



## HEATHER WOOD I

## HOMEOWNER ASSOCIATION

AKA  
NEWTOWN GRANT T.H.-3B

## RULES AND REGULATIONS

Heather Wood I at Newtown Grant is a Cluster Homeowner Association within Newtown Grant Master Homeowner Association.

Important: Please be sure to read and keep this document for your records. This document replaces all previous rules and regulations provided to Heather Wood I Homeowners.

Please include with all leases and provide to all renters. Please be sure to complete and submit to management a copy of the lease and lease addendum for all renters within 10 days of signing the lease. A copy of the lease addendum can be found on the community website at [www.newtowngrant.org](http://www.newtowngrant.org).

Includes addendums and resolutions dated 6/21/2001, 5/15/2008, 4/16/2009, 11/01/2011, 2/13/2012, 10/7/2013, 6/2/2015, 4/3/2017, 3/2/2022, 10/15/2025 & 3/12/26



## **HEATHER WOOD I RULES AND REGULATIONS**

### **SECTION I. INTRODUCTION.**

#### **1) HEATHER WOOD I HOMEOWNERS' ASSOCIATION**

- a) When you purchased a property in the Heather Wood I Cluster of the Newtown Grant development you became a member of the Heather Wood I Homeowners Association (HOA). Owners cannot opt out of this membership. A lot purchaser is deemed to have consented to the terms of the Association by accepting the deed to their property, which also typically states that the conveyance is made subject to the declaration.
- b) The HWI HOA is managed by a volunteer, elected Board of Directors (BOD) supported by a contracted professional Community Property Manager.
- c) Owners have the same rights and responsibilities as all other members of the HWI HoA association. Owners have to pay HoA due. Owners have one vote for each home they own in the HWI cluster. Owners may cast their vote for people to serve on the HWI Board. Owners may volunteer and stand for election to the Board. Contact the Community Manager for more information.

#### **2) HEATHER WOOD I BOARD OF DIRECTORS AND RULES AND REGULATIONS.**

- a) Key responsibilities of the HWI BOD include developing an annual budget to ensure the association can set appropriate assessment fees to fund its financial responsibilities. These fiscal responsibilities include ground maintenance of the HWI Cluster common property, fees due to the Newtown Grant HOA to pay for amenities such as the Recreation Center, general administrative expenses, and professional management fees.
- b) The HWI BOD is also responsible for developing and maintaining the HWI Rules and Regulations. The HWI BOD may revise, modify or rescind HWI rules and regulations at its discretion. The BOD solicits homeowners' compliance to the rules and regulations to ensure and enhance the value of the community by preserving key architectural / community features and ensuring upkeep of the member's property through the Environmental Review Board (ERB) process. These Rules and Regulations are in addition to restrictions and requirements set forth in the HWI Association Declarations and By-Laws.

#### **3) NEWTOWN GRANT HOMEOWNERS ASSOCIATION RULES AND REGULATIONS.**

- a) The "Master Board's" Rules and Regulations apply to all residents including renters of the HWI cluster. Owners are required to provide a copy of the rules and regulations to their renters.
- b) Review the most recent issue of the Master Board's Rules and Regulations on their website, <https://www.newtowngrant.org>.



## **SECTION II. GENERAL RULES.**

### **1) QUICK REFERENCE OF PROHIBITED / DISAPPROVED ACTIONS.**

- a) **Disclaimer:** It is beyond the scope of this document to list all the approved and prohibited activities, etc. Contact the Community Manager for advice if you cannot find in this document a specific proposed activity you are considering. The BOD will review proposed activities and render a decision for activities not specifically addressed in these rules and regulations.
- b) Homeowners need to review the most recent Newtown Grant Homeowners Association's (the Master Board) Rules and Regulations for additional rules that apply to all Cluster Associations.
- c) The list below identifies some of the activities / items that are prohibited. It is not a comprehensive list. The homeowner must review this document in its entirety for additional details on disapproved / prohibited activities / items.
  - Absolutely no changes, additions, or modifications of any kind to the exterior appearance of any home and yard may be undertaken without the written approval of the Environmental Review Board (ERB).
  - Each homeowner is responsible for maintaining the exterior appearance of their home, including cleaning, maintenance and repairs of siding, roofs, windows, etc.
  - Lawns shall be maintained so the grass height does not exceed six (6) inches and/or the grass does not go to seed. Each homeowner is responsible for the cutting and maintenance, including seeding, weeding, fertilizing, and care of the lawn and shrubbery surrounding one's home. Trees or shrubs that die should be removed promptly and replaced after obtaining ERB approval.
  - Awnings on the front and sides of all homes are prohibited
  - Cement (concrete) patios and wood decks may not be painted.
  - Chain link fencing is not permitted, and fencing requires approval of an ERB.
  - Clotheslines of any type are not permitted. This includes wash or airing lines.
  - HWI common property cannot be used for any activities or uses other than passive enjoyment.
  - Trash and recycle bins / containers and Yard waste (Lawn and Leaf) bags cannot be stored outside; they must be placed outside the evening before pick-up and brought in the day of pick-up.
  - Do not place bulk items for disposal until the night before the confirmed date of pickup.
  - Do not dump grass clippings, any parts from trees or shrub pruning, or any other trash onto the HWI common property, including all wooded areas.
  - Fire pits that burn wood or wood products and burning rubbish of any kind is not permitted.
  - Medians between driveways may not be eliminated by paving over this area.



- Metal swing sets are not permitted. Plastic swing sets require an ERB.
- No outdoor installation of hot tubs, spas and similar equipment are permitted.
- No pyrotechnics / fireworks may be used, lit, carried, propelled or thrown onto or launched from HWI residence or common property.
- Swimming pools, in ground or above ground, are not permitted. An exception is made for small, inflated pools intended for use by small children, on a daily basis only.
- Sheds of any type and window air conditioners are not permitted.
- Except for real estate signs, no signs of any nature shall be maintained on or in the property.
- No overnight parking on the street or in the driveway of any recreational vehicles and/or vehicles deemed to have a commercial appearance.
- Do not park a vehicle where it blocks street access to the US Post Office Cluster Mailboxes or in front of a fire hydrant. Do not park a vehicle where it blocks another resident's driveway, a pedestrian walkway or sidewalk.
- Remove your vehicle(s) from the street when snow has accumulated to 2 inches.
- Permanent or seasonal canopies, tents, gazebos, tree swings, and/or similar are not permitted. Canopies and tents are permitted to be temporarily installed with Management approval in the resident's rear yard or side yard (for end units) for a specific event of limited duration and must be removed within 48 hours. Canopies and tents, or similar items, are not permitted to be installed/erected on the HWI Associations Common Property.
- Television, stereo and radio volume shall be lowered after 10:00 p.m.
- No resident will operate an externally audible alarm or noise emitting device or system that disturbs the peace of the community.
- Due to the close proximity of units, outside fire pits that burn wood or wood products are not allowed; other types of firepits such as those burning propane require approval of an ERB.
- Owners must keep pets on a leash and clean up after them. There are designated pet waste containers throughout the community. Do not place any trash in these containers. Residents must prevent their pets from causing disturbance such as excessive and/or early morning or late-night barking.
- Residents are responsible for clearing the public sidewalk(s) in front of, and in some cases on the side, of their property within 24 hours after the end of the snowfall. Some residents with corner units have sidewalks facing two streets.
- Feeding Wildlife is Prohibited.

## **2) PAYMENT OF ASSOCIATION FEES.**

- a) Association fees are due on the first day of each quarter; January 1, April 1, July 1 and October 1.
- b) A late fee, of \$10, is automatically imposed if payment is not received by the 15th of the month in which payment is due.



- c) Failure to pay association fees over a period of time will result in addition of fines and collection fees and may result in collection and legal action.

