



Homeowners Association

975 Easton Road • Suite 202 • Warrington, PA 18976 • 215-343-1550

THESE DOCUMENTS ARE NOT TO BE USED FOR RESALE PURPOSES AND/OR TRANSFER OF TITLE AND DEED.

# ENVIRONMENTAL REVIEW BOARD RULES & REGULATIONS

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## SECTION I

### INTRODUCTION

The architectural and environmental character of our community was established by the architects and planners who originally designed Newtown Grant, and was approved by the Newtown Township Board of Supervisors. The Environmental Review Board (ERB) is responsible for preserving this character. It establishes standards and is responsible along with the Cluster Association Board of Directors for informing all homeowners in the community of these standards. The standards are not intended to stifle the imagination or creative desires of the residents, but rather assure them that protective restrictions are in effect, which will help maintain the appearance and value of their property.

The purpose of the ERB is to "regulate the external design, appearance, use, and maintenance of the Cluster Properties and of improvements thereon, in such a manner so as to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography". [1] The ERB is empowered "to regulate the external design, appearance, location and maintenance of the Cluster Properties and of improvements thereon and to regulate such uses of property." [2]

When you purchased your home, you were presented with documents known as the Covenants. The Covenants established two categories of standards. Those standards labeled Master Board are in effect for the entire community and may not be changed or altered by the Quail Creek ERB. Other standards were open to the jurisdiction of the Quail Creek ERB with the approval of the Board of Directors. Those standards are included in this document under "Rules and Regulations".

## SECTION II

### ERB REQUEST PROCEDURES

The ERB will only consider written requests submitted using ERB Request forms. A copy of the Quail Creek ERB Request form may be found in Appendix A. Additional copies may be obtained by contacting the Property Management office.

ERB submissions should be mailed to:

Quail Creek Homeowners Association  
975 Easton Road, Suite 102  
Warrington, PA 18976

Please provide a description of the proposed project, including all the necessary information. Please include applicable specifications in sufficient detail to adequately and fully disclose the proposed alteration. Necessary data would include the height, width, length, size, shape, color and location of the proposed improvement. Photographs or sketches of similar completed projects would aid in the ERB's consideration. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.

\*\*\*\*\*  
Approval of any project by the ERB does not waive the necessity of obtaining the required municipal permits. Applications for building, zoning, and other governmental permits for the proposed project shall be made by the homeowner at their own expense. Abiding by deed restrictions, such as not obstructing pedestrian easements, is the responsibility of the homeowner. All costs and damages incurred as a result of not complying with easement restrictions will be borne by the homeowner.  
\*\*\*\*\*

SECTION III

**RULES AND REGULATIONS**

**Air Conditioners (Master Board)**

Window air conditioners are NOT permitted.

**Awnings (Quail Creek)**

No sign, awning, canopy or shutter (except as installed by the Declarant) shall be affixed to or placed upon the exterior walls or roof of any home or any part thereof, without the prior written consent of the ERB.

**Clotheslines (Master Board)**

Clotheslines of any type are NOT permitted.

**Decks, Patios, Walkways and Landscaping (Quail Creek)**

Patios, walkways, decks, brick patios and landscaping must be submitted for ERB approval. Flower gardens are permitted in the original beds provided by the developer. Additional beds require the approval of the ERB.

Retaining walls and grading alterations that change the contour of the earth and/or water drainage patterns must be submitted to the ERB for approval.

Homeowners are responsible for verifying locations of all underground utilities and existing easements and bear total responsibility for any and all service interruptions directly attributable to work performed on their property. Homeowners can contact Pennsylvania One Call, free of charge, at 1-800-242-1776, to verify underground utility locations. There is a fee for contractor requests.

Homeowners are reminded to contact the Township for required permits.

**Disturbances (Master Board)**

Power tools shall not be used between 9:00 p.m. and 9:00 a.m. of the following day.

Televisions, stereos and radios shall be turned low after 11:00 p.m. No short wave radio transmitter shall be permitted to be operated in the Community without special permission of the Board of Directors. Outside antennas are NOT permitted.

