

HIDDEN VALLEY
HOMEOWNERS ASSOCIATION, INC.

GENERAL INFORMATION

AND

REGULATIONS

October 2017

Updated November 2020, January 2021, April 2021

April 2013 – Satellite dish policy update
June 2014 – Guidelines for fences
April 2021 - Maintenance Responsibility Chart

**Prepared for the Homeowners by an ad hoc committee comprised of
Homeowners and Board members
of the
HIDDEN VALLEY HOMEOWNERS ASSOCIATION, Inc.**

As is true with most townhouse developments, living in a shared community such as Hidden Valley has rewards and benefits, but also imposes certain obligations and restrictions upon the homeowner for the well-being of all and the preservation of the value and desirability of the individual properties. We have prepared this document with the hope that it will facilitate your enjoyment while living in Hidden Valley and make it a better place for all.

The regulations included here conform with the terms and conditions of the Restated Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens; and the Restated By-Laws of the Hidden Valley Homeowners Association, Inc., which each homeowner endorsed when they purchased their homes. The regulations are a result of direct quotation from or interpretation of the wording in that document or are from proceedings of the Board of Directors establishing Association policy and are referenced where possible.

Please review this document in detail and file with other important information on your property.

TABLE OF CONTENTS

I.	Contact Information	2
II.	Welcoming Information	3
III.	When You Are Away	5
IV.	Homeowner Responsibilities	5
	A. Requests for Service	5
	B. Changes to Exterior of Homes	5
	C. Insurance	6
	D. Landscaping and Gardening	6
	E. Maintenance of Homeowners' Additions	6
V.	Rules & Regulations	6
	A. Advertising and Signs	6
	B. Air Conditioners	6
	C. Alterations and Improvements	7
	D. Basketball Backboards	7
	E. Commercial and Professional Activity on Property	7
	F. Exterior Decorations	7
	G. Dwelling in Other Than Residential Units	8
	H. Fencing	8
	I. Patio Guidelines	8
	J. Feeding the Wildlife	9
	K. Traffic Safety	10
	L. Noxious or Offensive Activities	10
	M. Parking	10
	N. Commercial and Recreational Vehicles	11
	O. Pets	11
	P. Renting and Leasing of Units	11
	Q. Window Wells	12
	R. Retention Pond	12
	S. Storm Doors and Screens	12
	T. Television and Radio Antennas, Satellite Dishes	12
	U. Soliciting	12
	V. Garage Sales	12
	W. Organized Team Practice and Ball Field Usage	13
	X. Personal Standby Generators	13
VI.	Complaints/Penalties	13
VII.	Continuing Services	13
	Clubhouse Guidelines	14
VIII.	Reference Materials	15
	Hidden Valley Satellite Dish Policy	16
	Variance Request	17-18
	Maintenance Responsibility Chart	19

I. CONTACT INFORMATION

Property:

Hidden Valley Homeowners Association, Inc.
Board of Directors
199 Hidden Valley Road, Rochester, NY 14624
585-247-6050
www.HVHOA199.com

To request maintenance or obtain general information, contact the Hidden Valley Clubhouse weekdays during hours of operation. Randy Hawkes, Property Superintendent

For emergencies contact:

Kenrick Corporation
3495 Winton Place, Bldg. D, Suite 4
Rochester, NY 14623
Richard K. Aikens, Chris Aikens, Property Managers
www.kenrickfirst.com
585-424-1540 office (also a 24-hour hotline)
585-424-1553 fax

- Fire, Sheriff, Gates Police, Ambulance 911
- Animal Control – Gates 911
- Cable TV – Spectrum/Time Warner Communications 1-800-892-4357
- Rochester Gas & Electric – Emergency 585-546-1100
- Frontier Telephone 585-777-1200

II. WELCOMING INFORMATION

Welcome to Hidden Valley!

As a homeowner, you have automatically become a member of the Hidden Valley Homeowners Association. The homeowners elect a Board of Directors as the governing body of the Association. The Board of Directors is comprised of nine members, elected to the Board by the homeowners at the Association's Annual Meeting. Each Board member serves a three-year term without financial compensation.

Under the guidance of the Board of Directors, the Association shall provide a consistent level of exterior maintenance on all buildings and common grounds. The Board is also responsible for establishing and enforcing Rules and Regulations to guarantee uniform protection of the personal rights, privacy and investment of each homeowner.

