

Summit Knolls Homeowners' Association, Inc.

Homeowners' Handbook



Published By

Summit Knolls Homeowners' Association, Inc.

Effective Date: AUGUST 2023

FOR QUESTIONS AND/OR ISSUES FOR THE SKHOA BOARD:

Email skhoaboard@summitknollshoa.com

OR

1. Write your concern/issue on an 8 ½ x 11 sheet of paper.
2. Fold the paper.
 - If the matter is of a confidential nature, write “Confidential “ on the outside of the fold.
 - If the letter is for the SKHOA Property Manager, SKHOA Business Manager or SKHOA Board President, please also indicate that destination on the outside of the fold.
3. Write “CONFIDENTIAL” in the lower left-hand corner of the envelope and mail to:
Summit Knolls HOA
P.O. Box 271
Webster, NY 14580

OR

Call the Message Center 24 hours/7 days per week at (585) 935-5032



IN AN EMERGENCY

CALL 911

FIRE – POLICE – AMBULANCE



WEBSTER ANIMAL CONTROL

CALL (585) 872-7009

FOREWARD

Welcome to the Summit Knolls Community! As a Homeowner, you have automatically become a member of the Summit Knolls Homeowners' Association. The Summit Knolls Homeowners' Association is one of several associations within the Summit Knolls Community. We are a self-governed and self-managed association. Beginning in 1972, we have grown to 238 residences built as two-story or one-story units. We are very proud of our community and work hard to make it a safe and pleasant place for our residents to call home.

The affairs of the Summit Knolls Homeowners' Association are managed by a Board of Directors, comprised of nine voting members, all of whom are Homeowners within our Association. These Board members are elected by the general membership at the annual meeting and volunteer to serve for a term of three years without financial compensation. The Board, in turn elects the following officers to serve for a period of one year: President, Vice President.

The Summit Knolls Homeowners Association Board of Directors oversees the annual budget, as well as the rules and regulations for our Association and the day-to-day operation of the Association. The duties and responsibilities for the Board of Directors are stated within the **RESTATED DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, ADOPTED APRIL 24, 2008** and the **BY-LAWS OF SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, INC., ADOPTED APRIL 24, 2008** (hereafter known as the Declaration and By-laws).

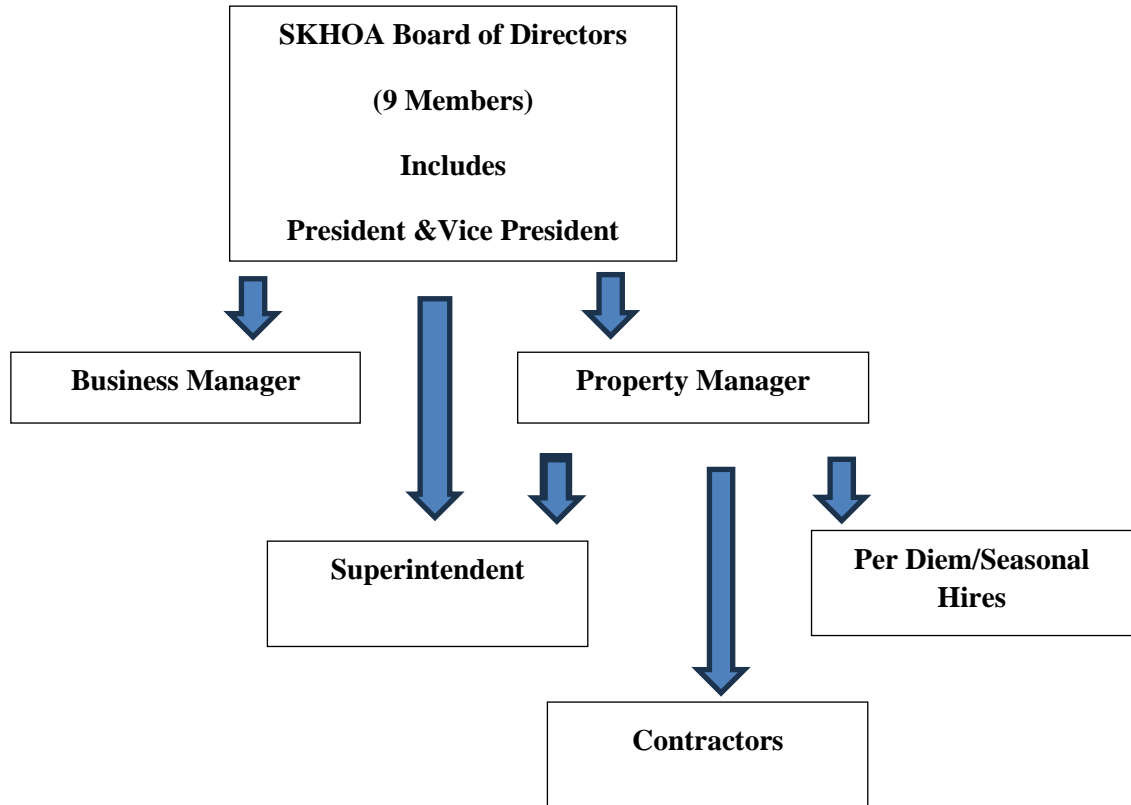
Homeowners are encouraged to attend the Annual Meeting, and to consider standing for election to the Board of Directors. Participation in either or both, will help you be a more knowledgeable and informed homeowner. We also encourage you to visit our website, www.summitknollshoa.com where much information is available to the public, including a copy of this Handbook which is available as a free PDF Download. The information contained on the pages of our website will help you to get to know us better, and how to contact us with questions or concerns. As a Homeowner within our Association, you may register on our website which will allow you to access forms and receive information by email.

The Board of Directors has the responsibility of establishing and enforcing rules and regulations that govern our Association as dictated by the Declaration and By-laws. These rules and regulations apply to all areas within the Association, as well as to the Members and their family members living in Summit Knolls, as well as their guests and/or tenants. These rules are outlined in detail in this Handbook. Homeowners are responsible for compliance and adherence to the Declaration and By-laws, as well as your family members, tenants, residents, and guests. It is the Homeowner's responsibility to provide the information regarding the rules and regulations to any residents/tenants in their home.

The Board of Directors has the responsibility of maintaining the Common Areas and providing exterior maintenance on all buildings in a manner which preserves the investment of our Homeowners. The Summit Knolls Homeowners' Association employs a full-time Property Manager who reports directly to the Board. The Property Manager supervises part-time and seasonal help that are utilized on an as-needed basis, oversees the maintenance of the grounds and the infrastructure, as well as the oversight of the contracted services for snow and trash removal. The Property Manager will schedule and/or perform repairs on those items which fall under the Association's responsibility. *Please see the list of the maintenance responsibilities as defined for our Association, which is contained within this Handbook for further clarification.

