



HERITAGE VILLAGE OWNER'S HANDBOOK



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HERITAGE VILLAGE MASTER ASSOCIATION



Unit Owner Handbook

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HERITAGE VILLAGE MASTER ASSOCIATION

The purchase of a home in Heritage Village brings with it membership in the Heritage Village Master Association (HVMA). With that membership comes certain obligations, financial responsibilities, and a commitment to abide by use restrictions and other rules of the association. To a degree, it necessitates individual conformity for the good of the community.

The HVMA is responsible for the upkeep of common elements of the Village as well as the management and operation of the association's business affairs - all in accordance with policies and standards established by the governing documents of the individual condominiums and the Master Association. The HVMA Board of Directors carries out these duties and responsibilities.

The board's authority includes all of the powers and duties enumerated in general law, as long as these powers are not inconsistent with the provisions of the documents governing the association. Members of the board serve without compensation.

The board of directors defines the policies for the HVMA. The employees and agents carry out these policies and administrative functions for the benefit of the owners. The members of the board of directors and its officers have a fiduciary relationship with the members of the association. This fiduciary relationship imposes obligations of trust and confidence in favor of the corporation and its members. It requires the members of the board to act in good faith and in the best interests of the members of the association. This means that board members must exercise due care and diligence when acting for the community, and it requires them to act within the scope of their authority.

The fact that the association is a not-for-profit corporation, or that the members of the board are volunteers and unpaid, does not relieve them from the high standards of trust and responsibility that the fiduciary relationship requires. When a member accepts a position on the board of directors, he or she is presumed to have knowledge of the duties and responsibilities of a board member. Board members cannot be excused from improper action on the grounds of ignorance or inexperience and liability of board members for negligence and mismanagement exists in favor of the association and the property owners.

Each board member must recognize the fiduciary relationship and the responsibilities that the board has to the association and each of its members. The board's duties must be performed with the care and responsibility that an ordinary prudent person would exercise under similar circumstances and the ultimate responsibilities of these unique positions cannot be delegated to a manager, a management company, or other third party.

Serving as a board member is a valuable and rewarding experience that should be undertaken by those who see it as an opportunity to serve their fellow neighbors while protecting and enhancing the assets of the community. It is serious business, but also a task worth doing well in order to safeguard the investments of all.

It helps to remember that board members are homeowners, too and occasionally may feel unappreciated for the unpaid work they've been doing for the benefit of all... So, take a minute and when the opportunity presents itself, tell those volunteers "THANK YOU." Starting with you right now - make Heritage Village a source of pride.

RIGHTS OF HOME OWNERS

Homeowners have the right to:

- A responsive and competent community association
- Honest, fair and respectful treatment by community leaders and managers
- Participate in governing the community association by attending meetings, serving on committees, and standing for election
- Access appropriate association books and records
- Prudent expenditure of fees and other assessments
- Live in a community where the property is maintained according to established standards
- Receive all documents that address rules and regulations governing the community association - if not prior to purchase and closing by a real estate agent or attorney, then upon joining the community.
- Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

HVMA board members take these matters seriously and are aware of your rights. Both board members and owners must realize that they need to work together in a kind and courteous manner with mutual respect and consideration. Aggressive and rude, behavior is unacceptable and hurts everyone concerned. BE A GOOD NEIGHBOR!

EMERGENCIES—WHO TO CALL

Reporting a Fire

In the case of a fire, evacuate the residence and **dial 911** from a neighbor's telephone. When the dispatcher answers notify them that you are reporting a fire emergency. Give the dispatcher your name. The dispatcher will ask you what number you are calling from. In the event of an accidental disconnection or if additional information is needed the dispatcher will call you back at that number. Next, provide the dispatcher with the address of the unit or building and nearest cross street, if known. If you are unfamiliar with the area, try to give the dispatcher specific landmarks, such as the name of an adjacent building or road, that will help the fire department locate the emergency. Stay on the phone until the dispatcher completes the questioning and disconnects the call. Most important, stay calm and give the dispatcher as much information as possible regarding the nature of the emergency. **IMPORTANT REMINDER:** post your house number where it is visible for responding emergency personnel. If your home sits away from the roadway post your number on a post or mailbox near the driveway.

Requesting an Ambulance

To request an ambulance **dial 911** and state your name, address, phone number, and location of the victim. Indicate the nature of emergency, if known. If at night, turn on an outside light. Above all – stay calm. The Heritage Village Ambulance, a volunteer group, provides ambulance service in Heritage Village. The Southbury 911 dispatcher will alert the Village ambulance, the Southbury ambulance or an alternate service as well as a paramedic service based on circumstances. All Village Security officers are medically qualified and will respond to all medical emergencies. **IMPORTANT REMINDER:** file an up-to-date medical card with Security and tape a "File of Life" on the outside of your freezer door. Both were delivered with your "Newcomer's Kit."

Reporting a Crime

To report a crime **dial 911**. HVMA has a security force on 24-hour duty, which patrols roads and clusters and monitors emergency assistance to residents. Security will respond along with police in the event of illegal entry, prowlers, or suspicious activity. When reporting a crime state the trouble briefly. Give the location. If possible, provide the full address including a unit number. If you don't know the unit's number provide an intersection or a landmark. Answer the operator's questions and stay on the line

until the operator terminates the call. Help can be sent while you talk. Inform the operator if you do not want your name and address given to responding units. Inform the operator if you want to speak to the officer(s) or responders. When placing a call to 911, if you encounter an extended ring cycle or silence on the line, do not hang up and redial unless the silence lasts more than eight seconds. You will only delay your access to the Emergency Communication Center. When providing information about an incident, be as descriptive as possible. You may be asked to give identifying information about any persons or automobiles involved in the situation. The more information you can provide, the more information operators will be able to relay to responding units and prioritize your call appropriately. If the situation changes before help arrives, call 911 again and then give the operator an update.

Maintenance Emergencies

A burst pipe or broken fixture, a leaking roof, fallen tree, dangerous electrical malfunction, broken window glass, stopped-up sewage line, an entry door that will not open, a flooded entryway and other threatening problems constitute a maintenance emergency. To report a maintenance emergency during normal working hours (8:00 AM - 4:00 PM) call the **Resident Service Center 264-9644 (Press 1)**. **After hours and on weekends and holidays you will need to call HVMA Security at 264-4001.**

MAINTENANCE SERVICES—GETTING THINGS DONE

Requesting Ordinary Maintenance Services

Each Condo has designated one of its owners as a Maintenance Representative to serve as a liaison with the Maintenance and Management Office. With some exceptions, requesting repairs to the exterior of a unit or a garage, attic, patio, or deck requires consulting the Maintenance Representative and completing a Maintenance Work Request form. After the Maintenance Rep has signed the form, take it to the RESIDENT SERVICE CENTER IN THE MAINTENANCE AND MANAGEMENT OFFICE ON EAST HILL ROAD, or drop it off in the designated box near the front desk in the Activities Building, or the drive-by box outside of the Activities Building. Maintenance forms are available in both places. You can keep a few handy. [Query: will owners be able to use the HV website to submit work orders? If yes, then add copy here]

If the work is inside your unit, you must either be present, or indicate on the Maintenance Work Request form if workmen are permitted to enter in your absence.

The staff will try to help with maintenance problems but it should be understood that they have to be even-handed in providing service to 2,580 units in accordance with established policies and procedures. Understanding and mutual courtesy by unit owners and the staff will make it easier and more pleasant when maintenance services are required.

If you are renting and wish to request work for which the HVMA is not responsible you must obtain the unit owner's written consent. In an emergency, maintenance personnel will try to contact the owner for consent to the billable work, but they will respond to an emergency in any case.

Maintenance Work Request Procedures

The Resident Service Center responds to work requests based on when the request is received, priority values, and manpower availability. Manpower availability will depend on what seasonal or cyclical programs are taking place. Within five working days, the unit owner will be informed of the disposition of a work request and an approximate time for performance. If acknowledgement has not been received within two weeks file a second work request, mark it "second request", and send it to the Resident Service Center. If a second request hasn't been acknowledged, call the Condo Maintenance Representative to help resolve the issue.

ExceptionsIn an emergency call the Resident Service Center or Dispatch immediately. If the office is closed, other situations for which you may telephone Security for help are: malfunctioning TV cable reception; help changing a light bulb (resident to supply bulb); harmful pests in your unit, or to report a common area electric outage. Alternatively, report it by phone to the Resident Service Center (264-9644) during regular hours.