When you purchased your home, you should have received a copy of the Restated Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens; and the Restated By-Laws of the Hidden Valley Homeowners Association, Inc. (Governing Documents), dated February 21, 2017, and a copy of the Rules and Regulations for living in Hidden Valley. Your commitment to abide by these laws was established when you purchased your property and is specifically set forth in the Deed to your property. This commitment extends to your family and guests. Subsequent purchasers of property in Hidden Valley are equally responsible for compliance with the Governing Documents and the Rules and Regulations as stated in the Deed.

These Rules and Regulation supersede any previous Rules and Regulations but they are not intended to, and do not, change any of the terms or privileges set forth in the Restated Declaration and Restated By-Laws.

Your Board of Directors strongly recommends that you become familiar with the Governing Documents as well as the Rules and Regulations stated in this publication and keep them with your other important papers. They will be enforced and, as in all legal situations, ignorance of these laws is not an acceptable reason for noncompliance. Homeowners and their tenants (where allowed) are required to comply with all of these provisions.

BOARD OF DIRECTORS

Under the laws of the State of New York and the Governing Documents, the Board of Directors shall have the power to adopt and publish Rules and Regulations governing the use of the common areas and facilities, the personal conduct of the members and their guests, and to establish penalties for infractions. The Board of Directors is also empowered to enforce these Rules and Regulations.

MEETINGS

The Board of Directors holds an open meeting, which homeowners are encouraged to attend, on the fourth Tuesday of each month except in December.

ANNUAL MEETING

An annual meeting of all homeowners is held on the Monday immediately preceding the March Board meeting. If the day for the annual meeting is a legal holiday, the meeting will be held on the first day following which is not a legal holiday. Each board member serves a three-year term without compensation.

BOARD MEMBERS

A current list of names of the Board of Directors is available at the Clubhouse, on the website and in each issue of the monthly newsletter.

MANAGEMENT

The Board of Directors employs a Professional Management Company, which employs staff to manage the property and at the Board's direction, enforces the rules and regulations.

PROPERTY SUPERINTENDENT

The Management Company hires an on-site Property Superintendent who is responsible for the day-to-day maintenance of buildings and grounds.

CLUBHOUSE DIRECTOR

The Management Company hires a Clubhouse Director who is responsible for management and operation of the Clubhouse. The Director helps arrange special events and programs for members and their families.

HOMEOWNER'S FINANCIAL RESPONSIBILITY

The monthly assessment payment is due on the first of the month. Payment shall be mailed directly to the currently prescribed agent, (i.e. bank). Direct withdrawal from the homeowner's bank account is also available. A late fee will be charged for any payment made after the 15th of the month or any time a withdrawal is denied because of insufficient funds. The homeowner is responsible for all school, town and county taxes on his/her own unit.

ARCHITECTURAL COMMITTEE

The Homeowner may not make any alterations, changes or installations to the exterior of his/her unit without the prior consent of the Architectural Committee and/or Board of Directors. Please refer to ARTICLE VII, page 11 of the Re-stated By-Laws and/or Article VII, page 18 of the Declaration of Covenants, for further information.

COMMON AREAS

Each unit consists of a home, patio and garage. The Lot on which the unit sits consists of the land beneath the home, under the garage and inside the patio only. Front, side and back yards are common areas as that term is used in these documents.

III. WHEN YOU ARE AWAY

When you leave for an extended period of time, it is recommended that you:

- Tell a neighbor and the Clubhouse Director how you can be reached in case of an emergency. If you have a vacation home or if there is someone you always wish to have contacted in case of an emergency, please inform the Clubhouse Director.
- Give someone a key and ask him or her to check your home at least once a week.
- Stop newspaper, magazine, and mail deliveries or arrange for these items to be picked up by a friend or neighbor.
- During winter months, set heat at a temperature to prevent pipes from freezing.

IV. HOMEOWNER RESPONSIBILITIES

Included in the Governing Documents are many policies which set forth the responsibilities of the Homeowner and the Association in the daily operation of Hidden Valley Association's affairs. These documents outline in detail which items are the responsibility of the homeowner and which are the Association's. A chart of these responsibilities is printed on page 19.

A. Requests for Service

All requests for maintenance and repair services and follow-up should be directed to the Property Superintendent. A Maintenance Work Request form must be completed in writing at the Clubhouse reception desk or by phone.

