

To: Traditions at Historic Southbury Homeowners
From: Tim Barth, Property Manager
Date: March 27, 2008

Traditions at Historic Southbury Revised Rules

Enclosed are the revised rules of the Traditions at Historic Southbury Homeowners Association. The Architectural Review Committee spent numerous hours reviewing the current rules in an attempt to update, clarify, simplify and customize the rules to better reflect the needs of the Traditions Community. Please review the rules and should you desire, send your written comments regarding the rules to the Board of Directors at our Seymour office, or to my email address tbarth@Imagineersllc.com no later than April 16, 2008.

Thank you for your cooperation.



Traditions at Historic Southbury Rules

**PUBLIC OFFERING STATEMENT
EXHIBIT C
RULES OF
TRADITIONS AT HISTORIC SOUTHBURY
ASSOCIATION, INC**



RULES OF TRADITIONS AT HISTORIC SOUTHBURY ASSOCIATION, INC.

TABLE OF CONTENTS

ARTICLE I Use Of Home Sites Affecting Common Elements; Architectural Standards	4
Section 1.1 – Occupancy of Home Sites Affecting the Common Elements or Other Units	4
Section 1.2 – No Commercial use	6
Section 1.3 – Decorative Displays at Units, Curtains	6
Section 1.4 – Painting Exteriors	7
Section 1.5 – Cleanliness	7
Section 1.6 – Antennas	7
ARTICLE II Architectural and Landscaping Restrictions	7
Section 2.1 – General Standards	7
Section 2.2 – Definitions	8
Section 2.3 – Location and Impact on Neighbors	9
Section 2.4 – Workmanship	9
Section 2.5 – Safety	9
Section 2.6 – Security	10
Section 2.7 – Miscellaneous	10
Section 2.8 – Interpretation of Standards	10
Section 2.9 – Specific Guidelines	10
Section 2.9A. – Antennas and Window Air Conditioners	11
Section 2.9B – Flagpoles	11
Section 2.9C – Awnings	11
Section 2.9D – Tennis Courts	11
Section 2.9E – Basketball Backboards	11
Section 2.9F – Dog Runs	11
Section 2.9G – Electronic Insect Traps	11
Section 2.9H – Fences	12
Section 2.9I – General Landscaping	12
Section 2.9J – General Lighting	13
Section 2.9K – Landscape Lighting	13
Section 2.9L – Irrigation	14
Section 2.9M – Holiday Lighting; Ornaments	14
Section 2.9N – Mailboxes	15
Section 2.9O – Patios	15
Section 2.9P – Barbecues	15
Section 2.9Q – Driveways	15
Section 2.9R – Play Equipment	15
Section 2.9S – Roofing/Siding	16
Section 2.9T – Security Devices	16
Section 2.9U – Sheds	16



Traditions at Historic Southbury Rules

Section 2.9V - Shutters.....	16
Section 2.9W - Signs	16
Section 2.9X - Solar Collectors.....	17
Section 2.9Y - Storm and Screen Doors	17
Section 2.9Z - Window Replacement/Additions.....	17
Section 2.9AA - Pools	17
Section 2.9BB - Remodeling	17
ARTICLE III USE OF COMMON ELEMENTS.....	18
Section 3.1 - Obstructions.....	18
Section 3.2 - Walkways	18
Section 3.3 - Proper Use	18
ARTICLE IV ACTIONS OF OWNERS AND OCCUPANTS	19
Section 4.1 - Annoyances or Nuisance	19
Section 4.2 - Compliance with Law.....	19
Section 4.3 - Pets.....	19
Section 4.4 - Indemnification for Actions of Others.....	19
Section 4.5 - Employees of Management	20
ARTICLE V INSURANCE.....	20
Section 5.1 - Increase in Rating.....	20
ARTICLE VI RUBBISH.....	20
Section 6.1 - Trash Containment.....	20
Section 6.2 - Trash Pickup and Container Location	20
ARTICLE VII MOTOR VEHICLES	20
Section 7.1 - Compliance with Law.....	20
Section 7.2 - Limitations on Use.....	20
Section 7.3 - Speed Limit	20
Section 7.4 - Snowmobiles and Off-Road, Unlicensed, or Immobile Vehicles.....	20
Section 7.5 - No Parking Areas	21
ARTICLE VIII GENERAL RECREATION RULES.....	21
Section 8.1 - Limited to Occupants and Guests.....	21
Section 8.2 - Reserved Areas	22
Section 8.3 -Children	22
Section 8.4 - Ejectment for Violation	22
Section 8.5 - Proper Use	22
ARTICLE IX SWIMMING POOL	22
Section 9.1 - State Regulations	22
Section 9.2 - Association Regulations	22



EXHIBIT C
TRADITIONS AT HISTORIC SOUTHBURY
ASSOCIATION, INC.

INITIAL RULES

(Note: Definitions of initially capitalized terms are as found in Article II of the Declaration.)

The following Rules apply to the Common Elements and use of Home Sites affecting Common Elements. Home Sites and Common Elements are also subject to use, occupancy, and alienation restrictions as contained Sections 10.1, 10.2, and 10.3 of the Declaration.

