

Permit application for

CONTRACTED SWIMMING POOL or WATER FEATURE

**PENN ESTATES PROPERTY OWNERS ASSOCIATION
ARCHITECTURAL REVIEW BOARD**

3445 Penn Estates East Stroudsburg PA 18301
570.426.9353 phone 570.421.1092 fax

Please submit the following:

Completed Permit Application

Permit fee of \$__75.00__ Please make checks payable to PEPOA (Penn Estates Property Owners Association).

Copy of Township zoning permit and construction permit.

A copy of contract between homeowner and contractor, signed by each.

Certificate of Insurance for contractor with PEPOA shown as a certificate holder.

Signed Contractor's Agreement.

Plans:

A copy of a plot plan which includes the proposed location of the pool or any water feature, and any associated construction. If proposed location is close to the property lines, an as built survey may be required.

A plan or drawing of pool/water feature and associated construction with dimensions showing a top down view (footprint).

For pools, include a plan of how and where the pool water will be drained, when necessary.

Site restoration plan if required.

ENCLOSURES FOR POOL CONSTRUCTION:

Application for Pool / Water Feature Permit

Contractor's Agreement

Relevant sections from Penn Estates Rules and Regulations

**PENN ESTATES PROPERTY OWNERS ASSOCIATION
APPLICATION FOR ALL CONTRACTOR POOL/WATER FEATURE PERMITS
(Please type or print)**

Owner(s) _____ Date _____
(Last Name) (First Name)

Address: Lot _____ Section _____ Street _____

Mailing Address _____
(Number/Street) (City/State) (Zip)

Home Phone _____ Business Phone _____

Other Phone _____ Fax Number _____

Applicant – if other than Owner _____

Brief project description, ie: 'swimming pool', 'pond', 'fountain', etc. _____

I/WE UNDERSTAND THAT:

1. No construction on or alteration of the site may be started before the Association reviews and approves a fully completed application for a property improvement permit, and inspects the site.
2. I/We have received, read, and understood, or caused their representatives to do so, and do agree to comply with all of the provisions of the Rules and Regulations of the Penn Estates Property Owners Association, and with all applicable National, State and Local codes. Any failure to comply will among other things result in either issuance of a permit with corrections and modifications or issuance of a denial of the permit by the Architectural Review Committee or Board or their agents.
3. I/We understand that Penn Estates Property Owners Association and its agents do not assume any responsibility or liability to the Owner for the quality of construction or code compliance of any contractor. All inspections by the Association are for its benefit only, and not for the benefit of the Owners of the property.

Included with this application: Permit Fee \$ _____ (make checks payable to PEPOA)

(Property Owner Signature) (Contractor Signature)

DO NOT WRITE BELOW THIS LINE – FOR OFFICE USE ONLY

Received by _____ Date _____

Missing from application _____

signed/dated ap contractor's agreement contract insurance fee Township permit

Date of completed application _____ checked by _____

APPROVAL CERTIFICATE

The attached plans and specifications are approved for property improvement purposes. Any conditions, corrections or modifications are noted on the Permit.

Application approved: _____ Date: _____
(Architectural Review Committee)

PERMIT # _____

CONTRACTOR'S AGREEMENT

BETWEEN PENN ESTATES PROPERTY OWNERS ASSOCIATION, ARCHITECTURAL REVIEW BOARD, AT 3445 PENN ESTATES, EAST STROUDSBURG, PA 18301, HEREINAFTER REFERRED TO AS "ARB", AND

NAME: _____ ("CONTRACTOR")

Doing business as: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE #: _____ FAX: _____

