



NEWTOWN GRANT PHASE SF-4A HOMEOWNERS ASSOCIATION

ENVIRONMENTAL REVIEW BOARD GUIDELINES

Effective Date:	06/23/92
Revision Date:	06/20/95
Revision Date:	06/18/96
Revision Date:	01/19/99
Revision Date:	05/01/04
Revision Date:	07/01/08
Revision Date:	11/20/25

Section 1

Introduction

The architectural and environmental character of our community was established by the architects and planners who originally designed Newtown Grant and was approved by the Newtown Township Board of Supervisors. The Environmental Review Board (ERB) is responsible for preserving this character. It establishes standards and is responsible, along with the Cluster Association Board of Directors, for informing all homeowners in the community of these standards. The standards are not intended to stifle the imagination or creative desires of the residents but rather assure them that protective restrictions are in effect which will help maintain the appearance and value of their property.

The purpose of the ERB is to "regulate the external design, appearance, use, and maintenance of the Cluster Properties and of improvements thereon, in such a manner so as to preserve and enhance natural vegetation and topography." The ERB is empowered "to regulate the external design, appearance, location, and maintenance of the Cluster Properties and of improvements thereon and to regulate such uses of property."

- (1) Declaration of Covenants, Conditions and Restrictions for Newtown Grant Phase IV S.F. Homeowners Association, (the "Declaration") Article VI, Section 2.
- (2) By-laws of Newtown Grant Phase IV S.F. Homeowners' Association Inc., Article XI, Section 2.

Section 2

ERB Procedures

2.1 General

The ERB will only consider written requests using ERB request forms. Copies may be obtained from the Newtown Grant Property Management office.

The description of the proposed project will include all information necessary for the ERB to take action. Please include applicable specifications in sufficient detail to adequately and fully disclose the proposed alteration. Necessary data would include the height, width, length, size, shape, color and location of the proposed improvement. Photographs or sketches of similar completed projects would aid in the ERB's consideration. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.

Approval of any project by the ERB does not waive the necessity of obtaining the required municipal permits. Applications for building, zoning and other governmental permits for the proposed project shall be made by the homeowner at their own expense. Abiding by deed restrictions, such as not obstructing pedestrian easements, is the responsibility of the homeowner. All costs and damages incurred because of not complying with easement restrictions will be borne by the homeowner.

Request Procedures

ERB request forms may be submitted to the ERB for consideration in one of the following ways:

1. Hand-delivered to the Property Management office.
2. Mailed, certified-mailed, return receipt requested, to the Newtown Grant Estates IV Homeowners Association, ENVIRONMENTAL REVIEW BOARD, c/o Property Management Office, 360 Eagle Road, Newtown, PA 18940.
3. Hand-delivered to the Newtown Grant Estates IV Homeowners Association Board of Directors at the Newtown Grant Clubhouse.

A request submitted in a manner other than those specified shall be deemed improperly submitted and the ERB shall be under no obligation to act on such a request.

Please be sure to submit your ERB request well in advance of your anticipated project start date, as the ERB requires sufficient time to review all requests thoroughly. In addition, you may be required to resubmit your plans with additional information. Therefore, do not assume you will receive immediate approval to begin a project. Under no circumstances will an ERB request be approved or denied via telephone, fax or by email. All requests will be responded to via regular mail. Rush requests will not be considered.

One of the following responses will be noted on returned applications:

"Approved"	meaning that the ERB has no objections to the proposal and construction may proceed as planned.
"Approved as Noted"	meaning that the ERB has no major objections but that the revisions noted must be made.
"Disapproved-Resubmit"	meaning that there are major items missing from the request. No construction may be until the request has been resubmitted and approved. In accordance with Section 2 Request Procedures.
"Disapproved"	meaning that the proposed alteration is not in conformity with the provisions of the Declaration or ERB Standards.

