

EAGLE ROCK RESERVE

BUILDING AND LANDSCAPING DESIGN GUIDELINES, RULES AND RECOMMENDATIONS 2023

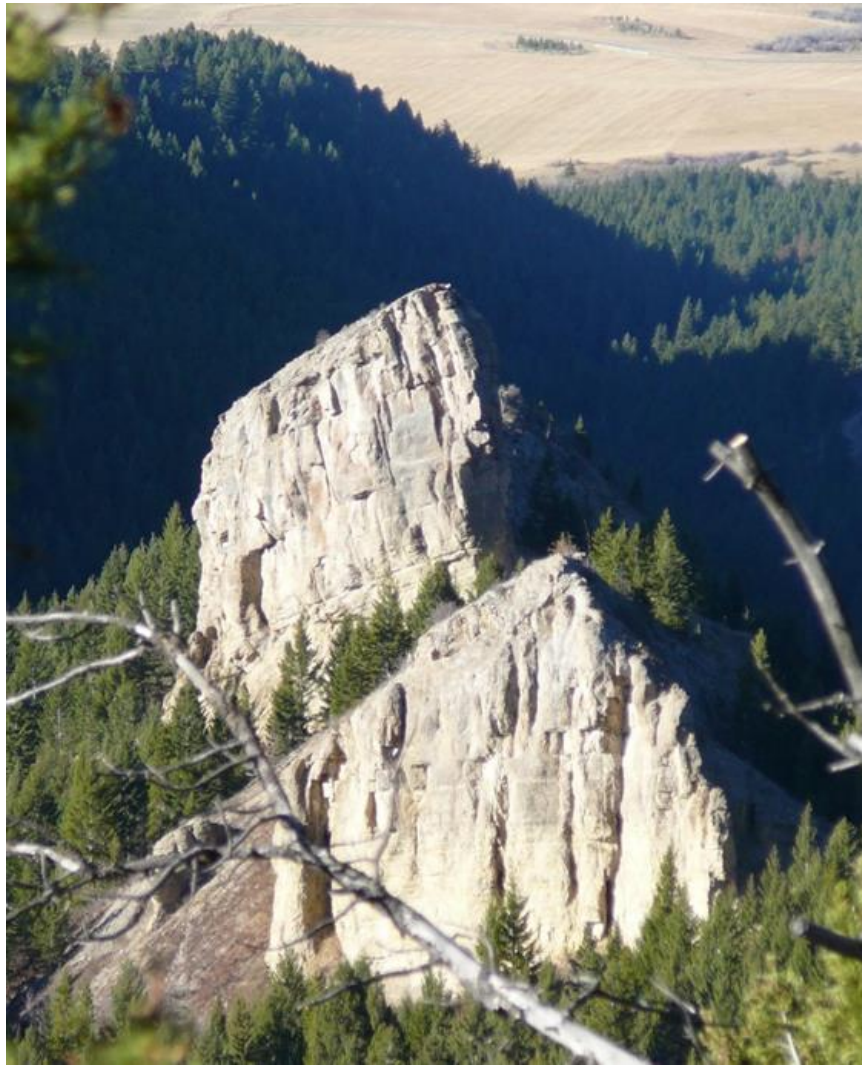


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Introduction

Surrounded by open meadows, forests and mountains, Eagle Rock Reserve is a conservation community with a unique location and spectacular scenery. Located in the interface between the uninhabited forests to the south and the rapid urban development of Bozeman, the owners of the Reserve wish to maintain its scenery, wildlife habitat, agricultural lands and natural beauty, and to protect against the effects of climate change, including drought and wildfire, to the greatest extent possible while still providing the opportunity for high quality living and recreation.



The Design Review Committee recognizes that each parcel of land is unique as are the personality and desires of each owner. The Committee hopes these Design Guidelines, Rules and Recommendations (the “Design Guidelines”) will help you understand and comply with the Covenants, architectural standards and processes adopted by the Reserve.

A. EAGLE ROCK RESERVE COVENANTS

The Declaration of Covenants, Conditions and Restrictions for Eagle Rock Reserve, also known as the Covenants, are the foundation for the organization and governance of the Eagle Rock Reserve Owners’ Association. Each parcel owner automatically becomes a member of the Association upon purchase and is bound by the Covenants.

The Covenants clearly state the founders’ purpose. For example, Recital C of the Covenants states that it is the founders’ desire “to place covenants and restrictions upon said Premises and Parcels for the benefit of the owners and to preserve and conserve the agricultural use, open space, natural environment and scenic qualities of all of said lands and to provide limited recreational and residential uses.”

The Covenants also articulate the founders’ vision for the Reserve, which includes conservation of the land and wildlife, open space, agricultural heritage, and recreation. Buildings must be “subservient” to and “harmonious” with the land for the “relaxation” and “quiet enjoyment” of the residents. Careful planning and cooperation among Eagle Rock’s residents are necessary to preserve and balance all these elements.

The Covenants charge the Design Review Committee with writing and enforcing the rules that govern the construction of all buildings and landscaping at Eagle Rock Reserve consistent with the Covenants which set forth the requirements in considerable detail. The Design Review Committee and the Association have the right, authority and power to legally enforce the Covenants and these Design Guidelines.

B. HOW TO USE THIS DOCUMENT

1. Read Parts I and II regardless of the nature of your project. These Parts contain the substantive rules governing the design of new construction as well as renovations, remodels and additions.

Note that Part II contains sections with additional guidance regarding renovations and additions (section B), demolitions and new construction (section C), and the use of adjacent parcels (section D).

2. Read Part III to understand the procedure for obtaining approval of your project. It is important that you and your design professionals understand the submission requirements early in the process so that you can prepare the necessary documents.

The Committee has 45 days from the submission of a complete proposal for its review, so you should make sure that your proposal is complete as described in Part III, and that you are planning well in advance of your construction start date.

3. Read Part IV and its associated appendix when you are ready to start construction. This Part describes Eagle Rock Reserve's rules for managing your construction site to reduce the impact of construction on the Reserve and its residents as much as possible. Compliance with these rules will not only serve the interests of all Eagle Rock owners but will also help preserve your parcel's natural features and improve your experience with your own contractors.

These Design Guidelines contain both requirements and recommendations. The Committee will review every project to ensure compliance with all requirements and will not approve any project that does not meet all relevant requirements unless the owner has been granted a variance for a particular requirement. That said, the Committee strives to be reasonable, practical and transparent in its interpretation of these Guidelines.

These Design Guidelines should be interpreted to advance the values, goals and requirements of the Eagle Rock Reserve Covenants.

The Committee will also encourage owners to follow the recommendations contained in these Design Guidelines, although the Committee will not disapprove a project for failure to follow a recommendation.

Members of the Committee have significant experience building and living at Eagle Rock Reserve, and they are eager to help owners understand and apply the Design Guidelines. Please direct any questions you have concerning these Guidelines to the Chair of the Design Review Committee.

I. Getting Started

As you think about your project, you should consider a wide array of factors as reflected in these Design Guidelines. Included among these factors are the timing of your project, the nature of your site, what professionals you plan to work with, to what extent you desire a sustainable design, your use of water, and your fire mitigation strategies. Below is some planning advice hard-earned by many Eagle Rock owners.

A. PLANNING YOUR PROJECT

1. Give Yourself Plenty of Time

The timeline for each building project will vary, but, as a very rough rule of thumb, the design and approval process for a new house often takes a year or more to complete. Construction, once the design documents have been approved, can take as much as 18 months for a new house, and additions have been known to take just as long. Weather is a major factor affecting construction and landscaping, with snow likely from October to April. Be sure to allow yourself ample extra time so that the process does not become more stressful than need be.

At the beginning of the design process, schedule a meeting with the Design Review Committee on the parcel site, along with your professionals, to confirm that your design ideas comply with the Covenants and these Design Rules.

Be sure to schedule enough time to accomplish the numerous reviews you will want with your professionals as well as to allow 45 days for the Design Review Committee to do its work with respect to each submission. Design Review Committee members are volunteers who are busy with their jobs and families. They try to respond promptly to owners' concerns and submittals. Maintaining contact with them throughout the project and keeping them informed will make it easier for them to anticipate your needs and respond quickly.

2. Become Familiar with Your Site and the Design Review Process

Before beginning the design process, we suggest that you acquaint yourself with the spirit of the Reserve. At your house site, try to get a feeling for the daily and seasonal patterns of light and solar exposure. Think about the weather, particularly the wind, and its potential impact on your site. Think about ways to enjoy distant and closer views by taking advantage of your site's natural topography. Choose designs and materials that will harmonize the building with its surroundings. Visit neighboring sites to become sensitive to the impact that one site and house may have on another.

3. Work with Professionals

The Committee has learned from experience that retention of design professionals, including an architect, is of considerable benefit to everyone in the planning, review and building process, and most particularly in the final results. **Professional assistance is required for all owners for all development on the Reserve.** Your neighbors can recommend surveyors and other professionals who are familiar with the Reserve.

The character of your site, the location of the house site stake, and the need to fit the house into the landscape without overly dominating the land or neighboring houses will greatly influence the design process. Proper design for weather protection, sun angles and the orientation of windows and overhangs is particularly important. The most inappropriate and objectionable designs are typically those which result from attempts to reduce costs or save time by the use of kits or prefabs, modules and/or the adaptation of building systems or pre-drawn plans more suited to other uses, climates or terrain.

It is important that you share these Design Guidelines with your professional team during initial discussions of your building plans. All of the professionals assisting you with your designs and, of course, your builder should be thoroughly familiar with these Guidelines, and, particularly, the section(s) which affect their services. This will ensure that both you and your professionals understand the Covenants, these Guidelines and the review process.

For new construction, you will require a surveyor, an architect, a landscape architect or designer, a builder, and, perhaps, professional engineering advice on soils and wells in designing a new house. A surveyor prepares a detailed topographic (contour) map of your site. This map or site survey is required for new construction and additions and may be helpful with landscape alterations. The requirements for the site survey are listed in Part III below.

Also, depending on the site and what is already known, your architect may need data and recommendations regarding underlying soils and their impact on the foundation design. If so, it may be advisable to retain a qualified soils specialist to take borings and make a soils report early in the design process. The soil tests are necessary in siting the septic system and well which must meet Gallatin County regulations.

Some of these same consultants may also be necessary for renovations, remodels and additions (please refer to Section III.C below).

B. ENERGY EFFICIENT DESIGN

In light of climate change, the Design Review committee encourages you to consider planning for the integration of passive solar design, solar panels, heat pumps and other energy saving features during the building process. Even if you do not intend to include any of these items in your current design, it is much easier to add them later if you plan for them now.

