Wood Creek
Homeowners Association Policies

Amended and restated December 2019

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Policies of the Wood Creek Homeowners Association

The policies in this document are divided into two categories. The General Policies (Section 1)) and the Administrative Policies (Section 2). History has been included where useful.

GENERAL POLICIES

1.01 Guiding Principles for the Operations of Wood Creek

Wood Creek Owners, their families, the Association Board of directors and the Property Manager shall give and expect to receive courteous treatment from each other.

Owners shall receive a prompt, oral, written or electronic response to maintenance requests, requests for information or other communications to the Property Manager or the Board of Directors in accordance with the Association's communication practices.

Owners are invited to attend all meetings held for the purpose of the business and management of Wood Creek. Motions will be made and votes will be taken in open sessions. The Board will follow the generally accepted procedure of going into executive session when it is in the best interest of the community to do so.

Specific times will be allocated for Owners to address all Board and Annual Meetings for such a period of time as determined by the Chairperson within the constraints of the agenda. An Owner who wishes to speak at a Board meeting must contact the Board Secretary or President 7 calendar days prior to the meeting.

The books, records and papers of the Association are available at the Property Manager's office for Owners to read and review during regular business hours. Copies may be purchased for a reasonable price to cover the costs of copying and labor.

Notice of official Association meetings including time, location and agenda will be posted on the Property Manager's and/or the Wood Creek website at least 24 hours prior to the meeting time.

Minutes of Board of Directors will be posted on the Wood Creek website as soon as reasonably possible after approval.

The Declaration, Bylaws and Board Policies are the rules and guidelines under which we operate.

History: Approved 3/13/06. Originally approved 7/20/99 & 8/17/99. On 11/17/98 the Board received a petition signed by 72 Owners representing 43% of households requesting the Board incorporate a specified Bill of Rights into the governing documents of the Association. This policy incorporates most of the provisions of the Bill of Rights and adds a few additional provisions. Prior to its approval: (1) The Board sent a letter to the Owners on 5/24/99 that included the Bill of Rights, the changes the Board felt were appropriate and the rationale for making the changes, and (2) Solicited comments by including it as an agenda item at the Annual Meeting.

1.02 Owners' Responsibilities
Owners will:

be respectful in their communications with the Board of Directors and other members of the Association.

- Abide by the Declaration, Bylaws and Board Policies of the Wood Creek Homeowners' Association
- Submit variances for any outside work on the property/unit and include contractor Certificate of Insurance.
- Direct all requests for information, services, and variances as well as questions and concerns to the Property Manager.
- Promptly report all leaks, structural problems and safety concerns to the Property Manager.
- Maintain Owner's plantings & decorations around unit to keep it attractive.
- Work cooperatively to improve the quality of life within the Wood Creek community.

1.03 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 clearly communicate whether the Association or the Owner is responsible for costs associated with service requests. Cost to Owner will be in writing.

If work performed is not satisfactory or completed in a timely manner the Owner should contact the Property Manager and Board President. The Property Manager shall be responsible for following up with a homeowner after repairs are done at their unit to verify that the work was done to the homeowner's satisfaction before the Property Manager processes the invoice for payment. This includes work done by Crofton employees as well as third party contractors.

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

1.04 Resolution of Owner Complaints

If an Owner is not satisfied with the Property Manger's handling of any issue, he/she should communicate his/her complaint to the President of the Board of Directors, preferably in writing.

1.05 Resolving an Infraction of Rules and Regulations

Any Owner may register a complaint or identify any potential violation by contacting the Property Manager or the Board of Directors.

The following steps may be followed toward a resolution:

The Property Manager or the board makes an initial determination if a violation has occurred.

- The Property Manager/Board writes the Owner in violation a letter explaining the complaint and requesting its correction.
- If deemed appropriate, a Board member will visit the occupant or responsible Owner to discuss the matter and seek a resolution to the problem.
- The occupant or responsible Owner may meet with the Board for a hearing.

Unresolved problems, violations of our documents or policies including variances, may incur a fine with the following maximum amounts:

- First offense = $50
- Second offense = $100
- Third offense = $200
- A lawsuit may be initiated.
- The town attorney or sheriff may be asked to take action if an ordinance is involved.

