

**SEA PINES HOMEOWNERS ASSOCIATION  
Brewster, MA**

**REQUEST FOR VARIANCE TO PERFORM WORK AT UNIT OWNER EXPENSE**

TO: GROUND COMMITTEE (as agent of the Sea Pines Facilities Management Board)

FROM: \_\_\_\_\_  
Name of Unit Owner(s)  
\_\_\_\_\_  
Unit Address \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Date of Request

**DESCRIPTION OF PROPOSED WORK:**

\_\_\_\_ Work within Unit or Patio Area (Provide scaled plans or drawings of proposed work)

\_\_\_\_ Landscaping of Common Area (Provide scaled diagram of proposed work)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**In addition to the Special and Standard Conditions noted below, Sea Pines has established certain work guidelines and standards for materials including but not limited to windows, doors, skylights, light fixtures which must be adhered to. These guidelines and standards are found in the Interior/Exterior Improvement Rules section of the Sea Pines website: [www.seapinesbrewster.com](http://www.seapinesbrewster.com).**

**CONTRACTOR INFORMATION:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_  
Home Improvement License #: \_\_\_\_\_ Builder License#: \_\_\_\_\_

**NOTIFICATION:**

Notification of the proposed work must be given to:

- A. all Unit Owners whose unit is next to the unit in which the work is proposed (“Abutters”); and
- B. all Unit Owners within 200 feet who can see the proposed work from their doors or windows; or if the proposed work is in Phase 1 and 2, all Unit Owners in that cluster of units contiguous with the unit in which the work is proposed (“Affected Unit Owners”).

The Unit Owner shall provide a copy of this variance request to the Abutter(s) or Affected Unit Owner(s) prior to its submission to the Grounds Committee. Abutters and Affected Unit owners may note their

agreement or disagreement to the proposed work in the space provided below and return it to either the Unit Owner requesting the variance or the Grounds Committee via email or regular USPS mail, or at a Grounds Committee meeting. Unit Owner and Abutter arguments at Grounds Committee meetings shall generally be limited to five minutes at the discretion of the Chairperson. **Abutter and Affected Unit owner responses will be carefully considered but are not binding on the decision of the Grounds Committee.**

**ABUTTER/AFFECTED UNIT OWNER RESPONSE**

Name \_\_\_\_\_

Unit Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Agree or Disagree with Variance Request (circle one)

**SUBMISSION OF VARIANCE REQUEST:**

Variance requests must be submitted to the Grounds Committee via Mercantile Property Management, the Sea Pines managing agent, and received at least seven (7) days prior to a Grounds Committee Meeting for consideration at that meeting.

Mercantile Property Management  
Email: [mpm@mercantileproperty.com](mailto:mpm@mercantileproperty.com)  
Fax #: 508-759-5977  
Mail: PO Box 790, Buzzards Bay, MA 02532

**I/We, the Unit Owner(s) of Sea Pines Address listed on page 1, agree to comply with all stated conditions pertinent to this request.**

\_\_\_\_\_

Signature  
**Unit Owner**

Date \_\_\_\_\_

\_\_\_\_\_

Signature  
**Unit Owner**

Date \_\_\_\_\_

**DECISION OF GROUNDS COMMITTEE:**

Request is **APPROVED** and is **valid for one year from date of approval** subject to the Standard Conditions noted in the section below, the Sea Pines Interior/Exterior Improvement rules, and the following Special Conditions as indicated:

- \_\_\_ Approved as submitted.
  - \_\_\_ Obtain necessary Town of Brewster permit(s).
  - \_\_\_ Obtain a copy of Certificate of Insurance from contractor(s) involved.
- Copies of Town of Brewster permit(s) and/or Certificate of Insurance must be sent to the Sea Pines managing agent at the address above prior to start of work.
- \_\_\_ Other \_\_\_\_\_

Request is **DISAPPROVED**.

The Grounds Committee shall notify the Unit Owner requesting this variance of their decision. Abutters or Affected Unit owners who have indicated to the Grounds Committee of their disagreement of this variance shall also be notified.

For the Sea Pines Facilities Management Board:

\_\_\_\_\_  
Signature  
**Chairperson, Grounds Committee**

Date: \_\_\_\_\_

**APPEAL OF DECISION**

The Unit Owners requesting this variance, or an Abutter or Affected Units who through the process above have indicated to the Grounds Committee their disagreement with this variance may appeal the decision of the Ground Committee to the Sea Pines Facilities Management Board (FMB). They shall notify (through the managing agent) within seven (7) days from date of the decision of their intent to appeal. That appeal will be heard at the next regularly scheduled meeting of the FMB.

## **STANDARD CONDITIONS CONCERNING VARIANCES**

- A. During the period from the Friday of Memorial Day weekend through and including Labor Day, work may only be performed on weekdays between the hours of 7:00 am. and 5:00 pm. and overnight storage of trailers or work vehicles is prohibited.
- B. Landscape plantings made in Condominium common areas resulting from this variance request and paid for by the Unit Owner shall remain under the ownership and control of the Condominium without exception, provided that the Unit Owner may elect to maintain such landscape plantings at their expense. If the Unit Owner or the successor Unit Owner fails to maintain the plantings, the Condominium may assume responsibility for the maintenance of such plantings. The Condominium has the sole authority to determine whether Unit Owner-funded landscaping plantings are being properly maintained.
- C. The Condominium master insurance policy only covers fixtures and furnishings as originally constructed. It is the responsibility of Unit Owner or successor Unit Owner to increase their personal homeowner insurance coverage in the case of substantial interior improvements.
- D. It is understood that the granting of a variance to perform the work requested does not burden the Condominium Board of Managers nor the Facilities Management Board, its officers, members, or agents with liability of any nature. No responsibility is accepted ascertaining the legality of such actions, and no damages resulting from same will be accepted by anyone other than said unit owner.