No occupant shall obstruct or interfere with the rights of any other occupant or in any way cause injury or create an annoyance.

Each homeowner shall be charged with the responsibility of directing his tenants, guests and invitees to comply with the Association's Declaration, Bylaws and these Rules and Regulations.

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No resident will continue to operate an externally audible alarm system which malfunctions, emits false alarms and disturbs the peace of the Community.

**Exterior Doors, Storm Doors and Windows (Quail Creek)**

Exterior doors and storm doors shall NOT be altered or replaced except as approved in writing by the ERB. Storm doors must only be full-view style and white. Windows (and grids) must only be white. [See Appendix C](#) for appropriate storm door information.

**Exterior Maintenance/Alterations (Quail Creek)**

Each owner shall keep their property, and improvements therein or thereon, in good order and repair and free of debris including, but not limited to, the pruning and cutting of all trees and shrubbery, the mowing of lawns and the painting (or other appropriate external care) of all buildings and other improvements, all in a manner and with such frequency as is consistent with good property management.

In general, only those areas that are painted may be repainted. Only those areas which are stained may be re-stained. Unpainted surfaces and unstained areas, such as brick and stone, shall remain unpainted and unstained. ERB approval is NOT required if the homeowner is repainting or re-staining areas with the color presently applied. [See Appendix B](#) for original color combinations.

No changes to the exterior design of any home may be undertaken without the written approval of the ERB. Exterior materials must be compatible with the architectural design character of the Community. The ERB reserves the right, with Board approval, to retain a registered architect or engineer to review and assist in this determination.

**QUAIL CREEK FENCE POLICY:**

**Fences (Quail Creek)** (Rev. March 2014)

No lot boundary lines are to be formed by cinder-blocks, bricks, hedges, shrubs, fences or fence-like structures of any kind, except as approved by the Environmental Review Board.

The following types of fences are currently acceptable:

- Board-on-Board (shadow box)
- Post and Rail (two or three rails)
- Solid Board Privacy Fence (with or without lattice)
- Vinyl Privacy (solid board style with or without lattice, in **wood tone only**)

Fences (including any lattice top) must be at least three feet (3') high and no higher than six feet measuring from the ground up. The color of all fences shall be as similar to natural wood tone as possible. On post and rail fences, turkey wire may be installed if it is a minimum of 13-gauge galvanized two inch (2") by four inch (4") mesh, vinyl covered in brown or green.

Privacy fencing shall only be allowed between two adjoining and physically connected units and must begin at the rear of the unit. The privacy fence must be board-on-board or stockade style as described above. In the event that after a privacy fence has been approved and erected, if the homeowner chooses to enclose the property with a fence, the new section of fencing must begin at the end of the privacy fence farthest from the building.

For fences that require posts for support the posts must face the interior of the lot. Fences with only one finished side shall be installed such that the finished side faces the exterior of the property. Where cooperating property owners with a common property line are both installing fences of the same height and of the same length, the finished side may face the interior of the property and/or the posts may face the exterior of the property.

Fencing may not extend forward beyond the rear wall of the house.

Color of all fencing shall be as similar to natural wood as possible. Only a clear preservative or natural wood stain may be used on the fence. Please submit a sample of the natural wood stain you intend to use when submitting your ERB request form.

**All fencing requires a township permit as well as approval from the Quail Creek Environmental Review Board.**

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Prior to proceeding, homeowners must verify property lines and/or easements. If a fence is constructed on another homeowner's property, the homeowner of the fenced-in yard is responsible for repositioning or removal of that section of fencing.

We will review your request prior to submission of the township permit under these conditions:

1. Approval will be conditional until a township permit is submitted to our current property management office for the ERB.
2. No work may commence until the submission of a copy of the township permit is received by the office.
3. The homeowner is responsible for complying with all township zoning ordinance and building codes.

Request for fencing must be submitted on a separate request form and may not be considered part of a landscaping package.

**Firewood (Quail Creek)**

Firewood may be stored only in the rear of the property. Wood pile is to be stacked neatly. No existing drainage pattern or easement can be obstructed by wood pile.

