

BUILDING OR MODIFYING

YOUR HOME AT WINTERGREEN

A DOCUMENT FOR PROPERTY OWNERS AND CONTRACTORS



ARCHITECTURAL REVIEW BOARD (A.R.B.)

OF THE

WINTERGREEN PROPERTY OWNERS ASSOCIATION (W.P.O.A.)

OCTOBER, 2020

BUILDING OR MODIFYING YOUR HOME AT WINTERGREEN

CONTENTS

I. WELCOME AND INTRODUCTION TO THE ARCHITECTURAL REVIEW BOARD	3
II. THE COVENANTS	5
III. DESIGNING YOUR HOME	6
IV. DESIGN CRITERIA AND RECOMMENDATIONS	8
V. DESCRIPTION OF APPLICATION PROCESS FOR FINAL DESIGN REVIEW	12
VI. DESCRIPTION OF BUILDING PROCESS	13
VII. UTILITIES INFORMATION	14
VIII. SPECIFICATIONS GUIDE FOR CONTRACTORS	15
SIGN FOR ATTACHMENT OF E-911 PLAQUE	18
ENCLOSURE SCREENING	19
IX. FORMS	
PRELIMINARY REVIEW APPLICATION	20
APPLICATION FOR WINTERGREEN ARB FINAL DESIGN REVIEW	21
PROPERTY OWNER AGREEMENT	22

REVISED OCTOBER, 2020

I.

WELCOME AND INTRODUCTION TO THE ARCHITECTURAL REVIEWBOARD

The Architectural Review Board (ARB) of Wintergreen has designed this document to orient you to the review process for building or modifying your vacation retreat or permanent residence at Wintergreen. The ARB hopes that the process is as trouble-free as possible and that you can soon enjoy the home that you have long dreamed would someday be yours. Those who have chosen to make their home at Wintergreen have done so because of the unique community, environment and resources. Through compliance with the Covenants by individual property owners, their enforcement by the Wintergreen Property Owners Association, Inc. (WPOA), and the stewardship provided by The Nature Foundation at Wintergreen (TNFW), the community confidently expects to preserve this beautiful natural setting for the future enjoyment of all our property owners.

Whenever a property owner proposes to build any new structure on a home site or alter in any way the exterior of a previously existing building on a site (including painting or replacing a roof), the plan must be approved through a review process. The review process is accomplished by a committee appointed by the WPOA Board of Directors known as the Architectural Review Board (ARB). The ARB was established to implement the purposes of the Wintergreen Covenants with regard to creating an aesthetically pleasing and functionally convenient community in a beautiful natural setting. The Covenants contain certain procedures and restrictions affecting each owner and the use of his or her site that must be followed by the ARB and the property owner. **A meeting with a representative of the ARB is required with each lot owner before plans can be submitted to the ARB for approval.** The ARB tries to provide assistance to property owners to help in identifying the unique opportunities of their individual sites. Through their experience, observations and associations with previous planners, architects, landscape architects and builders who have worked with Wintergreen, the ARB can make suggestions or recommendations available to the individual property owner through the review process. Preliminary plans for new homes may be submitted to the ARB. Some samples of approved materials and colors are available in the ARB office. Final plans must be given to the ARB for approval for a new building or changes to an existing building before applying for a building permit from the County Building Official and before any construction commences.

The entire community of Wintergreen is situated on one contiguous property, but is comprised of two geographically separate areas, unconnected by direct roads within the property. The two areas, connected by Routes 151 and 664, are commonly referred to as the Stoney Creek Valley community and the Mountain community. The WPOA is the common association to which all property owners belong.

In general, the Stoney Creek valley floor is at 800 feet above sea level, while the mountain and ridge areas of Wintergreen -- Crawford's Knob in Stoney Creek, Black Rock Mountain and Devils Knob on the mountain -- have maximum elevations between 2100 to 3850 feet. There are differences in the vegetation, topography and climate in the two areas and these differences can influence the plan and landscape of your home. Temperatures vary according to the altitude. In general, the altitudes above 2800 feet have temperatures 10° to 15° cooler than the valley. Average summer temperature in the valley is approximately 75 degrees, with highs near 87° and lows near 66°. The average winter temperature in the valley is about 38° with highs near 46° and lows near 21°. The high mountain areas have experienced temperatures as low as 25° below zero. The average annual rainfall is about 46" but the mountain gets about 20 more inches of snow than the valley's 21". There are some important distinctions made by the ARB with regard to mountain and valley structures and regulations based on these differences. Heating and air-conditioning needs are one obvious difference. Landscaping requirements are different as are water and sewer availability. Provisions for water management are also influenced by the differences in slope.

The ARB since 2001 consists of five (5) voting members made up of two (2) property owners from the mountain community, two (2) property owners from the Stoney Creek community and one at-large member. Two rotating non-voting members are chosen from the real estate community and the building contracting community. Also sitting on the Board is a non-voting architectural consultant. All members of the ARB are appointed by the Wintergreen Property Owners Association Board of Directors. The ARB is supported by members of the WPOA staff including the Assistant Executive Director of WPOA, the Office Manager for the ARB and a Field Inspector.

The ARB meets on the first (1st) and third (3rd) Thursday of each month to review preliminary or final plans submitted by contractors and/or property owners. The deadline for submission of completed applications and plans for review is **eight (8) days** prior to the next scheduled meeting.

This document contains general information that will prove helpful in the design of your home. Also included are samples of the forms that are necessary in making application for architectural review. If you have any questions on any of the requirements, please call the Office Manager for ARB at 434-325-8533 or the Field Inspector at 434-325-8537. The mailing address for the ARB is:

**WPOA Architectural Review Board
88 Wintergreen Drive
Wintergreen Resort, VA
22967-2162**

II.

THE COVENANTS

Every property owner at Wintergreen receives the book entitled Covenants and Restrictions (hereafter the Covenants). The latest revisions to the Covenants were approved by the membership in 2008 and recorded in Nelson and Augusta Counties in 2009. The Covenants represent a contract between the individual owners and the community. This summary reminds each property owner of what they promise to do when they become owners. However, it is strongly suggested that owners read carefully the Covenants documents they have received and seek legal counsel for any areas they wish to have clarified.

