



Resident's Handbook
Including
Rules and Regulations
March 22, 2024

Contents

<u>Welcome to Briar Lake</u>	4
<u>Common Elements</u>	4
<u>Briar Lake Web Site and Email</u>	5
<u>Executive Board</u>	5
<u>Community & Board Meetings</u>	5
<u>Briar Lake Management</u>	6
<u>Committees</u>	6
<u>Social Activities</u>	7
<u>Clubhouse Rental</u>	7
<u>Assessments</u>	8
<u>Working Capital Contribution Fee</u>	8
<u>Governing Documents</u>	8
<u>Uniform Planned Community Act</u>	8
https://www.attorneygeneral.gov/resources/uniform-planned-community-act/	8
<u>2018 Amendment to the Declaration</u>	9
<u>55+ Basics</u>	9
<u>Door to Door Sales People and Solicitations</u>	10
<u>Rules and Regulations</u>	10
<u>Property Subdivision</u>	10
<u>Structures</u>	10
<u>Animals</u>	11
<u>Business Enterprise</u>	11
<u>Fences</u>	11
<u>Swimming Pools</u>	12
<u>Antennas</u>	12
<u>Signs</u>	12
<u>Flags, Banners, Pennants</u>	12
<u>Vehicles</u>	12
<u>Window Coverings</u>	12
<u>Wash Lines</u>	13
<u>Exterior Painting</u>	13

<u>Screen/Storm Doors</u>	13
<u>Garbage</u>	13
<u>Driveways</u>	13
<u>Water Discharge</u>	14
<u>Clubhouse Use</u>	14
<u>Sight Line Obstructions</u>	14
<u>New Buildings</u>	14
<u>Common Area</u>	14
<u>Units and Lots “Catchall”</u>	14
<u>Noise</u>	15
<u>Architectural and Landscape Requests</u>	15
<u>Non-Compliance Policy</u>	16
<u>Recreational Boating</u>	17

Welcome to Briar Lake

BRIAR LAKE is a 55+ Planned Community. It is situated in the North Lebanon Township, Lebanon County, Pennsylvania. The zip code is 17046. It is in the Cornwall/Lebanon school district. At the May 17, 2004 North Lebanon township Board of Supervisor's meeting, the motion was made and passed that the first phase of Briar Lake could begin. By 2012, all the homes and townhouses were complete.

In October 2008, the process of transitioning the Unit Owners Association control from the developer to the community began. The Executive Board transitioned from 3 developer positions and 2-unit owner positions to 5-unit owner positions, thereby giving unit owner's total control of the Association in 2010. Major transition activity included a hard-working volunteer Transition Committee and the commissioning of two professional studies. The first was a reserve study to determine maintenance requirements for years to come. The second was a common asset study to make sure the developer handed over assets in good condition.

In September 2012, the deed for all Briar Lake common elements was conveyed from the developer to the Briar Lake Unit Owners Association.

Common Elements

For the enjoyment of all, Briar Lake has just under 25 acres of common areas including a Clubhouse which overlooks the lake. The common areas include a farm pond (near the townhouses), an upper and lower lake, walking paths, and extensive green areas. The many small gardens located in the common areas are maintained by volunteers.

The roads, storm water catch basins, retention/detention basins, and the street lights are owned by Briar Lake and not the Township. The fence behind a number of homes was placed by the builder, Landmark, to hide the scene behind it. It was originally thought that the fence was community property (2011) but in 2020 the Board ruled the fence belonged to the homeowner as it is inside the homeowner's property line by one foot. Since it has been determined that the trees and single mailboxes are the responsibility of the homeowner, then the fence is the responsibility of the homeowner.

Briar Lake Web Site and Email

The Briar Lake website is the hub for community information. It is updated weekly with information about items of interest in and around at Briar Lake. It is a source of information: activities, many vendors that the residents have used, interesting articles. The HOA Board tab has information, access to forms and all the documents pertaining to living here. To access the website, enter: <http://briarlake.info>. This will take you directly to the website. From there, you may navigate the site by clicking on the menu. Note: there is NO password necessary.

To send an email to the website or to request any information, the email address is: briarlake815@gmail.com.

Executive Board

The Executive Board is responsible for exercising the powers and duties as set forth in the governing documents. The Board consists of five Briar Lake residents serving two-year terms. Three members are elected one year, then two members are elected the alternate years. Following the annual Homeowner's Meeting in October, the new Board decides, via its own vote, who on the Board will be President, Vice-President, Secretary and Treasurer.

