



## **HEATHER WOOD II**

**NEWTOWN GRANT, TH-3A HOMEOWNERS ASSOCIATION**

# **RULES & REGULATIONS**

Heather Wood II  
Board of Directors  
January 2007

## SECTION 1

### 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 Heather Wood II ERB. Other standards were open to jurisdiction of the Heather Wood II ERB with the approval of the Board of Directors. Those standards are included in this document under “Rules and Regulations”.

[1] Declaration of Covenants, Conditions, and Restrictions for Newtown Grant Phase T.H. – 3A Homeowner’s Association, (the “Declaration”), Article VI, section 2.

[2] By-laws of Newtown Grant Phase T.H. – 3A Homeowner’s Association, Inc., Article XI, section 2.

## SECTION 2

### ERB PROCEDURES

#### GENERAL

The ERB will only consider a written request using the ERB Request Form, a copy of which is attached hereto. Additional copies may be obtained from the Heather Wood II Property Management Office.

The description of the proposed project should include all information necessary for the committee to take action. 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.

The ERB reserves the right to reject ERB requests from homeowners who are in arrears with fees and/or fines.

PLEASE NOTE: It is the public's right to request verification of a building permit.

## HEATHER WOOD II RULES AND REGULATIONS

### AWNINGS

Awnings are prohibited on the front, rear, and sides of all structures.

### CLOTHESLINES

Clotheslines of any type are not permitted.

### DECKS AND PATIOS

Decks and patios **must** be approved by the Environmental Review Board.

All applications for decks and patios **must** include the following:

- a. Layout and design of the proposed deck/patio
- b. List of materials used
- c. Plot plan showing location of deck/patio on property
- d. Copy of all permits issued by Newtown Township
- e. Stain samples which must be in harmony with siding or trim

### DISTURBANCES

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

Television, stereo, and radio volume shall be lowered after 11:00 p.m. No short wave radio transmitters shall be operated in the community without special permission of the Board of Directors. Outside antennas, solar panels and installed speakers are not permitted.

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

Each homeowner shall be charged with the responsibility of directing his tenant(s), guests, and invitees to comply with the Association's Declaration, By-Laws, and these Rules and Regulations.

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

Exterior lighting, including security lights, shall not be directed in such a manner as to create an annoyance to your neighbor. **Additions to exterior lighting must be approved by the Environmental Review Board.**

## EXTERIOR MAINTENANCE AND ALTERATIONS

Each homeowner is responsible for maintaining the appearance of their home. In general, only those areas that are painted may be repainted. Unpainted surface areas such as brick and stone shall remain unpainted and unstained. When repainting, the original colors must be as follows:

**Garage Doors:** Penn Valley Otter Flat  
Sherwin Williams Bungalow Beige (SW2032-Flat)

**Front Doors & Shutters:** Finnaren and Haley Semi-Gloss Enamel Congress Hall Red  
MAB Semi-Gloss Enamel Belmont Blue (024-1944)

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

**All building projects must be completed within 30 days of approval.**

## FENCES

All fences **must** be approved by the Environmental Review Board. All fencing **requires** a township permit.

No property boundary lines are to be formed by cinder blocks, bricks, hedges, shrubs, fences or fence-like structures of any kind.

- a. Fences are permitted in the rear yard only. The following fences are approved for use in the rear yard: five (5) foot board shadow box or post and rail fences at least three (3) feet tall and no higher than five (5) feet. Green vinyl thirteen (13) gauge galvanized 2" x 4" mesh may be used on the post and rail fences.
- b. No chain link fences are permitted.
- c. Only a clear preservative or natural wood stain may be used on the fence.

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

## MISCELLANEOUS

Traditional Winter Holiday Lighting may be displayed no more than 30 days prior to holiday and 30 days after holiday.

## PETS

All pets must be licensed with Newtown Township as required.

An animal of any kind may be kept only as a domestic pet. Pet runs, pens, or houses of any kind are not permitted. Pets are not allowed to run free. Owners **must** clean up after their pets.

All pets must be held or kept on a leash and may not be left outside unattended. No homeowner shall have more than two (2) pets unless the pets were owned prior to moving into the community and even then only three (3) pets are permitted.

## RECREATION EQUIPMENT

Recreation equipment must be approved by the Environmental Review Board. All permanent equipment must be at least five (5) feet from the rear property lines and must be permanently anchored. You are required to leave five (5) feet at the side of your property unobstructed. If you are an end property you are also required to leave five (5) feet at the side of your property unobstructed. If you have a storm easement located anywhere on your property, the Township requires that nothing be placed, planted, stored, or built in this area.