The primary purpose of Wintergreen's Covenants and the foremost consideration in their origin is the creation of a community that is aesthetically pleasing and functionally convenient. The Covenants are designed to encourage the preservation of privately owned property values and to provide for enhancement of common property rights enjoyed by all owners.

Part I of the Covenants defines the standards for building a new home or changing an existing one. It is important to notice that THERE ARE **FEW OBJECTIVE STANDARDS** RELATING TO DESIGN, SIZE AND LOCATION OF DWELLINGS AND OTHER STRUCTURES ESTABLISHED IN THE COVENANTS. The founders did this so that in the future, the ARB and the property owners could take full advantage of the individual characteristics of each parcel of property, of technological advances over the years and of new understandings of their environment. For instance, for reasons of fire safety the original standard of only allowing cedar shakes for roofs has been changed so that cedar shakes are no longer allowed and composition shingles or metal roofs are required. The ARB has the authority to consider these circumstances and to establish objective standards and guidelines relative to design criteria and recommendations. The ARB has the right to grant approvals or denials **on a case-by-case basis**. Other specific restrictions and obligations in the Covenants bind the property owners and are the concern of the ARB. Some more important ones pertain to signage, condition of the lot, water management and grading, easements, maintaining trees, shrubbery and native vegetation.

In Part II of the Covenants, there are Additional Restrictions to Implement Effective Environmental Controls. These are in place in order to protect the natural beauty of the vegetation, topography, and other natural features of all properties within Wintergreen and the purity of the watershed areas in Wintergreen. WPOA can take action necessary to effect compliance with environmental rules and regulations. The environmental controls established include the restrictions that: (1) topographic and vegetation characteristics of properties shall be minimally altered and there shall be a minimum of earth movement and vegetation reduction, **(2) no trees, shrubs or other vegetation may be removed without written approval if more than ten (10) feet away from the footprint of the house,** (3) adequate and effective erosion control must be exercised, and (4) vegetation must be controlled to preserve beauty or safety.

In Parts IV and V of the Covenants, there are additional restrictions affecting golf fairway properties and ski slope properties that should be noted. There are amended Valley Residential Covenants. In addition, individual subdivisions may have covenants or restrictions applicable only to that subdivision.

In the event of violation or breach of any restriction, neighbors and/or WPOA may proceed at law. **The failure to enforce any rights or reservations regardless of how long such failure shall continue does not disallow right to enforce.**

III.

DESIGNING YOUR HOME

From the beginning, those associated with Wintergreen recognized the unique, natural and unspoiled environment of the portion of the Blue Ridge Mountains and Rockfish Valley in which Wintergreen is located. The quality of this environment (including the topography, vegetation and wildlife) is the prime asset which attracted all of us to this particular property and is the feature that we realize is our obligation to preserve and enhance for the enjoyment of all property owners in Wintergreen.

With your realtor, you selected a particular home site that uniquely appealed to you and your family. You will want to design a home that will fit that site and enhance its character and reflect your style of living. Excellent local architects, contractors, and designers are available in the area. Your realtor will be glad to offer their names. You may select a plan from a plan book or plan service. In this case, we caution that all plans are not appropriate for all lots. Purchased plans must be amended to show actual design, material and accurate elevations. **IN SOME CASES, IT MAY BE NECESSARY TO REDRAW THE PURCHASED PLANS TO REFLECT ACTUAL DESIGN AND MATERIALS TO BE USED.**

As stated earlier, preliminary plans for new structures or alterations may be submitted to the ARB. This Preliminary Review Process allows the ARB the flexibility to provide a "Wintergreen" perspective. **The ARB will review your plans and make suggested or required changes for design modification, siting and orientation prior to the preparation of the final documents.** Photographs of the existing site and the adjacent properties or structures are always helpful. This procedure allows you to address design problems before you undertake the expense of preparation of detailed plans for the final review.

The Application for Preliminary Review form is in the forms section of this document.

For the preliminary review, the building design concept (preliminary plans and elevations) should be indicated on a site plat to provide parameters for location of the house, driveway and road entrance. A necessary condition for any final approval is a plat and building location drawing performed by a licensed surveyor to define site boundaries and exact location of the building construction.

According to the Covenants, topographic and vegetation characteristics of properties shall be minimally altered. There shall be a minimum of earth movement and vegetation reduction and no trees, shrubs or other vegetation may be removed without written approval if more than 10 feet away from the footprint of the house.

When you have made your final decisions and the plans are prepared, it is time for final submission to the ARB for review and approval. A description of the Application Process is in Section V, The Application for Final Design Review is in the Forms Section, and the Specification Guide for Contractors is in Section VIII. When your Application is approved, your contractor will apply for a Building Permit from Nelson or Augusta County.

NOTE: A completed Application for Wintergreen ARB Final Design Review along with all completed documents may be submitted to the ARB without first submitting preliminary plans. However, this may result in major modifications and changes at the Board's discretion.

You should count on two to four months for design time and approval and eight to twelve months for construction. Be patient. Make decisions calmly and rationally. Remember, although twelve months might seem like a long time when you are anxious to have a house in Wintergreen, you will be enjoying that home long after it is completed.

You and your contractor should understand that all construction and development should be completed in a visually unobtrusive manner. According to the Covenants, topographic and vegetation characteristics of properties shall be minimally altered and there shall be a minimum of earth movement and vegetation reduction. As the first step in the ARB approval process, each owner or the contractor is required to meet with a representative of the ARB on the lot to discuss the many natural attributes of the site including siting, vegetation, water management and the Covenants pertaining to the construction of the new home. **The ARB application process cannot begin until this meeting is completed. REMEMBER, YOU AS THE OWNER, ARE ULTIMATELY RESPONSIBLE FOR COMPLIANCE WITH THE COVENANTS.**

THE ROLE OF THE NATURE FOUNDATION AT WINTERGREEN

The Nature Foundation at Wintergreen (TNFW) at the Trillium House exists to encourage the understanding, appreciation and conservation of the natural resources of the Blue Ridge Mountains of Central Virginia. TNFW offers a service to prospective home builders. A naturalist may visit your site before construction begins in order to identify the native flora. With your permission, the TNFW can move native shrubs, wildflowers, ferns and other plants before construction begins on the site. Those plants can be transplanted to other sites at Wintergreen and thus be saved.

