

Directions for Landscape Modification Approval

Any landscape modification that is done without the proper approvals, or not in accordance with an approved plan, will subject the unit owner to a fine and an order to remove the unapproved modification at the unit owner's expense.

1. Review the attached *Regulations and Guidelines for Unit Owner Landscape Modifications* and the list of examples of appropriate plantings prior to planning any landscape alterations.
2. Once you have planned your landscaping, complete and submit the attached application form including a drawing or detailed written description to the administrative office.
 - a. **If you are using a contractor**, a copy of the landscaping plan (including dimensions, plant types and materials), a copy of the proposal or contract, and a certificate of insurance is also required.
3. The Landscape Review Committee, a member of your Section Board and a member of the CCA Board review all applications. They have the right to approve or deny any application.
 - a. **If approved**, you will receive notification in writing from the administrative office. Work may then proceed.
 - b. **If not approved**, you will receive notification in writing from the administrative office explaining the reasons for the denial. If you have questions or would like to discuss the denial, the office will have a member of the Landscape Review Committee contact you to discuss the reasons why and offer suggestions for revisions that will bring the proposed planting plan into compliance with the community's guidelines.
4. **New Jersey Law requires anyone digging to call New Jersey One Call** at least three full business days (not counting weekends or holidays), prior to beginning work. This includes unit owners or their contractors. Call 811 or (800) 272-1000 any time of the day or night and wait for the mark-outs before commencing work. For more information, visit their website at www.nj1-call.org.
5. Once the work is completed, please notify the administrative office by signing and returning the approval letter so that the Landscape Review Committee can inspect the work and sign off that it was done according to the approved plan.

Application for Landscape Modification

All areas surrounding your unit are common property belonging to the entire Section. Unit owners have an easement surrounding their unit (3-4 feet, depending on the type of plantings) in which they may landscape with the proper approvals from the Landscape Review Committee, the Section, and the CCA.

The Committee shall take the following into consideration when granting approvals: proposed plants, potential height and breadth at maturity, rate of growth, potential effect of planting regarding the following issues - root growth, leaf removal, and blockage of visibility. Restoration of any damage to swales, berms, grading conditions, lawns, etc. that may occur when planting is the responsibility of the unit owner. Annual and perennial flowers do not require approval.

Unit Owner Name: _____ Phone #: _____

Address: _____ Section #: _____

Contractor Name: _____ Phone #: _____

Unit Owner Signature: _____ Date: _____

Landscaping by Unit Owner: If you are modifying the landscape yourself, please describe the proposed landscape alterations below, include types of plantings and their placement in a drawing and return this completed form to the administrative office.

Hiring a Landscaping Company: If you are hiring a landscaper to perform the modifications, the following must be submitted to the administrative office with this completed form.

1. A copy of the landscape plan including dimensions, types of plants and any other materials;
2. A copy of the proposal or contract;
3. A certificate of insurance from the contractor naming the CCA, the Section and the unit owner as additional insureds (see attached sample)

Once approved, you will be notified in writing that the work can commence. **New Jersey Law requires anyone digging to call New Jersey One Call** at least three full business days (not counting weekends or holidays), prior to beginning work. This includes unit owners or their contractors. Call 811 or (800) 272-1000 any time of the day or night and wait for the mark-outs before commencing work.

It is the responsibility of the unit owner to make arrangements to protect any in-ground irrigation system as this is not included in utility mark-outs.

Should you or your contractor damage CCA or Section common property, you and your contractor are responsible for repair and returning common property to its original condition within (30) days of the occurrence to avoid restitution fees being placed on your account.

Regulations and Guidelines for Unit Owner Landscape Modifications

All areas surrounding each unit are common property belonging to the entire Section. Unit owners may landscape the area within 3-4 feet, depending on the type of plantings, of the foundation of their unit (hereafter known as the “planting area”) with proper approvals from the Landscape Review Committee, the Section, and the CCA.

The following shall be taken into consideration when granting approvals:

- aesthetics,
- proposed plants,
- potential height and breadth at maturity,
- rate of growth,
- potential effect of planting regarding the following issues – root growth, leaf removal, blockage of visibility,
- unit footprint,
- grading, and
- proximity to neighboring units.

Restoration of the common area is the responsibility of the unit owner. If there is any damage during planting of the approved landscape modification, the unit owner is to restore, or make whole, the damaged area within a maximum of thirty (30) days of the damage and/or condition occurring. Depending on the type and location of the damage, this time limit may be reduced. Damage includes but is not limited to swales, berms, grading conditions, lawns, siding, etc. Should restoration not occur within the allotted time period, restitution fees may be added to your account.