The formal documentation (the Declaration, the Bylaws, and the Restrictions, etc.) can be requested from the website. You may also request financial information and minutes.

Board meetings are held at the Briar Lake Clubhouse. The date and time of the meeting is listed in the minutes and posted on the website. The unanimously approved minutes are sent to all homeowners with email accounts. If a resident does not use a computer or have access to one, they may contact the secretary for the minutes.

Community & Board Meetings

Any unit owner may ask the Secretary of the Board to place their concern on the monthly agenda. They will be invited to attend the meeting to clarify their problem or suggestion.

The Unit Owner (Homeowner) meetings are held once a year on the fourth Monday of October. At this meeting, reports are given on all aspects of the community: the lake, pond, clubhouse, maintenance, landscaping; items of interest, the current and new year's budget. The annual meeting announces the result of the election of officers. Other business may also be conducted as needed.

If there is a concern that involves the entire community, a special Unit Owner (Homeowner) meeting is scheduled.

Minutes of Board meetings and Unit Owner (Homeowner) meetings are recorded by the Board secretary. Copies of approved minutes are available to the community on the Briar Lake website (Board Info and Docs). Before the minutes are made available, all the Board members present at the meeting have approved it.

Please note: The minutes and financials may be requested on the website. They are not put on the website as the site is not pass coded.

Briar Lake Management

The Board has retained the services of Horst Property Management (HPM). HPM collects assessments and initiation fees, provides accounting services, assists in obtaining insurance policies. They **DO NOT** manage day-to-day activities such as common area mowing, repairs to the Clubhouse, and snow removal.

HPM is the contact for residents with street lighting issues. To report a street light issue, please contact Maryann Detwiler at mdetwiler@horstgroup.com. For questions regarding assessments and initiation fees, please contact Jeanna Martin at jmartin@horstgroup.com. For all other issues, contact the Briar Lake Board at briarlak815@gmail.com.

The Executive Board handles lake and pond management, maintenance, groundskeeping, the clubhouse, and the yearly audit.

Committees

The community has a number of active committees. They are always looking for new members. You may contact any member of a committee to learn of time and place for meetings.

- The **Activities Committee** hosts various events for the enjoyment of the residents.
- The **Audit Committee** conducts interim and annual audits of Unit Owner Association books and issues reports to the Executive Board and community of their findings. They also verify votes by the community and perform other such duties as requested by the Executive Board.
- Volunteer Gardeners** maintain the various small gardens around the lake and pond.
- The **Maintenance Committee** volunteers to provide upkeep to the common areas when needed.

- The **Neighborhood Watch Committee** provides the community with safety information.\
- The **Website Committee** maintains and updates the content of the Briar Lake website and the Gmail account.

Social Activities

Following is a partial list of activities is available to all residents. Check the monthly calendar on the website or at the Clubhouse for the time and place of an activity.

Social Gatherings: (Check the calendar)

- ★ Various suppers, breakfasts and outings planned by the Activity Committee.
- ★ Breakfast Club meets twice a month at a local restaurant—no reservations needed.
- ★ Ladies lunch meets at a local restaurant once a month—reservations requested
- ★ Fun Friday meets the last Friday of the month at the Clubhouse—no reservations
- ★ Supper Club meets at various restaurants once a month—reservations needed
- ★ M1 (Missing One) meets once a month TBD (This group is for widows)

Exercise Groups at the Clubhouse:

- ★ Exercise group meets Tuesdays and Thursdays
- ★ Strength and Balance Class meets Monday and Wednesday

Other Activities: (Check the calendar)

- ★ Golfers meet at various area courses once a week
- ★ Poker meets at the Clubhouse on Tuesday
- ★ Bingo meets at the Clubhouse once a month on Wednesday
- ★ Book Club meets at the Clubhouse once a month
- ★ Mexican Train game meets once a month

All are welcome and encouraged to participate. If you do not find an activity you would like, you may start your own group.

Clubhouse Rental

Unit owners may reserve the Clubhouse for private functions as long as the timing does not conflict with a community activity. To reserve the Clubhouse, obtain a form from the Board member in charge of the Clubhouse or requesting the form from the website. The form explains the Responsibilities and the Cost. You will be asked to make 2 checks: one for the rental and

one for the security. Upon the completion of the event (if everything is properly cleaned up, put away and the trash/garbage has been removed), the security check will be returned. It is important that you read the Application.

You must supply all the paper plates, cups, utensils, table cloths, etc for your function. Often you will be able to set up for the event the day before if the Clubhouse is not in use.