### **3) US POST OFFICE MAIL CLUSTER BOXES: ACCESS / POSTING OF BILLS.**

- a) Do not park a vehicle where it will block street access to the US Post Office cluster mailboxes in which HWI residents receive their mail.
- b) This parking prohibition is in force for 24 hours a day every day of the year.
- c) Post no signs or notes on the cluster mailboxes. The cluster mailboxes are not to be used as bulletin boards for lost or stolen items or pets, garage sales or other announcements. The Newtown Grant recreational facilities building has a bulletin board that may be used.

### **4) CLOTHESLINES.**

- a) Clotheslines, wash lines and/or airing lines of any type are not permitted.
- b) This prohibition is a Newtown Grant Master Association rule.

### **5) CANOPIES AND TENTS (INCLUDING GAZEBOS).**

- a) Canopies and tents, or similar items, are not permitted to be installed / erected on the HWI Associations Common Property.
- b) Canopies and tents are permitted to be temporarily installed in the resident's rear yard or side yard (for end units) for a specific event of limited duration. The resident is responsible for maintaining control of the event and preclude the activity / guests from causing a disturbance.
- c) Notify the Property Management Office in advance if you intend to install / erect a canopy or tent on your property. Identify the nature of the event, expected number of people in attendance, and the duration of the event.
- d) The canopy or tent must be removed within forty-eight (48) hours following the event.

### **6) DISTURBANCES.**

- a) Each homeowner is charged with the responsibility of directing his tenant(s), guests and invitees to comply with the HWI Association's Declaration, Bylaws, and these Rules and Regulations and not cause a disturbance.



- b) No resident shall obstruct or interfere with the rights of any other occupant or in any way cause injury to create an annoyance / disturbance.
- c) Power tools, lawn equipment, etc. shall not be used between 9:00 p.m. and 7:30 a.m. Monday-Friday or between 9:00pm – 9:00am on Saturday and Sunday.
- d) Television, stereo and radio volume shall be lowered after 10:00 p.m.
- e) No shortwave radio transmitters shall be operated in the community without special permission of the Board of Directors. The Environmental Review Board form/process applies to a homeowner's request to install an outside antenna.
- f) No resident will operate an externally audible alarm or noise emitting device or system that disturbs the peace of the community.
- g) Exterior lighting, including security lights, security cameras and hanging decorative/party lights shall not have the light intensity and/or be directed in such a manner as to create an annoyance / disturbance to your neighbor(s). Hanging decorative/party lights shall be turned off after 10 PM. Additions to exterior lighting must be approved by the Environmental Review Board (ERB).

#### **7) FIREWOOD AND FIREPITS.**

- a) Only residents whose home has a built-in fireplace may stockpile up to a cord of firewood. The firewood may be stored only in the rear of the property. The wood pile is to be stacked neatly.
- b) No existing drainage pattern or easement can be obstructed by the wood pile.
- c) Due to the proximity of units, outside fire pits that burn wood or wood products are not allowed; other types of fire pits such as those burning propane require approval of an ERB.

#### **8) FIREWORKS AND PYROTECHNICS.**

- a) No pyrotechnics / fireworks may be used, lit, propelled, carried or thrown onto or launched from HWI common property.
- b) No pyrotechnics / fireworks may be used, lit, propelled, carried or thrown onto or launched from a resident's property.

#### **9) HOME OUTDOOR RECREATION EQUIPMENT.**

NOTE



The Newtown Grant Recreation Center has facilities and equipment and is the intended location for older children and adults to participate in recreational pursuits such as basketball, tennis, swimming etc. The use of home-based recreation equipment is generally restricted to equipment that is intended for use by younger children.

- a) Recreation equipment intended for “permanent” installation, such as swing sets and child playhouses, must be approved by ERB. Metal swing sets are not permitted. Rusting or deteriorating equipment must be removed or repaired immediately.
- b) 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. Homeowners of the end units of a building are also required to leave five (5) feet at the side of their property unobstructed. If there is a storm sewer easement anywhere on your property the Township requires that nothing be placed, planted, stored or built in this area. If you chose to ignore this requirement the Township can hold you financially liable for all costs they incur if it becomes necessary for them to remove the unauthorized item(s).
- c) Temporary or permanently anchored basketball hoops/systems are prohibited. Mounting basketball backboards on garage or other parts of a house are likewise prohibited.
- d) All portable outdoor play equipment must be stored indoors at night (sundown to sunrise).
  - i. Hockey/soccer nets are outdoor play equipment. Hockey/soccer net size cannot exceed four (4) feet high by six (6) feet wide.
  - ii. “Saucer” swings or other recreational equipment intended to be suspended from a tree or a stand designed for the purpose are considered portable play equipment.
  - iii. Toddler / kiddie wading pools are considered portable play equipment.

#### **10) HWI ASSOCIATION’S COMMON PROPERTY.**

- a) The HWI association holds title to and is responsible for maintaining several areas of common property.
  - i. Open Space A, located along North Drive and borders the rear of 314 to 316 Sequoia Drive, the rear of 11 through 35 Tamarack Court, and wraps around the rear / side of 4 through 54 Tamarack Court, and borders against Quail Creeks Open Space C (the retention basin). This area is mostly maintained but has a few areas of natural woodland.



- ii. Open Space B, located behind to the side of 21 to 41 Ebony Court and 215 to 201 Sequoia Drive and borders against Quail Creeks Open Space C (the retention basin). This area is maintained lawn and managed trees and shrubs.
  - iii. Open Space D, located along a small section of Sequoia Drive and behind 11 through 35 Cypress Place, with a section fronting on Cypress Place and between 16 and 31 Cypress Place (and contains a US Post Box). This area is mostly natural woodland.
  - iv. Open Space E, located along Cypress Place and on the south side of 24 Cypress and bordering on the rear / side property lines of 103 through 105 Camelia Court (Ravens View cluster). This area is managed.
- b) Purpose(s) of the Common Property include providing open space to decrease the density of the developed property and support storm water and snow melt absorption, and for passive enjoyment by HWI residents.
  - c) The HWI common property may be used to provide access for maintenance of a HWI resident's private property when needed. Notify the Community Manager if you need to use HWI Common Property to bring equipment larger than is usually associated with routine minor home maintenance. For example, the Community Manager does not need to be informed if a resident is bringing a telescoping or step ladder across common property to access their rear yard with the purpose of cleaning the rain gutters. However, the Community Manager must be notified in advance if a HWI resident or a vendor they have hired intends to bring in equipment such as a bucket truck or stump grinder for removal of a tree. The HWI resident is responsible for repairing any damage they (or their vendor) have caused to the HWI common property.
  - d) It is prohibited to use the HWI common property for any recreational / sports activity. Golf, baseball, football, soccer, frisbee, etc. by individuals and/or teams is not allowed.
  - e) No structures, canopies, tents, recreational equipment, camping equipment, etc. may be erected on HWI common property. This includes inflatable "bouncy" houses and similar items.
  - f) No pyrotechnics / fireworks may be used, lit, carried or thrown onto or launched from HWI common property.
  - g) No housing, maintaining, feeding or training of dogs or other domestic animals is permitted on the HWI common property.
  - h) It is prohibited to dispose of any items or material in the HWI common property, especially in wooded areas. This includes grass clipping, leaves, branches, soil, mulch, and vegetable and flower garden residue.



- i) People violating the above restrictions may be charged with trespass, fined, or otherwise sanctioned by the HWI association.
- j) Anyone entering upon HWI common property without the permission of the HWI Board and /or the Community Manager does so at their own risk and must hold the Association free of any responsibility to any injury, loss, or cost the individual incurs.