B. Changes to Exterior of Homes

There shall be no changes or additions to the exterior of any building without a variance request approval by the Architectural Committee. This includes, but is not limited to, windows, air conditioners, awnings, storm and screen doors, radio or TV antennas, satellite dishes, or any other additions or changes that alter the exterior appearance of the building. Please refer to ARTICLE VII, page 11 of the Re-stated By-Laws and/or Article VII, page 18 of the Declaration of Covenants, for further information.

A Variance Request form is included on page 17-18, on the website and in the Clubhouse. Failure to submit a variance and receive a response prior to the beginning of the work to be done may result in a fine or work stoppage.

Local town building ordinances may also apply to the construction projects. You are responsible for obtaining your own building permits from the Town of Gates.

C. Insurance

Each owner shall obtain general liability and fire insurance, at his own expense, insuring the interior of his/her residence and all other insurable improvements upon his lot in an amount equal to the maximum insurable replacement value (HO6 policy). The Board of Directors shall have no responsibility to maintain insurance of any kind on the interior of individual residential units or property. The Association maintains such insurance for the exterior of the units and all common areas.

D. Landscaping and Gardening

No planting or gardening shall be done except in the enclosed patio or designated planting areas adjacent to the residence. Such plantings shall be of a size and nature that does not encroach upon neighboring property. Plantings must not grow on buildings, walls or on the outside of fences. Plantings or vines on walls and chimneys are prohibited due to possible damage to brick and wood surfaces.

Homeowners **must not** remove any plants or shrubs in the planting area adjacent to the residence without prior written approval from the Gardening Committee and/or the Property Superintendent. The Association asks that you limit plantings adjacent to your residence to annual or perennial flowers.

Although excessive plantings complicate lawn mowing, the Property Superintendent may approve plantings around trees or lampposts near a residence. The types of edging or plantings must be stated in the request submitted to the Property Superintendent. Care of all plantings is the responsibility of the person who planted them. The staff is not responsible for damage to these plantings as a result of spring/fall cleanup, trimming of trees, bushes or mulching of flower beds. In addition, the staff is not responsible for replacement of plantings or edging if fence posts are excavated for repair or replacement. The Property Superintendent may remove neglected plantings at his discretion and any left remaining after November 1st.

E. Maintenance of Homeowner’s Additions

The Association will not pay for the maintenance and repair of any addition or modification to a unit constructed by a homeowner. The maintenance of such additions is the responsibility of the homeowner(s) in perpetuity. If this maintenance does not meet Association standards, the Association will correct the problem by removal, if necessary, and bill the homeowner for such. These responsibilities must be clearly understood by each new homeowner when the unit is sold.

V. RULES & REGULATIONS

A. Advertising and Signs

Political or other signage or other advertising devices of any nature may not be placed for display to the public on any lot or other portion of the property, except one temporary sign placed on buildings, fences or in windows advertising property for sale. Signs indicating the presence of an alarm system are permitted.

B. Air Conditioners

Unit owner may not install or permit to be installed any window mounted or through-the-wall mounted air conditioner in the unit. Exceptions may be made for health reasons with proof of medical necessity from a physician and BOD approval.

C. Alterations and Improvements

Exterior alteration, addition or modification may not be made by an owner or his successor without first submitting a Variance Request to the Architectural Committee and obtaining its approval in writing prior to the work commencing. Maintenance of any alterations is the sole responsibility of the homeowner and any future owners of the unit.

D. Basketball Backboards

Freestanding or permanently attached basketball backboards and nets may not be installed by a homeowner anywhere on the property.

E. Commercial and Professional Activity on Property

Wholesale or retail business, including any salon, studio, laboratory, home industry or medical or dental office, may not be conducted in or on any lot or other portion of the property, except the conducting of business by telephone. This restriction is not intended to preclude the operation of an in-home office for purposes other than those set forth above.

F. Exterior Decorations

Ornamental decorations and plants are allowed within the private patio area. Small lawn ornaments and hanging plants are permitted within the homeowner's designated planting area, as long as they don't interfere with maintenance and lawn care. Window flowerboxes may not be attached anywhere on the structure of any unit.

While we certainly enjoy feeding and watching our feathered friends, bird feeders can also attract rodents. Therefore, we are limiting the number of bird feeders on the common areas to one per unit, suspended from a tree. No free standing feeders are allowed on the common areas. This does not include patios, but homeowners are asked to be considerate of their adjoining neighbors when installing bird feeders in their patios. In addition, birdhouses, birdbaths and wind chimes are not permitted on the common areas.