Assessments

Assessments are based on the budget. They are due quarterly on the first day of January, April, July, and October. An Electronic Fund Transfer (EFT) Authorization Agreement can be set up with Horst. The form is available from the Secretary of the Board or making a request through the website.

Assessment proceeds are used to maintain and repair common elements (lakes, ponds, roads, storm sewers, basins, street lights, common lawns, Clubhouse, and entrance signs), fund reserves, and pay bills for such things as management fees, insurance, legal fees and Clubhouse gas and electric.

Weekly trash and bi-weekly recycling pick-up expenses are included in assessment payments. Weidle Sanitation Service provides this service. Their phone number is 717-272-7061. Their website is: <https://www.weidlesanitation.com>. Sending the email gets quicker service.

The website calendar lists the dates that are garbage only or garbage and recycling.

Working Capital Contribution Fee

A working capital contribution fee equal to the current yearly assessment amount and is due at settlement when purchasing a Briar Lake property. This fee is paid any time a property is sold.

Governing Documents

Uniform Planned Community Act

Our community is governed by the Pennsylvania Uniform Planned Community Act. You may access a copy of this document by clicking on:

<https://www.attorneygeneral.gov/resources/uniform-planned-community-act/>

The Uniform Planned Community Act (UPCA) went into effect on February 2, 1997 to create a uniform model for the operation and governance of planned communities in the Commonwealth of Pennsylvania.

The UPCA applies to all planned communities in Pennsylvania that contain more than 12 units and creates obligations for homeowners' associations in charge of these communities in order to ensure fairness for all housing unit owners. The ownership of a planned community is required to obtain a corporate surety bond or maintain an irrevocable letter of credit with a government insured financial institution prior to the collection of deposits on units within the community.

All planned communities within this Commonwealth must register with the Office of Attorney General, and the bond or letter of credit must be deposited with the Office of Attorney General where it is held to ensure UPCA compliance. Required documentation with the Office of Attorney General includes a Registration Application and Certification of Compliance with Financial Security.

Briar Lake's Declaration, Bylaws & Restrictions

The Declaration, Bylaws, and a Declaration of Restrictions are available to each unit owner. These documents were put in place at the time Briar Lake was in the planning stage of Landmark.

Note that the Declaration, Bylaws, and Declaration of Restrictions are available by requesting the document using briarlake815@gmail.com.

2018 Amendment to the Declaration

In 2018, the Briar Lake Unit Owners voted to remove the terms: sub-lease, lease, and rent. Sub-leasing, leasing, and renting are no longer an option.

The formal amendment with the approval of the North Lebanon Township Board of Supervisors, signed and acknowledged by the President and Secretary of the HOA were attached to the formal documents at Lebanon County and is now a legal document to the Declaration.

55+ Basics

Occupancy in our community is restricted to those who are 55 years of age or older. Where a couple is in residence, one member of the couple can be under 55. No children under the age of

19 may be in permanent residence. The law allows for exceptions under very specific circumstances. Please see the Declaration, Article VI (d) for details.

Door to Door Sales People and Solicitations.

Door to Door Sales People and/or Solicitations by any outside groups is forbidden—read the sign on entering Briar Lake. Often, they will tell you they have permission from the Board. **The Board DOES NOT give permission.**

For your safety, do not let them into your home.

Rules and Regulations

This section serves to (1) highlight community restrictions and (2) to contain additional rules and regulations that have been adopted by the Executive Board for the benefit and enjoyment of the Briar Lake community (as dictated by Article III Section 3.1 of the Bylaws). In addition, this section may contain interpretations and clarifications of the above that have been developed over time.

Prior approval is required in some instances (e.g. the addition of a storage shed). Requests or questions should be directed to HPM (see above for contact information).

Property Subdivision

No lot within Briar Lake can be subdivided.

Structures

No structures except residences allowed.

Exception 1: For detached lots only, one non-metal storage shed. **Prior approval** required. See number 2 in the Declaration of Restrictions for details.

Exception 2: Structures other than storage sheds (e.g. a gazebo) may be considered on a case-by-case basis as long as they do not violate Township or County ordinances, constitute an eyesore, and have the permission of neighbors.

Clarification: **For town homes only**, no storage sheds of any size, even small bin-like sheds are allowed. This reflects North Lebanon Township restrictions.

Animals

No animals allowed other than domestic pets, limited to 2 of any one kind. The pet must be on a leash when outdoors and accompanied by the lot owner, member of the family, or designated custodian. **Deposits made by pets whether on private property or common area must be removed.** See number 3 in the Declaration of Restrictions for details.