History: Approved 3/13/06. Originally approved 10/19/93. The Board of Director's policy for dealing with infractions of Wood Creek regulations is based on the following principle:
Good relations in our community are better-served and maintained through understanding and use of peer cooperation rather than using penalties, fines and legal recourse. The Board must act in a timely manner to correct problems using whatever means it has at its disposal. Additional information may be found in the minutes of 5/12/92, 8/10/93, and 9/14/93. Also note Newsletter #73, Winter, 1993-94.

1.06 Penalty for Late Payments

Payments received after the 15th of the month will be subject to a service charge of $35.

1.07 Procedure for Handling Requests for Variances

Variances are required for all outside work done by a contractor. All variance requests must be accompanied by the contractor's certificate of insurance.

Some variances can be approved on an expedited basis (e.g. window replacements, window washing and mulch application). All others will be reviewed and acted upon at the next appropriate board meeting.

Owners should carefully review the Wood Creek Policies that pertain to their variance request to be sure guidelines are followed. **Thoroughly** completed variances (**including attached contractor Certificate of insurance and necessary sketches**) should be submitted to the Property Manager **12** days prior to Board meetings. Upon receipt of all requests & supporting information, the Property Manager will immediately distribute a copy of the request to the appropriate Board member and/or Committee chairperson for review and recommendation.

The Board will act on variances at the next monthly meeting. Following Board decisions, a Board member will sign the variances, noting any requirements and/or conditions for approval or reasons for denial. Owners will receive a copy of the signed variance and written notification regarding the status of their variance request ASAP. Approved and denied variances become part of the unit's file.

Once a variance request is approved, the work must be completed within one year (or as determined by the Board) or a new variance will need to be submitted. Work may not be approved or commence until any necessary contractor insurance has been submitted to the Property Manager.

Owners must abide by the terms and conditions of their approved variances. If owners make any unapproved changes, do not have necessary contractor insurance, or begin work without the written consent of the Board, they will be subject to a fine and/or be responsible for returning the property to its previous condition. (Policy #1.05 & Policy #1.08)

The Property Manager will monitor all open variances. If the variance request requires extensive review, the Property Manager will notify the Owner of any delay. In the event of an emergency variance request, homeowners should contact the Property Manager.

1.08 Unauthorized Changes to Property

When an Owner makes a change without following the variance procedure, the Owner is responsible for all costs associated with returning the unit to its original state/condition and may also be subject to a fine.

History: The Declaration requires that the original architectural style and ambience be retained, so all changes to the exterior require a variance.

1.09 Installation of Plantings & Maintenance Responsibilities

The Association will be responsible for the maintenance of all plantings in the development within the grass line of the HOA property, excluding those that are in the rear of the units. However, plantings in the rear that were originally planted by the HOA (generally near electrical boxes, cable boxes, etc.) will be maintained by the HOA. The Association will not maintain annuals and perennials planted by Owners. The Association will try to avoid harming these plantings, but will not be responsible for damage, which does occur, i.e. during weeding of beds and the application of chemicals.

- installed beds or retaining walls will be maintained by the HOA (i.e. sewer discharge area between 32 and 34 Creek HOA Ridge).

All planting in the HOA property must be of a variety approved by the HOA. The Property Manager maintains a list of approved varieties of plants.

- New beds may not be created and existing beds may not be expanded without an approved variance.
- Homeowners should obtain guidelines from the Property Manager/Board as to the approved plantings and proper locations for them. While the Association maintains/trims bushes and trees in front courtyards and side beds only, the Owners are responsible for any special maintenance requirements, i.e. removal of dead or undesirable growth. If Owner's plants are not attended properly, the Association will intervene and may modify or remove the plants. Action taken by the Association will be at the Owner's expense.
- 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. Action taken by the Association will be at the owner's expense.
- Replacement of plants, shrubs, trees, etc. is always at the discretion of the Association.

- Mulch used in bed areas should be **dark brown** only. Stones or gravel may not be used in place of mulch in bed areas, however natural colored (not white) crushed stone/gravel can be used under decks if it does not encroach into yard areas beyond deck support posts. Variances are required for Owners to add mulch, stone or gravel.

History: Bullet #4 was updated to include the last sentence 7/15/13. In accordance with the Wood Creek Offering Plan, the Association owns all of Association provided landscaping and is responsible for its maintenance. For some 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.

1.10 Pruning, Trimming or Removing Shrubs and Trees

The Association will prune any original or Association installed trees as deemed appropriate and will take action if there are safety concerns.