PLANTING AREA

1. Unit Owners are permitted to make landscape modifications to the *planting area* within the 3-4 feet (depending on plantings) adjacent to their units, patios and atriums once the appropriate approvals from the Landscape Review Committee, the Section, and the CCA have been granted.
2. Approval of landscaping within the *planting area* is dependent upon the unit, grading, placement and proximity to neighboring units. Landscape designs may incorporate a free form design, including rounded corners, as appropriate to the lot’s terrain and location as determined on a case-by-case basis.
3. Any area outside the approved *planting area*, including the area surrounding trees, is common area and may not be altered by unit owners without section approval.
4. Drainage must be maintained so that the slope of the bed must be away from the base of any unit (higher at the foundation than the outside border). In all events the soil and mulch/stone at the foundation must not be higher than three (3) inches below the vinyl or wood siding.

5. The *planting area* shall only contain:
 - Pre-approved plantings of shrubs and dwarf trees;
 - Pre-approved stone, mulch, decorative landscaping stones, and rocks;
 - Ornaments (bird baths, decorative statuary, fountains, etc.) in limits as stated in the CCA Rules & Regulations, Section VI, Resident Rules;
 - Pre-approved trellises, (free standing, not attached to the unit); and
 - Container gardens (limited to aesthetic placement within the boundaries of the approved *planting area*).

6. The *planting area* shall not:
 - Interfere with landscaping equipment (mowers, thatching machines, etc.) or create an obstacle that the equipment has to circumvent;
 - Limit access to the building;
 - Encroach on any area that is not pre-approved for planting or modification;
 - Pose a safety hazard of any type;
 - Modify, or otherwise interfere with, existing or proposed swales, berms, and/or grading; nor
 - Affect drainage and/or water run-off or access to those or similar areas or condition in any way.

GENERAL GUIDELINES FOR PLANTING AREAS

1. Shrubs and other plantings must be planted in the approved *planting area* as described above.
2. Annual and perennial flowers do not require approval if planted in the *planting area* immediately surrounding your unit. However, they must be maintained at least 8 inches from the unit to protect the Section's common elements from moisture.
3. Shrubs and dwarf trees, and their root systems at maturity, must not encroach on exterior siding, foundation, walkways or driveways, as these structural common elements are maintained by the Section.
4. Vine type plants are not permitted, except for vines planted in movable pots, the location of which must be submitted for approval. Vines may not be attached to a unit. Vines have a tendency to grow under siding and into units causing damage to Section and unit owner property.
5. Perennial ground covers will be approved on a case by case basis based on the species and the location to be planted to ensure that growth will not encroach under or upon the exterior siding of the unit.
6. Vegetables are prohibited from being planted in any *planting area*. This is for the safety and protection of the unit owner and residents due to chemical treatments performed on common property areas. The unit owner may plant vegetables in pots, on the patio area at the rear of the unit. Aesthetic considerations will apply to this provision. NOTE: A limited number of CCA garden plots for planting vegetables is available near the maintenance area; check availability at the Activities desk in the Clubhouse.

7. Planters may not be hung from gutters or soffits or attached to the exterior of the unit as these are common elements of the Section.
8. Trees of any type or size may not be planted in any area of the Section or community without approval. This is to ensure that trees are not planted too close to homes or other trees, will not grow too large for the space, or are suitable for the soil in Clearbrook.
9. Attached is a list of suggested plantings that may be used as a guideline for proposed planting. If any proposed plantings are not included on this list, they are not automatically excluded for approval.

MULCH AND STONE

1. Any mulch or stone used in beds surrounding the unit must not be higher than three (3) inches below the siding of the unit. Drainage must be maintained so that the slope (pitch or grade) of the *planting area* is away from the foundation of any Unit.
2. Shredded hardwood mulch material or stone may be used as ground cover in the *planting area*. Plastic used for this purpose is prohibited due to drainage considerations.
3. Stone of any type and size must be separated from the lawn areas by appropriate borders (refer to #5 of MULCH AND STONE RETENTION BORDERS below) to facilitate lawn mowing and to eliminate any migration of material onto the surrounding and/or adjacent lawn area, walkways, driveways, etc.
4. An existing bed of mulch or stone without an appropriate retention border must be made to comply with #1 and #3 above when bed is being refreshed.