All plants, containers, doormats and other furniture, on a stoop or within the porch area should be removed by November 1st of each year to facilitate snow removal.

One wall-mounted flag holder is permitted on each residence. Freestanding flagpoles are not permitted. Those already in place on April 1, 2006 may remain, but no new freestanding flag poles are to be installed on any of the common areas or a second wall-mounted flag holder installed without the approval of the Architectural Committee. Ornamental seasonal flags are permitted. Only a United States flag in good condition, no larger than 3.0 feet x 5.0 feet may be flown. Flags of other nations are not permitted.

A year-round properly maintained welcome plaque, nameplate or wreath, may be displayed at the front entrance area. If faded or weathered, it may be removed by the HVHOA. Any damage to the siding caused by the use of fasteners must be repaired by the homeowner at their expense.

Temporary decorations for the holiday season may be displayed between Thanksgiving and mid-January of the following year. Decorations are not permitted on any roof surface. For safety reasons, extension cords are not permitted on the front stoops or porches where snow removal equipment is used. Decorations not removed by January 15th, may be removed by the Property Superintendent. An extension may be granted in the event severe weather prevents their removal by such time.

G. Dwelling in Other Than Residential Units

Temporary building, trailer, basement, tent, shack, barn outbuilding, shed, garage or building in the course of construction, or other temporary structure may not be used, temporarily or permanently, as a dwelling on any lot or other portion of the property except with the approval of HVHOA.

H. Fencing

At the time a homeowner's fence is due to be replaced by HVHOA, that individual may select either wood or white vinyl fencing under the following conditions:

- The alternative to an existing 6 foot wood fence is a white vinyl 6 foot fence with a 12 inch lattice top. The alternative to an existing 4 foot wood fence is a solid white vinyl 4 foot fence. If the cost of the vinyl fence exceeds the cost of the wood fence, the homeowner will absorb the difference between the wood and the vinyl fences. Common fencing will be maintained and replaced on a rotating schedule determined by the Property Superintendent and Maintenance Committee. Adjoining exterior fences must all be of a matching style.
- For all patios with shared fences, alterations to the fences must first be agreed upon by both neighboring parties and must not exceed 6 feet in height. Shared fences are the responsibility of the homeowners. Any party fence that is replaced shall remain of the same construction dimensions as when the home was built. It is the responsibility of both parties, who share a party fence, to maintain that party fence.
- For alternate designs or modifications for all patio fences, to include material, height, color and additions of grates or windows for air circulation, a variance is required and must be submitted to and approved or denied by the Architectural Committee on a case-by-case basis. All freestanding patio fences (not connected to adjoining neighbor's fences) must match and complement surrounding area fences. The Architectural Committee shall review all requests and, upon voting to approve or decline a request, shall present their decisions to the Hidden Valley Board of Directors at the next regular monthly board meeting.
- The Hidden Valley Homeowners Association, when replacing common area fencing, shall typically replace the existing wooden fence with wooden, 6 foot, dog-eared style fencing.

I. Patio Guidelines

Because the interior of a homeowner's patio is his private property, no approval by the Architectural Committee is required for lawn, tilling, planting or low-level decking.

However, if any proposed structure would be visible from the outside, above the horizontal line of sight at the patio fence top, or if the improvement is attached in any way to the unit, a variance is required from the Architectural Committee. The homeowner is responsible for obtaining any necessary building permits from the Town of Gates. Patios may be subject to regular inspection by HVHOA.

- Interior Fencing – Maintenance and replacement of the interior surface of the fences is the responsibility of the homeowners. All party fences inside the patio area are the responsibility of the shared homeowners. It is the financial responsibility of both parties to replace the shared interior fence. Also, fences and/or walls in the row houses are the responsibility of the homeowners to maintain. The extension of these fences in no way cancels the seven foot easement as established by the Declaration. Gates must be unlocked and accessible from both sides to facilitate easy access to the easement. These easements are provided for, but not limited to, access for utility employees and emergency personnel.
- Landscaping and Gardening – Plantings (which include but are not limited to trees, shrubs, flowers) within the patio shall be of a size and nature that do not encroach upon neighboring property. Plantings must be trimmed regularly and should not be permitted to grow on buildings, walls or the outside of the fences. Such plantings are prohibited due to possible damage to brick and wood surfaces.
- Clotheslines – Clotheslines are permitted only within a homeowner’s patio area. Clothing or other items should not be hung out to dry on the front porch of the unit.
- Pools/Hot Tubs – In-ground or above ground pools are not allowed on a homeowner’s property or the common area adjacent to a property. This includes any type of hot tub or spa.
- Fire Pits/Fire Tables/Heaters – Because of safety and liability issues, no fire pits, tiki torches or heaters are allowed within the patio area or common area. This is in accordance with the Town of Gates ordinance.
- Propane or charcoal grills should not be used on any second-story decks, close to the house or in an enclosed, unventilated space. This can be a fire hazard.

