

**Policies of Special Interest to Homeowners of the Wood Creek Homeowners Association**

April 7, 2014

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## Policies of the Wood Creek Homeowners Association

April 7, 2014

The Active Policies are in effect. The Obsolete Policies were previously in effect and are included for historical reference. These are listed after the Active Policies. Policies are made obsolete when there is a significant change in their intent, but not for editorial changes

### ACTIVE POLICIES

#### **02 Bed Maintenance Responsibilities**

Our contractors will be responsible for the maintenance of all plantings in the development within the grass line of the Association property, except:

- They will not maintain annuals and perennials planted by Owners. They will try to avoid harming these plantings, but will not be responsible for damage which does occur, e.g., during weeding of beds and the application of chemicals.
- They will maintain the beds between 32 and 34 Creek Ridge which are immediately adjacent to and screen the storm sewer discharge.
- Owners may plant annuals and perennials in existing beds adjacent to their homes, which do not have weed cloth. New beds may not be created and existing beds may not be expanded without an approved variance. Homeowners also require a variance to plant perennials in corner bed areas or yard areas, as these areas are professionally landscaped by the HOA.
- When an Owner is granted a variance to establish a new bed or add permanent plants to existing beds, the homeowner will take care of any special maintenance requirements, e.g. removal of dead or undesirable growth. If plants are not attended properly, the Association will intervene and may modify or remove the plants in order to keep costs in line with maintenance in the rest of the development.
- Annuals and other garden plantings will be removed if they are not in harmony with the surrounding area or are not properly maintained. Before action is taken, the owner will be notified by mail in sufficient time to remedy the problem.
- Replacement of plants, shrubs, trees, etc. is always at the discretion of the Association.

History: Bullet #3 was updated to include the last sentence, reapproved 7/15/13. Approved 3/13/06. Originally approved May 12, 1992 and 9/14/93. Policy appears in Newsletter #69 Fall 1992. In accordance with the Wood Creek Offering Plan, the Association owns all of the landscaping and is responsible for its maintenance. Many people, who do not want any landscaping responsibilities, were drawn here because of this assured service. For other Owners the planning and care of the grounds, particularly those immediately adjacent to their units, is an important part of their lives and they enjoy such participation. The Board of Directors has encouraged and supported such involvement by approving additional gardens and plantings because it is satisfying to the Owners and provides everyone with a more attractive community.

We now recognize some problems relating to current and future maintenance. It is difficult to specify to our contractors which areas they should trim, weed, etc. One solution is to have all maintenance done by the contractors. Such a policy would not only deprive Owners the joy of their gardening activities but it would increase our costs. Another solution is to specify maintenance on an item-by-item and area-by-area basis.

This practice has proved to be impractical; our contractors cannot work this way. Individual involvement can be sporadic because of unit Ownership changes, decline of owner's health or loss of interest. As our plants are maturing, their maintenance requirements are increasing and therefore we must be more careful to control these costs in the future.

#### **04 Combination Screen and Storm Doors, Storm Windows and Screens**

A variance request must be submitted to the Wood Creek Board for approval prior to the installation of any combination screen/storm door, storm window or screen.

The door:

- Must be of quality equal to or better than the majority of these doors already installed in Wood Creek.
- Must have top, bottom, and side rails, approximately the same width, resulting in a clear area in the door about 65 inches high by 30 inches wide.
- Must be either white, or a factory-provided color other than white that matches the front door or the surrounding trim where it is to be installed.
- May have removable screen/storm inserts or may be of the self-storing variety. In the case of the latter, the storage pocket must be on the backside of the door, facing the unit, so as to provide a flush surface on the exterior of the door.

New or replacement storm windows or screens:

- The frame color and finish of the storm window or screen shall match the color and finish on the existing window frames.
- The frame of the storm window or screen shall fit inside the window frame, so as to be flush with the window frame.
- The frame of the storm window or screen shall not be wider than the window frame. The quality shall meet or exceed that of the Anderson storm windows and screens that are used with the originally installed windows.

Approval of the request can be expedited by submitting, along with the request, a brochure, sketch or photograph of the door, and a color sample of any proposed color other than white.

History: Approved 3/13/06. Originally approved 5/21/96 and 12/16/02. The section on storm windows and screens was added. During the early 1980's it was recognized that the addition of storm and/or screen doors would have a significant effect on the external appearance of our buildings and a policy was approved in 1982. Since then the policy has been modified several times as the availability of doors changed and as aesthetic perceptions changed.

The objective of the storm/screen door policy has been to achieve uniform building appearance and to insure that the construction of the doors is of a quality that will not deteriorate in appearance with normal usage. Several of the early approved policies were reported in newsletters #10 8/5/82, #11 8/19/84 and #82.Spring 1996.

