

REGULATIONS FOR LANDSCAPING MODIFICATIONS

March 22, 2023

All areas surrounding each unit are common property belonging to the Section. Unit owners may landscape the area within 3-4 feet (depending on the type of plantings) of the foundation of their unit that is adjacent to their units, patios, fences and atrium (hereafter known as the “planting area”). When granting approvals the aesthetics, proposed plants, potential height and breadth at maturity, rate of growth, root growth, leaf removal, blockage of visibility, unit footprint, grading, drainage, and proximity to neighboring units will be taken into consideration.

1. **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. 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.
2. **The planting area shall only contain:** pre-approved shrubs, dwarf trees, stone/rocks, pavers, mulch, free standing trellises; ornaments (bird baths, decorative statuary, fountains, etc.), and container gardens in limits as stated in the CCA Rules & Regulations.
3. The following are **examples of plantings that would be acceptable for use in planting areas (with approval)**. Other plants of similar characteristics (size at maturity, etc.) may be submitted. If any proposed tree, shrub, ornamental accent, privacy item, etc. is not on this list, a photograph or catalog page, along with a description of the characteristics and growth rate must be included in the submission for approval.
 - a. **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.
 - b. **Ornamental accent:** (recommend limiting to 2 maximum, up to 5 feet) Case by case: Blue Atlas, Weeping Blue Atlas, Kousa Dogwood, Japanese Maple, Spiral Juniper, Montgomery Spruce.
 - c. **Privacy:** Arborvitae may be planted along the outside edge of an installed patio. Trellis screens may be installed provided they are not attached to any component of the unit.
 - d. **Trees:** No larger than six (6) feet at maturity. Case by case, with site visit.
4. Any additions or modifications to the planting area shall not: interfere with snow removal or landscaping equipment (mowers, thatching machines, etc.) or create an obstacle that the equipment must circumvent; limit access to the building; encroach on any area that is not pre-approved for planting or modification; encroach on exterior siding, foundation, walkways or driveways; pose a safety hazard of any type; modify, or otherwise interfere

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with, existing or proposed swales, berms, and/or grading; nor affect drainage, downspouts, and/or water run-off or access to those or similar areas or condition in any way.

5. Landscape designs may incorporate a free form design, including rounded corners, as appropriate to the lot's terrain and location.
6. Annual and perennial **flowers** do not require approval if planted in the planting area. However, they must be maintained at least 8 inches from the unit to protect the common elements from moisture.
7. **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.
8. **Vine type plants** are not permitted, except for vines planted in movable pots. Vines may not be attached to a unit. Vines tend to grow under siding and into units causing damage to Section and unit owner property.
9. **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.
10. Mulch and/or stone may be used as **ground cover** in the planting area. Plastic used for this purpose is prohibited due to drainage considerations.
11. Stone of any type and size must be separated from the lawn areas by **appropriate borders** to facilitate lawn mowing and to eliminate any migration of material onto the surrounding and/or adjacent lawn area, walkways, driveways, etc.
12. 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 retention border).
13. All mulch and stone retention borders must have coordinating colors with the unit.
14. The following materials, subject to approval of aesthetic harmony with other approved or proposed installations, are **permitted as mulch or stone retention borders**: straight blocks or scalloped edgers, vinyl semi-ridged industrial strength edging with rolled top in black or green installed and staked as per manufacturer's instructions; field stone or

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similarly cut stone may be used to form a free-flowing mulch retention border. **NOTE:** treated timbers are not permitted as retention borders.

15. The **community's landscapers** as per contract trim new growth of shrubs once or twice a year depending on the type of shrub.
 - a. 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.
 - b. Unit owners are to place a yellow flag in front of any shrub that they do not want to be pruned. 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 at the Administration office.
16. **Vegetables** are prohibited from being planted in any planting area due to chemical treatments performed on common property areas. The unit owner may plant vegetables in pots: on their patio, within their planting area or at the rear of their unit (aesthetic considerations will apply). **NOTE:** A limited number of CCA garden sites for planting vegetables is available near the maintenance area; contact Lifestyle for more information.
17. **Planters** may not be hung from gutters or soffits or be attached to the exterior of the unit as these are common elements.
18. All plantings and modifications 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 and in compliance with these regulations and guidelines.
19. Any **planting outside of the *planting area*** should be discussed first with the 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. 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 as mature roots may cause damage. Trees must be suitable for the soil. 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.
20. Any landscaping that **extends beyond the 3-4 foot designated planting area** is the responsibility of the unit owner. Previously existing landscaping that measures beyond the planting area may remain at said dimensions, even as plantings are replaced or the landscaping design is changed. Any further extensions beyond those measurements must be approved by the Section in writing.