IV.

DESIGN CRITERIA AND RECOMMENDATIONS

In general, the desired goal at Wintergreen is to create building forms that readily become part of the natural environment. Homes on the flat valley floor will have somewhat different requirements than those on the mountain slopes. However, for every home, harmony of the exterior design, the proportions of the overall structure to its parts, details of railings, doors and windows, roof type and pitch will all be considered. Carefully selecting materials, colors and finishes will contribute to the overall appearance of the differing Wintergreen environments. **As Wintergreen grows, the relationship of each residence to that of its neighbors becomes increasingly important and should be a prime consideration in the design process. Preservation of the natural environment and of the purity of our water through careful earth movement and landscaping is always a high priority.**

NEW HOMES

The following information and recommendations are offered to property owners and their architects or designers as a planning guide for use during the design process for new homes. The ARB is concerned with the following basic considerations when making its decisions in the review process and will base their approvals on these concerns.

ORIENTATION AND SITING: Generally, the relationship of a house to the street should be considered subordinate to the other parameters. In other words, it is not important that the house is parallel to the street, but the siting should instead be derived from the desired views and the slope of the land. Residential areas have a variety of views towards which a house may be oriented, such as the mountains, woodlands, golf courses, ski slopes or a distant valley. When selecting one or more specific views towards which to orient your house, you should take into account the effects of various exposures to the sun and wind. Siting the house parallel to the contours will result in less damage to the site and contribute to the appearance of a house "fitted" into its environment. This positioning permits the retention of the natural features around the house and allows passers-by to look beyond the structure to longer distance views rather than having their view interrupted by a man-made object.

In siting your home, the relationship of the structure(s) to existing or future nearby structures, streets, property lines, future utilities, septic fields and wells must be considered. Remember, in mountainous terrain with climbing, winding roads, four sides of a house as well as the roof and underside are often visible from different points on adjacent roads and lots. Extreme care must be taken to keep the roofline below the treetops. Drainage water from roofs and paving must be distributed over large areas of ground or routed to graveled trenches covered with native plant materials to minimize erosion.

The siting of the home and driveway is critical for both the owner and for neighbors. Set-backs of at least fifteen (15) feet to the side and back are required for the preservation of vegetation, prevention of erosion and to protect the privacy of all. Every effort should be made to place the utility trench within the footprint of the driveway thus decreasing the need to clear vegetation. Effort should also be made to place the grinder pump in the ten (10) foot cleared area around the house. The restoration of a vegetation buffer area may be required in the event of over clearing of vegetation.

The siting of the home and driveway must consider the site topography. Prevention of erosion is a thoughtful consideration on sloping lots. Terracing, such as the use of log berms placed horizontally at right angles to the slope, is an easy method for controlling erosion on a disturbed slope. Natural topography, such as a rock outcrop, frequently harbors a diverse and unique flora. Outcrops may be a focus of a landscape plan and should remain undisturbed.

The Covenants provide for a 30-foot easement along any property that joins a golf course or ski slope. There is to be no disturbance, cutting of vegetation or siting of the house, deck or other structure in this easement without the approval of Wintergreen Pacific LLC and the ARB.

ACCESS AND PARKING: Driveways must be considered from the standpoint of safety of access upon the main road, ease of grade and minimizing the destruction of growth and disturbance of the landscape. Curved rather than straight driveways are preferred. Only one driveway is permitted per property. While two improved off-street parking spaces are mandatory, spaces in addition to this minimum are highly desirable to accommodate visitors. Due to the steep slopes on some lots, it may be necessary to provide parking near the road. Imaginative solutions to this problem are encouraged to avoid the unsightly condition of numerous cars parked just off the main road. Interference with natural drainage flows and the introduction of surface drainage from nearby roadways must be avoided.

DRIVEWAY PAVING: Driveways that are relatively flat with a slope of less than eight (8) percent may have a gravel finish surface. Driveways constructed with a slope of eight (8) percent or greater must be paved with a hard surface. Driveway connections must be constructed as approved by WPOA staff.

FOUNDATIONS: Exposed masonry foundation walls must be held to a **maximum of six (6) feet and must be parged and painted with a color that will blend with the exterior finish of the house. Native stone may be used.** Pier foundations are not recommended since it is exceedingly difficult to insulate water lines and floor systems to prevent freeze-ups during the winter months. Few lots lend themselves to slab on grade construction, though this is a permitted method when site conditions allow. Most grade conditions will require a standard reinforced concrete footing with crawl space or basement below the wood framing.

EXTERIOR LIGHTING: Only **minimum amounts** of lighting to illuminate doorways, walkways and decks should be used to prevent light pollution in residential areas. **Low-wattage, ground level landscaping lighting is encouraged, and, if overhead lighting is necessary, it should be shielded and pointed downward.** External light fixtures must be approved as to placement and type before they are installed.

EXTERIOR MATERIALS: The fewer materials (and colors) utilized on the exterior of a house, the more cohesive the structure becomes. Cedar, cypress and redwood siding or their synthetic counter-parts (such as Hardi-Plank) in a variety of configurations are encouraged, as is stone native to the area. **Vinyl or aluminum siding is not allowed. No reflective finishes may be used on exterior finishes with the exception of hardware items.** Size and location of solar panels must be approved by the ARB.

WINDOWS: In all instance's windows should be of energy efficient construction complete with insulating glass glazing. **Natural or bright aluminum finishes are not acceptable.** Window frame finishes must be dark or warm earth tones, i.e.: sandstone, gray, beige, etc. White may be considered for valley floor homes. **White windows will not be allowed for the higher altitude homes.**

ROOF FORMS: Roof slopes shall be appropriate for and in harmony with the architectural style of the house and the character of the land. more traditional style roofs shall have steeper slope roof lines (7 in 12 and above) for the main roof with lower slope roofs allowed for ancillary roof lines. overhangs should be considered for protection from sun and rain. High winds in certain locations should be kept in mind for roof slopes and details.

ROOFING MATERIALS: Composite shingles, concrete shingles and metal roofs are permitted. When asphalt shingles are used, they must be **250# minimum weight per square (40 year or above) and shake-type design. Wood shingles are not allowed due to fire hazard.** All roofs are subject to material and color approval. Size and location of any solar panels must be reviewed and approved by the ARB.