J. Feeding the Wildlife

Hidden Valley is surrounded by wooded areas that are populated by a wide variety of wildlife, including deer, rabbits, chipmunks, squirrels, raccoons, foxes and coyotes. While they can be entertaining to watch, these wild animals are able to fend for themselves, so we ask that you refrain from putting out food for them. This encourages them to come further into our neighborhood and can result in unwanted encounters with our residents and pets.

K. Traffic Safety

The speed limit on all private roads in Hidden Valley is 10 mph.

The only public (town) roads in Hidden Valley are Hidden Valley Rd. from Pixley Rd. (the entrance) to the traffic circle and the first section of Upper Valley Rd. up to the turn at the woods. The speed limit on these sections only is 30 mph.

Unregistered motor vehicles without valid license plates (including mini bikes, trail bikes, go-carts, golf carts, snowmobiles, mopeds) shall not be operated or parked on the common grounds. Unlicensed vehicles must be parked in the unit's garage.

Homeowners with garages that open directly onto the private roadways and those having dedicated, numbered parking spaces immediately adjacent to those garages have the right-of-way when exiting their garages or parking spaces. Please stop your vehicle and allow them to exit safely.

Speeding and careless driving in the private roadways is dangerous to life, property and good community relations. Please watch carefully for children, pedestrians and bicycle riders.

L. Noxious or Offensive Activities

Noxious or offensive activity shall not be carried out anywhere on the property. Nothing should be done that may become a nuisance or annoyance to the residents or owners; be detrimental to or endanger the public health, safety, comfort or welfare; be injurious to property, vegetation or animals; adversely affect property values or otherwise produce a public nuisance or hazard, or violate any applicable zoning regulation or other government law, ordinance or code.

Be aware that the Town of Gates noise ordinance is in effect starting at 11:00 PM.

M. Parking

The designated Visitor Parking Spaces/Areas are for visitors ONLY.

Every home in Hidden Valley was built with a garage with space for at least one vehicle. As well, the units in the "quads" have an additional dedicated, numbered parking space. Homeowners are expected to use their garage for its intended purpose. You may not park on the grass or on the streets for a continuous period of time.

Parking is not allowed in areas that could prevent easy access for emergency vehicles, snow removal equipment or normal traffic. Illegally parked cars may subject the owner to fines by the Association or towing by the Town of Gates, or both. Parking in front of a garage is prohibited, except in front of those units with a driveway leading to the garage.

Washing of vehicles is allowed only in front of the homeowner's garage or in the unit's dedicated, numbered parking space.

A vehicle determined to be in violation of these regulations shall be issued a written warning to correct the situation. A repeat violation is subject to penalties. (Section VI)

N. Commercial and Recreational Vehicles

Unless used in connection with maintenance of the property, the following shall not be permitted to remain overnight or stored on the property without permission from HVHOA:

- Recreational vehicles, except in an enclosed garage.
- Boats, trailers and recreational vehicles may be parked in the Clubhouse parking lot for a short period. Permission for parking must be granted by HVHOA. Any damage to lawns or other common areas is the responsibility of the homeowner.
- Vehicles making deliveries or providing services to the lots and living units in the development will be permitted during normal working hours.
- Renovation dumpsters or moving storage PODS must be approved in writing with a variance by HVHOA.
- A vehicle determined to be in violation of these regulations shall be issued a written warning to correct the situation. A repeat violation is subject to penalties. (Section VI)

O. Pets

Unrestrained pets, including cats, are not allowed to roam on common grounds. Unleashed animals can endanger children, adults and other pets. When walking a pet, the owners are required to carry the necessary equipment to clean up and dispose of their animal's waste. Baggie stations are located around the Valley to facilitate the clean-up. Any damage caused by a pet will be billed to the owner.