If a proposal is rejected, the applicant is free to request that the ERB reconsider its positions and is encouraged to present new or additional information which may clarify the request or demonstrate its acceptability. In addition, the applicant has the right to appeal an adverse ERB decision pursuant to the Declaration of Covenants. **Please refer to "Policy for Imposing Fines for Violation of ERB Guidelines".**

Section 3

GUIDELINES UNDER WHICH ALL APPLICANTS WILL BE REVIEWED AND DECIDED

A. General Intent

Article VI, Section 3, of the Declaration provides that "no improvements, alterations, repairs, change of paint colors, excavations, changes in grade, or other work which in any way alters the exterior of any Home (including exterior doors and storm doors) or Lot...shall be made or done without the prior approval of the Environmental Review Board." All changes to properties including, but not limited to, alterations, additions, improvements, outside painting, installation of storm doors and windows, fences, swing sets, playground equipment, decks, mailboxes, and landscaping, must have approval in writing from the ERB before any work commences except those changes specifically allowed in these guidelines.

Specific Considerations

1. Disturbances

Power tools, lawn equipment, etc., shall not be used during the hours as of 9:00pm - 7:30am (Monday-Friday) and 9:00pm – 9:00am on weekends (Saturday and Sunday).

Television, stereo and radio volume shall be lowered after 11:00 pm. No short wave radio transmitters shall be permitted to be operated in the community without special permission of the Board of Directors, outside antennas and solar panels are not permitted.

No occupant shall obstruct or interfere with the rights of any other occupant or in any way cause injury or create an annoyance.

Each homeowner shall be charged with the responsibility of directing his tenant(s), guests and invitees to comply with the Association's Declaration, Bylaws and these Rules and Regulations.

No resident will continue to operate an externally audible alarm system which malfunctions, emits false alarms and/or disturbs the peace of the community.

Exterior lighting, including security lights, shall not be directed in such a manner as to create an annoyance to your neighbor. Additions of exterior lighting must be approved by the ERB.

2. **Fences**

All fences must be approved by the ERB. Fences will be approved at the back of the house only. The following types of fences are currently acceptable: board on board (shadow box), black aluminum rail and post and rail (two or three rails) fences. Fences must be at least three feet (3') high and no higher than five feet (5'). The color of the shadow box and rail fences shall be as natural wood tone as possible. On post and rail fences, turkey wire may be installed if it is a minimum of 13-gauge galvanized two- i n c h (2") by four-inch (4") mesh, vinyl covered in brown and green. Black aluminum rail fences shall be 54" high with a flat top and in the color black.

3. **Storm Doors and Windows**

Storm doors and windows shall not be installed, altered, or replaced except as approved in writing by the ERB. The color of the storm door must either match the color of the door it covers, the color of the siding, or the color of other prominent trim on the house. The color of the storm window frames must match the color of the wood trim around the windows.

4. **New and Replacement Windows**

New and replacement windows shall not be installed except as approved in writing by the ERB. The new or replacement window must be of a color which is in keeping with the aesthetics of the neighborhood. The recommended/preferred color scheme should match the color of the trim around the window or siding of the house, although other color combinations may also be considered. Trim may be painted or capped to match the windows. All existing windows, as the effective date of these guidelines, will be allowed to remain provided they are in good repair. In the event

that the window color is to be changed from the existing color, whether through replacement or painting, all windows on that side of the house must be changed at the same time.

5. **Swing Sets/Playground Equipment**

Swing Sets/Playground equipment over five feet (5') in height will be allowed only after approval by the ERB. All such equipment will be wooden construction. Any existing equipment, as of the effective date of these guidelines, will be allowed to remain provided that the equipment is in good repair. If the existing equipment is replaced, it shall be replaced with wooden equipment. All equipment must be permanently anchored. Deteriorating equipment must be removed or repaired immediately. Equipment must be in rear yards only, at least ten feet (10') from all property lines.

6. **Mailboxes**

Residents may install mailboxes of their choice if the mailbox complies with postal regulations. Any resident wishing to change or paint the wood support must submit a request to the ERB. The mailboxes and their supports must remain in good repair; rusting or damaged mailboxes and supports must be repaired and replaced.

7. **Exterior Lighting**

Exterior lighting must be approved by the ERB and should not be directed in such a manner as to create an annoyance to your neighbor.

8. **Decks**

All applications for decks must include the following:

- a. Copy of all permits issued by Newtown Township.
- b. Layout and design of the proposed deck.
- c. List of materials used.
- d. Plot plan showing location of deck on property.

The ERB will only approve decks within the parallel building lines of the house.

