

B. FITNESS CENTER:

If a Resident is waiting for equipment that another Resident is using, there is then a thirty (30) minute limit on the use of said equipment. No one under the age of nineteen (19) is permitted to use any exercise equipment in the Fitness Center. All Homeowners or Residents and their guests must abide by all the OFFICIAL RULES posted in the Fitness Center. A Resident must be present if their visiting guest is using the Fitness Center. All use of the Fitness Center is at the participant's risk. Please consult your physician before engaging in any exercise.

C. SWIMMING POOL AREA:

1. All Homeowners or Residents and their guests must abide by all the Health, Safety, and OFFICIAL RULES posted in the pool area along with the distributed written rules. Also, the following prohibitions: No holding of pool furniture is allowed and no smoking or Vaping in any area other than designated smoking areas. (As amended by the Board of Trustees 7/18/2023)
2. Badges must be worn at all times within the pool area and guests must always be accompanied by a Resident.
3. No glass in pool area.
4. No pets in pool area.

A. MULTI-GAME COURT AREA

1. Tennis shoes or sneakers must be worn by anyone using the Game Court Area. Only games approved by the Board of Trustees may be played; no other games or activities are permitted in the Area. (As amended by the Board of Trustees 07/18/2023)
2. Any guest under the age of fourteen (14) years of age must be supervised by a Homeowner, Resident, or an adult guest.
3. Use of the Game Court is based upon "first come — first served basis". After one (1) hour of play, the Game Court must be surrendered to waiting players. Misuse of equipment is prohibited.
4. No food or alcoholic beverages of any kind may be consumed or be in the possession of anyone within the Game Court Area enclosure. NO smoking or Vaping in any area of the Game Court. (As amended by the Board of Trustees 7/18/2023)
5. Spectators must sit on benches, if available, at the back of the Game Court Area or remain outside of the fence.

B. CLUBHOUSE KITCHEN:

Cooking is allowed in the Clubhouse Kitchen, subject to the following restrictions:

- No cooking is allowed that creates "Grease Laden Vapors".
- Cooking is for the personal use of residents, including guests.
- No cooking is allowed that is for profit.
- No cooking is allowed at Ballroom rentals or repast/celebration of life events. (As amended by the Board of Trustees 7/18/2023)

CHAPTER IV

Section 1: Use Restrictions for the Community

Section 2: Architectural and Covenant Restrictions

Section 3: Air Conditioners and Oil Tank Plantings

Section 1 – Use Restrictions for the Community

- A. Only one (1) domestic pet, properly licensed, is allowed per Home and must be registered with the Board of Trustees. Non-Adherence to Section B will result in Fines being imposed in accordance with Township ordinances. Doghouses and other shelters are prohibited. (As amended by the Board of Trustees 11/12/2013)
1. Two (2) pets may be domiciled in a Community home, if at the same time of closing (purchase) the buyers sign an agreement that if one of the pets is no longer living in said home, the pet will not be replaced.
 2. The two (2) pets must be registered and approved by the Board of Trustees. (As amended by the Board of Trustees 8/11/08)
- B. Manchester Township Ordinance Chapter 101 is the document outlining the Township's rules regarding management and ownership of dogs. Our proposed regulations within the Community are based on that document. (As amended by the Board of Trustees 3/13/2018)
1. All dogs must be licensed with the Township and registered with the Whiting Station Business Office. New homeowners or tenants are required to register their dogs upon occupying their residence.
 2. Grassy or landscaped common areas are not to be used for dog urination. Any grass and/or flora that is destroyed this way will be replaced by the dog owner.
 3. Dog owners are encouraged to use their own Property (down to the curb) or to walk dogs only on the streets of the community.
 4. Residents may not walk their dogs on other resident's Property which includes signs, lamp posts, and mailboxes and their supports.
 5. The following areas are **restricted areas for pets; excluding service animals**:
 - i The Clubhouse Property
 - ii All Recreational Areas (Pool, **Multi-Game** Court)
 - iii The landscaped areas in the community, such as corner entrance gardens and lawns
 - iv The open common area along Gardenia Drive opposite #331, 333, & 335
 - v The large drainage basins in the community
 6. No animals are allowed in the Clubhouse except for Service Dogs. Note: No animals are allowed in the kitchen area at any time.
 7. Residents are required to pick up immediately any waste deposited by their dog. Dog waste is to be bagged and deposited in the dog owner's own garbage container and not down storm drains or any other place.