C. WELLS AND WATER

Conservation of water, including groundwater, advances Eagle Rock Reserve's desire to be a good steward of the environment. Conservation of water requires advance planning for design of irrigation, xeriscapes, water rights and wells. Water is owned by the State of Montana which requires permits for septic systems and wells. All wells are required to be registered by the owner or well driller promptly with the Montana

Department of Natural Resources (DNRC) Ground Water Information Center (GWIC). Owners are obligated to ensure that this is done soon after drilling has been completed.

Each residential well is entitled to 35 gallons per minute (gpm) and 10 acre/feet/year without a permit (called an “exempt” well). On 20 acres, multiple wells are considered a “combined appropriation” which is subject to the same limits as a single exempt well. Owners must comply with state water regulations.

Drilling of a second or later well requires approval by the Committee of the well location and evidence of compliance with state and local laws.

Although not required, it is a good idea to file for a water right for your well with the Montana Department of Natural Resources and Conservation’s Water Rights Bureau. Possession of a water right ensures access to water if restrictions are enacted in cases of drought or other water shortage.

Shared aquifers on the Reserve, which are affected by ongoing drought and global warming, depend on conservative use of water. For example, ponds consume significant amounts of water through evaporation. Ponds also require special permits from the State. See Section II.A.22 for more information on ponds.

To conserve water in landscaping, consult specialists in drought tolerant plantings and water conserving irrigation techniques. Please refer to Section II.A.21 below and to the list of native and drought tolerant plants for landscaping in Appendix C.

D. WILDFIRE MITIGATION

Your house and landscape design should take into account the fact that all of the Reserve, located adjacent to state lands among grasses, hawthorns and trees, is vulnerable to wildfire. We recommend using fire-resistant building and roofing materials, and using exposed stone or cement near ground level.

You should also create a defensible space around your house so that fire fighters will be able to defend your house from fire. A good expanse of rocks, gravel, boulders, and a mowed and watered lawn or xeriscaping, free of brush and leaves, should be maintained around all buildings and driveways. Trees and hawthorns should be a safe distance from structures and should be maintained to be sure they do not become a fire hazard.



We encourage you to seek the advice of the Fort Ellis Fire Department as you plan your project. Fort Ellis Fire has recommendations and information on precautions regarding fire on its website. In addition, Gallatin County’s wildfire mitigation program offers a variety of services including cost-share funding.

II. Design Guidelines, Rules and Recommendations

This Part explains the requirements for all improvements at Eagle Rock Reserve, as well as recommendations based on the experience of many Eagle Rock owners. **All of these requirements apply to new construction and many of them will also be pertinent to remodels and additions to existing structures.**

Section A contains requirements and recommendations for all projects. Sections B, C and D address additional issues regarding renovations and additions, demolitions and new construction, and the use of adjacent parcels, respectively.

Please note that Part III explains what information you should submit to the Design Review Committee to initiate a formal review of your project.

A. REQUIREMENTS AND RECOMMENDATIONS

1. Building location and the Designated Residential Area (DRA)

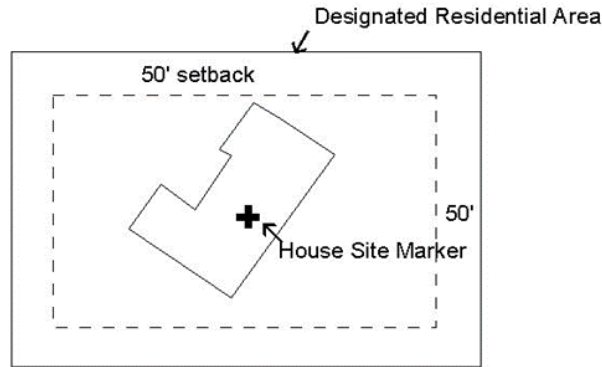
A key element in maintaining the open appearance of the Reserve is the siting of homes. House sites have been carefully located to minimize their impact on each other and leave their best views unobstructed and naturally framed. However, no owner should expect a full unobstructed 360-degree view from any site.

In locating your house on your parcel, you should attempt to harmonize the structure with the land, retain the natural scenery, and preserve the views and privacy of other residents while still meeting your personal interests.

Each parcel contains an approximately 3-acre Designated Residential Area (“DRA”) within which the house must be built. Each DRA contains a House Site Marker which must be used to locate the house and measure its height.

- a) The house shall be sited so that the House Site Marker location is encompassed within the house footprint.
- b) At least 75% of the house must be entirely within a one hundred (100) foot radius of the House Site Marker.
- c) The main floor of the house must be at or below the elevation of the House Site Marker in the ground.
- d) Highest roof ridges may be no more than 20 feet above the main floor level on all parcels on Star Ridge Road and no more than 25 feet on the parcels on Limestone Road (parcels 33-38).

- e) The house shall be no less than 50' from all edges of the DRA and, for privacy, preferably more, taking into consideration the location of roads and/or homes on neighboring parcels.

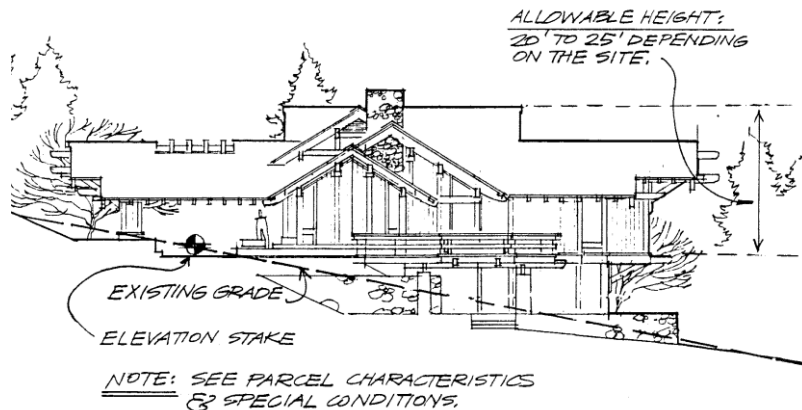


Since House Site Markers are positioned to provide adequate separation between houses, ensure that houses are below ridges as much as possible, and reduce the impact of the houses on each other, alternative locations within the DRA should be pursued only if there are sound reasons. Permission to move the house to a different location is at the discretion of the Association in accordance with the Covenants and requires you to make a formal request for a variance.

Please refer to Section II.D below for guidance if you own two adjacent parcels and wish to create a single new DRA to allow a single home straddling the two parcels.

2. Building height

Highest roof ridges shall be no more than 20 feet above the main floor level (measured at the elevation of the base of the House Site Marker and not including the chimney) on all parcels on Star Ridge Road and no more than 25 feet on the parcels on Limestone Road (parcels 33-38).



As required by the Covenants, wherever reasonable, roof lines should be lower than the ridge line of surrounding land contours to shelter the home and better incorporate the structure into the landscape so that it is not unduly prominent on the horizon.

3. Building size

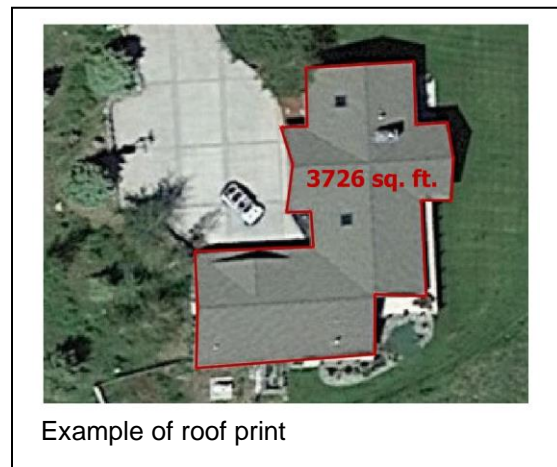
The total size of improvements is limited to ensure that buildings do not overly dominate their surroundings.

a) The maximum building roof print (i.e. the area within the roof outline when viewed from above) is 8,000 square feet on open sites and 5,000 square feet on the forested sites on Limestone Road (parcels 33-38).

1) The roof print includes all areas under roof, including patios, walkways, guest houses, etc.

2) The maximum roof print includes all structures on a parcel, so that the total roof prints of all structures on a parcel may total no more than 8,000 square feet on parcels on Star Ridge Road and no more than 5,000 square feet on the parcels on Limestone Road (parcels 33-38).

b) The minimum roof print is 1,600 square feet on open sites and 1,400 square feet on the forested sites on Limestone Road (parcels 33-38) (see Appendix A).



Example of roof print

4. Separate structures

In order to reduce sprawl on parcels, separate structures that are detached from the main house are allowed only with permission of the Design Review Committee or the ERR Board.

Please note that Section 7.2 of the ERR Covenants states that parcels are intended to accommodate single-family residences and requires an owner to obtain the written permission of the Association to rent out a residence or guest quarters.

All separate structures including, but not limited to, guest houses, garages, tool sheds, pool houses, gazebos and greenhouses shall:

a) Be no taller than 20 feet above the elevation of the primary residence House Site Marker on parcels on Star Ridge Road and no more than 25 feet on the parcels on Limestone Road (parcels 33-38)

- b) Be no taller than 20 feet above the elevation of the main floor of the separate structure on parcels on Star Ridge Road and no more than 25 feet on the parcels on Limestone Road (parcels 33-38)
- c) Be clustered near the main residence and 75 percent of the total roof print of all structures must be within 100 feet of the house site stake (as is required of the main house)
- d) Be included in the 8,000 square foot maximum total roof print for open parcels and 5,000 square foot maximum total roof print for forested sites
- e) Match the primary residence in design, color and materials
- f) Be sited to minimize the visual impact on neighbors and the common easement area
- g) Be reasonably screened from public view by landscaping

5. Recreational amenities including tennis and pickle ball courts, swimming pools and hot tubs

Recreational amenities such as tennis courts, pickle ball courts, swimming pools and hot tubs are permitted on the Reserve but must be approved by the Design Review Committee prior to construction. When planning and locating these types of amenities, you should seek to minimize the impact upon the land, the views of neighbors, and the common easement area. In addition, you should minimize the impact upon neighbors and wildlife of the noise created by use of the amenity (e.g. frequency of use, decibel level, nature of the sound like pickleball hitting racket or basketball bouncing).