## **11) PETS.**

- a) All pets must be licensed with Newtown Township/ Bucks County as required.
- b) No homeowner shall have more than two (2) pets. An exception is made to permit a maximum of three (3) pets only if the pets were owned prior to the resident moving into the HWI community.
- c) An animal of any kind may be kept only as a domestic pet. Pet runs, pens, or houses of any kind are not permitted. No pet shall be permitted to run at large or remain outside unattended.
- d) Owners must clean up after pets. There are designated pet waste containers throughout the community – use them. Do not place any trash in these containers.
- e) All animals, regardless of species, are to be always kept on a leash when outside of the homeowner's property.
- f) Residents must prevent their pets from causing disturbances such as excessive and/or early morning or late-night barking.
- g) No pet is allowed to roam free in the neighborhood. This includes all dogs and cats.
- h) Feeding the wildlife is prohibited under Pennsylvania State Law  
<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/017/cha/pter21/s21.116.html&d=reduce>

## **12) SEASONAL DECORATIONS.**

- a) Seasonal decorations may not be displayed more than five (5) weeks prior to a holiday.
- b) Seasonal decorations must be removed no later than four (4) weeks following a holiday.

## **13) SIGNS.**



- a) No signs of any nature shall be maintained on or in the property. This is a Newtown Grant Master Association rule. This includes signs in the interior of a dwelling that are visible from the exterior of the dwelling.
- b) An exclusion is made for real estate sale signs. “For Sale” or “For Rent” signs may be placed on the property that is available for sale or rent for the sole purpose of selling the home.
- c) All “For Sale” and “For Rent” signs must be freestanding and well maintained.
- d) “Under Contract” and “Sold Signs” are not permitted.

#### **14) SHEDS.**

- a) Sheds of any type are not permitted. This is a Newtown Grant Master Association rule.
- b) Items commonly stored in a shed, for example a lawn mower and/or gardening tools / equipment, must be stored in the garage.
- c) Garden hoses may be stored outside but must be neatly stored on a hose reel (portable or stationary), neatly coiled out of sight, or on a wall or fence mounted reel (side wall or rear wall near a water spigot). Smaller, more flexible hoses may be stored in a decorative storage pot.

#### **15) SNOW REMOVAL**

- a) Newtown Township public works is responsible for snow removal from all streets in Newtown Grant.
- b) Residents must cooperate with snow plowing / removal equipment operators by moving their vehicles off the street no later than when the snow has accumulated to 2 inches. Your vehicle may be ticketed, towed at the owner’s expense, possibly damaged by snow plowing / removal operations, and / or blocked in by plowed snow if you don’t move your vehicle. Contact the Community Manager for information on parking in the lots at the NTG Recreation Center if you cannot fit all of your vehicles in your driveway.
- c) It is a violation of a Newtown Township ordinance to shovel, plow, or push snow from your sidewalk or driveway into the public roadway.
- d) It is the responsibility of the residents to clear the public sidewalk(s) in front of, and in some cases on the side, of their property within 24 hours after the end of the snowfall. Some residents with corner units have sidewalks facing two streets. Contact the Community Manager if you have questions about what sidewalks you are responsible for.



- e) Clearance of snow from a resident's driveway and private walks is up to the resident.
- f) Be a good neighbor by completely removing snow from your vehicle (including the roof) while it is in your driveway.
- g) The HWI association contracts for snow to be removed from areas within HWI as described below.
  - i. To allow access to the post office cluster boxes on Cypress Place, Sequoia Drive (2 sets), and Tamarack Court.
  - ii. From the street to each of the fire hydrants located with the HWI association area.
  - iii. The sidewalk adjacent to the HWI common property along North Drive from the end of the resident's responsibility to the start of Quail Creek associations responsibility.
  - iv. The sidewalk adjacent to the HWI common property between the end of 24 Cypress' property and the beginning of 105 Camellia Court's property.

#### **16) TRASH AND RECYCLING, LAWN REFUSE, AND BULK ITEM DISPOSAL.**

- a) Trash bins and/or trash bags, including Lawn and Leaf bags, shall not be permitted to stand along the outside wall of any building or in front of garage doors.
- b) All non-recyclable trash shall be in bags that tie closed and placed within trash bins with a top closure. Lawn and Leaf bags are excepted.
- c) Trash bins and recyclable trash containers, including Lawn and Leaf bags, shall not be placed outside until the evening (after 5:00pm) before the scheduled trash pick-up.
- d) Trash bins and recyclable trash containers shall be removed from the street and returned inside your garage as soon as possible, but no later than the day of pick-up.
- e) Dumping of grass clippings or trash is not permitted in wooded areas or the common property. Do not dump grass clippings, any parts from trees or shrub pruning, or any other trash onto the HWI common property, including all wooded areas.
- f) Burning papers or rubbish of any kind is not permitted.
- g) Do not place any trash or recyclable items in the dog waste collection baskets.
- h) Do not place any bulk items curbside for disposal until first arranging a bulk pick up with your waste service provider. Do not place the bulk item curbside for pickup until the evening before your confirmed bulk item pickup.



- i) Residents are not permitted to dispose of their household trash and recyclable items in any of the dumpsters located near the Newtown Grant Association Offices or within the confines of the Society Place condominiums. You may be prosecuted for theft of services.

## **17) VEHICLES.**

- a) All homeowner vehicles must be licensed & inspected according to State law (except those stored in the garage).
- b) Commercial vehicles are not permitted to be parked outside anywhere in the Newtown Grant community from 10 pm - 8 am. Refer to the Newtown Grant Master Board Rules & Regulations for the definition of "Commercial Vehicle". Commercial vehicles may be kept in a homeowner's garage at night. Commercial vehicles may be allowed overnight, if necessary, in the performance of a specific job or function for a limited period. Notify the Community Manager in advance.
- c) No recreation vehicles (campers, house trailers, motor homes, boats, and boat trailers etc.), disabled vehicles, or unlicensed vehicles, of any type may be parked outside overnight. Such vehicles must be kept in a garage if on-site overnight.
- d) Vehicle maintenance may only be performed in the homeowner's driveway and must be completed during one day (during daylight hours). However, all evidence of such work must be removed (cleaned up) each day by dark.
- e) No motorized vehicles (motorized scooters, ATV's, snowmobiles, etc.) may be used within the HWI cluster community. This includes both on and off-street operations.
- f) Car covers are allowed only for licensed & inspected vehicles parked in the homeowner's driveway. The color must match the color of the town home.
- g) All residents are expected to comply with all laws and rules governing the use of vehicles on the public and private roads in Newtown Grant. This includes but not limited to obeying speed limits, making a complete stop at all stop signs, yielding to pedestrians in marked cross walks as well as crossing at corners, obeying "Do Not Park On This Side" signage, and not blocking (parking across) public sidewalks. Residents are responsible for ensuring their guests are aware of the laws and rules and that they obey them.

## **18) WINDOW AIR CONDITIONERS.**

- a) Window air conditioners are not permitted.
- b) This is a Master Association rule.



### **SECTION III. FINES.**

1) **FINES.** Failure to comply with the Rules and Regulations, Declaration of Covenants, Codes, and Restrictions established by the Newtown Grant Master Association and the Heather Wood I (HWI) Association will result in the imposition of fines according to the below schedule (Table 1). 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 and the official billing address. Said notice shall be deemed to be received by the homeowner on the date it is postmarked. Except as denoted in Table 1 (e.g., pet rules, trash cans, yard maintenance, fireworks, fire pits, snow removal), 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 receipt of the appeal request in writing. If neither the correction of the violation nor an appeal is requested by the homeowner within allowed period after the violation notice is given to the homeowner, the appropriate fine will be levied. **Exceptions to this process are pet rules, trash cans, yard maintenance, fireworks, fire pits, and snow removal, which are described in Table 1.**

- a) Fines are payable to and mailed to Heather Wood I Homeowners Association, c/o FirstService Residential, P.O. Box 310, Emerson, NJ 07630 within ten (10) days of the assessment.
- b) In the event the homeowner appeals against 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 continuance of the appeal hearing before the Cluster Board be permitted.
- c) A homeowner appealing against 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.
- d) 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 fine levied, the case will be referred to the 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 IV of the Declaration of Covenants, Conditions, and Restrictions. All remedies available to Heather Wood I for reinforcement of payment of the 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.

