

Pine Bay Homeowners Association
Major Renovation Construction Approval Application Package

Instructions for
Completing Major Renovation Construction Approval Application

1. The Glossary of Defined Terms of the Pine Bay Architectural Review Committee (“ARC”), which can be found in the ARC Section of the Pine Bay website: <https://pinebay.net/>, defines a “Major Renovation” as (a) a project expanding the footprint of a Dwelling, including the footprint of any Attached Outbuilding, or (b) a project where more than 20 percent of the interior area of the Dwelling, including the interior of any Attached Outbuilding, is undergoing reconfiguration or major upgrade and will require temporary exterior bathroom facilities to be located on the Lot, and/or heavy duty construction equipment to be brought into Pine Bay for the project, and/or multiple deliveries of materials, supplies and equipment to the Lot over the roadways of the Common Areas of Pine Bay.”
2. This Application Package is to be used to submit a request for ARC review and consideration of an Owner’s proposed Major Renovation. Please complete information requested concerning the Owner(s) and the Lot and, if applicable, the Builder or the Contractor (the “builder/contractor”), requested on the Major Renovation Construction Approval Application (“MRCAA”). Note: If an Owner intends to use a builder/contractor to undertake work in Pine Bay, no builder/contractor may work in Pine Bay unless the builder/contractor satisfies the Pine Bay Homeowners Association Builder/Contractor Criteria, a copy of which can be found in the ARC Section of the Pine Bay website: <https://pinebay.net/>.
3. Please provide all required information and submissions noted in the MRCAA. A detailed listing of required information and deliverables for the MRCAA appears as an Appendix immediately following these Instructions.
4. Please provide any additional documentation or information that you believe might be helpful to ARC in evaluating the proposed Major Renovation project.

5. Please carefully review the covenants, conditions and restrictions of Article IV of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Pine Bay (the “CCRs”), and the Glossary of Defined Terms, both of which can be found in the ARC Section of the Pine Bay website: <https://pinebay.net/>.
6. Please review Pine Bay’s Tree Policy, including its Tree Protection provisions, which also may be found in the ARC Section of the Pine Bay website: <https://pinebay.net/>. If any trees on the Lot are being proposed to be removed in connection with a Major Renovation project, a completed Tree Removal Request Application must be submitted to ARC concurrently with the MRCAA.
7. The MRCAA and associated documentation must be submitted to PineBayARC@gmail.com. Please do not submit a copy of these Instructions with the submittal of the MRCAA, but instead retain these Instructions for your information.
8. After ARC Approval of a proposed Major Renovation project is given, should the Owner(s) desire to make, or is required by Sussex County to make, any changes to the plans for the Major Renovation, those proposed changes must be submitted to ARC for a determination as to whether a modified ARC Approval will be required. No changes to ARC approved plans for a proposed Major Renovation may be implemented unless and until (a) ARC has determined that a modified ARC Approval is not necessary, or (b) a modified ARC Approval has been received.
9. Receipt of an ARC Approval of plans for this proposed project in no way indicates that applicable federal, state, or local authorities (e.g., Sussex County) will approve these plans or that these plans comply with applicable federal, state, or local law; conversely, approval of these plans by applicable federal, state, or local authorities in no way indicates that an ARC Approval would be given for these plans. Implementation of any plans for which an ARC Approval is required may not begin until both required federal, state, or local approvals, as applicable, and ARC Approval have been received by the Owner.

10. Within ten (10) days after receipt of an initial submission of a MRCAA in the ARC's email account, ARC shall use its best efforts to advise the Owner of any missing materials and/or to request any necessary clarifications of the MRCAA. Within thirty (30) days after ARC's receipt of an MRCAA and any missing materials and/or ARC requested clarifications, ARC will provide the Owner with a report on the status of ARC's deliberations on the MRCAA.