9. **Basketball Equipment**

Permanent basketball boards must be approved by the ERB. Installations must be fiberglass and/or metal construction. The application should include the proposed installation location. All poles must be of metal sleeve insert at the base imbedded in concrete for stability and easy removal. Backboards may not be mounted on the house. All existing equipment, as of June 18, 1996, will be allowed to remain provided the equipment is in good repair.

10. **Painting**

In general, only those areas that are painted may be repainted; only those areas that are stained may be re-stained; unpainted areas such as brick, stone and stucco shall remain unpainted and unstained.

Exceptions to this general rule are as follows:

- Exposed basement concrete walls can be painted with masonry paint which matches the color of the existing side of the house. The painting of exposed basement walls is encouraged. This will enhance the aesthetics of the Cluster. Prior approval by the ERB is still required.

Exterior color changes will be approved only if the proposed color is in harmony with the other existing homes in the Cluster or if the color is similar to the color originally used by the developer. ERB approval is not required if the homeowner is repainting or re-staining areas with the color presently applied.

- Homeowners must provide all paint chips and a numbered schematic of their home with a color-coded key indicating where each color will be on the house. Homeowner must specify the following to expedite review of the proposed paint request:
 - a. Garage Doors
 - b. All Exterior Doors
 - c. Front Door Side Lights
 - d. Shutters
 - e. All House Trim and Gutters
 - f. Chimney
 - g. All Window Trim
 - h. Trim Above Windows and Doors Where Applicable

Flat, semi-gloss, or gloss paint may be used. See the Property Management office for the color combinations originally used by the developer of your home.

11. **Landscaping**

If more privacy is needed, there are many varied and beautiful landscaping techniques which may be employed. Landscaping work and plantings in general do not require the approval of the ERB. Exceptions to this general rule are noted below and require submitting an ERB request, including a lot of plans:

- a. Hedges, shrubs or bushes planted parallel to the boundary lines of a lot require ERB approval.

- b. Stones, large or small, can be used by the homeowner for the purpose of landscaping. ERB approval is required when the cumulative area exceeds one hundred (100) square feet.
- c. Township regulations require that trees, hedges, shrubs, etc., do not restrict sight lines of vehicular traffic. Planting of individual trees, shrubs, etc., does not require the ERB's approval. However, care should be exercised in the placement of trees, so they do not interfere with your neighbor or intrude on their property.
- d. Retaining walls and grading alterations which change the contour of the earth and/or water drainage patterns must be submitted with complete details including sketches for approval.
- e. If walkways are part of submitted landscape plans, refer to Item 14 for specifics.
- f. Homeowners are responsible for verifying locations of all underground utilities, and existing easements. Homeowners bear total responsibility for any or all interruptions of services directly attributable to work performed on their property. Call PECO's underground locating company at 215-672-9316 to mark underground wires and pipes at no charge.
- g. Homeowners are responsible for replacement of street trees upon removal of the original for any reason. The replacement tree must be a shade tree of reasonable size. Relocating the original street tree requires ERB approval.

12. **Pools and Spas**

Outside spas and in-ground pools are allowed for single homes. Detailed plans, including a plot plan, must be approved by the ERB.

In-ground pools must be surrounded by an approved five-foot (5') high fence at a location sufficient to protect all residents. Exit/Entrances must be locked when the pool or spa is not in use. Applications for approval of in-ground pools must include the following:

- a. Copies of all permits issued by Newtown Township.
 - b. Layout and design of proposed pool.
 - c. Plot plan showing location of pool on property.
 - d. Specifics regarding the fence.
- ** Above-ground pools are **NOT** permitted.
- ** Spas must be covered and locked when not in use.
- ** Children's pools not exceeding six feet (6') in diameter and ten inches (10") in height and made of plastic or vinyl do not require ERB approval. They may be left outside during the swimming season.

13. **Gazebos**

Must have approval of the ERB. Gazebos may be in natural wood or, if stained or painted, must be in harmony with the color of the home. Gazebos should be at least ten feet (10') from all property lines, and a plot plan must be included with the request. Gazebos with lighting must conform to the exterior lighting guidelines found in Item 6. Gazebos are not permitted in front yards.

14. **Awnings**

Awnings are prohibited on the front and sides of all structures. Requests for awnings at the back of the home must be submitted to the ERB for approval. The ERB will approve only canvas, nylon, or other fabric awnings in a color matching either the siding or trim of the house. Deteriorating awnings or frames must be repaired or replaced immediately.