## **06 Painting Shutters**

Shutters will be maintained by the Association on an as-needed basis unless homeowner has an approved variance for adding new shutters, then the homeowner pays for the initial painting.

History: Approved 3/13/06. Originally approved 11/18/02. Supersedes Policy #6 OBS

## **07 Roof Installed Power Ventilators**

Roof installed power ventilators are permitted but are discouraged unless there is a demonstrated excessive temperature build—up under the roof. The finish of external metal parts should be black. The Owner will be responsible for the weather seal at installation and for a period of one year thereafter, following which the Association will be responsible. The Owner will always be responsible for the mechanics of the ventilator.

History: Approved 3/13/06. Originally approved 11/18/02. Supersedes Policy #7 OBS. Properly sized soffits and ridge vents were installed in most roof areas during the roof reconstruction of 1996-7. Industry data shows that these should provide adequate air circulation under the roof for summer and winter conditions and generally are much more effective than power ventilators. The current policy was approved because power ventilators require that a hole be cut into the roof and this creates a potential leak in the long term.

## **08 Pruning, Trimming or Removing Shrubs and Trees**

The Association will prune any tree that poses a direct threat to the safety of the Owners or is likely to cause immediate damage to property in Wood Creek. The Association will take whatever actions are required to eliminate the threat.

All trees and shrubs belong to and are the responsibility of the Association. The Association will periodically prune all trees and shrubs as required to:

Maintain the appearance of the area. Maintain the long-term health of the plants.

Allow adequate light to reach the windows of a unit or other vegetation.

Owners may have any planting removed, pruned or trimmed at their expense by obtaining a variance that:

- Includes written consent from other Owners whose view, light, etc. may be affected. Provides detailed specifications for the work.
- Names the company, selected from those recommended by Property Manager, who will do the work.

When there is a question as to responsibility for the payment of removal of plants, the BOD will decide based on its judgment as to how the community as a whole regards the safety hazard or appearance of the plantings in question.

History: Approved 3/13/06. Originally approved 11/18/02. Supersedes Policies #8 OBS, #9 OBS & #33 OBS. Includes the principles of these policies and expands the Association's responsibility for all plantings instead of just large trees that are highly visible from the street. Consideration of changes must include maintaining the appearance of the area; maintaining the long-term health of the tree and allowing adequate light to reach the windows of a unit or other vegetation.

### **11 Removal of Animals and Insects from Dwellings**

When animals/insects, gain entry to a Unit, it shall be the responsibility of the Owner to remove them himself/herself or to secure the services of an exterminator to do so, at the Owner's expense.

It shall be the responsibility of the Association to repair any identifiable and repairable point of entry. Cases of entry through screens, open windows and doors, vents and Owner improvement creating entry points shall not be considered repairable by the Association. Any Damage done to the interior of homes, caused by animals/insects is the responsibility of the Owner.

Animals and insects include, without limitation, ants, flies, bees, wasps, raccoons, squirrels, Beetles, birds, bats, reptiles, etc.

History: Approved 12/12/2011. Originally approved 11/18/02. Drafted 6/21/98.

### **13 Household Goods Sales**

Household Sales are permitted if they are discreetly supervised by a professional seller and made known "by invitation only." Mass media advertising including newspaper ads are not permitted. Seller must obtain approval re: hours and parking arrangements from the Property Manager at least two weeks before the sale. No other sales are allowed.

History: Approved 3/13/06. Originally approved 09/15/98. Enacted to help Owners and their families downsize when an Owner leaves Wood Creek for smaller living arrangements such as an apartment or assisted living facility.

## **28 Procedure for Handling Requests for Variances**

All requests for a variance must be submitted to the Property Manager. Upon receipt of all requests for a variance the Property Manager will immediately distribute a copy of the request to the appropriate Board member for review and action. The Board will act on it at the next monthly meeting on variances received at least 10 days before the meeting. The Property Manager will keep track of all open variances. If the variance request requires extensive review, the Property Manager will notify the owner of any delay.

The Property Manager will immediately notify the owner of the outcome and send him a copy of the approved variance. Approved and disapproved variances become part of the unit's file.

History: Approved 3/13/06. Supersedes Policy #28 OBS. Clarifies definition of what Property Manager can approve without Board action. It also describes the current practice.

## **29 Sun Shields**

A vertical sun shield on a deck is permissible if poles are supported by free standing stanchions rather than the deck railing.

History: Approved 3/13/06. Originally approved 11/18/02. An Owner proposed several unacceptable awning arrangements to provide shade on his deck. This was offered as an alternative. It was previously titled "Deck Awnings". Principle for this policy was established 9/19/95.

