

Van Wyck Mews Rules & Regulations (updated August 2023)

Note to Owners: content is basically the same. It has just been updated to be specific to VWM.

A successful collectively-owned community requires that each individual homeowner to have a sense of responsibility for the entire community. Additionally, it is important that the rules and regulations governing the community are fully understood by all homeowners and their conduct if reflective of this understanding. Unit owners will comply with the Rules and Regulations as set forth. The VWM HOA reserves the right to alter, amend, modify, repeal or revoke these Rules/Regulations and any consent or approval given hereunder at any time by resolution of the Association or the Board.

The Van Wyck Mews HOA regulates all construction and property improvement in the interest of keep with community standards, building/fire codes, and in the best interest of property values. Should a homeowner make any alterations or installations affecting the interior/exterior of his/her unit and/or the limited common elements without the express written consent of the HOA, the VWM HOA reserves the right to removed said alterations or installations at the homeowner's expense.

The term "Unit owners" shall apply to the owner of any dwelling unit or parking unit, to his or her family, tenants whether or not in residence, contractors, agents, visitors and to any guests, invitees or licensees of each unit owner.

1. Because a condominium combines proximate living with home ownership, it is **imperative that each member of this community be aware and respectful of the rights of his/her neighbors and his/her own obligations. The Regulations are not designed to constrict lifestyles in any unreasonable manner, but rather are designed to ensure a clean, quiet, safe and valuable environment for all.**
2. The HOA Board is empowered by the Homeowners Association and condominium laws (the Declaration and Bylaws received at closing) and these Regulations to take such legal and/or administrative action as may be necessary to ensure that all those subject to the Regulations adhere to the provisions of these Regulations.
 - a. Because violations either may be unintentional, the result of a misunderstanding, or easily remedied by informal means, an internal administrative enforcement mechanism has been established (see below). The Regulations will be enforced without discrimination for the benefit of all members of our community.
3. As used herein, "Common Areas" are those portions accessible and intended to be used by people such as interior lobbies, hallways and stairways. This includes the Clubhouse (interior and exterior and amenities therein), pool and pool area, the BBQ area and other outside common areas including walkways, stairs, roads and grassy areas.
4. Common Areas Sidewalks, entrances, lobbies, stairs, hallways, passages and other portions of the common areas are to be kept unobstructed. Children are not permitted to play in these areas and these areas are not for storage. Fire towers, fire stairs and fire exits are to remain clear and absolutely unobstructed at all times. No unit owners may go or permit others to go onto the roofs, into mechanical equipment spaces or any other portion of the building not intended for use by the occupants, their families, guests,

agents, or contractors without prior consent of the Board. **SMOKING IS NOT PERMITTED IN COMMON AREAS.**

5. Auctions or Sales No auction or sale of personal property shall be held in any unit or in the building without prior approval of the Board. No "For Sale" signs are permitted in the property. Open houses must be scheduled in advance with the management company.
6. Balconies Nothing may be hung, projected, shaken, swept or thrown from the windows, terraces or balconies of the building. Unless written consent is obtained, nothing is to be placed in or on exterior windows, doors or window sills including but not limited to awnings, aerials, signs, air conditioners, ventilators, or fans.
7. Cooking Owners shall at all times abide by any and all local, state and federal codes and ordinances pertaining to any regulated activities in the common areas and the units. No cooking which creates offensive odors is permitted. Special care to prevent any such odors should be taken between the hours of 10:00 p.m. and 8:00 a.m. As per New York state law, no gas or charcoal grills are permitted on the balconies.

NEW: Electric Grills – in the future, electric grills need to be approved first submission of an architectural form to management to gain board approval prior to installation. A picture and specifications of the grill must also be supplied.