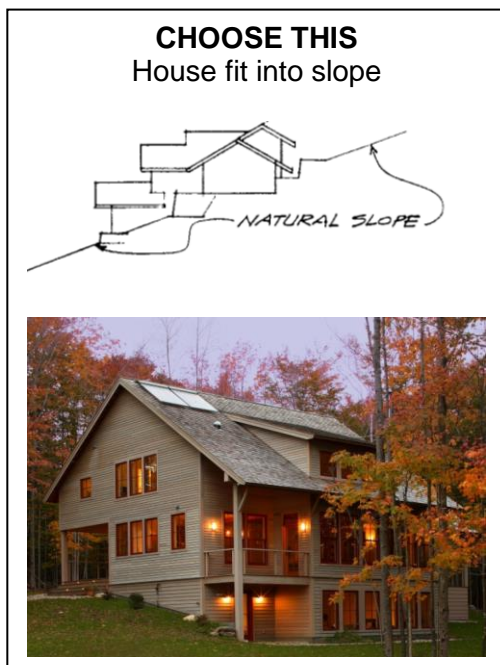
- a) Recreational amenities must be located within your DRA and not within the 50' setback from the edge of the DRA.
- b) Fencing should be as inconspicuous as possible and consistent with Section II.A.23 below. No chain link or other wire fences are permitted.
- c) Please refer to section II.A.19 for information on lighting of amenities.
- d) Recreational amenities and related fencing must be screened with trees and other landscaping to make them as inconspicuous as possible from neighbors, the common easement areas, and the road.

6. Site Grading and Foundation

One of the most important goals of the Reserve is to preserve the natural appearance of the existing topography and adapt to and use the natural terrain as much as possible. This goal must be addressed not only in the siting and design of the house but also in the use of grading. For example, the extensive use of fill tends to impose the house upon the topography instead of blending into it and makes the house more visible than if it follows the contours down the hill.

Once excavation and grading are complete, it is recommended that you keep the excess soil for later use in grading and landscaping. Bringing in soil from elsewhere may import foreign weed seeds and other contaminants, and such soil will never be able to replicate the native grassland and wildflowers in the original topsoil.

- a) The home should fit within the natural contours of the land. Cuts and fills should be minimized and the slope may not be leveled to create a platform for the whole house.
- b) Any foundation wall extending more than twelve inches above ground must be colored to blend with its natural surroundings and/or the house exterior.
- c) Wherever possible, the grading should assist in reducing the impact of the house and improvements on the natural terrain.



7. Retaining Walls

Retaining walls are often necessary with walkout basements and on sloping sites and shall be designed to blend into the natural slope. When using retaining walls, two or more lower walls can sometimes blend into the natural slope better than a single high wall.

- a) Retaining walls should be constructed from natural materials, such as rocks or wood, or from concrete colored and stamped to resemble natural materials.

8. Berms

Constructing berms may be a good use of excess soil from excavation. Berms may be used for screening a house from neighbors as well as the road. See more in Section II.A.21 below on landscaping.

- a) Berms shall blend with the existing topography and shall be landscaped.
- b) Berms should be low (six feet or less), gentle, and broadly rounded to avoid erosion.
- c) Berms must be shown in the Design and Construction Documents and must be approved by the Design Review Committee.

9. Exterior walls

- a) Exterior colors are restricted to muted shades of brown or gray, as typically found in the surrounding forests and rangelands. The Committee will consider a variance for a color not in the brown or gray family if the proposed color is a muted earth tone and blends with the surrounding forests and rangelands.

Fire resistant or fireproof building materials carrying a Class A rating that are consistent with these Design Rules are strongly recommended. Fiber cement (e.g. Hardie® board), stucco, and stone are examples of materials with a Class A rating.

- b) Materials finished in bright or highly reflective colors are not permitted.
- c) Natural materials such as stone, wood, and stucco, by their nature, work well with the Reserve's surroundings and are encouraged. Natural colors or transparent finishes on these materials often improve with age and require low maintenance.
- d) A balance should be kept with the mixture and number of materials used. The use of four or more different main materials can create confusion and detract from an otherwise good design. Conversely, a large unbroken expanse of a single material can be a negative design feature.

10. Log homes

The use of logs and the building of log homes is not discouraged at Eagle Rock Reserve. Hand hewn logs treated with fire retardant are preferred. Machine peeled logs are discouraged and must be specifically approved by the Design Review Committee.

11. Roof materials and elements

Well-chosen roof designs and materials that blend with the walls enhance and support the character of buildings and help bring about an overall cohesiveness.

Roofing materials should be chosen for both aesthetic appeal and the function which they must perform.

- a) The roof color must be shades of dark brown or gray. The Committee will consider a variance for a color not in the brown or gray family if the proposed color is a muted earth tone and blends with the surrounding forests and rangelands.
- b) A metal roof must have a matte finish to avoid glare from the sun as much as possible.
- c) Solar roof shingles that mimic the look and color of composite shingles and otherwise meet the requirements of these Design Guidelines are permitted. Please see Section II.A.25 below for more on solar panels and arrays.
- d) All flashings, roof vents, hoods and other roof elements must be finished with colors which blend with the roofing.
- e) Plumbing vents should be grouped where practicable, but, in any event, should be painted the same color as the roof and made as inconspicuous as possible.

Fire resistant materials such as high-quality asphalt composition shingles and high-quality metal, slate, and concrete are encouraged. Because of fire danger, flammable roof materials such as wooden shakes are strongly discouraged.

12. Skylights

The placement of skylights must take into consideration the exterior appearance of the building as well as interior lighting needs. Skylights placed without consideration of exterior appearance may well detract from the design. Skylights are often most attractive when placed well away from difficult roof changes such as valleys and hips.

At night, skylights can be as bright as unshaded windows. Night light pollution should be avoided, by use of shades or other window treatments if necessary.

- a) Skylights must be flush with the roof as much as possible. Bubble and domed skylights are not allowed.
- b) The shape of a skylight must be consistent with the shapes of the other windows in the house.



13. Chimneys

Chimneys can be an excellent design feature. They are naturally strong elements because they must be taller than the surrounding roof line. Good proportion which gives a chimney a substantial, stable appearance and a careful choice of materials is necessary to fully benefit from the chimney as a design element.

- a) The use of exposed concrete block or stovepipe type chimneys is not permitted.
- b) Screening of chimney vents is required to reduce sparks and avoid unwelcome wildlife.
- c) If visible, chimney vents must be painted to blend with the roof.



14. Columns

Columns are often necessary to support overhangs, breezeways or porch roofs. They can be strong and attractive design elements when well-designed.

- a) Proportions should give columns a substantial appearance.
- b) The design, color and materials used should be harmonious with the main structure.
- c) Simple pipe as exterior support is not permitted.
- d) Two story columns are not permitted.

15. Windows

- a) A consistent window shape should be dominant throughout the overall design.

- 1) Window openings of unusual shapes or special treatments when used arbitrarily or excessively become distractions to a good design and are discouraged.
- 2) A specially shaped opening or treatment such as an octagonal or stained-glass window will attract more attention than a conventional window. Such windows are special only if they are used with restraint and if they are carefully placed with respect to their interior and exterior positioning.



16. Garages

All resident vehicles must be adequately garaged, and recreational vehicles must be stored in a garage or offsite. Creative and sensitive garage placement should be explored so that, where feasible, a garage may be incorporated into the plan without detracting from the overall residence. Please see section II.A.4 for information about detached garages.

- a) Each home is required to have at least a two-car garage and all resident vehicles must be adequately garaged.
- b) Garage door colors are restricted to muted shades of brown or gray that complement the exterior walls. Materials finished in bright or highly reflective colors are not permitted.
- c) The Covenants prohibit recreational vehicles, such as motor homes, boats, and trailers, being stored in the open on any DRA. Necessary storage needs for RVs should be anticipated and provided for in a garage of the appropriate size or in a storage unit located outside of Eagle Rock Reserve. Horse owners may store horse trailers at the ERR barn.

17. Driveways and parking areas

- a) Each parcel is permitted only one driveway entrance on the road.
- b) Driveways should be curved and no more than fourteen (14) to sixteen (16) feet wide, depending on the length of the drive and the number of sites served.
- c) Driveways should generally follow contour lines to the greatest extent possible in order to avoid excessive grades and "cut and fill" scarring.
- d) Driveways and parking areas should provide for proper drainage and plowing and allow ample room for snow storage.
- e) Adequate parking for at least two visitors' cars should be provided. While such areas should be landscaped, it should be remembered that piled snow as well as plants and fences will cause drifting. Please consult with the Eagle Rock Manager about snow storage and drifting on your site.

18. Address number sign

The Eagle Rock Manager will install a post with a number sign along the road next to your driveway to ensure a uniform look for the Reserve and compliance with the Fort Ellis Fire Department's recommendations. Custom number signs are prohibited.

19. Lighting

As the Gallatin Valley grows, light pollution is increasingly a concern. Therefore, exterior lighting should be minimal, moderated, and indirect in nature as well as obscured and shielded so as not to impose on neighbors or wildlife. Exterior lights should be used only when needed and not left on all night.

- a) All outdoor lighting and fixtures must be approved by the Design Review Committee.
- b) Exterior lighting fixtures must shine downward and must be shielded or recessed.
- c) Mercury vapor, high pressure sodium, flood lights, or motion detector lights are not allowed. (Motion detector lights are triggered by wildlife and wind and therefore tend to turn on and off frequently during the night.)
- d) Above-ground exterior lighting intended solely to illuminate an amenity such as, but not limited to, a tennis court, pickleball court, swimming pool or hot



tub, is not permitted. Path lighting is permitted, and underwater lights are permitted in swimming pools, hot tubs and ponds.

- e) Temporary holiday lighting during the appropriate season is allowed but should not be left on all night.

Lighting fixtures with the International Dark-Sky Association's Fixture Seal of Approval are strongly recommended (<https://www.darksky.org/our-work/lighting/lighting-for-industry/fsa/fsa-products/>). Additional information on lighting can be found in Appendix B.

It should also be remembered that *interior* lights may become *exterior* in their effect and need to be shaded. This most often happens when ceiling spotlights or very bright chandeliers are visible to neighbors through tall windows and skylights. Night light pollution should be avoided, by use of shades if necessary.

20. Antennas and satellite dishes

Large, ground-based antennas or satellite dishes that are visible to neighbors and the public are not permitted. Screening of major electronic apparatus is required.

21. Landscaping

Landscaping and the retention of existing vegetation and landforms are important ways to naturalize your site and structures. They can also be used to create screening, windbreaks and privacy.

Major changes to landscaping and vegetation, at any time, must be approved by the Design Review Committee. Please see Section III.C below for more information on how to obtain such approval.

Requirements

- a) The planting of noxious weeds or invasive species is prohibited. A partial list of such plants is available at <https://www.montana.edu/extension/invasiveplants/noxioussub.html>.
- b) Hawthorn thickets may be altered to allow for homesite development and fire protection. However, major alterations of brush lines and tree removal should look natural and must be approved by the Design Review Committee before removal.
- c) Berms may be appropriate for windbreaks or screening. They must blend into the natural landscape as much as possible and be low (six feet or less), gentle, and broadly rounded to avoid erosion. They must also be landscaped and stabilized as quickly as possible. See more on berms in Section II.A.8 above.