Our Association also employs a Business Manager who reports to the Board. The Business Manager is responsible for the day-to-day financial affairs of the Association.

SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION ORGANIZATIONAL CHART



GENERAL INFORMATION:

*TO REQUEST MAINTENANCE:

Call the Message Center 24 hours/7 days per week at (585) 935-5032.

❖ NON-EMERGENCIES

(MONDAY- FRIDAY, SATURDAY, SUNDAY & HOLIDAY)
PROPERTY MANAGER WILL RESPOND NEXT SCHEDULED BUSINESS DAY.
OR

Email SKHOA Property Manager – propertymanager@summitknollshoa.com
(MONDAY- FRIDAY, SATURDAY, SUNDAY & HOLIDAY)
PROPERTY MANAGER WILL RESPOND NEXT SCHEDULED BUSINESS DAY

❖ EMERGENCIES

(MONDAY-FRIDAY, SATURDAY, SUNDAY & HOLIDAY)
YOU MUST CALL THE MESSAGE CENTER AT (585) 935-5032
PROPERTY MANAGER OR COVERING AGENT WILL RESPOND TO VERIFY EMERGENCY.

PLEASE DO NOT EMAIL THE PROPERTY MANAGER FOR EMERGENCIES

*INQUIRIES REGARDING CLOSINGS, INSURANCE ASSESSMENTS OR HOMEOWNERS' ASSESSMENTS:

Email SKHOA Business Manager – businessmanager@summitknollshoa.com
OR

Call the Message Center 24 hours/7 days per week at (585) 935-5032

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SECTION I

SKHOA ENFORCEMENT POLICY & FINE SCHEDULE

The SKHOA Board of Directors has approved an updated procedure and fine schedule for non-compliance/violation for penalties assigned/levied for Rules & Regulations violations. This would be applicable to ALL violations (parking, messy yards, air conditioners, odors, tree removal, garage windows, potential damage/damage to SKHOA property, etc.) within the Association.

EFFECTIVE JANUARY 17, 2022:

Note: Time limits for compliance may vary with the nature of the violation, i.e., removal of trees/bushes and replacement of garage windows.

1. Upon the first violation of one or more of the Rules and Regulations, a written notice will be sent to the offending Homeowner. This notice will state the type of infraction, and the fine which will be levied if the infraction is not corrected. A time limit for said infraction will be imposed if applicable.

Failure to comply with the 1st written notice within the set time limit = \$50 fine. Homeowner may open a dialog with the Board during this timeframe and/or begin to make arrangements for compliance. The Board is required to acknowledge and respond to these communications. However, the Board will make the final decision and deliver it in writing. If a fine is levied, a bill will be sent to the Homeowner and the amount must be paid to the Summit Knolls Homeowners Association by the 10th of the month following receipt of the notification of the fine levied. Compliance to the Rules and Regulations must be immediately forthcoming.

2. Continued non-compliance with 1st written notice, or fine not paid, or 2nd infraction of the same violation within a calendar year = \$75 fine will be assessed. A written notice will be sent to the offending Homeowner. This notice will state the type of infraction, and the fine to be levied if the infraction is not corrected within the time limit. If a fine is levied, a bill will be sent to the Homeowner and the amount must be paid to the Summit Knolls Homeowners' Association by the 10th of the month following receipt of the notification of the fine levied. Compliance to the Rules and Regulations must be immediately forthcoming.

3. Continued non-compliance and/or failure to pay fines levied after 2 notifications = \$100 for each month of continued non-compliance.

PLEASE NOTE: At any time in the process, SKHOA may refer the matter of non-compliance for legal assistance.

QuickReference - Rules & Regulations Violation Fine Schedule

- First notice of non-compliance = \$50
- Second notice of same non-compliance = \$75
- Third notice of same non-compliance = \$100
- Continuation same non-compliance = \$100/month
- Legal action can be taken at any time, if required.

*EXCEPTIONS: *(EFFECTIVE 06/13/23)*

*Fine for Use Restriction Violation non-compliance = \$100 per day of non-compliance

*Dumpster Variance non-compliance = \$50 per day of non-compliance

*Legal action can be taken at any time, if required.

USE RESTRICTIONS FOR SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION

Short Term Rentals of Units are Prohibited/Commercial/Business Activities are Prohibited:
The following is a statement from the Association's Legal Representation: *The Code of the Town of Webster prohibits short term rentals. Specifically, §350-82 states: "No dwelling unit shall be rented, leased or otherwise given over to a person other than the owner thereof for rent or other consideration for a period of less than 28 continuous days."*

Further, the Association's Declaration strictly prohibits commercial or business activities upon the Properties (Article IX – Use of Property, §1 – Restrictions on Use).

SOURCES

PLEASE NOTE: *The Declaration and By-laws has been filed with the New York State Department of Law. In no way are these pages intended to diminish the authority of the complete Declaration and By-Laws, or to reduce the responsibility of the homeowner to become familiar with the Declaration and By-Laws in its entirety. In all cases, the Declaration and By-Laws is the governing instrument and should be consulted for the full and complete legal meaning. Copies of both the SKHOA Declaration and By-Laws are available for free download as a PDF to Homeowners who are members of the website, www.summitknollshoa.com. Homeowners who do not have access to the website, can contact the SKHOA Business Manager through the Message Center at 585-935-5032 and your call will be returned, or by email at businessmanager@summitknollshoa.com for information and costs for the copies.*

RESTATED DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, INC., ADOPTED APRIL 24, 2008, ARTICLE IX, USE OF PROPERTY, SECTION 1. – 5., PAGES 8&9

BY-LAWS OF SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, INC., ADOPTED April 24, 2008, Page 5, ARTICLE VII, POWERS AND DUTIES OF THE BOARD OF DIRECTORS, Section 1., Powers.,

"The Board of Directors on behalf of the Association shall have the power to:

(a) Adopt and publish rules and regulations governing the maintenance of Common Area and the personal conduct of the Members, their tenants, their family guests and invitees thereon, and to establish penalties for the infraction thereof;"

BY-LAWS OF SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, INC., ADOPTED April 24, 2008, Page 10, ARTICLE XVI, CONSTRUCTION AND INTERPRETATION, Section 2,

"The Association may adopt and promulgate reasonable Rules and Regulations regarding the administration, interpretation, and enforcement of the provisions of promulgating such as Rules and Regulations, and in making any finding, determination, ruling, or order, or in carrying out any directive contained herein relating to the issuance of permits, authorizations, approvals, rules, or regulations, the Association shall take into consideration the best interests of the Owners and residents of the Properties to the end that the Properties shall be preserved and maintained as a high quality community."

