



# ESTATES II

## Newtown Grant Phase 2-S.F. Homeowners Association

### ENVIRONMENTAL REVIEW BOARD GUIDELINES

Approved by Board of Directors  
Rev: 11/09

#### SECTION I

### 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 values and to maintain a harmonious relationship among structures and the natural vegetation and topography."<sup>1</sup> 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."<sup>2</sup>

#### SECTION 2

### ERB PROCEDURES

These Documents are not to be used for resale purposes and/or transfer of Title and Deed.

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## 2.1 GENERAL

The ERB will only consider written requests using ERB Request forms, copies of which are attached hereto as Appendix A additional copies may be obtained from the Newtown Grant Property Manager's office.

The description of the proposed project should include all information necessary for the committee to take action. Where applicable specifications in sufficient detail to adequately and fully disclose the proposed alteration should be included. 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 committee's consideration. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.

Approval of any project by the committee 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 cost and damages incurred as a result 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, at which time the Homeowner will be issued a dated and numbered receipt.
2. Mailed, certified-mail, return receipt requested, to the PHASE 2-S.F. ENVIRONMENTAL REVIEW BOARD, c/o the Property Management Office, 975 Easton Road, Suite 102, Warrington, PA 18976 (a dated and numbered receipt will be mailed to the Homeowner); or
3. Hand-delivered to the PHASE 2-S.F. Board of Directors at a regularly scheduled meeting (a dated and numbered receipt will be issued)

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

If the ERB fails to respond to the applicant within 60 days, from the date received, for sufficiently detailed plans and specifications, then the request is considered to have been approved.

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

"Approved" - meaning that the ERB has no objection to the proposal and construction may proceed as planned.

"Approved Pending Changes" - 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 begin 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 committee reconsider its position and is encouraged to present new or additional information which might clarify the request or demonstrate its acceptability.

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SECTION 3

## GUIDELINES UNDER WHICH ALL APPLICATIONS 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, swingsets, playground equipment, decks, mailboxes and landscaping, must have approval in writing from the ERB before any work commences, except those changes specifically allowed in section B-12 of these Guidelines.

### B. SPECIFIC CONSIDERATIONS

#### 1. Alterations and Additions

No changes to the exterior design of any home may be undertaken without the written approval of the ERB. Only the exterior materials existing on the original structure or compatible with the architectural design character of the community will be approved.

#### 2. 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 doors should be compatible with the color of the house or trim.

#### 3. Awning

Awnings are prohibited on the front and sides of all structures. Requests for awnings for the back of the house must be submitted to the ERB for approval. The ERB will approve only canvas awnings in a color compatible either the siding or trim of house. Deteriorating awnings and or frames must be repaired or removed immediately.

#### 4. Exterior Lighting

Exterior lighting does not require approval by the ERB but shall not be directed in such a manner as to create annoyance to your neighbor.

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## 5. Fences

All fences must be approved by the ERB, fences will be approved in the back of the house only. The following types of fences are acceptable: board-on-board (shadow box), post and rail (two or three rail), picket fences and vinyl fences. Fences must be at least 3 feet high and no higher than 6 feet. The color of the fences shall be compatible with the color of the house. On post and rail fences, turkey wire may be installed if it is a minimum of 13 gauge galvanized 2" x 4" mesh, vinyl covered in either brown or green.

## 6. Painting

In general, only those areas that are painted may be repainted; only those areas which are stained may be restained; unpainted surfaces and unstained areas such as brick and stone shall remain unpainted and unstained. Exceptions to this general rule are as follows:

Exposed basement concrete walls can be painted with masonry paint which is consistent with the color of the exterior siding 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 restaining areas with the same color that was originally applied to those areas by the developer.

Flat, semi-gloss or gloss paints may be used.

## 7. Patios/Walkways

Newtown Township will only allow 30% of a 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 to verify this percentage when planning to install or expand a patio. Prior approval by the ERB is still required.

## 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 the property

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

## 9. Landscaping

Landscaping work and plantings in general do not require the approval of the ERB. Exceptions to this general rule are noted below:

- a. Hedges, shrubs, or bushes may not be planted parallel to the boundary lines of a lot in the front of a house.

