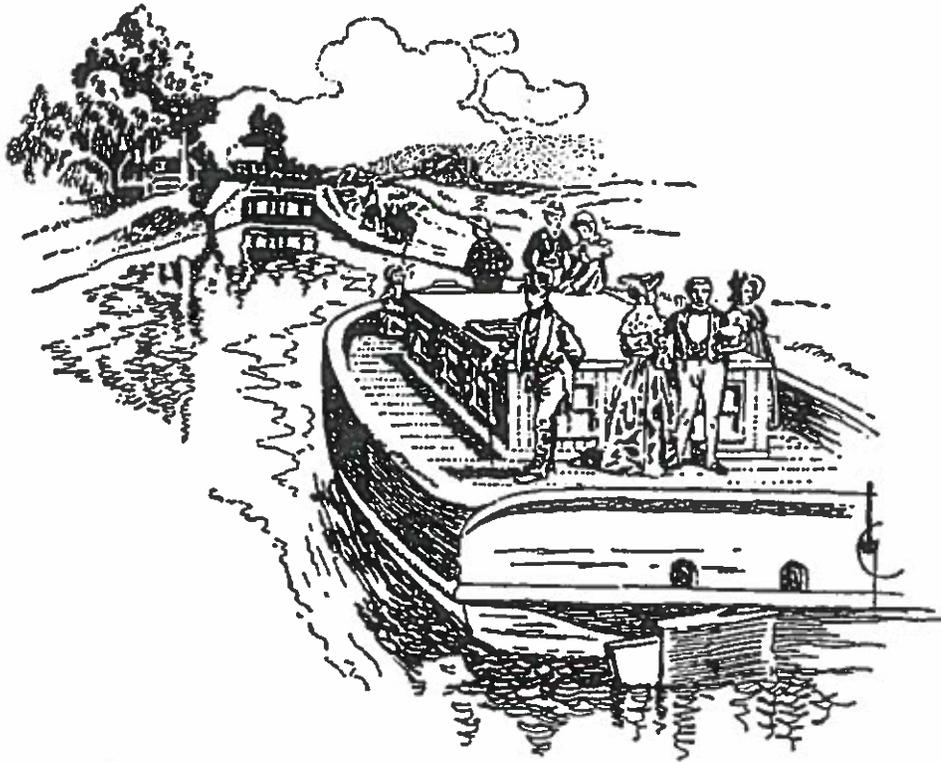

CANALSIDE
HOMEOWNERS' ASSOCIATION
HANDBOOK



REVISION #13
APRIL 2018

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CANALSIDE HOMEOWNERS ASSOCIATION HANDBOOK

REVISION #13 – APRIL 2018

While it is the hope of your Board of Directors that this handbook will facilitate your understanding of the rules and regulations which govern Canalside Townhouses, it must defer to the text of the rules and regulations in the ByLaws. For more information consult your copy of the ByLaws with its current conditions.

1.0 PURPOSE OF THE HANDBOOK

WELCOME TO THE CANALSIDE COMMUNITY

The Canalside Homeowners' Association Guide is developed and published under the direction of the Canalside Board of Directors. Each homeowner is expected to have a copy of the Declaration and Bylaws in their possession. These can be downloaded from our webpage at www.CroftonInc.com, Our Communities, Canalside.

The intent of the guidelines is to assist us in the day to day activities upon which our community will function. We, as a small community, require member effort and understanding to attain a harmonious environment.

The Bylaws address the rules of the Association. The Declaration and Bylaws are the governing documents of the Canalside Homeowners' Association. Changes and/or additions can only be made with membership approval. Changes in direct conflict with the governing documents must go through a legal process and be filed with the County and State governments.

Maintaining and managing the real value of our properties on the current and future market is of prime importance to us all. These values are affected by the upkeep of the units and common areas of the Association. We feel our community affords us the unique opportunity to work cooperatively to protect these values.