- d) During construction, the boundary of the DRA and areas to be kept undisturbed must be temporarily fenced or otherwise clearly marked to prevent trampling of natural vegetation and soil during construction, especially in the common easement area. Topsoil should be stockpiled to be respread following construction.
- e) Following all construction, including finish grading and driveway construction, reclamation seeding and planting should be done as soon as possible (no longer than three months or by the end of the planting season) because areas of bare soil fill up with invasive weeds quickly.
- f) Upon the completion of the house, the basic landscaping (including screens, mass plantings and other items on the preliminary landscaping plans) must be completed within one year, although additional landscaping may continue thereafter.
- g) Where the Association's common easement areas are affected by construction, reclamation must be carried out. Owners must maintain such planting.

Recommendations

- Wildfire is a serious danger at the Reserve. Owners are encouraged to consult with a representative from the Fort Ellis Fire Department on how to landscape to create a defensible space. Please see Section I.D above for more information.
- Xeriscaping or the use of local native, drought tolerant and fire-resistant species is encouraged. Rocks, gravel, and boulders that blend with the home may be combined with native plants to minimize lawn areas and water usage. Information on planting native species for south central Montana can be found at <https://www.inaturalist.org/places/gallatin-county-mt-us> and <https://www.calameo.com/read/00159916014f435586993>. Information on fire resistant and drought tolerant plants can be found in Appendix C.
- Drip irrigation and sprinkling systems, if used, should be designed to conserve water whenever possible, recognizing that these watering systems can play an important role in maintaining defensible space in the event of wildfire.
- Straight lines created by planting or confining vegetation are discouraged.



- Planting groups of the same or similar species is preferable to spot planting single specimens.
- When trees are desired, you should plan on using larger trees as much as possible since tree growth is often slow and critical areas may need the immediate effect of larger vegetation. Larger trees are also less susceptible to damage by grazing wildlife. Adequate water should be available to establish trees after transplanting.
- During the winter, conifers offer better screening from neighbors and the common easement areas than do deciduous trees.
- Porcupines, bears, deer, elk and moose are common on the Reserve and can be expected to visit gardens and occasionally use landscaping for browse. Fruit trees and shrubs attract wildlife including bears, which often destroy fences. Temporary fences for protection from browsing are allowed.



Moose enjoying young aspen trees at Eagle Rock Reserve.

Landscaping is an ongoing activity and these Design Guidelines are not intended to interfere with the normal activity of garden and landscape maintenance. However, all residents are expected to watch for and remove noxious weeds and non-native plants which may be detrimental to the Reserve's existing ecology.

A few still undeveloped parcels may be eligible for \$3500 to be used for purchase of larger trees after completion of house construction. Please check with the Eagle Rock Manager on whether your parcel is eligible for this funding.

22. Ponds

Ponds are not natural features on most sites, and building and maintaining a pond is complicated. The aquifers from which Eagle Rock Reserve wells obtain their water have limitations and these limitations are becoming more pronounced as drought conditions and the number of wells in Gallatin Valley increase. Water conservation is important to ensure adequate water for all Eagle Rock owners in the future.

Water in Montana belongs to the state, and the local water quality district and conservation district have jurisdiction over local water courses. Legal rights to the water needed to fill a pond must be obtained. Pond construction also requires obtaining proper permits. See Appendix D for additional information on ponds.

- a) All ponds must be approved by the Design Review Committee.

- b) Ponds must be designed and constructed by professionals to ensure that the surface area, dimensions, and volume of ponds, plus their placement and construction methods comply with professional standards.
- c) Ponds must be located within the DRA and may not encroach on the 50-foot setback from the edge of the DRA.
- d) Ponds must be constructed to blend into the natural landscape and be maintained so as not to be a health or structural hazard.

23. Fencing, windbreaks and privacy screens

When fencing is needed, wooden fencing is preferred over other materials. All fencing, except temporary fences around landscaping for protection from wildlife browsing, must be approved by the Design Review Committee.

- a) Solid fences are not permitted on the Reserve with the exception of privacy fencing or windbreaks immediately associated with the home or attached to it.
- b) Privacy fences should be consistent with the overall design of the building and be confined to decks, hot tubs and courtyards.
- c) Fencing should not be taller than the nearest eaves of the roof and the color should match those used for the exterior of the home.
- d) No chain link or other wire fencing is permitted around amenities such as tennis or pickleball courts.
- e) Overhead entrance gates, supports or signs are not permitted for home sites.

Montana's Fish, Wildlife and Parks has published a useful guide to wildlife-friendly fences at https://fwp.mt.gov/binaries/content/assets/fwp/conservation/land-owner-wildlife-resources/a_landowners_guide_to_wildlife_friendly_fences.pdf.

24. Utility structures

- a) Utility structures such as electrical meters, electrical service panels, heat pumps and generators must be screened and not visible from the road or neighbors.
- b) Large utility structures such as propane tanks and water cisterns should be buried if possible. If not possible, they must be screened from public view.
- c) All utility lines are to be installed underground.

25. Solar panels

Solar panels may be either roof mounted or ground mounted. Roof mounted panels, or solar roof shingles that mimic the look and color of composite shingles, are preferred.

Ground mounted solar arrays may be approved if a roof mount array is functionally or structurally infeasible, or because a roof mount cannot generate sufficient energy to meet your needs.

a) Roof mount solar panels

- 1) Panels should be flush with the roof, unless not functionally or structurally feasible.
- 2) If it is not feasible to mount solar panels flush with the roof, they may be tilted on racks, but the highest point of the solar panel array must be lower than the ridge line of the portion of the roof to which the array is attached.
- 3) Solar panels or shingles must blend with the color of the roof or be black. The framing of the array should match the panel color.
- 4) Piping and electrical connections must be located directly under and/or within the perimeter of the panels where possible and placed as inconspicuously as possible when viewed from all angles.

b) Ground mount solar panels

- 1) Ground mount solar panels must be placed within the DRA and the required 50-foot setback.
- 2) The array must be low profile.
- 3) The array must be screened from all angles with landscaping such as trees, shrubs, and/or berms as much as possible without interfering with the function of the solar panels.



26. Outdoor fireplaces, fire pits and stoves

The use of outdoor fires, especially those burning wood, is discouraged because of fire danger.

- a) Outdoor fireplaces, fire pits and stoves must be placed on a non-flammable surface such as a stone patio.

27. Kennels

Section 7.2(b) of the Eagle Rock Covenant allows only ordinary household pets belonging to owners on any DRA. Such pets should not be allowed to roam free or chase wildlife. Please note that, pursuant to ERR Board policy, each Eagle Rock household is limited to four adult dogs.

- a) Kennels should be connected to the residence or garage and should not be visible to neighbors or the public.

B. RENOVATIONS, REMODELS AND ADDITIONS

Any renovations, remodels, additions or other changes that affect the exterior appearance of the site or residence must be approved by the Design Review Committee. These include, but are not limited to:

- Additions and accessory buildings
- New roofing or siding
- Decks, terraces, walls, fences, antennas, walks, paving or any other visible structures
- Driveways and parking areas
- Major landscaping, including mass planting for screening or plantings which may obstruct the view(s) from a neighboring site, and removal of masses of vegetation
- All major land alteration, grading, excavation, drainage ditches, berms, removal of major trees or any alteration affecting the nature of the Reserve's scenery, natural environment, or operation

Note that requirements for major landscaping and land alterations such as grading/excavation are discussed above in Part II, sections 6, 7, 8 and 21.

Any renovation, remodel, addition or other change that affects the exterior appearance of the site or residence must comply with all the requirements for new construction in Part II.A above. For example:

1. The total building roof print after the renovation of all structures combined shall be no more than 8,000 square feet on parcels on Star Ridge Road and no more than 5,000 square feet on the parcels on Limestone Road (parcels 33-38).

The documentation required for renovations, additions and major changes to landscaping varies depending on the nature of the project. See Part III below to determine what documents are required to be submitted to the Committee for your project.

2. The renovated house shall be sited such that the House Site Marker is encompassed within the house footprint and at least 75% of the house is entirely within a 100' radius of the Marker.
 - a) If the location of the House Site Marker is not documented, you must present your reasoning to the Committee as to why the remodel complies with the spirit of this requirement. One approach that may be used is to locate the center point of the existing house and then measure the 100' radius and the elevation from that point.
3. The renovated house shall be at or no less than 50' from all edges of the Designated Residential Area (DRA)
4. The highest roof ridges of the renovated house shall be no more than 20 feet above the main floor (normally measured from the elevation of the House Site Marker) on parcels on Star Ridge Road and 25 feet on the parcels on Limestone Road (parcels 33-38). (See Appendix A)
5. The project must comply with all other relevant sections of the Design Guidelines regarding, for example, colors, materials and landscaping.

Please refer to Section III.C for guidance on how to submit your proposal for a renovation, remodel, or addition, including landscaping changes.

C. DEMOLITION AND NEW CONSTRUCTION

The Committee must approve demolition of any existing structure. And, if you wish to demolish an existing primary residence and build a new primary residence, or demolish and replace any other major structure such as a garage or guest house, the Committee must approve both the demolition and the construction of the new house or structure.

Please refer to Section III.D below for guidance on what information to submit to the Committee for approval.

If you plan to demolish an existing structure and replace it with a new structure:

1. In order to ensure that new construction starts promptly upon the demolition/removal of the old structure, the Design Review Committee will not approve the demolition of the existing structure until the Design Documents for the new, replacement structure have been submitted and approved by the Committee.
2. The time from the start of demolition to the end of new construction should normally be no more than 24 months.
3. NO blasting or burning is allowed for demolition because of the fire danger.

4. You must maintain the property after the end of demolition and before the start of new construction including removing debris promptly, managing weeds and fencing any hazardous areas such as holes and trenches.
5. The proposal for the new construction must follow the rules for New Construction in Part II.A above, including all of the rules regarding the location, height and overall roof print of the house.
 - a) If the location of the House Site Marker used for approval of the original construction is not documented, you must propose a House Site Marker location and present your reasoning to the Committee as to why the proposed location of the new House Site Marker complies with the spirit of the Eagle Rock Reserve Covenants and the Design Guidelines. The location of the House Site Marker must:
 - 1) Minimize the impact of the structure on neighbors.
 - 2) Wherever reasonable, keep roof lines below the ridge line of surrounding land contours and/or tree heights so as to shelter the home and better incorporate the structure into the landscape.
 - 3) Leave neighbors' best views unobstructed and naturally framed, although no owner should expect a full unobstructed 360-degree view from any site.