ARTICLE I

Use Of Home Sites Affecting Common Elements; Architectural Standards

Section 1.1 – Occupancy of Home Sites Affecting the Common Elements or Other Units

- (a) No industry, business, trade, or commercial activities involving employees, client or customer visits or non-residential storage, mail, or other uses of a Home Site shall be conducted, maintained, or permitted.
- (b) No storage of trash will be permitted within or outside of any building in such a manner as to promote the spread of fire or encouragement of vermin
- (c) Except as otherwise set forth in this document, nothing shall be hung outside of the building or exposed or placed on the outside walls, doors of a building, or on trees.
- (d) Each Home Site Owner shall keep his Home Site in good state of preservation and cleanliness.
- (e) Except as otherwise set forth in this document, no garbage cans or trash barrels shall be placed outside the buildings and No accumulation of rubbish, debris, or unsightly material shall be permitted outside of the buildings..
- (f) No person shall commit or facilitate any nuisances, vandalism, boisterous or improper behavior inside or outside of the buildings which interferes with, or limits the enjoyment of, the Common Elements by others.
- * (g) No alterations, additions, or improvements may be made in the exterior surface or outside of the buildings without the prior consent of the Executive Board, or such Architectural Review Committee established by the Executive Board having jurisdiction over such matters, if any, pursuant to Section 10.2 of the Declaration and pursuant to the architectural control



Traditions at Historic Southbury Rules

provisions of Article II.

Owners shall not paint, stain, or otherwise change the color of any exterior portion of any building to a color other than that originally sold by the Declarant without prior consent of the Executive Board or the Architectural Review Committee. Connecting trellises are a Common Element and shall be maintained in good condition by the Association. The Association will be responsible for their maintenance and continued existence. Home Site Owners may not remove, modify, or change such fences and trellises without consent of the Association and the Town of Southbury.

The architectural style of any buildings and Improvements to be created on the Property, shall be consistent with the architectural style of those buildings initially constructed by the Declarant pursuant to his Declaration. Exterior lights, fencing, and other exterior improvements will be consistent with existing elements. The Association may interpret these standards in accordance with reasonable variations, provided that an overall consistency of look and feel is maintained. Home Site Owners may make such changes to the exteriors of the buildings, provided further that such changes conform to such consistent guidelines that may have been approved by the Association in accordance with the standards and guidelines established by the Association as Rules and the procedures of Article XIII. Materials may be substituted at the option of the Home Site Owner and with the approval of the Architectural Review Committee, provided the visual aspect remains consistent with the above standard and a uniform style is maintained.

(h) No noxious, offensive, dangerous, or unsafe activity shall occur on a Home Site or Common Elements, nor shall anything be done, either willfully or negligently, which may be or become an annoyance or nuisance to other Home Site Owners or occupants. No Home Site Owner of a Home Site or occupant shall make or permit disturbing noises on a Home Site by himself or herself, his or her family, servants, employees, agents, visitors, and licensees, nor do or permit anything to be done by such persons that would interfere with the rights, comforts, or convenience of other Home Site Owners or occupants. No Home Site Owner or occupant shall play, or suffer to be played within a Home Site, any musical instrument, or operate, or suffer to be operated, any audio or visual equipment at such high volume or in such other manner that would cause unreasonable disturbances by the Home Site Owners or occupants outside of the buildings.

(i) No immoral, improper, offensive, or unlawful use may be made of the Home Sites, and Home Site Owners shall comply with and conform to all applicable laws and regulations of the United States and of the State of Connecticut, and all ordinances, rules, and regulations of the Town of Southbury. The violating Home Site Owner shall hold the Association and other Home Site Owners harmless from all fines, penalties, costs, and prosecutions for the violation thereof or noncompliance therewith.

(j) **Pets:** No animals, birds, or reptiles of any kind will be raised, bred, or kept in the Property, except for: no more than two (2) dogs with no one dog weighing more than ninety (90) pounds at maturity, of gentle disposition; no more than four cats, usual domestic birds in cages, and fish in tanks, or other household pets approved by the Executive Board or the Manager as



Traditions at Historic Southbury Rules

to compatibility with the community. Notwithstanding the above, in no event will any dog whose breed is noted for its viciousness or ill-temper, in particular the American Staffordshire Terrier, known as a "Pit Bull Terrier" or any crossbreeds of such breed, be permitted on the Property. No animal of any kinds that has venom or poisonous defense or capture mechanisms, or if let loose would constitute vermin, will be allowed in the premises. Pets may not be kept, bred, or maintained for any commercial purposes. Any pet causing or creating an unreasonable disturbance or noise will be permanently removed from the Property upon three (3) days' written Notice and Hearing from the Executive Board. In no event will any dog be permitted in any portion of the Common Elements unless carried or on a leash. Any droppings in the Common Elements will be picked up and removed immediately from the Common Elements by the pet's owner. The owner will hold the Association harmless from any claim resulting from any action of his pet whatsoever. Seeing-eye dogs will be permitted for those persons holding certificates of blindness and necessity. Other animals will be permitted if such animals serve as physical aides to handicapped persons and such animals have been trained or provided by an agency or service qualified to provide or train such animals.

(k) The use of Common Elements is subject to the Bylaws and the Declaration.

(l) Single families shall be defined as a group of individuals living together as a single, non-commercial, non-profit household, cooking and eating together with a common kitchen and dining area. No more than two persons in number per bedroom as designated on the building plans filed with the Town of Southbury building official may occupy a Home Site. The following forms of occupancy are prohibited: single-family residences containing three (3) or more individuals who may or may not be unrelated and who are: (a) supervised under an institutional or governmental program related to a mental illness, handicap, or mental retardation that, by its character or activities, would impose additional supervision, security, administration, or insurance burdens on the Association; or (b) persons in transition from incarceration. Nothing shall prohibit the unsupervised ownership, occupancy, or other Architectural Review Committee accommodation of persons by virtue of their mental retardation, handicap, or familial status as defined by the Federal Fair Housing Act.

