

INTRODUCTION

This is the Ice Pond Woods Condominium Association (IPWCA) Handbook. It explains to owners and tenants the regulations and guidelines we need to observe for Ice Pond Woods to continue to be a harmonious and desirable place to live.

If this handbook doesn't contain the answer to your questions, please come to one of the Board meetings held on the second Tuesday of each month, place and time posted near your mailbox a few days prior to each meeting. Or contact a Board member directly. Your questions are always welcome.

You can also access our website which has information about the community, by emailing Mark McDonald who will send you an invitation and the URL:
mcdonald@isenberg.umass.edu

In addition,, we have an email listserv for the Board to pass on information to owners and residents. If you want to add your email address to the list, please follow the directions on the webpage.

We hope you will become involved in community activities. In the past we have held events such as, an Annual Tag Sale, a summer picnic, and a winter holiday potluck. We want Ice Pond Woods to be a beautiful and safe place in which to live. Getting to know your neighbors is good place to start.

IPWCA Board of Managers
July 10, 2013

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BRIEF LIST OF RULES AND REGULATIONS

This section is designed highlight some of the specifics from the following pages. It is not complete and residents should read the entire document; for details refer to the appropriate sections of the Handbook. All rules are in effect to benefit the community at large, and to ensure a continued quality of life here at IPWCA.

Monthly condominium fees are due on the first day of each month. Late payments result in an additional \$25 fee. Mail your check to Kamins Real Estate, 400 Amity Street, Amherst, MA 01002. You may also contact them to arrange for automatic payment from your bank account.

To request appropriate repair work, (section I, 3.) email or call the management company at 413-253-2515 or use their maintenance request form at <http://kaminsrealestate.com/home/>.

Major modifications to structures, some internal systems, and landscaping require a proposal to and approval by the Board of Managers (details section III, 1.). Failure to comply can result in an owner being required to restore property and/or pay financial penalties.

Residents should use trash areas properly and recycle appropriately (section IV).

Parking is limited. Residents should park one auto in their garage, failure subject to a fine of up to \$200/month (section V). Use of garages insures that we have enough parking for all residents.

If you are having a number of guests over , please have them park along the side the road rather than taking a resident's parking space.

During snow removal residents must move their autos to allow plows access to all parking areas.

Residents planning to use wood stoves or fireplaces must provide proof of chimney/flue inspection annually to the Board (section II), and properly store wood (section VIII).

Residents are responsible for replacing broken light fixtures attached to their units using the approved model: Progress Lighting Model# PS5769-33 available from Hampden Zimmerman Electric Supply Company in Northampton (section II).

THE CONDOMINIUM ASSOCIATION

The *Ice Pond Woods Condominium Association* (IPWCA) is responsible for overseeing the maintenance of all of the common property. The affairs of the Association are managed by an unpaid board of seven managers, all of whom must be unit owners, elected annually by all unit owners at the Annual Meeting. One of the Board's important responsibilities is to plan and manage Association funds raised from monthly condominium fees paid by all unit owners. Everyone is welcome at the monthly meetings. If you have concerns or suggestions, this is the time and place to raise them. However, exterior and common space maintenance requests should be made directly to Kamins Real Estate, our professional management company.

I. Condominium Association Budget

The following is a description of the Ice Pond Woods Condominium Association budget.

Unit fees are decided on the basis of each owner's undivided interest in the Association applied to the amount of the budget. Fees are due on the first of each month. Payments received after the 15th day of the month are assessed a late fee of \$25. State law dictates that unpaid condominium fees constitute a lien against property and the Board reserves the right to collect past due fees through court action. Please make every effort to pay on time. Mail your check to Kamins Real Estate, 400 Amity Street, Amherst, MA 01002. Residents may arrange with Kamins for automatic payment for their bank accounts: 413-253-2515. The Condominium Association depends on each unit owner to pay his/her bill on time and will take all necessary steps to effect timely collection. The budget covers the following expenses:

- 1. Electricity.** The electric bill is an important item in the budget each year. IPWCA is responsible for common area lighting - exterior path lights, hallway lights in four-plex buildings, and individual lighting and convenience services in each garage. **Please note that** for both safety and billing purposes **permission of the Board is required** to use an appliance (e.g. a freezer) or recharge an electric automobile on a continuing basis in a garage.
- 2. Insurance.** The Association has a property damage and liability policy covering all Association property. The policy is in the name of the Ice Pond Woods Condominium Association and conforms to state laws. The policy is too detailed to go into here, so please direct any questions to the Board. Owners and tenants should have individual coverage to protect contents and liability of individual units.
- 3. Maintenance Services.** These are payments to outside contractors for services, including painting and other major projects. Kamins Real Estate administers

property management for IPWCA. They perform or subcontract all maintenance services at the Board's direction.

The management company is responsible for the maintenance of the following common elements:

- a. All footpaths, parking areas, lawns, shrubbery, natural and constructed drainage systems.
- b. Snow removal from roads, paths, parking areas, and front entries to units. Please note that snow removal from Old Farm Road is the responsibility of the town and certain areas of Crossbrook are the responsibility of the Hollow, a neighboring complex.
- c. All exterior footpath lighting (not lights attached to a unit – see II Owners' Expense below).
- d. Garages (except for cleaning and light bulb replacement), rubbish areas, storage areas, and structures containing utility meters.
- e. Public entranceways in four-plex buildings, including cleaning on a regular basis.
- f. All exterior maintenance of units except window cleaning, replacement of glass, repair of exterior lights, and door replacement or repair.
- g. Foundation and foundation walls, pipes, wires, cables or conduits which are located in one unit but serve another.
- h. All underground sewage, drainage, and water mains, structures and control equipment incidental to their operation.

To request repair work, including for the common areas, please call Kamins Real Estate 413-253-2515. Or, make a website maintenance request at <http://kaminsrealestate.com/home/>.

4. **General Improvements.** These include neighborhood improvements, e.g. speed bumps, drainage pipes, new trees, etc.
5. **Capital Reserve.** The Association is required to keep funds for unforeseen expenses. The Association occasionally uses available money from this account for such expenses. Current banking mortgage rules require that the Capital Reserve equals at least ten percent of the association operating budget.

II. Condominium Owners' Expense

Unit owners are responsible for maintaining and repairing the following, which must meet code and adhere to local building regulations:

- Heating and air conditioning systems, including associated ductwork and flues.
- Appliances and hot water heaters, including ductwork, vents and flues.
- Plumbing, electrical and TV cable hookups, including plumbing fixtures which are for the exclusive use of one unit and located within the foundation or structure of one unit.
- Exterior lights attached to units. Such lights must comply with the IPWCA- specified standard fixture: Progress Lighting Model# PS5769-33; available at Hampden Zimmerman Electric Supply Company in Northampton. Lights attached to public entranceways in four-plex buildings are the Association's responsibility.
- Window glass.
- Interior wall surfaces, floors, woodwork, ceilings, fireplaces or stoves, and replacement or repair of flues, chimneys, and ventilating shafts associated with heating, plumbing, or air conditioning systems which are for the exclusive use of one unit.
- Garage interior cleaning and bulb replacement.

Additionally, owners are responsible for the following:

Condominium Owners' Insurance. Unit owners are responsible for insuring their contents and providing liability insurance for their own units. The Association's insurance covers the common areas and facilities and the permanent fixtures in units. Please contact an insurance agent about condominium owners' insurance.

Electricity. Each unit is metered individually by the Western Massachusetts Electric Company (WMECO). Therefore, you are billed separately for the use of electricity in your home. Please note: if you want to put an appliance (like a freezer) or plug in a car in your garage, you must make arrangements with the management company to pay for the electricity.

Natural Gas. Natural gas for your furnace, range, and hot water heater is supplied by the Berkshire Gas Company. You are billed separately for gas use. Servicing and inquiries should be directed to Berkshire Gas.

Sewer and Water. Each unit is individually metered for water and sewer use. Inquiries about billing and rates should be directed to the Town of Amherst Water Dept.

