

TALL TREES HOMEOWNERS ASSOCIATION, INC. REGULATIONS



TALL TREES

Regulations for Tall Trees Concerning the Design, Maintenance, and Appearance of the Community, Responsibilities and Requirements of Owners and Residents, and Other Policies.

AS ADOPTED BY THE BOARD OF DIRECTORS JUNE 11, 2020 AND AMENDED EFFECTIVE MARCH 17, 2021 AND FURTHER AMENDED EFFECTIVE MARCH 8, 2022.

These Regulations supersede and supplant existing rules, regulations, resolutions and policies including: Rules and Regulations adopted October 11, 1999, as amended, January 14, 2014, Assessment Collection Procedures, adopted August 13, 2013, Administrative Resolution concerning Compliance Procedure approved January 14, 2014, adopted September 9, 2014. These Regulations and the Capital Improvement Fee document may be found on the Tall Trees Website.

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PROCESS:

Governing Documents:

Every Tall Trees property owner received a copy of the Amended and Restated Declaration of Covenants, Restrictions, Easements, Charges and Liens For Tall Trees Homeowners Association, Inc. at or before their settlement. It may also be found on the Tall Trees website. The procedures for maintaining the quality of design in Tall Trees are found in the Declaration, which is incorporated in the deeds to every property in Tall Trees. Since the Declaration “runs with the land”, the Declaration is binding on all owners. The Declaration established the Architectural Standards Committee (ASC). The Board of Directors of Tall Trees (“the Board”), in conjunction with the ASC, established a Landscape Committee (LC). Every owner also received a copy of the By-Laws of the Association, which may also be found on the website, governing voting, the officers and the Board.

Role Of The Tall Trees Homeowners Association, Inc.:

The role of the Tall Trees Homeowners Association, Inc. (“Association”) of which every owner is a member, is not only to own and operate open space, but to conserve and enhance the resources of the total community. The Association accomplishes these functions in a variety of ways, one of which is by ensuring, through the ASC and LC, the retention of harmonious design qualities of the community. These regulations protect property values and enhance the community’s overall environment.

These regulations (“Regulations”) address the design, maintenance, appearance of the community and the responsibilities and other requirements of owners and residents. They are not intended to be all-inclusive or exclusive. The objectives of the Regulations are:

1. To describe procedures involved with the ASC and proposed exterior alterations, trees and landscaping.
2. To assist owners in preparing applications to the ASC.
3. To provide uniformity in the community.

Applications for Exterior Changes:

The ASC ensures that proposed exterior alterations and landscaping comply with the objectives set forth in Articles VI and VIII of the Declaration. This involves, among other things, review of all applications, which are required for exterior alterations and landscaping and are to be submitted by owners. The application forms, available on the website, call for information helpful to the ASC, including any additional information that may be useful in determining the scope and detail of the proposal.

Each application for any work is reviewed on an individual basis. There are some alterations that do not require an application and these are provided for specifically in the Regulations. Application content requirements are spelled out herein.

A photocopy of any Abington Township (“Township”) required building permit or zoning approval should be submitted to the ASC prior to the start of construction.

A site plan (a scaled drawing of the owner’s lot that shows dimensions of the property and all improvements) is required as part of any application. Contour lines may be required where drainage is a consideration.

The Association has no responsibility for adequacy or accuracy of design or installation. Approval by the ASC is based on the assumption that the designs are compliant with all applicable codes and standards then in effect.

Architectural Standards Committee Review Criteria:

The ASC evaluates all submissions on the individual merits of the application. Decisions made by the ASC in reviewing applications are not based on any individual's personal opinion or taste. The approval may be contingent on certain conditions being met. The ASC will notify the owner when the application is received.

If the ASC fails to approve, modify, or disapprove in writing, the application, within 45 days after the ASC receives the proper complete application, approval will be deemed to have been granted (See Section 6.04 of the Declaration).

If the application is not approved, the owner may appeal to the Board. Approval or disapproval is based on the following criteria:

1. Relation to the Tall Trees open space concept: Removal of trees, disruption of the natural topography and changes in the rate or direction of storm water run-off adversely affects Tall Trees' open space.
2. Design Compatibility: The proposed alterations must be compatible with the architectural characteristics of the applicant's house and adjoining houses. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
3. Location and Impact on Neighbors: The primary concerns are access, view, sunlight, ventilation and drainage. When a proposal has a possible impact on adjacent properties or properties that may be affected with a direct view of the proposed change the ASC will invite comments from the owners of such impacted and /or affected properties.
4. Scale: The size of the proposed alteration should relate well to adjacent structures and its surroundings and conform to the Township zoning ordinance then in effect.
5. Materials: Continuity is established by use of the same, similar, or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials in the original house.
6. Workmanship: The quality of the work should be equal to or better than that of the nearby properties. The Association, the ASC, and/or the Board are not responsible for any new construction and where applicable, documentation evidencing this release of legal responsibility may be required.
7. Timing: All applications must include expected starting and completion dates.