Appendix to Instructions

Major Renovation Construction Approval Application

Required Submissions

A. ITEMS REQUIRED TO BE SUBMITTED WITH INITIAL FILING OF MAJOR RENOVATION CONSTRUCTION APPROVAL APPLICATION (“MRCAA”)

(The following items to be submitted electronically to ARC at PineBayARC@gmail.com)

- 1) **CERTIFIED AS-BUILT SURVEY** of the Lot, prepared by a registered Delaware Surveyor showing the current Dwelling and other Structures on the Lot, spot & benchmark elevations of the Lot, all building restriction lines and any wetlands setbacks.
- 2) **SITE PLAN PACKAGE** for the Major Renovation should include, as applicable:
 - i) **FILL, GRADING AND STORMWATER DRAINAGE PLAN** where the Major Renovation would expand the footprint of the Dwelling.
 - ii) **FOUNDATION PLAN** where the Major Renovation would expand the footprint of the Dwelling.
 - iii) **PILING PLAN** (if pilings are to be required) showing piling height and type of skirting to be used, where the Major Renovation would expand the footprint of the Dwelling.
 - iv) **ARCHITECTURAL PLANS FOR THE PROPOSED MAJOR RENOVATION:**
 - 1 Dimensioned Elevations of proposed Major Renovation where the exterior of the present Dwelling is proposed to be changed (front, rear, left and right), including showing height above presently improved Lot average grade where the footprint of the Dwelling is to be expanded by the Major Renovation; and,
 - 2 Dimension Floor Plan for each floor of the Dwelling impacted by the Major Renovation.
 - v) **PLAN FOR OTHER STRUCTURES PROPOSED TO BE CONSTRUCTED AS PART OF THE MAJOR RENOVATION** (e.g., deck(s), walls, pergola, fence lines, propane tank(s), enclosures), noting proposed location, design and use.
 - vi) **PLAN FOR OTHER IMPROVEMENTS PROPOSED TO BE INSTALLED AS PART OF THE MAJOR RENOVATION** (e.g., driveway, walkways, terrace(s), lamp

post, flagpole), noting location, design as applicable, and materials and color as applicable.

vii) **PLAN FOR PROPOSED LANDSCAPING TO BE INSTALLED** (e.g., location, species/varieties, etc.)

- 3) **SAMPLES DEPICTIONS PACKAGE**, including URL e-link to materials websites of all exterior materials and selected color of each material selected for proposed exterior surfaces of the Major Renovation (and other Structures on the Lot if impacted).
- 4) **TREE REMOVAL REQUEST APPLICATION**, where the Major Renovation includes the removal of any trees.
- 5) **TREE PROTECTION PLAN**, where the Major Renovation involves a proposed expansion of the footprint of the present Dwelling.

(The following additional actions must also be completed in connection with the submission via email of the MRCAA and the above items)

- 6) **CHECK** made payable to “**Pine Bay Homeowners Association**” and submitted to the Treasurer of the Pine Bay Homeowners Association for the Major Renovation Review Fee/Construction Deposit (as applicable):
 - a. [Required] - Construction Deposit of \$1,000 (refundable)
 - b. [Required if a Major Renovation involves changes to the exterior of the Dwelling or other Building on the Lot] - A Review fee of \$250 (non-refundable)
- 7) **LOT STAKING** with all structural and improvement corners staked, and a line strung around the complete perimeter (including garages, porches, decks, driveways, patios, etc.), where the Major Renovation would expand the footprint of the Dwelling or other Structures presently on the Lot.
- 8) **TREE MARKING** if there are trees proposed to be removed in conjunction with the Major Renovation.

B. ADDITIONAL ITEMS TO BE SATISFIED AFTER RECEIPT OF INITIAL ARC APPROVAL

Before Construction on the Lot:

- 1) Receipt of **ARC Approval** for proposed **TREE REMOVAL**, as applicable.
- 2) Confirmation by ARC of acceptable **TREE PROTECTION PLAN** implementation, as applicable.