SECTION II

SOURCES:

BY-LAWS OF SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, INC., ADOPTED April 24, 2008, Page 5, ARTICLE VII, POWERS AND DUTIES OF THE BOARD OF DIRECTORS, Section 1., Powers., *"The Board of Directors on behalf of the Association shall have the power to: Adopt and publish rules and regulations governing the maintenance of Common Area and the personal conduct of the Members, their tenants, their family guests and invitees thereon, and to establish penalties for the infraction thereof;"*

SAFETY

Fire Safety (effective 8/17/2022)

1. Recreational fires are NOT permitted anywhere in Summit Knolls. (See #2 & #3 for clarification).
2. Only electric, propane, or charcoal fires are permitted for cooking, while contained in appropriately maintained grills. Grills must be kept a safe distance away from structures, fences, overhangs and vegetation when in use. Grilling or cooking in garages is NOT permitted.
3. Only outdoor propane fire pits are permitted. Propane fire pits are NOT permitted in garages. Propane fire pits must maintain a safe distance from structures, fences, overhangs and vegetation.
4. Please make sure propane tanks are shut off after every use.
5. NO Resident, or any of his or her agents, employees, licensees, or visitors shall, at any time, bring into or keep in his or her unit, any flammable, combustible or explosive fluid, material, chemical, or substance, other than common household items (e.g., stains, cleaners, nail polish remover), which should be stored in appropriate containers when not in use.
6. Please observe basic fire safety. Nothing is permitted in any townhome or common area that would (1) increase the insurance rate for any building or its contents, (2) cause cancellation of the insurance covering any building or its contents, or (3) violate any laws.
7. Please manage smoke from your grill responsibly.

Swimming Pools/Wading Pools/Hot Tubs

1. The use of swimming pools/wading pools/hot tubs (regardless of size, capacity, or material) are not permitted in any Common Areas within the Summit Knolls Homeowners' Association at any time. Should you choose to use a small pool (defined as wading-type and portable) within the private, fenced patio of a residence, the Town of Webster should be consulted as to permit and safety requirements, *i.e.*, safety covers. Anything other than a small wading-type pool to be used within the private/fenced patio of a residence, may not be used/placed/installed anywhere within the Association and is subject to Town of Webster requirements. Any use/placement/installation of said items anywhere within the Association will be subject to fines assessed by the SKHOA Board.
2. In the interest of safety, please do not use any of these pools (regardless of size, capacity and/or material) in the Common Areas. Any pool (regardless of size, capacity and/or material) in use in the Common Area will be subject to a fine levied by the SKHOA Board against the owner of the property. (Please Note: Safety Violations carry a mandatory \$50 fine.)

Safety on Private Roads

1. Maximum speed limit is **10 miles-per-hour** within Summit Knolls Homeowners' Association, Inc. (See the SKHOA map on the back page of this document where private roads are indicated.)
2. Speeding and careless driving on the private roads is dangerous and destructive to life, property, and good community relations. **Please** watch carefully for small children who might be chasing a toy into the street. Also watch for bicycles and tricycles that may be using the roads. Signs are posted showing a **10-mile-per-hour** maximum speed limit. **Obey It – Our children's lives are in your hands.** All residents are asked to remind family members and their guests to drive slowly and carefully. Watch for cars pulling out of garages or blind spots. Use caution when exiting from a garage.

Homeowners' Use of Common Areas/Property

The Common Areas within Summit Knolls are intended to provide visual enjoyment and extra living space for all residents.

To ensure peaceful enjoyment of the Property, there shall be no unusual or objectional noise or odors allowed to emanate from the dwelling. In agreement with Webster Town Ordinance, Noise Control will be in effect from 9:00 PM to 7:00 AM. No outdoor recreational activities in Common Areas should take place between the hours of 9:00 PM and 7:00 AM and those taking place in the private backyard/patio areas should take care not to disturb their neighbors. Please remember children must be supervised at all times by a responsible individual.

To ensure that these areas remain peaceful and green, **any recreational activities that could possibly cause personal injury, property damage and/or excessive noise are prohibited.** The Town of Webster maintains space within close proximity for these types of activities.

1. **All activities involving balls, bats, clubs, racquets, etc., are prohibited on Common Grounds.** Skateboards, roller-skating, snowmobiles, mini-cars and other recreational vehicles are prohibited on Association roadways, parking areas, Common Areas, and sidewalks. No swings, chairs or hammocks should be attached to trees.
2. Bicycles, tricycles, and other toys left on sidewalks, roads, or Common Areas are a safety hazard and interfere with groundskeeping activities. Any such toy found on Common Areas between 9:00 PM and 7:00 AM may be confiscated by the Association.
3. Children (whether children of Guests, Homeowners or Residents) playing anywhere within the Association, must be supervised at all times by a responsible individual.
4. NY State Law requires children under 14 years of age to wear a certified helmet when they are on roller skates, skateboards, bicycles, etc.
5. Children are not permitted to climb trees or fences.

Control of Pets

Dogs, cats and other pets which are allowed to freely roam the complex present a sanitation problem. They may cause permanent damage to the shrubbery and landscaping, knock over garbage containers, endanger children and adults, and/or cause a deterioration in community relations.

Dog owners must be respectful of SKHOA Homeowners'/Residents' right to privacy and peaceful enjoyment of the Properties. The Association is responsible for the maintenance of all the Common Areas, as well as all garden beds within the Property, wherever they are located. In order to facilitate the two functions, effective the date of this publication:

1. When owner/designee is walking dog(s), the dog(s) or owner/designee, are not allowed to enter any garden bed, whether located in the front yard or stoop area of the residence, on open Common Area or adjacent to the fence.
2. When owner/designee is walking dog(s), the dog(s) and owner/designee should remain on Common Area sidewalks, private roads and/or within the Common Area. Neither dog(s) nor owner/designee should enter the front yard of any residence or the stoop area of any residence.
3. All dogs must always be restrained using a collar of sufficient strength attached to a leash of sufficient strength to control the dog. The leash should not exceed eight feet in length and be held by a person having the ability to control the dog. No dog may be left unattended anywhere within the Summit Knolls Property with the exception of within the fenced backyard of the residence with gate locked from within for safety.
4. Any dog allowed to roam free on SKHOA Property unrestrained (with or without owner) will be subject to report to Webster Animal Control, as well as fines for the owner for a safety violation. (Please Note: Safety Violations carry a mandatory \$50 fine.)
5. Staking out or fencing-in of any pet in the Common Areas is prohibited.
6. Outdoor feeding/sheltering of any domestic or wild animals in the Common Areas, garden beds, front stoops or backyard patios is prohibited. Bird feeders of any nature (including suet and /or liquid type) **are prohibited** anywhere within the Association, including Common Areas, garden beds, stoop areas, and backyard patios.
7. **Pet owners are solely responsible for controlling and immediately cleaning up after their pets.** This includes cleaning up after pets when walking **ANYWHERE** in the entire Summit Knolls subdivision. Please be a responsible pet owner and carry a bag or receptacle to facilitate cleanup of the pet waste. Any cost to clean up and/or repair damage, resulting from failure to comply with this rule, will be assessed to the homeowner.
8. Any damage caused by a pet will be billed to the owner of the pet.
9. Homeowners are responsible for immediately cleaning up after their pets in their enclosed patio area. This type of violation will be reported to the Health Department and be subject to fines as determined by SKHOA.