Real Estate Taxes. If your mortgage company is not paying your real estate taxes, the town of Amherst will bill you for your property taxes. Inquiries should be directed to the Assessors Office in Town Hall, Amherst, MA 01002

Cable Television. Comcast has wired each unit for cable service. For information, contact Comcast.

Heating and Air Conditioning Services. Heating and air conditioning units should be serviced annually for reliable, efficient service and safety. Smoke alarms and fire extinguishers must also be checked annually to determine good working order.

Wood Stoves and Fireplaces. For safety of all residents, all wood stoves and fireplaces must be inspected every fall by a licensed chimney cleaner at each resident's initiative and, if needed, cleaned/repaired. The inspection and cleaning or repairs will be at the owner's expense. A receipt for inspection and required cleaning must be sent to Kamins Real Estate, 400 Amity Street, Amherst, MA 01002 prior to each winter's use of any wood stove or fireplace.

III. Architectural Control Guidelines

Ice Pond Woods Condominium is a cluster of 56 homes situated on less than ten acres of land. Because a condominium is a cooperative approach to home ownership, unit owners share in the responsibility for upkeep of all ownership and residents accept limitations in the use of all common areas and facilities.

One such limitation is adherence to certain architectural guidelines that exist to control change, modifications, additional construction, or any other alteration to the common areas and facilities of the condominium. The guidelines are not intended to curb the imagination or creativity of residents. They are designed to maintain the appearance and value of the units, common areas, and facilities that make up Ice Pond Woods.

1. Alterations and Modifications of Structures

You must have Board approval for any external alteration to or structural modification of any existing building **before** any work is undertaken. Increased maintenance costs resulting from such modification will be assessed to the unit owner. **Please note: failure to obtain Board approval for any such modification can result in court action to restore property to its original condition, fines, or both.** Examples of projects requiring approval by the Board include, but are not limited to:

- garage dividers between adjacent stalls
- fireplace or woodstove construction or modification

- exhaust fans anywhere in units
- additional doors anywhere in units or in sheds
- exterior painting or staining of units or sheds
- storm doors
- exterior lighting (see II. Condominium Owners Expense)
- window or door modification
- skylight installation or modification
- satellite dishes

The Board will not approve any alteration or modification that lessens the value of any other unit. Additional questions that must be considered by the Board before any alteration or modification is approved include:

- What are the safety considerations?
- Does the proposal comply with applicable building codes?
- Is the proposal compatible with architectural, construction, aesthetic, and design standards of the condominium?
- What are the maintenance considerations?
- What is the impact on noise levels?
- What is the impact on privacy?
- Does the proposal restrict sunlight or views of another unit?
- How does the proposal change the present use of land?
- Does the proposal create more common (adjoining) walls than already exist?
- How will the size of the proposal affect others?

2. Land Use

Any alteration or modification of the common land must have the approval of the Board before any work is undertaken. **The same set of criteria and list of questions for alterations to structures (see III 1. Alterations and Modifications of Structures above) will apply to land use.** Examples of projects requiring Board approval include, but are not limited to:

- patios and decks
- fences
- children's playground equipment
- drainage projects
- sidewalks and paths
- gardening projects (beyond six feet from resident's unit)

3. Protocol for Obtaining Permission for Alterations or Modification.

Plans for alterations, modifications, additions, and land use projects must be submitted in writing to the Board of Managers. Plans should include specific information and a

drawing (where applicable). **If you have any doubts about any project you are considering, ask the Board before taking action.**

Approval by the Board does not waive the need to obtain required town, county or state permits. The Board requires permits for approved projects at the unit owner's expense.

IV. Waste Disposal

Trash and Recycling

Residents must take the time to sort garbage and recyclables.

- Put trash in plastic bags.
- Flatten boxes.
- Secure lids on all containers in order to keep odors in and animals out.
- Waxed paper juice and milk cartons should be flattened and put in the plastics bin.
- The Association arranges for an annual collection of hard to handle and large items and which will be charged for on an individual basis.