Animals which disturb the peace and quiet of the neighborhood by prolonged barking or howling shall be deemed to be a nuisance. Complaints should be submitted to HVHOA and to the Town of Gates Animal Control Department. This rule applies to unleashed dogs and cats, as well as pet sanitation. A repeat violation is subject to penalties. (Section VI)

The Town Ordinance pertaining to all animals prevails. Any infractions to these town ordinances should be reported to the proper town authorities. Please refer to Town of Gates Ordinance, Chapters 62-1 through 62-12 for additional information.

P. Renting and Leasing of Units

No units or any portion there in, may be rented or leased. Owners of Record prior to April, 2003 are excluded from this prohibition. Once a current owner transfers title to the unit, that unit is bound by this prohibition. Hardship waivers may be considered by the Board of Directors on a case-by-case basis.

A copy of any lease agreement between an owner and a tenant is required to be on file with the Management Company.

Property owners who rent their unit surrender Clubhouse privileges to their tenant(s). Tenants are subject to the same rules and regulations as homeowners.

In the event a family member is assuming residency, the Management Company must be notified.

Q. Window Wells

Window wells may be covered by plastic bubbles that are available for such purpose. Any suitable type of storm and/or screen sash may be attached to the outside of any basement window provided it does not extend beyond the opening for the window. Approval by the Architectural Committee is required for the installation of glass block windows.

R. Retention Pond

Swimming, fishing, boating or ice-skating is not permitted on or in the pond. This is a safety concern.

S. Storm Doors and Screens

A plain style combination storm and screen door may be installed on front doors. However, installation of such a door must have approval of the Architectural Committee to permit the correct selection of color and style.

T. Television and Radio Antennae, Satellite Dishes

Exterior television, radio antennas or any satellite dish may not be installed or maintained upon any portion of the property without prior approval by the Architectural Committee. Unit owners will remain responsible for any damage to their unit as a result of the installation. For satellite dishes refer to page 16 for the Hidden Valley Satellite Dish Policy.

U. Soliciting

Door-to-door or telephone soliciting is not allowed within Hidden Valley without prior permission by HVHOA. The exception to this rule is candidates running for public office.

V. Garage Sales

Each year HVHOA sets two dates when Homeowners will be allowed to have garage sales. The dates established are generally in the late spring and early fall. Homeowners are asked to sign up in the Clubhouse to participate, which includes a small advertising fee.

Special requests for estate sales, hidden treasure sales or other sales of personal property may be made to HVHOA.

W. Organized Team Practices and Ball Field Usage

Baseball, football, soccer, team practices or games that are part of an organized non-family group are not permitted on the common grounds. This includes the driving of golf balls. Casual play is permitted and limited to the large open field area adjacent to the clubhouse tennis courts.

X. Personal Standby Generators

Homeowner may not install a standby home generator without an approved variance request from the Architectural Committee. Only gasoline or natural gas operated units are allowed. All state, local and utility company requirements must be followed.

VI. COMPLAINTS/PENALTIES

Good relations in the Hidden Valley community will be better served and maintained through understanding and use of peer cooperation than by penalties. However, when residents and their properties are adversely affected by actions of others, it is unfair to allow such offenses to persist. The Board must act in a timely manner using fines, legal actions, etc., as required.

Any resident may register a complaint by writing or calling the Management Company. A written complaint is preferable as it documents the concern.

Typically, the following steps are followed until the issue is resolved:

1. The Management Company notifies the responsible homeowner of the complaint, invites him/her to discuss and/or correct the problem.
2. The occupant or responsible homeowner may request a meeting with the Board of Directors.
3. A fine may be imposed with the following maximum amounts:
 - First offense – \$50
 - Second offense – \$100
 - Third offense – \$200

If the fine is not paid within thirty (30) days, it will be added to the homeowner's maintenance fee account. Late fees will be added if the violation is left unpaid.

4. The Town of Gates Police will be asked to take action if violation of a Town ordinance or other law is involved.

VII. CONTINUING SERVICES

The following services are provided by the Association and paid for as part of your monthly maintenance fee:

Property Taxes – Covers common areas only

Insurance – Covers common areas and unit exterior only.

Water Service – Covers Monroe County Water Charges and Pure Waters Taxes for all units, including maintenance of fire hydrants.

Snow Removal – Covers snow removal from driveways, private roads, common walkways and front steps.

Lawn Care – Provides mowing, seeding, fertilizing and trimming of grass areas, pruning hedges and trees, and spraying for weeds and insects on the common areas.