PA Contractor Certification number _____ expires _____



1. In consideration of having been granted authorization to complete certain work in the Penn Estates community, the Contractor hereby acknowledges that it is familiar with all the Restrictive Covenants, Bylaws, Rules and Regulations and Property Development and Improvement Code governing the residential properties in Penn Estates.
2. The Contractor agrees to comply with all rules and regulations of the Penn Estates Property Owners Association and its Architectural Review Board, and agrees to comply with the Declaration of Restrictive Covenants that is binding on all properties in the community.
3. Should the Contractor or its employees, subcontractors or suppliers in any way cause damage to any Common Facilities or to the property of any Property Owner in the community, the Contractor agrees that it shall be liable for all damages and shall pay to the Association, to the ARB, or to the individual property Owner whose property has been damaged, as the case may be, the fair cost for any loss incurred by them as a result of the Contractor's activity.
4. The Association and ARB reserves the right to conduct any inspections of the property as are reasonably necessary to assure compliance in the sole opinion of the Association with the Deed Restrictions, Property Development and Improvement Code and the Association By-Laws, Rules and Regulations for its own benefit and for the benefit of no other person whatsoever.
5. The Contractor shall not start any improvements (including lot clearing, landscaping, driveway work, etc.), until a valid Association Property Improvement Permit has been issued to the Property Owner, all dues and assessments are paid and all other required fees and charges are paid.
6. The Contractor has read the "Environmental Rules, the Property Development & Improvement Code and Permit Information", as published by the Association and hereby agrees to abide by the standards stated.

(Contractor's Authorized Signature and Company Seal)

Date

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Date Received

Date of completed application

**PENN ESTATES PROPERTY DEVELOPMENT AND IMPROVEMENT CODE
ARTICLE XXI FROM THE RULES AND REGULATIONS**

Relevant Paragraphs for Pools

39. POOLS

Definition: Swimming Pool or Pool. (1) A body of water having a depth at any point greater than two (2) feet intended to be used for personal swimming or bathing, (2) the physical structure intended to hold the water and (3) all other associated structures and systems. Permit Required: The ARB, where on-site conditions allow, may permit one private outdoor pool as an accessory structure on any residential lot in Penn Estates that is improved with detached single-family dwelling. All new pools and all material changes to existing pools require an ARB permit. The lot owner must apply to the ARB for a pool permit in the manner and form prescribed by the ARB. The ARB will review the design, location, elevation and landscape plan of the pool for compliance with this Article. The ARB shall issue a pool permit only if all requirements are met. Where the ARB requires a pool permit, the Township will too. The Township has a pool ordinance that must be followed. In addition, the Pennsylvania state law requires the use of the ICC International Residential Code on swimming pools, Chapter 41 and Appendix G. All pools must be constructed in the rear of dwellings *only*, not in front of dwellings. All parts of a pool structure must be a minimum of twenty (20) feet from the applicable side lot lines and rear lot lines. All pools must be constructed and operated appropriately for the safety of all the users by the lot owner at the sole risk of the lot owner. Not all lots in Penn Estates are of a size, configuration or location that would meet the requirements for construction of a pool. Certain lots, for example, have limitations like steep slopes, rock outcroppings, or wetlands that would preclude issuance of an ARB permit for a pool. Only the family occupying the dwelling and the family's personal guests may use the private swimming pool. The construction and maintenance of the pool facility and the use of the pool must meet or exceed all applicable requirements for the environment and construction of pools in the Penn Estates Rules and Regulations, the Penn Estates Building Code, the Township Ordinances and zoning regulations, the Pennsylvania Uniform Construction Code and all other laws and regulations that apply. Fencing: Every in-ground pool must be enclosed entirely by a fence or other appropriate means to assure the pool area is safe and secure. Fences shall be permanent and complete. For in-ground pools, fencing must be at least four (4) feet high. For above ground pools, all sides of the pool must be at least four (4) feet above the lowest ground level. The outside of a dwelling or an approved accessory building may be used as part of a fence with the approval of the ARB. The fence shall be structurally suitable to deter a person's gaining access to the water in the pool. Fencing shall also comply with all other PEPOA Rules and Regulations for fences including, but not limited to, location, materials, color, and aesthetics. All above ground pools and related accessories proposed for locations that could be readily viewed by neighbors or passing traffic must be screened appropriately by an approved fence or by low-growing plantings that provide a natural visual barrier.

Electrical outlets and lights are normally prohibited inside the pool security enclosure or fence including the deck. The maximum depth of all above ground pools shall be five feet five inches (5' 5"). Professional contractors with appropriate experience in pool construction are recommended to construct pools in Penn Estates. However, homeowners may construct a pool if they have the appropriate knowledge and experience to construct a pool that will be properly built and safe to operate. Whenever a lot owner must drain a pool, all water from the pool must discharge into existing surface water drainage swales or into roadside drainage ditches. No pool water whatsoever may be discharged into the community sewer system or be allowed to flow onto any adjacent residential lots.