- 3) When a Builder/Contractor is being used for the Major Renovation, delivery to ARC of executed BUILDER/CONTRACTOR REQUIREMENTS WITH ACKNOWLEDGMENT, a form copy of which can be found in the ARC Section of the Pine Bay website: <https://pinebay.net/>.
- 4) When a Builder/Contractor is being used for the Major Renovation, confirmation the Builder/Contractor satisfies Builder/Contractor Criteria.
- 5) Delivery to ARC of a CERTIFICATE OF INSURANCE provided by the Owner or Builder/Contractor, as applicable, naming the Pine Bay Homeowners Association as an “additional insured”.
- 6) When applicable, submission of the proposed TEMPORARY SANITATION, ETC. PLAN for placement of Builder/Contractor or Owner temporary sanitary facilities, waste receptacles, and storage facilities on the Lot for ARC approval.

Note: Placement of these facilities on Common Areas of Pine Bay adjacent to a Lot, including easements and swales is prohibited.

- 7) Delivery of a copy to ARC of BUILDING PERMIT(S) issued by Sussex County for the Dwelling and other improvements on the Lot.

Before Landscaping of the Lot:

- 1) Submittal of a LANDSCAPING PLAN showing proposed plantings, soil treatments, borders, decorations, etc., where as part of the Major Renovation new landscaping is proposed, which Landscaping Plan will require ARC Approval before implementation.

Before Occupancy of a Major Renovation:

- 1) Submittal to ARC of a copy of a revised AS BUILT Survey, where the Major Renovation would expand the footprint of the Dwelling.
- 2) Submittal to ARC of a copy of a CERTIFICATE OF OCCUPANCY for the modified Dwelling issued by Sussex County.

Pine Bay Homeowners Association
Major Renovation Construction Approval Application ("MRCAA")

OWNER INFORMATION

Owner Name(s): _____

Address: _____

Telephone: _____ **Email Address:** _____

BUILDER/CONTRACTOR INFORMATION (If Applicable)

Builder/Contractor Name: _____

Address: _____

Telephone: _____ **Email Address:** _____

DE Business License No.: _____

Contact Person for Project: _____

Contact Information

for Contact Person: Telephone: _____ **Email Address:** _____

LOT INFORMATION

Lot Number: _____ **Lot Address:** _____

Lot Area: _____

**THIS MAJOR RENOVATION CONSTRUCTION APPROVAL APPLICATION
INCLUDES:**

(Please place an “X” next to each Document being provided.)

- ___ [Required] Certified As-Built Survey of Lot
- ___ [Required] Complete Site Plan Package
- ___ [Required] Samples Depictions Package
- ___ [Required, when applicable] Tree Removal Request Application
- ___ [Required, when applicable] Tree Protection Plan
- ___ [When applicable] Fill, Grading and Stormwater Drainage Plan
- ___ [When applicable] Plan for drainage (Swale) and driveway culvert to be in
Common Area between the Lot line and the adjacent Pine Bay roadway
- ___ [Required] Construction Deposit of \$1,000 (refundable)
- ___ [Required if a Major Renovation involves changes to the exterior of the
Dwelling or other Building on the Lot] - A Review fee of \$250
(non-refundable)
- ___ [When applicable] Lot Staking
- ___ [When applicable] Tree Marking

1. Brief Description of the exterior style, color palate and materials of the proposed Major Renovation:

[Describe here or on a separate attached page.]