The Committee recommends using the same contractor for demolition and new construction to minimize delays in the schedule.

You are encouraged to use sustainable recycling and disposal methods.

D. USE OF ADJACENT PARCELS

Section 2.4 of the Eagle Rock Covenants allows an owner who owns adjacent parcels to use them as a single parcel. (Note however, that the Covenants contain important rules regarding the combination of two parcels, so please consult the Covenants if this is your situation.)

1. Structure straddling two parcels

If you desire to build a house that straddles your two parcels, the following requirements must be met:

- a) A survey must be conducted to ensure that the two parcels are legally contiguous. This is important because many parcels that appear to be adjacent are in fact separated by a sliver of a parcel from a different owner.
- b) You must propose a new DRA to the Design Review Committee, and the Committee and the Eagle Rock Board must approve the new DRA.

- 1) The new DRA must be 3 acres and will replace and extinguish the existing DRAs of your original two parcels.
 - 2) The new DRA will be subject to the Association's easement to within 20 feet of all boundaries of the DRA (See Covenants 3.1).
- c) You must propose, and the Committee and Eagle Rock Board must approve, a new House Site Marker location on the new DRA (see Section II.A.1 above). The location must:
- 1) Minimize the impact of the new house on neighbors and common easement areas/roads
 - 2) Provide adequate separation between houses and reduce the impact of the houses on each other
 - 3) Wherever reasonable, keep roof lines below the ridge line of surrounding land contours and/or tree heights
- d) The new house must comply with all Covenants and Design Guidelines requirements.

2. Separate structures on two different parcels

If you desire to build a 2nd house (e.g., a guest house) on your adjacent parcel, this is acceptable provided that the new construction complies with all Covenants and Design Guidelines for new construction.

Please note that Section 7.2 of the ERR Covenants states that "the rental of a residence or guest quarters as a commercial or communal enterprise is not anticipated or encouraged," and requires an owner to obtain the written permission of the Association to rent out a residence or guest quarters.

III. Design Review Process and Project Submission Requirements

A. OVERVIEW

The Eagle Rock Reserve Covenants charge the Design Review Committee with approving or disapproving all plans for new construction, renovations, additions and other major exterior changes, including to landscaping, that have a visual impact on the Reserve.

The review process for a proposed project varies according to the nature of the project. Thus, this Part contains instructions for what documentation must be submitted depending on whether you are proposing new construction (Section B); a remodel or addition to an existing structure or landscaping (Section C); or the demolition and replacement of an existing structure (Section D).

If you have any questions about the required documentation, please ask the Chair of the Design Review Committee. Although the Committee can often review a submission more quickly than the allowed 45 days, the clock does not start until the submission is complete, so it is much more efficient for both the owner and the Committee if any uncertainty is cleared up before plans are submitted. Moreover, because Committee members have significant combined experience building at Eagle Rock Reserve, they can help you anticipate problems and offer tried solutions. Thus, the review process, when followed, should not only help you avoid expensive false starts but also help you design and build a home that meets your needs and reflects Eagle Rock Reserve's goals.

Approval of the Design and Construction Documents by the Design Review Committee relates solely to compliance with the Eagle Rock Covenants and these Design Review Guidelines, Rules and Recommendations. No responsibility is assumed by the Design Review Committee or the Eagle Rock Reserve Owners' Association regarding the legality or structural quality or soundness of the documents approved, the work proposed or done, the ability or work of professionals or persons employed by the owner or their contractors, or compliance with codes or laws of any governing authority affecting the site or project.

B. NEW CONSTRUCTION

The Design Review process attempts to follow the normal steps in the planning and building of any high-quality private residence. The Design Review Committee focuses primarily on the Design Documents as described below on the assumption that you will complete your structure and landscaping to accurately reflect the Design Documents. The Committee expects an acceptable structure to follow from the approved documents.

1. Schedule of Submissions and Review Process

The Review Process consists of the following required steps, which are explained in detail in following sections:

- a) Informal on-site discussion with the Design Review Committee of house and driveway concepts and site character.
- b) Submittal to the Design Review Committee of the Design Documents as described below. An electronic version plus 2 hard copies are required.
- c) At the time of the submittal of the Design Documents, a pole must be erected to the height of the highest elevation of the roofline as described below. The purpose of the pole is to allow you and neighbors to visualize the maximum height of the home. See Section B.2.h below.
- d) Review by the Design Review Committee of submitted Design Documents for no more than 45 days. During this time, the Committee will make one hard copy of the Design Documents available to all Eagle Rock owners for their review and comment.
 - 1) If the originally submitted Design Documents are incomplete or are not approved by the Design Review Committee, the Committee may request revisions, and the 45-day clock will start anew upon receipt of the revised Design Documents.
 - 2) If you request a variance from the Design Guidelines that can be granted only by the Eagle Rock Reserve Owners Association Board, the 45-day clock will be paused while the request is reviewed by the Board.
- e) After approval of the Design Documents by the Design Review Committee, submission of the Construction Documents as described in Section III.B.4 below to the Committee.
- f) Review by the Design Review Committee for no more than 45 days of the Construction Documents. Approval is normally expected if there are no changes from the Design Documents.
- g) Before the start of construction, you must erect a temporary fence along the boundary of the DRA.
- h) You notify the Design Review Committee of the date of the start of construction.
- i) You notify the Design Review Committee of completion of construction.

- 1) The Eagle Rock Reserve Owners Association expects that, under normal conditions, the building and basic preliminary landscaping should be completed within (18) eighteen months from the commencement of construction as required by the Covenants.
- j) The Design Review Committee inspects the completed buildings, improvements and basic preliminary landscaping and, if matters are satisfactory, the Committee notifies you and the Eagle Rock Reserve Owners' Association Board of acceptance of the building/improvement(s) (or a request by the Committee for any additional work to comply with the approved documents).
- k) Final landscaping should be completed within 12 months of the completion of construction. If the final landscaping plan differs from the preliminary plan approved by the Design Review Committee, you must submit the revised plan for review at least 45 days before final landscaping construction starts.

2. Design Documents & Materials

The purpose of the Design Documents is to ensure compliance of your design with the Eagle Rock Covenants and these Design Guidelines.

In the process of developing the Design Documents, you are encouraged to bring preliminary ideas and sketches to the attention of the Design Review Committee. Not only will they make every effort to help you avoid problems that might later arise, but based on their previous experience, they may be able to make other helpful suggestions.

The Committee will review your Design Documents with close attention to their conformance with the Covenants and these Design Guidelines and will advise you of elements, if any, requiring modification or clarification. The Committee may require changes to bring the Design Documents into compliance and may also offer recommendations and suggestions for your benefit.

This step in the Review Process is especially valuable in avoiding major "re-dos" which might result in excessive drafting costs as well as lost time should construction documents be rushed into and later discovered to conflict with the Covenants or these Design Guidelines. Following the process carefully will aid you in efficiently developing your new home so that it complies with the Reserve's standards.

Design Documents include the following:

- a) **Site survey** showing the following at a scale of 1 inch = 20 feet:
 - 1) Contours of the site at one-foot intervals within 150 feet of the House Site Stake and at two-foot intervals elsewhere
 - 2) Location of existing roads, utilities and other improvements

- 3) Bearings and distances to adjacent home sites
- 4) Bearings and distances of all parcel lines from your three-acre Designated Residential Area ("DRA")
- 5) The nearest corners of your 20-acre parcel
- 6) Location and elevation of the site's pre-designated House Site Marker for the home site in the DRA
- 7) Precise location of all large trees, as well as any substantial stands of brush on open sites, or other elements of special significance
- 8) All other principal site features such as rock outcrops, streams or drainage structures
- 9) The direction of true north
- 10) Name of legal owner(s) and the surveyor's name, address, telephone number, email address, and license number
- 11) Title and date of the survey

The Site Survey is an essential and functional prerequisite for designing your new home. For your protection and to preserve the unique features of the site, it is essential that the Site Survey contain the above information.

b) **Site Plan** at a scale of 1 inch = 20 feet showing:

- 1) The topography from the Site Survey (please do not combine the site survey and the site plan on a single document; the landscape plan should also be on a separate document)
- 2) The boundaries of the Designated Residential Area
- 3) The pre-designated House Site Marker
- 4) The footprint of the house and separate structures, if any, indicating the roof print (i.e. total square footage under roof including open areas under roof such as porches and patios)
- 5) The full driveway with road connections and parking area(s)

- 6) The location of all utilities such as the electric transformer and pillar, generator, heat pump, propane tank, well, cistern, septic system and drain field (including any back-up field, if necessary), etc.
 - 7) The location and size of any additional elements such as decks, patios, solar arrays, antennas, greenhouses, hot tubs, etc.
 - 8) Proposed changes to the property's existing physical features such as grading, cuts, fill, retaining walls, berms, drains, tree removal, etc. Please note that the site plan should include both existing topography and proposed final grading upon completion of construction, including grading along the driveway.
- c) **3-D renditions in color** of the home overlaid on an image of the actual site, such as an aerial photo, as viewed from four different quadrants. The purpose is to show how the house will actually appear to the public.



- d) **Drawings** drawn to a scale of $\frac{1}{4}$ inch = 1 foot showing:
- 1) Exterior elevations with labels for main floor elevation and roof ridge elevations (very important!)
 - 2) Appropriate cross sections including the relation to actual site contours
 - 3) Exterior lighting plans with locations shown (please include photos of the lighting fixtures with the sample board described below)
 - 4) Floor plans

- 5) Labeled descriptions, including colors, of exterior building materials including roofing, siding, masonry, trim and garage doors (please include samples on the sample board described below)
 - 6) Parcel number, date, and names, email addresses, telephone numbers, and addresses of owner, architect and contractor if known.
- e) **Preliminary landscaping plan** showing the placement of structures, grading, plantings, and other features such as retaining walls, patios, walkways, ponds, solar arrays, hot tubs, etc., immediately following the completion of the house.
- 1) Please submit a separate landscaping plan and do not include the landscaping plan on the Site Survey or Site Plan.
 - 2) If any landscape or other site work is expected to take place during or before home construction, drawings of such work should also be submitted.
 - 3) Additional stages of planting can be shown as well, it being understood that the need for changes may be apparent only after the structure has been completed.
 - 4) If proposed actual landscaping after construction differs significantly from the preliminary landscaping plan, the owner should submit a new landscaping plan to the Committee in compliance with Section III.B.7 below.
- f) **Stakes** must be placed in the ground at the corners of the building footprint. The location of the driveway must also be marked with stakes.
- g) A **sample board** with at least 8"x10" physical samples of all exterior color(s) and materials, including garage doors, and photos of all exterior lighting fixtures.
- h) A **height pole** erected on the ground to the height of the highest elevation of the roofline to show the effect of the proposed building on the terrain and views and demonstrate compliance with Section II.A.2 regarding the maximum allowable elevation of the roof. The pole should remain up for at least one week after you submit your Design Documents.