Note: The Town of Webster Dog Ordinance applies to **all areas** of Summit Knolls. Homeowners are urged to call the Webster Dog Warden to pick up any dog not on a leash or otherwise causing a nuisance. The ordinance is located in the Webster Town Code under Article I Dogs and Other Domestic Animals § 140-2 & 140-3 Regulations and restrictions.

Trash/Recycle Disposal

Trash pickup service is provided by the Association and is paid for as part of your monthly assessments. Storage for trash should be provided within your garage area or enclosed patio. Any expense incurred by the Association because of trash littering Common Grounds due to carelessness or improper containers will be charged to the Homeowner of record.

Please contact the Property Manager at propertymanager@summitknollshoa.com or through the Message Center at 585-935-5032 for any questions or issues for trash/recycle disposal.

1. Homeowners are responsible for placing trash/recycle containers outside their garage on the day prior to pickup. Trash may not be put out before 5:00 p.m. of the day preceding trash pickup, and empty containers must be returned to their storage areas as soon as possible after pickup.
2. Our current vendor, Seyrek, permits one container and up to 3 bags per pickup. * Please Note our service vendor may change from year-to-year.
3. Trash must be placed in metal or polyethylene containers or bags with securely closed lids or ties.
4. Label trashcan(s) with your address so that it can be returned to the proper address.
5. Magazines, newspapers and recyclable material must be placed in a proper container for collection in accordance with governmental regulations.
6. Refuse larger than container size must be bundled and tied. Leaves, yard debris, and branches must be bundled or put in bags or containers. Such bundles shall not exceed 4-ft. in length and be of such weight as to be easily handled by a single person. Any large or unusual items must be preapproved for disposal prior to trash pickup day. Large items and/or large amounts of trash (moving, basement/garage cleanout) require notice and prepayment to current vendor. Any further assistance or any issues/questions, may be directed to the Property Manager at propertymanager@summitknollshoa.com or Message Center at 585-935-5032.
7. To facilitate snow removal, dumpsters will not be allowed anywhere within SKHOA between November 01 and April 01 (weather dependent as determined by the Property Manager). Exception: SKHOA Roofing/Siding Contractors and Emergency Situations, determined by the Property Manager. Contact the Property Manager at propertymanager@summitknollshoa.com or SKHOA Message Center at 585-935-5032 for the paperwork process and requirements which must be met before ordering a dumpster for placement. (See Section III Variances)

NOTE: Guidelines are subject to change. Please refer to the SKHOA website www.summitknollshoa.com as the current source under "SKHOA Trash Pickup" on the right sidebar or contact the SKHOA Message Center at 585-935-5032.

Parking On Private Roads

All parking areas in Summit Knolls are designated as Visitor Parking except where otherwise posted. A Homeowner who uses this area as a regular parking space is infringing on the rights of his neighbors and all homeowners.

We realize that parking is an extreme problem in some areas of the development. Therefore, it is important that all of us use common courtesy when parking our vehicles.

1. **Homeowners should use their garage and/or private driveway for vehicle parking.** Your garage is not intended for a storage area – it is intended to hold your car.
2. Parking in front of a garage is prohibited except in a designated private driveway in front of that garage.
3. No vehicles may park on SKHOA private roads except for those vehicles making deliveries or providing services to the homes within SKHOA. Parking on private roadways or on any access road can become a safety hazard preventing the easy access of emergency vehicles such as fire/emergency equipment or ambulances and is prohibited.
4. Many of the garages within SKHOA do not have a private driveway and open onto our private roads. The area directly in front of those garages is designated as “No Parking-Fire Lane” which is indicated by the signs posted. This area has been set by the Webster Fire Marshall and created for Public Safety. As these areas fall under the WFM’s jurisdiction, any vehicles parking in those areas may be subject to towing at the Fire Marshall’s discretion. Parking in these areas could prevent emergency services from rendering aid and/or protecting property. Vehicles that consistently park in front of the garage of the residence (with no private driveway) shall be considered a safety violation and subject to a \$50 fine levied by the SKHOA Board.
5. Any car parked in Visitor Parking must be moved once in any 24-hour period. This is to prevent an individual from having exclusive use of a space or storing a car on the property for an extended period.
6. No parking is permitted on lawns anywhere in Summit Knolls.
7. Any vehicles leaking oil, antifreeze, etc., must be parked in the garage or off the premises until it has been repaired. Clean-up and repairs of damage to SKHOA property are the responsibility of the Homeowner. The Homeowner may be subject to the cost of any clean up or repairs associated with a vehicle causing damage.
8. Major repairing of any vehicle is not permitted in any common area, including driveways.
9. No unlicensed operator shall operate a motor vehicle anywhere on the Common Area at any time.
10. A vehicle may only park temporarily in front of a garage without a designated private driveway to load or unload a vehicle, after which, the vehicle must move to Visitors Parking or park within the garage of the residence.
11. Vehicles that consistently park in front of the garage of the residence (without a private driveway) may be subject to a \$50 fine levied by the SKHOA Board per the Fine Schedule effective January 17, 2022. Unlicensed motor vehicles (other than vehicles operated in the course of Common Area maintenance) shall not be operated **or parked** anywhere on the Common Area (roads, parking areas, or green areas) or in private driveways at any time and must be stored within an enclosed garage. This includes minibikes, trail bikes, go-karts, snowmobiles, etc.