2.0 FAIRPORT VILLAGE & RECREATIONWAY COMMISSION

VILLAGE OF FAIRPORT

Your elected Board of Directors will interface with the Village on all matters concerning the Association on an as required basis. However, if there are occasions when Association members wish to contact the Village personally, they can do so via the following:

Village Manager	421-3201
Village Mayor	421-3209
Police & Fire Emergencies	911
Police Administration	223-9500
Electric-FMC Office	223-9500
Trash-Highway Department	223-9500
Recycling-Waste Management	877-447-6881 (toll free)

TOWN OF PERINTON

General Offices (Tax Assessor)	223-0770
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THE CANAL RECREATIONWAY COMMISSION

The 24 member advisory body began meeting regularly in May, 1993. The Commission is charged with preparing a statewide plan or blue print for the redevelopment and preservation of the New York State Canal System. They work with the individual communities along the canal to create a partnership environment. The Canalside Board of Directors can supply the latest documentation from the Commission upon request or you can write to:

Canal Recreationway Commission
200 Southern Boulevard
Albany, New York 12209
(518) 471-5327

3.0 HOMEOWNERS ASSOCIATION

3.1 GOVERNING DOCUMENTS (DECLARATION & BYLAWS)

The Canalside Declaration and Bylaws identify the rules and regulations that the Board will use in governing the Association processes and activities. However, the Association is also governed by the laws of various levels of government, e.g. village, town, county and state. This guide is presented as a synopsis of the Declaration and Bylaws. Fines can be levied by the Board for noncompliance situations that are not corrected within a reasonable time after notification.

3.2 BOARD OF DIRECTORS

MISSION STATEMENT

We are dedicated to providing direction and service in order to continually enhance the value of our individual and collective investment in the Canalside Townhouses development.

OPERATING PRINCIPLES

- We believe that the property owners are CANALSIDE and that our fates are intertwined.
- We fulfill our responsibilities with integrity.
- We strive to provide a quality of representation which anticipates and fulfills expectations.
- We accept our responsibility to put forth our best efforts in a competent and professional manner.
- We promote CANALSIDE cooperation while valuing the individual homeowners concerns.

The Association's operations are overseen by an elected Board of Directors, committees and the management company. Directors may or may not be homeowners. The Board meets monthly and reviews the financial and operating activities of the Association. The Board minutes, financial statements, and newsletters are provided to the residents. In addition, it considers variances, building and grounds maintenance and safety, operating budgets, contracting of services, insurance coverage, asset additions and improvement and any other items which are brought to the Board's attention.

The Board of Directors has a fiduciary responsibility to protect the Association and common areas for the benefit of all. It has the authority to establish any rules deemed necessary for the efficient operation of the Association. Any restrictions included in the rules and regulations are designed to protect the homeowners as a whole and their investments in the community.

3.3 PROPERTY MANAGEMENT

The Canalside Homeowners' Association Board of Directors has contracted with Crofton Perdue Associates, Inc. to manage the day to day activities of the Association. These responsibilities include:

- Solicit and manage all maintenance contracts.
- Enforce the rules (covenants) of the Association.
- Collect Association fees.
- Provide annual budgets and manage funds.

3.4 INSURANCE

Liability and Hazard insurance coverage is included in the regular monthly assessment fee for all townhomes. The Board of Directors procures the necessary coverage based on competitive bids. Hazard insurance covers the basic structure of each individual unit. This includes all exterior and interior walls. If a catastrophe occurs, the cost of the original flooring, appliances, cabinets, electrical and plumbing fixtures will be used to calculate loss. The homeowner is responsible for insuring any upgrades (betterments and improvements) to their unit.

Blanket coverage is updated annually. For any reasonable expectation of loss within the community as a whole, the total coverage, less a \$2,500 deductible per occurrence, can be anticipated to provide full replacement value of a unit's original construction. A community loss of more than one-half of the existing units would begin to reduce individual compensation.

