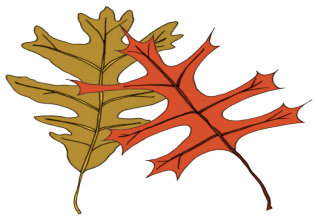
The Enclave at Sable Oaks Association

Handbook

2025



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Section I. Current Board of Directors

Carol Buzzard, President – (term ends 6/2025)

carolbuzzard@icloud.com; 585-732-6145

Jeanne Phillips, Treasurer – (term ends 6/2026)

Phillipsjeanne74@gmail.com; 585-746-4913

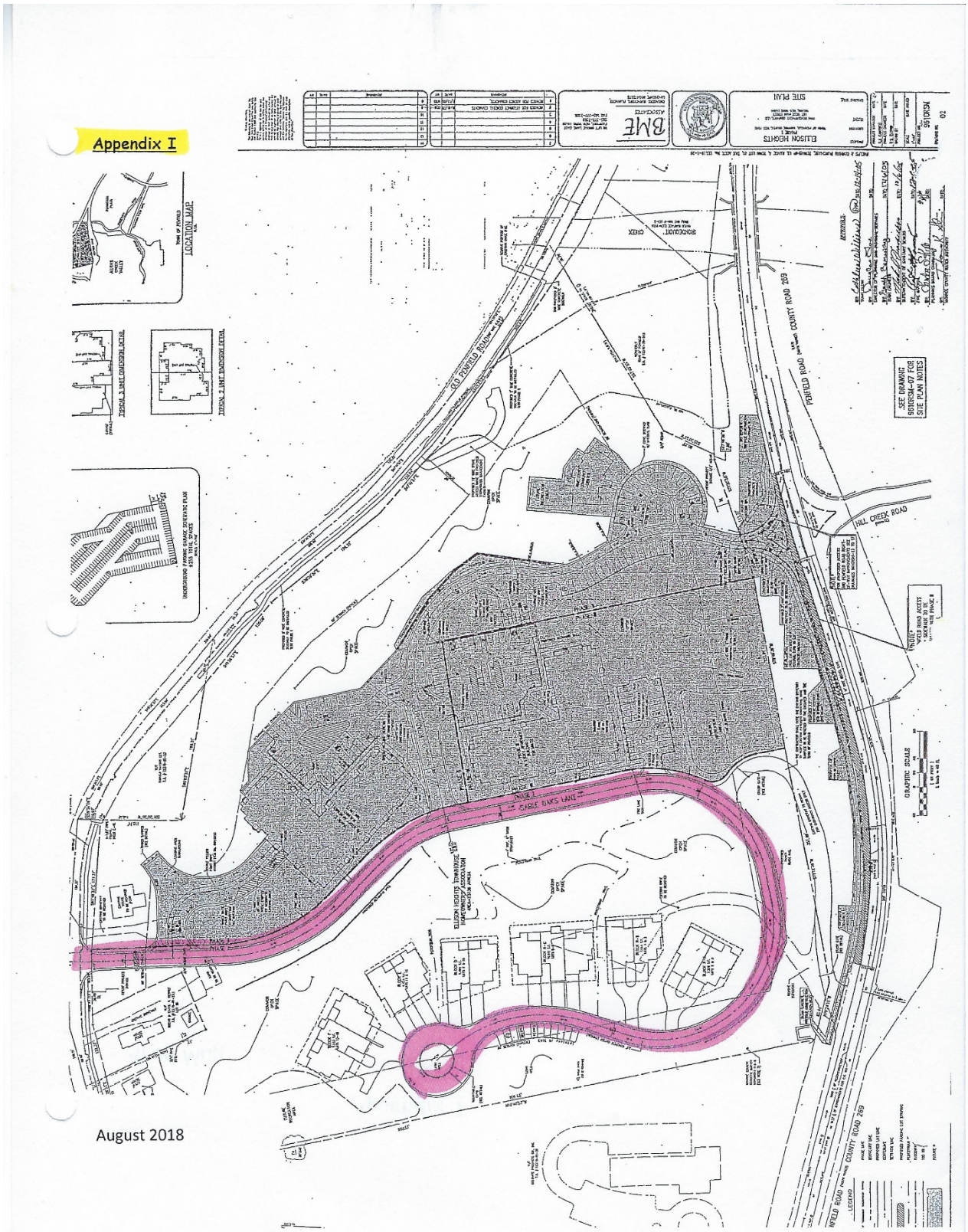
Jeff Levenkron, Secretary – (term ends 6/2027)