UNIT EXTERIORS—WHO TAKES CARE OF WHAT

In general, it is the HVMA's responsibility to maintain the common exterior elements of the buildings - siding, trim, decks, roofs, entries, attics, etc. The owner is responsible for the maintenance and repair of the interior of the unit. Should negligence on the part of the owner result in damage to common areas or another unit interior, the owner is responsible for that, too. The following details spell out this policy:

Siding and Trim Replacement and Repair

Siding and trim will be restained on a cyclical basis, using approved materials and preparation procedures compatible with that cycle length. Exterior doors, entry decks, unit decks, and sills will be treated on a more frequent cyclical basis, should wear require it. Siding and trim failures are addressed as part of the preparation for staining, unless such a failure affects the watertight integrity of the building. Rot or insect damage to critical structural members, like deck supports, will be addressed as emergencies. Termite infestations anywhere will be treated promptly.

Windows and Sliding Glass Doors

The Master Association will repair original windows and sliding glass doors, or replacements installed by the HVMA for necessary repairs, if they develop leaks in the double-pane seals, if their mechanisms fail, if they require weather stripping, or if broken from the outside. Work requests for this go directly to the Resident Service Center without the necessity of contacting the Condo Maintenance Rep. If windows or glass sliding doors are broken from the inside, the owner will be considered responsible. Windows and doors installed by owners are their responsibility.

Storm Windows, Doors & Awnings

These are optional items and the owner's responsibility, from installation to maintenance. Variances are required to insure that they meet uniform design and color requirements. Storm windows may be installed only on the inside. Sliding storm doors may be installed on the interior or exterior of a unit. New, more energy-efficient windows and sliding glass doors have been authorized for installation at owner's expense. These require variances to insure that design and installation requirements are met.

Screens

Responsibility for damage to screens will be determined by inspection, but the Operations department will repair screens without charge.

Decks and Patios

Owners may modify or enlarge their decks or patios with an approved variance but owners become responsible for the maintenance of the enlarged area of the patio. Also:

- Permanent or temporary screening is not permitted on either patios or decks without the prior written approval of the Board of Trustees and Operations is empowered to remove it, if the owner doesn't.
- Owners are responsible for general cleaning and cosmetic maintenance of decks and patios. If there is freezing of snow on a deck or patio that causes ice buildup against a door or wall, or, if clearing snow off the roof by the maintenance staff causes any accumulation of snow on a deck or patio, the HVMA is responsible for the removal of such snow.

- Should an enlargement or modification cause deterioration or damage to pre-existing decks or patios, the owner is responsible for repairs.
- Flower boxes and other decorative objects placed on railings require variances to be sure they don't cause damage or threaten injury.

Roofs

All roofs are the responsibility of the HVMA and no one other than authorized personnel or contractors are permitted on them, or on access ladders.

Gutters and Diverters

Only the HVMA personnel may add gutters or rain diverters to the structures except that rain diverters are not permitted on fiberglass shingles. Excessive, damage-causing runoff is determined by and becomes the responsibility of the HVMA. If an owner disagrees with a determination not to install such a device, the owner may, with an approved variance, undertake an installation at their expense.

UNIT INTERIORS—WHO TAKES CARE OF WHAT

Minor cosmetic repairs to walls and trim are the owner's responsibility. Any structural alterations made to building interiors or attic spaces require variances, must comply with applicable state and local codes, and are undertaken at the owner's expense. Contractors for this work must register with the Resident Service Center and provide the Manager with the necessary permits. Installation of an attic stairway requires the addition of a firewall in the attic between the attached units. A Building Permit from the Town of Southbury is required.

Attic Areas

The HVMA is responsible for attic maintenance. Alterations made to facilitate storage (folding staircases, bins, etc.) require variances and building permits and, like other interior alterations, are paid for and maintained by the owner. Also:

- Storage is restricted and is not the responsibility of HVMA. BOXES OF BOOKS, HEAVY FURNITURE, OR OTHER HEAVY ITEMS ARE PROHIBITED. The structures are not designed for such weights and damage may result.
- Excessive storage in an attic is prohibited.
- The HVMA doesn't compensate for damage to storage from whatever cause.

Public Halls and Closets

The Resident Service Center provides for cleaning common halls and the water heater closets of the fourplex units monthly from April to October and semi-monthly from November to March. Hall and stair carpeting will be shampooed each spring. Walls and woodwork will be painted periodically; carpeting will be replaced when it becomes unsightly or hazardous. THE STORAGE OF PERSONAL ITEMS IN THE COMMON HALLS AND CLOSETS IS PROHIBITED. Hallway windows will be washed in the spring and fall.

Electrical Wiring, Telephone Wiring, Gas Lines, and Plumbing

The HVMA is responsible for the repair of electrical service panels and for electrical wiring, gas lines and plumbing within the walls, above the ceilings or below the floors. If repairs require the removal of partitions, or slab drilling and repair, HVMA will restore the unit to original condition only. Owner-installed upgrades, such as wallpaper or paneling, crown moldings, higher quality carpeting, wooden or tile floors, will not be covered by the HVMA. (Private supplemental insurance is recommended for upgrades, furniture, and other personal possessions. The HVMA employs Claims Adjusters to manage property damage claims when needed.) The installation of different electrical fixtures directly to through-ceiling or through-wall junction boxes - chandeliers, ceiling fans, sconces, etc - requires a variance and a Building Permit from the Town of Southbury, undertaken at owner's expense.

Electrical, Gas and Plumbing Fixtures

These items belong to the owner and while certain parts and fixtures that were original may still be stocked by the Resident Service Center, the parts and labor costs are the owner's responsibility. Fixtures include light switches, outlets, sconces, chandeliers, fixed lights, sinks, tubs, toilets, faucets, and water heaters. There are some exceptions to be found in your documents under Article VII, Section 4 of the Restated Bylaws. Generally, if fixtures are not exempted under this Article, they belong to the unit owner.

Floors

The HVMA is responsible for standard grade flooring, such as vinyl squares (kitchen), ceramic tile in bathrooms, and carpeting throughout the unit, in case of water damage or fire.

Appliances

All the electrical appliances – stove, stove vent, refrigerator, dishwasher, garbage disposal, washer, dryer, hot water heater – and any damages to the owner's or neighboring units caused by the failure, leaking, or overflowing of these appliances – are the owner's responsibility entirely. However, for insurance purposes, in case of fire, which destroys parts of, or the entire unit, HVMA maintains coverage for replacement of standard grade fixtures and appliances. Residents' homeowner insurance policy should provide coverage for upgraded equipment.

Light Fixtures

The unit owner is responsible for bulb replacement. If a resident cannot change a bulb, the Resident Service Center provide for this service at no charge. Call 264-4001. The owner shall supply the bulb, which must be of correct wattage.

Water Damage

Walls, floors and ceilings – and their coverings – damaged by water from pipe failures, rain, sewage backup, etc will be repaired at the expense of the HVMA to the extent of repairing and replacing to original specifications. Upgrades and improvements are the owner's responsibility. Exceptions to HVMA responsibility are damage to either the resident's or a neighbor's unit caused by resident negligence. IMPORTANT REMINDER: To avoid burst frozen pipes, do not turn off the heat in your unit unless you are going away for the winter. In this case, Maintenance will drain the system and "turn off" the house to prevent damage. You must notify Maintenance to set up this work.

Pest Control

HVMA's Maintenance personnel will resolve insect infestations, defined as swarms of insects. Isolated insects or a few of them are the owner's responsibility. Termite infestations should be treated as emergencies. Animal intrusions – mice, squirrels, raccoons, chipmunks, etc. are common in this setting and Resident Service Center will put you on a list and attempt to clear them out in due course. Residents are discouraged from feeding or making pets of wild animals. These animals may also carry ticks and other vermin.

Trim (Wood, Metal, Ceramic, Etc.)

Interior doors, trim, facings, surfaces, bathroom tile, fireplace housings and hearths, cabinets, countertops are all the responsibility of the owner. Should failing tile cause water damage in your unit or adjacent units, you must pay for repairs.

Smoke Detectors

Owners must provide these devices and maintain them in good order.

Carbon Monoxide Detectors

These devices are strongly recommended for residents in Carriage House and Two-Car Berkshire units where cars are parked beneath the living area. Allowing a car to idle in garages is prohibited. There are signs posted prominently in all these garages as reminders. All cars should be parked head in.

Asbestos

If Asbestos Containing Materials (ACM) abatement removal and secure disposal is required, it must be performed by a licensed, certified contractor in accordance with established federal, state, and local regulations. The ceiling paint and the floor tiles are part of the unit and are the owner's responsibility. However, the HVMA will be responsible for the ACM removal in the following situations:

- Water leaks from the exterior of the building damage the ceiling. The HVMA will be responsible for the repair of the ceiling which will first require the removal of the ACM by the HVMA.
- Water leaks into the ceiling from pipes, fixtures, or appliances above the ceiling. When the leak occurs in a common element, the HVMA will be responsible for the repair of the ceiling which will first require the removal of the ACM by the HVMA. If it is determined that the leak was caused by the negligence of either the unit owner or the upstairs unit owner, then the negligent party will be responsible for the cost of the repair. If the leak occurs in a fixture or appliance in the upstairs unit, then the owner of the upstairs unit will be responsible for the cost of the repair.
- Sagging or cracked ceiling; the HVMA will be responsible for the repair of the ceiling which will first require the removal of the ACM by the HVMA.
- HVMA finds it necessary to cut a hole in the ceiling to access a common element above the ceiling. This will also require the removal of the ACM by the HVMA.
- HVMA has to remove portions of the floor in order to access common element pipes under the floor. If this involves first removing floor tiles containing asbestos, the HVMA will be responsible.
- Some of the situations described above may be covered by either HVMA or unit owner insurance.