Refuse Collection – Trash is picked up weekly. Trash should be placed in metal or polyethylene containers (supplied if requested) with securely closed lids outside the garage or at the curb in the late afternoon of the day prior to collection. A recycle box is provided for all recyclable items.

Empty containers must be returned to the homeowner's enclosed garage on the day of pickup. Containers should not be left at the curb or next to the garage after being emptied.

Please clearly label your trash container and recycle box with your unit number.

Exterior Maintenance – HVHOA provides for all exterior maintenance on homes and garages except for doors and windows. Maintenance requests should be submitted in writing at the Clubhouse.

Since homes in Hidden Valley are architecturally color-coordinated, records of the colors of all units are on file at the Clubhouse. Color may not be changed from the original color without the approval of the Architectural Committee. The homeowner is responsible for maintenance on approved changes and/or additions.

HVHOA maintains all exterior lights located in common areas.

Clubhouse Membership – As a Homeowner or resident of Hidden Valley you have Clubhouse privileges. Membership cards, information, rules and regulations may be obtained from the Clubhouse Director.

Clubhouse Guidelines

The Hidden Valley Clubhouse offers a wide variety of fun and fitness for all ages. Residents have use of the full clubhouse facilities, which include an indoor pool, sauna, hot tub, fitness center, handball/racquetball courts, and tennis and pickleball courts.

All homeowners are allowed one free use of the lounge or meeting room during a calendar year, Monday through Thursday, only. Other times, these spaces are available for a small rental fee. Details regarding sign-ups and fees are available at the clubhouse.

As homeowners, you may bring guests with you when you use or rent any of the facilities, but you must be present at all times during these activities and are responsible for the behavior of your guests. Please do not send guests over unattended. If this occurs, you will be called and reminded of the guidelines. You may call ahead with verbal consent as long as your guests are at least 18.

- You will be asked to sign-in and sign-out at the reception desk when you visit. You may also be asked to show your Hidden Valley membership card.
- If you will be using the locker rooms, be sure to bring a lock to protect your belongings. HVHOA will not be held responsible for lost or stolen items.
- Appropriate swimming attire is required in the pool and is restricted to the pool and locker room area. Children younger than 16 years of age must be “accompanied by a parent or guardian or similar adult responsible for their safety and behavior” while at the pool (NYS Dept. of Health, Code 6-1.23.10.iii). Any person who cannot swim to the satisfaction of the lifeguard must have an authorized adult in the pool with them.
- There are specific guidelines posted in each area of the clubhouse that provide information for behavior that must be obeyed. Failure to do so may result in your being asked to leave by the lifeguard or Clubhouse Director.

Our clubhouse has many associate members who pay a fee to use the facilities. You may encounter in the clubhouse associate members, guests or visitors who are considering joining or moving into the neighborhood. If you do, remember that as homeowners you are goodwill ambassadors for Hidden Valley. Please make every effort to be cordial as you answer any questions they may ask.

VIII. REFERENCE MATERIALS

The following documents are provided for reference and homeowner use.

- Hidden Valley Satellite Dish Policy – page 16
- Variance Request Form – pages 17-18
- Maintenance Responsibility Chart – page 19

Hidden Valley Satellite Dish Policy

Before installation of a satellite dish, the homeowner must file a written request for a variance and obtain the approval of the Architecture Committee. The homeowner may appeal any decision of the Committee to the Board of Directors. The decision of the Board is final.

The first preference is to install the dish within the patio no more than 8” above the fence line if a signal can be obtained by that placement. If the first preference does not provide adequate reception, the homeowner will work with the Maintenance Supervisor and/or Architectural Committee to develop a reasonable alternative, subject to the following limitations:

- If the roof is the only location where an adequate signal can be obtained, the homeowner may install a dish which anchors to the roof only after approval by the Maintenance Supervisor and/or Architectural Committee representative. A sealing type membrane must be installed under brackets attached to roof.
- Mounting on the siding or on common grounds will not be allowed.
- All installations must be properly grounded.
- When a dish is removed, membranes and brackets on roof must remain to prevent damage to shingles. Any damaged siding or trim must be replaced to match the surrounding siding or trim at the homeowner's expense.
- When a roof is replaced by the HV HOA the homeowner will be responsible for any expense incurred for removal and reinstallation of the satellite dish.
- The Association's master insurance policy does not cover any damage caused by the existence of a satellite dish. Therefore, the homeowner is fully responsible for any damage caused by the dish to the unit, any other unit or common property. The homeowner is responsible for all deductibles and must provide proof of insurance to the Association. The Association will not be responsible for any expense or any damage caused by the dish.