8. Noise Use of equipment (included but not limited to musical instruments, televisions, audio, exercise equipment, washers or dryers) creating noise or vibration that disturbs, annoys or interferes with the quiet enjoyment, comfort and convenience of other occupants of the buildings is not permitted. Special care in using such equipment should be taken between the hours of 10:00 p.m. - 8:00 a.m.
9. Vibrations No unit owners shall make or permit any disturbing vibrations in the building or permit anything that will interfere with the rights, comforts, or convenience of other unit owners. Padding and/or carpet must be placed under exercise equipment.
10. Interior Restrictions Once inside the unit, it is requested that unit owners not wear high heeled shoes while walking over solid surface floor finishes. **Unit owners shall keep at least 70% of the area of any and all solid surface floor finishes within the unit covered by carpeting or area rugs.** If unit owners wish to install hardwood floors, it must have underlayment and must not be nailed. Installation of hardwood flooring must be approved by the management company. Any homeowner installing without approval will be subject to fines or a complete removal of the flooring at the Homeowner's sole cost.
11. Laundry **No drying of laundry is permitted in the building outside any unit. No clothing or other articles are to be dried or aired from any window, on any terrace or balcony or elsewhere in the buildings except entirely within the unit.**
12. Security **Doors opening onto common area hallways and exterior doors leading to balconies** are to be kept locked at all times when not in use and whenever units are unoccupied. This specifically includes the sliding glass doors that lead out onto ground level.
13. Waste Toilets, sinks, garbage disposals, baths, showers and other water apparatus within units shall not be used to dispose of sweepings, rubbish, rags or other improper articles. **These buildings do not have garbage disposals!** Water leaks from plumbing fixtures

must be repaired by the unit owner within one week in order to keep common area water bills at a manageable level.

14. Shut-off Valves Automatic shut-off valves where possible (otherwise manual shut-off valves are required) and reinforced metal washer hoses are required on all clothes washing machines. Hoses must be changed every five years. **Water heaters over ten years old must be replaced.**
15. Flammable Substances No flammable oil or fluid, such as gasoline, kerosene, carbon tetrachloride, naphtha or benzene, nor explosive, fireworks or other articles extra hazardous to life, limb, or property shall not be used or brought into or stored on the Property.
16. Windows All windows should be kept closed during inclement weather. Owners are responsible for keeping the interior and exterior of their own windows in clean condition. The common area windows will be cleaned by the Association's employee(s).
17. Heat All units must be kept heated to a minimum of 55 degrees at all times in order to prevent pipes from freezing or bursting.
18. Deliveries Appliances, household furnishings and heavy equipment such as large trunks and the like are to be delivered or taken to/from the units carefully and owners are reminded to ensure that security doors have been shut in the locked position.
19. Mail Mailboxes are located in the lobby of each building. When residents are away for any length of time, they are asked to request that the Post Office hold their mail.
20. Violation of Law No unit shall be used for any unlawful purpose and no owner shall do or permit an unlawful act in or upon his/her unit.
21. Attire All persons shall be properly attired when appearing in any of the common areas of the property.
22. Upkeep The appearance of the units, terraces and balconies shall conform to the Condominium's standards of integrity and appearance. If the Association and/or management has to intercede to maintain said premises, the unit owner shall be charged for such services.
23. Exterior displays No corridor doors or areas shall be decorated by unit owners except in observance (and good taste) of appropriate holiday customs/seasons. An occupant may identify his/her unit with a nameplate established as standard for the Condominium by the Executive Board. No signs or any other type of paraphernalia may be displayed on any exterior portion of the unit or any interior portion visible from the exterior.
24. Staff Unit owners shall permit staff to perform their duties and not appropriate them for personal use. Owners shall treat staff and management with appropriate respect and courtesy.
25. Telecommunications Unit owners shall not operate any device which interferes with television or other telecommunications reception on the property. Any antennas or satellite dishes must be approved by management.

PET RULES

1. No non-domestic animal life may be raised, bred or kept in any unit or in the common areas.
2. A pet may be maintained in a unit so long as it is not a nuisance. Actions which constitute a nuisance include, but are not limited to, abnormal or unreasonable noise, barking, crying, scratching, unhygienic offensiveness and aggressive behavior.

