

# **WINDCREST EAST HOME OWNERS ASSOCIATION**



## **HOUSE RULES**

**JULY 2010**

# **Windcrest East Home Owners Association**

## **House Rules**

### **Foreword**

Windcrest East brings you the best of two worlds. The world of privacy and luxury that comes only with a beautiful spacious, detached single family home and the world of maintenance-free convenience that comes only with condominium ownership.

It is important that the Windcrest East Home Owners Association Board of Directors as well as each Home Owner appreciate the fact that the Offering Plan's Rules, By-Laws and Covenants perform the same function within a condominium housing community that laws and ordinances do within society. These rules preserve the common scheme, retain and improve property values, protect individual rights and ensure that the community concept which attracted you to this community is maintained.

The House Rules contained herein are designed to assure a pleasant life, amid attractive surroundings. Some of the rules are for safety, others concern the appearance of our community and still others pertain to behavior and the lifestyle we wish to maintain. The objective is to justify the pride we all have in Windcrest East and to protect our investment.

Everyone's cooperation is needed to accomplish our goals. Otherwise the violation procedure will be followed (See Rule Violations and Fines section). Requests for an exception to a rule should be submitted to the Property Manager.

These Rules may be modified, added to, or repealed at any time by the Home Owners Association (HOA) Board of Directors.

# House Rules

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*Offering Plan Definitions:*

*\*Limited Common Elements: 15 feet in front and back of homes and under homes*

*\*\*General Common Elements: All property except individual homes and Limited Common Elements*

# HOA Facilities Rules

## BOCCE COURT

1. The Bocce Court is for the use of Windcrest East Home Owners, permanent residents and their guests.
2. A Home Owner or permanent resident must accompany their guests to use the Bocce Court and will be responsible for their actions.
3. The Bocce Court is available as weather permits. The Bocce Clubs have priority for the use of the court. Please check the Breeze for the Clubs' schedule during the playing season.
4. There will be no night time playing.
5. No glass containers or food are permitted on the court.
6. The Bocce Court is to be used for playing bocce only. No activities other than Bocce are permitted on the court.
7. No walking or sitting on the railroad ties.
8. Parking for the Bocce Court is limited to the parking lot of the Clubhouse.
9. Access to the Bocce Court should be through the tennis courts.

## CLUBHOUSE

The use of the Clubhouse and all its facilities shall be subjected to the rules, regulations, and provisions as set forth by the Home Owners Association (HOA) Board of Directors.

1. **HOURS:**  
The operational hours are 6 AM to 11 PM Monday through Sunday. The Board of Directors shall have the right to curtail the hours of operation without prior notice given.
2. **KEYS:**  
Electronics Keys will only be issued to Home Owners (in good standing). Home Owners must immediately report a lost or damaged key to the Property Manager's office. Use only your issued key to enter the Clubhouse. - Do not lend your key or borrow a neighbor's key at any time. Do not, at any time, hold the door open for strangers.
3. **SMOKING:**  
In the interests of health and safety, this building is to be considered a "NO SMOKING" area. Smoking will not be permitted or tolerated anywhere within the Clubhouse. Cigarette butts

are not to be discarded on the community grounds.

4. PETS:

There are NO pets allowed in the Clubhouse for any reason. Pets are also not permitted on the landscaped area of the Clubhouse. This does not include service animals.

5. REFUSE:

The Clubhouse is for the general use of all Home Owners. Refuse must be placed in the proper receptacles. The Home Owner or group using the Clubhouse must clean areas they occupy after each use.

6. SOCIAL ACTIVITIES:

The Clubhouse is for the sole use of the Home Owners of Windcrest East HOA. Moderate music will be permitted in the Great Room. No blaring, loud music / television will be permitted. Home Owner's shall refrain from making loud, disturbing or objectionable noises whenever within the confines of the Clubhouse. The Home Owner hereby consents that the agent or employee of the Home Owners Association has full authority and the right to remove the Home Owner from the community area or to require them to cease the use of the facilities or equipment if, in the opinion of the Home Owners Association, agents, or employees, the conduct of such persons is unreasonably disruptive to other persons, or creates a danger to himself or other persons.