Owners may have any trees or shrubs they installed removed, pruned or trimmed at their expense. Removals requires a variance that:

- Includes signatures from other Owners whose view, light, etc. may be affected.
- Provides detailed specifications for the work.
- Includes the name of the landscaper/contractor doing the work along with a copy of their insurance.

When there is a question as to responsibility for the payment of removal of plants, the Board will decide based on its judgment.

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.

1.11 Maintenance of Landscaping and Screening Near Air Conditioning & Generator Units

Landscaping near AC units seen from the street is the responsibility of the Association. Landscaping near generator units seen from the street is suggested only with contractor approval and planting recommendations. Generator landscaping will be the responsibility of the Owner if any is installed. A variance is required.

Screens around AC 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.

1.12 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, type of paint and the painting procedure that will be used.

History: Approved 3/13/06. Supersedes #90 Obsolete 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.

1.13 Emergency Generators

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

- A variance & contractor insurance must be submitted to the 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 or side 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 3/4" 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.

1.14 High Efficiency Furnaces and Hot Water Heaters

The high efficiency furnace and hot water heaters should be UL listed and installed following the manufacturer's 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. The Homeowner must request a variance for these items.
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 Committee is required prior to the installation.

1.15 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 locksets 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 & contractor Certificate of Insurance for an entire new door system made of fiberglass to include any sidelights currently pare of the design, and include a manufactures brochure of the door style. With complete information package, the architectural committee will respond to the variance.

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 mulled unit, as they are made up of two individual doors in a custom frame.
- 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 locking system, as well as the hinge location, allows the door to latch more securely.

- There are a variety of door manufacturers such as Marvin, Anderson, Pella, and others. The Owner must submit a variance request & contractor insurance.

1.16 Changes to Front Door Color

A variance & contractor insurance is required for changing the color of a front door. Consideration should be given to its visibility from the street.

History: 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.

1.17 Combination Screen and Storm Doors, Storm Windows and Screens

A variance request & contractor insurance 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 or better than previously installed storm doors.
- 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: 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.

1.18 Garage Door Repair or Replacement

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

A variance & contractor insurance is required to replace garage doors. 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 and color.

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 not acceptable.

Owners are responsible for the removal of old doors and hardware from the property.

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, 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.

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 billed to the Owner.

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.

1.19 Windows-Washing & Replacement

Window washing is the responsibility of the Owner. A variance is required.

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

- A variance and contractor insurance must be submitted to the Wood Creek Board before window or glass 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 are subject to variance review of sash dimensions.
- All windows visible from the road must have mullions (grilles) installed either on inside window glass surface, or between the glass surfaces of double glass panes.

- Original windows are Anderson Perma Shield Narroline 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.

1.20 Display of Removable Grilles in Windows

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

1.21 Egress Windows

- Owner will submit a variance request form along with any support documents/brochures to the Property Manager for Architectural Committee review and Board of Directors approval. Contractor Certificate of Insurance must accompany the variance request.
- 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 well 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 windowsill. 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 windowsill 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 in the variance approval.

1.22 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.

1.23 Window Boxes

Window flower boxes are allowed to be installed on windows with an approved variance and subject to the following conditions:

- Installation, maintenance, and removal of window flower boxes shall be the responsibility of the Homeowner. (Installation of removable boxes recommended.)
- 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 will be charged for removal/replacement by the Association.
- Any flower box not maintained will have to be removed by the Owner, upon request by the Association.

1.24 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.

1.25 Roof Penetration

Homeowner projects that require roof penetrations, such as: installation of exhaust fans, skylights, 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/damage that develop as a result of the penetration shall be the Owner's responsibility until the Association re-roofs, at which time future leaks, should they occur, will be the responsibility of the Association.

1.26 Skylights

Original standard skylights are maintained and replaced on a shared cost basis (50/50) by the Association and homeowner, as in accordance with past practice. Upgrades to standard skylights are at Owner cost. Skylights are considered *window lights,* as referenced in Declaration 6.01. The 50/50 split is a compromise to the conflict that exists in the Declaration.

Installation of new skylights must be approved via a variance and replacement is at Owner cost. Owner is also responsible for **all** costs associated with skylight installation and the skylight unit. (See Policy 1.25 for maintenance.)

1.27 Roof Installed Power Ventilators

Roof installed power ventilators are permitted with a variance 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 and for the mechanics of the ventilator.