Individual homeowners are advised to review the Association's policy with their own insurance agent to determine the need for additional coverage for unit upgrades, customized extras, and contents. There is a standard insurance form, HO-6, applicable to condominium and townhouse developments. Homeowners are advised to investigate its applicability to their particular needs.

Liability insurance is available to protect against legal action alleging negligence or responsibility for damages, injuries, or death on common property. This coverage does not eliminate the need for homeowners to carry individual liability insurance to protect against accidents that might occur inside their units, on decks and patios, or outside our townhouse community.

3.5 ANNUAL PROPERTY INSPECTION

All property will be reviewed at least once a year by the Association Board of Directors for compliance with standards and regulations. The review includes:

- Common grounds.
- Exterior of structures.
- Exterior maintenance.

The Board of Directors will notify, in writing, those homeowners obligated to bring their property into compliance.

3.6 COMMITTEES

Please note the ByLaws (pages 111-112) of the offering plan. The size of our Association dictates that our committee needs are relatively small compared to most homeowners associations. However, we feel that this work is most important and beneficial to our community and have established the following guidelines for the standing committees:

- Committees shall be appointed by the Board of Directors based on a consensus of purpose and benefit to the Association.
- Each committee shall have a Board member assigned to it for the purpose of general guidance in both the areas of subject expertise and Association process correctness.
- All major actions prescribed by a committee will be reviewed by the Board prior to implementation.
- Each committee will have a specific area of jurisdiction assigned by the Board.
- Each committee will have a specific set of guidelines developed by the committee members and approved by the Board.
- Each committee will have common process to assure continued Association benefit.

ARCHITECTURAL & BUILDING MAINTENANCE COMMITTEE

The responsibilities of this committee will include:

- Application of the governing documents to the exterior appearances of the units.
- Review member requests for exterior modification and process through the Board.
- Establish the necessary contracts for proper maintenance of the exterior of the units.
- Review work performed for quality, including roads and driveways.
- Validation of maintenance schedules and budgets.

GROUNDS COMMITTEE

The responsibilities of the Grounds Committee will include:

- Review member compliance in this area.
- Establish the necessary contracts for these functions.
- Evaluate contractor performance.

NOMINATING COMMITTEE

The responsibilities of the Nominating Committee will include:

- Identify nominees for the Board of Director positions as they become open.

SOCIAL COMMITTEE

The responsibilities of the Social Committee will include:

- Plan social events for the Canalside Homeowners' Association.

3.7 MEMBERSHIP PARTICIPATION

As homeowners of Canalside properties, you automatically become members of the Canalside Homeowners Association, having a vested interest in, and responsibility for, adhering to the regulations of the Association. Renters are the responsibility of the property owner who must assure adherence to the Association regulations.

Consideration of the following guidelines can help ensure a pleasant community Association experience:

- Be familiar with the governing documents (Declaration and Bylaws).
- Whenever given the opportunity, participate in the decision making process.
- Be persistent but patient, make all criticism constructive, and address all concerns with the management company.
- Consider the affect of one's actions on others.
- Practice being open and honest with neighbors.

To provide continuity to the Association, its management, and operations, the Board is continually looking for interested members to assist with committees. Involvement in the Association can be very rewarding and beneficial to you, your investment and your neighborhood community. If you are willing to provide your assistance, please contact a Board member.

4.0 COMMON AREAS & RESPONSIBILITIES

The following provides a list of common areas/elements to be maintained by the Association and a list of areas where responsibility for maintenance rests with the owner.

