

# **AMBERWOOD HOMEOWNERS ASSOCIATION**

**A Community of 64 Townhomes**

## **HOMEOWNERS MANUAL**

**And**

## **RULES & REGULATIONS**

Revised: August 2011

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## **IMPORTANT TELEPHONE NUMBERS**

	<b><u>EMERGENCY</u></b>	<b><u>NON-EMERGENCY</u></b>
FIRE	911	(585) 227-2123
GREECE POLICE	911	(585) 865-9200
MONROE COUNTY SHERIFF	911	(585) 428-5432
NEW YORK STATE POLICE	911	(585) 279-8890
GREECE VOLUNTEER AMBULANCE	911	(585) 227-2073
ROCHESTER GAS & ELECTRIC	(585) 546-1100 or 911	(585) 546-2700
GREECE TOWN HALL		(585) 225-2000
GREECE ANIMAL CONTROL		(585) 581-4025
TRASH REMOVAL – Upstate Disposal (normal pick up day is Wednesday)		(585) 334-7910

### **MANAGEMENT COMPANY:**

REALTY PERFORMANCE GROUP, INC.  
550 Latona Road, Bldg E, Suite 502  
Rochester, New York 14626  
Telephone: (585) 225-7440  
Fax: (585) 225-7630

Office hours are 8:00 a.m. to 5:00 p.m. weekdays.

In case of a maintenance emergency during non-business hours, call the Realty Performance Group office number (585) 225-7440 and dial “O” at the prompt to report the emergency to the answering service operator.

## **OVERVIEW**

Welcome to Amberwood Homeowners Association. When you purchased your townhome at Amberwood, you automatically became a member of the Amberwood Homeowners Association. Maintaining a quality environment in a shared community such as Amberwood requires that each resident be acutely aware of the rights of neighbors. This awareness extends to everyday matters of parking, observing the speed limit, and the control of pets. It also extends to less defined matters of taste of exterior decorations and plantings and personal conduct.

When you purchased your townhome, you were given a copy of the Amberwood Offering Plan (Prospectus), which contains the governing documents of the association, and you obligated yourself to abide by these rules. Therefore, it is important that you familiarize yourself with these documents.

Living in a shared community has both rewards and benefits. It also imposes certain obligations and restrictions. The following rules and regulations provide a standard for maintaining Amberwood as an outstanding community where residents may enjoy living and where property values will be protected.

The rules are based on the Declaration of Covenants, Conditions and Restrictions and the By-Laws of Amberwood Homeowners Association, Inc. They are intended to assure consistency and uniformity. Adherence to these rules and regulations is the responsibility of all of us. In addition, homeowners are responsible for assuring that their tenants, guests, contractors, and invitees comply with these rules and regulations.

The rules and regulations may be added to, amended, or repealed at any time by a resolution of the Amberwood Homeowners Association Board of Directors.

## **GENERAL INFORMATION**

### **BOARD OF DIRECTORS**

The affairs of Amberwood Homeowners Association are managed by the Board of Directors. The Board has contracted with a management company to aid in the performance of its duties. The Board of Directors consists of five homeowners elected by the members of the association. Directors serve three year staggered terms without compensation. Board members are volunteers and your neighbors. Please respect their privacy and direct all service requests and community concerns to the management company. Board meetings are held monthly, and all issues raised by homeowners during the month are discussed at these meetings. Homeowners are encouraged to take an interest in, and become actively involved in the affairs of your association. Any homeowner who is interested in serving on the Board of Directors may contact the management company or any Board member for more information.

## **MONTHLY ASSESSMENTS**

Monthly assessment payments for Amberwood Homeowners Association are due on the first day of each month. A late charge of up to ten percent (10%) is incurred for any assessment received after the tenth day of the month, and there is a \$25.00 charge for any personal check returned by your bank for insufficient funds or any other reason. All monthly assessment payments must be sent to the management company. Assessment payment envelopes to facilitate your monthly payments are provided before the beginning of each fiscal year.