15. **Walkways and Patios**

Walkways and patios must be approved by the ERB. Newtown Township allows 30% of a single-family home lot to be impervious to water in Newtown Grant. This means that only that percentage of the lot can be covered by the home, driveway, patio, etc. Check with the Township Codes Department at 215-968-2800 to verify this percentage when planning to install or expand a patio.

All applications for patios must include the following:

- a. Copy of all permits issued by Newtown Township.
- b. Layout and design of proposed patio.
- c. List of materials used.
- d. Plot plan showing location of patio on property.

The ERB will only approve patios within the parallel building's lines of the house.

16. **Yard Maintenance**

Yards shall be maintained to provide a neat appearance to the Cluster. Grass areas shall be mowed so that the height does not exceed six inches (6") and/or the grass does not go to seed. All property owners must maintain ground cover on their lots to avoid soil erosion onto streets and other properties. All residents shall avoid conditions that may cause health risks to others in the Cluster.

17. **Satellite Dish or Television Antenna**

Prior to the installation of a satellite dish or television antenna, every Estates IV homeowner is requested to notify the Estates IV Board of Directors as to the placement of the satellite dish or antenna by providing a detailed description of the plan of installation.

Such placement shall be reviewed for conformance with the following suggestions:

- Every effort must be made that each installation be completed in such a manner as to conceal the satellite dish or television antenna from view. The satellite dish should be placed a minimum of fifteen feet (15') back from the front building envelope line of your home or in the rear of the house on the ground. The installation should be hidden from view by planting shrubs to hide the device or covering it with a fake rock. Installation is not limited to a ground installation. This would include, but not limited to, placing the device on the rear roof of the house. All roof and side installations should be limited to the extent that the dish should not be placed on the roof any higher than where they can receive an adequate signal.

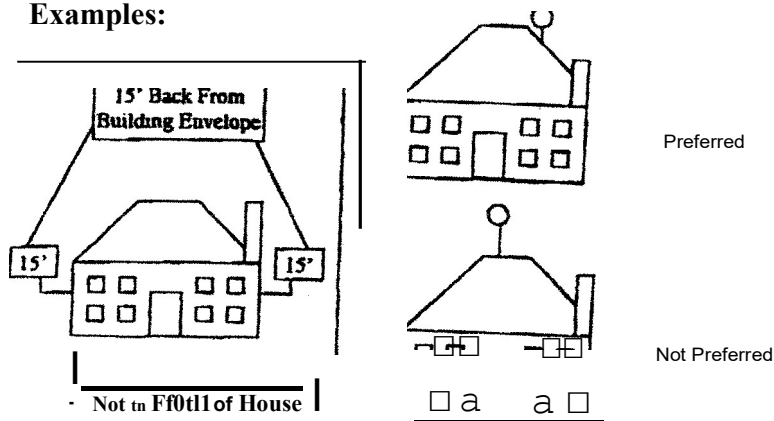
There should be no exposed or visible wiring and the installation must conform with all building and electrical codes.

- Whenever possible, when installing the dish or antenna on the roof, the color of the device should be gray, white or the same color as the roof.

Notification should be made by using the current ERB form available at the Property Management office. Notifications will be reviewed at the next ERB meeting.

Please consider these suggestions when you purchase and have a digital satellite dish installed. Any questions may be directed to the Estates IV Board of Directors by way of Property Management (215-968-3789 x 2).

Examples:



18. **Miscellaneous Uses of Property**

- a. A homeowner is permitted to store firewood on the patio or grounds of their home up to a maximum of one cord of firewood. Firewood must be neatly stacked in the rear or side yard.
- b. Birdfeeders are permitted and do not require ERB approval.
- c. Toys may remain outside in the back of the house only.
- d. Trashcans may not be stored outside.
- e. Dog runs, or pens or houses of any kind are not permitted.
- f. Clotheslines or clothes trees of any kind are not permitted.
- g. Commercial vehicles may not be parked on the property except when work is being done on the property.
- h. Boats, trailers, or unregistered vehicles may not be parked in the driveway or on the street in front of any property.
- i. Attic fans and attic ventilators are permitted and do not require ERB approval.
- j. Commercial signs may not be affixed or placed upon the exterior walls or roof of any home. Estates IV have also adopted the Newtown Grant Master Sign Policy. To view the sign policy please visit: www.newtowngrant.org/master-board and click on the "Sign Policy Addendum" under "Documents".
- k. Power tools, lawn equipment, etc, shall not be used during the hours of 9:00pm-7:30am (Monday-Friday) and 9:00pm-9:00am on weekends (Saturday and Sunday).
- l. Underground sprinkler systems are permitted and do not require ERB approval.