Complete Asbestos Management Policy is on file in the HVMA Executive and Management Offices.

Chimneys and Fireplaces

The resident is responsible for chimney and fireplace cleaning and for repair and maintenance of the interior/exterior firebox from the flue down, and for the hearth. The HVMA is responsible for the repair and replacement of chimney flues, dampers, flashings and caps that were installed by the developer. The resident must arrange for periodic cleaning, and if there is a problem with the installation, a call should be made for an inspection by an approved service, and an Inspection Certificate obtained from the service Company. Under no circumstances may there be any installation of a device in the fireplace to increase the production of heat. Burn only aged hardwood such as fruitwood - do not burn pine or use compressed or artificial logs because such use causes buildup of creosote in the chimney.

HEATING AND AIR CONDITIONING

The HVMA is responsible for maintaining in satisfactory working order the heating systems in all Heritage Village units. This includes

- Non-Enerjoy® radiant heat ceiling panels installed by the developer and those panels that may have been subsequently replaced by HVMA.
- Baseboard heating units installed by HVMA as a replacement alternative to radiant heat ceiling panels.
- All elements of the Total Comfort heating-air conditioning system dedicated exclusively to heating at any time and during the period October 1 through May 31 any element of this system

common to heating and air conditioning. Repair or replacement of humidifiers, electrostatic air filters or complete systems are excluded.

- Enerjoy® ceiling heat modules installed prior to May 26, 1998 as an alternative to radiant heat ceiling panels by HVMA or by individual unit owners after issuance of an approved variance. HVMA no longer offers this alternative.
- Original thermostats installed by the developer will be re-calibrated by HVMA at a modest charge.
- Maintenance of the air conditioning systems is the unit owner's responsibility and should be performed by an authorized representative of the air conditioning unit manufacturer. Window or interior-exterior wall-through air conditioners are not permitted.

MAKING CHANGES TO A UNIT

Any change you want to make, other than a decorating change such as a carpet upgrade, will probably require a variance. Do not try to repair or alter the wiring, the plumbing, or the structure, no matter how handy you are, because it could be dangerous. For example, in most units electric heating cables are contained inside the gypsum panels of the ceilings. They're only two inches apart and if a metal tool or fastener should contact a live one, they're charged enough to deliver a fatal shock. HVMA will not pay the cost to reinstall or replace an upgraded item.

Upgrades

Wallpaper, wood flooring, linoleum, ceramic tile (other than 4" x 4" bathroom tile), ice-maker lines, dishwasher lines, new faucets, cabinets, and counters are owner responsibility. Whether you, or a previous owner, made these upgrades, you are responsible for maintaining them. If they must be removed or replaced to perform a maintenance task, it will be at the owner's expense. HVMA is responsible for restoring the unit to its original condition as it was sold by the developer.

Landscaping changes, with the exception of planting the existing beds with flowers, also require variances, to protect other owners' rights, to avoid interfering with normal maintenance, to prevent striking an underground utility - like an electrical cluster main - and to avoid structural damage.

Variances

A variance is an exception granted by the HVMA to the unit owner and immediate neighbors. Therefore, no variance request should violate the rights of any unit owner currently living in the area, and may be granted only if the adjoining neighbors have knowledge of it and are agreeable to the request.

The forms, when filled out and checked by the Condo Maintenance Representative, are filed with the Resident Service Center. Condo Maintenance Representatives are responsible for all requirements to be met on these variance forms.

If the variance involves the building structure and the variance is not controversial, the Village Manager will authorize the variance. You will be required to arrange for an outside contractor to do the job.

If the variance is without clear precedent or is potentially controversial, the Buildings Committee must approve the change, and the Executive Committee must ratify it.

If the variance is to be on common or limited common property, the appropriate Committee must approve the request before the Manager can issue the variance. The unit owner will be advised of any underground utility lines in the area of the variance and it becomes, then, the responsibility of the owner or his agents to avoid them.

Appeals

Should a variance request be rejected, you may appeal to your Condo Board. If you obtain this Board's support, the Condo Trustee will be instructed to raise the issue with the HVMA Executive Committee, whose decision on the matter will be final.

Compliance

Unit owners are responsible for the installation and construction of approved changes and for subsequent maintenance. They are also responsible for seeing to it that the changes are made in compliance with the plans approved. If the changes differ from what was approved, the Board of Trustees can demand compliance, and if that is not accomplished within 30 days, the Board of Trustees can authorize the Manager to make the necessary corrections and bill the owner for it.

Details of Buildings Maintenance

In general, it is the HVMA's responsibility to maintain the common elements of the buildings -siding, trim, decks, roofs, entries, attics, etc. The owner is responsible for the maintenance and repair of the interior of the unit. Should negligence on the part of the owner result in damage to common areas or another unit interior, the owner is responsible for that, too. The following details spell out this policy:

Unit exteriors

- Coatings - Siding and trim will be restained on a cyclical basis, using approved materials and preparation procedures compatible with that cycle length. Exterior garage/carport doors, entry decks, unit decks, and sills will be treated on a more frequent cyclical basis, should wear require it.
- Siding and Trim Replacement and Repair - Siding and trim failures are addressed as part of the preparation for staining, unless such a failure affects the watertight integrity of the building. Rot or insect damage to critical structural members, like deck supports, will be addressed as emergencies. Termite infestations anywhere will be treated promptly.
- Exterior Wooden Doors - Outside wooden doors will be weather-stripped if warped or if weather stripping has failed. If doors warp more than a half-inch, they will be replaced.
- Windows and Sliding Glass Doors - The Master Association will repair original windows and sliding glass doors, or replacements installed by the HVMA for necessary repairs, if they develop leaks in the double-pane seals, if their mechanisms fail, if they require weather stripping, or if broken from the outside. Work requests for this go directly to the Resident Service Center without the necessity of contacting the Condo Maintenance Rep. If windows or glass sliding doors are broken from the inside, the owner will be considered responsible. Windows and doors installed by owners are their responsibility.
- Storm Windows, Doors & Awnings - These are optional items and the owner's responsibility, from installation to maintenance. Variances are required to insure that they meet uniform design and color requirements. Storm windows may be installed only on the inside. Sliding storm doors may be installed on the interior or exterior of a unit. IMPORTANT REMINDER: New, more energy-efficient windows and sliding glass doors have been authorized for installation at owner's expense. These require variances to insure that design and installation requirements are met.
- Screens - Responsibility for damage to screens will be determined by inspection, but the Operations department will repair screens without charge.

- Decks and Patios - Owners may modify or enlarge their decks or patios with an approved variance but owners become responsible for the maintenance of the enlarged area of the patio. If a deck or patio is enlarged beyond 72 square feet, the owner becomes responsible for the maintenance of that overage, too. Also:
 - Neither permanent nor temporary screening is permitted on either patios or decks without the prior written approval of the Board of Trustees and Operations is empowered to remove it, if the owner doesn't.
 - Owners are responsible for general cleaning and cosmetic maintenance of decks and patios. If there is freezing of snow on a deck or patio that causes ice buildup against a door or wall, or, if clearing snow off the roof by the maintenance staff causes any accumulation of snow on a deck or patio, the HVMA is responsible for the removal of such snow.
 - Should an enlargement or modification cause deterioration or damage to pre-existing decks or patios, the owner is responsible for repairs.
 - Flower boxes and other decorative objects placed on railings require variances to be sure they don't cause damage or threaten injury.

CARPORTS AND GARAGES [QUERY: ADD A SENTENCE OR TWO ABOUT LIMITING THE AMOUNT OF MATERIAL THAT AN OWNER CAN STORE IN HIS/HER GARAGE?]

Roofs

HVMA will maintain roofs. Owners who want gutters for roof water runoff may obtain a variance and request installation, at owner's expense.

Siding and Trim

The HVMA will repair, replace and stain siding and trim on garages on the same schedule as their associated residential units. The HVMA will also correct damage or warping to trim which interferes with the operation of overhead doors - unless damage was caused by owner negligence.

Floors

The HVMA will repair significant damage or wear to floors, but not minor cracks, waves or depressions. Floors will be swept out seasonally and owners will be notified in advance so cars may be removed and garage doors left unlocked.