## **30 Patio Installation by Owner**

Owners can make changes to their patios after obtaining a variance. Any encroachment on common property must be of a temporary nature, e.g., gravel is permitted but poured concrete or mortared blocks are not permitted. The variance must contain an agreement that makes the owner responsible for the maintenance of the change. If this maintenance does not meet Association standards, the Association will correct the problem, by removal if necessary.

History: Approved 3/13/06. Originally approved 11/10/92, 12/8/92, 8/10/93, 1/12/93.

## **32 Garage Door Repair or Replacement**

Except for exterior painting and caulking, Owners are responsible for garage doors, including the associated hardware and door opener mechanisms.

Any replacement doors must be of steel composite, a minimum of 1 1/4 inches thick, be insulated, and have a steel covering on the back side of the door. All replacements must be of a similar design.



Single replacement doors must be 4 panels high by 4 panels wide, double replacement doors 4 panels high by 8 panels wide. Ranch style double doors with double, width panels are no longer a replacement option.

Owners are responsible for the removal of old doors and hardware from the property. This is generally included in the new door contract.

All hardware rails and springs shall be included with any new door installation but new door opener mechanisms are not required unless there is a change in the law. (Note: current law requires a photoelectric sensor.)

Any replacement garage doors must be without windows or decorative panels or decorative inserts.

Any replacement garage doors must be approved by way of a variance request form that shall include make, model and vendor with a copy of the manufacturer's brochure attached.

The Owner must pay for the initial painting of newly installed garage door, using the color approved previously for the original door. Some allowance may be made if the old door was scheduled for regular painting at the time of the new door's installation. An initial painting will not be required if the new door comes with finished paint and the color is approved for its location.

If one of a pair of single width doors requires replacement, both must be replaced unless a door with identical exterior appearance can be provided.

The Owner is responsible for the repair of any damage to the overhead door because of accident or neglect (Including any wooden trim involved in the accident) unless the damage was caused by an agent of the Association in which case the Association is responsible, The Board of Directors is empowered to repair or replace, at the owner's expense, any overhead door deemed in such poor condition as to detract markedly from the appearance of the community.

When damage to a garage door occurs, it is the responsibility of the Owner to notify the Property Manager immediately and to have it repaired promptly. The plan for repairing the door must be approved by the Property Manager prior to the start of work and the Property Manager must approve the quality of the work when it is completed. If the work is not initiated within 60 days, the Association will assume responsibility for repairing the damage (unless there are extenuating circumstances). The cost of repair is the responsibility of the Owner. If the Association is required to assume the responsibility for the repair, the cost will be added to the owner's assessment and collected as per Section 11.02b of the Declaration.

A variance may be approved for the replacement of double garage doors with a single door or a single door with double doors if the new door(s) complies with the existing standards, doesn't change the architectural look and if there is a safety issue of getting the car in the garage with double doors. The door must be painted with approved paint at the owner's expense.

History: Approved 3/13/06. This policy supersedes Policy #32 OBS and replaces Policies #3 OBS, #49 OBS, and #85 OBS.

### **36 Parking Regulations**

Owners must park only in their own driveway or garage.

Owners are encouraged to request the use of neighbors' driveways for visitors when needed. Visitors may park on one side of the street only. They should park on the side of the street opposite the mail boxes.

No overnight parking is permitted on the street by anyone at any time.

Large or unsightly vehicles such as: commercial vehicles, vans, campers, etc. cannot be parked anywhere at any time (except for pick-up and delivery) unless permission is granted by the Board of Directors.

Overnight parking by Owners in driveways is permitted but discouraged.

Overnight guests can park in their host's driveway or at the Guest Parking Lot on lower Creek Ridge. Alternate overnight parking may be along the berm on Wood Creek except during winter months.

Remember the Association will not plow driveways that have cars parked in them.

History: Approved 3/13/06. Originally approved 3/13/89. Re-approved 11/18/02. As the number of occupied units increased, our streets, particularly upper Creek Ridge (where the width of the roadway is significantly reduced) often became congested with parked cars. Many Owners became concerned because emergency vehicles or Owners' cars could not pass. A committee under W. Echter recommended the regulations embodied in this policy.

### **37 Satellite Dish Policy**

The following guidelines apply to external satellite dish installations within Wood Creek: A Variance/Maintenance Request form must be submitted to the Property Manager. It must include:

- Exact location and means of mounting the dish. Provide drawings if requested. Confirmation from the installing contractor of reception in proposed installation site. Contractor's name, addresses, telephone number, and contact person.
- The contractor's certificate of insurance for general liability (\$1,000,000), and Workers' Compensation (Statutory Limits) with Wood Creek Homeowners Association and the Property Management Company named as the insured.
- Color and dimensions of the dish to be installed. Painting of the dish may be required to match the background structure if the paint will not degrade reception.