3. Submission of Design Documents & Materials

- a) Your submission will be complete when you have submitted all of the following to the Chair of the Design Review Committee:
 - 1) A cover letter explaining the goals of your design and the reasons for any unusual features of your design.

- a. Please also explain any deviations of your design from the Eagle Rock Covenants or Design Guidelines and note whether you are requesting a variance for these deviations.
 - 2) Two full-size hard copies and one digital copy of your Design Documents items a) through e) (i.e. site survey, site plan, 3-D renditions, drawings and preliminary landscaping plan).
 - 3) One sample board
 - 4) A non-refundable submittal fee in the amount of \$1,000.00 made payable to Eagle Rock Reserve Owners' Association, Inc.
 - 5) In addition, please remember to stake out the corners of the house and driveway and erect the required height pole.
- b) Your Design Documents shall be deemed submitted upon receipt of the *complete* Design Documents by the Chair of the Design Review Committee, the staking of the house footprint and driveway as described above, the placement of the height pole, and receipt of the submittal fee of \$1,000. The Committee will notify you of receipt of your Design Documents and materials.
 - c) The Design Review Committee has 45 days from the date of the completion of your submission to review and either approve or disapprove your submission in writing. If the submission is incomplete, the 45-day approval period will begin upon the completion of the submission.
 - d) In accordance with the Covenants, if the submission is not approved or disapproved by the Design Review Committee in writing by the expiration of the 45-day period, the submission shall be deemed to have been approved.

4. Construction Documents

- a) After approval of the Design Documents by the Design Review Committee and at least 45 days prior to the planned date of commencement of construction, the following must be submitted to the Design Review Committee:
 - 1) A cover letter describing any changes to the previously approved Design Documents.
 - 2) Two hard copies and one electronic copy of the construction documents which include the site plan, roof plan, exterior elevations, building sections, and a list of architectural abbreviations and explanation of symbols.
 - 3) A final sample board with at least 8"x10" physical samples of all exterior color(s) and materials, including garage doors, and photos of all exterior

lighting fixtures, if different from the earlier submission with the Design Documents.

- 4) A landscaping plan showing the final grading and proposed plantings in place immediately following the completion of construction.
 - 5) A schedule of the work indicating anticipated starting and completion dates of construction, landscaping and occupancy.
- b) Your Construction Documents shall be deemed submitted upon receipt of the *complete* Construction Documents and materials by the Chair of the Design Review Committee. The Committee will notify you of the receipt of your Construction Documents and materials.
- c) The Design Review Committee has 45 days from the date of the completion of your submission to review and either approve or disapprove your submission in writing. If the submission is incomplete, the 45-day approval period will begin upon the completion of the submission.
- d) In accordance with the Covenants, if the submission is not approved or disapproved by the Design Review Committee in writing by the expiration of the 45-day period, the submission shall be deemed to have been approved.
- e) If modifications to the Construction Documents affecting the exterior of the house are desired during construction, you must obtain approval from the Design Review Committee before they are made.

It is the responsibility of the owner, with the aid of the architect and builder, to ensure that construction complies with the Construction Documents. Your contractors will be expected to comply with the ERROA Construction Site Management Rules described below and in Appendix E.

5. Building and Other Permits

In addition to the approval of the Design Review Committee, you will need permits and inspections from Gallatin County and the state of Montana. Your builder should be able to make these arrangements for you.

6. Final Inspection

- a) You must give written notice to the Design Review Committee upon completion of construction.
- b) The Design Review Committee will inspect for compliance with the approved Design and Construction Documents within 30 days of notification of completion.
- c) Noncompliance will require corrective action in accordance with the Covenants.

7. Final Landscaping Plan

If final landscaping is expected to vary from the preliminary landscaping plan approved with the Design Documents, you must submit to the Design Review Committee a final landscaping plan within 12 months of the completion of construction and at least 45 days before final landscaping construction is to start. The Committee will have 45 days to review and approve or disapprove the landscaping plan.

C. RENOVATIONS, REMODELS AND ADDITIONS, INCLUDING LANDSCAPING CHANGES

All remodels, additions, and other changes that alter the exterior appearance of the site or a structure must be approved by the Design Review Committee. The required documentation depends on the nature of the proposed project, with more extensive changes requiring more documentation.

1. Repairs and Replacements

Like-for-like repairs to or the replacement of an existing feature that does not change the external appearance of the feature with respect to materials or color does not need to be submitted to the Committee for approval.

- a) Like-for-like repairs and replacements include, for example, the replacement of a concrete parking pad, the replacement of windows, the repainting or re-staining of exterior siding, or the replacement of a roof with the same materials and colors.
- b) Please do, however, notify the Chair of the Design Review Committee of such projects to avoid inquiries from the Committee during the project.

2. Changes to Existing Structures and Features, Including Landscaping

Proposed changes to structures and features that change the external appearance of the structure or feature but do not alter the foundation, roof print, roof line or roof height of the existing structure, require approval of the Committee. (Please see below for submission requirements for remodels, renovations and additions that do change the overall roof print or height of an existing structure.) Such changes include but are not limited to:

- changes to materials and colors of siding, garage doors and/or roof
- size of decks, patios and other physical features
- changes to decks, hot tubs, solar arrays, generators, recreational amenities, etc.
- changes to the location of driveways and parking areas
- digging a second or subsequent well
- significant changes to landscaping

A minor change in **landscaping**, such as the replacement of dead trees with live ones, or the planting of several additional trees, does not require Committee approval. However, a significant change such as clearcutting of hawthorns, replacement of

current landscaping with xeriscaping, or the removal of any substantial existing plantings or features, does require approval.

The key is that any exterior change that has a substantial visual impact on the Reserve must be submitted to the Committee for approval before the work starts.

Submission Requirements

Please submit to the Chair of the Design Review Committee:

- a) A letter describing the proposed project and explaining how the project complies with the relevant section(s) of the Design Guidelines, and
- b) Sufficient additional specific information to help the Committee understand and visualize the proposed change, such as dimensions and materials to be used. The additional information needed to help the Committee understand the proposed change will necessarily vary by project. For example, in addition to the letter explaining the project:
 - 1) A proposal to change from an **asphalt shingle roof to a metal roof** should include a sample of the proposed material in the desired color.
 - 2) A proposal to install a **solar array** should include a diagram drawn to scale by the licensed contractor installing the system where the system will be installed; photos of the area where the array will be installed indicating the size and location of the array (e.g. draw proposed array on photo); materials to be used; manufacturer's description of the array; photos and/or pictures of the array and the color of the array; and where possible, photos of similar existing arrays as examples.
 - 3) A proposal to change **landscaping** should include a landscaping plan showing the existing landscaping and the proposed changes, including to grading, plantings, and the placement of other features such as retaining walls, patios, walkways, ponds, solar arrays, hot tubs, etc.
 - 4) A proposal to dig a **second or subsequent well** should include the location of the well relative to the DRA, and evidence that the well complies with state and local law.

Please consult with the Chair of the Design Review Committee if you are unsure what information should be provided, as the exact information needed depends entirely upon the proposed project.

The Design Review Committee has 45 days from the date of the completion of your submission to review and either approve or disapprove your submission in writing. If the submission is incomplete, the 45-day approval period will begin upon the completion of the submission.

In accordance with the Covenants, if the submission is not approved or disapproved by the Design Review Committee in writing by the expiration of the 45-day period, the submission shall be deemed to have been approved.

3. Remodels, Renovations and Additions That Change the Foundation, Roof Line, Roof Print or Roof Height

The Design Review Committee must review and approve any remodel, renovation or addition that alters the existing foundation, roof line, overall roof print, or roof height of an existing structure, and any new, detached structure. This includes, for example, the extension of a room beyond the current foundation, the addition of a covered outdoor patio, the addition of a garage bay or a new garage, and the building of a new guesthouse or other detached structure.

The process for obtaining approval of a remodel, renovations or addition that changes the current foundation, roof line, overall roof print or roof height mirrors the process for new construction, including the submission of both Design Documents and Construction Documents.

a) Design Documents and Materials

Please submit to the Chair of the Design Review Committee the Design Documents as described in Section III.B.2 above with the exceptions noted below.

- 1) A site survey is not required. Please note that the Site Plan should indicate the boundaries of the Designated Residential Area (DRA) relative to the proposed project.
- 2) The \$1,000 submittal fee is not required.
- 3) A sample board is required only if the remodel, renovation or addition will not match the existing structure in colors and materials.
- 4) The Committee will pay particular attention to the resulting total roof print (which may not exceed 8,000 sq ft on parcels on Star Ridge Road and 5,000 square feet on the parcels on Limestone Road (parcels 33-38)) and the maximum roof height (which may not exceed 20 ft on Star Ridge Road parcels and 25 ft on Limestone Road parcels).
- 5) If your project includes the demolition of a significant part of the current structure, such as a garage, please describe the method of demolition or removal of the existing structure and the method of disposing of waste and include the name of the contractor who will do the work.
- 6) If the proposed roof will be higher than the highest roof line of the existing building, you must erect a pole to the height of the highest elevation of the

proposed roofline to show the effect of the proposed building on the terrain and views and demonstrate compliance with Section II.A.2 regarding the maximum allowable elevation. The pole must remain up for at least a week after submission of the proposal.

7) Please place stakes in the ground at the corners of the new building footprint so the Committee can see your plan on the ground.

b) **Please submit your Design Documents** and materials in accordance with Section III.B.3 above, except that the \$1,000 submittal fee is not required.

1) Your Design Documents shall be deemed submitted upon receipt by the Chair of the Design Review Committee of the *complete* Design Documents, the staking of the new building footprint and the placement of the height pole if required. The Committee will notify you of receipt of your Design Documents and materials.

2) The Design Review Committee has 45 days from the date of the completion of your submission to review and either approve or disapprove your submission in writing. If the submission is incomplete, the 45-day approval period will begin upon the completion of the submission.

3) In accordance with the Covenants, if the submission is not approved or disapproved by the Design Review Committee in writing by the expiration of the 45-day period, the submission shall be deemed to have been approved.

c) **Construction Documents**

Please submit to the Chair of the Design Review Committee the Design Documents as described in Section III.B.4 above.