Garage Doors

Unit owners are urged to install overhead doors of an approved type. From time to time, arrangements will be made with local contractors for bulk prices to facilitate and encourage the process. Variances are required to assure proper specifications are met. Owners are responsible for the carport doors and the original painting of these doors, both inside and out, and all mechanical and electrical maintenance thereafter. Future painting will be done by the HVMA. Garage doors under Carriage Houses and Two-Car Berkshires, where garage doors were original equipment, are maintained by the HVMA.

Automatic Door Openers

These appliances are owner responsibilities. Variances for new installations are required to assure that proper specifications for safety and durability are met.

OTHER STRUCTURES

Garbage Bins, Mail Boxes,

These will be repaired and restained or painted on the same cycle as the residences. Damage due to negligence will be billed to the responsible party.

Divider and Privacy Fences

Owners may install dividers and privacy fences at their own expense upon receipt of a variance approval. Owners must bear the cost of original staining, but the HVMA will stain thereafter.

Hand Rails

Additional handrail installations may take place under the following conditions: If the walkway to be protected is pitched at an angle of seven degrees or more from horizontal, the HVMA is responsible for installation and maintenance of the hand rail. If pitch is less than seven degrees, but at least four degrees, a unit owner may seek a variance and upon approval have a railing installed at their expense. If the pitch is less than four degrees, hand railings are not authorized. The HVMA will maintain and paint railings in either case.

LANDSCAPING

Landscaping is under the supervision and care of the HVMA and its obligation is to maintain the common areas in a manner consistent with original status. Because trees and shrubs die and others prove unsuitable for climate/soil conditions or maintenance needs, changes have taken place over the years and these will continue.

Over the years, residents have planted around their units and the limited common areas. Once these plantings are made, their care becomes the responsibility of the owner. If the foliage of these plantings at maturity touches any of the structures, the Maintenance Staff may be directed to correct the violation at owner expense. The attachment of trellises to any part of a unit is not permitted.

All requests for landscape care or tree and shrub replacement are to be made through the Condo Maintenance Rep.

Trees and Shrubs

The Tree Care Supervisor will make reasonable efforts to conserve native trees and ornamentals originally planted by the developer. Should trees fail, the Tree Care Supervisor will determine whether a replacement of either the original type or of another type is needed or appropriate. If an owner-planted tree should fail and the owner does not replace it, the Maintenance Staff will remove the dead tree, return the area to lawn, and bill the owner.

Tree Care

Tree trimming, topping and pruning, as well as removal of dead or failing trees, will be carried out on a cyclical basis. Work requests concerning trees that pose hazardous or unusual conditions will be honored; but requests for ordinary trimming between cycles will not.

Shrubs and Foundation Plantings

The Maintenance Staff maintains shrub, foundation, or ground cover plantings. Should a foundation plant die, it may or may not be replaced at the discretion of the Pruning Supervisor. Should an owner-planted shrub die, it is the owner's responsibility to replace it or return the area to original condition. Should an owner have made extensive changes in the planting area, the owner becomes responsible for its entirety. The Maintenance Staff reserves the right to replace original plants with types that may be more suitable for conditions of location, soil, or maintenance.

Shrub Pruning

Shrubs will be pruned if they darken windows, crowd in on the structure, intrude on paths, interfere with exterior maintenance, or cause excessive dampness to unit exterior. This will take place in connection with regular maintenance cycles. Work requests are discouraged for this annual program.

Extra Planting by Residents

An owner may change existing shrubbery for something of his/her own choice, or plant additional shrubs, trees or ground cover on condition that the plant foliage at maturity will be a minimum of 18 inches from the unit exterior, and that a variance is obtained. Upkeep then becomes the owner's responsibility. If owners fail to do this, they become responsible for restoring the ground to comparable original condition, and will be billed for it if the Maintenance Staff must do it. Similarly, a new owner becomes responsible for plantings put in by preceding owners. No variance is required for flower planting in existing beds. It is, in fact, encouraged. IMPORTANT REMINDER: Check with your neighbors or local horticulturalists before you plant expensive bulbs or plants since wild animals such as deer and rabbits may feast on your plantings.

Underground Sprinkler System

Sprinkler systems in flowerbeds immediately adjacent to a unit are permitted as long as the Landscape Committee and Village Manager approve a Variance Request, and meet the following specifications:

- All water pipes are to be buried in the planting bed. No pipes above ground will be allowed except where the pipe(s) hook to the hose bib.
- No pipes, sprinkler heads, or other components shall be attached to the building in any fashion.
- All water discharge heads (sprinkler, mist, drip, etc.) shall be sized to place water in the planting bed only and not on the structure or the lawn area.
- Where water supply line must cross walkways, installation shall be in a conduit under the walk. The conduit shall be driven under the walk and no asphalt will be allowed to be cut or removed.
- If a water supply line must cross a section of lawn, the line may be buried and the area restored to original condition by the installer (unit owner).
- The unit owner is responsible for the proper Winterization of the Irrigation System.
- Should any damage, either to the structure, foundation or surrounding grounds area, be caused by the failure of the Irrigation System, the unit owner assumes all responsibility for the proper repair of the damage.

LAWNS AND NATURAL AREAS—THE GLORY OF HERITAGE VILLAGE

Natural Areas

The natural beauty of Heritage Village was probably one of the reasons why you chose to move here. Remember, however, that this is the country and areas not landscaped are not maintained other than for removal of dead trees, correction of serious erosion and encroachment into maintained areas, and elimination of fire hazards. This will be done in the late fall and winter.

Meadows

These open, wild grass expanses provide habitats for birds and small animals. They are cut twice a year, in the early spring and fall, or when the grass exceeds 12 inches in height.

Lawns

Areas mowed as lawn will be determined by the Field Supervisors, but generally they are adjacent to units and within cluster courts. During the growing season lawns are mowed weekly, except during dry

spells. Mowing height is determined by what is good for the grass in given weather conditions. Grass clippings are not picked up but paved areas and patios are blown clear. Lawns must be kept free of patio furniture, bird baths, statuary, garden hoses, etc., to facilitate this process. Village Management is not responsible for damaged personal items that are in the lawn areas.

Lawn Watering

Residents are encouraged to water lawns and planting beds during dry spells. When temperatures go above 80° F., this is most efficiently done before 10 AM and after 4 PM. Daily sprinkling is not recommended; however, a thorough soaking of from 30 to 45 minutes every four days is better. Hoses should be disconnected, drained, and stored, and outside hose cocks completely emptied and closed before the onset of frost to prevent freeze-ups.

Lawn Maintenance

Fertilizers weed killers and other lawn conditioners are applied, as required, by the Grounds Department. Residents are discouraged from applying their own. Restoration and rehabilitation of lawns is on a programmed basis. The Maintenance Staff makes available seed, mulch, topsoil, etc., to the resident who wishes to undertake spot lawn care repair.

Fall and Spring Cleanup

In the fall, leaves will be removed by the Maintenance Staff from lawns, shrub beds, courtyards, and paved areas. In the spring, leaves will be removed from border areas, shrub and flower beds, and winter debris will be removed from other areas. Sand spread during icing conditions will be removed from paved and adjacent lawn areas. Damage caused by snow removal to lawns, beds, plantings, etc., will be repaired.

Drainage, Runoff and Erosion

The HVMA is responsible for restoring eroded areas and installing or repairing gutters, catch basins, storm drains, watercourses and culverts necessary for proper storm drainage. These installations will be cleaned semi-annually.

ROADS AND PATHWAYS—UP AND DOWN AND ALL AROUND

Paths and Outdoors Steps

Walkways and steps will be kept in repair and free of hazards. Major damage, as with holes, or root heave, will be repaired. Residents should notify the Resident Service Center that such conditions exist. Cosmetic changes - minor cracks, slight depressions, and color changes - will not be repaired.

Roads and Parking Areas

Village roads, parking areas and carport driveways will be kept in repair and free of hazards, as will roadway or barricade railings. East Hill Road, New Wheeler Road, Poverty Road, North Poverty Road, Old Poverty Road, and Hill House Road are owned and maintained by the Town of Southbury.

Snow Removal

Welcome to New England! During a storm first attention is devoted to keeping roads open at all times and assuring that ambulance and other emergency services can operate. Plowing and shoveling driveways, carport areas, sidewalks, steps, and doorways will be scheduled as necessary. Snowfalls of significant magnitude may necessitate earlier intervention. Roads, driveways, carport areas, and walkways will be treated, as conditions require. A container of material for use by residents will be kept in a designated and accessible place in the clusters. **IMPORTANT REMINDER:** The Village is divided into five areas for cluster cleaning purposes. Each condo area gets priority, on a rotating basis, with succeeding storms. This priority schedule is broadcast on HVMA Channel 14, as is snow removal operational status.