- e) All Category violations and fines that continue after first notice and first fine, will be fined at higher amounts culminating in daily fines of \$25, as listed on the violation notice.

## 2) CATEGORIES OF FINEABLE OFFENSES

TABLE 1. SCHEDULE OF FINEABLE OFFENSES.

CATEGORY	TYPE OF OFFENSE	FINE AMOUNT
A	Failure to maintain appearance of the house or not adhering to other rules not listed below (30 days after written notice) Failure to maintain yard (immediate fine after 1 written notice) Placing cans out before evening or failure to remove trash cans from view during the day of trash collection (immediate fine after 1 written notice) Failure to remove snow within 24 hours (immediate fine after 1 written notice) Use of wood burning fire pit (immediate fine after 1 written notice) Use of any fireworks (immediate fine)	\$100.00 (1 <sup>st</sup> Offense) \$200.00 (2 <sup>nd</sup> Offense) \$300.00 (3 <sup>rd</sup> Offense) Board’s Discretion Starting with 4 <sup>th</sup> Offense
B	Failure to submit an ERB request for an acceptable exterior change	\$50.00
C	Failure to submit an ERB request for an unacceptable exterior change, and may also result in costly remediation	\$100.00
D	Parking of a commercial vehicle on any street or driveway within the HWI community. Displaying signs on property.	\$25.00/day
E	Failure to comply with Pet Rules (including as described in the Master rules 18, and Pet Rule Addition)	Non-waivable: \$250.00 per occurrence.

All Category violations and fines that continue after first notice and first fine, will be fined at higher amounts culminating in daily fines of \$25, as listed on the violation notice.



## **SECTION IV. HOME AND YARD UPKEEP AND IMPROVEMENTS.**

### NOTE

Do not make any changes to the exterior design of any home without first obtaining the written approval of the Environmental Review Board (ERB). Refer to the ERB section in this document for details. Typically, minor home maintenance and upkeep actions generally do not require ERB approval. However, significant maintenance, modification and replacement of exterior elements (windows, doors, roof shingles, vinyl siding etc.) require ERB approval. Contact the Community Manager if you have a question whether ERB approval is required.

- 1) **HOMEOWNER RESPONSIBILITIES.** Each homeowner is responsible for maintaining the exterior appearance of their home. The HWI Board performs periodic walkthroughs of the community to ensure homeowners are properly maintaining their properties. The Community Manager will notify a homeowner if the Board observes issues that require the homeowner's attention. All elements of the home should be serviceable and in good condition. Items such as damaged or loose siding or trim, tattered window screens, loose or missing aluminum fascia trim, severely weathered painted surfaces and missing or broken window grids detract from the appearance of your home and the community. Failure to maintain your property and/or failure to respond to association letters calling for corrective action can result in fines and penalties.
- 2) **PERIODIC CLEANING.** On a periodic basis the exterior of your home should be cleaned to prevent and / or remove accumulation of dirt, dust, mildew, algae, moss, on the roof shingles, vinyl siding, and any stone veneer, etc. This cleaning can be achieved by use of commercial house cleaning solutions available at many home centers, or careful use of power washing equipment, etc., or the homeowner can hire at their expense a commercial service to perform this cleaning.
- 3) **PAINTING.** In general, only those areas that were originally painted may be repainted. Unpainted surfaces areas such as vinyl, concrete and stone shall remain unpainted and unstained. Repaint with the approved colors when painted items have become weathered / sun bleached / or otherwise unsightly.
  - a) Exterior Paint Scheme. A specific color scheme was established by the builder for each building in HWI, as shown in the following table.
  - b) The specific approved paints are identified below the table.

TABLE 1. PAINT COLOR SCHEME BY HOME ADDRESS.

STREET	ADDRESS No.	PAINT COLOR FOR FRONT/ MAIN DOOR, SHUTTERS, and MEDALLIONS
--------	-------------	--



		(See specific paint brand and name below)
Cypress Place	1 through 4	Red
Cypress Place	11 through 16	Brown
Cypress Place	21 through 24	Green
Cypress Place	31 through 36	Red
Ebony Court	1 through 5	Green
Ebony Court	11 through 15	Red
Ebony Court	21 through 24	Red
Ebony Court	31 through 34	Green
Ebony Court	41 through 44	Brown
Tamarack Court	1 through 5	Brown
Tamarack Court	11 through 16	Green
Tamarack Court	21 through 24	Red
Tamarack Court	31 through 35	Brown
Tamarack Court	41 through 44	Green
Tamarack Court	51 through 54	Red
Sequoia Drive	201 through 205	Green
Sequoia Drive	211 through 216	Red
Sequoia Drive	221 through 224	Brown
Sequoia Drive	231 through 236	Green
Sequoia Drive	241 through 246	Red
Sequoia Drive	251 through 256	Brown
Sequoia Drive	261 through 266	Green
Sequoia Drive	271 through 274	Brown
Sequoia Drive	281 through 285	Red
Sequoia Drive	291 through 294	Green
Sequoia Drive	301 through 306	Brown
Sequoia Drive	311 through 316	Red
Sequoia Drive	321 through 324	Green

**SPECIFIC PAINTS APPROVED FOR HWI:**

Red: use Benjamin Moore, Semi Gloss. Boston Brick (2092-30)

Brown: use Home Depot Behr S-G 790 Ultra Exterior Semi Gloss. Bear Rug

Green: use Sherwin Williams, Semi Gloss, Isle of Pines (SW 6461).

**WHITE:** Use a semi-gloss white exterior paint for items such as vinyl siding mounting blocks for outside light fixtures and electrical outlets and porch posts.

**4) HOME MAIN ENTRANCE DOORS, STORM DOORS, SECONDARY EXTERIOR DOORS (STEEL, SLIDING DOORS, FRENCH DOORS).**



- a) **Main Entrance Door/Sidelight(s).** The builder installed as the standard main entrance door in the HWI community a 6-panel steel door without windows or sidelights. The builder installed in some homes an entrance door with a single integral / matching 3-light sidelight and in other instances the builder installed an entrance door with an integral / matching 3-light sidelight on each side of the door.
- i. The finish / paint of the main entrance door and sidelights must be the builder selected color of the door as identified this section, under the heading Painting. The homeowner may have the door repainted with the correct color as needed due to scratches, fading, and/or oxidation without ERB approval. However, if the homeowner uses the wrong color paint the HWI Board will require the door be painted in the correct color.
  - ii. The finish of the approved door handle set hardware for the main entrance door is bright brass the same or similar in appearance to the Schlage® F360 Single Cylinder Camelot Door Handle set. The homeowner may replace the brass main entrance door hardware without ERB approval.
  - iii. The homeowner may install a door sight glass in the main entrance door without ERB approval. The finish of the part of the door sight glass visible on the outside of the door should match the finish of the door hardware.
  - iv. The homeowner may install a doorbell system without ERB approval. If a traditional push button doorbell system is installed the push button may be installed on the door or sidelight frame. The push button may be lighted or not lighted. The color/finish of push button should be white, and the surrounding frame should match the finish of the door hardware.
  - v. The homeowner may install a video doorbell system without ERB approval. The doorbell camera should be installed on the installed on the door or sidelight frame or positioned as needed to obtain the correct view.
- b) **Replacement of Main Entrance Door/Sidelights.** The homeowner needs to submit an ERB request if they want to replace their main entrance door (and any sidelights). Contact the Community Manager if you have any questions.
- c) **Secondary Exterior Doors.** The builder installed different types of doors, such as a secondary or rear exterior door depending on the home's floor plan: a standard steel exterior door and sliding doors. It is not known if the builder installed any French / Double doors however, several homeowners have replaced their sliding windows with French / Double Doors.
- i. **Steel door.** The steel full light rear exterior door. These doors are approximately 36 inches x 80 inches with a 15- grid (3 across 5 up) clear glass



full light measuring approximately 22 inches x 64 inches. The builder did not paint these doors in accordance with the color requirements applied to main entrance doors. The homeowner may paint the exterior of these doors (frame and grids if exposed) semi-gloss white.