- a. Children's outdoor play equipment/pools of the portable type must be stored indoors at night.
- b. Metal swingsets are **not** permitted.
- c. Rusting or deteriorating equipment must be removed or repaired immediately.
- d. Canopies or tents are permitted in the rear or side yard for a specific event and must be disassembled within forty-eight (48) hours following the event. **Please notify Property Management prior to the date of the event.**

## SHEDS

Sheds or freestanding structures are not permitted.

## STORM DOORS, GARAGE DOORS, AND WINDOWS

Exterior doors, storm doors, garage doors, and windows shall not be altered or replaced except as approved in writing by the Environmental Review Board. Storm doors must be **full glass style** and may be white or the color of the door underneath. French or double doors must have double storm doors. Garage doors – the Board has approved **Clopay garage door (# "Elegant" panel, HGD) available at Home Depot and Lowe's.**

## SIGNS

No signs of any nature shall be affixed to or placed upon the interior/exterior of the home.

- a. "For Sale" signs **are** permitted. All "For Sale" signs must be freestanding and well maintained.
- b. "Sold", "For Rent", "Sale Pending", and "Under Agreement" signs **are not** permitted.
- c. Contractor signs **are not** permitted.

### **SNOW REMOVAL**

It is the responsibility of the homeowner to clear all driveways and sidewalks, which are considered part of their property.

Homeowners must cooperate with equipment operators by moving their vehicles when necessary.

### **TRASH**

Each homeowner shall be responsible to keep property free from rubbish and litter.

- a. Trash receptacles such as metal or plastic cans or bags shall not be permitted to stand along the outside wall of any building.
- b. Trash cans or bags shall not be placed outside until the day of the scheduled pick-up and **shall be returned inside that evening.**
- c. Cans must be covered and bags must be tied closed.
- d. Dumping of grass clippings or trash is **not** permitted in wooded areas or the Common Property.
- e. Burning of papers or rubbish of any kind is **not** permitted.

### **YARD MAINTENANCE**

Yards shall be maintained to provide a neat appearance to the Cluster. Lawns shall be maintained so the grass height does not exceed six (6) inches. Each homeowner is responsible for the cutting and maintenance of their lawn. This includes: seeding, weeding, fertilizing, and care of the lawn, shrubbery and trees.

Residents must maintain ground cover on their lots so as to avoid soil erosion onto streets, sidewalks, or other properties.

Within thirty (30) days after completion of any building project, all building materials and debris must be cleared from the site, and excavations must be backfilled and returned to original grade.

No homeowner shall place or store anything on the patio or grounds on their home, other than outdoor furniture and firewood. Firewood must be stored in a container (log holder) and not directly on the ground.

### **VEHICLES**

No recreational 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.

Commercial vehicles are allowed if to perform a specific job for a limited period of time.

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 applicable.

No motorized vehicle (motorbikes and ATVs) may be operated in areas other than the streets without proper authorization.

### **WINDOW AIR CONDITIONERS**

Window air conditioners are not permitted.

### **FINES**

Failure to comply with the Rules and Regulations, Declarations of Covenants, Codes, and Restrictions of the Newtown Grant Master Association and the Heather Wood II Cluster Association will result in the imposition of fines according to the following schedule. Prior to the imposition of any fines, the Board will send written notice by first class mail to the homeowner at the address of the property or the address of which all Association notices are sent. Said notice shall be deemed to be received by the homeowner on the date it is postmarked. A period of thirty (30) calendar days following the date of written notice will be allowed to correct the violation. The homeowner may choose to file an appeal by requesting a hearing before the Board, in writing, postmarked or delivered to the Board within thirty (30) days of the original notice to the homeowner. The appeal will be addressed at the next scheduled meeting of the Board of Directors following the receipt of the appeal request in writing. If neither the correction of the violation nor an appeal is requested by the homeowner within thirty (30) days after the violation notice is given to the homeowner the appropriate fine will be levied.

Fines are made payable and mailed to: Heather Wood II Homeowners Association, 975 Easton Road, Suite 102, Warrington, PA 18976 within ten (10) days of the assessment.

In the event the homeowner appeals the notice as specified above, the fine may be suspended at the Board's discretion, pending the outcome of the appeal. If the homeowner does not file an appeal within the required time and does not pay the assessed fine and/or correct the violation,



the appropriate fine will be levied. Under no circumstances will any continuances of the appeal hearing before the Cluster Board be permitted.