MULCH AND STONE RETENTION BORDERS

1. Mulch and stone retention borders may not be higher than twelve (12) inches, (inclusive of a cap) depending on topography and grade of the area. The border must be placed at least one (1) foot from any driveway or walkway to avoid possible damage caused by snow clearance or landscape maintenance equipment (the CCA/Section and/or landscape/snow clearance contractor will not be responsible for any damage caused to any mulch retention border).
2. Mulch and stone retention borders must be placed so as not to interfere or impede landscape maintenance or snow clearance equipment and activities.
3. Mulch and stone retention borders must not interfere with any drainage or any downspouts.
4. All mulch and stone retention borders must be of uniform materials and colors, or coordinate with each other in an aesthetically pleasing way, at any one unit.

5. The following materials, subject to approval of aesthetic harmony with other approved, or proposed, installations, are permitted as mulch or stone retention borders:
 - a. Straight or scalloped blocks, or bricks in a natural color.
 - b. Vinyl semi-ridged industrial strength edging with rolled top in black or green installed and staked as per manufacturer's instructions in a manner that assures that the stone or organic mulch will not migrate onto the lawn.
 - c. Field stone, or similarly cut stone, may be used to form a free flowing mulch retention border, or as an accent, in the *planting area*.

Note: Treated timbers are not permitted as retention borders.

AUTOMATIC IRRIGATION SYSTEM

The use of automatic sprinklers (underground irrigation systems which must have working rain sensors) is both permitted and encouraged. Application for installation of an automatic irrigation system goes through an approval process with the Architectural Review Committee, Section and CCA. Applications are available in the administrative office.

FLAG SYSTEM REGARDING PRUNING OF SHRUBS

Unit owners are to place a **yellow flag** in front of any shrub that they do not want to be pruned by the community's landscapers. If a unit owner does not want any plants pruned, **white flags** are to be placed on each corner of the planting beds surrounding the unit. After a unit is pruned, flags should be removed. Flags are available outside the shed at the Cultural Center.

PLANTING OUTSIDE THE PLANTING AREA – SECTION COMMON PROPERTY

Any planting outside of the *planting area* should be discussed first with your section board. Property beyond the *planting area* is common property and should not be planned or submitted for approval without the express consent of the section. Size and location should also be taken into consideration. Plantings must not be too large at maturity as to damage nearby property nor should they be planted too close to sidewalks, driveways, electrical boxes or a neighboring unit. If placed too close to any of these elements, mature roots may cause damage.

UNIT OWNER RESPONSIBILITY VS. SECTION

All plantings that a unit owner installs in the *planting area* become the responsibility of the unit owner. If shrubs die, become aged or are overgrown, it is the responsibility of the unit owner to have the shrub removed. Landscape modifications not done in conformance with an approved plan will need to be removed and the affected area restored at the unit owner's expense to be in compliance with these regulations and guidelines. Any landscaping or planting that extends beyond the *planting area* is the responsibility of the unit owner. **If the Section approves in writing any planting of trees or shrubs in the common area then the section agrees to take responsibility for that tree or shrub.**

Note: The community's landscapers as per contract only trim the new growth of shrubs once or twice a year depending on the type of shrub. If a unit owner desires more frequent pruning to maintain the shape and size of the shrubs, it is recommended that a private landscaper be hired.

Suggested Appropriately Sized Plantings

The following list of plant materials is included as examples of plantings that would be acceptable for use in planting areas – with approval. This list is by no means intended as a complete list, other plants of similar characteristics (size at maturity, etc.) may be submitted for approval.

If any proposed tree, shrub, ornamental accent, privacy item, etc. is not on this list, it is not automatically excluded from approval. It would be helpful if a photograph, or catalog page, along with a description of the characteristics and growth rate were included in the submission for approval.

SHRUBS: (recommend 2-3 gallon size)

Azalea, Barberry, Boxwood, Holly (excluding large varieties), Juniper (low growing varieties such as Gold Lace, BlueStar, Blue Rug, Blue Chip, Phitzer, Japanese Garden), Rhododendron, Spirea, Yew.

ORNAMENTAL ACCENT: (recommend limiting to 2 maximum, 3-4 or 4-5 feet)

Case by case: Blue Atlas, Weeping Blue Atlas, Kousa Dogwood, Japanese Maple, Spiral Juniper, Montgomery Spruce.

PRIVACY:

Arborvitae may be planted along the outside edge of an installed patio. Trellis screens may be installed provided that they are not attached to any component of the unit, approval is needed. Fences may also be used for privacy; fence approval must be processed through the Architectural Review Committee.

TREES: (larger than six (6) feet at maturity)

Case by case, with site visit.