## **INSURANCE**

The association's master insurance policy covers property losses for the structure of the townhomes and liability coverage for the common elements of the property. If you wish to review the policy itself, please contact the management company. A copy will be sent to you for the copying cost. Homeowners must obtain a separate HO-6 insurance policy (the standard condominium homeowner policy) for the contents of your home and to provide liability coverage for the interior of your unit. Homeowners should also purchase improvements and betterments coverage to the extent that the unit has upgrades and improvements which were not originally offered by the sponsor of Amberwood. The association is not responsible for this type of coverage. If you incur a loss in your home that is totally confined to the interior, you should submit a claim to your own insurance carrier. If the claim involves a loss on the outside of your home, please contact the management company.

## **FISCAL YEAR**

The fiscal year of the association runs from June 1st through May 31st each year.

## **ANNUAL MEETING**

The annual meeting of the association is held during the month of May every year. The Board of Directors and management company report to the membership at this meeting, including the financial status of the association and any other matters of importance. Board members are also elected at the annual meeting. In order to ensure that issues of importance to our members are adequately addressed, members are requested not to raise individual maintenance issues at this meeting that would detract from addressing the issues of the membership as a whole.

## **RESERVES**

The association has established a long term replacement reserve fund to offset the costs of major capital expenses. A portion of your monthly common charge payment is set aside into this fund. It is designed to fund future replacements of roofs, siding, gutters and downspouts, mailboxes, etc., as well as periodic driveway sealing and resurfacing, exterior trim painting, etc. without having to resort to special assessments to fund such work. The management company completes a detailed long range projection and periodically updates it on an as needed basis to review how the reserve fund is doing. These studies are based on anticipated future costs of the capital components of the property, their estimated useful lives, and an assumed rate of inflation. It is important to note that there can be no assurances that the assumptions utilized in these studies will be totally accurate with the passage of time, and, therefore, there is no guarantee that special assessments will not be required.

## **WHEN YOU ARE AWAY**

If you leave for an extended period of time, it is suggested that you notify the management company and leave a forwarding address and telephone number where you can be reached. In addition, please provide the name and telephone number of a local person, such as a neighbor or family member, who can be contacted in case of an emergency and who will have a key to your townhome and who will be checking your home periodically for any damage. You are also encouraged to turn your water off at the meter, turn down the temperature setting on your water heater, and stop the delivery of your mail and newspaper while you are away.

## **MAINTENANCE SERVICE**

In accordance with the association governing documents, the association is responsible for all maintenance and repair to the common areas of the property, including the driveways, the parking areas, the private roadways, and fences, as well as the exterior surfaces of the buildings, including roofs, siding, gutters and downspouts, (except not including the repair or replacement of doors, windows, skylights, patios, sidewalks, front stoops and porches). In addition, the association provides snow plowing and landscaping services including lawn mowing, fertilization, weed control, trimming shrubs and trees, and periodic mulching of front shrub beds. Homeowners are encouraged to water their lawns, shrubs and trees during dry periods. Requests for maintenance that is the responsibility of the association should be called into the management company's office during normal business hours. Please review the Maintenance Responsibility Chart located in Appendix A of this document for more detailed information on association and homeowner maintenance responsibilities. Appendix B details the standard landscaping services typically provided by the association.

## **SNOW & ICE REMOVAL**

Snow plowing service is provided by the association for the roadways, driveways, and overflow parking lots. However, shoveling of the front sidewalk and stoop is the responsibility of the individual homeowner. The association may periodically salt the roadway when deemed necessary. Common rock salt should not be used on your sidewalks or porches, as it can cause spalling and pitting of the concrete, which the association will not repair. Calcium chloride or potassium chloride (the white beaded pellets) is less damaging to concrete surfaces and should be used instead.

## **RUBBISH REMOVAL**

Rubbish removal service is provided by the association and is scheduled on a weekly basis. Rubbish must be placed in appropriate containers, preferably securely closed, plastic trash cans or toter. Recyclables must be placed in an approved recyclables container and secured in such a way to prevent them from blowing out of the container. Newspapers and magazines should either be placed in paper bags or bundled or weighted down. Homeowners are responsible for their own trash clean up if it blows around or is opened by animals. Trash and recyclables must be placed near the end of your driveway, not earlier than dusk the night before pick-up or not later than 6:00 AM on pick-up day in order to guarantee pick-up. All trash and recyclable containers must be returned to your garage no later than the evening of the pick-up day.