History: Approved 3/13/06. Originally approved 11/18/02. Supersedes Policy #7 Obsolete. 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.

1.28 Satellite Dish

The following guidelines apply to external satellite dish installations within Wood Creek: A Variance Request 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 appropriate insurance.
- 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 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 Owner’s expense.

Lightning strike to dish and associated mountings shall be the responsibility of the Owner.

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 Owner.

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

1.29 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 Board. A variance approved by the Board is required.

1.30 Maintenance of Decks & Patios

Maintenance/cleaning of composite decks & patios is the responsibility of the Owner. A variance is required. Repair and replacement are the responsibility of the Association, only if installed by the Association.

1.31 Coverings on Decks

Partial coverings up to 10'x10' (carpeting, etc.) will be allowed on decks. Color should be neutral and approved via variance. Fireproof mats are strongly recommended under grills. The Owner is responsible for removal of unauthorized covering and the repair of any damage/discoloring that occurs as a result of the covering.

1.32 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".

1.33 Hot Tubs

Hot Tubs are **not** allowed. 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.

1.34 Patio Installation by Owner

Owners can make changes to their patios by submitting a variance Any encroachment on common property must be of a temporary nature, i.e., 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. Action taken by the Association will be at the Owner's expense.

1.35 Replacement of Rear Light Fixtures

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

1.36 Motion Detectors

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

1.37 Gas Lines (exterior)

Additional gas lines for grills, lights, heaters require a variance and installation by a certified plumber and in compliance with the Town of Pittsford codes/requirements.

1.38 Driveway Sealing

The Association is responsible for driveway sealing. Owners may submit a variance to professionally seal driveways, however, the work must be done during the season the Association is sealing driveways in your area of the community. This will ensure a uniform appearance with your immediate neighbors. Materials used must visually match those used by the Association and can include sand for a nonslip surface. All cracks should be filled at the time of sealing.

1.39 House Decorations

Townhouse living creates unusual conditions with small yard areas and neighbors in close proximity. It is important to remember that it takes only a few house & yard decorations for your unit to look tasteful and attractive. The Architectural Review Committee (ARC) has the right to review the display of objects on porches, in planting areas, garage fronts or patios/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, which 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 by writing or calling the Property Manager. Upon receipt of a complaint an inspection will be made. A recommendation will be given to the full Board (in executive session) as to whether removal or alteration of object(s) is required. If the Board deems removal is required, a letter will be sent to the Owner by the Property Manager outlining the required action.

1.40 Water and Water System

The Association will pay for water and the water system. The Monroe County Water Authority pays for the meter and piping.

History: Approved 3/13/06. Originally approved 9/11/84. A Master Meter System was installed based upon the recommendation of the Monroe County Water Authority as well as the favorable economics. This was chosen over having water meters on every unit.

1.41 Water Pipe Replacement Responsibility

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

History: Approved 3/13/06. Originally approved 1/10/86. Sections of 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.

1.42 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.

1.43 Parking Regulations

- Owners should 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 mailboxes.
- No overnight parking is permitted on the street by anyone at any time.
- Large or unsightly vehicles such as: commercial vehicles, vans, campers, dumpsters, 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 Creek Ridge.

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

1.44 Speed Limit

A speed limit of 15 miles per hour was set for safety on the community's private streets (Creek Ridge, Winding Wood, Summer Tree and Rainberry). Signs are posted.

1.45 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.

1.46 Bird Feeders or Bird Houses

In order to put up a bird feeder or a birdhouse, 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 1st and April 30th. During the rest of the year, either the bird feeders or the food must be removed.

Any bird feeders or birdhouses 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.

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

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.

1.48 Pets

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 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.

1.49 Invisible Fencing

Invisible Fencing is not permissible. All dogs must be on a leash.

1.50 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.

ADMINISTRATIVE POLICIES

2.01 Board of Directors Responsibilities

- The Board will conduct themselves in a professional manner and treat all members of the Association respectfully and fairly/equally.
- Perform strategic and long-range planning
- Establish Association Policies, as needed
- Keep informed
- Participate in Walk-Arounds
- Contract for and evaluate the Property Manager's performance.
- Be responsible for the appearance, financial condition, character and quality of community life in Wood Creek
- Provide expertise based upon the experience of Board members
- Communicate with Wood Creek Owners frequently
- Respond to Owners' concerns and questions that cannot be resolved by the Property Manager
- Equitably and uniformly enforce the Declaration, Bylaws, and Association Policies of Wood Creek

2.02 Board of Directors' Meetings

At the first organizational meeting of each newly elected Board, the President, Vice President, Secretary & Treasurer should be elected. The Board members who will serve on the Architectural Review Committee & Nominating Committees should be appointed. Committee members should be determined within 3 months of the organizational meeting. Other committees, such as landscaping, grounds, tellers, etc. will be formed when deemed necessary by the Board.