WATER DAMAGE

Walls, floors and ceilings – and their coverings – damaged by water from pipe failures, rain, sewage backup and the like will be repaired at the expense of the HVMA to the extent of repairing and replacing to original specifications. Upgrades and improvements are the owner's responsibility. Exceptions to HVMA responsibility are damage to either the resident's or a neighbor's unit caused by resident negligence.

PEST CONTROL

Maintenance will clear up insect infestations, defined as swarms of insects. Isolated insects or a few of them are the owner's responsibility. Termite infestations should be treated as emergencies. Animal intrusions – mice, squirrels, raccoons, chipmunks, etc. are common in this setting and Grounds Maintenance will put you on a list and attempt to clear them out in due course. Residents are discouraged from feeding or making pets of wild animals.

SIGNS

No signs ("for sale", "open house", "for lease", "tag sale", "garage sale", or other like commercial signs or advertising) shall be displayed outside a unit or displayed in a window, or in any part of the limited common areas or common areas unless at the direction of HVMA

GARBAGE AND TRASH COLLECTIONS

Garbage and trash are collected twice weekly. Garbage must always be bagged and placed in a covered can inside the garbage sheds. While most cans are marked with unit numbers, they are commonly held. Overflow garbage may be placed in any container with sufficient room. You are also encouraged to use the under-sink garbage disposal unit to minimize organic garbage. Trash and yard debris should be tied neatly or bagged and placed next to garbage sheds the evening before pickup. Hazardous waste is to be disposed of following specific instructions that appear from time-to-time in the Master Association Report. **Additional information about appropriate procedures is available by calling the Town of Southbury (262-0647).**

RECYCLING

The Town of Southbury recycles newspapers, aluminum foil, corrugated board and metal, glass and plastic containers on a bi-weekly basis. A blue recycling basket must be purchased from the Town and kept in each garage and placed outside the night before collection. The Town landfill will accept other materials, including parcels of waste paper other than newsprint. Car stickers for town residents are available from the shed at the recycling station located on Kettletown Road.

TELEVISION/FM RADIO

The HVMA maintains a TV and FM radio master antenna and an underground cable system into each home. Outlets are located on the walls in units. Commercial cable TV companies may supplement this service for a fee. **(For information, call 270-9431.)** The HVMA is responsible for maintenance of the basic facility. Service interruptions may be reported to the Resident Service Center at 264-9644, Press 1.

INSURANCE

The HVMA carries property and liability insurance for all the common insurable property, including your dwelling unit's structure. You are responsible for insurance on any personal property inside or on the limited common property associated with your unit. This includes but is not limited to, any upgrades on such items that may have been made in your unit. You should check periodically with your insurance

agent to maintain adequate coverage. Should a claim develop, the HVMA has on staff a Claims Coordinator to help you in coordinating between Village and your own insurance.

MAINTENANCE CHARGES

Monthly maintenance fees are due by the 25th of each month and must be received in the Accounting Office on the 25th of each month by 12:00 Noon, or there will be a late payment charge. It is recommended that payment be made by electronic transfer from your bank. This system, called EASYPAY, may be arranged for by your local bank. Maintenance payments through EASYPAY are deducted on the 10th of each month.

RULES SUMMARY

Overview

Heritage Village is a covenanted community. The following identifies the covenants most likely to affect you, contains the amplifying rules and regulations, and serves as a guide to neighborhood resources and procedures.

By becoming resident of Heritage Village, we voluntarily give up some freedom of action we formerly exercised as homeowners or tenants. That freedom must necessarily be prescribed by "Rules" which set forth guidelines for our conduct in furtherance of the common welfare within the condominium units, limited common areas, and common areas of the 24 integrated condominiums constituting Heritage Village.

The Board of Directors of the Heritage Village Master Association asks all residents to remember that responsibility and privileges go hand-in-hand. The Board has an obligation to insure that the rights and privileges of all residents are protected from acts by those who choose not to observe the rules designed to provide for the safety of Village residents, to protect their property values, to maintain the attractive appearance of the community, and to encourage neighborly relationships.

All owners/residents should familiarize themselves with these rules and regulations as well as with policy, practices, and decisions adopted by the Board of Trustees of the Heritage Village Master Association.

The following is intended as a summary of the provisions that are contained in the Declarations and By-Laws of the member condominiums and in the Bylaws of the Heritage Village Master Association.

Responsible Parties

A person having title to or the right to reside within a unit shall be subject to the provisions of rules, regulations, and policies promulgated by the HVMA Board of Directors. The owner of a unit is responsible for any rule violation committed by a family member, tenants, guests, employees, or independent contractors.

Restrictions on Occupancy

The occupancy of units is limited to one family. Occupants of a unit must be at least 55 years of age or:

- if husband and wife, only one need be 55
- if members of "1" family only one need be 55
- if a surviving spouse, any age, if deceased resident spouse was at least 55
- a child at least 18 years old residing with one or both parents, one of whom is at least 55

Restrictions on Transferability

Ownership of a unit may not be transferred nor can a unit be leased without first obtaining the written consent of HVMA which can only be initiated by the unit owner paying the required fee for a waiver of "the right of first refusal."

An owner cannot be the beneficial owner of more than two units at any one time. A waiver of the first right of refusal to purchase or lease must provide the purchaser/lessee with notice that the title about to be transferred or the right of occupancy, as the case may be, is to be subject to all of the terms and conditions of the Declarations, Bylaws, Rules and Regulations appertaining to such unit.

Prior to taking occupancy a new owner or renter must provide the HVMA Management office with a copy of his deed or lease, as the case may be.

A rental shall be for no less than 3 consecutive months. A unit owner may not rent a unit more than once in any twelve consecutive months.

Restrictions on Use

Interference with General Welfare

An owner/resident shall not use his unit to unreasonably disturb or interfere with the health, general welfare, well-being, or safety of another unit owner/resident. Except as otherwise provided (Safety and Security Department Officers), the Rules Adherence Committee shall initially be charged with the responsibility of interpreting this and all other Rules.

Observance – Federal, State, County and Local Statutes

Unit owners/residents shall observe all valid laws, zoning ordinances and regulations of those governmental bodies having jurisdiction over the occupancy of the unit. In addition to any fine resulting as a violation hereof, the unit owner/resident shall remove or correct the governmental violation etc. at his/her own expense.

Prohibited Practices – Business/Commercial

No industry, business, or trade of any kind shall be conducted or permitted in any unit. Consultative services that do not unreasonably affect the residential character of the unit and Village may be conducted if customer/clients do not visit the unit for such service. Such services shall not be publicized or advertised except by phone number

Structural Changes – Unit – Limited Common Area

Unit owners cannot make or permit to be made any structural change to a unit, limited common area or a common area without first obtaining the written consent of the Heritage Village Manager, and if necessary, the consent of the Heritage Village Building Committee and Heritage Village Executive Committee. Upon the Village Manager's written notification, any structural changes made without a variance shall be restored at the owner's expense. If a unit owner obtains a variance for a structural or landscaping change, and then alters the permitted changes, they may incur the expense of bringing the changes into compliance with the granted variance.

Storage of Hazardous Materials

Owners/residents are prohibited from maintaining or storing within the unit [Query: add and garages and carports?]Hazardous materials (i.e., kerosene heater, flammables, pesticides harmful to humans)

HVMA Management – Possession of Passkeys

Except for 2-car Berkshire garage doors, all unit owners/residents shall furnish the HVMA with passkeys to all current locks installed on their unit and garage doors.

Exterior Painting

No owner/resident, his agent, or employee shall paint, stain, or change the exterior color of any portion of the unit or the building within which the unit is located.

Smoke Alarm Detectors

Except for units in a "fourplex", every owner/resident, at his/her own cost and expense must properly install and maintain within his/her unit at least two smoke detectors approved by the National Fire Prevention Association.

Plumbing Precautions

Between October 1, and March 31 a unit owner/resident shall not leave his/her unit for any period without taking reasonable precautions (thermostat settings, draining of the system, etc.) to prevent freezing/bursting to the plumbing system. IMPORTANT REMINDER: Check with Maintenance about what you need to do if you plan to be away during the winter months.

Emergency Entry for Repairs

At all times a unit owner/resident shall reasonably cooperate with HVMA Management by permitting prompt entry into his/her unit solely to make emergency repairs to such unit or to an adjacent unit.

Restrictions on Outdoor Cleaning

A unit owner/resident shall not hang or place objects such as rugs, clothes, sheets, blankets, laundry etc. on the outside of a unit or on any window, door, balcony, patio, terrace or upon any other portion of the limited common area or common area, nor shall rugs or mops be shaken outside above the ground floor level.

Common and Limited Common Area Restrictions

General Restrictions

The limited common area and common areas and facilities shall only be used for furnishing services for which they are designed and intended. An owner/resident shall place nothing upon the same or do anything thereon if by such action an unreasonable nuisance or safety hazard is created.