7. MISCELLANEOUS:

No signs, notices, advertisements, bulletins of any manner shall be posted in any window of the Clubhouse. Notices, bulletins, etc. will only be posted after Home Owner's Association's, or a representative's, approval. Any damage to the Clubhouse and property of Windcrest East HOA, recreational area, furniture or equipment caused by a Home Owner shall be at the expense of the applicable Home Owner.

8. INDEMNITY:

The Home Owner shall indemnify and hold Windcrest East HOA and its representatives completely harmless with respect to liability and damages, costs and expenses in connection with any damage or bodily injury whatsoever to persons or property arising out of the use, management, operation, maintenance or control of the property.

9. The Clubhouse is part of the Common Grounds provided by the Home Owners Association. The Home Owner's Association or the representative, thereof, reserves the right to restrict its use. The Home Owner's Association reserves the right to discontinue providing such facilities, equipment and areas to any Home Owner who is sixty (60) days in arrears at its sole discretion and without any notice.

## **FITNESS ROOM**

The Fitness Room is located in the clubhouse. It contains high quality commercial grade devices for

a complete aerobic exercise session. You can use the facility as often as you wish (subject to the rules below) if you are a Home Owner, a permanent resident or a guest. The rules below help make the exercise equipment equally available to everyone and help ensure that everyone's exercise session is a pleasurable activity. Please enjoy the facilities and remember to be considerate of others.

1. Home Owners shall consult with a physician before the use of any exercise equipment.
2. The use of all exercise equipment is at your own risk.
3. The Fitness Room is for the Home Owners, permanent residents and their guests.
4. Guests must be accompanied by a Home Owner. The Home Owner will be responsible for their guest's actions.
5. All minors (between the ages of 16 and 18) must be accompanied and supervised by an adult.
6. No one under the age of 16 is permitted in the exercise room.
7. Please limit your time (max. 30 min.) on equipment if someone is waiting.
8. The Home Owners Association or the representative thereof, reserves the right to restrict the use of the Fitness Room.

## **PONDS**

1. The Pond(s) and walkways around the pond(s) are for the use of Home Owners, permanent residents and their guests.
2. Guests 15 years of age and under must be accompanied by an adult.
3. The sailing of (36" or less) non-gasoline powered boat(s) is permitted.
4. Fishing is permitted only with the presence of a Home Owner. However, fish that are caught should be released back into the Pond.
5. The feeding of fish and wildlife in and around the Pond(s) is prohibited.
6. Swimming, wading, boating or ice skating is not permitted on the Pond(s).
7. Do not walk or play on the rocks around the Pond(s).

8. Home Owners will be held strictly responsible for the actions of their guests while using the Pond area.

## **SWIMMING POOL**

**Attention: There will not be a lifeguard on duty at the pool. Pursuant to Section 6-1.2(o) of the NY State Sanitary Code SPE is exempt from bather supervision requirements of the code. Dated December 14, 2004, County of Suffolk.**

1. The Swimming Pool is for Home Owners, permanent residents and their guests.
2. The use of the Swimming Pool is at your own risk.
3. The pool hours are from 8AM until dusk unless otherwise posted. The pool will open on or about May 31st of the year and be closed for winter on or about September 15th of the year.
4. The Swimming Pool area is off limits when the pool is closed.
5. Showers are required by all persons before entering the pool.
6. NYS Law prohibits swimming alone in the pool. Two or more adults 18 years of age or older must be present at the pool when the pool is in use.
7. Children under the age of 15 may use the pool only when accompanied by an adult resident after 12:00 PM (noon). They will not be permitted in the pool before 12:00 PM (noon).
8. Guests of residents may use the pool after 12:00 PM (noon). Home Owners are responsible for the actions of their guests. Guest must be accompanied by a Home Owner. If the Home Owner is not able to come to the pool, another Home Owner may accompany the guests and be responsible for their actions.
9. All persons using the pool are to wear swimsuits. If a child is not potty trained then they must wear a commercially available swim diaper. No exceptions! Additionally, all those without diapers and such must be completely toilet trained. Again, no exceptions!
10. NY State Law dictates that anyone with signs or symptoms of colds, communicable diseases, nasal discharges, cuts, bandages, skin eruptions or similar infections will not be allowed in the pool. No spitting or coughing.
11. Smoking of any kind is not allowed in the pool area. Discard all cigarettes, cigars or pipes in the receptacles provided before entering the pool area.
12. Lounges, chairs and tables may not be reserved. All lounges chairs and tables must be kept at least five feet from the edge of the pool. Personal chairs or lounges are not permitted

in the pool area. When leaving the pool area, please remove all towels and personal belongings from the lounges and chairs so that they may be available for other residents.

