipt of the Township permits. . Upon the Board's confirmation of the validity of the permits, the Board will then issue an M.L.E.P.O.A., Inc. Building Permit. Failure to submit copies of the Township permits to the Association Office by the stated deadline will constitute a withdrawal of the property owner's Notice of Intent Form for one of the first 50 building lots. Their Permission to Proceed Letter will be revoked, the Township will be notified of the revocation, their name will be moved to the end of the waitlist and the next eligible property owner on the waitlist will be issued a Permission to Proceed Letter to submit the Township for their Township Building Permit Application.

Should American Water offer moratorium release of additional building lots in the future, the Board will follow the same eligibility criteria and procedural building permit application steps as specified herein. Any eligible property owners who were placed on the waitlist for this moratorium release will maintain their position in the seniority queue for any future moratorium releases before the addition of any future applicants.

**Notice of Intent Form**

I, \_\_\_\_\_, am a property owner in good standing and owner of the lot known as (Lot/Blk/Sec) \_\_\_\_\_, purchased on (specify date) \_\_\_\_\_.

I hereby submit this Notice of Intent to apply for one of the 50 moratorium release building lots now available pursuant to the letter from PA American Water dated \_\_\_\_\_ for the lot specified above.

I am requesting a building permit to (specify construction project)

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

and I am committed to start construction of this project within the first **3 months** of receipt of both Community and Township building permits.

I have read the “Addendum To The M.L.E.P.O.A., Inc. Rules & Regulations” regarding the Community permit application process for the moratorium release lots, and I accept all the rules, regulations, deadlines, procedures and penalties specified therein.

\_\_\_\_\_(Signature)

\_\_\_\_\_(Date)