4.1 COMMON ELEMENTS MAINTAINED BY THE ASSOCIATION

- Exterior walls and siding
- Roofs
- Gutters and downspouts
- Front door exterior stain or paint (specified colors only)
- Painting of exterior wood garage doors
- Paved areas and mailboxes
- Lawn areas, trees and bushes not planted by the homeowner
- Snow removal of the road, driveways, and sidewalks; also removal from the roofs, if necessary
- Entrance lights, brick walls, signs and lampposts on Landing View Lane
- Deck posts, deck railings, and lattice screens
- Townhouse outside light fixtures
- Brick sidewalks

4.2 UNIT OWNER MAINTENANCE RESPONSIBILITIES

- Storm doors
- Windows, grids, and screens
- Repair of broken windows and grids to their original grade and design
- Replacement of exterior doors
- Replacement and maintenance of garage doors
- Skylights
- Bulb replacement – outside fixtures on townhouses
- Deck, patio and porch floors and steps
- Care of any plantings installed with a Variance Request (See Appendix 8.1)
- Air conditioner
- Concrete stoops, steps, railings and front entrance

- Watering bushes and lawns around property
- Replacement of bushes installed with an approved Variance Request
- Mulch (must meet specifications)
- Internal maintenance is the responsibility of the homeowner

4.3 INTERIOR WATER DAMAGE

The unit owner is responsible for any interior repairs as a result of water damage stemming from a roof leak or defect including ice damming. The Association is responsible for making necessary repairs to the roof.

5.0 EXTERIOR MODIFICATIONS TO BUILDINGS OR GROUNDS

5.1 APPLICATION FOR MODIFICATIONS

All exterior changes in architecture or landscaping must be approved in writing by the appropriate committee and the Board of Directors. To request any such changes, a homeowner must complete a Variance Request form. This may be submitted electronically by going to www.CroftonInc.com, Our Communities, Canalside. If you would like a form mailed to you, please contact Crofton Associates at (585) 248-3840. Homeowners will be notified of the Board's decision by Crofton within 30 days. (See Appendix 8.2)

5.2 EXTERIOR MODIFICATIONS

- Nothing is to be added or attached to the exterior brick, cedar shingles or roofs.
- Nothing permanent should be attached to the deck awnings, railings, or posts.
- Front exterior storm doors may be installed with an approved Variance Request form, but should be of one or two clear glass panels with a white frame. (See Appendix 8.2)
- All garden decorations should be located on the deck, porch, or in mulched areas.
- Any flags or other decorations should be mounted on the white frame.
- All townhouse windows must have the standard window grids installed. If any have been broken or removed they must be repaired or replaced and reinstalled.

5.3 EXTERIOR MODIFICATIONS (NON-COMPLIANCE)

No townhouse owner/resident shall make any external additions, alterations or improvements to his/her home without an approved Variance Request form and permission from the Architectural and Building Committee. This Committee is charged with overseeing compliance with the Rules and Regulations set forth in the governing documents and/or as subsequently established by the Board of Directors.

In the event of non-compliance, the management company will advise an individual homeowner by letter, detailing the specific complaint and specifying a time frame for corrective action.

Penalties for continued refusal to comply with requests may include, but are not limited to the following:

- Removal by the Association, at homeowner expense, of unauthorized additions to property or buildings and restoration to its previous condition.
- Towing of illegally parked or stored vehicles at the homeowners' expense.
- Fines or sanctions for actions which disturb the peace or transgress acceptable neighborly conduct within the community.
- Placing liens on a homeowner's unit to insure payment of fines levied, or costs incurred by homeowners.

5.4 HOMEOWNER HOUSEKEEPING & MAINTENANCE

- Each homeowner should maintain his/her property in a clean and presentable manner, considering their neighbors', as well as their own interests.
- Any homeowners' concerns should be discussed in an open and friendly way with their neighbor; the concerns can also be shared with the management company.
- All holiday or seasonal displays are to be removed within 2 weeks from observing the holiday.
- All outdoor furniture is to be placed on the deck or front porch area.

5.5 DECK, STEP & RAILING SPECIFICATIONS

- All posts on the deck and steps to the deck must be 6 inches x 6 inches and white in color.
- Newly installed step railings must have spindles in them so that they match the railings on the deck.
- The railings (one on each side) for the steps must be attached.
- The rebuilding of the deck and materials used must be approved, via Variance Request. Any and all modifications must meet the current Village of Fairport building codes, and pass their inspection.