EXTERIOR COLORS: Exterior colors will be carefully controlled. **A sample board must be submitted with the final application showing all exterior colors for siding, trim, windows, foundation, roof, gutters, etc.** For questionable colors, the ARB retains the option to require that a sample of paint three to four (3 to 4) feet square be applied directly to the house for staff review, before the whole house is painted. On higher altitude homes, white or exceptionally light colors, including exposed natural aluminum finishes, are prohibited. Warm earth tones or weathered grays are preferred. A broader range of colors is permitted for valley floor homes.

LANDSCAPING/EXCAVATION: It is required that the existing terrain be left undisturbed to the extent possible in order to preserve the natural vegetation in wooded settings. **General clearing of the site is not permitted.** Particular care should be taken to preserve the natural understory and ground cover. All disturbed areas must be stabilized with bark mulch, rock or river gravel or ground cover so that the likelihood of soil erosion is minimized. **Once the final plan is approved for construction, no trees, shrubs or other vegetation regardless of diameter may be removed without written approval if more than ten (10) feet beyond the footprint of the house and the area designated for the driveway and utility trench.** Equipment appropriate to the site to accomplish minimal earth movement should be employed. In the event that unique construction techniques such as modular components are being considered, such techniques will not be prohibited. However, there shall be no clearing of vegetation or changing of topography performed **in excess** of that required for a conventional home. Where foundations may be a problem, the ARB has the option to require a preliminary landscape plan before approval of the final landscape plan if required.

In all cases, the use of native plant materials is encouraged and preferred. Use of invasive species like tree of heaven, kudzu, Japanese stilt grass, garlic mustard, purple loosestrife, crown vetch, Japanese honeysuckle and others should be strongly avoided.

GRADING & STORM WATER MANAGEMENT: Because of the likelihood of soil erosion, concentration of surface water should be avoided. **Provisions for storm water management must be shown on the drainage/water management plan as well.** Silt fencing or other erosion control structures may be required. Provisions to accomplish this requirement must be shown on the Grading Plan.

STORAGE BUILDING REQUIREMENTS: Storage buildings will be considered as a permanent detached building as per the definitions outlined in the Covenants and Restrictions of February 1, 2000 and must conform to the specific requirement for total number of detached buildings allowed on the site at the particular subdivision. **Storage building construction shall be of the same materials and finishes as those used on the primary residence and ARB. Approval requirements are the same as for a primary residence (elevations, site plan, cross section, etc.).** Building permits must be obtained and displayed at the site whether unit is of modular construction or constructed at the site. If electricity is provided, it shall require county inspection and approval. Modular storage units on skids will not be approved. Structures shall be anchored to a concrete slab or an approved foundation system capable of resisting the horizontal wind load imposed on the building.

OUTDOOR FIREPLACES AND FIRE PITS: Outdoor wood-burning fireplaces must have a 36-inch minimum height chimney with a spark arrestor. Chimineas and similar wood-burning features also must have a 36-inch minimum height chimney with a spark arrestor. Outdoor gas log fire pits are permitted. Outdoor wood-burning fire pits are prohibited due to fire danger.

FENCES AND SIMILAR LANDSCAPE FEATURES: To maintain the open, rural and uniquely beautiful natural environment of our community, the ARB, at the instruction of the WPOA Board of Directors, has implemented the following updated guidelines relevant to the construction of fences and landscape structures.

The Wintergreen Covenants and Restrictions require that all fences, walls or landscape structures must be approved by the ARB prior to construction. The application must show the design, location of both property lines and the fenced area (staked out), materials and height of such structures. Among the factors which will be considered are whether the structure will create a boundary-like visual barrier

between properties, detract from a neighbor's view shed, or that the proposed structure is simply not in keeping with the aesthetics of the community. Fences are generally discouraged except where required by building codes, such as enclosing a swimming pool area.

Fences shall not be approved on properties fronting on or adjoining the golf course, both at Devils Knob and in Stoney Creek. In cases where animal containment is necessary, "invisible" buried fence systems are permitted. Installation of an underground invisible type fence must be installed outside the thirty feet (30') golf course maintenance easement and no closer than fifteen feet (15') from the other property lines.

For a fence to be considered, it must meet the following:

- Fences are not permitted in the front yard.
- Fence height shall not exceed 42 inches in height.
- Fences must be located a minimum of fifteen feet (15') from the property lines and not obstruct any existing easements (utility, ski maintenance easement, etc.).
- All proposed fencing must be made of wood materials and be of a 3-board or split rail type. Any finish applied must also be approved by the ARB. Architecturally designed projects that include the use of stone materials may be considered.
- Use of a welded wire type material on the inside of a fence may be considered.
- Once constructed, all fencing and landscaping must be maintained in acceptable (to the WPOA) repair and appearance.
- All applications for fences must be accompanied by a complete landscape plan and the fence location must be staked out onsite before the ARB review.

EXISTING HOMES

The on-going appearance of properties is a concern of the ARB. **Owners of existing homes must consider the recommendations set forth in proposing changes. The following are examples of changes that must be submitted to the ARB:**

1. Exterior expansion or alteration of any type
2. Conversion or additions to screened porches
3. Changes, additions to or removal of windows, skylights, doors, etc.
4. Repainting home, trim, deck or other appendages to the home even if the color is the same
5. Installation of hot tubs, fish ponds, fountains, gazebos or storage buildings
6. Planting of trees or shrubs in areas affecting the enjoyment of neighbors of their property
7. Changes or additions to landscaping, yard slopes or irrigation systems, especially if **drainage patterns** may be affected
8. Clearing of trees beyond ten (10) feet of the footprint of the house
9. Clearing of understory, shrubs and native vegetation
10. Addition of any exterior lighting
11. Construction of fences or similar landscape structures
12. Construction of retaining walls and entrance columns or posts at the edge of the driveway
13. Reroofing of the residence

V. DESCRIPTION OF APPLICATION PROCESS

THE ARCHITECTURAL REVIEW BOARD MEETS THE 1ST AND 3RD THURSDAY OF EACH MONTH to review applications submitted by property owners for preliminary or final approvals. **COMPLETED APPLICATIONS AND PLANS MUST BE RECEIVED FOR REVIEW EIGHT (8) DAYS PRIOR TO THE NEXT SCHEDULED MEETING.** The house site and driveway must be staked for inspection before submission for final approval.