jeffrey.levenkron@gmail.com; 585-576-9648

Section II. Sable Oaks Property Description with Map

The Sable Oaks property consists of 8.6 acres which includes common areas and 14 home sites. The common areas owned in fee and managed by "The Enclave at Sable Oaks Homeowners' Association", (the "Association") are 7.5 +/- acres and include: Sable Oaks Lane, a 20' wide private road approximately 1800' long ending in a cul-de-sac and accessed from Old Penfield Road; 14 driveways to individual homes; 12 common parking spaces; 2 retaining walls; an emergency road accessed from Penfield Road; a storm drainage system; and landscape features. The common road is shared in use and maintenance in part by The Association and Ellison Heights Apartments.

Appendix I



August 2018

Section III. Board of Directors

a) **Mission Statement**

The Board of Directors (the "Board") will to the best of their ability PRESERVE, PROTECT, and PROMOTE the property values of Sable Oaks property.

b) **Declaration & By-Laws** can be found on our webpage at Crofton Perdue Associates: https://www.croftoninc.com/the-enclaveatsableoaks

c) **Management Company:** As of January, 2019 The Enclave at Sable Oaks HOA has Crofton Perdue Associates as a Property Management Company. Our website can be found at https://www.croftoninc.com/the-enclaveatsableoaks. All important documents and notices are available to all homeowners on a 24/7 basis. Current and past financial records can also be found on our website. Community written materials and archives (maps) are the property of the entire community and can be accessed through Crofton Perdue.

Crofton Perdue Responsibilities as it Relates to our HOA:

- Assume all financial accounting such as accounts payable, accounts receivable, deposits and payment of invoices
- Ensure an annual audit is completed and file our tax returns annually
- Provide the HOA with an annual budget to be approved by the BOD. Any expenditure not detailed in the annual budget which exceeds $5000 must be approved by the majority of homeowners.
- Prepare and present the financial report at our annual meeting
- Accept all variance requests from homeowners

- Field calls from homeowners regarding questions or concerns of any nature relating to our HOA. All homeowner concerns should then be relayed to the president to be added to the next BOD agenda.
- Provide homeowners with notice when vendors are expected in our community
- Solicit bids from contractors/vendors when work is needed for the Association, and present these bids to the BOD for discernment.
- Ensure all legal and financial data is provided to the selling homeowner and their realtor at the time of listing. This includes all deed encumbrances.

d) <u>Responsibilities of Board Members:</u>

- Your Board is made up of three members elected from the homeowners, each serving for a three-year term. A person can remain on the BOD after serving for 3 years if he/she is re-elected with no hiatus required. Each Board member should read and understand their association documents.
- There will be no compensation for their service, but they will be reimbursed for any Board approved association expense paid out of their personal funds.
- No Board member or member of their household may receive any financial benefit including, but not limited to, money, gifts, or other consideration from any person or firm doing business with the association or as a result of transactions involving the association.
- Any Board member may be removed by a majority community vote.

- In the event of death, resignation, moving from the neighborhood or Board removal, the successor shall be selected by remaining members of the Board and will serve for the remainder of the unexpired term.
- A position will be considered vacant if member misses three consecutive meetings without a valid reason.
- Board members must be at least 21 years old and an owner, not renter.
- Variances submitted to the Board by any homeowner must be approved or denied within 30 days.
- Thirty days prior to our annual meeting the Board will ask for volunteers for the Board. All those stepping forward will supply the Board with a short bio and it will be provided to the Homeowners five days before the annual meeting. Selection will be by simple majority, hidden ballot.
- Attorneys who are Board members are not to represent other members of the association.
- Members of the Board shall always act in a professional manner in dealings on behalf of the association.

HOA Board President:

- The president sets up association meetings and presides over them so as not to exceed the allotted time.
- He/she meets with the Board to establish important issues to include on the meeting's agenda. The BOD reviews and approves all meeting minutes.