A homeowner appealing the Board's decision will be notified in writing of the appeal decision within ten (10) days after the hearing. If the decision is to uphold the Board's initial determination, the homeowner will have ten (10) days to pay the assessed fine and/or comply with the appeal decision. Failure to comply with the Board's decision shall result in the imposition of the appropriate fine.

If the homeowner refuses to comply with the Rules and Regulations, Declaration of Covenants, Conditions, and Restrictions, the Board reserves the right to hire a contractor to perform any work required to correct the violation at the homeowner's expense. If the homeowner refuses to pay any levied fine, the case will be referred to an attorney as directed by the Board for appropriate legal action. All fines and costs for correcting the violation shall accrue and become a lien upon the property as if they were assessments pursuant to Article V of the Rules and Regulations, Declaration of Covenants, Conditions, and Restrictions. All remedies available to Heather Wood II for reinforcement of payment of maintenance assessments shall also be available to the Cluster for the collection of fines, correcting the violation, and for enforcing the Rules and Regulations, Declaration of Covenants, Conditions, and Restrictions of the Cluster and Master Documents including, but not limited to the reasonable costs and attorney's fees for any action to enforce the Rules and Regulations, Declaration of Covenants, Conditions, and Restrictions.

<u>Category of Offense</u>	<u>Type of Offense</u>	<u>Amount of Offense</u>
Category A (Per Offense)	Failure to maintain yard Failure to clean up after pets Failure to adhere to Heather Wood II Rules and Regulations	\$25.00
Category B	Failure to submit an ERB request for an acceptable exterior change	\$50.00
Category C	Failure to submit an ERB request for an unacceptable exterior change	\$100.00
Category D	Parking of a commercial vehicle on Heather Wood II property. Displaying signs on property	\$25.00/day



Dear Homeowner:

This letter is to provide residents with information regarding where to purchase Heather Wood II paint colors. The following is a list of local paint retailers:

**BELMONT BLUE** – (Decorative panel, front door, shutters)  
(024-1944)

**M.A.B. Paints** – (215) 355-3646 – Feasterville, PA  
317 East Street Road  
**\*\*M.A.B. Semi-Gloss Enamel is recommended\*\***

**BUNGALOW BEIGE** – (Garage Door)  
(SW2032-Flat)

**Sherwin Williams** (2 locations) –

**Fairless Hills, PA** – (215) 945-0902 – 203 Lincoln Highway  
Located 1 ½ miles north of Oxford Valley Mall (next to Frank's Nursery)

**Bensalem, PA** – (215) 639-7575  
Located across from the Giant Food Store Plaza

**CONGRESS HALL RED** – (Decorative panel, front door, shutters)

**Newtown Paint and Decorating** – (215) 968-4828 Newtown, PA  
Located on 9<sup>th</sup> Street

**\*\*It is recommended that homeowners call in advance to order the Congress Hall Red paint\*\***

**Finnaren and Haley Paints** – (215) 355-8282 Feasterville, PA  
Located at 110 E. Street Road (across from Value City)

**PENN VALLEY OTTER** – (Garage Door)

**Penn Valley Paints** – (215) 949-0800 Levittown, PA  
8000 Bristol Pike

Replacement Garage Doors - CLOPAY "Sandstone"  
975 Easton Road • Suite 102 • Warrington, PA 18976 • 215.343.1550

# *Newtown Grant Master Homeowner Association*

## **Newtown Grant Master Homeowners Association Commercial Vehicle Rules and Regulations Replaces #25 of the Rules and Regulations**

25. All vehicles must be properly licensed and registered. Vehicles may not be disabled, leaking fluids, and must not be in an obvious state of disrepair. Only private passenger type sedans, coupes, vans, sport utility vehicles, pickup trucks and two wheel power vehicles are allowed to park on the property of the Association, unless garaged in a unit. No recreation vehicles (including but not limited to campers, trailers of any kind, motor homes, boats or other recreational equipment), nor commercial vehicles (regardless of whether licensed or registered as a commercial vehicle) may be parked on the property of the Association, unless garaged in the unit.

Vans, as well as other enclosed vehicles must have windows on all four sides. Vans and other enclosed vehicles must have windows in the front and back on the passenger and driver's side. Blank metal sides or panel sides are not permitted. No vehicle may have a commercial appearance, including but not limited to ladder, tool and equipment racks or visible advertising or lettering. Only non-commercial vehicles, being of the type and having the appearance of a vehicle used principally for the personal transportation of the unit owner may be parked on the property of the Association unless garaged. Dump trucks, vehicles having a double rear axle, fifth wheels, and other vehicles of similar nature are specifically prohibited.