13. Food or beverages are not permitted in the pool area. Glass of any type is completely forbidden in the pool area. Plastic water bottles are permitted.
14. Running, playing ball, tag, rough and rowdy play in the pool area, jumping or diving off the sides of the pool is prohibited. Violators will be asked to leave the pool area.
15. Children requiring certified arm or body floatation devices must be accompanied by an adult in the pool. Large floats or lounges are not permitted in the pool. Floatation noodles are permitted.
16. You must use earphones when playing a radio, CD, tape player or TV in the pool area.
17. Bathers shall not enter the clubhouse with bare feet or wet and dripping clothing.
18. No pets or animals are allowed in the pool area.

## **TENNIS COURT**

1. The Tennis Court is for Home Owners, permanent residents and their guests.
2. A Home Owner must accompany their guests and will be responsible for their actions.
3. Please be considerate of homes adjoining the courts. No night time playing.
4. There is a one-hour limit on the use of the court if others are waiting.
5. Only tennis shoes are permitted on the courts. Other types of shoes can damage the surface causing costly repairs.
6. No glass containers are permitted on the court.
7. No bicycles, skateboards, carriages, pets, etc. are permitted on the court.
8. Tennis Courts are for tennis players only. Horseplay of any kind is strictly forbidden.
9. Litter is to be placed in the trash receptacles provided.

**FINES:** Violations of the Tennis Rules will not only subject you to fines but also to a possible ban from using the court.



# Home Owner Rules

## AIR CONDITIONER COVERS

1. Air conditioner units may be covered or not covered at the Home Owner's discretion.
2. If a cover is used, it must be designed specifically for the given air conditioner. Cover colors must be suitable to conform to the overall community appearance. Muted or neutral colors are required.
3. The following items may not be used: tarps, plastic sheeting, plastic bags, decorative items, plastic items, corrugated items, etc.
4. As a reminder, air conditioning repairs and maintenance are the responsibility of the Home Owner.

## HOME INTERIOR

1. Your Home shall be maintained in good repair and overall appearance.
2. No addition, alteration or improvement (temporary or permanent) of a structural nature in your Home may be made without prior written approval of the Board of Directors of the Home Owners Association. Contact the Property Manager for necessary forms.
3. Any interior alteration made to a Home shall be made in accordance with all applicable rules, regulations, permits and zoning ordinances of any government agencies having jurisdiction thereof.
4. No window mounted or through the wall mounted air conditioning unit may be installed.
5. No one shall bring into or keep in their Home any flammable, combustible or explosive fluid, material, chemical or substance, except for normal household use.
6. All the repairs to internal installations of the Home located in and servicing only that Home, such as telephones and sanitary installations shall be at the Home Owner's expense.
7. Cleaning dryer vents is the Home Owner's responsibility. Dirty or clogged vents are a major source of house fires.
8. Home Owners should obtain an HO-6 insurance policy covering his/her contents, improvements & betterments from the original Offering Plan, loss assessment and personal liability. Contact the Property Manager if you need more information.

## HOME EXTERIOR

1. Your Limited Common Element (15 feet in front and back of home) shall be maintained in good repair and overall appearance. It shall be kept free and clear of rubbish, debris and other unsightly materials.
2. No clothes, sheets, blankets, laundry of any kind or other articles shall be hung out of a Home or on a patio, terrace or balcony or exposed on any part of the Limited Common Element.
3. No bird feeders, fruit or vegetable plantings are permitted.
4. Artificial flowers are not permitted to be displayed outside of the home with the exception of the front door piece.
5. No items may be hung or attached to the house siding or columns except:
  - a. HANGING PLANTS:  
Residents will be allowed a TOTAL of 4 per of either hanging plants or railing planters per household. Home Owners are responsible for properly maintaining the hanging plants/planters and for any damage to the home or railings.
  - b. FRONT DOOR PIECE:  
Only one decorative piece may be hung from the front door.
  - c. FLAGS:  
Only the American flag may be displayed subject to the U.S. Federal Flag Code. It must be taken care of properly at all times. It should never touch the ground, get soiled or torn.
  - d. HOUSE NUMBERS:  
Approved house numbers must be displayed on the front walk column.
  - e. STORM/SCREEN DOORS:  
Only approved storm/screen doors may be installed.
6. No exterior addition, alteration or improvement (of either a temporary or permanent nature) to the exterior of your Home, or any Limited Common Element may be made without prior written approval of the Board of Directors of the Home Owners Association. This includes but is not limited to the following:

Awnings  
Balcony  
Cages or runs  
Deck  
Drainage alterations

Exterior decoration (See above for exceptions)  
Fence  
Hot tub  
Landscaping (See landscaping rules)  
Painting (windows, wall or door openings, columns, etc.)  
Patios  
Ramps  
Retaining wall  
Shed  
Signs (Advertisement, For Sale, For Rent, etc.)  
Steps or stairs  
Statuary (See landscaping rules for exceptions)  
Stoops  
Trellises  
TV, radio, satellite dish or other antenna  
Vertical masonry element  
Walks

Contact the Property Manager for necessary forms.

7. Home Owners are responsible for the maintenance of their driveways.
8. Firewood may not be stored on the driveway.

## **LANDSCAPING\***

Home Owners are responsible for the landscaping that is located within 15 feet of the front and back of their home (\*Limited Common Element) and the Builder's Common Ground landscaping beds along the sides of their home.

### **New or Additional Landscaping:**

1. All new or additional landscaping require prior written approval of the Board of Directors of the Home Owners Association. Contact the Property Manager for necessary forms.
2. All landscaping must not interfere with the common irrigation system. The primary purpose of the irrigation system is to water the lawns. If necessary the Home Owner may pay to have the irrigation system correctly adjusted.
3. All newly planted beach grasses must not have a maturity height of more than 4 feet.
4. A maximum of four hanging plants or railing planters are permitted.
5. Two statuary pieces per household are to be permitted with a maximum size each not to exceed 2 ½ feet in height.

6. Home Owners should not be creating new or enlarged landscaping beds without prior written approval.
7. No artificial flowers or plants will be permitted to be displayed by the resident with the exception of the front door item.
8. No bird feeders, fruit or vegetable plantings are permitted.
9. Home Owners must not cover, in any manner, the in ground electrical, sprinkler valve, water, cable, septic system and telephone boxes.

### **Landscaping Maintenance:**

1. Home Owners are responsible for the cost and prompt replacement or removal of all diseased or dead shrubs/plants/trees in their landscaping area.
2. Home Owners who opt to trim their own shrubs and plants must make sure they do not interfere with the common irrigation system. Shrubs and plants should not obstruct sprinkler heads. It is the Home Owner's responsibility to either trim the shrubs and plants appropriately or pay to have the irrigation system correctly adjusted. Contact the Property Manager to start the adjustment process.
3. Home Owners are required to deadhead their daylilies, astilbe, hostas, buddleia, etc. when they are finished flowering. The landscaper does not do this service.
4. All shrubs/trees/plantings should be maintained 12-18 inches from the siding of the house.
5. All shrubs around patios should be maintained not in excess of 8 feet.
6. At no time should the Home Owner be cutting or fertilizing grass.
7. All hoses, when not in use, should be contained in a commercial hose container or on a reel or stand.
8. Home Owners should not be regulating or tampering with sprinkler valve boxes, sprinkler heads and time clocks. Any adjustments that are necessary should be processed through the Property Manager.

### **Seasonal Landscaping:**

1. All annuals and perennials must be cut back or pulled out no later than Dec. 1st.
2. All hanging pots and rail planters should be removed by Dec. 1st.

3. Home Owners are prohibited from wrapping trees/shrubs in burlap or any other material. Consider using a dormant oil spray to protect these plantings.
4. Outside furniture should not be covered with blue, red or brightly colored tarps. Muted colors are required.
5. Home Owners, who wish to cover their air conditioners, please see the Air Conditioner Covers section.