- (1) Submit an ERB request to paint these doors any other color other than semi-gloss white.
  - (2) Submit an ERB request to replace this door with a like / similar door. The replacement door must have the same grid pattern. New doors must be painted (identify the correct color in the ERB). Grids must be white. Doors with in-built blinds are not permitted.
  - (3) Grids must be repaired / replaced if broken. This may require the replacement of the door glass, or the complete door.
- ii. **Sliding Doors.** The builder installed aluminum sliding doors with a 15 - grid (3 panes across x 5 up) each for the slider and the fixed door. The frame and grids of these doors are to be white. The homeowner may paint the exterior of these doors (frame only, grids are between glass panels) semi-gloss white as needed without an ERB.
- (1) Grids must be repaired / replaced if broken. This may require the replacement of the door glass, or the complete door.
  - (2) Doors with blinds installed between the glass panels in place of the grids are prohibited.
- iii. **Replacement of Sliding Doors.** The homeowner needs to submit an ERB request if they want to replace their sliding doors with new sliding doors. The frame of all replacement doors regardless of type must be white and the doors must incorporate the 15 – light (pane) grid pattern with the grid also white.
- iv. **French Doors/Double Doors.** The homeowner needs to submit an ERB request if they want to replace their sliding doors with French or Double doors or to replace older French / Double doors with new sliders or new French / Double doors. The frame of all replacement doors regardless of type must be white and the doors must incorporate the 15 - light (pane) grid pattern with the grid also white. When replacing French / double doors, grids should be purchased in accordance with grid pattern approved through the ERB process. French or double doors must have double storm doors.

## 5) STORM DOORS.

### NOTE



A storm door is an exterior door placed in front of the main door or a back door primarily as a protection against inclement weather. In some cases, the glass panel is removeable, and a screen panel is installed during warm weather months.

The builder did not install storm doors on HWI homes. Be aware that some home builders advise against installing storm doors on steel / metal main doors, especially if the main door receives more than two or three hours of direct sunlight every day.

- a) Homeowners are not required to install storm doors on the main door. However, if the homeowner decides to install a storm door, then they need to submit an ERB request to install (first time) or later replace an existing storm door.
- b) The color of the storm door must be white or painted to match the color of the door it fronts. Storm door frames may be constructed of aluminum or vinyl.
- c) A full clear glass panel storm door is the preferred type of storm door. A full glass storm door may have a four- (4) inch bar across the center in white or in the matching color of the door it fronts.
  - i. Although a clear full glass panel is preferred, homeowners may choose a glass panel that has minimal decoration with brass or nickel mullions, etched grooves or frosted accents, provided that no more than 5% of the surface is obscured. The design must be a standard integrated feature offered by the manufacturer. The ERB request must provide an illustration of the proposed decorated glass.
  - ii. Often a full screen panel is available to replace the glass panel during warm weather months.
- d) An alternative to a replaceable full glass panel is a storm door containing two half – length sliding glass panels and an integral half screen panel. In warmer weather one of the window panels can slide down allowing outside air to flow through the screen panel. An ERB request is required, and the color of the storm door must be white or painted to match the color of the door it fronts.
- e) In all instances the handle set installed on the storm door should have the same finish as the handle set on the main door – a bright brass finish.



## 6) GARAGE DOORS.

### NOTE

HWI garage doors may not be any color other than the paint color finishes cited in these rules and regulations and as identified in the ERB approval. Ivory, white or any other color is not acceptable and you will be required to repaint or replace the garage door with the acceptable color.

- a) **Original Garage Doors.** The builder installed a garage door with 4 raised panels across and 4 raised panels down manufactured of wood and wood products. This community standard garage door did not have windows. This door is a manual lift locking door with door hardware visible on the exterior of the door to include a metal circular key cylinder and a metal T-handle for opening / closing the interior slide lock bars. In addition, this door has a metal lift handle installed at the center of the lowest section of the exterior of the garage door. The garage door hardware has an unfinished metallic appearance.
- b) All garage doors throughout HWI were painted the same color regardless of the color scheme for the main door / shutters/ and medallions. The door hardware was not painted.
- c) **Upkeep, Installation of Motorized Openers and Replacement of Garage Doors.**
  - i. **Upkeep.** There is no requirement to replace the original garage door unless it has become damaged and cannot be repaired. However, the original wood garage doors require periodic repainting to maintain an acceptable visual appeal due to exposure to the weather and sun. The correct paint is Sherwin Williams Paint, Color: Taupe Tone (SW 7633). The homeowner may repaint their wood garage door with the ERB selected color for painting / repainting wood garage doors without ERB approval. However, if the wrong paint is used the homeowner will be required to repaint the door with the correct paint color.
  - ii. **Installation of Motorized Openers.** Original and previously approved replacement manually operated garage doors may be upgraded to motorized opening doors without ERB approval. Garage door hardware should be left in place on doors that had it before the motorization.
  - iii. **Replacement.** Homeowners need to submit an ERB request to replace their existing garage door. The new garage door may be made of wood / wood product, steel, vinyl or fiberglass. All garage doors must match the original installed door dimensions and the design of 4 raised panels across and 4 raised panels down without windows. The raised panels on the original wood garage doors were square. New doors may be installed with or without exterior garage



door hardware. If installed, the garage door hardware should be a non-painted metal finish.

- (1) New wood garage doors must be painted as a final step of the installation process. This requirement includes pre-primed and pre-painted doors (unless painted with the correct paint color). The correct paint for wood HWI garage doors is Sherwin Williams Paint, Color: Taupe Tone (SW 7633).
- (2) New steel garage doors should be acquired already painted. Manufacturers advise a factory finish is ideal for appearance, protection and is backed by the manufacturer's warranty. The HWI board selected the Sandtone finish for steel garage doors. Sandtone is a standard paint color for several steel door manufacturers. Steel garage doors have been approved with square-shaped raised panels as well as steel doors with rectangular-shaped raised panels. Either style is acceptable.
- (3) The ERB requires the homeowner to provide detailed design and color information if the homeowner proposes installation of a vinyl or fiberglass garage door. The ERB request must include a manufacturer's photo or accurate depiction of the exterior of the garage door and a sample color.

## 7) WINDOWS, SCREENS, STORM WINDOWS.

- a) **The Standard HWI Window Design – A Key Architectural Element.** As built the windows installed in the front, rear and side walls of HWI homes are double hung windows with grilles (grid). The grille is installed between the larger single panes found in each sash. The grilles give each sash the appearance that it contains 6 separate glass panes (a three over three design). Thus, the complete window has the appearance of being made up of 12 individual panes. This “colonial grid” appearance of the windows is a key architectural element of the HWI community.
  - i. There are minor variations of the “standard” HWI window design found in some homes. For instance, some of the windows on the end wall of some end units have an arch window installed above a standard HWI window. In other homes there are instances where a small rectangular window is placed above a standard design window.
  - ii. Exterior elements of all windows are colored white regardless of the material used in manufacture of the window frame: aluminum, vinyl, or other usual material used in window manufacture. In addition, the outer frame of the window opening is clad in a white aluminum sheet.



- b) When replacing windows, grids should be purchased in accordance with the grid pattern approved through the ERB process.

## **8) AWNINGS.**

- a) Awnings are prohibited on the front and sides of all structures.
- b) Awnings are permitted with Environmental Review Board (ERB) approval on the rear of the home over a deck or patio only. The awning must be the same size or smaller than the deck or patio and must not exceed that size. The awning must be canvas, retractable, and a color to match the siding. A color swatch must be submitted to the Heather Wood I Environmental Review Board (ERB) for approval.