8. No dogs shall be permitted to run free at any time. All dogs must be on a fixed leash no longer than 6 feet (Manchester Township Ordinance). Dogs may not be left tethered on a leash outside unless the dog owner or person supervising that animal is visible.
 9. Failure to comply with the above rules may result in enforcement by the Township of Manchester and the Board of Trustees of Whiting Station as described in our Governing Documents.
- C. No feeding of wild or feral animals, such as cats, dogs, raccoons, possums, squirrels, deer, wild turkeys, foxes, Canada geese, etc., is permitted for safety and health reasons. Fines will be imposed for any violation.
 - D. No obnoxious activity shall be carried on, in or upon the property of the Community, or in any Home, nor shall anything be done therein willfully or negligently, which may be or become an annoyance or nuisance to other residents. TVs, HI-FIs, radios, and musical instruments will be operated at a low volume level after 11:00 PM. Power tools shall not be used before 8:00 AM nor after dusk. Use of power tools of any kind is not permitted on Sundays. (As amended by the Board of Trustees 6/13/2005)
 - E. Clotheslines or airing linens, bedding, or wearing apparel on the exterior of any Home is prohibited. The airing or drying of linens, bedding, or wearing apparel within a Home must not be visible from the street.
 - F. All household garbage and trash shall be deposited within trash collection containers as may be designated by the Board of Trustees. Plastic bags must be used for garbage or trash and must be contained in the approved receptacles. Collection containers shall be stored in garages and must not be visible from neighboring homes or the street.
 - G. The storage of gasoline, paint rags, or other flammable material within any Home or upon any property is prohibited, unless such storage is within the Home and in Underwriter's Laboratory approved containers with the UL label affixed.
 - H. Personal articles such as, but not limited to, sheds, firewood, toys, bicycles, or boats of any kind shall not be stored on Common Property or around the exterior of any home.
 - I. In-ground flagpoles are not permitted on any Homeowner's property or the Common Property, except for those at Station Hall erected by the Board of Trustees.
 - J. Window air conditioners are not permitted on any exterior structure.
 - K. Exterior electrical insecticide devices are not permitted within the Community.
 - L. Lawn lighting which interferes with lawn mowing is prohibited.
 - M. No sheds or items of similar nature shall be erected on a Homeowner's property. 1 Horizontal Deck box per household on deck or patio is permitted, max size 24" x 24" x 60" (As amended by the Board of Trustees 5/16/2023)

CHAPTER V

Section 1: Irrigation Maintenance Guidelines

Section 2: Tree Removal, Trimming, Tree Planting

Section 3: Planters, Hanging Plants, Flowerbeds

Section 4: Yard, Exterior House Ornaments

Section 1 – Irrigation Maintenance Guidelines

- A. The irrigation system is designed to water each Homeowner's lawn area as sodded by the developer. (Shrubs and flowerbeds are not included.)
- B. The Homeowners Association provides maintenance to the system to ensure that the system is operational, and that each sprinkler head is properly adjusted for adequate lawn irrigation, as determined by the Homeowners Association.
- C. Sprinkler head adjustments, repairs, and replacements will be provided as a result of weather conditions and normal wear and tear. The cost of maintenance that can be attributed to the Homeowner's negligence will be the Homeowner's responsibility.
- D. All control panels including valves, solenoids, timers, electrical components, etc., are the responsibility of the Homeowners Association. Only personnel authorized by the Homeowners Association may service the system. Service by unauthorized persons is prohibited.
- E. Application must be made to the Board of Trustees by the Homeowner in the event sprinkler heads must be raised, removed, or relocated due to an obstruction caused by the installation of patios, decks, walkways, shrubs, trees, etc. The related costs will be borne by the Homeowner. Due to water usage restrictions by the DEP, no additional areas can be added and relocation must be approved by the BOT.
- F. Homeowners shall not change, remove, or cap any sprinkler unless authorized by the Board of Trustees. All modifications must be approved by the BOT and performed by the contracted irrigation vendor.
- G. Homeowners shall not cover any sprinkler head with landscaping material.
- H. No Homeowner may individually install an irrigation system without the approval of the Board of Trustees.

Section 2 – Tree Removal, Trimming, Tree Plantings

- A. All tree removal activities within Manchester Township require prior approval from the Township's Zoning Office subject to Ordinance § 403-3A (1). The only exception is the removal of a single tree (No permit is required) though reforestation of a new tree to replace the one removed is required. No tree shall be removed without prior approval of the Board of Trustees.

That said, residents on fee simple lots will need to receive prior Zoning approval for all tree removal activities greater than a single tree. Residents will be required to complete a Zoning Permit and submit it to the Manchester Zoning Department Office along with the following:

- A Whiting Station H.O.A. letter of approval
- An original size (to-scale) copy of the property survey detailing the location of all trees, trees to be removed, trees to remain, & trees to be replanted (A.K.A. reforestation).
- A Zoning fee of \$75.00 for tree removal (quantity equal or greater than two trees), and \$150.00 for tree reforestation when two trees or more is proposed to be removed.