Complete applications with plans and all required information and samples will be reviewed at the first meeting following submission and the meeting on the site with an ARB representative has been completed. However, the 30-day limitation on approvals as established in the covenants will apply to all situations.

No clearing of the lot, storing of materials, posting of signs (including contractor signs) or other construction work including the cutting of a road into the property for purposes of digging a well (in most cases, the ARB staff can advise and approve an entrance for well digging), except the mandatory staking of the driveway and house, shall begin on any home site until final approval has been granted by the ARB. CONTRACTOR SIGNS SHALL BE REMOVED WHEN THE CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED.

The Covenants provide for a 30-foot easement along any property line that joins a golf course or ski slope. There shall be no disturbance, cutting of vegetation or siting of the house, deck or other structure in this easement without the written approval of Wintergreen Pacific LLC and the ARB.

APPLICATION PROCESS REQUIREMENTS

ALL OF THE FOLLOWING REQUIREMENTS MUST BE COMPLETED.

LACK OF ANY COMPONENT WILL DELAY CONSIDERATION.

1. Application for Architectural Review Board Preliminary Review (if desired)
2. Application for Wintergreen Architectural Review Board Final Design Review:
 - a. Submit completed Wintergreen Architectural Review Board Final Design Review form
 - b. Submit Application Fee made out to W.P.O.A. as specified on application form.
 - c. Submit four (4) copies of Site Plan.
 - d. Submit four (4) copies of Staking Plan (THIS MUST BE DONE BY A LICENSED SURVEYOR) that may be placed on Site Plan. **The house and the driveway must be staked prior to consideration.**
 - e. Submit four (4) copies of Grading / Water Management Plan (THIS MUST BE DONE BY A LICENSED SURVEYOR) that may be placed on Site Plan.
 - f. Submit four (4) sets of finalized House Plans and Specifications.
 - g. Submit **completed Agreement to include Owner(s) signatures.** Faxed copies with signatures are allowed.
3. Architectural Review Board Letter:

This letter, sent to the owner, will contain approval, recommendations or denial with an explanation. Each party must comply with the requirements outlined therein. In the event of a final approval a copy will also be sent to the appropriate County Building Inspection Department.

VI.

DESCRIPTION OF THE BUILDING PROCESS

A pre-construction meeting is required between the owner, contractor and the ARB Field Inspector

Your building contractor must observe the following when beginning construction. **No clearing, storing of materials or other construction work, except the mandatory staking of the driveway and house, shall begin on any home site until final approval has been granted by the ARB. The Covenants provide for a 30-foot easement along any property line that joins a golf course or ski slope. There should be no disturbance, cutting of vegetation or siting of the house, deck or other structure in this easement without the written approval of Wintergreen Pacific LLC and the ARB.** The Building Permit from Nelson or Augusta County will be obtained only after the review process is completed and approval is granted by the ARB. **The building permit must be posted on the site before sitework begins.** A GENERAL CONTRACTOR SIGN MAY BE PLACED ON THE PROPERTY WHEN A BUILDING PERMIT IS POSTED AND MUST BE REMOVED WHEN THE CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED. SUBCONTRACTOR SIGNS ARE NOT PERMITTED.

All construction must comply with approved plans and specifications. **Any additions or alterations to approved plans or substitutions of exterior materials must be submitted to the ARB in writing and must be approved before changes are put into effect.** Clearing trees and ground disturbance should be minimal and is not to exceed ten (10) feet from the foundation in order to preserve vegetation.

Construction noise should not start prior to 7:00 a.m. and should end by 9:00 p.m.

REQUIRED INSPECTIONS AND APPROVALS

At the appropriate times during the construction process, the following inspections will be performed by the ARB Field Inspector:

1. Staking of the footprint of the house and driveway (part of the review process)
2. Inspection of driveway culverts for size and depth (Driveways need to be planned and constructed so that the required base is in place as construction commences. Stabilized areas on which to park vehicles, temporary if necessary, will be inspected on site during house construction.)
3. Monthly inspections will be performed to assure compliance to approved plans, siting and materials and cleanliness of job site
4. Final inspection within one month of occupancy for adherence to specifications of design plan
5. Completion of approved landscaping (where required) within 12 months after occupancy

OCCUPANCY OF A BUILDING BEFORE A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED WILL BE REPORTED TO THE COUNTY BUILDING INSPECTOR.

VII.

UTILITIES INFORMATION

TELEPHONE: Telephone landline service may be supplied by Verizon, Lynchburg, VA 434-954-6222. Voice over Internet Protocol (VoIP) may be available in some areas of Wintergreen through Nelson Cable, Lovingston, VA 434-263-4805. Cell phone service is available through various companies.

POWER: Electrical service will be supplied by the Central Virginia Electric Cooperative (CVEC) Lovingston, VA, 434-263-8336.

WATER: Water is supplied to mountain homes by the Nelson County Service Authority, 434-263-5341. Water is supplied (where available) in the valley by Aqua Virginia 877-987-2789. All property owners with water available to their property will be subscribers. Other property owners must drill individual wells for their water supply.

SEWER: Wintergreen's Mountain Community and some Valley Community plots have central sewer systems. All property owners with sewers available will be subscribers and are assessed based on their monthly water meter readings. Owners of Back Country parcels, Hickory Ridge, Fortunes Ridge lots 38A, 38B, 39A & 39B, and most valley home sites will use septic tank sewerage.

TRASH DISPOSAL: There is no community trash collection at Wintergreen. Trash compactors are located on the mountain at the Wintergarden Parking Lot and on Blackrock Drive. For the valley, trash compactors are located on Rt. 151 approximately 4 miles north of the Stoney Creek entrance on Rockfish School Lane. Additionally, the Wintergarden site provides recycling bins for paper.

CABLE: Contact Nelson Cable for cable and satellite service, 434-263-4805. Satellite TV service also may be provided by DirecTV, 1-888-777-2454 or Dish Network, 1-877-478-6670.

VIII.