1) Your Construction Documents shall be deemed submitted upon receipt of the *complete* Construction Documents and materials by the Chair of the Design Review Committee. The Committee will notify you of the receipt of your Construction Documents and materials.

2) The Design Review Committee has 45 days from the date of the completion of your submission to review and either approve or disapprove your submission in writing. If the submission is incomplete, the 45-day approval period will begin upon the completion of the submission.

3) In accordance with the Covenants, if the submission is not approved or disapproved by the Design Review Committee in writing by the expiration of the 45-day period, the submission shall be deemed to have been approved.

- 4) If modifications to the Construction Documents affecting the exterior of the house are desired during construction, you must obtain approval from the Design Review Committee before they are made.

D. DEMOLITION AND NEW CONSTRUCTION

1. The Design Review Committee must approve demolition of any existing structure. And, if you wish to demolish an existing primary residence and build a new primary residence or demolish and replace any other major structure such as a garage or guest house, the Committee must approve plans for both the demolition and the construction of the new house or structure.
2. Submission Requirements for Demolition/Removal of Existing Structure
 - a) A cover letter explaining the goals of the project, the method of demolition or removal of the existing structure and the method of disposing of waste, and including the name of the contractor who will do the work.
 - 1) Please note that the method of demolition may not include blasting or burning the structure, even if conducted by a fire department, because of the high risk of wildfire resulting therefrom.
 - b) A site plan showing the existing structure and the current location of the existing electric transformer and pillar, propane tank, well, water lines, septic system and drain field (including any back-up field, if necessary, and utility hookups)
 - c) A plan for the clean-up and maintenance of the site after the demolition/removal and before new construction begins, including a plan for keeping the site free of weeds and accumulated water and ensuring the safety of the site
 - d) A schedule of work showing the expected start and end dates of the demolition/removal and the expected start and end dates of the new construction. Note that time from the start of the demolition/removal to completion of the new construction should normally not exceed 24 months.
3. If you wish to demolish or remove an existing structure and replace it with new construction, plans for both phases (demolition/removal and new construction) must be approved by the Design Review Committee.
 - a) Plans for both phases may be submitted separately or simultaneously, but, in order to ensure that new construction starts promptly upon the demolition/removal of the old structure, the Committee will not approve plans for demolition/removal without also having approved the Design Documents for the new construction.

- b) Time from the start of the demolition/removal to completion of the new construction should not exceed 24 months.
4. The submission requirements for new construction on the site of a demolished or removed structure are the same as for any other new construction as described above in Section III.B.

IV. Construction Site Management

- A. The boundary of the DRA shall be temporarily fenced or otherwise marked to prevent damage to the native grasses and the common easement area during construction. This may seem unnecessary to you now, but during construction you will be grateful for having done it as contractors have a tendency to expand their area of operations, and after construction you will appreciate less disturbance of the natural vegetation.
- B. In order to control the impact of construction on the Reserve and its residents as much as possible, all contractors must comply with the Contractor Rules attached in Appendix E. It is the owner's responsibility to ensure that all contractors have a copy of these Rules.
 - 1) If the Design Review Committee, the Eagle Rock Board or the Eagle Rock Manager receives complaints about a contractor who has violated the Contractor Rules, the Committee will alert the owner and the contractor to request that the offending contractor observe the Rules.
 - 2) If a contractor persists in violating the Rules, the Committee may request the Eagle Rock Board to take appropriate action, including banning the contractor from Eagle Rock Reserve.

V. Appendices

- A. Parcel Characteristics and Special Conditions Table
- B. Lighting
- C. Native and Drought Tolerant Plants for Landscaping
- D. Ponds
- E. Contractor Rules

APPENDIX A

Parcel Characteristics and Special Conditions Table

Parcel	Type of Site	Amount of Slope	Suitable for walk-out basement	Maximum Height of Roof Line	Minimum Sq Feet on Main Floor	Maximum Sq Foot Roof Print	Tree Fund payment for Large Trees
1	Open	Modest	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
2	Open	Steeper	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
3	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
4	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
5	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
6	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
7	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
8	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
9	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
10	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
11	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
12	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
13	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
14	Open	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
15	Open	Modest	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
16	Open/Near creek	Steeper	Yes	Twenty (20) Ft	1600 Sq Ft	8000	Yes
17	Open/Near creek	Steeper	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
18	Open/Near creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
19	Open/Near creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
20	Brush with Trees Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No

21	Open with Brush Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
22	Open with Brush Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
23	Open with Brush Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
24	Open with Brush Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
25	Open with Brush Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
26	Open with brush	Modest	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
27	Open with brush	Modest	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
28	Open with brush	Modest	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
29	Open with brush	Modest	Yes	Twenty (20) Ft	1600 Sq ft	8000	Yes
30	Open with Trees Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq ft	8000	No
31	Brush with Trees Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq Ft	8000	No
32	Brush with Trees Near Creek	Moderate	Yes	Twenty (20) Ft	1600 Sq Ft	8000	No
33	In the Forest Near Creek	Moderate	Yes	Twenty-five (25) Ft	1400 Sq ft	5000	No
34	In the Forest Near Creek	Moderate	Yes	Twenty-five (25) Ft	1400 Sq ft	5000	No
35	In the Forest Near Creek	Steeper to Moderate	Yes	Twenty-five (25) Ft	1400 Sq ft	5000	No
36	In the Forest Near Creek	Modest	Yes	Twenty-five (25) Ft	1400 Sq ft	5000	No
37	In the Forest Near Creek	Moderate	Yes	Twenty-five (25) Ft	1400 Sq ft	5000	No
38	In the Forest Near Creek	Moderate	Yes	Twenty-five (25) Ft	1400 Sq ft	5000	No
39	Open	Modest	Yes	Twenty (20) Ft	1600 Sq ft	8000	No

APPENDIX B

Night Lighting Recommendations

The following guidance comes from the International Dark-Sky Association, <https://www.darksky.org/our-work/lighting/lighting-for-citizens/residentialbusiness-lighting/>

LIGHT TO PROTECT THE NIGHT				
USEFUL		ALL LIGHT SHOULD HAVE A CLEAR PURPOSE	Before installing or replacing a light, determine if light is needed. Consider how the use of light will impact the area, including wildlife and the environment. Consider using reflective paints or self-luminous markers for signs, curbs, and steps to reduce the need for permanently installed outdoor lighting.	
TARGETED		LIGHT SHOULD BE DIRECTED ONLY TO WHERE NEEDED	Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.	
LOW LIGHT LEVELS		LIGHT SHOULD BE NO BRIGHTER THAN NECESSARY	Use the lowest light level required. Be mindful of surface conditions as some surfaces may reflect more light into the night sky than intended.	
CONTROLLED		LIGHT SHOULD BE USED ONLY WHEN IT IS USEFUL	Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.	
COLOR		USE WARMER COLOR LIGHTS WHERE POSSIBLE	Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.	

APPENDIX C

Native, Fire Resistant, and Drought Tolerant Plants for Landscaping

Groundcovers and Herbaceous Plants

COMMON NAME	GENUS AND SPECIES
Alfalfa	<i>Medicago sativa</i>
Bergenia	<i>Bergenia</i> spp.
Blanket Flower	<i>Gaillardia x grandiflora</i>
Bluegrass, Kentucky	<i>Poa pratensis</i>
Buffalograss	<i>Buchloe dactyloides</i>
Bugleweed	<i>Ajuga reptans</i>
Calliopsis (Tickseed)	<i>Coreopsis</i> spp.
Candytuft, Evergreen	<i>Iberis sempervirens</i>
Cinquefoil	<i>Potentilla</i> spp.
Cinquefoil, Spring	<i>P. tabernaemontani</i> , <i>P. neumanniana</i>
Columbine	<i>Aquilegia</i> spp.
Coral Bells	<i>Heuchera sanguinea</i>
Cotoneaster, Rock	<i>Cotoneaster horizontalis</i>
Cotoneaster, Bearberry	<i>Cotoneaster dammeri</i>
Cottage Pink	<i>Dianthus plumarius</i>
Daylily	<i>Hemerocallis</i> spp.
Dusty Miller	<i>Artemisia stelleriana</i>
Fescue	<i>Festuca</i> spp.
Fescue, Blue	<i>Festuca ovina</i> var. <i>glauca</i>
Fescue, Tall	<i>Festuca arundinacea</i>
Fescue, Creeping Red	<i>Festuca rubra</i>
Flax	<i>Linum</i> spp.
Fleabane	<i>Erigeron</i> spp.
Four O'clock	<i>Mirabilis</i> spp.
Geranium	<i>Geranium</i> spp.
Geranium, Bloody	<i>Geranium sanguineum</i>
Ginger, Wild	<i>Asarum caudatum</i>
Hen and Chicks (Houseleek)	<i>Sempervivum tectorum</i>
Iris	<i>Iris</i> spp.
Kinnickinnick	<i>Arctostaphylos uva-ursi</i>
Lamb's Ear	<i>Stachys byzantina</i>
Lavender	<i>Lavandula</i> spp.
Lupine	<i>Lupinus</i> spp.

Groundcovers and Herbaceous Plants

COMMON NAME	GENUS AND SPECIES
Mahonia, Creeping	<i>Mahonia repens</i>
Oceanspray	<i>Holodiscus</i> spp.
Orchardgrass	<i>Dactylis glomerata</i>
Periwinkle, Common	<i>Vinca minor</i>
Poppy	<i>Papaver</i> spp.
Poppy, California	<i>Eschscholzia californica</i>
Primrose	<i>Oenothera</i> spp.
Pussytoes	<i>Antennaria</i> spp.
Red Hot Poker	<i>Kniphofia uvaria</i>
Ryegrass	<i>Lolium</i> spp.
Sage	<i>Salvia</i> spp.
Shasta Daisy	<i>Leucanthemum x superbum</i>
Silver Spreader	<i>Artemisia caucasica</i>
Snow-in-Summer	<i>Cerastium tomentosum</i>
Stonecrop	<i>Sedum</i> spp.
Stonecrop, Broadleaf	<i>Sedum spathulifolium</i>
Stonecrop, Goldmoss	<i>Sedum acre</i>
Stonecrop, Green	<i>Sedum album</i>
Strawberry, Beach	<i>Fragaria chiloensis</i>
Strawberry, Mock	<i>Duchesnea indica</i>
Thrift, Common	<i>Armeria maritima</i>
Thyme, Woolly	<i>Thymus praecox</i> ssp. <i>britannicus</i>
Valerian, Red	<i>Centranthus ruber</i>
Violet, Canadian	<i>Viola canadensis</i>
Virginia Creeper	<i>Parthenocissus quinquefolia</i>
Wheatgrass, Fairway Western	<i>Agropyron cristatum</i>
Winterfat	<i>Eurotia lanata</i>
Yarrow	<i>Achillea</i> spp.
Yarrow, Common	<i>Achillea millefolium</i>
Yarrow, Fernleaf	<i>Achillea filipendulina</i>
Yarrow, Woolly	<i>Achillea tomentosa</i>
Yucca	<i>Yucca filamentosa</i>

Trees

COMMON NAME	GENUS AND SPECIES
Alder, White	<i>Alnus rhombifolia</i>
Ash	<i>Fraxinus</i> spp.
Ash, Green	<i>Fraxinus pennsylvanica</i>
Aspen, Quaking	<i>Populus tremuloides</i>
Birch	<i>Betula</i> spp.
Cherry	<i>Prunus</i> spp.
Cottonwood	<i>Populus</i> spp.
Cottonwood, Narrowleaf	<i>Populus angustifolia</i>
Hackberry	<i>Celtis occidentalis</i>
Locust, Black	<i>Robinia pseudoacacia</i>
Maple	<i>Acer</i> spp.
Maple, Boxelder	<i>Acer negundo</i>
Maple, Rocky Mountain	<i>Acer glabrum</i>
Olive, Russian	<i>Elaeagnus angustifolia</i>
Poplar	<i>Populus</i> spp.