Storage on Limited Common Areas Including Garages and Carports

No owner/resident shall store or permit the storage of any of his/her property or effects in his garage or carport, or upon the common or limited common areas reserved for the use of his/her unit, if by such storage he/she endangers others or interferes with ready access to such areas by Village Safety and Security Department Personnel, Southbury Firemen, or other Municipal Service Providers responding to an emergency.

- Garages and carports are assigned to specific units by the original Declarations and under no circumstances may they legally be exchanged between residents.
- No unit owner/resident shall cut or alter the rafters above his/her designated area in a garage or carport. Nothing shall be stored on the rafters except lightweight articles which do not compromise structural integrity and are adequately secured.
- Except for two car Berkshires, an owner/resident shall not install or permit to be installed any electrical appliance (including but not limited to workshop equipment, electrically powered tools, freezers, or refrigerators) in any garage or carport.

- Except for two car Berkshires, garages equipped with remote electric door openers must be accessible from the outside for use by the Village Safety and Security Department in the event of an emergency. One garage in each garage group must have an emergency door release on the outside.
- The storage closet in each garage or carport is the only storage area to be used within the same by owners/residents except for items which do not impede passage, including bicycles. These should not block passageways.
- Owners/residents are prohibited from storing hazardous materials i.e. kerosene heaters, flammables (kerosene, gasoline, paint containers, paint thinners) anywhere in their garages, carports or limited common areas.
- Without a variance, firewood may not be stored in common or limited common areas, and may only be stored in a garage or carport if it is stacked at least three (3) inches from a wooden wall and is shielded from the wall by a plastic sheet. The amount stored shall not exceed 3' in height, 4' in length and 18" in depth. This is to prevent termite infestation.

Common Vestibules, Halls, Stairways

Vestibules, public halls, and stairways common to two or more units are to be used for no purpose other than normal transit through them. Query: Seems to contradict what was stated earlier about fourplex hallways. Change or delete?]A limited amount of decoration may be placed and maintained in the hall at owner/resident's sole risk, provided it does not create a fire or other safety hazard as determined by the Southbury Fire Marshal or Village Safety and Security Department, or is in contravention of any other Rule which may be set forth herein.

Patios, Decks, and Balconies

Every unit owner/resident must keep his/her unit and any patio, deck, or balcony to which he/she has sole access reasonably clean, free of debris, and in safe condition. Barbecuing on wooden decks, balconies or under patio awnings is prohibited. The placement of anything on deck or balcony railings as to create an unreasonable danger to third parties is prohibited.

- An owner shall not enclose in whole or in part by screen or lattice any patio, deck, or balcony, nor shall he/she install a floor covering on any deck or balcony without a variance approved by the Village Manager, the HVMA Building Committee, and the HVMA Executive Committee.
- No awning may be installed until its size, color, and material have been approved by a variance.

Walkways and Driveways

Bicycling, roller-blading, and skateboarding shall not be permitted on any Heritage Village paths or walkways or within Cluster driveways.

Common Area Variances

Only an owner may request a variance. If such request affects a common area he/she must first obtain the consent of neighboring unit owners.

Outdoor Decorations

Absent a variance, owners/residents shall not hang or permit anything to be hung or displayed on the outside of windows, doors, or walls of a building or unit. No awning, canopy, shutter, banner, radio, or television antenna shall be affixed to or placed upon the exterior walls, doors, roof, or any part thereof (gutters, diverters) without first securing a variance.

- Notwithstanding the foregoing, generally accepted decorations and accessories (thermometers, hanging baskets, knockers or name- plates) or the hanging of seasonal or holiday decorations are permitted, if they do not obscure the resident's nameplate or his unit number.
- The United States flag may be displayed, but the flagpole may not be placed in a lawn area.

- Underwriters Laboratory Approved temporary outdoor wiring for decorative holiday lighting is permitted provided it does not obstruct walkways or pathways and provided further that it is not connected to a common area electrical outlet.

Landscaping Restrictions and Variances

Except for flowers planted in the border immediately adjacent to his/her unit or as otherwise permitted by Village policy, no owner shall plant or permit the planting of any flowers, vines, shrubs, trees or vegetables nor shall he/she later, damage, destroy or remove any sod, grass, ground coverings, plants, flowers, shrubs or trees in the common area without first obtaining a variance. No variance will be granted for new plantings where any portion of the matured plant will grow closer than eighteen inches to units or garages. Any such planting shall be removed and the ground will be restored to its original condition for which the unit owner shall be billed, upon written notice from the Rules Adherence Committee. All debris resulting from owners' changes in the common area is their responsibility for disposal.

Poisonous Pesticides

Owners/residents shall not apply poisonous pesticides harmful to humans and pets on the limited common areas or common areas.

Outdoor Washing of Motor Vehicles

No owner/resident or guest/invitee/employee thereof shall wash a motor vehicle anywhere but on a Village asphalt driveway and then only with plain water.

Canvassing or Solicitation

Canvassing or solicitation of any funds in the Village Community is not permitted except for those approved organizations formed by Village residents for nonprofit purposes and for use within the Village.

Trash, Rubbish and Debris

Rubbish, debris or like materials shall not be disposed of in the limited or common areas, but the resident shall place the same in plastic or paper bags, depositing them into garbage cans located in bins provided by HVMA for such purpose (one can per unit).

- Only if there is insufficient room for trash etc. in his/her can may a resident place trash etc. in the can of another resident.
- If there is no space in a can, garden clippings, leaves, discarded plants and flowers must be put into plastic garbage bags and placed next to the garbage bin on the eve of a collection day.
- Recycling containers belong to the Town of Southbury and must be kept within the resident's garage or carport until the eve of collection day and when emptied, returned to his/her garage.
- It is the sole responsibility of the resident to provide for removal of all trash, rubbish and debris that does not qualify for pick up by the Village's waste disposal vendor. This material can be disposed of at the Town's recycling center on Kettletown Road. Residents should check beforehand with the official at the center before dumping refuse in the dumpsters there.
- No more than two pets, including authorized "service animals" if any, as defined by Federal or Ct. State Statute may be kept in a resident's unit.
- No pets of any kind may be kept, bred, or maintained in a unit for any commercial purpose.
- Any pet causing injury to people or property within the Village or causing an unreasonable disturbance on more than one occasion must be removed from the resident's unit following 30 days written notice from the Rules Adherence Committee in addition to the fine imposed by the Committee.

- Under no circumstance shall any pet (dog or cat) be permitted in any portion of the common area unless carried or attached to and restrained by a leash no longer than 10 feet in length.
- One harboring a pet or "service animal" shall be responsible for clean up and sanitary disposal of its waste.
- Bird feeders are prohibited where the feed or bird droppings might fall on a deck or patio below.
- Pets, only if leashed or caged, may be kept on a resident's patio, deck, or balcony if in the presence of the resident.
- Pets may not be kept on a stake in any common area.
- Animal waste may not be disposed of in Village ponds or drains.

Motor Vehicle Rules

Motor Vehicle Registration

No later than 30 days following the commencement of residency, a resident must obtain from the HVMA Safety and Security Department and properly display on all motor vehicles he/she now or hereafter owns, leases or generally uses (regardless if actually registered or of the actual State of registration), an approved Heritage Village motor vehicle identification sticker.

- At no time shall a resident operate his/her owned, leased, or generally used motor vehicle on a Heritage Village roadway, or park that vehicle in a garage or carport or in any Village parking space unless that vehicle bears a current State registration plate and a Heritage Village motor vehicle identification sticker.
- A unit owner/resident who neither owns leases nor generally uses a motor vehicle may rent or permit his garage or carport to be used only by another Heritage Village resident. Garages or carports may not be used to store a vehicle belonging to a non-resident. A guest of an owner/resident may temporarily park his/her vehicle in such garage for a period not to exceed 30 days.
- All Connecticut Motor Vehicle Laws shall apply to motor vehicles driven by residents upon Village roadways. All residents and visitors must observe the following posted Village traffic signs: full stop, one-way, handicapped parking, prohibited parking, and shall not park within ten feet of a fire hydrant.
- The Heritage Village Safety and Security Department is authorized to ticket owner/resident operators for violations of the following Rules affecting motor vehicle operation or parking within the Village: 4-M; 4-M(i); 4-M(iii); 4-M(v); 4-N; 4-N(iii); 4-N(iv); 4-O; 4-O(ii); and 4-O(iii). Owners or users of garages located below a Carriage House or two-car Berkshire units shall not back their vehicles into such garages nor shall they idle the engine of any vehicle therein.
- The Heritage Village Safety and Security Department is authorized to ticket or take other approved actions against owner/resident operators of motor vehicles for violations of these Rules affecting Motor Vehicle Requirements, operations or parking within Heritage Village.