SPECIFICATION GUIDES FOR CONTRACTORS HOUSE PLAN REQUIREMENTS

Four (4) paper copies of plans drawn to scale with sufficient clarity and detailed dimensions to show the nature of all electrical wiring, plumbing, mechanical, fire prevention and insulation rating throughout the building from foundation to top of roof are required. In addition, electronic copies or scanned copies of plans are to be submitted. **When there are changes in plans**, the ARB **must** be notified and approval must be given **before** the work is done. **All purchased plans must be amended to show actual appearance (in some cases, it may be necessary to redraw plans reflecting actual design, elevations and materials). RED-LINED OR FREE-HAND MODIFICATIONS WILL NOT BE ACCEPTED.**

Upon approval, two (2) sets will be provided to the County Building Official's Office, of which one set will be placed on the job site upon approval by the County Building Official. **One (1) set will be provided to the builder or owner (to be picked up in the ARB Office within 45 days after approval or this set will be disposed of). One paper copy and the electronic copy will be filed in the ARB office. ALL PLANS MUST ADHERE EXACTLY TO THE FOLLOWING SPECIFICATIONS:**

1. **Foundation Plan** – 1/4" = 1.0' showing footings and foundation walls.
2. **Floor Plans** – 1/4" = 1.0' showing all dimensions and the total square footage of enclosed heated areas and the roof areas. All porches, decks and exterior stairs must be shown and dimensioned.
3. **Elevation** – 1/8" or 1/4" = 1.0' showing all four (4) sides including foundation. Elevations must reflect the actual contours of the site.
4. **Typical Building Cross Section** – 1/4", 1/2" or 3/4" = 1.0' showing construction details at each level.
5. **Complete** specifications, construction dimensions, details (required by the Building Official).
6. **Electrical** meter location on the house.
7. **Each sheet of the plans must be identified (Lot No., Block, Section, Owner's Name & E-911 address & architect's or designer's address & phone number).**

SITE PLAN REQUIREMENTS

(1" = 20' scale) FOUR (4) COPIES TO INCLUDE THE FOLLOWING ELEMENTS:

1. PROPOSED HOUSE LOCATION FIELD SURVEY AND DRAWING:

This must be prepared by a Land Surveyor licensed in the Commonwealth of Virginia.

The field survey shall be comprised of the following:

- Verification and marking of all boundary markers based on current plats of record.
- field marking of the point of intersection of the center of the proposed driveway and edge of pavement of the existing road
- field stakeout to a minimum accuracy of 0.5' of the exterior most foundation corners with point designation written on stakes.
- field location of a minimum of two (2) nearest corners of any existing adjacent structures
- upon boundary verification, contractor shall install and maintain string lines along lot sidelines throughout all construction phases.

The site plan drawing shall include the Surveyor's signed and dated seal and shall depict the following:

- title box to reflect lot number, subdivision, section, etc.
- north arrow
- drawing scale and date
- preparers name, address and phone number
- metes and bounds on all subject boundary lines.
- road names
- easements of record
- point at which center of proposed driveway will intersect the existing subdivision road as well as center line of entire driveway, at minimum 20' intervals.
- proposed house, decks, porches, etc.
- point designation of exterior most house corners as staked.
- elevations of all staked corners as they relate to proposed driveway point referenced above
- offset dimensions shown perpendicular from property lines to nearest house corners.
- nearest two (2) corners of any existing structures

2. SITE AND STORM WATER MANAGEMENT PLAN:

This must be prepared by a Land Surveyor licensed in the Commonwealth of Virginia. (The site plan and storm water management plan may be shown on same drawing).

The drawing shall include the Surveyor's signed and dated seal and shall depict the following:

- all items shown on the Proposed House Location drawing except point designations and relative elevations
- existing topography:

Note: Field run topography for all disturbed areas will be required on any plat submitted to the ARB for new construction. As the build-out of Wintergreen continues, houses are being built on more challenging lots where aerial topography is not adequate to address potential problems with the exposed foundation and water management plan. Field-run topography must include a benchmark set maintained throughout all construction phases.

- proposed improvements to include, but not limited to, house, decks, porches, walks, retaining walls, driveway and parking configurations, drainage ditches and/or swales, proposed culverts and utility ditch location(s).
- proposed finished floor elevation(s)
- proposed grading including spot elevations deemed necessary by the designer or the ARB.
- proposed erosion and sediment control measures to manage the increase and concentration of storm water runoff due to the introduction of impervious surfaces areas.
-

Note: All surveyors are reminded that string lines are required along property lines and that the proposed driveway should be marked at the street and staked at 20' intervals. On steep lots with a slope toward the street, the water management plan should require paving of the driveway if the grade of the driveway at the street level is greater than 8%.

3. UTILITY TRENCH LOCATION – This can be combined on the Site and Staking Plan. Show all water, sewer, and utility trenches and features (grinder pump, well, septic tank and drain field, power pedestal, electric meter base, etc., where required). **It is preferred the utility trench be located in or alongside the driveway where possible to eliminate removal of trees, shrubs and understory.**

4. LANDSCAPE PLAN – Plan must be submitted to the ARB, if required, and approved prior to occupancy (to be implemented within 12 months of occupancy). The ARB may require a preliminary foundation landscape plan.

Water Management & Erosion Control

Where construction vehicle access routes intersect paved public roads, provisions shall be made to minimize the tracking of mud and sediment by vehicles onto the paved surface. Where dirt or mud is transported onto a public road surface, the road shall be cleaned thoroughly at the end of each day. Mud or dirt shall be removed from the roads by shoveling or sweeping and shall be transported to a sediment control disposal area. Street washing shall be allowed only after sediment is removed in this manner.

Erosion and Sediment Control General Criteria:

All erosion and sediment control devices shall comply with the 1992 Virginia Erosion and Sediment Control Handbook Specifications, Third Edition.

Stabilization of Denuded Areas and Soil Stockpiles:

Permanent or temporary soil stabilization must be applied to denuded areas within 7 days after final grade is reached on any portion of the site. Soil stabilization must also be applied within 7 days to denuded areas which may not be at final grade but will remain dormant (undisturbed) for longer than 30 days.

Soil stockpiles must be stabilized or protected with sediment trapping measures to prevent soil loss.