2. Dwelling/Attached Outbuilding(s) Impact (Complete as Applicable):

Gross Floor Area prior to the Major Renovation: _____; proposed Gross Floor Area after the Major Renovation: _____

Floor Area of Ground Floor prior to the Major Renovation: _____; proposed Gross Floor Area of Ground Floor after the Major Renovation: _____

Change in the Number of Bedrooms: _____

Change in the Number of Bathrooms: _____

Proposed Height of Building with the Major Renovation: _____

Proposed number of Stories with the Major Renovation: _____

Pitch of Roof(s) of any Major Renovation: _____

Proposed Lot Occupancy after the Major Renovation: _____

Present Lot Occupancy before the Major Renovation: _____

Proposed Elevation Change over the Lot as a Result of a Major Renovation: _____

3. Project Impacts:

- Number of Trees Proposed to be removed: _____

Note: Removal of any tree in conjunction with construction of a Dwelling may not be undertaken until ARC Approval has been obtained. Make sure to submit a Tree Removal Request Application in accordance with the Pine Bay Tree Policy.

- In conjunction with the Major Renovation, would there be any temporary or permanent impact on any Pine Bay Common Area (Yes or No)? If yes, please submit the plan describing/showing the impact.
- Pole Lamp Location at the front of the Lot, if one is not already provided on the Lot: _____
- Please provide a short narrative of other Improvements planned as part of the Major Renovation if any (e.g., Attached Outbuilding(s), decks, patios, terraces, outdoor kitchens and bars, fire pits, fences, swimming pools, trash can and propane tank enclosures, outdoor showers, walkways, retaining walls, fences, driveways, exterior lighting, fountains/water features, flag poles, generators), which should be depicted on the Site Plan documents submitted.

[Described below or on a separate attached page.]

OWNER(S) CERTIFICATION

By submitting a Major Renovation Construction Approval Application, I/We acknowledge and accept the following:

- I/We have read and understand the provisions of the Amended Declaration for Pine Bay as they apply to the construction of my Major Renovation on the Lot and believe that the proposed Major Renovation will meet all requirements of that Amended Declaration, Pine Bay's Glossary of Defined Terms, and associated policies of the Pine Bay Homeowners Association. The information that I/we provide to ARC in connection with this MRCAA is accurate to the best of my/our knowledge.
- I/We also acknowledge that no work except for normal maintenance may begin on the Lot until an ARC Approval has been issued for the construction of my/our Major Renovation.
- Physical inspections of the Lot by ARC members may be required in conjunction with ARC review of a Major Renovation Construction Application and any resulting ARC Approval. I/we give permission to ARC members to enter Lot property to perform these inspections from time to time.
- I/we acknowledge that ARC may reach out to adjacent neighbors concerning the proposed Major Renovation Construction Application to seek feedback on the proposed project. ARC may consider the feedback in its deliberations about the proposed project.
- I/we fully release and discharge the Association and the members of ARC from all claims, damages and liabilities related to, or arising from, any ARC Approval given in response to this Major Renovation Construction Approval Application, including those that might arise from action or inaction related to ARC's processing of this Application and any decision made by ARC regarding this Application.
- I/we are responsible for the safety of any construction activities undertaken on my Lot, and I/we are liable for any resulting consequences to my Lot, my neighbor's Lot, or Pine Bay common areas due to any of those construction activities undertaken on my behalf.

- Receipt of an ARC Approval of plans for any proposed Major Renovation in no way indicates that applicable federal, state, or local authorities (e.g., Sussex County) will approve such plans or that such plans comply with applicable federal, state, or local law; conversely, approval of such plans by applicable federal, state, or local authorities in no way indicates that an ARC Approval would be given for such plans. Implementation of any plans for which an ARC Approval is required may not begin until both required federal, state, or local approvals, as applicable, and ARC Approval have been received by the Owner.
- Construction Activities performed by builders/contractors*, except in an emergency, may only be done during permitted construction work hours and days as specified in the Amended Declaration, which are:
 - o Monday to Friday: 7:00 am to 7:00 pm
 - o Saturday: 9:00 am to 5:00 pm
 - o Sunday and all Federal Holidays: No construction work of any kind, including tree removal work.

* Construction Activities performed by Owner, please consult with the Pine Bay website at: <https://pinebay.net>.

Submitted by: _____
Owner Signature(s)

Date