Shrubs

COMMON NAME	GENUS AND SPECIES
Buckthorn	<i>Rhamnus</i> spp.
Buffaloberry	<i>Shepherdia</i> spp.
Buffaloberry, russet	<i>Shepherdia argentea</i>
Cherry	<i>Prunus</i> spp.
Cherry, Nanking	<i>P. tomentosa</i>
Chokecherry	<i>P. virginiana</i>
Cinquefoil, Shrubby	<i>Potentilla fruticosa</i> <i>Pentaphylloides floribunda</i>
Currant	<i>Ribes</i> spp.
Dogwood, Redosier	<i>Cornus sericea</i> <i>C. stolonifera</i>
Gooseberry	<i>Ribes</i> spp.
Honeysuckle	<i>Lonicera</i> spp.
Lilac, Common	<i>Syringa vulgaris</i>
Mahogany, Mountain	<i>Cercocarpus</i> spp.
Mock Orange	<i>Philadelphus</i> spp.
Mock Orange, False	<i>Fendlera rupicola</i>
Plum, Native	<i>Prunus Americana</i>
Raspberry	<i>Rubus</i> spp.
Rose, most members of this family	<i>Rosaceae</i>
Sumac, Skunkbush	<i>Rhus trilobata</i>

By Cheryl Moore-Gough, MSU Extension Horticulturist



File under: Yard and Garden
(Ornamentals) Revised
December 2019

APPENDIX D Pond Construction

Helpful information for building a pond can be found at:

<https://www.montanaliving.com/blogs/montanas-finest-homes/112815749-building-a-pond-for-your-montana-home>

Additional information is available at:

https://static1.squarespace.com/static/5498382ce4b015fce7f847a2/t/57c722f79f7456b915e33a00/1472668479361/MTWC+Guidebook+revision_lo+res.pdf

RESOURCES FOR POND CONSTRUCTION

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Pondering a Pond? Here's what you need to know

By Janet Bender-Keigley

The desire to build a pond on your property might seem like the perfect way to provide wildlife habitat, create a native fishery, develop a ready source of water for fire suppression, improve the aesthetics and value of your property, irrigate or water stock, or establish a swimming and ice skating spot. However, a pond may not be the ideal way to realize long-term dreams for your property if you don't know what you're getting into. Alternatives such as wetland and stream restoration or seasonal ponds may prove better investments, require less water, and still be attractive.

The first step is to learn about the water on your property by contacting your local Conservation District or Water Quality District and talking to local experts about your ideas. If not properly designed, constructed, or maintained, ponds can cause serious problems for rivers, streams, and wetlands. Water pollution, invasive species, and lowered water levels are just a few issues posed by constructed ponds.

Second, research the laws associated with your project. Did you know that water in Montana belongs to the state? You may or may not be able to obtain legal rights to the water needed to fill a pond. Surface-water rights and groundwater rights are different. The Department of Natural Resources Conservation can answer your questions. Contact them at 406-444-6610 or dnrc.mt.gov/wrd/water_rts. Ask about the Water Rights in Montana booklet.

Did you know that the stream flowing in your backyard may actually be an irrigation canal? Certain legal restrictions apply to what you may or may not do in or near streams and irrigation canals. A concise, easy-to-read "Stream Permitting Guide" is available at dnrc.mt.gov/permits/streampermitting/guide.asp.

Last, consider these questions before embarking on any water project:

- Do you have options for a water source?

- Do you have or can you obtain the water rights?
- Can you obtain the proper permits?
- Have you considered the costs of liability for your “attractive nuisance”?
- Are you prepared for long-term maintenance obligations?
- Have you determined the legalities of stocking the pond?
- Are you certain that the pond will not alter the natural water supply to the area?

Landowners can learn more by requesting a copy of *A Guidebook for Montana’s Ponds* available from Montana Watercourse at 994-1910, or download a copy at mtwatercourse.org. Montana Watercourse fosters stewardship of Montana water resources through water-education materials. It is housed on the MSU campus and is part of the Water Center.

Always be aware of current laws regarding ponds. A new law requires private-pond owners with fish-stocking permits that are 10 years old or older to renew their permits every 10 years. The law, passed by the 2005 legislature, sets a \$10 fee for permit applications and renewals. February 28 of each year is the renewal deadline. Montana Fish, Wildlife & Parks administers pond fish-stocking permits and mails permit-renewal notices to all affected pond owners. Permits that are not renewed will become inactive. Contact Nancy Podolinsky at 406-444-7319 or npodolinsky@mt.gov if you have an unrenewed pond-stocking permit that was issued before January 1, 1998.

 Get a little info before you end up drowning in your own pond project.

Talk to a Live Human

For information on Water Rights and Dam Safety Requirements, contact the local Department of Natural Resources and Conservation at 406-586-3136.

For information on fish toxicants registered in Montana and rules for their use, contact the Technical Services Bureau of the Montana Department of Agriculture at 406-444-5400.

For your non-commercial private fishpond license, contact FWP at 406-994-4042.

For stream bank/bed protection permits, contact the Montana Association of Conservation Districts at 406-443-5711 or macdnet.org/conservationdistrictdirectorycontact.htm.

For water-quality information, contact the Water Protection Bureau of the Montana Department of Environmental Quality at 406-444-4626 or deq.mt.gov/pcd/wpb/index.asp.

Read Up

Ranch Fishponds in Montana: Their Construction and Management, by C.J.D. Brown and N. Thoreson. The original pond-building resource.

The Montana Lake Book by Montana Fish, Wildlife & Parks. Explains basics like the water cycle and watershed, covers lake nutrients, discusses responsible building, and educates pond builders on safe, ethical pond maintenance. Also includes useful information on laws, resources, and state contacts. Available online at fwp.mt.gov/insidefwp/lakebook/lakebook.asp.

Trout Ponds for Recreation, by L.D. Marriage, A.E. Borell, and P.M. Scheffer (published by the US Dept. of Agriculture). Teaches rookies how to build, stock, and manage a pond.

Ponds: Planning, Design and Construction, by the Soil Conservation Service (published by the U.S. Dept. of Agriculture) Explains smart, ethical pond design.

-Kira Stoops

See Also: *A GUIDEBOOK FOR MONTANA PONDS* available from Montana Watercourse, 406-994-6671, mtwatercourse@montana.edu

APPENDIX E

EAGLE ROCK RESERVE CONTRACTOR RULES

These Rules apply to any contractor doing work at Eagle Rock Reserve whether for construction or routine maintenance (yards, landscaping, improvements, etc.). It is the responsibility of each ERR owner to ensure that their contractor(s) comply with these Rules.

Construction Contractors

1. The boundary of the Designated Residential Area (DRA) must be temporarily fenced or otherwise clearly marked to prevent damage to the common easement area. Construction equipment, supplies and trailers must be placed within the DRA and not on the common easement area except with the express permission of the Committee.
2. All disturbed areas of the site shall be protected from erosion during and after the construction period. Erosion control measures must be taken during construction to ensure soil stabilization, sediment control, and timely re-vegetation.
3. A small job office or trailer, and a small tool storage space, may be located on the site within the Designated Residential Area during the construction period. Such trailers and sheds must be placed in an inconspicuous area and must be removed upon completion of the project.
4. Portable toilets must be placed within the Designated Residential Area and in an inconspicuous location. If possible, no toilet should be visible from the roadway.
5. No advertising signage is allowed within ERR. A small sign showing the address for deliveries is acceptable, and such sign may include the name and/or phone number of the contractor.
6. For safety and the preservation of the road pavement, roads must be kept free of mud, gravel, and all other construction material or debris. Contractors are responsible for keeping roads clean and clear in the immediate vicinity of their construction site as well as where vehicles may have tracked mud or other debris on roadways as they exit the job location. Any needed cleanup must occur at least twice per week.

All Contractors

7. Acceptable hours for outside work, including landscaping, are Monday through Friday from 7:00 AM to 7:00 PM and Saturday from 8:00 AM to 4:00 PM. No outside work shall occur on Sundays.

8. The 25-mph speed limit on Star Ridge Road and Limestone Road must be observed at all times. If someone consistently violates the speed limit, they may be required to park off-site and have someone else drive them to the work site.
9. ERR's roads are paved with recycled asphalt which can be soft when wet or warm, and therefore vulnerable to damage by vehicles. Heavy trucks should be driven with care and should avoid sharp turns which tend to tear up the pavement.
10. Contractors' vehicles, including those associated with construction, may not be parked on ERR roadways. The only exception is vehicles providing deliveries/pick-up or those given advance approval from the ERR manager. If there is no room on site for vehicles, with the permission of the Eagle Rock Manager they may be parked in pullouts along the road during the day, but not overnight.
11. Eagle Rock Reserve can be a windy place. Any jobsite waste including, but not limited to, debris that blows away, must be retrieved daily and securely contained until disposed of. It is the contractor's responsibility to ensure that workers and subcontractors contain their waste.
12. Contractors should remain at the work site and should not at any time make personal use of Eagle Rock roads, trails, property or facilities.
13. No pets are allowed to roam freely anywhere on Eagle Rock Reserve. If pets are brought to a jobsite they must be contained in a vehicle or otherwise secured.
14. Loud music should not be played on the job site, especially outdoors where it is more likely to be heard by neighbors.

**Thank you for helping us keep Eagle Rock Reserve
clean, quiet and friendly to wildlife!**