Commercial vehicles are permitted to park temporarily (but not overnight) on the property of the Association in connection with service or repair to a unit or the common element.

## RULES AND REGULATIONS

### NEWTOWN GRANT T.H.-3A HOMEOWNERS' ASSOCIATION

In order that all members are treated fairly and equally, and in order to keep the Cluster a beautiful and desirous place in which to live, the Board of Directors has promulgated the following Rules and Regulations, which are currently in effect as of April 24, 1991. These Rules and Regulations are in addition to rules and regulations applicable to the entire Community promulgated by the Newtown Grant Homeowners' Association.

PLEASE NOTE, HOWEVER, THAT ANY OR ALL OF SAME ARE SUBJECT TO MODIFICATION OR TERMINATION AT ANY TIME AND THAT OTHER RULES AND REGULATIONS MAY ULTIMATELY BE ESTABLISHED IF THE SAME ARE DEEMED DESIRABLE OR APPROPRIATE, BY A PRIOR VOTE OF THE BOARD OF DIRECTORS OR THE ENVIRONMENTAL REVIEW BOARD.

1. 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.

2. 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 Environmental Review Board.

3. No animals, livestock, fowl or poultry of any kind shall be raised, bred, or kept in any Home or in the Cluster Common Areas, except that two (2) household pets may be kept in Homes, subject to Rules and Regulations adopted by the Board, which Rules or Regulations may exclude any kind of pet by type or category, provided that permitted household pets are not kept, bred, or maintained for any commercial purpose; and provided further that any such authorized pet causing or creating a nuisance or unreasonable disturbance shall be permanently removed from the Cluster Properties upon three (3) days' written notice from the Board. All pets shall be registered with the Board. 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 laws. Owners shall clean up after their pets.

4. No noxious or offensive activity shall be carried on in any Home or in the Cluster Common Areas, nor shall anything be done therein, either willfully or negligently, which may be or become an annoyance or nuisance to the other Lot Owners or occupants.

5. The Owner(s) of each Lot shall: cause such Lot to be kept free from rubbish, litter and noxious weeds; cause shrubs, trees, grass, lawns, plantings and other landscaping located or

from time to time placed upon such Lot to be maintained, cultivated and kept in good condition and repair; and cause to be replaced dead plants, shrubs, trees, grass or any other landscaping on such Lot with plants, shrubs, trees, grass or landscaping of the same or similar type.

6. No building, shed, shack, fence, wall, addition, porch, patio, deck, pool, structure or other exterior improvements of any kind shall be commenced, constructed, erected, placed or maintained upon a Lot, nor shall any exterior addition to or change or alteration therein or change or alteration of the exterior finish or color of any Home thereon be made by anyone, other than by Declarant until final plans and specifications showing the nature, kind, shape, height, materials, colors, dimensions, and location thereof have been submitted to and approved in writing by the Environmental Review Board as to harmony of external design, conformity with the provisions of the Declaration, and location in relation to surrounding structures and topography. The Environmental Review Board may, from time to time, and in its sole and absolute discretion, adopt, amend and repeal, by majority vote or written consent of its members, rules and regulations, to be known as "Environmental Review Board Rules." Said rules shall interpret and implement this Regulation by setting forth the standards and procedures for Environmental Review Board review and the guidelines.

7. Each Owner shall promptly furnish, perform and be responsible for, at his own expense, the repair, maintenance, replacement and decoration of the interior of his own Home, and shall maintain the interior and maintain or cause to be maintained the exterior of the Home in a clean, painted, sanitary and attractive condition and state of repair.

8. The use and the covering of the interior surfaces of windows, whether by draperies, shades or other items visible on the exterior of the Building shall be subject to the Rules and Regulations of the Board.

9. Owners shall not cause or permit anything to be hung or displayed on the outside of windows or placed on the outside walls of the Buildings or on the Property.

10. No Owner shall place or store anything (including firewood) on the patio or grounds appurtenant to his Home other than outdoor furniture, nor shall such patio or grounds be decorated, painted or otherwise altered, if, in the opinion of the Board, such placement, storage, decorating, painting or alteration would create an appearance or condition which is not in keeping with the standards maintained or to be maintained in the Community.

11. Exterior doors and storm doors shall not be altered or replaced except as approved by the Board.