## **9) VINYL SIDING, VINYL TRIM, ALUMINUM CLADDING, AND STONE VENEER.**

- a) All HWI homes have a vinyl siding exterior with vinyl trim, and aluminum cladding around doors, windows, and on gables, fascia, and eaves. Vinyl siding, vinyl trim and aluminum cladding may be replaced or repaired with ERB approval. The approved vinyl siding is CertainTeed, Wolverine Encore, Triple 3-inch clapboard siding, with the Natural Clay color. All vinyl trim and aluminum cladding pieces are to be white.
- b) Vinyl siding mounting blocks are used to provide a level surface for installation of exterior light fixtures and electrical receptacle covers. These mounting blocks are irregular octagonal shape (6.75 inches x 6.75 inches). They are to be painted white.
- c) Weather exposure and sun damage of original siding may result in the inability to match the color of the vinyl siding if a repair is required. In these instances, the ERB may require that the vinyl siding be replaced on an entire side of the home.
- d) All HWI homes have vinyl shutters (the quantity depends on the model) and many have a medallion mounted above a window on a gable wall. Shutters and medallions must be painted the same color as the main door of the house. Refer to the above paragraph and table on painting in this section of these rules for the correct color based on your address.
- e) Some townhome styles in HWI have an exterior wall covered with a stone veneer; this veneer generally is installed on the exterior wall under the front porch. In HWI a few units with a fireplace have the chimney chase exterior covered with stone veneer instead of the standard vinyl siding. Normally the only upkeep / maintenance for the stone veneer is to periodically clean it to remove accumulated dirt and dust.



## 10) EXTERIOR WALL LIGHT FIXTURES SPECIFICATION.

### NOTE

Replacement of outside light fixtures with a different style fixture requires an ERB request.

- a) The standard front light fixture(s) (located at or near the garage door and/or at the main / front door) should consist of a wall mounted colonial style lantern of polished metallic finish (nickel, brass, black) no greater than 15 inches in height and 8 inches wide. Do not use more than a 100-watt equivalent (based on conventional/old wattage) non-colored light bulb
- b) The standard rear wall light fixture is a 7-inch outdoor armed sconce with black finish (located on siding near a rear door, sliding doors or French doors).

## 11) DRIVEWAYS AND MEDIANS.

- a) **DRIVEWAYS.** Only asphalt driveways are permitted in HWI. A single driveway was installed at each HWI home when the community was built.
- b) **Upkeep / Replacement of Driveways.** Homeowners are responsible for maintaining their driveway to include removal of loose material, removal of grass and weeds from cracks, filling cracks with appropriate crack sealant, and repair of potholes.
  - i. **Sealing.** A homeowner may choose to periodically (every two to three years or so) apply an asphalt sealing product to their driveway. The sealant may prolong the useable life of the driveway and enhance the appearance of the driveway. There are several commercial driveway sealing vendors who can be hired to accomplish the sealing, or the homeowner can do it themselves. Avoid placing sealants on concrete sidewalks, curbs, etc.
  - ii. **Driveway Replacement.** It is necessary to repave a driveway when it has deteriorated beyond standard industry repair limits. Repaving a driveway with asphalt does not require an ERB if there is no change in the “footprint” of the area being paved. Usually, the old driveway must be removed before new asphalt is installed. Check with your asphalt contractor.
  - iii. **Driveway Apron.** HWI homeowners with a public sidewalk crossing their property between the sidewalk and the street curb and gutter also are responsible to maintain the poured concrete driveway apron. The driveway aprons of many adjacent town homes do not have a dividing median between them. Township building codes may also apply to repair or replacement of the driveway apron. For these reasons homeowners must contact the Community



Manager to determine the appropriate action to take if their driveway apron requires repair or replacement.

- iv. **Curb Cut and Gutter.** A curb cut is where the existing curb is cut away to allow vehicles to enter the driveway. There is a double length curb cut at many homes because they have adjacent driveway aprons. There is a single length curb cut at some homes that do not have an adjacent driveway. Homeowners are prohibited from expanding or adding new curb cuts. Homeowners must contact the Community Manager to determine the appropriate action to take if their curb cut / gutter requires repair or replacement.
- c) **MEDIANS.** The median is the unpaved area between adjacent driveways. All proposed changes to the median require ERB approval and in some instances may require Township approval. Often ownership of the median is split between the adjacent homeowners. The two homeowners must cooperate in the maintenance of the median.
- i. Medians may be landscaped with grass, decorative / river stones, paving blocks, bricks and other water absorbing materials. It is prohibited to pave over a median with asphalt. However, with ERB approval the lower (closest to the street or sidewalk) approximately 4 feet of a median may be paved with asphalt.
  - ii. **Upkeep of Medians.** Homeowners are responsible for the upkeep of their median. Grass medians must be maintained in the same manner as the front yard. Stone, paver, and brick medians must be kept free of weeds.
  - iii. **Replacement of Medians.** Homeowners may change the landscaping of their median; for example, replacing grass with stone or pavers. An ERB is required.

## 12) ROOF SHINGLES / ROOF REPLACEMENT.

### NOTE

Emergency shingle / roof repairs do not require an ERB. However, permanent repairs must be accomplished in a reasonable time and require ERB approval.

- a) It is essential to ensure your shingles and roof are well maintained. Do not wait to act until your roof begins to leak and you need an emergency roof repair.
- b) Storm damage such as broken or missing shingles may require immediate action. Use of temporary repairs, tarps and patches are approved without an ERB. However, permanent shingle / roof repairs or replacement must be accomplished expeditiously and require an ERB.



- c) For permanent shingle / roof replacement use **GAF Timberline Natural Shadow or HD Weathered Wood shingle** – Architectural style shingle. An ERB request must be submitted to the ERB committee at least 30 days prior to the planned commencement of work. A building permit must be obtained from Newtown Township and a copy provided to the Community Manager. Your ERB request should include the requirement of temporary placement of a dumpster in your driveway (not on the street) if your contractor plans to place a dumpster for more than one day.

### 13) FENCES.

- a) **Chain link fencing is not permitted. See below, Requests to Install a Fence, for a description of the fence types that are permitted.**

#### NOTE

For existing fences some fence repair, refurbishment and replacement action may not require an ERB nor a township permit. Contact the Community Manager and /or the township zoning officer for details.

- b) **Upkeep.** The homeowner is responsible for maintaining their fence in good condition. Rotted, broken, or missing boards, posts, etc. must be replaced in a timely manner. For “like for like” part replacement you do not need to use the ERB process. For major fence repair or replacement contact the Community Manager to determine if you need to obtain ERB approval and contact the Township Zoning Officer if a permit is required.
- c) **Outer Side of the Fence.** The homeowner who installed the fence is responsible for maintaining the area of property along the outside perimeter of their fence. This may involve using a string trimmer and or lawn mower to cut grass and weeds growing in / along the fence line. When the fence borders HWI common property the homeowner needs to cut the grass from the fence out to where the HWI association’s lawn service personnel are able to safely use their larger mowers. When an access easement is between fences the homeowners are responsible for maintaining the part of the easement they own.
- d) **Neighbor to a Fence.** If you live next to a homeowner who installed a fence you cannot treat the side of their fence facing your property as if it is your fence. Do not attach things to it without first obtaining the fence owner’s permission. Do not take any action detrimental to the condition of the fence. Speak with your neighbor if you believe the side of their fence facing you requires maintenance or to bring to their attention any other matter with the fence.



## 14) REQUESTS TO INSTALL A FENCE.

### NOTE

An ERB request and township permit is required for new all fence installation. It is considered a new fence installation if you are replacing an existing fence with a different style of fence.

HWI's fence policy complies with, but may be different from the townships, and may differ from other townhome cluster associations in the Newtown Grant Community. HWI homeowners are responsible for complying with HWI's fence policy.