5.6 DOORS, WINDOWS, GRIDS & AWNING SPECIFICATIONS

- Any installation or replacement of exterior storm/screen doors or windows requires a variance.
- No outside plastic coverings in lieu of actual storm doors or windows is permitted.
- Window grids are part of the architectural design of the Canalside Townhouses. They must be visible from the outside. Removal and/or failure to replace these grids is prohibited.
- Installation of awnings that match those currently approved and installed is allowed with an approved Variance Request.

5.7 SATELLITE SPECIFICATIONS

The following specifications apply to the use and installation of satellite dishes:

- The dish must be white or gray in color and no larger than 18 inches in diameter.
- The dish must be mounted to the white trim board no more than three (3) feet below the gutter on the highest point of the townhouse. The dish is not to be mounted on the roof.
- A white cable must be used to carry the signal into the building and must run along the trim board.
- The homeowner will be responsible for any damage that occurs to the structure of the building while the dish is attached to the building and will have no more than 30 days to repair such damage.
- If the dish is removed for any reason the homeowner will be responsible for repairing the holes and or damage to the structure within 30 days of removal.
- All installations must have an accepted Variance Request on file along with a signed Satellite Specification Agreement. Both forms can be obtained on the Canalside webpage or by request from the Management Company.
- If the unit is sold, the buyer must accept the terms by applying for a new Variance or selling Homeowner must remove it and repair all holes and damage before an architect report is issued.

5.8 PROTECTIVE SCREENING & FENCES

No fence, wall or screen planting of any kind shall be installed without an approved Variance Request. Any screen, planting or wall installed by the builder on a lot or other portion of the property and not maintained by the Association shall be maintained by the lot owner and shall not be removed or replaced with anything other than a similar type of planting or wall.

6.0 LANDSCAPING

6.1 HOMEOWNER PLANTINGS

Owners who have an approved variance to install plants, shrubs or trees are responsible for their care and maintenance. The Association may charge the owner for costs incurred for the care and maintenance of plantings left unattended.

6.2 TREES & OTHER NATURAL FEATURES

No tree or other natural features, such as shrubs, on any lot or portion of the property, shall be removed or altered, without an approved Variance Request.

According to the established Bylaws, the Association is responsible for the maintenance of trees planted by the builder and Association, including annual inspections. If a tree is deemed to be diseased or in danger of falling, the Management Company will take the necessary steps to have it removed at the Association's expense once the homeowner has been notified.

If a homeowner would like to request the removal of a tree that is not diseased or in danger of falling, they may submit a Variance Request.

7.0 ADDITIONAL RULES, REGULATIONS, & GUIDELINES

7.1 ADVERTISING AND SIGNS

No sign or other advertising device of any nature shall be placed for display to the public view without the consent of the Board of Directors.

7.2 ANIMALS, BIRDS & PETS

Any owner may keep one (1) dog and one (1) cat. Fish and caged birds may be kept by homeowners as long as they do not disturb other homeowners. The Board of Directors may prohibit certain types of pets entirely. Pets may only be allowed outdoors on a leash and under the control of a responsible person. The Board of Directors shall have the right to require any resident or guest to remove any pet if they receive complaints that the pet is creating a nuisance, is too noisy, is not properly controlled, or is not being picked up after.

Bird feeders (excluding hummingbird feeders) attract various squirrels, chipmunks, mice and even rats, causing problems for residents. The NYS Department of Environmental Conservation recommends that bird feeders be used only from late October through early March. They should be put away from March to October. Do not feed the ducks or geese. This will reduce the waste they leave behind and is also better for the birds as they keep to their normal migratory patterns.