Rear deck and chimney mounting are the recommended location for installation of satellite dishes. No dish will be mounted to the roof, siding, soffits, trim of any unit or in the common area unless no other options are available.

All requests will be reviewed by the Property Manager and the Architectural Committee before approval by the Board is requested.

The cable from the dish to the inside of the Unit shall be routed to minimize the amount that is visible on the outside of the building.

The color of the dish shall be as unobtrusive as possible and in as close harmony with the building as possible.

The dish requester will be responsible for maintaining the color and condition of the dish. All external location of dishes will be properly grounded as determined by the installer.

Any damage to the structure or common areas caused by the installation or maintenance of the dish shall be promptly repaired at the requester's expense.

Lightning strike to dish and associated mountings shall be the responsibility of the requester. All dish repairs, plus any associated problems with the roof, siding, or chimney caused by the installation or maintenance of the dish are the responsibility of the requester.

If installed on property maintained by the Association, and maintenance requires temporary removal of the dish, the requester shall be responsible for the removal and reinstallation of the dish. If the requester does not remove the dish the Association will remove and reinstall the dish at the requester's expense. The Association is not liable for any damage to the dish and/or degraded reception caused by the removal and reinstallation of the dish.

All dish installations shall abide by all town, county, and state regulations and codes. Permanent removal of a dish requires restoration of the location to original condition at the requester's expense.

History: Approved 3/13/06. Supersedes Policy 37 OBS. The FCC's Telecommunications Act of 1996, Section 207 mandates that Owners must be permitted to install satellite dishes for the reception of satellite signals. It also establishes the right of the Owners Association to establish how and where the dishes can be located. Accordingly, this policy establishes guidelines for the installation of dishes by Wood Creek Owners while attempting to maintain the aesthetically pleasing character of Wood Creek. TV antennas are not addressed in this policy. Reference: See Declaration Section 10.06

### **38 Display of Removable Grilles in Windows**

In order to maintain a uniformity of style, muntins (grilles) must be displayed in windows that are visible from the road. Display in other windows is optional.

History: Approved 3/13/06. Originally approved 04/9/91.

### **39 Painting the Inside of Garage Doors**

Painting or clear finishing of the inside of garage doors is required in order to preserve the panels. Owners are encouraged to do the painting themselves.

**History:** Approved 3/13/06. Originally approved 11/18/02. Supersedes Policy #39 OBS This procedure reduces the amount of peeling of the outside paint.

### **43 Who Pays for Removal of Unauthorized Changes to Property**

When an Owner makes a change without following the variance procedures, the Owner is responsible for all costs associated with returning the unit to its original state/condition as requested by the Association.

When a change is made without a variance and property is sold and the new Owner requests that it be returned to the original condition, the Association will pay for it (except for painted patios – see #44. If a variance was obtained, then the Owner purchased the Unit "as is" and must pay for any changes him/herself.

History: Approved 3/13/06. Originally approved 11/18/02. Supersedes Policy #43 OBS. The Declaration requires that the original architectural style and ambience be retained, so all changes to the exterior require a variance. Action was taken at 2/15/00 and 3/21/00 meetings.

### **44 Painting Cement Patios**

Variances will not be approved for painting concrete patios.

Patios which are now painted may be repainted by the Owner, at his or her expense, provided he or she obtains a variance which specifies:

- Color which has been approved for this purpose.
- Brand of paint which has been approved by the Association for concrete patios.

History: Approved 3/13/06. Originally approved 6/20/00. Thirty of our units were constructed with concrete patios and the rest were provided with wood decks. Some of the patios have been painted without authorization from the Association and this creates a maintenance liability.

#### **45 Coverings on Decks**

No coverings (carpeting, paint, etc.) will be allowed on decks except for fireproof mats designated for use under grills. The Owner is responsible for removal of unauthorized covering and the repair of any damage that occurred as a result of the covering.

History: Approved 3/13/06. Originally approved 11/18/02. The principle for this policy was established 7/18/00.

#### **50 Carpet on Front Stoops**

Indoor/outdoor carpeting may be used on front stoops as long as double-sided tape is used. No permanent adhesives will be allowed. The Owner is responsible for the removal of carpeting and any problems connected with snow removal. They are also responsible for keeping it safe. The carpet color should be neutral and must be approved by the BOD. A variance approved by the Board is required.

History: Approved 3/13/06. Originally approved on 11/18/02. The principle for this policy was established 10/19/99.

#### **53 Clear Plastic Bubbles on Basement Windows**

A clear plastic bubble may be placed over a basement window if it is of acceptable quality and size. A variance is required.

