

ARTICLE XIII

Playground Rules

Section 13.1 For safety reasons, all children must be accompanied and supervised by a parent, guardian, or baby-sitter 18 or older. The supervising adult is responsible for supervision and for the children's safety and compliance with these rules.

Section 13.2 All those using the playground do so at their own risk. The Association is not responsible for injuries or accidents.

Section 13.3 Hours for the playground are from 8:00 a.m. to dusk. Do not use the playground after hours or when the playground equipment is wet or icy.

Section 13.4 Only residents and accompanied guests may use the playground.

Section 13.5 No residents or guests age 13 and older shall use the playground. The equipment is designed for children under 13.

Section 13.6 Use the playground equipment properly. Failure to do so can result in serious injury. For example, there shall be no standing, kneeling, or riding double on swings; no walking or running up or down the slide; no climbing on top of the swing set.

Section 13.7 No roughhousing, shoving, fighting, or throwing sand or any inappropriate object on the playground is allowed.

Section 13.8 No roller skates, in-line skates, skateboards, bicycles, or tricycles are allowed on the playground.

Section 13.9 No pets are allowed on the playground.

Section 13.10 No food or drinks are allowed on the playground.

Section 13.11 Failure to abide by these rules will result in a ban on playground use.

ARTICLE XIV

Landscape Regulations

Section 14.1 Overview: For the purpose of these Regulations, landscaping is defined as all plants and plant materials. The landscaping direction for each of the Sterling Woods villages should consider the following three criteria:

- To establish an overall identity and character.
- To provide uniformity throughout the community.
- To create an attractive and aesthetically pleasing environment throughout the community.

Section 14.2 Purpose. The purpose of the Landscape Regulations is to provide reasonable standards that maintain the overall identity, character and uniformity of Sterling Woods landscape and to ensure that Sterling Woods maintains its status as one of the premier communities in this area.

Section 14.3 Landscaping Definitions.

Front Yard Area: The plot of land in front of the Unit.

Side Yard Area: The plot of land between Units.

Back Yard Area: The plot of land in back of the Unit excluding approved foundation planting area.

Turf Area: Any plot of land that is covered by turf grasses.

Foundation Area: The five to seven feet of contiguous soil extending from the base of a Unit's foundation. However, in the Birches Village the rear deck of the unit is considered an extension of the foundation when pertaining to planting regulations of this article.

Street Areas: Those areas located between walkways running parallel to a street. These areas are generally included in the definition of common areas.

Section 14.4 Planting Regulations.

Foundation Area:

- Shrub planting shall consist of a maximum of three (3) layers or rows.
- Added shrubs shall be planted 36 inches on center. No shrubs should be planted on slopes by unit owners, with the exception of flowers directly behind a unit owner's deck. If flowers are planted, they must be maintained by the unit owner (perennials must be cut back in the fall by the unit owner and annuals must be pulled after they die by the unit owner). The Master Landscape Committee is responsible for slope plantings and plants shrubs that are recommended to maintain the integrity of the slope.
- Shrubs and plants should ideally be maintained at a maximum height of 4 feet.
- The growth of flowers and shrubs may not protrude into the turf grass area. Flowers that require stakes should not be planted in front shrub beds or the walkway areas. These flowers can be planted in the back of the unit or in pots on the deck. These flowers include: gladiolas, iris, asian/easter lilies, and birds of paradise.
- Plants located in front of windows must not exceed the height of the bottom windowsill.
- The establishment of any new foundation planting area for attached units requires a review by the Master Landscape Committee and the approval of the Association's Master Board.

Yard Areas: i.e. front, side and back:

- Groundcover shall be planted 12 inches on center or split and planted 6 inches on center depending on the species.
- Hedges, shrubs, flowers, plants, ground covers, gravel, or other material that create a border between the front edge of Unit's foundation plantings and the street are not allowed. These elements are also not permitted between property areas.

Turf Areas:

Lawn areas should be kept free of lawn furniture, decorations or solar lights that impede mowing or leaf blowing. Removal of turf grasses is not allowed without a review of the Master Landscape Committee and the approval of the Association's Master Board. Exceptions to this are:

- To create or extend approved foundation plantings areas, which is 5 to 7 feet of continuous soil area.
- To extend the area around the base of a tree to the recommended diameter of 4-5 feet.
- To create a 1-2 foot planting area around single Unit individual mailbox.

Trees and Shrubs: The regulations for the addition, replacement and removal of trees and shrubs are:

- The addition of any new tree, with the exception of the Birches, requires a review by the Master Landscape Committee and the approval of the Association's Master Board. The following trees are not allowed: Bamboo, Bradford Pears, Purple Plums, White Pines and Spruce trees.
- The addition of any new shrub, with the exception of the Birches, requires a review by the Master Landscape Committee and the approval of the Association's Master Board, with the exception of those planted in approved foundation planting areas.
- The removal and/or replacement of any tree or shrub not originally planted by the Unit owner requires a review by the Master Landscape Committee and the approval of the Association's Master Board.

Section 14.5 Planting and Lawn Dividers. Planting dividers are permitted around the perimeter of foundation planting areas, trees and shrubs if the top of the divider does not exceed the height of any adjacent sidewalk or driveway and do not interfere with provided maintenance services. Dividers in any other area are prohibited.