- He/she is responsible for knowing about proper association procedures and voting methods. He/she shall ensure the proposed budget is distributed to the homeowners five (5) days prior to the annual meeting.

HOA Board Secretary

- The secretary writes all meeting minutes and ensures they are posted on our website.
- He/she will maintain a current directory of all homeowners and ensures the current directory is posted on our website.
- In the event the president is absent the secretary shall exercise the powers and duties of the president.

HOA Board Treasurer:

- The treasurer shall carefully review the monthly Manager's Report provided by Crofton to ensure expenditures are correct and in the proper account.

Section IV. Rules and Regulations

- All vehicles in the common area must be licensed and operable.
- The landscaping of the common area is for the enjoyment of the owners. Trees, shrubs, bushes and all landscaping shall not be cut, tampered with, or harmed in any way. If a homeowner wishes to plant a tree or shrub on common ground, a variance must be filed for approval.
- Garbage, trash and cuttings shall not accumulate on lots and/or common areas.
- Pets on the common areas shall be leashed. Pets must be housed and dwell within the residence; no extended outdoor dwelling containment (such as a chain or dog house) shall be permitted. Owners shall not encroach on the property of other homeowners to relieve their pet. All dogs age six months or older must have certification of rabies vaccination and must be licensed by the Town of Penfield. Pet owners must clean up after their pets and dispose of the "poop bags" in an approved container, out of sight from the street. Do not deposit pet waste in our storm drains.
- Boats, trailers, recreational vehicles, and other large vehicles shall be stored inside garages. Temporary driveway parking of such vehicles is permitted for a maximum of 72 hours.
- No political endorsement signs are to be placed in the front, back or side yards, or windows.
- "For Sale" signs are only permitted on the front, side or backyard on the day of an open house. Once the open house has ended for that day, the sign must be removed. A "for sale" sign may be displayed in the

front window of the unit visible to the street. A larger "for sale" sign may only be displayed at the foot of Sable Oaks Lane at Old Penfield Road, and on our HOA property along Penfield Road; no other location allowed. All "for sale" signs must be professionally created.

- A 20-mph speed limit is set throughout the neighborhood. Please also observe proper right lane traffic flow for safety in blind spots and for pedestrians.
- Glass entrance/storm doors may be installed at the front door with a Variance Request Form and Board Approval. The color options are: white, beige, or black/burgundy/green in accordance with the door and shutter color of the residence.
- Windows are a homeowner responsibility. Any window that is broken or cracked must be repaired as soon as possible. Windows which have had the seal broken (becoming foggy) must be repaired as soon as possible.
- Installation of generators requires a variance be filed.
- Sidewalks are an Association responsibility. However, if a homeowner wishes to replace their sidewalk with stamped concrete, a variance must be submitted to the BOD for approval. The variance must include the color and design, along with a sketch of the proposed walk. The sidewalk will then become the responsibility of the homeowner for all future care and maintenance. If proper maintenance is not done and the sidewalk becomes dangerous or unsightly, the Association will have the right to demand repairs be made at the homeowner's expense. Pavers are not allowed.

- Charcoal or propane grills kept on the driveway or front sidewalk must be returned to the garage after each use. Large patio umbrellas may only be kept on back decks or in a homeowner's back yard.
- Collapsible lawn furniture at the front of your home must be returned to the garage after each use. Larger pieces of patio furniture at the front of your home will be limited to two chairs and must not encroach on your neighbor's yard. Any patio furniture cushions must be stored in the garage when not in use.
- Garage sales are not allowed. Estate sales will be allowed with Board approval only. Estate sale signs must be professionally created and are only allowed to be placed on the front or side yard on the day of the sale. A professional Estate Sale sign may be placed on Old Penfield Road and Sable Oaks Lane.
- No part of the property shall be used for other than the purpose for which designed. No industry, business, trade, commercial, religious, child care, etc.
- Each unit shall be used as a single-family residence only.
- Modest "portable" plants within ten (10) feet of the home/garage are allowed without permission if the plants are no higher than five feet, maintained in good health, pruned, and not to obstruct or intrude on a neighbor's view.
- The displaying of the United States flag is allowed, no larger than the standard home flag (3' x 5'). Flag poles are not allowed in the yard.
- Homeowners shall not affix or place a radio antenna or television satellite dish to exterior walls or decks.