Maintenance:

All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure continued performance of their intended function. All erosion and sediment control devices will be inspected and repaired (cleaned) weekly if necessary and after each rainfall.

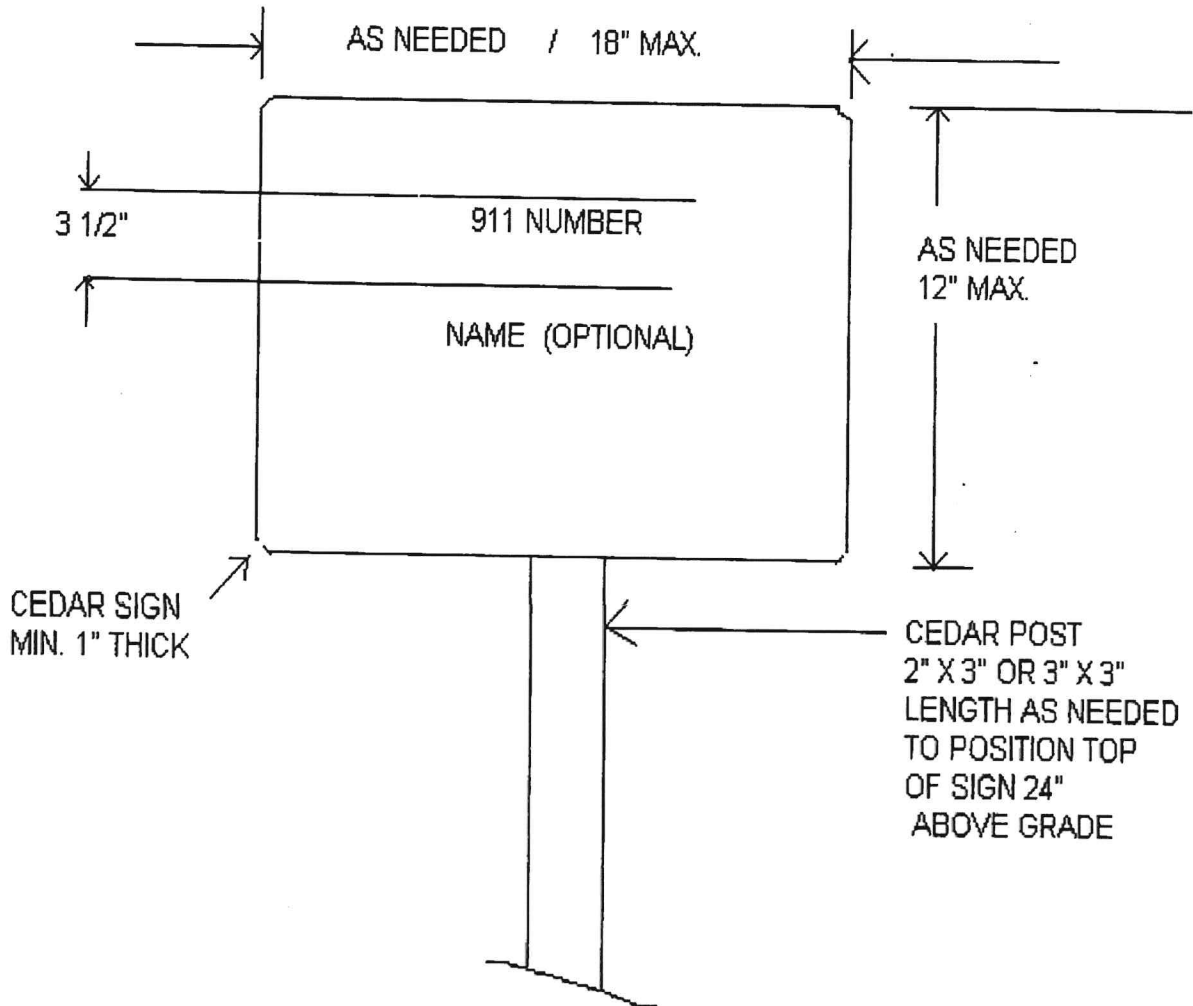
SURFACE DRAINAGE

ALL SURFACE DRAINAGE SHALL BE DIRECTED AWAY FROM THE PROPOSED HOUSE AND ADJACENT HOMES/LOTS. THE LOCATION OF ANY NECESSARY SWALES AND/OR LOCAL DEPRESSIONS SHALL BE DETERMINED ON-SITE (AND INSPECTED BY AN ARB OR WPOA STAFF MEMBER) TO BEST FACILITATE POSITIVE DRAINAGE.

THE CONTRACTOR SHALL CONTACT WPOA REGARDING TYPE AND SIZE OF ENTRANCE CULVERT.

SIGN

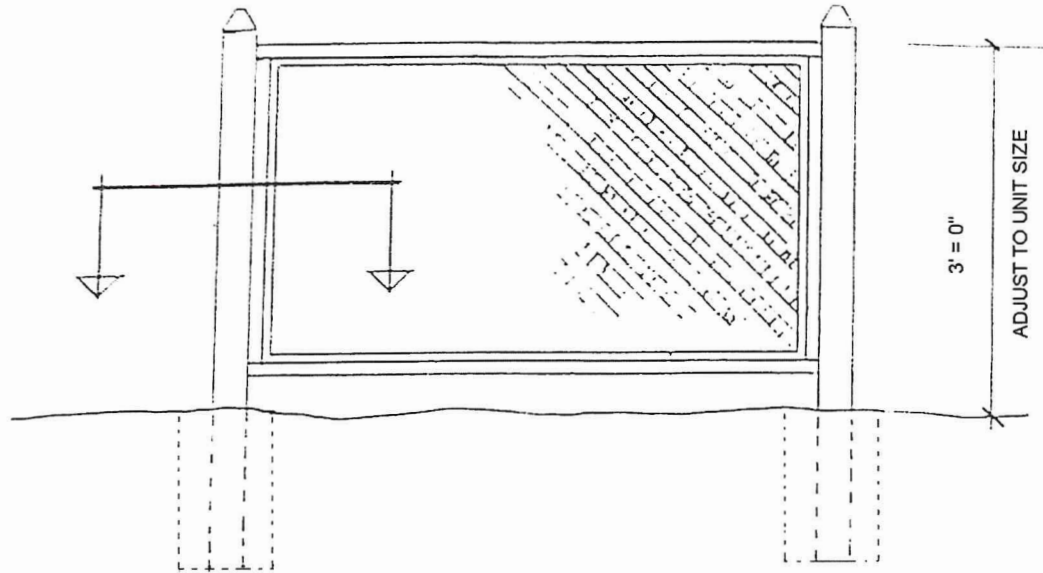
FOR ATTACHMENT OF E-911 ADDRESS PLAQUE
ON THE MOUNTAIN AND IN STONEY CREEK
WHERE THERE IS NO MAIL BOX