- a) Homeowners must use the ERB request process to request ERB approval to install a new fence. Township permits are also required. A homeowner who has a fence but wants to change the type or style of the fence must treat the request as a new fence. A township permit may be required.
- b) An ERB request for fencing must be a standalone request. The fence may not be considered part of a landscaping package. ERB requests for installation of a fence must include by a plot plan of the property including portions of adjoining properties (can be obtained from the township) on which is marked the proposed fence line and position of post holes and gate(s).
- c) The homeowner is responsible for verifying property lines and / or easements. If it is later determined, your fence has encroached upon another homeowners' property or the association's common property you are responsible at your expense to move or remove the section of fencing that is on another's property.
- d) Fences are only permitted in the rear yard and may not extend forward beyond the rear wall of the house. The maximum permitted height of the fence is five feet as measured from the ground to the highest part of the fence. Caps of the posts of shadow box type fences may extend above the five-foot height of the main body of the fence by up to 6 inches. When the fence posts are not in-line with the fence then the posts must be installed on the interior side of the fence panels. The ERB Board encourages homeowners to submit with the ERB request a photograph or advertisement picture of the proposed style of fence. Your ERB request should include a diagram of the fence line showing the proposed length of the fence.
- e) The HWI, Environmental Review Board has approved the following full rear yard fence types for use in HWI.



- **Shadow Box (Board-on-Board)**. Wood or vinyl is permitted. The highest part of the main body of the fence must be at least three feet (3') high and no higher than five feet (5') measuring from the ground up. Wood fences may be left untreated or may be treated as follows. If treated, only a clear preservative or natural wood stain may be used. Identify in your ERB request the proposed treatment including a description of the color. Vinyl fences must be white or a natural wood tone color. Identify in the ERB request a description of the color of the fence. The ERB Board encourages homeowners to submit with the ERB request a photograph or a manufacturer's / supplier's advertisement picture of the proposed style of fence. Caps of the posts of shadow box type fences may extend above the height of the main body of the fence by a maximum of 6 inches.
  - **Post and Rail**. Wood or vinyl is permitted. The posts of the fence must be at least three feet (3') high and no higher than five feet (5') measuring from the ground up. The fence may have two or three rows of rails. Identify in your ERB request the type of rail (split rail, round, board). Wood fences may be left untreated or may be treated as follows. If treated, only a clear preservative or natural wood stain may be used. Identify in the ERB request the proposed treatment including a description of the color. Green or brown vinyl thirteen (13) gauge galvanized two-inch (2") x four-inch (4") mesh may be fastened to the interior side of the fence.
- f) **Privacy Fence:** Privacy fences are up to approximately 16 feet long and used to provide visual separation between the rear yards, patios or decks of two (2) adjoining and physically connected units. The fence must begin at the rear wall of the unit and be on or within the property line. The privacy fence must be Shadow Box (Board-on-Board). Wood or Vinyl is permitted. The fence must be at least three feet (3') high and no higher than five feet (5') measuring from the ground up. Wood fences may be left untreated or may be treated as follows. If treated, only a clear preservative or natural wood stain may be used. Identify in your ERB request the proposed treatment including a description of the color. Vinyl fences must be white or a natural wood tone color. Identify in your ERB request a description of the color of the fence.
- g) **Natural Privacy Fence.** A "natural" privacy fence or hedge is created by planting trees or shrubs (for example, arborvitae) along the property line to provide the same visual separation between the rear yards, patios or decks as a wood or vinyl privacy fence. The same length limit applies to natural privacy fences as does wood and vinyl privacy fences. Careful selection of an appropriate species / variety of tree or shrub is required as is proper spacing from property lines and one another to preclude your natural privacy fence from encroaching upon your neighbor's property. Consider the growth of the tree or shrub over time. Proper care and pruning is also required to maintain the health and appearance of the natural privacy fence. Identify in your ERB request the type of tree or shrub you plan to install, the quantity to be planted and a diagram (on a plot plan) where the trees / shrubs will be planted.



## 15) DECKS AND PATIOS.

### NOTE

ERB approval and a township permit are required for all new deck and patio installations. Some deck and patio repair, refurbishment and replacement actions may not require an ERB or a permit.

- a) Residents must submit to the Community Manager an ERB request for adding a deck or patio to their property. Please submit a plot plan of the property and adjoining properties (can be obtained from the township) marked with the footprint / dimensions of the proposed deck or patio. Use of the plot plan will help the residents ensure compliance with required setbacks.
- b) **Wood Decks.** All wood decks upon completion of the installation must be treated with a clear preservative or a natural wood stain within 6 months of installation. Decks are not permitted to be painted or color stained. Any homeowner who paints or color stains their deck will be required to strip the deck of the paint or color stain and then will be required to apply a clear preservative or a natural wood stain. Samples of the clear preservative or natural wood stain must be submitted to the ERB when the request for a deck is submitted.
- c) **Composite or Vinyl Decks.** Composite decks will be permitted in wood tone finished. Vinyl decks or decks consisting of polyethylene or laminated vinyl will be permitted in a wood tone, or tan color with a wood finish. An ERB form must be completed and submitted along with a site plan and proposed deck color.
- d) **Vinyl overlays.** Vinyl overlays for existing decks will be permitted in a wood tone, or tan color with a wood grain finish. An ERB form must be completed and submitted with a site plan and proposed deck overlay color.
- e) **Cement, Brick or Paver Patio.** A patio may be of cement, brick or pavers. Cement patios may not be painted. All brick and pavers patios must be in the color of muted shades of earth tones. An ERB form must be completed and submitted for approval.

## 16) SATELLITE DISHES / OTHER EQUIPMENT FOR RECEIPT OF OVER THE AIR TRANSMISSION OF TELECOMMUNICATIONS SIGNALS.

- a) A homeowner who wants to install a satellite dish or other equipment for the receipt of broadcast telecommunications signals must first submit a request through the Environmental Review Board (ERB) request process.
- b) Upon receipt of the homeowners ERB request the Community Manager will provide the homeowner with the specific installation guidelines. Contact the Community Manager if



you have any questions. Please keep in mind ‘safety’ in placement of a satellite dish or equipment, as well as the esthetics of the community.

## 17) STREET TREES.

### NOTE

ERB approval is required for “landscaping” activities include removals, planting, and pruning of “street trees”.

- a) The developer of HWI created a tree-lined streetscape when the community was built. A “street tree” was planted in most townhome front yards on both sides of the street. A different species or variety of street trees were planted on each street in the HWI cluster. The HWI Association Board considers the original tree-lined streetscape scheme to be a defining / key element of the style of the HWI cluster.
- b) Street trees must be replaced if removed to maintain curb appeal and keep the tree lined street look. Street tree type and variety should be approved by the ERB process and should be selected with the following conditions: a tree that would ideally grow to a “medium” height of 20 feet and circumference of 5-12 feet, approximately.
- c) The homeowner is responsible for maintaining the street tree in their front yard. Leaves, seeds, fallen branches must be removed regularly in season. The homeowner is responsible to prune branches that overhang sidewalks, streets, cluster mailboxes, fire hydrants in order to provide the minimum height clearance (Township requirement).
- d) Age and disease have affected many of the original street trees, especially along Sequoia Drive. When a street tree succumbs to age or disease the HWI Board requires the resident to remove the dead or diseased tree and plant a replacement tree removed. Trees should not be removed or replaced without approval of an ERB. In addition, the stump should be removed, and the trees should be replaced with a tree of similar size (at maturity). The trees that are planted should be at least 1.5 inches in diameter and 4 feet tall (above the ground). The ERB form should define the type and size of tree that will be planted. Because Pennsylvania’s native plants are meant to grow here, they thrive with less maintenance, thereby reducing the need to water and fertilize them. They also serve as a food source for native insects, pollinators, attract wildlife, and reduce other unwanted species. For the above reasons, the Newtown Grant Board recommends planting native trees such as red or sugar maples, red buds and dogwoods. There are several local nurseries that sell native trees. You may contact the Community Manager for a list of acceptable tree species and any other questions you may have.