- Seasonal items that are displayed must be taken down within a reasonable period after the holiday or season is over. Christmas decorations must be removed by March 1st. Seasonal yard inflatables are not permitted.

RULES & BY-LAWS VIOLATIONS

Violation of these Rules and Regulations or By-Laws may result in a fine. Fines will be determined at the Board's discretion. An unpaid fine may result in the matter being turned over to the association's attorney for resolution. Before turning a matter over to the association's attorney, a homeowner shall be given at least fifteen (15) days written notice of the Board's intention, along with a statement of the reasons thereof.

- First and Second incident: letter
- Third and subsequent incidents: matter is turned over to the association's attorney for resolution, with all costs borne by the homeowner.
- Any homeowner objecting to either the violation or fine is entitled to file a written appeal to the Board within eight (8) days of the notice. Upon filing the appeal, the homeowner shall be entitled to be heard before the Board, either orally or in writing, not less than eight (8) days prior to the effective date of turning the matter over to the association's attorney.
- Following this hearing, the Board shall determine, at its discretion, whether to proceed with imposed fine. Written notice of the Board's decision shall be given to the homeowner not more than 48 hours following the hearing.
- All notices under this section, given either to the homeowner or the Board shall be in writing and delivered personally or sent by first class mail, postage prepaid. Notices to a homeowner shall be sent to the homeowner's last address of record as shown in the association's files.

Notices to the Board shall be sent to Crofton Perdue Associates with duplicate copy of the notice to the current President, at his/her home address. All notices shall be deemed effective upon receipt if delivered by hand or of confirmed proof of delivery or within three days of mailing.

Section V. Rental Properties

Based on the small size of community, the number of units that may be rented at any time is limited to two (2). Any request to rent your unit must be submitted to Crofton Perdue prior to renting. To minimize disruption to neighbors and the community, rentals must be long term (minimum 12 months) in duration and may only be made to a single resident or family; multi-family use is strictly prohibited. Investment property leasing is prohibited; only units that were previously owner-occupied may be rented. A standard rental agreement is required. Refer to our website.

a) **Landlord Responsibilities**

Owners are responsible for ensuring that their tenants follow all association rules and regulations. Owners must instruct tenants to read all pertinent documents on our website. If a tenant violates a policy or rule, the owner will need to remedy the situation using resources available to you in your lease agreement. If the violation results in fines, it is up to the owner to pay the association and then be reimbursed by your tenant. If the owner is unable to correct the issue, the association may pursue appropriate legal action against the owner. Renters' rights are protected under the Fair Housing Act as well as state landlord-tenant laws. Rules or policies that violate any rights protected by state or federal laws are not legal and cannot be enforced.

b) **Association Responsibilities**

The association has no direct authority over renters. It does, however, have authority over the owner and will exercise its rights to enforce policies. Landlords shall provide the Board with tenant contact

information and a copy of the lease agreement. The owner/landlord is responsible for all association dues and assessments.

Section VI. Association Monthly Dues

The association collects fees for maintenance and beautification. Dues are paid monthly and may be automatically withdrawn from your bank account or paid by check, mailed to Crofton Purdue. The fee may be adjusted periodically by the Board based on changes in reserves requirements and other approved expenditures. The fee covers the following:

Property Management Company

Exterior Maintenance and Repair, Excluding Windows

Snow Removal

Landscaping

Refuse Removal

Pest Control

Maintenance of Common area trees

Insurance (does not cover interiors/personal property)

Taxes (common ground, not personal property)

Legal

CPA Audit & Tax Filing

Roadway Repair and Sealing

Minor Roof Repairs

Exterior Painting

Greenlight services

Reserve Account

The Board may impose a lien on all unpaid dues and associated legal fees.