7.3 GARBAGE & REFUSE DISPOSAL

1. Please use an appropriate container or place the trash out shortly before the collector arrives to avoid destruction by birds or animals, and to eliminate litter.
2. Trash and recycling guidelines are available on the Canalside webpage or from the Fairport Department of Public Works.
3. No lumber, metals, bulk materials, rubbish, refuse, garbage, trash or other waste materials (referred to hereafter as "trash") shall be kept, stored or allowed to accumulate outdoors on any portion of the property, except in sanitary containers and screened from adjacent and surrounding property.
4. The Board of Directors requests that "trash" be placed at your curb no earlier than 6 pm the night before the scheduled pickup.
5. The Association may, in its discretion, adopt and promulgate reasonable rules and regulations relating to the size, shape, color and type of containers permitted and the manner of storage of the same on any portion of the property.
6. Residents are asked to police common properties for litter and dispose of it through the regular trash disposal system. Keeping the community clean on a daily basis requires everyone to take responsibility.

7.4 COMMERCIAL & PROFESSIONAL ACTIVITY ON PROPERTY

No wholesale or retail business, service occupation or home business in conflict with applicable municipal laws and ordinances shall be conducted in or on any lot or other portion of the property without the consent of the Board of Directors.

7.5 OVERSIZED, COMMERCIAL, & UNLICENSED VEHICLES

The following shall not be permitted to remain overnight on the property for more than 72 hours within any month:

- Any vehicle which cannot fit into the owner's garage with the overhead door closed.
- Commercial vehicles of two tons or more, or unlicensed motor vehicles of any type, unless garaged.

7.6 OUTSIDE STORAGE OR PARKING

The following is prohibited without Board approval:

- Parking for more than a 72 consecutive hour period per month.
- Outside storage or parking of commercial or recreational vehicles.
- Unlicensed vehicles, campers, boats, trucks or trailers.

7.7 SNOWMOBILES

Snowmobiles are not allowed.

7.8 CLOTHESLINES

No outdoor drying or airing of clothing or bedding is permitted.

7.9 DOCK USAGE

The dock shall be used in accordance with the rules and regulations promulgated per the Offering Plan and its amendments. Please inform the Management Company if a boat is to be docked.

7.10 ENFORCEMENT OF RULES & REGULATIONS

This handbook follows the outline of Article X of the Offering Plan. Enforcement of the Rules and Regulations will be the responsibility of the Board of Directors. It is necessary to enforce these rules to ensure a uniform style for our community; if you wish to submit a Variance Request please visit the webpage or contact the Management Company. The procedures, as outlined in the Offering Plan, for dealing with infractions of the Rules and Regulations will continue to be followed. They include:

1. A verbal notice will be given.
2. Written notice will be sent to you from the Management Company and you will be given a reasonable time to remedy the situation.
3. If you do not remedy the situation, a second notice will be sent describing fees and fines if corrections are not made within an agreed-upon time.
4. Typically the restoration will be contracted out for repair at a competitive rate per hour, this along with a \$50 fine will be added to your monthly fee.
5. Failure to pay the fine and/or contractor fee with the monthly fee will result in procedures that could result in a lien being put on your townhouse.

8.0 HOMEOWNER RESOURCES

AMBULANCE, FIRE & POLICE

Please call: 911

ANIMAL CONTROL

To report concerns with domestic animals or injured/sick wildlife please call:

Perinton Animal Control Officer (585) 223-5115

For after hours emergencies please call: (585) 425-7380

EXPOSED CABLE OR PHONE LINES

To report exposed cable or phone lines please call:

Frontier (800) 921-8101

Spectrum (585) 756-5000

INSURANCE

To request a copy of the Association's insurance policy please call:
Traveler's (585) 546-3747

MANAGEMENT

To place a maintenance request or concern please call:

Crofton Associates, Inc. (585) 248-3840
111 Marsh Road, Pittsford, NY 14534
Info@CroftonInc.com

POST OFFICE

Please call USPS: (585) 223-9650
770 Ayrault Road, Fairport, NY 14450

RECYCLING

To request a recycling bin call:
Perinton Town Hall (585) 223-0770

REFUSE

To schedule a special pickup or obtain trash guidelines please call:
Village of Fairport Department of Public Works (585) 223-9500

8.1 GARDEN VARIANCE

See Attached

8.2 GENERAL VARIANCE

See Attached

NOTES:

Canalside Homeowners Association

Variance

Garden – Mulch – Shrub Trimming

Submit to: Canalside Homeowners Association Name _____
c/o Crofton Associates, Inc. Address _____
111 Marsh Road, Suite 1 Phone _____
Pittsford, New York 14534 Date _____

To the Board of Directors: I would like the items Initialed to be added to my address.