PUBLIC NOTICE
Policy for Imposing Fines for
Violation of ERB Guidelines

The Newtown Grant Estates IV Board of Directors has adopted the following schedule of imposing fines for the enforcement of the exterior improvements and/or alterations performed by a unit owner who has not first received ERB approval:

Schedule of Fines: **ERB Category A Offense - \$100.00**
 ERB Category B Offense - \$200.00

ERB Category A Offense - An exterior improvement and/or alteration which conforms to the Association's ERB Guidelines or can be brought into compliance with ERB Guidelines.

ERB Category B Offense An exterior improvement and/or alteration which does not conform to the Association's ERB Guidelines and cannot be brought into compliance with ERB Guidelines.

Failure to comply with the ERB Guidelines, Rules and Regulations, Declaration of Covenants, Conditions and Restrictions of the Estates IV Homeowners Association and/or the Newtown Grant Master Homeowners Association, will result in the imposition of fines according to the above schedule. The Estates IV Board shall send written notice, by first class mail, to the homeowner at the address of the property or the address which all Association notices are sent. Said notice shall be deemed to be received by the homeowner on the date that it is postmarked. A period of thirty (30) calendar days, following the date of written notice, will be allowed to correct an ERB Category A violation. The homeowner may choose to file an appeal by requesting a hearing before the Board, in writing, postmarked or delivered to the Board within thirty (30) days of the date of the original notice to the homeowner. The appeal will be addressed at the next scheduled meeting of the Board of Directors, following receipt of the appeal request in writing. If neither the correction of the violation occurs, nor is an appeal requested by the homeowner within thirty (30) days after the violation notice is given to the homeowner, an ERB Category B fine will be levied.

Fines are payable to and mailed to Newtown Grant Estate IV Homeowners Association, 360 Eagle Road, Newtown, PA 18940, within ten (10) days of assessment.

In the event the homeowner appeals against the notice as specified above, the fine may be suspended at the Board's discretion, pending the outcome of the appeal. Under no circumstances will any continuance of the appeal hearing before the Estates IV Board be permitted.

A homeowner appealing against the Board's decision will be notified in writing of the appeal decision, within ten (10) days after the hearing. If the decision is to uphold the Board's initial determination, the homeowner will have ten (10) days to pay the assessed fine and/or comply with the appeal decision.

If a homeowner refuses to comply with the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions, the Association reserves the right to hire a contractor to perform any work required to correct the violation at the homeowner's expense. If the homeowner refuses to pay any fine levied, the case will be referred to as directed by the Board for appropriate legal action. All fines and costs for correcting the violation shall accrue and become a lien upon the property as if they were assessments, pursuant to Article IV of the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions for the Newtown Grant Estates IV Homeowners Association, and all remedies available to the Association for enforcement of payment of maintenance assessments shall also be available to the Association for the collection of fines, correction of the violation, and for the enforcement of the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions of the Newtown Grant Estates IV Homeowners Association, including, but not limited to, reasonable costs and attorneys' fees for any action to enforce the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions of the Newtown Grant Estates IV Homeowners Association.

PUBLIC NOTICE
Policy for Imposing Fines for
Violation of Regulations

The Newtown Grant Estates IV Board of Directors has adopted the following schedule of imposing fines for the enforcement of the Estates IV Association Rules and Regulations, Declaration of Covenants, Conditions and Restrictions.