Section VII. Management of Common Grounds

(Common ground is all property not deeded to any specific homeowner)

a) Snow and Ice Management:

- Homeowner agrees to make reasonable effort to keep service area clear and free of vehicles. NOTE: Plowing may not clear to bare pavement and slippery conditions may prevail.

b) Landscaping Management: (as specified in the vendor contract)

- The Board shall ensure maintenance of all gardens and landscape features to the same level of quality. If individual homeowners, by way of Board approval, have chosen to take over the garden and landscape responsibility in the area near their homes, the Board shall ensure that those areas are maintained at a consistent level of quality. The Board shall direct and manage the landscape vendor.
- Homeowners who have an approved architectural request to improve the common area around their home assume all landscaping management themselves.

- If an association plant/tree is damaged due to a homeowner's negligence or accident, replacement costs will be the homeowner's responsibility. Any tree that must be replaced will be replaced with a tree of similar value.
- The Enclave does not have a community water source. Therefore, it is the responsibility of the homeowner to water their own lawn and garden beds. If the lawn or Association plants die from lack of water, the Association will replace the lawn/plants at the homeowner's expense.
- It should also be noted that the lifespan of our landscaping is noted to be 15 – 20 years. All foundation plants were upgraded in 2017, with the exception of 632 SOL, and those homes which had previously improved their foundation plants at the homeowners' expense: 602, 614, 620, 644, 650. NOTE: 632 plants were upgraded in 2020. Foundation plants are ONLY TO INCLUDE trees and shrubs. Perennial plants will not be replaced by the HOA. A list of suggested plants is available and attached to the Handbook.

c) Common Area Trees - A regular pruning program has been instituted to reduce the risk of tree failure. The association conducts a bi-annual review of common ground trees. Diseased limbs and trees will be removed as soon as possible. Exception: Trees in the tree line along the back of our homes is considered forever wild. As such, downed limbs are left to decay. If a tree is deemed to be a threat to any home by an arborist, the association will have the tree removed.

d) Roadway & Driveway Maintenance – To include annual inspection by an approved contractor to determine the need for crack filling and

sealing. Contractor has recommended sealing every 3 to 4 years, and crack filling every year as needed.

e) Refuse - Appliances and oversized items must be disposed of by the homeowner and may not be left at curbside. Our pick-up is each Thursday. Please put your trash out Wednesday evening or early Thursday AM. Homeowners are responsible to contact our vendor (Waste Management) to arrange for bulk pick-up.

f) Pest Control - Current vendor covers exterior treatment for flying insects, ants, millipedes, potato bugs, and spiders. Homeowners can call the vendor should there be an infestation inside or outside their house.

g) Storm & Sanitary Sewer System - Homeowners are responsible for the maintenance and repair of the storm lateral from the private storm sewer line main to their home, and of the sanitary lateral from the easement to their home. Any damage to common area vegetation or storm systems by underground watering systems are the responsibility of the homeowner.

h) Greenlight Internet – Greenlight services have been added to our monthly dues for ease of accounting purposes.

Section VIII. Homeowner Responsibilities

As part of a Home Owner Association you are asked to:

- Participate in the activities of your Association
- Run for a position on the Board.
- Attend the annual meeting, typically scheduled for June

- Pay your monthly association fees on time.
- Participate in the neighborhood watch program. If you see something suspicious, call 911.
- Follow all rules and regulations.
- Submit a Variance Request to the Property Management Company if you wish to change landscaping within your footprint. The written request must include a detailed proposed plan and it must be approved by the Board before any changes can be made.
- Immediately report, in writing, any damage to association common grounds (including exteriors) to the Property Management Company.
- Have appropriate insurance; liability, fire and personal property.
- Attend the Board of Directors meetings if you have any concerns you would like to raise. Please remember that the only time you may address the Board is during the Open Forum, first 15 minutes of the meeting.
- Communicate with the Board if you believe changes should be made to this document.
- Concerns which relate to possible association rule infractions should be reported to the Property Management Company. Matters that fall out of the rules and regulations of the association, such as noise problems, or harassment, should be reported to the police.

Section IX. HOA Calendar

JANUARY:

- Snow plowing season

FEBRUARY:

- Snow plowing season
- Mgmt Company to contact CPA to complete HOA tax return

MARCH:

- Snow plowing season

APRIL:

- Snow plowing season ends!
- Mgmt Company to contact plow contractor with list of repairs
- Mgmt Company to bid work for road repairs &/or sealing
- Distribute Call for Board Member candidates
- Spring landscape clean-up by our landscape company
- Mgmt Company to conduct a walk-around to assess need for road sealing or repair, siding repair, landscape upgrades, sidewalk repair, etc.