Enforcement Procedures:

Failure to follow these policies, procedures and regulations may result in the issuance of a violation. Section 6.02 of the Declaration authorizes the ASC to obtain compliance of all properties with Tall Trees requirements. Periodically, the community manager, the ASC and/or the LC will conduct inspections of the outside of properties and note recommended/required repairs and replacements. These recommendations/requirements are conveyed to the owner by letter. The enforcement procedures are set forth hereinafter.

Complaints of violations of the Regulations must be received in writing by the Association office or observed by the ASC and/or LC. A written complaint must provide sufficient detail to allow management to take action, and the complainant, if applicable, must sign the complaint. The current address of the Association office is as follows, but is subject to change:

Tall Trees Homeowners Association, Inc.
c/o Associa, Inc.
950 Town Center Drive, Suite B-25
Langhorne, PA 19047

All alleged violations will be confirmed by a site visit by the ASC, LC and/or the Board.

Once a violation has been identified, a courtesy letter describing the violation will be sent to the owner. The courtesy letter will advise the homeowner to correct the violation within a specified timeframe or further enforcement proceedings may be initiated by the Board. Included with the letter will be a copy of this section of the Regulations.

Should the violation remain or recur or should a second written complaint be received regarding the same violation after any deadline, a warning letter will be issued indicating that if the violation is not remedied, a fine will be imposed. If the issue is still not resolved, a third letter will be sent by certified mail indicating that a violation fine of \$25.00 per week has been assessed.

Continuing violations will subject the owner to additional fines as set by the Board. Said fines will be assessed against the owner and subject to lien against the owner's property. The Board reserves the right to increase the amount and frequency of the fine and to remedy the situation and bill the owner therefor.

Any fine assessed will be charged against the owner's monthly assessment fee account, thereby making it liable for delinquency fee collection procedure, including late fee charges. Any and all fees and costs, including certified mail, court fees, and attorney fees, deemed necessary by the Board for collection of fines, will be charged to the violator and will become part of any amount deemed due and payable by the owner in violation.

An owner may submit a written request to the Board for a hearing, sent by certified mail, within ten (10) days of the receipt of the violation notice. The Board will set a time and place to hear the position or appeal of the owner in regard to the violation.

Amendments To The Regulations:

The Regulations may be amended from time to time and will be posted on the website of Tall Trees and otherwise disseminated as determined by the Board. It is the responsibility of all owners to be apprised of and comply with the current Regulations and to make sure that their families, guests, visitors, employees, agents and tenants adhere to and comply with the Regulations.

The ASC and/or Board may conduct periodic evaluations of the Regulations to determine if amendments are required. Owners should submit to the Board requests for amendments to the Regulations. The actual amendment proceedings must have owner input and review by the ASC, LC and Board; amendments will be adopted upon the approval of the Board.

Additional Items:

Any additional items not covered by these Regulations (e.g. awnings, lawn ornaments, dog houses, etc.) must be submitted to the ASC.

EXTERIOR PROPERTY REGULATIONS:

Clotheslines

Clotheslines are not permitted.

Deed Restrictive Areas (common areas and in “rights of way”)

- a. Fences are not allowed
- b. Footings are not permitted
- c. No other permanent structures (e.g. sheds, pools, etc.) are permitted in these areas.

Flags

An owner may fly the American flag, the Pennsylvania flag, or a military flag, so long as the flag does not exceed 3’x 5’ and is attached to the garage or house. In addition, owners may place small such flags on their lawns on or before the following: President’s Day, Iwo Jima Flag Raising Day, Vietnam Veteran’s Day, V-E Day, Armed Forces Day, Memorial Day, Flag Day, Independence Day, Korean War Veterans Armistice Day, V-J Day, Patriot’s Day, POW/MIA Recognition Day, Veterans Day, Pearl Harbor Day and the birthday of each branch of the United States Armed Forces.