Schedule of Fines: **Category A Offense - \$25.00**
 Category B Offense - \$25.00 per day

Failure to comply with the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions of the Estates IV Homeowners Association and/or the Newtown Grant Master Homeowners Association, will result in the imposition of fines according to the above schedule. Prior to imposition of any fines, the Estates IV Board shall send written notice, by first class mail, to the homeowner at the address of the property or the address which all Association notices are sent. Said notice shall be deemed to be received by the homeowner on the date that it is postmarked. A period of thirty (30) calendar days, following the date of written notice, will be allowed to correct the violation. The homeowner may choose to file an appeal by requesting a hearing before the Board, in writing, postmarked or delivered to the Board within thirty (30) days of the date of the original notice to the homeowner. The appeal will be addressed at the next scheduled meeting of the Board of Directors, following receipt of the appeal request in writing. If neither the correction of the violation occurs, nor is an appeal requested by the homeowner within thirty (30) days after the violation notice is given to the homeowner, a Category A fine will be levied. If the violation is still not corrected, after an additional ten (10) calendar days, a per diem fine will be assessed as listed in Category B.

Fines are payable to and mailed to Newtown Grant Estate IV Homeowners Association, 360 Eagle Road, Newtown PA 18940, within ten (10) days of assessment.

In the event the homeowner appeals against the notice as specified above, the fine may be suspended at the Board's discretion, pending the outcome of the appeal. If the homeowner does not file an appeal within the required time and does not pay the assessed fine and/or correct the violation, a per diem fine as listed in Category B will be levied. Under no circumstances will any continuance of the appeal hearing before the Estates IV Board be permitted.

A homeowner appealing against the Board's decision will be notified in writing of the appeal decision, within ten (10) days after the hearing. If the decision is to uphold the Board's initial determination, the homeowner will have ten (10) days to pay the assessed fine and/or comply with the appeal decision. Failure to comply with the Board's decision shall result in the imposition of a Category B fine.

If a homeowner refuses to comply with the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions, the Association reserves the right to hire a contractor to perform any work required to correct the violation at the homeowner's

expense. If the homeowner refuses to pay any fine levied, the case will be referred to as directed by the Board for appropriate legal action. All fines and costs for correcting the violation shall accrue and become a lien upon the property as if they were assessments, pursuant to Article IV of the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions for the Newtown Grant Estates IV Homeowners Association, and all remedies available to the Association for enforcement of payment of maintenance assessments shall also be available to the Association for the collection of fines, correction of the violation, and for the enforcement of the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions of the Newtown Grant Estates IV Homeowners Association, including, but not limited to, reasonable costs and attorneys' fees for any action to enforce the Rules and Regulations, Declaration of Covenants, Conditions and Restrictions of the Newtown Grant Estates IV Homeowners Association.

NEWTOWN GRANT ESTATES IV HOMEOWNERS ASSOCIATION
360 Eagle Road, Newtown, PA 18940

ENVIRONMENTAL REVIEW BOARD
REQUEST FORM

Name: _____ Home Phone: _____

Address: _____ Business Phone: _____

DESCRIPTION OF PROPOSED IMPROVEMENT, CHANGE, ADDITION, OR ALTERATION

1. Prepare a sketch or written description of the proposed improvement, change, addition, or alteration in sufficient detail so the Board can decide. Attach sketches, photos, etc., to provide adequate details.
2. Provide a site sketch. Include unit location and indicate where on the property the improvement is to be located.
3. Include a color chip or material sample to show textures or color of change.
4. A sketch of the house showing any proposed paint request must accompany this document.

CONTRACTOR: Name: _____
Address: _____
Phone: _____

Estimated schedule of work being done: Start: _____ Finish: _____

Once approved, work is to be completed within a reasonable time.

I understand that the approval of this project does not waive the need for the unit owner to obtain Township permits or comply with applicable or zoning codes. Each contractor shall provide a **Certificate of Insurance** naming the Association as additional insured. Said certificate is to be sent to the Property Management office before any work may begin.

If this request is authorized and the project completed, the above is the sole property of the unit owner requesting approval. By executing this alteration, I accept all responsibility for its maintenance and good repair and certify that the work will be done by qualified personnel.

I understand that no work can begin on this project until written approval from the Environmental Review Board has been received.

Signed: _____ Date: _____

This form expires six months from the date of approval, and is non-transferable.

For Committee Use Only

Date Received: _____ ***Reviewed by:*** _____

Approval: _____ ***Approved as noted:*** _____ ***Disapproved:*** _____

Notice sent to homeowner: _____ ***Date:*** _____ ***By:*** _____