You are responsible for disposing of items the collection company will not take.

Examples include hazardous waste, electronics equipment including TVs, construction waste, etc. You may need to purchase a permit from the Amherst Department of Public Works to take items to the landfill or to the landfill recycling area.

Compost Bins

Compost bins must be securely closed, well maintained, protected from animals and discretely positioned.

Bird Feeders

There have been bear sightings on the property, mostly in the spring, so it is advisable to remove bird feeders during this period as bears have been attracted to them in the past.

V. Automobiles

You must use your garage as your primary parking place. Use of a garage parking space for storage, after notice from the Board that the space must be made available for parking, will result in a **charge to the unit owner of up to \$200 per month.**

These charges will appear on the monthly statement as additional common fees. See IPWCA By-laws, Article II Section 2(e) and (k) approved by the IPWCA Board of Managers 12/12/00. Owners of vehicles that do not fit into their garages should contact the Board.

Our community has limited parking, which is more severe in some areas than in others. In the original plan of Ice Pond Woods, each unit was allotted one and one half spaces. The garage is one space. A few more spaces have been created through the years. Now we have (excluding garages) only 48 parking spaces. $56+48=104$. Please observe the following rules:

Non-registered vehicles may not be stored on IPWCA property, either in garages or in parking areas.

Do not park blocking any other garages. If your garage is blocked please check with your neighbors and then call the Amherst Police for assistance.

Maximize space by parking within the painted lines.

Do not park on Pine Grove or Crossbrook roadways except when you have guests. The area marked "Parking 89-93 Crossbrook" belongs to residents of the Hollow ONLY.

During snow removal, residents must move their cars. Although this may be inconvenient, please remember that we need the cooperation of all residents during and after winter storms.

Observe the speed limit. The speed bumps were designed for 15 mph. Remember, children may be playing.

Speed Limit and Children. Parents should emphasize road and bicycle safety to their children. Also, toys and bicycles are a hazard if left in the roadway or walkway; they must be removed from common areas and walkways after playtime.

VI. Children

Parents should teach their children to respect the privacy and the need for quiet of their neighbors. They should not leave toys and recreational equipment in the common areas and should respect the trees, shrubs, and gardens that are so critical to the beauty of our neighborhood. For example, children should not ride bikes on the grass when the ground is soft or pick vegetation.

VII. Pets

Ice Pond Woods is a small community. Please remember the pet you find cute, cuddly and lovable, may seem smelly, noisy, and even frightening to your neighbor. All pet owners must assume responsibility for their animals. This means:

- Obey the Amherst leash law. Dogs should not be wandering on the property even for short periods in order to respect the needs of all residents, their children, pets, and guests.
- **Pick up after your dog.**
- State law requires vaccination of both dogs and cats for rabies.

If you have a problem with a neighbor's animal, you should call the Amherst Animal Control Officer.

VIII. Storage

Wood Storage

Wood piles stacked on lawn areas, common areas and against buildings are unsightly, a maintenance problem and in violation of IPWCA rules. Wood must be stored in garages (except for garages under Carriage Houses) or sheds. Temporary woodpiles stored near your outside door are fine during the heating season (November–April) BUT after May 1st they must be taken away from the buildings. Woodpile violations must be remedied or the Association will have the wood removed and bill the unit owner for the work.

Flammable Storage

THERE IS NONE ALLOWED. Properly dispose of your propane bottles before the winter.

IX. Miscellaneous

Permanent laundry lines are prohibited.

Trailers, boats, etc., must not be parked on condominium property.

Ladders, wheelbarrows and other gardening items must be stored in sheds or garages.

Outdoor grills should be used with consideration of neighbors who may experience the fumes or smoke if the grills are placed too close to their units or open windows.

The Town of Amherst has noise and nuisance by-laws, which prevent loud gatherings, underage drinking, and require quiet time between 11pm and 7am. Please be observant of these laws in respect of your neighbors.

Approved minutes from the monthly Board meetings are posted to the IPWCA webpage.