MAY:

- Distribute Notice of Annual Meeting to homeowners.
- Reserve Space for Annual Meeting at Crofton Perdue.
- Request homeowners submit to the BOD their suggested changes to our Handbook.
- Mgmt Company to set up biennial review of common area trees to identify unsafe or unsightly trees for removal or pruning.
- Annual mulching by our landscape company.
- Pest control services
- Trimline applies fertilizer, crabgrass & weed control, and continues throughout the season
- Trimline applies Tree & Shrub insect control, and continues throughout the season

JUNE:

- Submit budget to homeowners 5 days prior to Annual Meeting.
- Annual Meeting
- Selection of new Board Member
- Vote on any suggested changes to our Handbook.
- Vote on any proposed upgrades to our neighborhood requiring additional money be spent.
- Pruning of shrubs by our landscape company

JULY:

- Continuation of landscape maintenance

AUGUST:

- Driveway / road repair or sealing as needed

SEPTEMBER:

- Pruning of shrubs by our landscape company
- Mgmt Company to obtain separate Snow Plow contracts for lower third and upper 2/3
- Mgmt Company to submit Plow contract for lower third to Ellison Heights Apartments for approval. They have 15 days to approve or reject.

OCTOBER:

NOVEMBER:

- Distribute budget for upcoming year to homeowners
- Mgmt Company to bid out gutter cleaning
- Fall clean-up by our landscape company
- Any annual assessment must be announced prior to December 1st.

DECEMBER:

- Snow plowing season

LIST OF POSSIBLE PLANTS FOR ENCLAVE AT SABLE OAKS Updated 5/24/23

NOTE: Most perennials need water and deadheading to continue to flower. Also, may need occasional deer repellent spray. There is NO GUARANTEE the deer and rabbits won't try something new!!

SHRUBS:

Boxwood – sun or shade – deer resistant but vulnerable to snow damage off roofs

Chokeberry low mounding – 2-3' tall, full sun to partial shade (spring white flowers/red leaves in fall)

Chokeberry tall – 4-5' tall – partial shade – deer resistant

Deutzia – yuki cherry 2' tall or chardonnay pearls 3' tall – sun -deer resistant

Dwarf butterfly bush – dwarf is 2' tall – sun - deer resistant

Goatsbeard – 4' tall - Partial shade – 4' tall white flower plumes – deer resistant leaves but deer will eat the tender flower shoots – needs protection

Japanese Plum Yew – this yew is very deer resistant & not as vulnerable to snow damage –(Bristol's)

Lenton Rose – shaded areas – deer resistant

Miss Kim Lilac – deer resistant – full sun to part shade – slow growing 6-8' tall at maturity

Shasta Viburnum 5-6' tall and can prune for shape – sun - deer resistant

Spilled Wine or Wine and Roses weigela for larger areas – sun to partial shade - deer resistant

PERENNIALS: (plants that come back year after year)

Astilbe – do NOT plant in full shade – likes a few hours of morning sun and needs to be watered

Bleeding Heart – part shade-shade – deer resistant – flowers in early spring then stops

Dianthus (tall variety) - deer and rabbit resistant – full sun to partial shade

Foxglove – toxic to deer but they only live 3-4 years

Lady's Mantle 12-18" tall; deer and rabbit resistant – full sun to partial shade

Rozanne Geranium – Full Sun – plant several to cover a larger area – flowers May-October

Russian Sage – full sun – 2.5' tall – flowers summer

Salvia - full sun – 2.5' tall – flowers summer – variety of colors

Sombrero Coneflower -2' tall, full sun

Walkers Low Catmint – 2' tall – full sun – lavender flowers in late spring; will reflower if pruned back after first flowering

Yarrow – full sun – deer resistant

ORNAMENTAL GRASSES: Japanese forest grass (yellow) – sun to part shade; sedges (many varieties to choose from); Japanese painted fern (green & burgundy) – part shade to shade – These are all deer and rabbit resistant

Google any of these plants to get a better idea and photo. These are only suggestions.