12. Vehicles with expired /no registration and/or expired/no NYS inspection may not be parked anywhere on the Common Area (roads, parking areas, or green areas) at any time and must be stored in an enclosed garage.
13. Vehicles unable to move from Visitor Parking every 24 hours due to mechanical problems (including flat tires) and/or licensing and/or inspection difficulties must be removed from Visitor Parking and stored in an enclosed garage. It may not be parked anywhere on the Common Area (roads, parking areas, or green areas) at any time. Parking Violations are subject to a \$50 fine.
14. Licensed Recreational Vehicles (mobile homes, campers, etc.) shall NOT be stored or parked on Common Area at any time, except for a single period not to exceed 24 hours. Such 24-hour parking privileges must not exceed **two such periods in a 30-day period**. Abuse of these parking privileges will be subject to fines.
15. Residents/Homeowners/Guests may not block a private driveway of any residence.
16. Residents/Homeowners/Guests may not block any vehicle in Visitor Parking.
17. No Commercial Vehicles * shall be stored or parked on any portion of the properties, except in an enclosed garage. *A "Commercial Vehicle" shall be considered any motor vehicle specifically used for commercial purposes, being so determined by its chassis structure, tool boxes, ladder racks, snowplow, advertising, or any other accessories. The size limitation shall be such as to allow entry into a single garage. Please Note: if your employer provides such a vehicle for the purpose of fulfilling work requirements, and you are unable to park in your garage (due to size limitations) you must park in the private driveway of the residence. If the residence does not have a private driveway, you must contact the Property Manager to determine if you are able to receive an exception to the rule and park in Visitor Parking. The exception will not be granted if the residence has a garage (in which the vehicle in question can fit) but the garage is not being utilized for parking. In that case, the vehicle in question must not park anywhere within SKHOA.
18. Please be considerate when using Visitor Parking:
 - ✓ Do not block the sidewalk
 - ✓ Do not let your vehicle hang over the sidewalk or onto the lawn.
 - ✓ Make sure your vehicle does not extend into the road.
 - ✓ Use only one space for your vehicle.
 - ✓ You must use your private driveway for your parking needs first before Visitors Parking.

Garage & Garage Doors

The Association is only responsible for the exterior overhead garage door and the windows of the overhead garage door.

Cement/concrete floor, garage pedestrian door, garage window, garage door hardware, and electrical opener are the responsibility of the Homeowner.

To prevent petty vandalism and increase safety, garage doors should be left in their closed position.

Garden Beds

RESTATED DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, Adopted April 24, 2008, Article IX, USE OF PROPERTY, Section 3, Patio Areas, Page 8: *“Except in the area adjacent to the foundation and in the individual patio area adjacent to the residence and fence at the time of purchase, no planting or gardening shall be done and such planting as is done within the patio area shall be kept trimmed so as not encroach upon neighboring Property.*

RESTATED DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, Adopted April 24, 2008, Article IX, USE OF PROPERTY, Section 5, Board Required Approval, (1) Page 8: *“The following action by a Homeowner shall require prior written approval by the Board of Directors or their assigns which shall not be unreasonably withheld: “Additions to, relocation or removal of, plantings, sidewalks, decks, patio screens, driveway, patio, fences, planting beds or courtyards*

1. Live plantings are permitted in existing garden beds provided those plantings are maintained by the Homeowner. The Association is not responsible for the maintenance of any plantings done by the Homeowner. The Association is not responsible for any damage or accidental removal of Homeowner-plantings by SKHOA employees or contracted vendors of any nature while performing actions on behalf of the Association. Any damage to such plantings done by vendors while performing actions on behalf of the Homeowner are the responsibility of the Homeowner. Any damage done to SKHOA Property by vendors while performing actions on behalf of the Homeowner will be the responsibility of the Homeowner and should be reported to the Property Manager.
2. As of the date of the publishing of this SKHOA Handbook (August 2023) the following be in effect:
 - a) The only material applied to the Garden Bed shall be natural mulch. The Association will apply natural mulch on a budgeted schedule as needed each year. No rock, bark, or any other material shall be used. Garden Beds with existing rock or other material applied (as of the date of this publication) will be permitted to remain in their current state.
 - b) No statues, garden flags or other decorations are permitted within the garden beds.
 - c) Natural plantings in pots are permitted but must remain within the Garden Beds or directly adjacent to the stoop area or within the porch. The pots must not interfere with maintenance or be used to extend the Garden Bed area. All pots must be removed by November 15th of each year and stored away.
 - d) SKHOA will remove any dead/diseased/unattended plantings in the course of normal maintenance. Please Note: This applies to all plantings regardless of whether they have been planted by the Homeowner.
 - e) As of the date of this publication (August 2023): All bushes and/or trees within the Association, wherever they exist (Garden Beds and/or other Common Area) will be subject to normal maintenance as determined by the Association and the SKHOA Property Manager. Homeowners will no longer be able to be exempt from trimming/pruning bushes and/or trees regardless of whether the bushes and/or trees were planted by the Homeowner.

- f) No raised Garden Beds are permitted.
- g) Decorative Edging may be used for Garden Beds with the following restrictions:
 - 1) The edging must be low to the ground and not of a height that would be considered a fence or wall.
 - 2) Must not be used to extend the size of the Garden Bed.
 - 3) Must not be used to create a raised Garden Bed.
 - 4) Must not interfere with normal maintenance.

Backyard/Patio Area

1. Homeowners are responsible for maintaining their enclosed Backyard/Patio Area in a clean tidy manner. The grass must be cut and bushes, plants and vines trimmed so as not to encroach on neighboring property or attach to the inside face of the fence. Nothing should extend or hang over the fence. Any ground cover (spreadable plantings) should be trimmed so they do not extend through the fencing on all sides.
2. Yard debris, lawn cuttings, weeds and/or bush/tree cuttings should be properly disposed of in bags or containers. The Association is not responsible for the clean up and/or removal of such debris and a fine will be levied against a Homeowner who leaves this debris on the Common Area.
3. Outdoor feeding/sheltering of any domestic or wild animals in the Common Areas, garden beds, front stoops or backyard patios is prohibited. Bird feeders of any nature (including suet liquid type) **are prohibited** anywhere within the Association, including Common Areas, garden beds, stoop areas, and backyard patios.
4. Trash/Recycle/Yard Debris awaiting pick up, may be kept within the backyard stored in appropriate bags and/or containers.
5. The Backyard/Patio Area may not be used as a storage area for anything other than summer furniture.
6. Animal Waste must be cleaned up promptly to avoid insect and rodent infestation, as well as odors.
7. Trees within the Backyard/Patio Area are the Homeowner's responsibility. The Association, as well as neighbors have the right to trim any branches which extend over fences or onto roofs. Any root damage to neighboring or SKHOA property, may require the owner to remove and or trim the tree at their own expense.
8. Fences may be power-washed but not painted or stained.

Exterior Decorations

All **Spring/Summer** exterior decorations, hanging plants, etc. are prohibited with the following exceptions:

1. Within the private patio area.
2. Decorations attached to the front door of the residence.
3. Live plants or plantings which are on or within a stoop, garden bed area or porch area. Plants should be of a nature as to not overgrow onto the Common Area or create a barrier to garden-bed maintenance by the Association or its vendors. (Ground covers are not permitted.)
4. The only flag allowed anywhere within Summit Knolls is a single standard 3' x 5' American flag. The flag may be flown using a standard flagpole.

All plants, containers, and furnishings should be removed by **November 15th** of each year to facilitate snow removal. Management has the right to remove any neglected plantings at any time, as well as those left after November 15th.

All fall exterior decorations (*e.g.*, pumpkins, figurines, lights) should be removed by November 15th of each year to facilitate snow removal. Management has the right to remove any objects after November 15th – sooner if snow accumulation requires it.