Section 1.2 – No Commercial use

No industry, business, trade or commercial activities, other than tag sales and personal auctions under restrictions established by the Executive Board following application by the Home Site Owner, for purposes of order and safety involving employees, client or customer visits, or nonresidential storage, mail, or other commercial use exceeding that of a normal single-family dwelling or indicating from the exterior any commercial use, will be conducted, maintained, or permitted on any part of the Common Interest Community.

Section 1.3 – Decorative Displays at Units, Curtains

Home Site Owners will not cause or permit anything other than white or off-white window treatments, and quiet Christmas or holiday decorations contained within the framework of doors or windows, to be hung, displayed, or exposed at or on the outside of windows or outside



Traditions at Historic Southbury Rules

the Home Site at the front of the home without the prior consent of the Executive Board or such committee established by the Executive Board having jurisdiction over such matter, if any. Window treatments visible from outside the windows shall be or shall be lined with material of a white or off-white color.

Section 1.4 – Painting Exteriors

Owners will not paint, stain, or otherwise change the color of any exterior portion of any building without the prior consent of the Executive Board or such committee then established having jurisdiction over such matters, if any.

Section 1.5 – Cleanliness

Each Home Site Owner will keep the exterior of his Home and his Home Site in a good state of preservation and cleanliness.

Section 1.6 – Antennas

Exterior antennas for radio, CB or ham radio, which are not visible from the traveled Common Elements and antennas which are reception dishes under one meter in diameter, or mast antennas less than 12 feet in height above the building on a Home Site, are permitted on Home Site under the standards of these restrictions. External satellite dishes in excess of one meter measured diagonally at their widest dimension and mast antennas exceeding twelve feet in height above the ground or above the building to which they are affixed, are prohibited. All television and other antennas shall be located within the interior of a building or not visible from the traveled Common Elements. External antennas, to the extent that acceptable reception will not be impaired, if located on the exterior, should be kept below the eaves of the buildings and to the rear of the Home Site when possible.

All external antennas shall be painted or otherwise camouflaged, and be located to minimize the visual impact on the community.

ARTICLE II Architectural and Landscaping Restrictions

Section 2.1 – General Standards

The Declaration provides that the following Architectural Standards will apply to Traditions at Historic Southbury, hereinafter referred to as "Community":

Each Home Site Owner will maintain his or her Home Site in a good state of repair and maintenance. The architectural standards will be followed in the case of any repair, replacement or improvement of the structures on the Home Site, which change the appearance of the Home Site, as interpreted by the Association or a Committee established for architectural enforcement. Identical replacement of any exterior built improvement can be made without such



Traditions at Historic Southbury Rules

consent. Standard landscaping in the front yard will be maintained consistent with the landscaping in community, but flowers and other decorative, non-nuisance plants, shrubs and trees may be included at the option of the Home Site Owner. No man-made furniture, fixture, sculpture or artificially shaped planting may be included in the front-yard without permission of the Association. Signs shall be limited to a single identification sign showing the name and house number of the Home Site, of a uniform color and lettering approved by the Association. No "For Sale" or other signs attached to a house or installed in the ground are permitted. Temporary signs such as "Open House" or "Tag Sale" are permissible but must be removed within twenty four (24) hours from the completion of the event.

Home Site Owners who wish to change the appearance of the exterior yard or building area of the Home Site shall apply for approval of such change to the Association or Architectural Review Committee established for this purpose, prior to the time that the improvement is intended to be constructed. The application shall include as much detailed information as possible so as to reasonably depict the elevation and plan of the proposed improvement sufficient to provide a sense of the final appearance. Detailed information shall include, but shall not be limited to, sketches, plot plan, photo(s), color sample(s), and landscape drawing(s). The Association or Committee shall respond within thirty (30) days of the application and, upon notice prior to the hearing date, an opportunity to be heard by any adjoining Home Site Owner of a Home Site on which a boundary wall or structure, as defined in Article V, Section 5.2 of the Declaration, is located. The Association or Committee may establish further rules of form, procedure, and notice for the proceedings. The Association may approve, deny, or approve with modifications, the proposal. If the application is denied or approved with modifications, the Association or Committee shall provide Notice and Opportunity to be heard to the applicant within thirty (30) days of the decision.

Certain alterations, additions, and modifications will require the approval of the Town of Southbury's Building Inspector or Engineer. The Home Site Owner applicant shall be responsible for obtaining all required approvals and permits. The Town's approval does not preclude the need for Architectural Review Committee approval, nor does Architectural Review Committee approval relieve the Home Site Owner applicant from any responsibility of obtaining the Town's approval.

Section 2.2 – Definitions

Appropriate to the architectural style of those buildings...or "Contextual Relationship."

"Contextual Relationship" pertains to the characteristics of any existing structures, the neighborhood, and the individual lot. An element of design that may be acceptable in one instance may not be acceptable elsewhere in the Traditions at Historic Southbury community where the Association will have a need for more conformity to adjacent property, including the Common Improvements, by way of example. To harmonize in its contextual relationship, a design must be compatible.



Traditions at Historic Southbury Rules

"Compatibility" is defined as an agreeable relationship in, and in some instances actual continuity of architectural style, mass, proportions, rhythm, scale, quality of design and materials, and similar use of materials, color, and design details.