History: Approved 3/13/06. Originally approved 9/16/97.

#### **54 Motion Detectors**

Motion detectors may be installed at Owner's expense. If complaints of excess noise and lights are received, however, they must be removed.

History: Approved 3/13/06. Originally approved 9/16/97. Providing a safe way to protect an Owner's property led to the enactment of this policy. Upon occasion the Property Manager has been forced to cut the wires in order to deactivate them.

#### **61 Security Signs**

Only free-standing "security" signs are allowed. Those attached to a unit are not allowed.

History: Approved 3/13/06. Originally approved 11/15/94. When this policy was approved several units had attached "security signs". It was agreed that they could remain until the units were repainted and that they should be removed at that time.

## **62 Authorization for Dog Warden to function in Wood Creek**

The Pittsford Dog Warden is authorized to function in the Wood Creek common property.

History: Approved 3/13/06. Originally approved 1/17/95. The dog warden cannot go on private property without written approval from the property owner. At the Town of Pittsford Supervisor's request, we signed a form that permits the warden to respond to requests from our community.

## **68 Changes to Front Door Color**

When addressing a variance for changing the color of a front door, consideration should be given to its visibility from the street.

History: Approved: 3/13/06. Originally approved 11/18/02. Supersedes Policy #68 OBS. The Declaration requires that colors must be consistent with those in the rest of the community. However it was recognized that doors not visible from the street could be given more latitude in color selection and not disturb the consistency of the community.

## **72 Invisible Fencing**

Invisible Fencing is not permissible.

History: Approved 3/13/06. Originally approved 06/09/92. Note: All dogs must be on a leash per Town of Pittsford regulation.

## **73 Window Boxes**

Window flower boxes will be allowed to be hung on windows, subject to the following conditions:

- Installation, maintenance, and removal of window flowerboxes shall be the responsibility of the Homeowner.
- Any plantings in the box(s) are to be maintained by the Homeowner.
- The box must harmonize with the exterior of the Unit, and a Variance Request is required for any new or replacement box.
- The Variance Request shall include a picture of the proposed box, and color chip for exposed surfaces.
- Wood boxes requiring painting will be painted by the Association when the Unit is painted, but at the Homeowner's expense.
- Boxes not requiring painting (metal, organic) must be removed and replaced by the Homeowner when the Unit is painted; or the Homeowner may be charged for removal/replacement by the Association.
- Any flower box not maintained will have to be removed by the Homeowner, upon request by the Association.

History: Approved 3/13/06. Supersedes Policy #73 OBS.

## **76 Speed Limit**

A speed limit of 15 miles per hour was set. Signs are posted.

History: Approved 3/13/06. Originally approved 11/20/84.

## **79 Iron Water Pipe Replacement Responsibility**

Owners are responsible for replacing the section of iron pipe in the water line where it enters the building.

History: Approved 3/13/06. Originally approved 1/10/86. Sections of iron pipe were installed in Units by the builder in anticipation of the installation of water meters. The Board decided that it is the Owners responsibility to replace these pipes if they leak.

## **86 Replacement of Rear Light Fixtures**

Rear light fixtures may be replaced at the Owner's expense. A variance is required

History: Approved 3/13/06. Originally approved 6/7/01.

## **89 Maintenance of the Entrance to Wood Creek**

The Wood Creek Owners Association purchased the sign at the entrance and is responsible for its upkeep including the light bulbs and painting. The condominiums are responsible for the landscaping around the sign. If major repairs need to be done, the Association, the condominiums and the apartments should share the cost.

History: Approved 3/13/06. Originally approved 8/21/01.

## **90 Painting of Air Conditioners**

A variance is required to paint the portion of the air conditioning units located outside the building. The request must include the color and type of paint as well as the painting procedure that will be used.

History: Approved 3/13/06. Supersedes 90 OBS When these units rust, they become unsightly. Painting will improve their appearance, however, the proper materials and procedure must be followed to assure good adhesion and prevent peeling.

## **91 Maintenance of Screens Around Air Conditioning Units**

Screens around units are the responsibility of the Association.

History: Approved 3/13/06. Originally approved 11/18/02. Principle for this policy was established 9/18/01 It was noted that the lawn maintenance people were damaging the fins on the air conditioning units when they trimmed with their "string trimmers". The property manager's maintenance staff put screens around the units to protect them.

## **96 Procedure for Handling Requests for Maintenance Service**

All requests for maintenance or service should be submitted to the Property Manager either in writing, over the telephone or via e-mail. The Property Manager will acknowledge receipt of the request within 5 working days and perform the maintenance/service as soon as possible.

As part of the acknowledgement, the Property Manager will estimate when the work will be done. Owners understand that there may be a delay as some work must be done at the appropriate time of year or may be done along with other similar work.