The use of nails, screws, hooks, staples or any other fastener which punctures the finished paint, siding, fences or concrete walls of a building is **strictly prohibited**. Any damage caused by using such fasteners is the responsibility of the owner of that unit.

Holiday Decorations

Temporary decorations for the holiday season may be displayed between late October and mid-January of the following year. Any décor should not interfere with lawn or winter/snow maintenance. If decorations are of a living nature (pumpkins, hay stacks, corn stalks, corn husks) they must be removed by November 15. Please confine all decorations to the porch, garden bed and private door of the residence. All holiday decorations should be removed by January 15th of the following year except on the private doors of the residence. If weather does not permit the removal of lights by January 15, then lights should no longer be lit and removed as soon as weather permits.

Decorative lights left in trees or bushes within the garden bed areas are subject to damage during bush/tree trimming and/or roof raking/snow removal. Neither the Association or its vendors are responsible for any damage incurred in the course of maintenance.

Real Estate Sign Display

No advertisement signs will be permitted, with three exceptions: 1.) a single real estate “For Sale” or “For Rent” sign, is permitted for the period of time the house is for sale or rent. 2.) No more than three (3) “Open House” signs are permitted during three (3) pre-advertised open houses. 3.) “Moving Sale” signs are permitted for a maximum of 72 hours at the time of vacating the property. No “For Sale” or “For Rent” signs shall be attached to a building or garage. Such signs must be of standard size, not to exceed 6 square feet, be movable in nature; and so placed as to not interfere with maintenance of lawns or sidewalks. If posts are used to display such signs, their dimension shall not exceed 1^{1/2} inches square or diameter.

Soliciting

To protect residents from irritating interruptions, **NO** soliciting is allowed without prior permission from the Town of Webster and/or the Board of Directors. Soliciting shall not be interpreted to include charitable organizations or candidates for public office.

Use Restrictions
Commercial/Business

Short Term Rentals of Units are Prohibited/Commercial/Business Activities are Prohibited:

The following is a statement from the Association's Legal Representation: *The Code of the Town of Webster prohibits short-term rentals. Specifically, §350-82 states: "No dwelling unit shall be rented, leased or otherwise given over to a person other than the owner thereof for rent or other consideration for a period of less than 28 continuous days."*

Further, the Association's Declaration strictly prohibits commercial or business activities upon the Properties (Article IX – Use of Property, §1 – Restrictions on Use).

Violations of the Commercial/Business Restriction will result in a fine for each day of non-compliance.

***Cameras/Security System**

Outside Cameras/Security Systems require an approved Variance **prior** to installation. Cameras are not permitted to point at a neighbor's property. Cameras are allowed for observing a Homeowner's private property only and cannot be attached to siding, roofing, gutters, fences or gates. Cameras for observing a Homeowner's private property can be installed inside the home, pointing out the window. Ring/doorbell cameras are permitted. Cameras are not permitted anywhere on SKHOA Common Area (garden beds, outside fences, on patio gates). *This does not apply to cameras and/or security systems installed within a residence. Any installation of outside cameras/security system without prior approval, will result in a fine for non-compliance.

***Cable (Internet and/or TV/Satellite Dish) Cable/Satellite - Cable/Satellite Variance C/SV)**

A single satellite dish less than 24 inches in diameter is the only dish permitted and requires a Variance to be installed in an approved location. The "dish" may not be attached to the dwelling or fence. A new internet/cable installation requires a Variance. The Property Manager will then monitor to ensure no damage is done to SKHOA property during the installation. Any installation without Variance approval will be subject to a fine for non-compliance.

***Dumpsters**

**** To facilitate snow removal, dumpsters will not be allowed anywhere within SKHOA Ptoperty between November 01 and April 01 (weather dependent as determined by the Property Manager). Exception: SKHOA Roofing/Siding Contractors and Emergency Situations, determined by the Property Manager.***

Dumpster Placement Request is done through the Variance Process. The Variance is obtained through the Property Manager. Placement without the paperwork process completed will be subject to a fine for each day of non-compliance and subject to immediate removal of the dumpster.

* Please refer to Section III - Variance for further information.

Miscellaneous

- ✓ Window air conditioners are prohibited.
- ✓ There shall be no unusual or objectionable noise or odors allowed to emanate from the dwellings.
- ✓ No radio, television or similar tower or antennae.
- ✓ Garbage and rubbish shall not be dumped or allowed to remain on any Lot except in accordance with the rules of the Association.

SECTION III

Items Which Require A Variance - Variance Type Required

1. Central Air Conditioning Units/Whole-House Power Generator Units – General Variance (GV)
-No window air conditioning units are allowed-
2. Awnings – General Variance (GV)
3. Overhangs and/or Canopies - General Variance (GV)
4. Any Vents or Intrusion of Exterior Surface(s) - General Variance (GV)
5. Cable (Internet and/or TV/Satellite Dish) Cable/Satellite - Cable/Satellite Variance C/SV)
6. Deck/Patio Variance – Deck/Patio Variance (D/PV)
7. All Windows and All Doors – Windows and Doors Variance (W/DV)
8. Camera(s)/Security System Placement Request – Variance obtained through Property Manager
*Property Manager will ensure the location of camera(s) will not cause damage to SKHOA property nor violate privacy.
9. Dumpster Placement Request – Variance obtained through Property Manager
*Requires Prior Arrangement Through SKHOA Property Manager

**** To facilitate snow removal, dumpsters will not be allowed anywhere within SKHOA between November 01 and April 01 (weather dependent as determined by the Property Manager). Exception: SKHOA Roofing/Siding Contractors and Emergency Situations, determined by the Property Manager.***

* Placement without the paperwork process completed will be subject to a fine for each day of non-compliance and subject to immediate removal of the dumpster.

* Please refer to Variance for all requirements which must be met before approval.

VARIANCES

Request for Variance/Variance Request Procedure

SKHOA Homeowners seeking to make any exterior changes, modification, alteration, or addition to their property are required to receive prior Board approval. Any questions should be directed to the SKHOA Property Manager or SKHOA Board.