"Mass or massing" is defined as the visual relationship of architectural elements of various sizes to one another and to the immediate environment.

"Proportion" is defined as the relationship of height to width, voids to solids, bulk of the structure to other structures, and of the parts to the whole.

"Rhythm" is defined as the regular and/or irregular occurrence of architectural and landscaping elements as they occur in and define a design.

"Scale" is defined as the visual effect of architectural and landscape elements of differing size to one another and to the immediate environment.

"Colors and materials" refers to and includes siding, trim, doors, windows, gutters, downspouts, and roofing and all other architectural and site elements must relate harmoniously within the project; they also must be in context with its environment.

Section 2.3 – Location and Impact on Neighbors

No additions to a Home shall be permitted without approval of the Committee and observance of the restrictions of the site plan approval of the Southbury Zoning Commission. A proposed alteration or modification should relate favorably to the neighborhood's planning, landscaping, topography, and existing character. The primary concerns are preservation of access, sunlight, ventilation, view, and drainage, as well as the impact on the privacy and normal use of neighboring properties.

In reviewing impact on neighbors, the Architectural Review Committee must balance the property rights and expectations of an applicant with the neighbor's expectations and further consider future neighbors and property owners. While not easily susceptible to a balanced solution, the Architectural Review Committee shall consider all aspects of a situation before making a decision.

Section 2.4 – Workmanship

The quality of work should at all times equal or exceed that which was originally used. If past practices are no longer acceptable or feasible, industry, code, current, or best practices must be followed.

Section 2.5 – Safety

While safety is an important consideration in any situation relative to the alteration, addition, or modification to any building or grounds, this issue is the responsibility of the Connecticut State Building Code and the Code of the Town of Southbury and not the



Traditions at Historic Southbury Rules

Architectural Review Committee or Association. It is the recommendation of the (ARC) and the Association that any and all utility companies be notified in advance of such alteration, addition, or modification is being made to any building or grounds.

Section 2.6 – Security

Security may also be an important consideration to the property owner; however it shall be the Home Site Owner's responsibility to provide the needed security without offending neighboring property owners or the community. Security items can be provided within parameters of good and acceptable design.

Section 2.7 – Miscellaneous

(a) The Architectural Review Committee shall consider the impact of any noise or odors attendant on requests, as well as the impact on any pedestrian and/or vehicular traffic patterns.

(b) All applications to the Architectural Review Committee must include estimated completion dates for the alteration, addition, or modification. The Architectural Review Committee need not approve a request whose time frame it considers unreasonable.

(c) Applications for alterations, additions, and modifications shall include, but shall not be limited to, a full description of the project including dimensions, color, location with respect to the Home, property lines, adjacent Homes and town easements and set backs. All required permits must be obtained prior to the commencement of the project.

Section 2.8 – Interpretation of Standards

Pursuant to the terms of Articles X and XIII of the Declaration under which this Rule is promulgated, the Executive Board of Traditions at Historic Southbury Association, Inc., shall appoint an Architectural Review Committee or may act as the Architectural Review Committee, to act on requests from Home Site Owners to modify or improve their Homes or Home Sites.

The Architectural Review Committee shall be required to apply certain standards in making its decisions. The standards hereinafter set forth are intended to underlie specific guidelines and shall be relied upon in instance where the specific guidelines set forth in Schedule B hereof are vague, ambiguous, or non-existent.

The decisions of the Architectural Review Committee shall be binding on the Home Site Owner applicant except in the instance where the Executive Board shall elect to overrule the decision of the Architectural Review Committee, following Notice and Opportunity to be Heard by the Board by the Home Site Owner applicant.

The basic Standards for architectural style are found recited in Section 2.1 above.

Section 2.9 – Specific Guidelines



Traditions at Historic Southbury Rules

Section 2.9A. – Antennas and Window Air Conditioners

This guideline pertains to window mounted air conditioning equipment and any type of exterior antenna as provided in Article I, Section 1.6, whether radio or television reception, "ham", or Citizen Band transmission or any other type whatsoever except satellite dishes.

Window air conditioners and exterior antennas are not permitted except for satellite dishes as provided in Article I, Section 1.6.

Section 2.9B – Flagpoles

A ground-mounted flagpole only for display of the American flag shall be permitted subject to Architectural Review Committee approval of placement and design. No flagpole shall be used as an antenna. A flagpole attached to a house should not exceed six (6) feet in length. Seasonal flags are allowed on house mounted flag poles and should be removed after the season or event is over.

Section 2.9C – Awnings

Installation of awnings requires approval from the Architectural Review Committee. The awnings must be appropriate to the architectural style and scale of the Home to which they will be attached. The fabric must be appropriate to the existing Home's colors, and any exposed frames must be painted to match the trim or dominant color of the home.

Section 2.9D – Tennis Courts

Tennis Courts are not permitted.

Section 2.9E – Basketball Backboards

Permanent backboards mounted in the ground or on a house are not permitted. Portable backboards mounted on poles may be permitted. The backboard and pole must be clear, white, or painted black. The backboard must be located on the driveway and not on any street or parking area and must be put away no later than 9:00 PM. Portable backboards must be stored in the Home garage or out of sight of any abutting home sites when not in use. Backboards are not permitted elsewhere.

Section 2.9F – Dog Runs

Dog runs are not permitted.