Generators

- a. The generator must be fueled by natural gas.
- b. Owner must secure all required Township permits before starting installation and provide copies to the Board.
- c. The generator must meet Township sound ordinances. The location of the generator should be noted on the applicant’s site plan of the property.
- d. A short test cycle once a week must be programmed to run only on weekdays between 10:00 am and 4:00 pm.
- e. All efforts must be made to use landscaping to screen the view of the generator.

Lighting

The repair and/or replacement of all exterior light fixtures are the responsibility, and at the expense of, the owner, and subject to the following criteria:

Exterior Light Fixtures:

- a. All light fixtures to be all metal construction with an antique brass finish and clear glass for post lamps and carriage lights at garage or front entries.
- b. All light fixtures to be colonial/carriage design, for wall mount and ceiling mount.
- c. Solid brass fixtures are recommended (not required) as they last longer.
- d. Maximum size of wall mounted is 20 inches high overall and 10 inches wide.
- e. Maximum size of ceiling mounted is 10 inches high and 16 inches in wide.
- f. Bulb wattage is not to exceed 60 watts and be warm white lamp or equal.

Lamppost Lighting:

- a. Maximum fixture size of approximately 8 inches wide and 16 inches in height
- b. Straight pole linear design with clear glass and warm white lamp. LED Lamps are preferred due to extended life.
- c. Electrical power
- d. Place in plant beds with symmetrical spacing
- e. Style must be in keeping with the community
- f. Configured to automatically light during dark hours

- g. Installation request and fixture type must be submitted to ASC for approval prior to installation.

Additional Security / Driveway and Walkway Lighting

- a. Lighting attached to house may only light up specific owner's property.
- b. Motion sensors are required to activate lighting and must be on a timer to shut off within five (5) minutes of activation.
- c. Installation request and fixture type must be submitted to ASC for approval prior to installation.

Mailboxes

All mailboxes must conform to the community. Replacements must be the same as the community standard and will be provided and installed by the Association at no cost to owner.

Motor Vehicles and Garages

With the exception of passenger cars and SUVs, vehicles, including but not limited to, pickup trucks, motorcycles, mopeds, bicycles, boats, trailers, recreation vehicles, and motor homes must be stored in the garage. Garage doors are to be kept always closed, except for the immediate use of vehicles and for the owners' egress and ingress.

Outdoor Cooking Equipment

All outdoor cooking equipment must be kept on the owner's patio or deck. Any requested exemption must be approved by the ASC.

Recreation and Play Equipment

Prior approval is required for all recreation and play equipment. This equipment must be of a temporary nature only and must be removed if requested by the Board in their discretion.

Signs

No signs are to be erected on lawns or in windows, which are otherwise visible from the street, other than small security signs, without written approval by the ASC. This includes, but is not limited to, real estate, landscaping, yard sale, contractor, and political signs. Each owner is responsible to make sure contractors and others do not post any signs. Each owner authorizes the ASC or Board to remove any such signs that have not been pre-approved. "Open House" signs are permitted as determined by the Board.

Storage Sheds

No storage sheds are allowed.

Swimming Pools

No swimming pools are allowed.

Trash Removal

Garbage and rubbish must not be burned, dumped or allowed to remain on any lot. Garbage and rubbish must be kept in closed Township provided plastic refuse and recycling receptacles and placed outside of units for collection in accordance with the regulations of the Township.

Materials scheduled for pickup by the Township or other collection firms must be placed outside no more than 24 hours before pickup.

Garbage and trash receptacles must be stored in garages and are not to be placed on the street until late afternoon the day before scheduled pickup by the Township. Empty trash and recycling containers must be replaced in garages by sunset of the collection day. Owners must place only those items authorized by the Township in the appropriate receptacles.

EXTERIOR HOUSE REGULATIONS:

Major Exterior Alterations:

Major alterations are generally considered to be those that substantially alter the existing structure either by subtraction and/or addition. Major alterations include, but are not limited to, construction of driveways, porches, greenhouses, rooms, fireplaces, chimneys, decks, air conditioning equipment including window units, generators and other additions to a home, etc. The design of major alterations should be compatible in scale, materials and color with the applicant's home, and in keeping with the existing lot size. The location of major alterations should not impair the views or amount of sunlight and natural ventilation on adjacent properties. New windows and doors should match the type used in the applicant's house and should be located in a manner which relates well to the location of exterior openings in the existing house.

If changes in grade or other conditions that affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage. Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material should be immediately removed after completion of construction. No debris may be allowed to accumulate during construction.