**Mailboxes (Quail Creek)**

The mailboxes are not to be used as bulletin boards for lost or stolen items or pets or other announcements. The recreational facility building has a bulletin board for just such purposes.

**Pets (Master Board and Quail Creek)**

All pets must be held or kept on a leash, may not be left outside unattended and are not allowed to run free. Pets taken outside shall display licenses and rabies tags required by law. Owners shall cleanup after their pets.

Pets shall NOT be walked between buildings (rear or side yards) except in the case where the side yard is completely private. Pets may be walked in designated areas on the perimeter of the Community.

If any pet, without provocation, causes or creates a nuisance, or unreasonable disturbance or noise, the pet owner shall correct the problem immediately.

Anyone observing any infraction of any of these rules shall discuss the infraction in a neighborly manner with the pet owner in an effort to obtain voluntary compliance. An owner or resident shall, if the complaint is not satisfied voluntarily, write to the Association relating the incident or incidents and the efforts made to obtain voluntary compliance.

**Pools/Spas (Master Board)**

In-ground pools and spas are not permitted.

Toddler type pools are acceptable but must be stored indoors nightly, with no exceptions.

**Recreation Equipment (Quail Creek)**

Recreation equipment includes, among other things, swing sets and playhouses which must receive ERB approval. All permanent equipment must be at least five feet (5') from rear property lines and must be permanently anchored. You are required to leave five feet (5') at the rear of your property unobstructed. If you have a storm sewer easement anywhere on your property, the Township requires that nothing may be placed, planted, stored or built in this area.

Children's outdoor play equipment of the portable type must be stored indoors at night.

Permanent or portable basketball equipment is not permitted.

**Satellite Dish or Television Antenna (Quail Creek)**

Prior to the installation of a satellite dish or television antenna, every Quail Creek homeowner is requested to notify the ERB Board as to the placement of the satellite dish or antenna by providing a detailed description of the plan of installation. Notification should be made by using the current ERB Form.

Such placement shall be reviewed for conformance with the following:

- Every effort must be made that each installation be completed in such a manner as to conceal the satellite dish or television antenna from view. The dish must, whenever possible, be installed on the area of the home facing away from the street (i.e. back of home) on the ground. The installation should be hidden from view by planting shrubs to hide the device or covering it with a fake rock. Installation is not limited to a ground installation. This would include, but not limited to, placing the device on the rear roof of the home. All roof and side installations should be limited to the extent that the dish should not be placed on the roof any higher than where they can receive an adequate signal.
- There should be no exposed or visible wiring and the installation must conform with all building and electrical codes.
- Whenever possible, when installing the dish or antenna on the roof, the color of the device should be the same color as the roof.
- The dish must be professionally installed.
- At no time shall the satellite dish be installed on Association property (common ground) or on another homeowner's property.

#### **Signs (Master Board)**

No sign of any nature shall be maintained on or in the property. An exclusion is made for one (1) real estate "For Sale" sign only, which may be placed on the property for the sole purpose of selling the home.

#### **Sheds (Master Board)**

Sheds are NOT permitted anywhere on the Property.

#### **Storage of Hazardous Materials (Master Board)**

Positively NO cans of gasoline, or paint rags, or other flammable material, is permitted to be stored in closets, attics or utility rooms, unless in Underwriters Laboratory approved container with UL label affixed.

#### **Trash (Master Board)**

Receptacles, such as metal or plastic trash cans or bags, shall NOT be permitted to stand along the outside wall of any building.

Trash cans or bags shall not be placed outside until the day of the scheduled pickup and not the night before. Cans must be covered and bags must be tied and closed.

Trash cans shall be returned inside by 11:00 p.m. of the day of pickup.

Dumping of grass clippings or trash is NOT permitted in wooded areas or the Common Property.

Burning of papers or rubbish of any kind is NOT permitted.

#### **Vehicles and Parking (Master Board)**

Residents with garage space available must use garages for overnight parking and at all other times when practicable. Garage doors must be closed at all times when a vehicle is not in the process of exiting or entering.

No vehicle may block any sidewalk or pedestrian walkway.