Section 2.9G – Electronic Insect Traps



Traditions at Historic Southbury Rules

Electronic, or propane, insect traps are allowed and do not require approval by the Architectural Review Committee so long as they are located in the back yard and not visible from the street.

Section 2.9H – Fences

Fences require the approval of the Architectural Review Committee and are not permitted in the front yards of any Home except as may be installed by the Declarant. The Architectural Review Committee may approve rear and side yard fences so long as the fence does not exceed five (5) feet in height. It must be consistent in appearance and be of white or stained weathered gray color; rail and picket styles are preferable. The Architectural Review Committee may approve other colors and styles. If the fence is to be located closer than two (2) feet to a property line or if the fence is intended to be a party fence shared with adjoining neighbors, a joint application must be submitted by all affected parties. The fence must be maintained in good condition or the Architectural Review Committee shall have the right to order its removal.

Section 2.9I – General Landscaping

The Architectural Review Committee has approved the following specific items that do not require Architectural Review Committee Approval:

- All planters, not to exceed twenty four (24) inches in diameter, which are placed on walkways, driveways, or house steps. Empty planters, however, should be removed during the winter months.
- Similar sized planters may also be included within the confines of the flowerbeds.
- One (1) hose reel attached to and located in proximity to the outside faucet in front of the house. They should also be concealed as far as practicable.
- Hanging planters suspended from a porch or covered stoop, trellises between houses, or house railings.
- Benches, chairs and tables, which are placed on porches and stoops only.
- A single birdbath screened within a flowerbed and not to exceed thirty six (36) inches in height.
- Shepherd Hooks placed in foundation flowerbeds and back yards.

The Architectural Review Committee must review and approve plans for the addition or alteration of landscaping when the proposal includes, but is not limited too, one or more of the following items and is not permitted under the approved guidelines stated above:



Traditions at Historic Southbury Rules

- Structural or decorative landscape elements such as benches, trellises, patios, planters, stone or retaining walls, signs, lights, walkways, or works of art if planning to install outside of porch or gardens
- Vegetable gardens of any size
- New and expanded planting beds and/or flower gardens
- Addition or removal of trees on the homeowner's site
- Addition or removal of shrubs on the homeowner's site
- Changing the form or color of driveway pavement or walkways

Structural and decorative elements introduced into an open environment must not be intrusive and must be appropriate to their surroundings. Size, scale, color, and material are important criteria for acceptability.

Decorative elements visible from the street which are not part of the natural gardenscape or consistent with the New England or cottage garden feel of the building, such as "gazing balls" "garden elves" "flamingoes" etc. shall not be permitted.

Trees, shrubs, and plant materials should be an appropriate size and must not be detrimental to neighboring property when mature. Sculptured shrubs and trees are not permitted. Vegetable gardens shall be located only in rear yards and shall be limited to types and species that will not intrude on the light and views of adjacent homes. Synthetic turf will not be permitted.

The Architectural Review Committee may require tree or shrub removal if the tree or shrub is dead, is a danger to people or property, is so overgrown that pruning will not solve the problem, or has grown too large for the space. In no case shall the lack of an Architectural Review Committee requirement prevent the emergency removal of a tree that threatens the safety of persons and/or property.

Landscaping shall be maintained so as not to intrude on the light and views of adjacent Homes.

Section 2.9J – Lighting

Lighting type, color, and quality, as approved by the Architectural Review Committee, must be appropriate to other existing lights on the Home and appropriate to other lighting fixtures at the Home Site and in the neighborhood. The Architectural Review Committee may approve replacement or additional lighting, provided proposed lighting meets the following criteria:



Traditions at Historic Southbury Rules

- In no event may additional lighting impair the vision of a driver or pedestrian.
- Fixture style must be a traditional carriage lantern.
- Fixture must have diffused glass, colored glass or bulbs are not permitted.
- Maximum wattage per fixture is 100 watts.
- The fixture can only be made of copper, brass, nickel, bronze, iron or stainless steel.
- Lights must be located in the area they are intended to illuminate.
- Security lights may be installed under the roof eaves, directed downwards, and shielded so they do not create a hot glare spot visible to neighbors. The fixture color and shielding must be appropriate to other lighting fixtures at the Home Site and in the neighborhood.
- Conduits and wiring must be concealed.
- Pole lighting may not exceed six (6) feet in height.

The Architectural Review Committee may not approve high-wattage, commercial/industrial type fixtures or sodium vapor light sources.

Section 2.9K – Landscape Lighting

Lighting type, color, and quality must be appropriate to other lighting fixtures at the Home Site and in the neighborhood. The Architectural Review Committee may approve landscape lighting, provided proposed lighting meets the following criteria:

- Must be low voltage or solar powered.
- Fixture can only be made of copper, brass, polished solid brass, nickel or bronze.
- Must not exceed 18 inches in height from the ground.

Section 2.9L – Irrigation

The Architectural Review Committee may approve irrigation for lawns and planting beds.

Section 2.9M – Outdoor Holiday Lighting; Ornaments



Traditions at Historic Southbury Rules

Outdoor holiday lights may only be displayed from Thanksgiving to January 6. Recommendation for holiday lighting guidelines are to be established by the Architectural Review Committee. There may be no flashing or twinkling lights, animated or inflatable figures and exterior sound is not permitted.

Section 2.9N – Mailboxes

The Architectural Review Committee will control the selection and construction of all mailboxes and newspaper receptacles within The Traditions At Historic Southbury. The only type of mailbox that is approved and permitted is the community style.