## **Community Rules**

### **COMMON GROUNDS\*\***

1. No addition, alteration or improvement (temporary or permanent) may be made on Common Grounds (\*\*General Common Elements) without prior written approval of the Board of Directors of the Home Owners Association. Contact the Property Manager for necessary forms.
2. The Common Grounds shall not be obstructed, littered, defaced or misused in any manner.
3. Every Home Owner shall be liable for any and all damage to the Common Grounds and the property of the Condominium, which shall be caused by said Home Owner or such other person for whose conduct he/she is legally responsible.
4. Without prior written approval, residents are not allowed to create new or enlarged landscaping beds or to plant anything around the trees in the Common Grounds.
5. At no time should the Home Owner be cutting or fertilizing the grass.
6. No tents are permitted on any portion of the Common Grounds unless prior, written approval of the BOD is obtained.
7. No vehicle of any kind is permitted to be ridden, driven or parked on any portion of the Common Grounds which is outside the border of the road and/or driveways.
8. No Home Owner shall do anything to his or her Home or the Common Grounds to alter the drainage.
9. No animals are to run free. Any pets roaming free in the community will be reported to the Dept of Animal Control.
10. No cages or runs shall be constructed on the Common Grounds.

11. Home Owners must be aware not to cover, in any manner, the in ground electrical, sprinkler valve, water, cable, septic system and telephone boxes.
12. Home Owners should not be regulating or tampering with sprinkler valve boxes, sprinkler heads and time clocks. Any adjustments that are necessary should be processed through the Property Manager.

## **GARBAGE RECEPTACLES**

1. Garbage receptacles are to be used at all times for household garbage.
2. Plastic bags shall not be used for household garbage disposal and left at the curb side. Sea gulls, raccoons and other small animals will tear these bags apart.
3. Garbage receptacles are to be kept in the garage except for the day of the garbage pickup.
4. Garbage receptacle may only be placed on the curbside after sundown of the day before the garbage is to be picked up.
5. Garbage receptacles are not to be left out on the curb or driveway after the day of pick up.
6. Garbage receptacles are to be marked with the address of the Home Owner.
7. All rules that effect Garbage receptacles shall also apply to recycle containers left at the curbside for pickup.
8. The Home Owner must call Winter Bros. @ 631-491-4923 and pay for large items to be disposed of: furniture, grills, cabinets, etc. It is approximately \$25 per item. Winter Bros will bill the HOA and the Home Owner will have to reimburse the HOA.

## **HOLIDAY DECORATIONS**

1. Holiday decorations are permitted to be displayed, provided they are restricted to the front porch, back patios and flower beds.
2. Decorations may not be nailed, screwed or glued to any exterior surface.
3. Absolutely no inflatable decorations are permitted.
4. Decorations may be displayed by Thanksgiving and must be removed by January 15.

5. Lighted decorations may not be turned on prior to December 1.

## **IRRIGATION**

The irrigation system is primarily meant to water our grass lawns. New or maturing landscaping should not defeat this goal. Home Owners should not be regulating or tampering with sprinkler valve boxes, sprinkler heads and time clocks. Any adjustments that are necessary should be processed through the Property Manager.

## **PARKING AND STREET USE**

Parking rules shall apply to all Home Owners, permanent residents and guests. The Home Owner is responsible for the actions of their guests and permanent residents.

1. No Home Owner, permanent resident or guest is permitted to park any recreational vehicle (RV), truck, trailer or other commercial vehicle overnight on any portion of the property without the prior approval of the Board of Directors. However a Home Owner may park a RV or travel trailer in his driveway for no more than 24 hours.

In certain hardship situations, the Board may grant a Home Owner or permanent resident permission to park a commercial vehicle in the community. The individual must submit this justification in writing for such approval. However, the following restrictions will apply to all commercial vehicles with no exceptions;

- a. The vehicle shall not have any commercial writing or advertising on it.
  - b. Ladder rack, toolboxes, snowplows shall not be permitted.
  - c. Debris of any nature in the bed of the vehicle will not be permitted.
  - d. A vehicle may not have more than 4 wheels nor may it have oversized tires.
  - e. The vehicle may not exceed 1/2 ton in size and must be in proper operating condition.
  - f. The vehicle shall be parked on a driveway or in a garage.
2. A guest may not park any RV, trailer, truck or other commercial vehicle overnight on any portion of the property.
  3. Unregistered motor vehicles or motor vehicles without license plates are strictly prohibited at all times on any portion of the property.
  4. Traffic speed within the community is 15 MPH.