- The Board Chair will preside at monthly meetings that will be held at least 11 times a year.
- The Secretary will record the minutes of the meeting and provide a copy for review prior to the next monthly meeting at which the minutes are to be approved.

- Owners are welcome at all Board meetings, and time is allotted for them to speak to the Board. Owners should notify the Secretary or President 7 calendar days prior to the meeting if they would like to address the Board.
- The Property Manager will report on the activities of the past month and plans for the upcoming months. Included in the reports will be Financial information, Landscaping, and key projects.
- Board members will report on projects that are within their area of expertise and responsibility.
- The Board will review, discuss and act on all correspondence sent to the Board or Property Manager during the prior month.
- Individual Owner issues of a personal nature will be discussed in Executive Session in order to maintain a high level of personal privacy and confidentiality and avoid embarrassment of the Owner.
- The Board may use Robert's Rules of Order for procedural issues.

2.03 Annual Meeting Procedures

The Association Board Chair will chair the meeting.

The primary purposes of the annual Meeting are:

- Update the Owners on the status of Wood Creek
- Report from Board and Committee Chairs
- Report from Property Manager, if appropriate
- Present upcoming projects and current issues of concern
- Solicit input and questions from Owners
- Respond to questions and concerns
- Complete the election process

Prior to the meeting each Owner will have received:

- The agenda
- Biographies of those nominated for the Board
- Information and any necessary materials regarding the voting procedures for Board members

An annual budget and a statement of income and expenditures will be mailed to Owners annually.

2.04 Procedures for Election of Board Members

The following procedures for the election of Board Members augment those contained in the Declaration and Bylaws:

- The Chair of the Nominating Committee may run for re-election.
- The Board will determine the date by which all nominations must be submitted by the Nominating Committee.
- The Board will select the chairperson of the Tellers Committee (Inspectors of Election) and its members in advance of the Annual Meeting.

- Information about the candidates, an explanation of the voting procedure, a proxy and an envelope will be mailed to homeowners prior to the annual meeting.
- The election will take place at the Annual Meeting.
- If a homeowner is not present at the Annual Meeting, he/she may mail their proxy to the Board Secretary or give it to a homeowner who will attend the Annual Meeting.
- The Secretary of the Board will oversee the voting process.
- The results of the election will be announced at the Annual Meeting.

2.05 Filling Board Vacancies

Vacancies may be filled by a vote of the Board of Directors. Consideration will be given to a person's: interest, ability, willingness to serve, skills, demonstrated honesty, integrity, ability to work well within a group.

2.06 Long Range Planning Procedures

The Board of Directors maintains a Long-range Plan, which is reviewed annually to assure it remains effective. The Plan should cover but not be limited to: roof replacement, siding, driveway and road repair/replacement, painting, landscaping. The Board incorporates forecasted costs into the annual budget to provide funds for the various long-range maintenance items as deemed necessary.

2.07 Contract Process Policy & Bidding

Contracts for expenditures of $10,000.00 and higher for both *Normal Operating Expenses and Reserve Expenses* will require a bidding process approved by the Board. Written Specifications, if necessary, for each such contract will be presented to and approved by the Board. A List of Bidders for each such contract will be presented to and approved by the Board. A minimum of at least three (3) bids will be required unless otherwise approved by the Board.

<u>Normal Operating Expenses</u>

- The Board will obtain bids or proposals on contracts for *Normal Operating Expenses* as determined necessary by the Board as part of an <u>Annual Budget Process</u>.
    - Current Contracts approved by the Board include:
        - Large landscaping expenses
        - Lawn Maintenance
        - Property Manager Contract
        - Refuse disposal costs
        - Snow Removal
        - Insurance

- The Property Manager will be given the latitude to enter into contracts less than $1,000.00 for *Normal Operating Expenses* included in the annual budget, but the Property Manager shall not exceed the annual budget without Board approval.