Section 2.9O – Patios

The Architectural Review Committee may approve a patio if it is:

- Located in the rear yard of the Home
- Built of slate, brick, bluestone, pavers or other materials specifically approved by the Architectural Review Committee. Synthetic turf is not permitted.
- Set a minimum of five (5) feet from adjoining property and set between the plane of the sides of the Home, and, in the rear, no closer than two (2) feet from the property line.
- Application for patio construction or alteration must be accompanied by an appropriate zoning compliance letter or a letter from the town of Southbury stating that such compliance letter is not required.

Section 2.9P – Barbecues

Barbecues are permitted only in the rear. Permanent barbecues require the approval of the Architectural Review Committee. Barbecue areas shall be designed to be integral with patio or deck areas. Prevailing winds should be considered when locating the barbecue to prevent excessive smoke and odor from blowing toward adjacent Homes.

Section 2.9Q – Driveways

Driveways may not be enlarged or reduced in size or otherwise reconfigured without Architectural Review Committee approval in each instance. Surface materials or color may not be changed.

Section 2.9R – Play Equipment

The Architectural Review Committee may approve play equipment at the Home Sites. The Architectural Review Committee will weigh lot and equipment size, material, design,



Traditions at Historic Southbury Rules

amount of visual screening, and relationship to neighboring property when deciding upon an application. Treehouses, skate board ramps, and courts are not permitted. All play equipment must be located in the rear yard and between side planes of the house.

- Swing sets shall not be wider than ten feet and located at least 10 feet from adjoining home site property lines. They must be made predominantly of wood left to weather naturally or if metal, painted a solid muted color.
- Enclosed type playhouses must be screened with natural vegetation, approved fencing, or approved additional landscaping and must be located at least 10 feet from adjacent property lines.
- All play equipment must be maintained in good order and neat appearance, or the Architectural Review Committee shall have the right to order their removal.

Section 2.9S – Roofing/Siding

The Architectural Review Committee must approve the replacement of any roofing, siding, or exterior trim. The proposed replacement materials must be the same type, and of equal or better quality, as the material being replaced. The replacement material must also be, to the extent possible, the same color as the material being replaced.

Section 2.9T – Exterior Security Devices

The Architectural Review Committee may approve exterior security devices that do not detract from the design integrity of the home or the neighborhood. No exterior alarms and sirens are permitted.

Section 2.9U - Sheds

Sheds are not permitted.

Section 2.9V – Exterior Shutters

The addition, removal or replacement of exterior shutters requires the approval of the Architectural Review Committee. Replacement of shutters may be approved by the Architectural Review Committee so long as the replacements are, to the extent possible, of the same type, material, and color as those being replaced.

Section 2.9W – Signs

No signs shall be permitted within, or adjacent to, a Home site except :

- A house number sign as originally installed on the house or as approved by the Architectural Review Committee.



Traditions at Historic Southbury Rules

- A house identification sign, no greater than 2 square feet, displaying the name of the homeowner placed near the entrance.
- One (1) security company sign or decal placed near the entrance.

Section 2.9X – Solar Collectors

Solar collectors may be approved by the Architectural Review Committee, provided they are located on the rear roof of the home and are colored to harmonize with the roof color and are installed at the same slope as the rear roof.

Section 2.9Y – Storm and Screen Doors

Storm and screen doors may be installed with the approval of the Architectural Review Committee. Storm and screen doors must be white and full view unless the front door is black, in which case, a black storm or screen door may be.

Section 2.9Z – Window Replacement/Additions

The Architectural Review Committee may approve the addition or replacement of windows provided the new or replacement windows are of the same general type and color, of equal or better quality, and consistent in appearance with other windows in the neighborhood. Damaged windows may be replaced without approval from the Architectural Review Committee provided the replacement windows are of the same color, material, and type of those being replaced.

Section 2.9AA – Pools

No above ground or inground swimming pools will be permitted on individual home sites.

Section 2.9BB – Remodeling

The Architectural Review Committee may, but is not obligated or required to, approve variance requests for exterior remodeling of existing homes. For purposes of this section, "Exterior Remodeling" shall be deemed to include (1) addition or expansion of interior living space that necessitates changes to existing exterior walls or roof lines, (2) addition, expansion or screening of existing decks or porches, and (3) other projects that the ARC, in its sole judgment, wishes to apply these standards to. When considering such variance requests, the Architectural Review Committee must, first and foremost, ensure that each such exterior remodeling project is appropriate to community character, aesthetics, and architectural integrity. Accordingly, all requests for approval of exterior remodeling projects MUST include sufficient architectural details and other information that the Architectural Review Committee may require, so that the ARC can make that determination.



Traditions at Historic Southbury Rules

In reviewing exterior remodeling requests, the ARC shall review the following specific considerations relating to the subject home site, as well as, all other homes in its general vicinity: building details, architecture details, community compatibility, setbacks, building heights, view sheds, lighting, and all other matters that might affect neighbors or the community as a whole.

The Architectural Review Committee may, but is not obligated to, approve the temporary placement of a dumpster on a home site where remodeling is in progress or on a nearby common element. The dumpster provider will be required to provide a certificate of liability insurance to the homeowners association. In the event the Architectural Review Committee approves the use of a dumpster on a common element and the provider of the dumpster causes damage to the common element but does not remediate the damage as outlined by the Architectural Review Committee prior to the start of the project then the homeowner shall be liable for remediation of the damage.