5. A FULL stop is required at all stop signs in the community.
6. No Home Owner, permanent resident or guest is allowed to park in the same parking space for more than 48 consecutive hours at the clubhouse. Violators shall be subject to fines and may have their vehicles towed at the owners expense.
7. There is no parking anywhere in the community except as follows:
  - a. Home Owner's garage.
  - b. Home Owner's driveway
  - c. After both of the above have been utilized, Home Owners and permanent residents are permitted to park on the street, as long as they do not impede access to any entrance or exit to the property nor block any Home Owner or permanent resident from getting in or out of the driveway to their home.
  - d. When parking curbside a vehicle shall not be parked opposite to another vehicle on the roadway. This causes the roadway to be narrowed significantly restricting the flow of traffic.
  - e. No one is permitted to park in these restricted areas: mailbox kiosk, in front of fire hydrants, pedestrian walkways or Common Ground areas designed for backing out purposes.
8. No vehicle parked in a driveway shall in any manner protrude into a roadway.
9. The repair of motor vehicles (except in emergencies) is not permitted in any of the driveways, roadways or parking spaces of the community. The Home Owner's garage shall be used for this purpose. The repair of any motor vehicle, for monetary gain, is strictly prohibited.
10. The washing of motor vehicles is not permitted in any of the roadways or clubhouse parking spaces of the community. Use of a Home Owner's driveway for this purpose is permitted.
11. Parking on roadways against the flow of traffic is prohibited.
12. Vehicle carriers will not be permitted to enter the property without prior permission of the Board of Directors.
13. There shall be no parking of vehicles on any roadway at night from 12AM to 7AM.
14. No through traffic is permitted in the roadways behind any of the Bradfords. The use of this roadway is restricted for the use of those residents who reside in that area.

**FINES:**

Violations of the Parking and Street Use Rules will not only subject you to fines but also to possible towing of the vehicle at the owners expense.



## **PETS**

1. All dogs, cats, and other pets must be leashed and shall not be permitted to run loose. Any pets roaming free in the community will be reported to the Dept of Animal Control.
2. Home Owners are responsible for picking up and disposing of their pet's waste and for any damage caused by their pets to the Common Grounds.
3. All pets must be walked at curbside and kept off the grassy Common Grounds.
4. No animals or reptiles of any kind shall be raised, bred or kept in any Home or in the General Common Elements or Limited Common Elements except for approved dogs, cats and other pets weighing less than 25 lbs.
5. Any pet causing or creating a nuisance or unreasonable disturbance or noise shall be permanently removed from the Property upon three days written notice from the Board of Directors.
6. No cages or runs shall be constructed anywhere in the community.

## **RULES VIOLATIONS AND FINES**

Home Owners should report all alleged rule violations to the Property Manager. Upon receipt, the Board of Directors of the Home Owners Association shall make a determination as to the validity of the complaint. If in their determination the complaint is valid and justified the Property Manager shall be directed to send written notice to the violator. If the violation is not corrected or eliminated within a period of three (3) days from the date of receipt of such notice, another notice will be sent levying a fine of up to \$100.00 upon the violator; such fine is to be considered as an additional common charge to the account of the violator and shall be treated as such regarding late penalties and a lien upon the property as elsewhere provided for in the Declaration of Condominium, By-Laws or Offering Plan. If after imposition of a fine the violation is not corrected or eliminated, the Board of Directors may assess additional fines of up to \$100.00 each after serving written notice upon the violator as provided for above. If the violation results in loss of or damage to property classified as common area, the Board of Directors shall itself or direct the Property Manager, if employed, to have said loss or damage repaired or replaced and the actual cost of said repair or replacement shall be assessed to the violator as an additional Common Charge.

## **Property Manager Contact Information**

The current Property Manager is Precision Asset Management. They can be reached at 516 795-4955, FAX 718 276-2044, or on the Windcrest East web site <http://www.windcresteastli.com/>. Their address is 545 Broadway, Massapequa, NY 11758. Also their Emergency Hotline (After Hours) is 718 340-4819.