



## **E. ARC Landscape Modification Guidelines for Existing Homes**

### **1. ARC Approval IS NOT REQUIRED for the following:**

- 1.1. Clearing underbrush, invasive plants and dead shrubs.
- 1.2. Pruning small flowering trees and shrubs (dogwoods, mountain laurels and rhododendron) as long as it does not endanger the plant.
- 1.3. Cutting down or pruning saplings or other small trees that are less than or equal to 6" in diameter 3' from the ground.
- 1.4. Adding trees, shrubs, flowers and other plantings as long as no more than 20% of the existing landscape is impacted.

### **2. ARC Approval IS REQUIRED for all other landscape modifications, as detailed below.**

Other guidelines, detailed in separate documents, apply for unimproved lots, as well as hardscaping modifications and exterior renovations to existing homes.

- 2.1. Cutting down, limbing up or trimming any tree greater than 6" in diameter as measured 3' from the ground.
- 2.2. Removal of dead, damaged or diseased flowering trees and shrubs. Removal of healthy dogwoods, mountain laurels and rhododendrons is not permitted.
- 2.3. Significant re-landscaping projects impacting 20% or more of the existing landscape materials.
- 2.4. Any request to remove or modify trees or vegetation on an adjoining property owned by someone else is between the two parties and requires ARC approval; the owner of the property to be modified needs to complete and submit Form E (ARC Review/Approval Form for Landscape Modifications) as detailed below.

### **3. To Request ARC Approval:**

- 3.1. Complete Form E (ARC Review/Approval Form for Landscape Modifications) detailing the following:
  - 3.1.1. Overview of project, including a landscaping plan and/or list of plants or trees to be planted or removed.

- 3.1.2. The reason for removing the tree(s), where appropriate, and how erosion and debris will be handled.
- 3.1.3. Estimated timeline for start and completion.
- 3.2. Submit Form E, “before” photo(s), and the report of a certified arborist, if required under section 6.2., to [SomersbyParkARC@gmail.com](mailto:SomersbyParkARC@gmail.com) for ARC review and approval prior to beginning work.
- 3.3. All requests require electronic submission. Please advise if you need assistance complying with the requirement for digital submission.
- 3.4. Requests are reviewed by the ARC which will approve, approve with conditions, approve in part, or disapprove in writing.
- 3.5. The ARC endeavors to respond to all requests in a timely fashion. Do not proceed without written authorization.
- 3.6. Upon project completion, notify the ARC and submit “after” photo(s) to [SomersbyParkARC@gmail.com](mailto:SomersbyParkARC@gmail.com).

#### **4. Lawns and Landscaped Areas**

- 4.1. All lawns, landscaped areas and planting beds should be maintained in a neat and orderly manner.
- 4.2. Planting beds should be mulched and have distinct edges.
  - 4.2.1. Hardwood, pine bark and pine straw are acceptable mulching materials.
  - 4.2.2. Dyed or colored mulch and shredded rubber are unacceptable.
- 4.3. Grass lawns, whether on individual property or on the right-of-way, should be mowed on a regular basis.
- 4.4. Homeowners should keep up with regular weeding, pruning, and removal of yard debris, dead plants and overgrowth.
- 4.5. Erosion control should be considered in plant selection.
- 4.6. Evergreen plantings should provide a buffer for the driveway and parking areas.
- 4.7. Utility areas should be screened with evergreens or appropriate hardscape.
- 4.8. Plantings should soften the foundation line of the building and crawl space.
- 4.9. Vegetable gardens and rain barrels should not be visible from the street.
- 4.10. Use of statuary, globes, pots, garden figures and yard art should not be excessive and should complement the landscape.

#### **5. Peripheral Landscape and Natural Areas**

- 5.1. Where the size of the property permits, the peripheral landscape should be maintained in as natural a state as is possible.
- 5.2. Special care should be given to maintain these areas in an attractive, well-managed manner.

- 5.2.1. Dead, damaged, diseased or falling trees and limbs must be removed if potentially damaging or endangering neighboring properties or the roadway.
- 5.2.2. Weed growth must be controlled and overgrown vegetation, including kudzu, must be removed.
- 5.2.3. Poisonous plants may be removed, underbrush may be selectively cleared, understory may be thinned to provide better views, and grass or ground covers may be planted.

## **6. Trees and Shrubs**

- 6.1. Requests to modify trees and shrubs may be made to remove dead, diseased or fallen trees (as required in 5.2.1. above), remove limbs or trees of potential danger to residences or roadways, create a view corridor, or reduce the density of trees in a specific area to allow growth of more favorable species.
- 6.2. Options available include:
  - 6.2.1. Removal of an entire tree or shrub, with or without replacement using more desirable species.
  - 6.2.2. Canopy reduction and limbing to remove branches obstructing view or endangering residences or roadways. The extent of the limbing must be clearly noted on the request and is limited to no more than 25% of the existing limbs on the tree, except where, in the opinion of a certified arborist, limbing greater than 25% will not materially impact the tree.
  - 6.2.3. Thinning of trees and vegetation, as detailed in a certified arborist's report detailing the nature of the thinning.
  - 6.2.4. Topping a tree places it under considerable stress and will not be approved, except in rare circumstances, where, in the opinion of a certified arborist, the topping will not materially impact the tree.
- 6.3. All debris should be hauled away, cut and scattered or chipped and spread.

## **7. Right of Way:**

- 7.1. Prior to beginning any landscaping project, owners should keep in mind the HOA's ownership of the entire road bed and utilities right-of-way that exist between their property and Somersby Park roadways.
- 7.2. Owners enjoy an easement across the right-of-way and may landscape to the road edge; in doing so they assume complete responsibility for any landscaping installed in the right-of-way and are responsible for any damage that occurs. Owners are also responsible for removal of any plantings should the plantings inhibit or prevent access to utilities.
- 7.3. Any work that becomes necessary within this easement is not subject to stoppage or other interference by the affected property owner.

- 7.4. Owners should mark their boundary lines before starting any landscaping projects close to the edge of their property.

## **8. Roadside Drainage**

- 8.1. Mountain rainfall, often severe, creates heavy water flow on and along the roads of Somersby Park. Roadsides are susceptible to erosion in these conditions and measures must be taken to limit such damage from runoff.
- 8.2. Methods and materials used to control roadside drainage must be approved by the ARC prior to placement or installation.

## **9. Conduct of Workers:**

- 9.1. Use of the upper gate on Laurel Park Highway is restricted to property owners; all other traffic must access the property through the gate at 3080 Hebron Road. Contact [SomersbyParkARC@gmail.com](mailto:SomersbyParkARC@gmail.com) if you need a gate code assigned for workers.
- 9.2. Hours allowed for personnel to be on site are Monday through Friday from 7am to 7pm or dusk, whichever is earlier, and Saturday 8am to 5pm. No work may be performed on Sunday or major national holidays, including New Year's Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving and Christmas.
- 9.3. Property owners assume responsibility for conduct of workers. Loud cars and speeding are not allowed within the development, and if site conditions allow, all vehicles are to be parked on the property. Loud music is not permitted, and shirts and shoes are required while on the job site.
- 9.4. Dumpsters and PortAJohns, if used, must be removed within 24 hours of job completion.
- 9.5. Site cleanliness must be maintained at all times. If not appropriately maintained, a "stop work order" will be issued by the ARC.