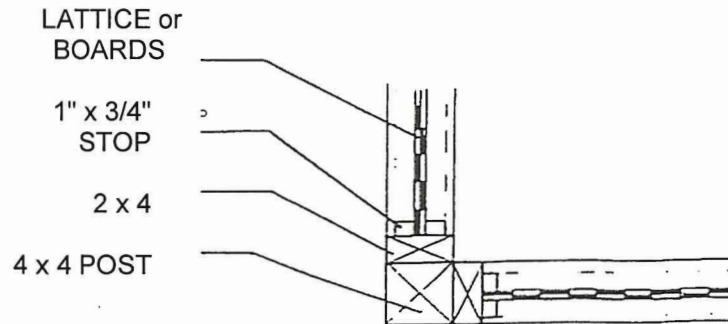
ENCLOSURE

NOTE: ALL EXPOSED CONDENSERS, HEAT PUMPS AND TRASH RECEPTACLES **MUST** BE ENCLOSED AND PROPANE TANKS **MUST BE ENCLOSED OR BURIED.**

SECTION @ CORNER ---- (NOT TO SCALE)



TYPICAL PANEL (NO SCALE)





**APPLICATION FOR PRELIMINARY ARB
REVIEW**

DATE:

OWNER(S) NAME(S):

ADDRESS:

TELEPHONE NOS: HOME BUSINESS

EMAIL:

LOT NUMBER: SUBDIVISION

E-911 ADDRESS:

ARCHITECT, DESIGNER OR PACKAGER:

ADDRESS:

ANTICIPATED CONSTRUCTION START:

COMPLETION:

BUILDER:

ADDRESS:

PHONE NUMBER:

EMAIL:

It is assumed that the Owner(s) has read BUILDING OR MODIFYING YOUR HOME AT WINTERGREEN and other controlling documents and understands the conditions of building or modifying a home here at Wintergreen.

PLEASE INCLUDE: (2 COPIES)

- A copy of the plat to provide parameters for the location of the house
- Design concept of the house with the basic plan and elevations of the house
- Location of the driveway and road entrance

No clearing, storing of materials, posting of contractor signs or other construction work, including cutting a road into the property for the purpose of digging a well (in most cases, the ARB staff can advise and approve an entrance for well digging), except the staking of the house and the driveway, shall begin on any home site until final approval has been granted by the ARB and a building permit has been issued by the County Building Inspector.

Applications and plans may be mailed or delivered to the ARB Office
88 Wintergreen Drive, Roseland, VA 22967-2162 /Contact: 434-325-8533



**APPLICATION FOR ARB FINAL DESIGN
REVIEW**

Fees (Payable to WPOA)

Date

New House: \$750.00 Addition: \$250.00 Deck: \$100.00 Miscellaneous: \$50.00

Property Information

E-911 Address:

Subdivision: Lot Number:

Contact Information

Owner(s) Name(s):

Mailing Address:

Email(s):

Primary Phone: Other Phone:

Architect or Designer:

Mailing Address:

Email(s): Phone Number:

General Contractor:

Mailing Address:

Email(s): Phone Number:

Construction and Materials Information

Total square footage of living space in the house (for new houses):

Provide the manufacturer's name and the color of materials used for the building components listed below. For components not used on this project, please indicate N/A for not applicable.

Exterior siding:

Exterior trim (Not same as siding):

Roofing Material (Note that Shingles must be minimum 250# or 40 year):

Windows:

Front exterior door:

Garage door:

Other exterior doors:

Foundation:

Deck(s):

Chimney(s):

Gutters and downspouts:

Retaining walls:

Walkways:

Materials/components not listed above:

NOTE: A sample board to include all materials and colors must be submitted with the plans and application.

WPOA Board of Directors Survey

Time of Ownership:

Less than 1 year: 1 – 5 Years: More than 5 years:

Purpose of Renovations or additions:

Improving for self: Improving to sell: Improving for rental property:

AGREEMENT

THIS AGREEMENT is made by and between the **WINTERGREEN PROPERTY OWNERS ASSOCIATION INC. on behalf of the WINTERGREEN ARCHITECTURAL REVIEW BOARD**, (hereinafter called the “ARB”) and

Print:

Print:

(hereinafter called the “Owner(s)”) and relates to the review and approval of a structure [or changes to a structure] to be located on **Lot** **Block** **Section** (hereinafter called the “Lot”).

WITNESSETH

1. The **Owner(s)** has read BUILDING OR MODIFYING YOUR HOME AT WINTERGREEN and other controlling documents and understands the conditions of building or modifying a home here at Wintergreen.
2. The ARB agrees to review the **Owner’s** plans for the Lot and either to approve such plans or to communicate to Owners the reasons why the plans are not approved.
3. The **Owner(s)** agrees to build, construct and finish any structure, building, addition or modification strictly according to the plans and specifications approved by the ARB for the Lot. (Exterior should be completed within 1 year from start of construction.)
4. **The Owner(s) agrees that no change shall be made in any detail, finish or other aspect** of the structure built or modified on the Lot from the plans approved by the ARB without the prior review and approval of the ARB and the County Building Inspection Department where required.
5. The **Owner(s)** hereby **agrees to reimburse WPOA for all costs expended by the ARB/WPOA** to enforce the terms of this agreement including but not limited to court costs and reasonable attorney fees as provided for by the Virginia Property Owners Association Act, Code of Virginia, Title 55, Chapter 26.

WITNESS the following executions: (**Must** be signed by **Owners**, faxed copies will be accepted)

OWNERS:

ARB:

WINTERGREEN ARCHITECTURAL REVIEW BOARD

88 Wintergreen Drive
Roseland, VA 22967-2162
Phone: 434-325-8533