

To: Poole's Grant Condominium Rules Committee

From: Dan Goff, Michael Pittman (Dockmaster), and other interested owners

Ref: Clarification of guidelines regarding boat lifts

Date: 1/7/2025

We are requesting clarification of the approval and installation guidelines regarding boat lifts. To assist with a review, we offer the following:

1. Poole's Grant does not currently address boat lifts in the governing documents.

a. MARINA The Marina is for the exclusive use of Poole's Grant Owners/Residents and their guests. All laws and safety requirements must be followed while using the marina. Questions and concerns about the Marina shall be directed to the Dock Master. The Dock Master may be reached through Management and contact information will also be available on the clubhouse Bulletin Board. Each unit is assigned 1 boat slip. Additional boat slips may be purchased, if available. All boats and motorized watercraft must be registered with the Association and a current copy of the registration and insurance shall be on file at all times. Boat slips and personal property must be kept clean and tidy. Guest boats and motorized watercraft must be registered with the Association prior to their arrival. A registration form may be obtained on TownSq or through Management. Guest boats and motorized watercraft shall only dock in the boat as well as their Guest boats and watercraft may dock for up to 14 days per calendar year. Guests using the marina are not entitled to use the pool or clubhouse unless accompanied by the host resident.

2. The issue may be addressed by a vote of the Board of Directors per the By-Laws. a. Section 10(o) The Association shall have the right, when determined by the Board to be in the best interests of the Condominium, to grant exclusive licenses, easements, permits, leases, or privileges to any individual or entity, including Non-Unit Owners, which affect the Common Elements and to alter, add to, relocate or improve Common Elements.

3. Attached is a guideline proposal based on what other condominiums have used.

4. Attached is an application to install a boat lift also based on other condominium guidelines.

Thank you for your efforts and we hope for a positive reply prior to the start of the Spring boating season.

Warmest Regards,

Dan Goff, et. al.

Attachments:

A. Guidelines for boat lift installations

B. Approval of installation of boat lift

Attachment A

Guidelines for boat lift installations A Boat Slip Assignee wishing to install a boat lift must obtain the prior written approval of the Board. The Boat Slip Assignee is obligated to install the boat lift, including any alterations to the pilings. The Boat Slip Assignee is responsible to install, insure, maintain, repair, and replace the boat lift. In addition, the Board can condition approval of the boat lift on the Boat Slip Assignee making such alterations to the pilings that are necessary. The Board may require the Boat Slip Assignee to provide plans and specifications for the boat lift. The Board has the authority to determine whether the proposed boat lift would be detrimental to the community and to impose reasonable conditions on the installation. The Board can also condition approval upon the Boat Slip Assignee coordinating the installation with the adjacent Boat Slip Assignee – for example, to make sure that the alteration the Boat Slip Assignee makes to the pilings they share will not unreasonably interfere with the other Boat Slip Assignee's right to use his boat slip and the ability of other Boat Slip Assignees to use their boat slips. The Board can also condition approval of a boat lift on the Boat Slip Assignee's contractor providing the Association with evidence of his license and an insurance certificate naming the Association as an additional insured.

Attachment B

Poole's Grant Condominium Approval for Installation of a Boat Lift at a Board of Director's Meeting on _____, your request to install a Boat Lift in Slip _____, consistent with the documentation provided, was approved under the following terms and conditions.

1. Approval to install a boat lift becomes valid only after you have complied with all the regulatory installation requirements. This includes any approval and installation permits required by the City of Hampton and/or the State of Virginia.

2. A Licensed Marine Contractor must perform the installation. The work must be performed consistent with the manufacturer's installation requirements.

3. It is the condo/slip assignee's responsibility to ensure that any marine service people and outside contractors have current liability insurance and workers' compensation of sufficient coverage to insure against any potential damage to the marina facilities or other boats in the marina. The condo/slip owner must ensure that any work done to a vessel in your slip does not create a disturbance, endanger, damage, obstruct or deface the marina's facilities, other boats, or their neighbor's property.

4. After the installation of the boat lift, the slip owner will be responsible and hold the Poole's Grant harmless for any damage(s) caused by the boat lift including without limitation breaking loose, breaking up or blowing away and causing damage to other boats, docks, persons or other property of any unit owners or renters. The owner shall be responsible for paying for all corrective action required to repair any damage to the boat lift and/or any other damage caused by the boat lift within the marina. 5. The owner agrees to the following:

a. Under normal conditions the surface of the boat on the lift closest to the water shall never be more than thirty-six inches above the mean high tide water line.

b. The watercraft, including the motor, props and any attachments can only extend past the outer piling no more than three feet.

c. If piling caps are installed, they must be white in color. See "Typical Boat Lift Installation" on the following page for additional guidelines for the boat lift and piling installation.

d. Unless this boat lift is removed at the time this boat slip is sold, the owner agrees and is responsible for disclosing to the new buyer the terms and conditions of this agreement and the new buyer's obligation to sign a new Approval Form or remove the boat lift.

By signing and submitting this document I agree and will comply with the above-listed terms and conditions.

Slip Number _____ Slip Owner's Name Printed _____

Street Address _____ City State and Zip Code _____

Phone Number _____

Slip Owner's Signature _____ Date _____