## **ARCHITECTURAL AND APPEARANCE CONTROL**

There shall be no changes or additions to the exterior of any building except as provided in these regulations. No alterations or additions may be made to the exterior of your townhome, your lawn areas, or to the common areas of Amberwood without the prior written consent of the Board of Directors of the association. Any homeowner who wishes to make any such changes, including but not limited to adding or removing a shrub or tree, installing a storm door, replacing a garage door, adding a deck, replacing doors or windows, adding exterior lighting, installing newspaper receptacles, flags, etc., must complete a Variance Request form and submit it to the Board of Directors for review and approval. Blank variance request forms may be obtained from the management company.

1. **Combination Storm/Screen Doors** – All storm doors must be white, full view type storm doors with kick panels. All such installations require the prior written approval of the Board of Directors. All future maintenance of the door is the responsibility of the homeowner.
2. **Awnings** – Any awning installation must be the retractable type and a color and style that is consistent with the awnings already installed at Amberwood. All awnings must be installed by an approved contractor. All such installations require the prior written approval of the Board of Directors. All future maintenance of the awning is the responsibility of the homeowner.
3. **Satellite Dishes/Antennas** – FCC regulations disallow the prohibition of certain satellite dish and antenna installations. However, the association maintains the right to approve the location of any such installations. In general, 16” to 18” diameter satellite dishes may be installed in exclusive use space, which is designated for each homeowner as the rear patio area directly behind the townhome, to a distance of the originally installed privacy fencing. Rooftop installations are prohibited, due to possible leaks and unsightly appearance, unless there is no other location available where an acceptable signal can be obtained. All cables must be concealed to the greatest extent possible, and any cable entrance into the building must be through an approved watertight connector. Any damage to the structure caused by any such installation is the responsibility of the homeowner. All such installation locations require the prior written approval of the Board of Directors. All future maintenance of the satellite dish is the responsibility of the homeowner.
4. **Air Conditioning** – Window air conditioning units and window fans are prohibited; only central air conditioning units located in the rear of the townhome are permitted. All such installations require the prior written approval of the Board of Directors.
5. **Privacy Fencing** – Staining or sealing of privacy fences is the responsibility of the association. Homeowners should not attach objects or cause damage to the fences. Chain link fencing is not permitted.
6. **Brick/Siding Surfaces** – No drilling into, or the attachment of objects to the exterior brick surfaces or vinyl siding is permitted without the prior written approval of the Board of Directors.