Homeowner requests for exterior changes or variances will be made on a Variance Request Form provided for this purpose and available from the SKHOA Property Manager, the SKHOA Board, and on the SKHOA Website: www.summitknollshoa.com (if you are a member of the website). The Variance Request Form will be addressed to the SKHOA Board or SKHOA Property Manager and will provide for:

1. A complete description of the proposed Variance with a drawing to cover the exterior change planned, as well as descriptive literature on any exterior appliance to be installed.
2. Reason for request.
3. Estimated Completion date. If not completed in a timely manner, a new Variance may be required.
4. Variance approval will be valid one-year from date of approval. If work is not completed within that time, a new Variance must be requested and approved. Please Note: Materials for an uncompleted project may not be stored on Common Area or within the enclosed patio/backyard of the residence.
5. Homeowner's signature and address.
6. The above application must be submitted in duplicate.
7. The Board of Directors will review the request. If additional information is required, the Homeowner will be contacted.
8. The review process may take up to 30 days to complete. The Board will not review an incomplete Variance Request until all required information has been received.
9. Any Homeowner with a pending Variance will receive written (or email) notification of the Board's decision.
10. A fine will be assessed to any Homeowner if the work is completed prior to approval of the Variance Request.
11. Any unapproved project may have to be removed if the Variance is requested after-the-fact and denied.
12. **No** Variance Request will be considered until ALL assessments (payments/fees/fines) are current.
13. Homeowner will be responsible for any damage to SKHOA Property during this process.
14. Refer to Homeowners' Handbook for specs for windows, doors, overhangs and awnings.
15. Homeowners may inquire to the SKHOA Board in regard to any project which is not covered within the Variance Request procedure. The SKHOA Board may not consider any request which is contrary to current procedures.

SUMMIT KNOLLS HOMEOWNERS' ASSOCIATION, INC.
DECK/PATIO VARIANCE REQUEST
(D/PV)

IT MAY TAKE UP TO 30 DAYS TO COMPLETE THE VARIANCE APPROVAL PROCESS. DO NOT START YOUR PROJECT UNTIL YOUR VARIANCE HAS BEEN APPROVED.

Specifications for Decks/Patios:

- Decks not to be attached to house or fence.
- Must be 18" away from fence line.
- If over 12" high, need town permit.
- If attached to house, must include detailed plans of how it is to be attached.
- If utilities underneath deck or patio have to be serviced or replaced in the future, owner shall be responsible for any needed repairs to deck or patio.
- Homeowner is responsible for any damage to SKHOA Property during this process.

NAME: _____

ADDRESS: _____

PHONE: _____ EMAIL: _____

SAMPLE ONLY

I REQUEST PERMISSION TO MAKE THE FOLLOWING CHANGES TO THE EXTERIOR OF MY TOWNHOME OR TO THE COMMON AREA OF THE COMMUNITY. I HAVE ATTACHED A SKETCH OF THE PROPOSED CHANGES, LISTED THE MATERIALS TO BE USED, AND INDICATED WHO WILL DO THE WORK. (Please be explicit. Extra sheets may be attached.)

SAMPLE ONLY

NOTICE: VARIANCE WILL BE IN EFFECT FOR ONE-YEAR FROM DATE OF APPROVAL ON VARIANCE FORM. IF APPROVED WORK IS NOT COMPLETED WITHIN THAT TIME, ANY MATERIALS FOR THE VARIANCE WORK MUST BE REMOVED FROM THE PROPERTY AND MAY NOT BE STORED IN THE BACKYARD/PATIO AREA. A NEW VARIANCE MUST BE APPROVED.

REASON FOR VARIANCE REQUEST: _____

INDICATE FUTURE MAINTENANCE REQUIRED BY THE ASSOCIATION: _____

SIGNATURE OF PETITIONER: _____

DATE: _____

HOW TO SUBMIT:

-PLEASE FILL OUT TWO (2) COPIES AND MAIL TO THE ASSOCIATION'S ADDRESS:

**SUMMIT KNOLLS HOA
PO BOX 271
WEBSTER, NY 14580**

-OR-

-YOU MAY SUBMIT TO THE PROPERTY MANAGER BY EMAIL

propertymanager@summitknollshoa.com

-OR-

**-YOU MAY CONTACT THE PROPERTY MANAGER THROUGH THE MESSAGE
CENTER AT 585-935-5032**

SKHOA BOARD USE ONLY

SKHOA ADDRESS: _____

REVIEWED BY:

PROPERTY MANAGER: _____

SIGNATURE

ARCHITECTURAL COMMITTEE: _____

SIGNATURE

ARCHITECTURAL COMMITTEE: _____

SIGNATURE

OTHER (SPECIFY): _____

SIGNATURE

COMMENTS: _____

DATE: _____

APPROVED: _____

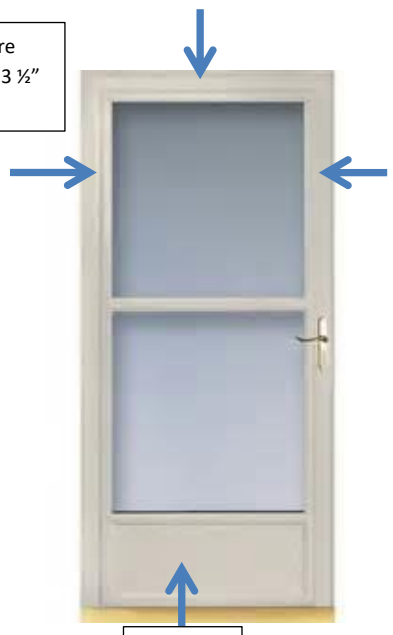
DENIED: _____

Storm/Screen Door Guidelines

NOTE: Variance Required

Combination Storm and Screen Doors:

No More Than a 3 ½" Border



12" Max.


A. PLAIN STYLE

Application: Approved for all front door styles.

Dimensions: Maximum indicated, shall not be exceeded.

Decoration: Panels, grills, reinforcing bars or other ornamentation which run across glass or screen area are not acceptable.

Material: Extruded aluminum, fiberglass or wood.



B. CROSSBUCK STYLE

Application: Approved for all front door styles.

Dimensions: Standard crossbuck design.

Decorations: Bars, grills, etc., that cross or border glass or screen area are not acceptable.

Material: Extruded aluminum, fiberglass or wood.

No more than 3 1/2" Border



C. SELF-STORING STYLE

Application: Approved for all front door styles.

Dimensions: Maximum indicated, shall not be exceeded.

Decorations: Panels, grills, reinforcing bars or other ornamentation which run across glass or screen area are not acceptable.

Material: Extruded aluminum, fiberglass or wood.

Caution: Heat build-up between the storm door and inner door could cause the plastic trim on the inner door to melt. Such damage in appearance as caused by the melting is the responsibility of the homeowner and must be repaired as soon as possible.