The Property Manager will maintain a list of open, closed and pending requests for maintenance or service.

History: Approved 3/13/06. This was approved as part of Policy #28 because they are similar. It was separated for clarity in 2003.

## **98 Policy for Emergency Generators at Wood Creek**

Emergency generators may be installed adjacent to the Owner's Unit under the following conditions:

- A Variance Request must be submitted to the Wood Creek Board before installation. The request must include the Manufacturer's specifications of the proposed unit; including dimensions, certified sound ratings, and manufacturer's installation instructions.
- The generator must be permanent (not portable).
- The generator must be powered by natural gas or diesel oil. Gasoline powered generators are not allowed.
- The generator must be located at the rear of the Unit, and set level on a suitable foundation pad.
- Minimum clearances between the generator and the Unit walls must be in accordance with the Manufacturers Installation Instructions.
- The external Customer Connection Electric Panel must be mounted on the Unit's masonry foundation wall, not on the Unit's siding. If foundation wall mounting is not practical, cut a neat hole the size of the panel into the siding and mount Panel on a piece of ¾" exterior plywood inserted into the hole.
- Gas piping and electrical conduits must be buried; not run exposed on the building walls, or run above grade. (Exception: Above grade run outs may be used between House and Generator if they do not exceed 36 inches in length.)
- The maximum noise rating of the generator at full load must not exceed 72 DBA at 7 meters (23 feet) from the generator. (This is the noise level of a typical air conditioning Condensing Unit.)



- A licensed Electrician must install the electrical wiring, and the Electrical Inspector must approve the installation.
- A licensed Plumber must install the gas piping, and the completed installation must be approved by the gas utility Company.
- The installation must be in accordance with all Town of Pittsford ordinances. Possible Suppliers:
  - Home Power Systems: 421-0203
  - R.W. Lindsay, Inc.: 544-7310 Downey Energy: 377-0270

History: Approved 3/13/06. Originally approved 2/14/05. Action was necessary as one owner had requested a variance. Believing that this was the start of other similar requests, the Board enacted this policy.

### **99 Installation of High Efficiency Furnaces and Hot Water Heaters**

A Variance Request must be submitted to the Wood Creek Board for architectural review and guidelines.

The high efficiency furnace and hot water heaters should be UL listed and installed following the manufacturers recommendations. PVC exhaust and intake duct work should be vented either to the rear or side of the townhouse provided this complies with the manufacturer's instructions. Should it be necessary that the PVC exhaust and intake ducts be vented at the front of the townhouse, an on sight inspection by the Architecture Review Board is required prior to the installation. In all cases the PVC exhaust and intake ducts must be painted to match the color of the dwelling. Cost of painting is to be covered by owner.

History: Many homeowners are upgrading to new high efficiency furnaces and hot water heaters which usually require special air and exhaust ducting. The objective of the high furnace policy is to achieve uniform and compatible building appearance with the townhouse.

### **100 Hot Tubs**

Hot Tubs are not allowed on decks or Community Property. Note: Hot Tubs are defined as "a large tub of hot water in which bathers soak and usually socialize". (Webster's Collegiate Dictionary, Eleventh Edition)

History: Approved 7/10/2006. The Board concluded that the installation of hot tubs could adversely affect adjoining properties with excessive noise and appearance.

## 102 Roof Penetration Policy

Homeowner projects that require roof penetrations, such as: installation of exhaust fans, solar tubes, plumbing vents, etc., will require an approved variance from the Board before construction. Wherever possible, the penetrations shall be at the rear of the unit where they cannot be seen from the street. Homeowners will be responsible for the flashing and sealing of the roof penetration and interior finishing as required. Leaks that develop as a result of the penetration shall be the owners responsibility until the WCHA re-roofs at which time future leaks should they occur will be the responsibility of the association.

History: Approved 12/11/06.

## 103 Replacement Window Policy

Exterior windows may be replaced by the Homeowner with the following Conditions:

- A Variance Request must be submitted to the Wood Creek Board before window replacement. The request must include the manufacturer's specifications of the proposed windows; including dimensions, materials, finishes, color (sash and frame); color of glass (if not clear), and manufacturer's window installation instructions.
- Replacement windows must be the same dimensions of the existing windows; the glass area must be nearly equal to the glass area of the windows being replaced facing the street. The exception would be rear windows as vinyl replacement windows subject to variance review of sash dimensions.
- All windows visible from the road must have muntins (grilles) installed either on inside window glass surface, or between the glass surfaces of double glass panes.
- Existing windows are Anderson Perma Shield Narrowline brand. A sash upgrade kit is available to allow replacement sash with thermopane glass with a tilt take out feature in wood, available from most home centers and limber yards. As an alternative especially on windows facing the street there are competitive brands which have been reviewed such as "Marvin" fiberglass, and "Lincoln" wood/aluminum custom "Fit" windows. These are extremely slim profile replacement windows that fit within the existing Anderson frame. Vinyl replacement windows are not allowed on the front elevation due to the thick frames. Vinyl replacement windows (a window sash and frame installed within the existing Anderson frame) will only be considered on rear building elevations.
- Any damage to siding, shutters, etc., as well as re-staining any new materials to match is the responsibility of the Owner.
- It is not the Associations intention to specify brands, Owners wishing to investigate windows replacement of the current Anderson window products should be aware there are other brands that may be considered as new products are introduced.
- Any new window installation must have maintenance free clad surfaces on the exterior in white finish as the original product.

History: Policy updated and reapproved on 11/18/13. With windows reaching ages in excess of twenty years homeowners are finding air leakage and resulting heat loss. This Policy replaces the former Policy #102 "Replacement Window Policy" that was approved by the WCHOA Board on 12/11/06. This Policy was approved by the WCHOA Board on 2/12/07.

#### **104 Ceramic Tile on Front Stoops**

Ceramic tile may be used on front stoops if the tile, adhesive, and grout are all approved by their manufacturer for installation on front stoops subject to sub-freezing conditions. Homeowner is responsible for installation costs and any future maintenance costs. Tile color and pattern must be submitted by the Board before any construction can be started.

History: Approved 5/14/07

#### **105 Bird Feeders or Bird Houses**

In order to put up a bird feeder or a bird house, the homeowner must request a variance. The variance form must include a drawing with dimensions. The material and construction should harmonize with the setting. Any support should be as inconspicuous as possible. The variance form must state where the bird feeder or bird house will be located. They must be placed in an area that will not interfere with landscape maintenance. They may not be attached to a deck. Excluding decks and patios, all bird feeders must be at least twenty (20) feet from a townhouse. The distance limitation does not apply to hummingbird feeders.

Bird feeders may be used only between October 1<sup>st</sup> and April 30<sup>th</sup>. During the rest of the year, either the bird feeders or the food must be removed.

Any bird feeders or bird houses which become an attractive nuisance, causing discomfort or annoyance to neighbors or which attract undesirable animals or insects, must be removed when requested by the property manager.

History: Approved 1/11/10

#### **106 Pet Policy**

The Pet Policy will supplement Wood Creek declaration Article X, Section 10.02, pertaining to pets.

Pets are permitted. Owners are permitted no more than two pets (dogs, cats or other domesticated household pets) in each unit.

No reptiles or insects are permitted.

No pets may be kept, bred or maintained for commercial purposes.

Pet droppings must be picked up and disposed of by the homeowner. Owners will be responsible for the actions of their pets.

Dogs must be kept on a leash. The Pittsford Dog Warden should be notified of any dogs running loose.

Dogs must be licensed by the town of Pittsford.

History: Approved 9/13/10

## **107 House Decorations Policy**

Townhouse living creates unusual conditions with neighbors in close proximity. Because of these conditions, the Architectural Review Committee (ARC) has the right to review the display of objects on porches, in planting areas, garage fronts or patio/decks. If deemed to interfere with normal maintenance or community appearance, the ARC may require removal of said display.

Listed are examples of displays that the owner might be asked to remove:

- Tattered or old American, seasonal, and or team flags.
- Botanicals either live or artificial that are out of season and in need of care.
- Window boxes that remain up during the winter months.
- Holiday lights that are strung well before the season begins or remain displayed too long after the season.
- Lawn ornaments or small flags in the common areas that interfere with maintenance. Bug Zappers.
- Excessive and noisy wind chimes.
- For sale signs and political signs.
- Excessive potted plants interfering with maintenance or creating a safety hazard on walks.
- Potted plants that are dead or in need of care.
- Inflatable ornaments are not permitted.

The process for filing a complaint is through a written letter to either Woodbridge or the Chairman of the ARC. Upon receipt of a complaint an inspection will be made by the ARC regarding the decoration, plant or other offending object. Upon completion of the inspection, the ARC will then make a recommendation to the full board as to whether removal or alteration of object is required. If the board deems removal is required a letter will be sent by Woodbridge outlining the required action.

The Architectural Review Committee (ARC) will consist of the following individuals: A Wood Creek Board member who heads up Variances and two to three community volunteers. Duties of this committee will be to conduct semi-annual walkabouts of all townhouses in Wood Creek.

They will be responsible of noting potential decoration infractions and bring such infractions to the Boards attention for action.