Only private licensed passenger type sedans, coupes, station wagons/vans and two wheel power vehicles are allowed to park in the Community unless garaged. No recreation vehicles (campers, house trailers, motor homes, boats and boat trailers or commercial vehicles, disabled vehicles or unlicensed vehicles, etc.) of any type may be parked outside overnight and must be garaged if on-site overnight.

Residents will refrain from performing any repair or service to their vehicles which could cause damage to Common Property and shall perform repair and service work inside of the owner's garage if practicable and possible.

No vehicle, equipment or machine will be operated within the Community without adequate noise suppression nor shall any such device be operated in a manner to create excessive noise. No motorized vehicle may be operated in areas other than the streets without proper authorization except for lawn and

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maintenance equipment. This in no way shall prevent Association or authorized contractors from performing their functions at a time and under those conditions deemed appropriate by Association management.

No parking is permitted at any time in front of U.S. mail boxes or fire hydrants or in any other posted "No Parking" zones.

**Yard Maintenance (Quail Creek)**

Yards shall be maintained to provide a neat appearance to the cluster. Lawns shall be maintained so that grass height does not exceed six inches (6") and/or the grass does not go to seed. Each homeowner is responsible for the cutting and maintenance of their lawn.

**Fine Policy (Quail Creek)**

The schedule of fines, which will be imposed by the Board of Directors, is as follows:

First Offense	Written Warning
Second Offense* (30 days)	\$25.00 Fine
Third Offense** (30 days)	\$25.00 Fine per Day

\* A second offense may be a repeated first offense or thirty (30) days from written warning of first offense being sent with no compliance from homeowner.

\*\* A third offense may be a repeated first offense or thirty (30) days from the second offense fine being imposed with no compliance from homeowner.

If after the third offense, the situation has not been resolved, the Board has the authority, as established by the Master Board Covenants, to initiate any or all corrective action at the homeowner's expense. It is conceivable that an unresolved infraction could result in a lien being placed on property to recoup just such an expense, therefore causing an increase of the quarterly Association fee on all homeowners in the Quail Creek Homeowners Association. Thus it would be to each homeowner's benefit to abide by the Rules and Regulations as well as resolve violations prior to elevating to this extreme.

**Complaints (Quail Creek)**

A general complaint form has been provided for your use, in Appendix D, should you deem it necessary to identify a violation of the above Rules and Regulations. The ERB and Board of Directors of Quail Creek understand the need to maintain a clean and aesthetically pleasing environment. Each homeowner deserves such and pays quarterly to obtain it. It is also each homeowner's responsibility to comply with these Rules and Regulations in an effort to do their part for our community.

APPENDIX A

**ENVIRONMENTAL REVIEW BOARD (ERB) REQUEST**

Printable Quail Creek [ERB Request Form](#)

APPENDIX B

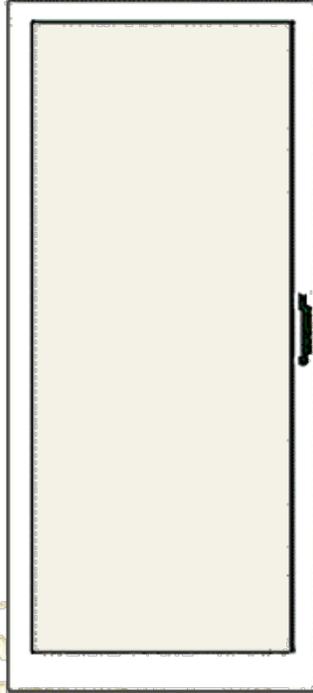
**EXTERIOR PAINTING  
SHINGLE REPLACEMENT**

COMING SOON

APPENDIX C

**STORM DOORS**

Full View Style  
Clear Glass  
White Frame



■ THESE DOCUMENTS ARE NOT TO BE USED FOR RESALE PURPOSES AND/OR TRANSFER OF TITLE AND DEED.

These Documents are not to be used for resale purposes and/or transfer of title and deed.

APPENDIX D

**COMPLAINT FORM**

Printable Quail Creek [Complaint Form](#)

Quail Creek  
Board of Directors  
September 17, 2008