Exception: No leash required if pet is controlled by an invisible fence.

Business Enterprise

All Units shall be used for residential purposes only. This prohibition, however, shall not restrict the maintenance of quiet professional offices in a Unit, provided these offices are established as a part of and as an accessory use to the residential use of the Unit. In addition, any such use shall be in conformity with all applicable zoning and other ordinances and regulations and must receive prior approval of the Board.

Fences

No fences allowed. Exception: Invisible fences to control pets are allowed.

Clarification: There is a border (barrier) fence behind 8 homes and the Paper Road. It was installed by Landmark in 2007 to block the view of the adjacent land and to help sell the remaining homes. In 2011 the Board had mentioned that this border fence would be maintained by Briar Lake. However, the Board never made a motion to back this up. The Planned Community Act – 5314 – Allocation of Expenses states that “any common expense benefiting fewer than all of the units shall be assessed exclusively against the units benefited.”

Therefore, on October 15, 2020, the Board addressed this problem by passing a motion unanimously stating that the responsibility will be with the homeowner to seek damages or replace any panels. The replacement panels will need a Landscape Request for the Board’s approval as the panel must be similar to the damaged panel.

Swimming Pools

Fenced in-ground pools only. No above ground pools permitted.

Antennas

No TV or radio antennas allowed. Satellite dishes are OK and should be installed where least visible.

Signs

Signs are not permitted.

Exception: A single “For Sale” sign is allowed.

Flags, Banners, Pennants

Flags, banners or pennants are not permitted.

Exceptions: One American Flag up to 4’ by 6’ may be displayed. In addition, one small garden flag is allowed.

Vehicles

No parking on lawns or other green area. No blocking driveways, mail boxes or walking paths. No parking in streets for a period exceeding 24 hours. During and after a snow storm, all vehicles should be off the street until plowing is done.

No boats, RVs, commercial trucks, trailers, can be parked or stored on unit owner property or anywhere on our streets or common areas.

Exception: The above vehicles can be temporarily parked on the streets or driveways of Briar Lake for a period not exceeding 24 hours.

Window Coverings

Temporary window coverings are not permitted.

Exception: New owners may use temporary window coverings to be removed within 7 days of occupancy.

Wash Lines

No outdoor wash lines are permitted.

Clarification: Small temporary wash racks which can be removed after each use are allowed. These should only be used on the patio or porch at the rear of a unit so as not to create an eyesore.

Exterior Painting

Prior approval is required before painting any exterior portion of a residence or its accessories (e.g. a light post).

Exception: If repainting with the original color, prior approval is not required.

Screen/Storm Doors

The color must compliment the trim of the residence.

For town homes only, only full height or self-storing glass/screen doors are allowed.

Garbage

Trash, garbage, or other waste needs to be placed curb-side no more than 24 hours prior to pick up. The garbage hauler's schedule is on the Briar Lake website.

Driveways

Must be paved with asphalt or its equivalent.

Water Discharge

Because it could result in a dangerous condition or situation, especially during wet, cold or freezing weather, no water may be discharged or drained from any source at any home, nor on any lot, into any street.

Clubhouse Use

Whenever the Clubhouse is being used for any purpose, a homeowner must be present. Obtain Reservation Form from the Board member listed on the website: briarlake.info.

Sight Line Obstructions

No fences, shrubs, walls, or hedges which obstruct street corner or other safety sight lines are allowed. See number 19 of the Declaration of Restrictions for details.

New Buildings

Prior approval is required before commencing construction of any new building. The following are the minimum square footage requirements:

- Single Story - 1200 sq. ft.
- One and one-half story - 1500 sq. ft.
- Two story - 1600 sq. ft.

Common Area

There will be no dumping of yard waste or any other type of waste in the common areas of Briar Lake.

Exception: Landscape committee volunteers working on maintaining and upgrading common areas may temporarily pile debris for later removal by a volunteer or a contractor.

Units and Lots “Catchall”

Units and lots must be kept in good condition. Nothing is allowed which would cause an “eyesore”, excessive noise, or interfere with the rights or enjoyment of neighbors or decrease the value of their property. See number 12 of the Declaration of Restrictions for further detail.