7. **Garage Doors** – Garage doors are to be kept closed except for ingress and egress, and should not be left open for extended periods of time, as it can be unsightly and could attract rodents or burglars.
8. **Doors, Windows, Screens, and Skylights** – The association is not responsible for the repair or replacement of skylights, window panes or screens, or the repair or replacement of doors, including garage doors. The homeowner is responsible for the timely repair/replacement of damaged doors, windows and skylights.
9. **Window Pane Inserts/Grids** – Window grids (colonial inserts) must be visible in windows at all times. If damaged, replacement grids must be obtained by the homeowner.
10. **Window Coverings** – Window coverings visible from the outside shall be white or off white. No sheets, blankets, flags, papers, etc. are permitted as window coverings at any time.
11. **Shrubs/Flowers/Landscaping** – Existing foundation plantings may not be altered. Flowers may be planted in your designated front drive/walkway area. No plantings are permitted along walks and driveways due to the impact that would have on maintenance operations. All plants must be kept under 24” in height. Rear patio areas generally may be enlarged for flower gardens so long as the design is submitted in writing and approved in advance by the Board of Directors. A reasonable number of flower pots/planters are allowed on porches, so long as they are appropriately sized and properly maintained. Artificial flowers, shrubs and trees are not permitted. Planters and pots are to be removed for the winter by no later than November 1st each year. The association is not responsible for resident installed flowers or plants damaged during routine lawn/landscape maintenance. Maintenance of any landscaping added by the homeowner is the responsibility of that homeowner. Any dead flowers must be removed immediately. If abandoned or neglected, the homeowner will be required to restore the area to its original condition. No vegetables or fruit-bearing plants/trees or vines are permitted. Homeowners are not to remove any shrubs or trees planted by the sponsor, or install, hang, or attach objects or interfere with trees, shrubs or lawns.
12. **Lawn Furniture/Lawn Decorations/Personal Property** – The front porch and rear patios/decks are to be kept clear of all items except those normally associated with outdoor furnishings, and all such items must be of appropriate appearance and size to attractively fit on the porch, patio, or deck. Lawn furniture is to be removed from the lawn when not being used. Nothing is permitted to be left out in the lawn or planting beds that will interfere with lawn mowing and maintenance operations. The installation of any lawn decorations to the front or side lawn or planting beds of a unit, or to front porches, such as windmills, wind chimes, or plastic, metal, wood, or stone objects or statuary, is strictly prohibited. Wind chimes are prohibited from all areas, as they can be a nuisance to neighbors.
13. **Bird Feeders/Houses** – Bird feeders and bird houses are not permitted in front yards or within thirty feet of the building exterior, as they otherwise attract pests and rodents and result in bird droppings around foundations and patios. In addition, bird nests in building vents cause safety and ventilation problems. Feeders should only be used during the winter months and taken down to allow mowing access during the other seasons. Bird houses require the approval of the Board of Directors before installation.



14. **Other Structures** – No unit owner shall construct or place any outbuildings, structures, sheds, or pavement on his lot. The use of a temporary building, trailer, tent, shed, or garage as a dwelling is prohibited.
15. **Signs** – No signs are permitted except that one for sale sign may be placed in the front window or door and “Open House” signs are permissible on weekends only so long as they are removed each day at the close of the open house. Requests for professional signage must be made in writing by completing a variance request for consideration by the Board of Directors.
16. **Clotheslines** – Clotheslines are not permitted. Outdoor drying or airing of clothing or bedding is not permitted.
17. **Flags** – The United States flag will be permitted to be flown from a bracket mounted alongside your garage overhead door (on the cedar trim) on the side of the garage located closest to your front door (not your neighbor’s). Flag etiquette must be adhered to, e.g., flag flown from sunrise to sunset. No other type of flag is permitted.
18. **Holiday Decorations** – Temporary decorations for the holiday season may be displayed between Thanksgiving Day and January 10<sup>th</sup> of the following year. Halloween and other holiday decorations may be displayed for up to thirty days. Lights or other decorations may not be attached to the exterior of the building in such a way that they will damage the building. Lawn displays require the prior approval of the Board of Directors.
19. **Sport (Jump) Ramps/Skateboarding** – The use of ramps of any type, style, or material (wood, piled dirt, snow, hay bales, etc.) for skateboards, bicycles, roller blades, or any other sport or athletic activities is not permitted. Skateboarding is not permitted on any area of Amberwood.

## **TRAFFIC AND PARKING**

These traffic and parking rules are intended to provide for the safe and convenient use of Amberwood’s private road (Amberwood Place) for residents and their guests. These rules apply to all homeowners and tenants, their families and guests, and any persons operating motor vehicles on Amberwood property.

1. The maximum speed on Amberwood Place is 15 mph. Speeding and careless driving on our private roads is dangerous and destructive to life, property and good community relations.
2. Garages and driveways are to be utilized for primary parking by homeowners, their guests and invitees.
3. On street parking is permitted only for occasional use by guests. No overnight on street parking is permitted without the prior permission of the Board of Directors.
4. No on street parking is permitted if it will hinder access by emergency vehicles or if it interferes with snow plowing operations during the winter months.