Application Contents:

It is required that the final application be a duplicate of those documents which are to be submitted to the Township for a building permit, and should also include colors, materials, and drawings or photographs as required, to illustrate the relation of the alteration to the applicant's house and adjacent houses where necessary.

Applications should include:

- a. Site plan showing location of proposed structure and relationship to property lines and adjacent houses.
- b. Detailed drawings and plans including exterior elevations and dimensions.
- c. Description of materials including type of siding on dwelling and proposed structure, color of proposed structure and trim, exterior lighting arrangements, etc.
- d. Proposed starting and completion dates.

No work is to be started until the application for a major alteration has been submitted and approved by the ASC.

Antennas

Exterior Antennas of any kind are prohibited, except that satellite dishes may be permitted if location is approved by the ASC. Interior alternatives are encouraged.

Attic Ventilators and Heat/Air Equipment

Painting of attic ventilators must match the siding or trim of the house. Ventilator locations and equipment for the interior air conditioning and heating units should be in the rear or on the side of the home, if feasible.

Painting

The current plan is for the exterior of homes be painted at the expense of the Association on a five-year rotation. It is the owner's responsibility to maintain the exterior between planned paintings.

Patios, Decks, Walkways and Exterior Ramps

An application is required for all patios, decks, walkways and exterior ramps, temporary or otherwise. Applications must include the following information:

- a. Site plan showing the size of the patio, deck, walkways or exterior ramp and location as it relates to the applicant's house, adjacent house, and property lines.
- b. Description of materials, color, grading and drainage changes.
- c. Seal of approval for decks by a registered professional engineer or architect as to ensure a proper and safe design. Any proposals for ramps must be accompanied by a drawing of an architect or certified contractor.
- d. Proposed starting and completion dates.

Patio and Deck Location

Patios or decks must be located in rear yards. The patios or decks must be in conformance with Township Zoning Codes. When patio or deck schemes include other exterior changes, such as fencing, lights, plantings, etc., other appropriate sections of the Regulations should be consulted prior to application. Decks and patios must be designed to be screened from direct view of adjacent owners as much as practical and possible. Lighting must be designed to illuminate the applicant's yard without casting light rays onto neighbor's grass areas, decking, patios or dwelling unit.

1. Ground Level Patios, Decks, Walkways and Exterior Ramps:

- a. Building Permit: As required by the Township.
- b. Zoning Approval: As required by the Township.
- c. Proposed starting and completion dates.
- d. Materials being used.
- e. Landscaping, as required.

2. Elevated Decks

- a. Are only permitted on rear of house and may not extend past side wall of home
- b. Material: Composite material, pressure treated wood or equivalent (for in-ground contact)
- c. Proposed starting and completion dates
- d. Building Permit: As required by the Township
- e. Zoning Approval: As required by the Township

No work is to be started until all plans concerning 1. or 2. above have been submitted to ASC for review and approval and prior to obtaining a building permit.

3. Patio and Deck Materials and Color

Materials, like brick, wood and stone, should have natural weathering qualities. Wood or appropriate composite material in decks should generally match the trim or dominant color of the applicant's house. Certain kinds of wood such as

redwood, cedar and pressure-treated pine may be left to weather naturally. Designs and colors must be consistent with other pre-approved decks.

Windows, Storm and Screen Doors

Storm and screen doors and windows must conform to the architectural style, color and quality of the house. The color of storm and screen doors must be the same as the exterior doors. Prior approval by the ASC is not required.

No exterior storm windows are permitted, with the exception of storm windows on windows that cannot be seen from the front of the house.

All exterior replacement windows must be pre-finished white color.

LANDSCAPE REGULATIONS:

Approval

Before any change may be made to a property, a drawing must be submitted to the ASC, which will consult with the LC before accepting or rejecting the proposal.

Landscaping and Trees

General Policy: No restrictions on type of plantings, except:

- a. Plantings should be in keeping with existing plantings, and be of sufficient quantity and quality so as not to detract from existing plantings.
- b. Plantings which are unusually debris-contributing or unsightly are prohibited.
- c. Plantings susceptible to destructive diseases or that cause human irritation are prohibited.
- d. Vegetable gardens are permitted with the prior approval of the ASC after consultation with adjacent neighbors and the LC.
- e. Enlargement of existing beds or installation of new beds, must be submitted to the LC which shall recommend to the ASC to accept or reject the proposal.

Drainage:

If changes in grade or other conditions that affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.

Location:

Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic. The view of neighboring units and shade patterns of larger trees should always be considered.