## 18) OTHER TREES AND SHRUBS.

- a) Residents are responsible for maintaining the trees and shrubs in their yard to present a neat appearance. Shrubs or other plants located near a sidewalk must be pruned to prevent the



plants from intruding over / into the walkway and otherwise interfering with the ability for people to easily pass by. Dead trees or shrubs must be removed in a timely fashion.

- b) Removal or replacement of trees must be approved by the ERB. Minor pruning of trees and shrubs, and replacement of dead shrubs with the same or similar type shrub does not require ERB approval.
- c) When planting trees and shrubs residents must consider the future growth of the tree or shrub and place them sufficiently away from property lines to minimize the likelihood the tree or shrub will eventually intrude into or overhanging an adjacent property. Owners of adjacent property are allowed by Pennsylvania law to trim back to the common property line any overhanging parts of trees and shrubs. – without prior coordination of the tree / shrub owner.

**Note:** Because Pennsylvania’s native plants are meant to grow here, they thrive with less maintenance, thereby reducing the need to water and fertilize them. They also serve as a food source for native insects, pollinators, attract wildlife, and reduce other unwanted species. For the above reasons, the Newtown Grant Board recommends planting native plants, including native trees, bushes and flowers. There are several local nurseries that sell native plants.

#### **19) FLOWER AND VEGETABLE GARDENS.**

- a) Flower gardens are permitted in the original beds provided by the developer and /or in flower beds established by the subsequent homeowners if the beds were approved by the ERB.
- b) Additional flower beds require the approval of the ERB. Please include a sketch of the proposed bed to show the size, shape, and location, and provide a list of the type of plantings.
- c) Small vegetable gardens are permitted in the rear yard only. Submit an ERB request with a plan of the proposed garden to the ERB to show the size, shape, and location and a list of the plants to be planted. Gardens may not extend forward beyond the rear wall of the house and may not infringe on a neighbor’s property or existing easement, swales, or the right of way. All gardens must be properly maintained during the growing season and must be cleaned out after the growing season.

#### **20) YARD MAINTENANCE.**

- a) 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 and/or the grass does not go to seed. Each homeowner is responsible for the cutting and maintenance of their lawn. This includes seeding, weeding, fertilizing, and taking care of the lawn and shrubbery surrounding one’s home.
- b) Residents must maintain ground cover on their lots to avoid soil erosion onto streets, sidewalks, or other properties.



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

#### **SECTION IV. ENVIRONMENTAL REVIEW BOARD (ERB).**

##### **1) NO EXTERIOR CHANGES WITHOUT ERB APPROVAL.**

###### **NOTE**

The ERB Request Form is available through the Newtown Grant Homeowners Association website: [www.newtowngrant.org](http://www.newtowngrant.org).

Click MASTER BOARD & CLUSTERS, choose TOWNHOUSES, then HEATHER WOOD I, and download the ERB Request Form from the ON-LINE FORMS section. If you do not have access to these forms, contact the Community Manager and request a copy of the form.

- a) Absolutely no changes, additions, or modifications of any kind to the exterior appearance of any home and yard may be undertaken without the written approval of the Environmental Review Board (ERB). Any exceptions to this rule apply only to specific instances cited in these Rules and Regulations. All proposed changes must be reviewed by the ERB and found to be fully compatible with the architectural design character of the HWI community and the Rules and Regulations before ERB approval is granted. The ERB reserves the right, with HWI Association Board approval, to retain a registered architect or engineer to review and assist in this determination.
- b) Homeowners are required to submit an ERB request to the Community Management office for any and all exterior additions, alterations, replacement, or other changes. This includes but is not limited to vinyl siding, stone veneers, windows, doors (and sidelights), sliding doors, French doors, garage doors, storm / screen doors, shutters, medallions, roofs, fences, landscaping, gardens, exterior lighting, etc. Do not begin work until you receive written approval of the Environmental Review Board (ERB) and have obtained Newtown Township permits when needed.
- c) The HWI ERB may be made up of one or more HWI Association Board members and/or duly appointed community members. The ERB reviews all ERB requests received from homeowners and makes recommendations for approval or disapproval to the HWI Association Board. The Association Board exercises their authority to approval or disapproves an ERB request regardless of the ERB reviewer(s) recommendation.



Homeowners may appeal to the Association Board and / or revise their ERB request to address issues that resulted in disapproval.

- d) HWI association members are reminded that each of the townhome communities (clusters) in Newtown Grant have their own independent homeowner association with their own ERB and their own rules and regulations. Therefore, what may be permitted in one cluster may not be allowed in another.
- e) Complete the ERB Request form and mail, fax or email to the address below at least 30 days prior to the work scheduled to begin.

Heather Wood I Homeowners Association  
c/o FirstService Residential  
360 Eagle Road  
Newtown, PA 18940  
ATTN: ENVIRONMENTAL REVIEW BOARD

Fax # 267-364-5183  
Email: [rob.degeorge@fsresidential.com](mailto:rob.degeorge@fsresidential.com)

- f) All ERB decisions will be mailed or emailed to the requesting homeowner, in writing.
- g) Homeowners must direct their questions to the Community Manager:

Rob DeGeorge, Community Manager 215-968-3789 x 2

- h) The approval of an ERB request indicates only that the proposed change, etc., does not conflict with any of the association's rules and regulations and meets requirements to preserve the community's architectural style. It does not constitute engineering or technical approval of the design or work.
- i) The approval of an ERB is null and void if a Newtown Township permit is not obtained when required and / or if the actual work being performed represents a change from the work described in the ERB request.



## **2) ACTIVITIES THAT DO NOT REQUIRE ERB APPROVAL.**

- a) There are several common home maintenance activities that may be performed without ERB approval. The below abbreviated list identifies some of the activities / items that are or may be accomplished without going through the ERB request process.
- Seal your driveway. Whether accomplished as a DIY task or if you engage a commercial vendor.
  - Have your driveway repaired with asphalt / blacktop (not replaced by concrete or pavers; and not paving any part of the median).
  - Trim bushes / shrubs, remove broken, overhanging, or low branches from trees (but not removing live shrubs, bushes or tree).
  - Remove dead bushes / shrubs and replace them with like items.
  - Re-caulk windows.
  - Repair window screens by replacing the screening material.
- b) The homeowner should consult with the Community Manager if they are unsure if their proposed change / action requires ERB approval.

## **3) NEWTOWN TOWNSHIP PERMITS.**

- a) A Newtown Township permit may be required before you may begin work on many changes to your home. It is the homeowner's responsibility to obtain a township permit when required. The permit is in addition to an ERB approval. The township requires the homeowner to receive ERB approval before it will issue the permit.
- b) The homeowner must provide a copy of the township permit to the HWI Community Manager before work starts.
- c) It is the homeowner's responsibility to contact the Township zoning officer to determine whether a permit is needed.

Newtown Township Municipal Office  
100 Municipal Drive  
Newtown, PA 18940  
(215) 968-2800



## **SECTION V. COMPLAINTS AND REPORTING VIOLATIONS.**

The General Compliant Form is available through the Newtown Grant Homeowners Association website. [www.newtowngrant.org](http://www.newtowngrant.org).

Click MASTER BOARD & CLUSTERS, choose TOWNHOUSES, then HEATHER WOOD I, and download the General Compliant Form from the ON-LINE FORMS section. If you do not have access to these forms, contact the Community Manager and request a copy of the form.

### **1) COMPLAINTS AND REPORTING VIOLATIONS OF RULES AND REGULATIONS.**

- a) A homeowner may submit a written, signed complaint to the management company to identify a violation of these Rules & Regulations by another resident.
- b) The management company will present the letter to the Board of Directors to be addressed appropriately. An attempt will be taken to protect the identity of the complainant to avoid neighborly conflicts.