Garden Variance

I request permission to plant a garden in the area around the base of my townhouse. The following rules will apply to the variance.

- The garden will be placed at the base of the townhouse only and not encroach on the property of others. Water drainage flow must be maintained.
- The garden will be kept weeded.
- The garden will be inspected 3 times a year during our walk around.
- I guarantee that the garden will be maintained until such time as the owner removes all flowers and makes sure all bushes are on the approved list.
- On the sale of the home the seller must restore the area as listed above or have their attorney pass the variance on to the new owner.
- Mulch (Responsibility of Homeowner) must not interfere with the rain water drainage and be 6 inches below the shingles and a type and color approved by the association.
- All variances must comply with Village Codes and Association Regulations.
- Any contractor working on Canalside property should provide a Village work permit and a current certificate of general liability insurance naming the homeowner and Canalside HOA as the certificate holder. A copy of the insurance should be on file with Crofton prior to commencement of work.

INITIAL

Shrub Trimming Variance

I wish to trim all the shrubs in my gardens

I wish to have my shrubs trimmed by the Association’s landscaper. Leave space around each shrub for the trimmer to work.

INITIALS

INITIALS

Signature of Homeowner _____ Date Received _____

Date approved _____ Approved By _____

With Amendments _____

Date Denied _____

Reason _____

To rescind Garden variance please see page 2. The trimming will remain as what you have chosen.

I have restored my garden area with approved shrubs and removed all flowers and non-compliant plants and wish to rescind my Garden Variance.

Initials _____ Date _____ Date Received _____ By _____

Final inspection Date _____ By _____

Recommended Plant Materials

Original landscaping plant materials

- Azalea
- Euonymus
- Holly
- Andromeda
- Rhododendron
- Smoke Bush / Purple Plum
- Sand Cherry
- Potentilla

Alternatives beyond this list of plantings that are in the gardens may be reviewed by the Grounds Committee.

New potential plant materials which have some degree of (Deer and Rabbit) resistance.

- Bloomerang Lilac
- Weigela
- Spirea
- Viburnum
- Hypericum
- St. John's Wart
- Boxwood
- Potentilla
- Goldtread or Moppy Glow Cypress
- Blue Star or Sea Green Juniper
- Cottonester
- Arborvite
- Rose of Sharon
- Little Health Varigated or Japanese Andromeda

CANALSIDE HOMEOWNERS ASSOCIATION INC.

VARIANCE REQUEST

Submit to: Canalside Homeowners Assoc. Name _____
31 Landing View LA. Address _____
Fairport N.Y. 14450 Phone _____
Date _____

To: Board of Directors

I request permission to make the following changes to the external part of my unit or to the common areas of the building. I have attached a sketch of the proposed changes, listed materials to be used, and indicated who will do the work. (Please be explicit, attach extra sheets of paper if needed.) Also all request for an exception to the rules and regulations must have this form on file with the board.

PLEASE NOTE: Homeowner must notify a board member of the date work is to start and again when completed so it may be inspected.

Reason for Variance Request:

Length of Guarantee (if applicable)

Indicate future maintenance required by the association.

Date Received: ___/___/___

Recommendation: _____

Approved: _____ Date: ___/___/___
Signature

Denied: _____ Date: ___/___/___
Signature

Latest completion date after which any approval is automatically revoked and a new request is necessary.
Date ___/___/___

Final Inspection By: _____ Date: ___/___/___
Signature