History: Approved 1/10/2011

### **108 Egress Window Policy**

- Owner will submit a formal variance request form along with any support documents /brochures to the Property Manager for Architectural Committee review and Board of Directors approval.
- Work shall not start until variance is approved and Owner notified.
- Contractor doing the work shall submit an Insurance Certificate for Liability and Workers Compensation naming the "Wood Creek Homeowners Association, Inc" and the current property management as additional insured's with the association's current address.
- Note- the work is taking place on Association property, not Homeowners.
- A Town of Pittsford building permit is required along with inspections and certificates of compliance upon completion.
- Contractor/Owner may choose from available pre-formed plastic logs, preformed plastic wall, or masonry type retaining walls. A code complying step/ledge is required to exit the will in case of emergency.
- A common utility stake out is required before digging any holes or moving earth.
- Owner is responsible for any foundation block damage, leaks, utility movement.
- A washed stone bottom of at least 10" depth is required for drainage and bottom grade elevation is to be at least 6" below the future window sill. If possible the well should have a drain connected to the footing drain system within the townhome.
- The top of the well retaining wall should be above finished grade to prevent water intrusion.
- The basement window must meet the applicable building code at the time of permit as to distance from the floor to bottom window sill opening, available width of window and vertical height of the opening for egress. The window must comply with current energy codes for thermal efficiency.
- The building floor joist system above the cut out opening must be properly supported to span the newly created opening with either wood framing- headers and jack posts, or via a steel or laminated beam lintel and wood supports. Owner will take all future responsibilities for any settlement in the building structure, windows cracking or binding, drywall damage or leakage in this area. The opening in the block foundation must allow for support framing as well as rough opening for window.
- Window foundation opening should be a minimum of 16" away from any foundation corner. More distance where possible. Block should be scribed cut out, not hammered.
- Top of finished window well should have a safety railing minimum of 36" in height around the opening with a gate per existing town code, or alternatively have an acrylic/plexiglass type cover to satisfy building codes and safety requirements.
- All exposed wood materials need to be finished for future weather protection with paint, stain, aluminum wrap, or vinyl surfaces. All future maintenance is the Owners obligation.
- Disturbed lawn and landscaped area around the construction area must be restored to original condition or as specified variance.

### **109 Exterior Door Replacement Front Doors:**

- All exterior doors at Wood Creek are steel insulated doors. Most front doors have a sidelight or pair of sidelights attached to the front door system.
- To replace a front door today requires that the entire door system including the frame, threshold, and sidelight be replaced as a single unit.
- Although the steel doors are insulated and do not require a storm door, steel does expand and contract between cold and warm seasons creating the need for minor adjustments.
- Today almost all entry doors are made of fiberglass skin, this includes the sidelights as well. Fiberglass is highly recommended as it paints well, does not rust, and requires less seasonal adjustment of lock sets and the door sweep at the bottom.
- With a variety of systems available, Wood Creek will continue a policy of individual variances based upon the owner's request. We highly encourage the switch the fiberglass material. It is not realistic to just change a door panel due to the variety of frame styles and gasket systems.
- The owner should submit a variance for an entire new door system made of fiberglass to include any sidelights currently part of the design, and include a manufacturer's brochure of the door style. With complete information package, the architectural committee will respond to the variance following standard procedures.

### Rear French Door Systems

- Phase 1 of Wood Creek has a single French door leading to the original patio/deck area. This door can be replaced in-kind with a new fiberglass French door following the information noted above for front doors. None of these French doors have sidelights. They are single door systems.
- All other phases of Wood Creek have pairs of custom made French doors leading out to the deck area. Some of these have a (1) fixed panel and (1) operational door. Others have a dual operating French door system with an active side and astragal pin lock on the occasional use side. In all cases these are just slightly larger than 5 feet in width due to framing around the fireplace. These doors are what is referred to as a mullied unit, as they are made up of two individual doors in a custom frame. This is not a stock size for a door system.
- The options are varied to change these doors. They can be duplicated exactly as they are in steel (not recommended) or fiberglass. They do not come standard with any type of screen door, and a hinged door always requires swinging space to open to the interior.
- The preferred option today would be to replace these French doors with a sliding patio door that allows more flexibility in interior space as the door does not swing, and they come standard with a sliding screen.

- There are also available today alternate styles of French doors where the operating side change as well as the hinge location, allowing the door to latch more securely to a stud wall and framing rather than latching in the middle.
- Because of the variety of door manufacturers such as Marvin, Anderson, Pella, and others, the homeowner should submit a request on a standard variance form after reviewing the available options to consider with a contractor. Remember again, the entire door system and re-flashing the door head so as to avoid any leaks. Make sure the contractor you select has experience in doing this type of work and understands the sizes are custom.

History Approved February 13, 2012