  Unless otherwise approved by the Board, at least two (2) bids will be obtained for contracts between $5,000 and $10,000.

- Other *Normal Operating Expenses* beyond the control of the Board and Property Manager will include the following, for which bids will not be required:
  - Utilities
  - Taxes

Reserve Expenses

- *Reserve Expenses* will generally be subjected to a bidding process as stated in the introductory paragraph. However, the Property Manager will have the discretion to enter into contracts when it is determined that time is of the essence. Such contracts will require the approval of at least one Board member.

Additional Practices

- Bidding requirements can be waived by the Board when determined appropriate in the interests of the Association.
- Contracts for major capital expenditures should provide for independent inspection by a professional architect or engineer.
- Efforts will be made to complete the bidding process and execute the formal contract a minimum of three (3) months before commencement of the work.
- All contracts, both *Normal Operating Expenses and Reserve Expenses*, between $5,000-$10,000 must be reviewed by at least one (1) member of the Board, prior to signing.
- Depending upon the project, an onsite pre-bid visit by contractors is recommended.
- Ordinarily, a percentage of the contract price will be withheld until final approval of completed work by the Association or its agent.
- Contract specifications should always be in writing with detail appropriate for the size and nature of the contract.
- Contracts will include warranties appropriate to the work or products involved.
- Contract length should not exceed 1-2 yrs.
- Contractors will be required to have appropriate insurance coverage.

History: Based on recommendations of the Internal Control Committee and discussions with other Homeowners Associations and Property Management firms concerning contracting processes, revisions have been made and become effective immediately. Policy updated and reapproved March, 17, 2014. Originally approved December 17, 2012.

2.08 Excess Funds/Materials from Projects

Any funds leftover from an Association project belong to the Association and should be put into the Association's general fund.

Any materials left over from an Association project may be disposed of in a way that is of greatest benefit to the Association. These include:

- Return materials not needed and put refund in Association's general fund
- If leftover materials are not needed for future repairs/replacement, consider selling them at a fair/reasonable price. Funds will be put into the Association's general fund.

2.09 Property Manager Responsibilities

- Handle day-to-day operations and activities of Wood Creek as per contract obligations.
- Have input into strategic and long-range planning.
- Call upon Board members for their expertise to accomplish specific tasks.
- Report the status of day-to-day activities at Board meetings and the Annual Meeting.
- Receive all Owners' requests and keep them informed of status.
- The Property Manager will clearly communicate whether the Association or the Owner is responsible for costs associated with service requests. Cost to Owner will be in writing.
- Develop and recommend the next season's vendor contracts to the Board. Utilize all available resources efficiently and effectively.
- Lead the Walk-Arounds – minimum of 2 per year with the entire Board invited to participate.
- Take expedient action to stop all water leaks into buildings.
- Take expedient action to deal with safety issues.
- The final decision on all requests that fall within the defined rules and regulations and are the responsibility of the Property Manager will receive the full support of the Board. If any disagreement exists over the policy or its interpretation, the matter will be discussed and resolved at the next Board meeting.

2.10 Relationship between the Association Board & Property Manager

The Board of Directors hires the Property Manager to manage the affairs of the Association and holds him/her accountable according to the contract between the two entities, and the applicable provisions of the Declaration, Bylaws and Association Policies.

2.11 Evaluating Property Manager Performance

The work of the Property Manager will be reviewed annually by the Board of Directors based upon mutually agreed upon criteria. The Board should benchmark other Property Managers at least once every five years.

History: Approved 3/13/06. Originally approved 7/20/99. Re-approved 3/13/06. On 11/17/98 the Board received a petition signed by 72 Owners representing 43% of Owners requesting the Board incorporate a Property Manager Benchmarking Process into the governing documents of the Association. This policy incorporates several of the specific provisions of this request.

2.12 Maintenance of the Entrance to Wood Creek

The Wood Creek Homeowners' Association purchased the sign at the entrance and is responsible for its upkeep including the light bulbs and painting. The condominiums and apartments 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.

2.13 Greeting New Owners

In addition to the Property Manager's welcome letter, a member of the Board of Directors, on a rotating basis, will contact each new Owner as soon as possible to provide a welcome from the Board and answer any questions. Owners should be reminded to familiarize themselves with the Bylaws, Declaration, variance process & form, and Responsibility Matrix.

2.14 Contributions to Organizations

No contributions will be made to other organizations.