Motor Vehicle Daytime Parking

Parking of a motor vehicle of any type is not permitted on any Village road, driveway, walk or unpaved area except in areas designated for parking.

- Commercial vehicles and motor vehicles bearing CT combination registration plates may park on Village roadways or driveways solely for quickly completing deliveries, pick-ups or for servicing a Condo unit no later than 9:00 P.M.
- When not in use, owners of passenger motor vehicles including motorcycles and mopeds are urged to park such vehicles in assigned garages or carports.
- Without the resident's consent, parking or unloading is not permitted in the driveways adjacent to two-car Berkshire units.

- Except as otherwise specifically permitted, trucks, trailers, campers, motor homes, recreational vehicles or boats owned by residents or others may **NOT** be parked any place in the Village.

Motor Vehicle Overnight Parking

After 11 P.M. a resident's first passenger motor vehicle, motorcycle, or moped may not be parked in the parking spaces provided in his/her Cluster, but such vehicle must be parked in his/her assigned garage or carport to allow emergency or maintenance vehicles unimpeded access to Cluster parking areas.

- Residents owning additional passenger motor vehicles should attempt to obtain garage space for same, but if not possible, such vehicle(s) should be parked (day or night) in the least used designated parking space(s) provided in his/her Cluster.
- Guests of a resident may park their passenger motor vehicles overnight in available designated Cluster parking spaces.
- A resident's guest traveling in a camper, recreational vehicle or a vehicle bearing a CT combination registration plate may only park such vehicle at any time in an area designated by the Village Management for a period not exceeding 7 consecutive days in any month.

RULES ENFORCEMENT

To ensure compliance with rules, Owners may be fined for occurrence of a rule violation or for the continuation of violations. Fine amounts are set by the Board of Directors based on the nature of each violation.

Before monetary penalties or suspension of rights or use privileges against any member for failure to comply with the Declaration, the Bylaws, or the Association Rules, the Board must act in good faith and satisfy each of the following requirements:

- The owner must be given 15 days prior written notice specifying the nature of the damage or violation and stating the time, date and place that the member will have an opportunity to be heard. Notice may be delivered personally or by mail. If the notice is given by mail, it must be sent by first class or registered mail to the last address of the member as shown on the Association's records.
- The member will be given an opportunity to be heard, orally or in writing, by the Board. Members shall have the opportunity to present witnesses on the member's behalf and to cross-examine any witnesses that may testify against the member. After the hearing, the Board shall determine whether owner damage or a violation has occurred and, if so, may impose a "Reimbursement Assessment" which shall become effective not less than five (5) days after the date of the hearing or the Board may take such other action as may be appropriate.

AMENDMENT OF RULES

The HVMA Board of Trustees has the power to amend these Rules at any duly constituted meeting by two-thirds of the entire weighted voting power of the Board, provided that the proposed amendment has been submitted in writing at a previous meeting of the Board at least 28 days earlier with notice of the meeting at which action is to be taken. Notice of any approved amendment, modification or extension of these Rules shall be published for three consecutive weeks in the Heritage Village Bi-Weekly Bulletin or like publication and if there is none, by separate notice mailed to each owner and resident.

HERITAGE VILLAGE MASTER FOUNDATION

The Heritage Village Master Foundation is a non-profit organization, incorporated under the laws of Connecticut, run by and for the benefit of the property owners of Heritage Village.

The primary purpose of the Foundation is to assure continuous and efficient control over the maintenance and operation of the common areas and recreational amenities in the Village. It also serves as a springboard for community, social and cultural activities. Professional personnel, operating under the direction of a Board of Directors and in cooperation with a network of committees staff the Foundation.

Every owner is a member of the Foundation and as such will enjoy the use of all recreational facilities, social activities, and community functions, plus the protection of the covenants.

The Board of Directors is composed of six elected homeowners. The Board of Directors is responsible for administering all funds of the Association and for the maintenance of the common areas and facilities in Heritage Village.

For each property owned, a family receives one full voting membership in the Association [Clarify here: How many people constitute a family?

Membership in the Foundation entitles the owners, their family, and guests to enjoy full use of the recreational facilities and common areas.

Membership also insures homeowners of a democratic method of operation by giving them a direct vote and voice in the affairs of their particular condo and through their condo representative, a voice in the administration of the Association. It is therefore imperative that owners attend their condo meetings to voice concerns and keep informed of decisions affecting them and their neighbors.

The original developer, Heritage Development Corporation, set aside substantial acreage for exclusive use of the homeowners as common areas and facilities. The Corporation then deeded all this area to the Heritage Village Master Foundation, once it was organized, to assure homeowners continued and permanent use and enjoyment of the land, common areas, and recreational facilities. Deed restrictions on the land specify that the common areas and facilities may not be sold or developed for additional housing or commercial use.

The Foundation permits you as a homeowner, to make your opinions known. The Board of Directors controls and/or contracts for the services the Association requires. The bylaws, covenants, and restrictions guarantee members in good standing the following rights:

- To vote for representatives to the Board of Directors;
- To stand for a seat on the Board of Directors;
- To serve on committees on appointment by the Board;
- To attend regular monthly meetings;
- To participate in any special meeting;
- To vote on the amendment of by-laws or covenants.

Like any organization, the Foundation requires funding to operate. The operating budget comes from an assessment on each member. When you take the deed to your home, you automatically agree to pay the Foundation a monthly assessment. For your budgetary convenience, this assessment is divided into 12 equal monthly payments.

The rate of assessment is determined by the Board of Directors, based on a formula in the Foundation's by-laws. The budget depends entirely on the Foundation's expenses and reserve fund needs. The Assessment rate for 2008 is \$42.00 per month [Update for 2009]. This assessment is not a voluntary charge. It is a legal obligation. In order to protect you and the other members, delinquencies can be enforced and collected pursuant to Connecticut Law.

RECREATIONAL AND CULTURAL FACILITIES

All residents of Heritage Village are members of the Heritage Village Foundation and are entitled to the use of the Foundation's recreational and cultural facilities. The facilities include:

The Activities Building

The Activities Building is the center of social, cultural, and recreational activities. The Activities Building is the largest facility in Heritage Village. It houses Sarah Cooke Hall, a projection room, printing facilities, Computer Club Room, dark room, a health facility, a meeting room, the Activities Desk, and Foundation staff offices.

Occupancy of Sarah Cooke Hall is governed by occupancy regulations, and the person in charge of any given event is required to see that they are observed. Seating is limited to 248 chairs. The maximum number of table seats is 160. Chairs shall not be moved against walls or into the aisles. No standees are allowed. Residents may save no more than two seats at any performance.

Exits are equipped with "panic bars" and draperies may not cover any part of an exit when the Hall is being used for large audiences. If the Hall is being darkened when in use, shades may be drawn over glass in the doors, but draperies must be left open.

Safety and Security must be notified by the Activities staff to have a uniformed officer in attendance beginning a half-hour before, during the entire event, and ending a half-hour after any event that anticipates more than 150 attendees.

Fire monitors must be assigned by sponsoring organizations to be near each exit to facilitate evacuation in an emergency.

Heritage Village Health Facility, located at the north end of the Activities Building, is open to all Heritage Village residents. No guests are allowed. [Revise to allow one guest?]

The Meeting House

The Meeting House built in 1740 and now on the Connecticut State register of historic places, was once the home of Victor Borge. It has rooms on the first floor for card playing and music, a lounge and library, a small auditorium, kitchen, and a terrace. These rooms may be used for meetings or gatherings of committees, clubs, and condos. The HVMA Executive Offices and conference rooms are located on the second floor, and the Stained Glass Club and the Safety and Security Offices share a basement level area. The main floor of the Meeting House may be booked for private parties by HV residents only. The booking residents must attend the event.

Scheduling is subject to some limitations:

- Private parties can only be scheduled in the Meeting House on one Saturday or one Sunday a month. Private parties are available any evening, Monday-Friday on a first-come, first-served basis.
- Bookings may not displace a regularly scheduled meeting.
- Residents booking the party must attend throughout the event.
- Sponsorship of wedding receptions is limited to residents who are the parents, grandparents, or great grandparents of the bride or groom.

Fees are charged for the use of the Meeting House for private parties. The fees are printed on the reverse side of the booking application.

Capacity Limits in the Meeting House are as follows: For dinner - 80; for cocktails - 100; for buffet and/or cocktails using both indoors and terrace - 125. Meeting attendance in the Music Room is limited to 80.

The booking resident's insurance carrier, agent's name, and telephone number must be submitted to the Activities office with application for any private party.

The Fireside

The Fireside is a gambrel-roofed, renovated barn located across from the Activities Building. The rooms in this building include a large, furnished lounge (FL), the Blue Room, the Back Room, the Mezzanine, and a fully equipped kitchen and pantry. This facility is used for scheduled meetings of clubs, committees, and other Village organizations or as a drop-in center for any Villager in unscheduled areas.