Section 14.6 Vegetable Gardens. Vegetable Gardens are not permitted in any foundation area, with the exception of the Birches rear foundation area except when planted in containers placed on decks or patio areas. All such plantings must be neatly pruned, weeded and removed at the end of the plant's growing season.

Section 14.7 Rock Gardens. Rock gardens are permitted and may not extend more than 5 to 7 feet from the foundation area. Rock gardens in other than this area requires a review by the Master Landscape Committee and the approval of the Master Board.

Any placement of borders of any kind are permitted provided they are kept neat and orderly and do not interfere with mowing or weed whacking.

Section 14.8 Vines. Climbing vines and flowers are not allowed to climb on any element of a Unit. This includes stair handrails, pillars, fixtures, and decks.

Section 14.9 Trellises. Trellises are not permitted in any area of a Unit in any village, with the exception of the Birches with a review by the Master Landscape Committee and the approval of the Association's Master Board and cannot be positioned in front of any unit or any window or door.

Section 14.10 Plants in Plant Boxes and Containers.

No artificial flowers shall be placed in pots or put into the ground of front shrub beds. Potted plants and containers generally do not require the approval of the Association's Master Board if the following Regulations are maintained:

- The combined number of plant boxes and containers located in the front of the Unit shall not exceed six (6) and must be arranged and maintained in a reasonable fashion. No flowerpots should be placed within a tree mound. Plantings are allowed in the tree mounds. No flowerpots should block stairs, driveways or walkways. In addition, no furniture (chairs and benches) should be kept on the bottom of stairs on the landings (the concrete pavement on the bottom of the stairs) if they block the landing or access to the stairs.
- Potted plants shall not exceed 24" in height and must be set in saucer-like retainers to prevent surface damage from water or moss.
- The potted plants or containers shall not impede the use of pedestrian or vehicular easements or impair contracted maintenance activity, as stated above.
- The containers shall be located on the Unit owner's front porch, entry steps or sidewalk, next to the garage on the driveway, rear patio, or rear deck.
- No plant containers or boxes may be permanently attached to any part of the Unit. All plantings should be maintained by the unit owners. When plantings die, they should be removed. This includes the mailbox areas in the Birches.
- To permit snow and ice removal, during the winter season, all potted plants and containers must be removed from all areas, except for rear decks and rear patios. Heavy concrete containers can remain in place and must be kept free of any dead matter.

Section 14.11 Screening. The placement of any screening (plant material and fencing) is prohibited unless reviewed by the Master Landscape Committee and the approval of the Associations Master Board.

Section 14.12 Prohibited Plants. Plants of toxic nature are prohibited.

Section 14.13 Cold frames. Cold frames or other season extenders are prohibited.

Section 14.14 Irrigation Systems. For Birches Owners' only: Installation of automatic irrigation systems requires a review by the Master Landscape Committee and the approval of the Association's Master Board and is encouraged (at the sole expense of the Unit owner). Any related damage, incurred as a result of installation, must be repaired or replaced in a timely fashion and at the sole expense of the Unit owner.

Section 14.15 Landscape Item Removal. No landscape items may be removed and taken by the Unit owner when they sell their Unit. This includes both Association and Unit owner planted landscape items.

Section 14.16 Landscape Installation. Installation of landscaping, with the exception of the Birches, requires a review by the Master Landscape Committee and the approval of the Association's Master Board by submitting a landscaping plan to be executed in a high quality and professional manner consistent with the image of Sterling Woods. Any related damage, incurred as a result of installation, must be repaired or replaced in a timely fashion and at the sole expense of the Unit owner.

Section 14.17 Landscape Watering. All Unit owners are encouraged to water landscape items in the area of their Unit. Watering apparatus must be put away when not in use.

Section 14.18 Universal Landscaping Considerations. Seasonal varieties of flowers (*i.e. annuals*) that comply with these landscaping Regulations may be replaced annually without approval. Permitted landscape modifications by the Unit owner must be maintained by the Unit owner in a reasonable manner and not deemed unsightly.

Safety and security, impacts on maintenance and consideration of the overall village uniformity will be prime considerations in the Master Landscape Committee's review and the Association's Master Board's decision to approve or disapprove a Unit owner's landscaping request.

Unit owners bear the sole responsibility and cost for any changes made to the landscape. This includes but is not limited to maintenance, replacement, and removal of dead vegetation. Any debris resulting from the fulfillment of these responsibilities must be disposed of in keeping with Article V, Section 5.1. Unit owners are restricted from placing this material on any wooded, common, or limited common areas in keeping with Article II Section 2.2.

Section 14.19 Landscape Request and Approval Process. These Regulations shall apply to all Unit Owners. Requests for landscaping activity that do not comply with this document, must be made in writing and directed to:

Sterling Woods II – Master Association
c/o REI Property Management
2A Ives Street
Danbury, CT 06810

... (or) deliver them to the on-site property management office at the Platinum Club.

Requests must include:

- Unit owner name and address.
- Article and Section to which an exception is being requested.
- Description of landscaping activity desired to be performed including location to be made.
- Itemization of all plant material to be added or removed including type and size of material.

- Name(s), address(es), and telephone number(s) of individual(s) who will do work.
- Date Unit owner would like to begin work and the projected completion date.

The decision to approve or not to approve requests is the responsibility of the Association's Master Board. The Master Landscape Committee will provide recommendations as requested.