5. Vehicles may not be parked within 10 feet of fire hydrants or mailboxes.
6. Parking is not permitted on grass areas at any time.
7. Major repairs to vehicles are not permitted outdoors at any time.
8. No snowmobiles, all terrain vehicles, or similar machine shall be operated in Amberwood at any time.
9. The following vehicles are not permitted to be operated or remain overnight on Amberwood property or to be parked in driveways for more than one 72 consecutive period per month: unlicensed vehicles, recreational vehicles, mobile homes, boats, trailers, snowmobiles, ATVs, vehicles weighing two tons or more, or other similar vehicles.
10. Fines may be assessed to the homeowner, or vehicles may be towed without notification at the owner's expense, for violations of these parking rules.

## PETS

In the interest of your investment, community relations, and a pet's welfare, owners must keep pets under control at all times.

1. Ownership of pets is limited to one dog or one cat per townhome, or fish or birds kept in a cage. No wildlife, endangered or exotic species are permitted.
2. Owners are responsible for immediate pick up and disposal of pet excrement on roadways, parking areas, landscaped areas, common areas, and owners' yards.
3. When outdoors, dogs must be leashed and kept under direct and positive control and accompanied by or supervised by a person responsible for the pet's actions. Pets must not be leashed to any tree or fence on Amberwood property.
4. Pets may not be left unattended outside, or left in a garage with the garage door fully or partly open.
5. Homeowners are responsible for licensing their pets with the proper authorities. When outdoors, proper tags must be on pets.
6. Pet owners are responsible for any property damage caused by their pets. Damages will be repaired at the owner's expense.
7. Pet owners are responsible for seeing that their pets do not cause a nuisance such as excessive barking, or otherwise frighten or annoy residents or their guests. The Board of Directors has the authority to require the removal of any pet that, in its sole discretion, is creating a nuisance.
8. Complaints/concerns regarding unleashed/roaming/stray animals, as well as animal nuisance or animal abuse situations may be referred to the Animal Control authority listed on the Important Telephone Numbers listing.

## MISCELLANEOUS

1. **Interference With Workers** – Homeowners should not interfere with maintenance or repair operations, interrupt or direct workers. Any maintenance requests, questions or concerns should be directed to the management company.
2. **Noise and Odors** - Residents are expected to remember the proximity of their neighbors in the community and avoid excessive noise levels when hosting parties, and particularly when using televisions, radios, and stereo equipment. Parents are responsible for supervising their children so that they do not unnecessarily disturb other residents. There shall be no objectionable odors or fumes allowed to emanate from the dwelling unit or garage.
3. **Leasing** - Any homeowner who leases or rents their townhome to another party must inform all tenants of, and include in the lease, a requirement that the tenant must abide by the governing documents of the association and these rules and regulations. The homeowner must notify the management company when a townhome is rented and provide the name and telephone number of the tenant, in case of an emergency. The homeowner will be held accountable for the tenant's actions. If, in the judgment of the Board of Directors, the tenant is causing problems or a nuisance to the association, the homeowner will be required to remove the tenant. No day to day or weekly rentals are permitted. Only one rental cycle is permitted in any year unless approval is granted by the Board of Directors.
4. **Chimney Cleaning** – Chimney cleaning is the sole responsibility of the homeowner and is recommended periodically if a fireplace is used frequently.
5. **Garage/Estate Sales** – Garage sales are prohibited. Individual homeowners may hold an Estate/Household or Moving Sale. The sale must first be approved in advance by the Board of Directors through the variance request process. The sale will be limited to no more than two consecutive days during the hours of 9:00 AM to 5:00 PM. All items for sale must remain inside of the home. The unit holding the sale will be responsible for any damages to the common areas.

## ENFORCEMENT AND FINES

The following enforcement procedures have been established for violations of these rules and regulations and/or the governing documents of the association:

Written notice will be sent to the homeowner stating the infraction. A time limit may also be specified for compliance. If the infraction is not corrected within the time limit specified, appropriate action will be taken. This may be in the form of a fine, court order, or other appropriate action. The homeowner will be notified of this action by mail. The standard fine for a violation is \$25.00 per occurrence and for each day that a violation continues.