3. All pets must be registered by Town and State code and inoculated as required by law and registered with the management company.
4. Pet owners are fully responsible for personal injuries and/or property damage caused by their pets.
5. Pets must be leashed or crated and accompanied by an adult whenever outside.
6. Pets are not permitted in any areas which may be designated as no pet areas such as the Clubhouse.
7. Any owner of a pet permitted on the property shall be obligated to exercise proper care and custody over the pet to ensure the health and welfare of the other residents of the property and preservation of the building
8. Owners of pets walked in or about the property must promptly clean up their pet's droppings in all areas and disposed of immediately. Dropping areas must be at least 50 feet from any building.

GENERAL USE RESTRICTIONS

1. No supplies or other property shall be placed in any portion of the common areas other than by or at the direction of the HOA Board.
2. All valid laws, codes, zoning ordinances and regulations of all governing bodies having jurisdiction, thereof shall be observed.
3. All trash, refuse, recyclables, and garbage from residential units shall be deposited at the main compactor building located at the entry to the property. No garbage shall be left outside the compactor building. Bulk pick-up will be provided twice a year – one for Christmas trees only.
4. The HOA Board and management shall in all cases retain the right to control or prevent access to units of all persons whose presence, in the reasonable judgement of the Board or management, shall be prejudicial to the safety, peace, character or reputation of the property or any of its occupants.
5. The unit (including both sides of the window glass) shall be kept clean, orderly, sanitary, and free from objectionable odors and from insects, vermin and other pests.

ENTRY INTO UNITS

The agents of the HOA Board or managing agent, and any contractor or workman authorized by the HOA Board or managing agent, may enter any room or unit in the building at any reasonable hour of the day after notification (except in case of emergency in which case entry may be immediate and without notification) for the purpose of maintenance, repair and restoration and otherwise exercising and discharging their respective powers and responsibilities, including without limitation inspecting such unit for the presence of any vermin, insects or other pests and for the purpose of taking such measures as may be necessary to control or exterminate any such vermin, insects or other pests.

CONSTRUCTION REGULATIONS; LEASING OF RESIDENTIAL UNITS & MOVING

As stipulated in the August 2, 2017 document

AUTOMOBILES/PARKING

1. Homeowners are assigned one marked parking spot per home. Assigned parking space are for the exclusive use of the homeowner. Any one, including guests, that violate this

parking regulation are subject to fines and towing fees. Each homeowner shall have the use of two spots near their building. Any other vehicles shall be parked in extra visitor parking at the Bennington Road end of each street. Temporary visitor parking will be in blank parking areas only.

2. Homeowners must park their car in assigned spaces, not on walkways, roadways, or guest parking. All vehicles should not be leaking oil or other substances in the parking lot. No commercial vehicles, trailers, recreational vehicles, boats, ATVs, snowmobiles, or unlicensed vehicles may be parked or stored anywhere on VWM HOA property.
3. The speed limit is 15 mph.
4. Only vehicles permitted as road worthy by the NYS Dept. of Motor Vehicles (Properly licensed insured, and inspected) are permitted on the Van Wyck Mews HOA roads. No vehicles, off-road or otherwise, are permitted on any of the HOA limited or common area property. The HOA Board may grant permission to various contractors to maintain and repair the property.

BUSINESS

1. No resident is permitted to run a business, or cause additional expense for refuse, out of their home based on the rules and regulations as set forth by the Town of Fishkill and the offering plan from the original construction documents.
2. ***No sales of any kind are permitted in the clubhouse or common areas of the property. This restriction is inclusive of, but not limited to: bartering, exchange of cash, gifts or the like for services provided and third-party solicitation.***

SNOW REMOVAL

The HOA hires outside contractors to remove snow from the common areas. During a snow storm the roadways and walkways will be kept clean in a safe manner depending on conditions. Homeowners are advised to clean their car in their assigned spot and move it temporarily to a clean unassigned spot. By the day following the storm a final cleanup will be completed by the contractor. Homeowners that are away for any extended period of time are advised to leave a set of keys to their cars and home with a neighbor. Residents who will be away, may park their vehicle down in the parking spots along Teabury near the clubhouse. These are the spots closest to the street.

SALE OF UNIT

As stipulated in the August 2, 2017 document

Add in: Sellers must include their copy of the Toll Brothers Offering Documents to the buyer.