The Lodge

The Lodge is located between the Heritage Village Library and the Fireside. This facility is used for scheduled group meetings and as a drop-in center for any Villager in unscheduled areas. The building has a billiards loft, a large lounge, a poker room, Front Room and a kitchen plus storage room on the first floor. The lower level has a pool room (PL), Archives, two small offices and a storage area. [Update with information on large screen TV, VCR, and CD player?]

Swimming Pools

Heritage Village has four swimming pools. An oversize, heated outdoor pool is located at the Activities Building. Three additional pools, one with a picnic pavilion, are located in other convenient areas in the Village.

All swimming pools are available in summer for use by all Heritage Village residents. Posted rules concern guests.

- Pool One (Activities Building pool) is located adjacent to the Activities Building at the north end.
- Pool Two (Victor Borge pool) is located across the pond from the Meeting House. This pool is the only one that is unheated.
- Pool Three (Shady Glen pool) is located on Old Poverty Road near the intersection of Old Poverty and East Hill Roads.
- Pool Four (Hilltop pool) is located on Hill Top Road East just beyond the intersection of Hill Top East and East Hill Roads. The picnic pavilion is located here. It can be used by all Heritage Village residents and for club or condo gatherings. Guests are welcome for picnicking as provided in pool rules.

The Stable Studios

The Stable Studio building is located across from the Activities Building and adjacent to the Fireside. Once used as a horse stable, this facility now houses the Brush and Pencil Club, the Sculpture Studio and the Pottery Studio. Classes are held in all three media. The facility may be used by individuals as well. Rules for the use of this facility are posted in the building and are on file in the Activities Office.

The River Garden

The River Gardens and Shed are located on Winship Drive off North Poverty Road and across from Winship Barn. The facility includes fenced-in raised beds for growing vegetables or flowers, a garden tool shed with a telephone and a sanitary facility, and parking and picnic areas. Garden areas can be reserved for use by all Heritage Village residents as available. The Shed contains all garden tools for use exclusively on site.

The Wildlife Area Where located?]

A 110-acre tract reserved for wildlife and for special hiking trails under the auspices of the Village Hiking Club.

Tennis Courts and Paddle Tennis

Facilities for both tennis and paddle tennis are located by Hilltop pool. Reservation of one of these facilities may be made up to 2 business days in advance and requires a phone call to the Activities Desk at **264-9644 x221**

Winship Barn

The Winship Barn is located on Winship Drive off North Poverty Road and is open seven days a week from 7:30 AM to 7:30 PM. This building houses the non-profit wood shop, the Radio Club, the Model Ship Building Club, storage for the Theatre Guild, and equipment storage for HVMA. The Wood Shop is used by members of the Woodworking and Metal Crafts Club. Membership in the club by a Heritage Villager requires an annual contribution, qualifying on machine use, and signing an insurance waiver. Qualified members obtain a key to the lower level of the barn.

Ethan Allen Cottage Library

The Ethan Allen Cottage is an historic building dating from the 1700s. Now housing the Heritage Village Library, it was the guest house for the Meeting House when that building served as Victor Borge's residence. Every resident of Heritage Village may borrow books, DVDs, and videocassettes from the library. There is no membership fee or registration card. This facility supplements the main library in the town of Southbury.

Ponds

There are 14 ponds throughout the Village. Boating and ice-skating are not permitted on Village ponds, and roller-skating, skateboarding, and bicycling are not permitted on any Village walkway.

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Minibuses

Minibuses are provided and maintained by the Foundation to provide residents with bus transport to local shopping. Paid drivers operate them.

For morning reservations Monday through Friday, call the Activities Office at **264-9644 x221** between 8:30 AM and 8:45 AM. Additional trips are scheduled and posted in the Bi-Weekly Bulletin.

Physicians Transport Service: Hours for transportation are available for doctor appointments. Monday-Friday morning appointments should be scheduled between 9:30-11:30 a.m. Monday-Friday afternoon appointments should be scheduled between 12:00-2:45 p.m. You may schedule your appointments for Southbury or Woodbury for each time frame. Call by 12 noon the day before. For reservations call Activities at **264-9644 x 221**.

Get Out Of The House: Mini-bus transport for HV Activities (Building Serviced) includes the Activities Building, Fireside, Lodge, Meeting House, River Garden, Pools, Winship Barn, Stable Studio, Friendly's Restaurant, The Deli, Patty's Beauty Salon, H.V. Barber Shop, and the Heritage Inn. Transportation is available daily, Monday-Friday from 9:00 a.m. to 4:00 p.m. Call by noon the day before to arrange for transportation and our friendly driver will pick you up at your residence. Call **264-9644 x 221**. Home pickups begin at 9:00 a.m. – Last pick-up at 3:30 p.m.

Fees, Tickets, and Donations

Teaching Fees paid by residents to teachers, leaders, and instructors are based on amounts agreed to by the student groups and the teachers.

Tickets for Events may be sold by sponsoring organizations which have the option of handling their own initial ticket sales for donation collection, but they must adhere to previously stated Foundation principles. Activities staff may sell unsold tickets. Tickets must be sold in this order of priority: members, residents, and guests. Exceptions are made for family members of non-resident performers (limit is two per performer). Sponsoring organizations must announce in the Bulletin the number of tickets available whenever this number is less than the 248-seat capacity of Sarah Cooke Hall.

Bus tickets are sold and seats selected on a first-come, first-served basis for each round trip. After an appropriate sign-up period for Villagers, any remaining seats may be made available to residents of Heritage Crest, Heritage Circle, the local assisted living facilities, and to patrons of the Southbury Senior Center to ensure that the trip is viable.

- Ticket cost refunds will be returned to all canceling buyers only if the staff is able to resell once the bus trip has been filled.
- Refunds for events/bus trips will be given only if the event/trip is cancelled by the Activities Office.

Village Organizations

Village resident organizations are self-governed with their own Bylaws. They handle their own finances and tax obligations. Bylaws and actual operations must comply with Foundation principles.

Formation of Heritage Village Organizations – Residents wishing to form an organization that requires the usage of Foundation facilities shall present a written request to the Foundation Facilities Committee on a form provided by said committee, c/o Director, Recreational Services, stating therein the purpose and membership requirements of the organization; further

Such purpose must conform to the rules that state Foundation property can only be used for social, cultural, recreational, educational and informational meetings and, further,

The committee shall determine that:

- The proposed organization meets the aforementioned qualifications; and
- The membership of the proposed organization shall be open to all Village residents, and

- The activities of the organization do not violate or conflict with other rules, policies or procedures of the Foundation, and
- The Foundation Facilities committee shall notify the applying organization, in writing, of its decision within 30 days of its receipt of the organization's application. If rejected, appeal of this decision may be made, in writing, within 10 days, to the Board of Directors of the Foundation, whose decision, made at their next meeting, shall be final, and
- All clubs in existence prior to the date of adoption of these policies and procedures shall be grandfathered, and
- The Board of Directors, at any, time may revoke the use of Foundation property on 20 days written notice if it finds the club no longer conforms to the requirements which permitted its usage of Foundation facilities in the first instance.

POLICIES FOR USE OF FOUNDATION FACILITIES

- No individual may be discriminated against based on sex, race, creed, color, national origin, ancestry, marital status, age, lawful source of income, familial status, sexual orientation, or physical or mental disability in the use or allocation of space of the buildings and facilities located at Heritage Village.
- Outside organizations may not use the buildings or facilities unless waived by the Board of Directors of HVF. After written application to the Foundation Facilities Committee, each request will be considered separately.
- All Heritage Village organizations seeking to use Foundation facilities to hold benefit events for outside causes must first obtain approval from the Foundation Facilities Committee. All such causes must be non-profit. This became effective as of December 1, 2005.
- Foundation Facilities may not be used for organized gambling.
- Tickets may not be sold to non-residents, except to those who formerly resided in Heritage Village, and only after a prescribed period of sale solely to Village residents.
- No formal religious services are allowed.
- Smoking is not permitted in any Foundation building, around the pools, or in the Pavilion.
- Pets are not permitted in any Foundation Facility, including patios or the Pool 4 Pavilion. Pets are permitted on roads and paths provided they are leashed or carried. Pet owners are required to clean up after their animals and dispose of the material in an appropriate receptacle.
- The Activities Office schedules events and activities. Room and facility use must be formally requested through this office, using the appropriate forms.
- Priorities and concerns observed in making allocations are:
- Unless waived by the Board of Directors, space in Foundation facilities is for use by Heritage Village clubs, organizations, and individuals reserving for private parties only.

- Unless waived by the Board of Directors, space in Foundation facilities is on a first-come, first-served basis.
- HVMA meetings, Condo meetings, and regularly occurring events have preempted priority.
- Group size and space suitability are factors in determining space assignment.