If it is necessary to obtain legal or other assistance for the enforcement of these provisions, any such costs, along with any fines or other related costs, are charged to the homeowner and become a lien on the unit. The association has the same rights and remedies to enforce a lien for such expenses as it has for the non-payment of common charges.

**APPENDIX A**

**MAINTENANCE RESPONSIBILITY CHART**

<u>ITEM</u>	<u>RESPONSIBILITY</u>		
	<u>ASSOCIATION</u>	<u>HOMEOWNER</u>	<u>OTHER</u>
Air conditioning exterior condenser pad	X		
Brickwork	X		
Cable television underground cables			Time Warner
Chimney cleaning		X	
Decks -- installed by homeowner		X	
Door bell button		X	
Door replacements (exterior/garage/screen/storm)		X	
Doors – painting (exterior/garage)	X		
Driveway sealing	X		
Driveway resurfacing	X		
Fascia	X		
Fence replacements (privacy/perimeter)	X		
Fences – staining/sealing/painting	X		
Foundations/basement walls	X		
Garage door opener/mechanicals		X	
Gutters & downspouts	X		
Hose bibs		X	
Lawn mowing/fertilization/weed control	X		
Lawn watering		X	
Lights (street/townhome exterior)	X		
Mailboxes	X		
Patios		X	
Roofs	X		
Sewer mains			Town of Greece
Sewer laterals	X		
Shrubs – installed by sponsor	X		
Shrubs – installed by homeowners		X	
Sidewalks		X	
Siding	X		
Skylights		X	
Snow plowing roadways/driveways	X		
Snow shoveling sidewalks		X	
Stoops		X	
Telephone cables			Telephone co.
Trash containers		X	
Trash disposal	X		
Trees – installed by sponsor	X		
Trees – installed by homeowners		X	
Trim replacement/painting – exterior	X		
Water mains			Monroe Co. Water
Water laterals	X		
Windows/casements/screens/cleaning		X	

## **APPENDIX B**

### **LANDSCAPE CARE SCHEDULE**

The Association provides the following landscaping services:

#### **Lawn Mowing:**

All turf areas will be mowed and trimmed weekly, weather permitting. Turf will generally be cut to a height of 3 inches. To help facilitate mowing, please remove hoses and other items from the lawn area. Grass clippings will be blown off walks, driveways, patios, etc. after each mowing.

#### **Spring Clean-up:**

Spring clean-up of the grounds will be completed by April 30<sup>th</sup>, weather permitting.

#### **Edging/Mulching:**

Front shrub and tree beds are edged and mulched once - by Memorial Day, weather permitting.

#### **Mechanical Edging:**

Concrete surfaces (sidewalks, concrete gutters, etc.) are edged with a mechanical edger once per year, typically in early June.

#### **Weeding:**

Periodic weeding of the front shrub and tree beds is completed during the growing season.

#### **Pruning:**

Shrubs originally provided by the builder in the front beds are pruned twice each season. The first pruning is completed before July 4<sup>th</sup> and the second is to be completed before Labor Day.

#### **Lawn Fertilization Program:**

The lawn treatment schedule may vary considerably depending on weather and lawn conditions:

1<sup>st</sup> Application – balanced fertilizer with pre-emergent crabgrass/broadleaf weed control - May.

2<sup>nd</sup> Application – balanced fertilizer and broadleaf weed control – mid June.

3<sup>rd</sup> Application – balanced fertilizer with grub control – mid August.

4<sup>th</sup> Application – balanced fertilizer and broadleaf weed control – mid September.

#### **Tree & Shrub Care Program:**

The schedule for shrub and tree treatments (those plants originally supplied by the builder) may vary considerably depending on weather conditions and the degree of any insect problems:

Dormant oil application - treatment for scale & gall on certain plants/trees such as evergreens, burnings bushes, euonymus, etc. – during the month of April, weather permitting.

IPM (Integrated Pest Management) Program – three insect and disease treatments, on an as needed basis - late May, late June, and October.

#### **Fall Clean-up:**

Fall clean-up of leaves will be completed in the fall after most of the leaves have fallen, typically in mid to late November.