Notwithstanding anything to the contrary in these guidelines or the HOA Rules and Regulations, all remodeling projects are subject to all current municipal building, planning and zoning requirements as may be in place from time to time. When submitting a variance request for any remodeling project, the applicant **MUST** include with such request a copy of either the appropriate town permits or a letter indicating that no such permits are required.

ARTICLE III USE OF COMMON ELEMENTS

Section 3.1 – Obstructions

There will be no obstruction of the Common Elements nor will anything be stored outside of the Home Sites without prior consent of the Executive Board, except as hereinafter expressly provided.

Section 3.2 – Walkways

The walkways are to be used only for pedestrian purposes by residents and their invitees in such manner so as to not unreasonably interfere with the rights of other Home Site Owners. Home Site Owners will be responsible for their actions and the actions of their invitees. No motorized vehicles or bicycles will be permitted.

Section 3.3 – Proper Use

Common Elements will be used only for the purposes for which they were designed. No Person will on Common Elements commit interfere with their proper use by others, or commit waste, vandalism, or boisterous or improper behavior that interferes with or limits the enjoyment of the Common Elements by all others.



Traditions at Historic Southbury Rules

ARTICLE IV ACTIONS OF OWNERS AND OCCUPANTS

Section 4.1 – Annoyances or Nuisance

No noxious, offensive, dangerous or unsafe activity will be carried on in the outside of any home site, the Common Elements, nor will anything be done therein, either willfully or negligently, which may be or become an annoyance to the other Home Site Owners or occupants. No Home Site Owner or occupant will make or permit any disturbing noises by himself, his family, servants, employees, tenants, agents, visitors, and licensees nor do or permit anything to be done by such Persons that will interfere with the rights, comforts, or convenience of other Home Site Owners or occupants. No Home Site Owner or occupant will play, or suffer to be played, any musical instruments or operate, or suffer to be operated, audio or video equipment of any kind, at such high volume or in such other manner that it will cause unreasonable disturbances to other Home Site Owners or occupants. If such sound can be heard and understood by Persons of normal sensitivity within other Home Sites with doors and windows closed and air handling systems on, it will be considered too loud.

Section 4.2 – Compliance with Law

No immoral, improper, offensive, or unlawful use may be made of the Common Interest Community. Home Site Owners will comply with and conform to all applicable laws and regulations of the United States and of the State of Connecticut and all ordinances, rules, and regulations of the Town of Southbury and will save the Association or other Home Site Owners harmless from all fines, penalties, costs, and prosecutions for the violation thereof or noncompliance therewith. Any use of the Property that constitutes waste will not be permitted.

Section 4.3 – Pets

Any pet causing or creating repetitive or unreasonable disturbance or noise will be permanently removed from the Property upon three (3) days' written Notice and Hearing from the Executive Board. Any droppings in the Common Elements or, home sites immediately adjacent to common elements, will be picked up and removed immediately to dumpsters or other trash disposal containers. The owner will compensate any Person hurt or bitten by any dog and will hold the Association harmless from any claim resulting from any action of his pet whatsoever. Seeing-eye dogs will be permitted for those persons holding certificates of blindness and necessity (20/200 in the better eye with correction). Other animals will be permitted if such animals serve as physical aides to handicapped persons and such animals have been trained or provided by an agency or service qualified to provide or train such animals. In no event will any dog or cat be permitted in any portion of the Common Elements unless caged, carried or on a leash.

Section 4.4 – Indemnification for Actions of Others

Home Site Owners will hold the Association and other occupants harmless for the actions of their children, tenants, guests, pets, servants, employees, agents, invitees, or licensees.



Traditions at Historic Southbury Rules

Section 4.5 – Employees of Management

No Home Site Owner will send any employee of the Manager out of the Property on any private business of the Home Site Owner nor will any employee be used for the individual benefit of the Home Site Owner unless in the pursuit of the mutual benefit of all Home Site Owners or pursuant to the provision of special services for a fee to be paid to the Association.

ARTICLE V INSURANCE

Section 5.1 – Increase in Rating

No home site owner will do, keep, or permit anything to be done or kept in the common interest community that will result in an increase in rating of insurance required to be maintained by the Home Owners Association, or result in the cancellation of such insurance coverage.

ARTICLE VI RUBBISH

Section 6.1 – Trash Containment

No storage of trash will be permitted in or outside any Home Site in such manner as to permit the spread or encouragement of fire or vermin.

Section 6.2 – Trash Pickup and Container Location

The Manager in consultation with the trash service will designate trash container pickup locations and times. Long-term storage of rubbish in the Home Sites is forbidden. Trash containers will not be left in the pickup areas more than 12 hours before scheduled pickup nor more than 12 hours after pickup. If the law requires separation of trash for recycling, direction for such, will be provided by the trash service.

ARTICLE VII MOTOR VEHICLES

Section 7.1 – Compliance with Law

All Persons will comply with Connecticut State Laws and Department of Motor Vehicle regulations on the roads, drives, and Properties.

Section 7.2 – Limitations on Use



Traditions at Historic Southbury Rules

There is space for two vehicles per Home Site within the garage and two or more spaces for parking in the driveway apron in front of each garage within the Home Site Unit. A Home Site Owner must garage one of his other vehicles overnight in his garage and not in an outside space. Parking areas outside of buildings will be used for no other purpose than parking passenger motor vehicles and loading or off-loading. Commercial vehicles, trailers and boats may not be parked outside of the buildings and are prohibited in the general parking areas and drives except for temporary loading and unloading. Thus, such vehicles may only be parked within garages with doors closed. There shall be no long term parking on the roadways or other common elements outside of the Home Site Unit. Construction equipment used in the actual repair, construction, or maintenance of the Common Interest Community will not be so restricted.