HIDDEN VALLEY HOMEOWNERS ASSOCIATION, INC.

APPLICATION FOR EXTERIOR CHANGE OR ALTERATION

VARIANCE REQUEST

To: The Architectural Committee
c/o Hidden Valley Clubhouse
199 Hidden Valley Road
Rochester NY 14624
(Mail or deliver to the above address)

From: Homeowner's Name(s):

(Please print)

(Please print)

Unit Address: _____

Mailing Address (if different): _____

Phone Number: _____ e-mail: _____

REQUEST:

The owner(s) of the unit identified above, hereby request(s) the following exterior change or alteration:

Reason: _____

PLANS AND SPECIFICATIONS:

Plans (to scale) and specifications MUST be attached to this form, showing the location, nature, kind, shape, height and other dimensions, and materials to be used. These plans were prepared by _____

IMPORTANT: If a contractor is involved, a current Contractor's Insurance Certificate, for both Liability and Workman's Compensation, MUST be included.

HOMEOWNER'S RESPONSIBILITIES:

- The homeowner(s) hereby agree(s) that I (we) will be fully responsible for completion of the requested exterior change or alteration as stated and approved.
- Any future problems or damages occurring as a result of this change will be the homeowner's responsibility, not that of the Hidden Valley Homeowner's Association. This responsibility will be carried forward to any future owners of this unit.

(Over Please)

The plans and specifications for the application which may affect the structural integrity of the building must be prepared by, and bear the seal of, an architect or engineer licensed by the State of New York.

The undersigned homeowner(s) hereby agree(s) that I (we) have read the Architectural Committee Guidelines as stated in Article VII of the Association's Declaration of Covenants, Conditions, and Restrictions, entitled "Architectural Controls." I (we) hereby agree to observe all guidelines, limitations, procedures and restrictions stated therein.

Signature of Homeowner

Date

Signature of Homeowner

Date

ACTION OF ARCHITECTURAL COMMITTEE

Date received by Committee: _____

Conditions of Approval (if any):

Approved: _____
Signature of Committee Chairperson

Date

Explanation of Disapproval:

Disapproved: _____
Signature of Committee Chairperson

Date

Homeowner to be notified by:

Architectural Committee

Management Company

Date of Notification to Homeowner: _____ By: _____
Signature

Completed form and any attachments MUST be placed in the Homeowner's file at the Clubhouse.

(created 2/2002)

Maintenance Responsibility Chart
Clarifications—3/18

Hidden Valley Homeowners Association	Homeowner
Address numbers, generally, one set per unit	Chimney, interior
Chimney, exterior	Decks, lower, in patio
Common areas (areas subject to easements)	Doorbells
Decks, second floor, original home construction	Doors, front exterior and patio sliders
Door, garage “man door,” from garage to common area—at grade level	Doors, storm and screen. Front door painting or any new doors need variances.
Driveways	Foundations, exterior and interior, including basement egress windows/doors in foundation
Exterior of units, brickwork, walls, siding maintenance, painting, staining, etc.	Garage door openers, hardware, cables, rubber seal, maintenance
Garage door replacement, when deemed necessary by HVHOA	Heating/Air Conditioning
Gutters/downspouts	Hose bibs/outside faucets—not in common areas
Landscape maintenance as installed by HVHOA	Insurance (for interior HO6)
Landscape treatments, mowing, trimming	Lighting, interior and exterior
Post lighting, common areas	Paper boxes
Plumbing, common areas (if impacting more than one unit)	Patios
Retention Pond	Plumbing, interior
Roofs, roof members, material, vents—installed by HVHOA	Roofs, plumbing, dryer, furnace and other vents—installed by HO
Snow removal, private roads, walkways, porches	Roofs, skylights
Sidewalks, exterior front porches	Utility meters
Trash/recycle collection	Watering landscaping around unit only
Trim, fascia	Window casements, windows/glass replacement, screen replacement/ basement windows
	Window cleaning

Additionally

- Conduits, Pipes, Wire—HVHOA, HO or Utility Company (per Art. VI, Sec. 6.01 Par. 3 of Covenants)
- Mailboxes—depending on unit, HO or USPS