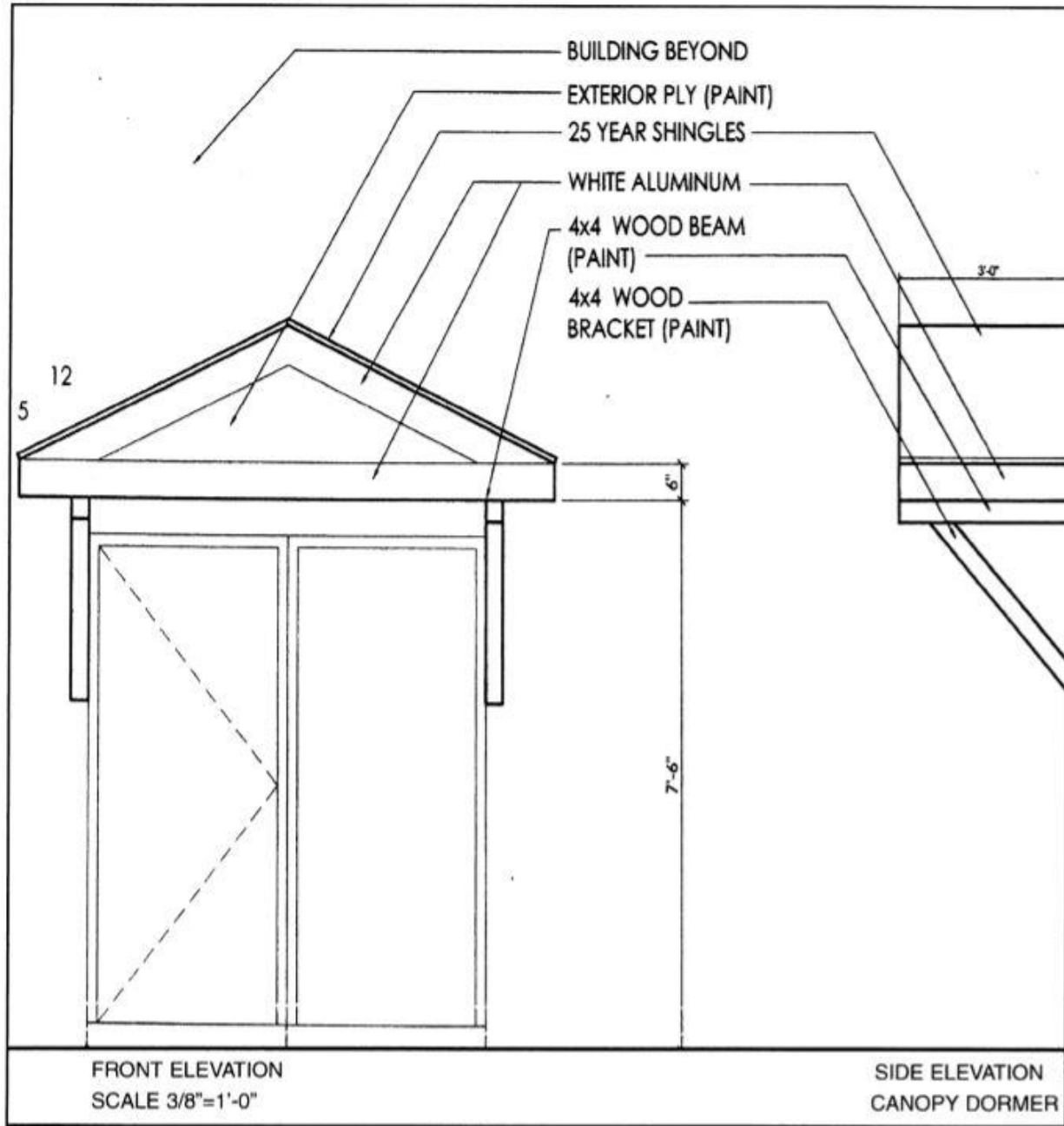
Exterior Improvements

Window wells may be covered by plastic bubbles as are available for such purposes. Any type of storm and/or screen sash may be attached to the outside of the basement windows, provided it does not extend beyond the concrete block opening and the top course of concrete block.

A variance request is required for ALL awnings and canopies.

Sliding Door Awning (Patio Only)

Canopy Dormer



SECTION IV

MATRIX A

BUILDING MAINTENANCE RESPONSIBILITY

***MAY REQUIRE VARIANCE FOR PLACEMENT/REPLACEMENT**

	Items	Responsibility	
		Association	Homeowner
*	Air Conditioner Unit (NO WINDOW UNITS)		All
	All Door Locks		All
	Attic Insulation/Soffit Ventilation		All
*	Awnings		All
*	Back Steps		All
	Basement Concrete Floor		All
	Basement Waterproofing		All
*	Basement Windows		All
	Chimney and Cap	All	Chimney Cleaning
*	Exterior Light Fixtures (attached to unit)		All
	Exterior Post Lamps Association Controlled Homeowner Controlled	All	All
	Fencing/Gate/ Walls – (NO PAINT/STAIN)	All	
	Fireplace – Internals		All
	Foundation (House & Garage)		All
*	Front Doors		All
	Front Stoops	All	
	Furnace		All
	Garage Concrete Floor		All
	Garage Door Hardware and Electric Opener		All
	Garage Overhead Door	All	
*	Garage Pedestrian Door		All
	Garage Door Windows	All	
*	Garage Window		All
*	Generator		All
	Gutters and Downspouts	All	
	Interior Electric		All
	Interior Plumbing (including hose bib)		All
	Mailboxes	All	
	Paint/Stain – Exterior	All	
	Paint/Stain – Interior		All
*	Patio		All
	Pest Control	All Exterior	All Interior
	Roofs	All	
*	Screen and Storm Doors		All
	Siding – Exterior and Trim	All	
*	Sliding Doors		All
	Sump Pumps		All
*	Window Frames (MAY BE SHARED)		
	Windowpanes/Glass Surfaces		All
	Window Well Covers		All
	Window Well Repair	All	

MATRIX B

GROUNDS MAINTENANCE RESPONSIBILITY

***MAY REQUIRE VARIANCE FOR PLACEMENT/REPLACEMENT**

ITEMS	RESPONSIBILITY		
	Association	Homeowner	Town of Webster
All Parking Areas, Extensions and Private Drives	All		
* Cable/Satellite Service		All	
Deck/Patio Area Plantings		All	
Driveways	All		
Fire Hydrants	(CLEAR SNOW)	(CLEAR SNOW)	All
Ice Melts, Stoops and Walkways (No salt: Use potassium chloride or calcium chloride)	(MAY BE SHARED)	All	
Lawn Care, including mowing, seeding, and edging	All	Enclosed Patio Area	
Lawn Watering		All	
Main Road, South Estate Drive and Summit Knolls			All
Sidewalks (Common Areas)	All		
Snow Removal	All	2 Feet in Front of Garage	
Storm Water Sewer System			All
Storm Water Sewer, Sanitary Sewer, Water Service Laterals	All		
Trees, shrubs and landscaping in common area	All	Flowers and Bulbs Planted by Owner	
Trees, shrubs and landscaping in enclosed patio area		All	
Water Lines, Pipes, Drainage Facilities, Conduit, Public Utility Lines (Exterior)	All those owned by the Association and for which the Utility Company or other entities are not responsible		
Water Mains			All

SKHOA Map

This map includes the addresses within the Summit Knolls Homeowners Association, Inc. If your address is not here, you do not live within the Summit Knolls Homeowners Association.