Scale:

Care should be exercised in selecting plant materials, which upon maturity, will be of an appropriate size in height and breadth for its intended use and location. Mature size, both in height and breadth, should always be considered especially when planting close to walkways and houses.

Shrubs:

All shrubs less than 10 feet tall will be pruned twice yearly, when approved by the owner, at the Association's expense. Any other pruning that is required will be the sole responsibility of the owner.

Maintenance:

All gardens must be neatly maintained throughout the growing season; this includes removing all unused stakes, trellises, and dead growth.

Tree Policy:

The following are the policies and procedures, relative to the maintenance, planting, pruning, removal and replacement of trees within the community.

- a. Trees on common areas (outside of individual owners property lines) are the responsibility of the Association. Their maintenance, pruning, removal, and replacement, will be determined and paid for by the Association.
- b. Owners are not permitted to alter the landscaping on any common areas.
- c. Original Trees: With respect to trees that were original to the Lippincott Estate (which have been tagged as trees that were on the land prior to the development of Tall Trees) (“original trees”), and only with respect to owners who acquired their properties prior to January 1, 2021, the expense of the tree and stump removal of original trees will be split equally between the Association and the owner.
- d. The Association takes care of pruning limbs that overhang roofs and are too close to homeowners properties.
- e. All other trees located on any owner’s private property are the sole responsibility of the owner. In the event of trees between property owners, or on property lines, Board will ascertain responsibility for cost sharing. Their maintenance, pruning, removal and replacement will be paid for by the owner.
- f. Removal: Prior to the removal of any tree on an owner’s private property, the owner must notify the owner’s immediate neighbors informing them of the intention to remove said tree. In addition, any removal or replacement of any tree on an owner’s property requires prior approval by the ASC upon recommendation of the LC. Trees deemed by the ASC upon recommendation of the LC as unsightly, diseased or a nuisance to the community must be removed at the owner’s expense. This is not a shared cost for original trees. When any tree is removed, including an original tree, its stump must also be removed and the ground must be restored to make the area appear similar to the adjacent lawn area, all at the expense of the owner. All landscaping, including the removal and pruning of trees must be in compliance with the Regulations.

MISCELLANEOUS POLICIES:

In-Home Businesses

No business or trade involving regular visitation by clientele or any kind of noxious or offensive activity or storage of vehicles for sale, may be carried on in any property. Nothing may be done thereon which may be, or become, an annoyance or nuisance to the community.

Pets

- a. No animals, livestock or poultry of any kind may be raised, bred or kept in any house or on any lot, except that dogs or cats may be kept, provided they are not kept, bred or maintained for any commercial purpose, and provided further that no more than two pets may be kept in any house.
- b. Each owner is responsible for the behavior of their pets, to make sure their pets are properly inoculated and licensed and must promptly repair any damage and clean up any mess made by such pets.
- c. Those pets, which in the sole discretion of the Board, endanger the health or safety of the community, other pets, workers, delivery people, other owners and their guests and invitees, make objectionable noise or constitute a nuisance or inconvenience to other owners, must be removed by the owner upon request of the Board within the period of time specified in written notice to the owner. If the owner fails to remove the pet within the time specified, the owner will be fined one hundred dollars (\$100.00) per day until the pet is removed. In addition, the Board is authorized, but not required, to seek governmental intervention to remove the pet.
- d. Dog owners are subject to the following additional requirements:
 1. Dogs must be constantly secured and tethered to and under the control of their host when outside the dog owner's private property area. At no time should a dog be left outside unattended.
 2. Dog wastes must be immediately removed and sanitarly disposed of in a proper receptacle by the owner or their agent.
 3. Dog walking, dog waste and urination are permitted on the pet owner's private property and on the common areas. Pets are not permitted on any other private property.

Property Maintenance

Each owner is responsible for picking up litter on their property and lot and preventing wind-blown debris from originating on their land. Each owner must keep their house and lot in a good state of preservation and cleanliness. If the house or lot is not taken care of by the owner, the Board has the right to remedy the situation and to bill the owner pursuant to the enforcement procedures provided for herein.

At no time is the Association's common area, including the woods, considered a dumping ground for inorganic or organic debris, such as leaves, grass clippings, and branches. Please use the Township's waste removal services for this purpose.

Snow Removal:

When there is a chance of accumulating snow, the company charged with plowing driveways and shoveling walks will park equipment on the tennis court parking lot. Owners should, as much as possible, keep their cars in their garages and avoid parking on the tennis court lot, the streets and on driveways.