Section 7.3 – Speed Limit

The speed limit on the community roadways are as posted.

Section 7.4 – Snowmobiles and Off-Road, Unlicensed, or Immobile Vehicles

Snowmobiles and off-road vehicles, including trail bikes, jeeps, and other four-wheeled-drive vehicles not used in maintenance, are prohibited except where licensed and equipped for passage on public highways and actually used by licensed drivers on the paved portions of the Property. Except for other motor-assisted bicycles and wheelchairs as permitted by State law, all highway vehicles used or parked on the Property will be licensed, properly equipped, and in operating condition for safe travel on the public highways of the state. Except for temporary repairs not involving immobility in excess of 10 hours, highway vehicles will not be disassembled, repaired, rebuilt, painted, or constructed outside of garages on the premises. No vehicles, other than maintenance vehicles, may travel on the Property except on paved roadways and parking areas.

Section 7.5 – No Parking Areas

Vehicles may not be parked in such a manner as to block access to driveway, fire hydrants, sidewalks, pedestrian crossing areas, designated fire lanes, or clear two-lane passage by vehicles on roads and drives. Violating vehicles will be towed after reasonable efforts have been made to contact the Person or host to whom the vehicle is registered. In addition, the Home Site Owner to whom, or to whose invitee, the vehicle is registered, following Notice and Hearing, may be levied a \$25 per day fine for the period that the vehicle violated these Rules unless at such hearing good and valid reasons are given for such violation. Costs of towing and enforcement may be collected as Common Expense.

ARTICLE VIII GENERAL RECREATION RULES

Section 8.1 – Limited to Occupants and Guests

Recreation facilities, community center, open space and woodland within the Common Elements, are limited to the use of Unit Owners, their tenants and invited guests. All facilities are used at the risk and responsibility of the users, and the user will hold the



Traditions at Historic Southbury Rules

Association harmless from damage or claims by virtue of such use. (See section 4.4 – *Indemnification for Actions of Others*)

Section 8.2 – Reserved Areas

Specific portions of the community center, woodland or open space facilities, or specific times of recreational schedules, may be reserved, or priority given, to certain groups. Such reservations and scheduling will be done by management personnel or personnel duly appointed by management.

Section 8.3 – Children

Parents will direct and control the activities of their children in order to require them to conform to the regulations. Parents will be responsible for violations or damage caused by their children whether or not the parents are present.

Section 8.4 – Ejectment for Violation

Home Site Owners, members, guests and tenants may be summarily ejected from a recreational facility by management personnel or, personnel duly appointed by management, in the event of violation of these regulations and suspended from the use of such facility until the time for Notice and Hearing concerning such violation, and thereafter, suspended for the period established following such Hearing.

Section 8.5 – Proper Use

Recreational facilities will be used for the purposes for which they were designed. Picnic areas, equipment, and surrounding areas will be properly used, and may not be abused, overcrowded, vandalized or operated in such a way as to prevent or interfere with permitted play or use by others. Rules of safety promulgated by nationally recognized organizations regulating play of a game or sport for which a facility is designed will be followed, and where appropriate, customary safety equipment will be worn and used.

ARTICLE IX SWIMMING POOL

Section 9.1 – State Regulations

All applicable state regulations for the use of the swimming pool will be posted at the pool and will be obeyed.

Section 9.2 – Association Regulations

From time to time, the Association may enact regulations for the use of the swimming pool, which will be posted with the state regulations and will be obeyed.



Traditions at Historic Southbury Rules

**Certified to be the revised rules
adopted by the Executive Board on 27
February 2008.**

**Bob Pious
Secretary**

POOL COMMITTEE

The Traditions at Historic Southbury Board of Directors is seeking volunteers for the 2008 Pool Committee. If you are interested in joining the committee please call Tim Barth at Imagineers 203-463-3208 or email Tim at tbarth@Imagineersllc.com.

Thank you

Amenities Committee Update
2/27/08

At the last community wide event which was the Valentine's Party, the amenities committee members that were present took the opportunity to meet to discuss the upcoming year and the schedule of events. The committee has had over a years worth of sponsoring monthly events. The discussion focused on a review of past year events and it was noted that there was a lack of community wide interest in most events. Over the year there have, however, been several events that did generate significant interest from the community, most of those events being focused on children. As a result, it was decided that the schedule will be significantly reduced to include the following:

April 26th, 2008- Traditions Idol

July 19th, 2008- Summer Family Picnic

September 28th, 2008- Apple Bake-Off (if Marian Van Egas is still interested in hosting)

October 26th, 2008- Kid's Halloween Party (if Jen Hoedl is still interested in hosting)

December 14th, 2008- Visit from Santa (which Marybeth Villa will host)

In the future, any resident in the community can host a community wide event. The resident would need to contact the Amenities Committee Chair, Doreen Elnitsky, at 203-262-6357 for approval. This approval will ensure that the event meets criteria to be considered as a community event. The resident will then be asked to assume responsibility for to organization, supervision, and clean up of the event. Community events must be planned at least two weeks in advance in order to ensure that all residents have an opportunity to be informed of the event and decide whether or not they want to participate.