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- b. Stones, large or small can be used by the homeowner for the purpose of landscaping; ERB approval is required when the accumulative area exceeds 100 square feet.
- c. Township Regulations Require that trees, hedges, shrubs, etc. cannot be planted so as to restrict sight lines of vehicular traffic. Planting of individual trees, shrubs, etc. does not require the approval of the ERB; 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 plans refer to Item 7 Patios/Walkways for specifics.

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.

**10. Permanent Outdoor Recreation Equipment**

An application showing the proposed location of the following outdoor recreation equipment must be submitted and approved prior to installation.

- a. Swingsets/Playground Equipment: Wooden and steel equipment will be allowed only after approval by the ERB. Applications must include manufacturer's warranty and specifications that demonstrate that the quality of the materials used is sufficient to withstand use and the elements (steel equipment must be warranted for a minimum of five (5) years). All equipment must be permanently anchored. Rusting or deteriorating equipment must be removed or repaired immediately. Equipment must be located in rear yards only, and not closer than ten feet (10') from all property lines.
- b. Basketball Equipment: Basketball backboard must be approved by the ERB, installations are allowed if of fiberglass and/or metal construction. All poles must be of metal embedded in concrete for stability. Backboards may not be mounted on the house.
- c. Pools and spas; Outside spas and in-ground pools are allowed for single homes. Detailed plans must be approved by the ERB. In-ground pools must be surrounded by an approved five (5) foot high fence at a location sufficient to protect all residents, and entrances/exits must be locked when not in use. Applications for approval for in-ground pools must include the following:

- 1. copies of all permits issued by Newtown Township
- 2. layout and design of proposed pool
- 3. plot plan showing location of pool on the property
- 4. specifics regarding the required fence

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Above-ground pools are NOT permitted. Spas must be covered and locked when not being used.

Children pools not exceeding six (6) feet in diameter and ten (10) inches in height and made of plastic or vinyl do not require ERB approval and may be left outside during the swimming season.

**11. Yard Maintenance**

- a. Yards shall be maintained to provide a neat appearance to the Cluster.

- b. Grass areas shall be mowed so that the height does not exceed 6 inches and/or the grass does not go to seed.
- c. All landscaping and grass areas shall be maintained, weeded and trimmed to provide a neat appearance. Grass should be trimmed so it is not growing over sidewalks or curbs.
- d. All residents must maintain ground cover on their lots to avoid erosion of soil onto streets or other properties.
- e. All residents shall avoid conditions which may cause health risks to others in the Cluster.

## 12. Miscellaneous Uses of Property

- a. Residents may install mailboxes of their choice in accordance with the US Postal Service guidelines, Mailboxes must remain in good repair; rusting or damaged mailboxes must be repaired or replaced.
- b. A homeowner is permitted to store firewood on the patio or grounds of his home up to a maximum of one and one-half cord of firewood. Firewood must be neatly stacked in rear yard and positioned so as not to be viewed from the street.
- c. Bird Feeders are permitted and do not require ERB approval.
- d. Toys and Play Equipment may remain outside in the backyard or on the patio so as not to be viewed from the street when not in use.
- e. Temporary Basketball Equipment is allowed if of fiberglass and/or metal construction and cannot be left on the street.
- f. Trash cans may not be stored outside.
- g. Dog runs or pens or houses of any kind are not permitted.
- h. Satellite dishes are permitted with ERB approval. All efforts must be taken so they are concealed from the street. If there is a line of sight available, the dish must be placed in the rear of the house. Wires cannot be run on the outside. Applications requesting placement of the dish on the front of the house must include documentation from the contractor stating that there is no other line of sight available.
- i. Clothes Lines or clothes trees of any kind are not permitted.
- j. Commercial vehicles may not be parked on the property except when work is being done on the property or if parked inside the garage.
- k. Boats, trailers or unregistered vehicles may not be parked in the driveway or on the street in front of any property.
- l. Attic fans and attic ventilators are permitted and do not require ERB approval.
- m. Commercial signs may not be affixed or placed upon the exterior walls or roof of any home.
- n. Underground sprinkler Systems are permitted and do not require ERB approval.

<sup>1</sup> Declaration of Covenants, Conditions and Restrictions for Newtown Grant Phase 2-S.F. Homeowners' Association, (the "Declaration") Article VI, section 2.

<sup>2</sup> By-laws of Newtown Grant Phase 2-S.F. Homeowners' Association, Inc., Article XI, section 2.