Noise

No occupant shall make or permit any noise, vibration or odor that will or may unreasonably disturb the occupants of any other units, nor do or permit anything to be done at any time of day or night, which will unreasonably interfere with the rights, comfort or convenience of other occupants. Specifically, but without limiting the right to abate or enjoin any other nuisances, occupants shall not play or suffer to be played, any musical instrument, phonograph, hi-fi, radio, television or any instrument or other instruments of like nature anywhere on Briar Lake or Unit Owner property, between the hours of 11:00 o'clock p.m. and the following 7:30 o'clock a.m. if the same is or shall be audible or discernible in any other unit.

Architectural and Landscape Requests

The Executive Board is responsible for the enjoyment of this Planned Community by ensuring that the continuity remains standard. Homeowners are encouraged to maintain their property and enhance it. To make sure that the enhancements conform, Architectural and Landscape Requests are made for the Executive Board's approval. If a contractor is involved, they will know whether or not a permit is needed but they cannot begin the job until the Board has given their approval. This is based upon the interpretation of the Restrictions. Once the Homeowner's Request is approved, the project may begin.

The basis for these requests comes from the Uniformed Planned Community Act.

§ 5213. Alteration of units.

Subject to the provisions of the declaration and other provisions of law, all of the following apply:

(1) A unit owner may make any improvements or alterations to the unit that do not impair the structural integrity or mechanical systems or lessen the support of any portion of the planned community.

(2) A unit owner may not change the appearance of the common elements or any other portion of the planned community other than portions of units that are not controlled facilities without the permission of the association. However, a unit owner may change the exterior appearance of a unit except any portion of a unit which is a controlled facility without the permission of the association.

If your project involves anything occurring on the exterior of your home you will need to file a Request. Once the Request is reviewed and accepted, you will have 6 months to begin the work.

When do you need to fill out a Landscape Request?

If your project involves any hardscaping or extensive landscaping whether or not it involves a Contractor, you will need to file a Landscape Request.

Non-Compliance Policy

Although the hope is that a non-compliance policy never has to be used, a home owners association such as Briar Lake needs to have such a policy in place to preserve its quality of life. The purpose of this policy is to address a unit owner's failure to follow association restrictions or rules and regulations contained in the Declaration of Restrictions, Bylaws, and Briar Lake Handbook.

If there is a problem:

The Briar Lake Board will attempt to contact the unit owner to informally remedy the out of compliance situation. If this informal meeting is successful, there is **no need** for the following steps.

The unit owner is sent a letter by regular mail concerning the out of compliance situation. The letter will state that the unit owner has 10 days to remedy the situation. The letter will also include a review of this policy.

After 10 days, if the Board has not received a satisfactory answer or if the first letter has been ignored, a second letter will be sent by certified mail. This letter will allow an additional 10 days to remedy the situation.

Note that the Board is willing to meet with the unit owner to discuss the situation and to grant an extension of the time limit if there is a sincere effort on the part of the unit owner to return to compliance.

After the second 10 days, if the Board has still not received a satisfactory response or if both letters have been ignored, a third letter will be sent by certified mail. This letter will issue a fine of \$100.00. In addition, this letter will also state that failure to comply will result in a second

\$100.00 fine, that the issue will be turned over to our attorney, and that the unit owner is responsible for all legal fees related to this matter.

After the third 10 days, if the Board has still not received a satisfactory response or if all three letters have been ignored, a fourth letter will be sent by certified mail issuing the second \$100.00 fine and stating that no further correspondence will be sent to the unit owner by the association and the matter is being turned over to legal counsel. This final letter will again, state that the unit owner will be responsible for all legal fees.

Recreational Boating

Recreational boating is encouraged at Briar Lake with adherence to the following guidelines:

- No gasoline-powered engines are permitted on Briar Lake or ponds.
- Vessels must not exceed 14 feet in length.
- Kayaks, canoes, rowboats and other small water craft 14 feet in length or less are permitted.
- All occupants of a water craft must wear flotation devices at all times.
- Children under 18 years of age must be accompanied by an adult, and all non-residents must be in the company of a Briar Lake resident.
- All water craft must carry appropriate liability insurance and a signed waiver holding Briar Lake UOA blameless.
- No water craft may be moored/stored on Briar Lake common grounds. (Those vessels moored at the lake are the property of the Lake Committee and are used to maintain the lake/ponds and environs.)
- Water craft must be stored indoors on private property in accordance with Briar Lake bylaws.
- A photo ID depicting the owner and the vessel must be filed with the Briar Lake Board. This ID will serve as registration.
- A sign shall be posted stating that boating is by Briar Lake residents only, proof of ownership and liability insurance are required, and the Briar Lake Board should be contacted for further information.