1. No tree shall be removed without prior approval of the Board of Trustees.
2. Any tree located on the Homeowner's property that is required to be removed, shall be removed at the expense of the Homeowner.
3. Any tree to be removed shall be cut down to ground level and the stump must be ground to grade.
4. Any tree located on Common Property that is required to be removed shall be removed at the expense of the Homeowners Association.
5. Tree removal services must be performed by an insured Certified Licensed Contractor. (As amended by the Board of Trustees 8/11/20)
6. Violators will be fined the maximum allowed per our covenants daily for removal of any tree without written permission from the Board of Trustees until the tree is replaced with one the size and species of which is approved by the Board of Trustees. (As amended by the Board of Trustees 7/18/2023)

B. Tree Trimming, Pruning, etc.: Prior to removing a tree, consideration should be given to trimming, pruning, cutting-back or removal of troublesome branches. Aerial Pruning requires a modification request. (Light pruning from ground level does not require approvals) (As amended by the Board of Trustees 7/18/2023)

C. Tree Planting: Prior to planting a tree, an application must be submitted to and approved by the Board of Trustees.

1. Tree planting and location is subject to approval by the Board of Trustees and must not disrupt Community utility, irrigation lines, mowing patterns, or roadways.
2. The Homeowner assumes responsibility for the relocation of any utility, irrigation, or cable lines "as well as damage to" resulting from tree planting.
3. All tree species must be approved by the Board of Trustees. The planting of pine trees is not recommended as they can be a potential fire hazard. Also, shallow-rooted trees, such as poplar, weeping willow, sumac, etc., are not recommended for safety reasons.

D. Planting in Tree Beds: Ample ground must be preserved adjacent to the bed for proper landscaping service. Where there is a small clump of trees and grass that is difficult to maintain, a tree bed including all the trees may be planted.

1. Annuals and perennials may be planted in tree beds.
2. Mulch material or stone may be used in tree beds.
3. Homeowners are responsible for the maintenance (pruning, weeding, etc.) of their trees, tree beds, and plantings.

4. Cannot obstruct walkways.
5. Term of Use: No more than 14 calendar days prior to the associated election day and no more than 2 calendar days after the associated election day. Posting of political signs on utility poles and natural features within the community are prohibited. (As amended by Board of Trustees May 2020)

D. Holiday Decorations: are permitted to be put up two (2) weeks prior to the holiday and may remain up for one (1) week after the holiday. The exception pertains to decorations for the December holidays, which can be put up immediately after Thanksgiving and taken down no later than the weekend subsequent to January 10th.

E. Flags: In addition to the Federal laws Protecting Display of US Flag, the State of New Jersey protects the right to display yellow ribbons, as well as Military flags in support of United States Military Troops.

The following will also be permitted with restrictions noted:

Seasonal Flags – including Secular Holiday flags – and the National flags of countries.

Restrictions:

1. Two (2) house-mounted or tree mounted permitted flags on flagpoles are allowed if displaying a permissible flag in addition to the American flag. If displaying a national flag of another nation, please display the American flag in accordance with 4 U.S. Code § 7 - Position and manner of display.
2. One (1) house-mounted or tree mounted permitted flag on a flagpole is allowed if displaying a seasonal flag.
3. Two (2) permitted flags are allowed in the Garden area adjacent to homes.
4. No flags promoting social messaging will be allowed at any time in the Community.
5. Absolutely no flags with Obscenities or lewd text or graphics are allowed. (As amended by the Board of Trustees May 10, 2022)
6. All torn or worn-out flags must be removed as soon as possible.

CHAPTER VI

Section 1: Procedure for Approval of Architectural Modification

Section 2: Procedure for Appeal of Decision on Architectural Modification

Section 3: Architectural Standards

Section 1 — Procedure for Approval of Architectural Modification.

To request approval, a completed application form must be filed in and content as may be required by the Board of Trustees from time to time. Architectural Modification Application forms may be obtained from the Business Office at the Station Hall Clubhouse. An Application shall be deemed to have been filed upon receipt by the Board of Trustees at the Office at the Station Hall Clubhouse in Whiting Station at Crestwood when properly logged in (the "Logged in-date") by number, dated, and a receipt issued to the Applicant.

The Applicant must demonstrate the proposed change or addition will not adversely affect the aesthetic and economic value of the Applicant's property or surrounding properties, or the architectural plan and common design plan of Whiting Station at Crestwood as a whole; and that it will not interfere with the existing drainage patterns, utility lines, TV cables, security systems, irrigation and easements, or rights of way. The Applicant must further affirmatively demonstrate that the use, modification, or addition complies in all respects with standards of design as may be adopted by the Board of Trustees from time to time. **Any color change to any exterior portion of the home; including decks, must be approved by submitting a color swatch from the Manufacturer.**

The Board of Trustees shall render its decision after notification to all adjacent homeowners, waiting a period of five (5) days for responses. The decision of the Board of Trustees shall be effective when reduced to writing and delivered to the Applicant.

The Board of Trustees shall have thirty (30) days from the Logged-in-Date of the Application to respond, in writing, to the Applicant in the following manner:

- A. Approval
- B. Approval with condition(s)
- C. Deny approval with explanation(s)
- D. Deny approval without prejudice.

Notwithstanding the above, the Board of Trustees having failed to notify the Applicant of its decision within thirty (30) days from the Logged-in-Date; the Applicant may then remind the Board of Trustees, by certified mail with return receipt, of the Board of Trustees' obligation to provide a decision as outlined above. Upon such notification and in the event that the Board of Trustees continues to fail to act within this thirty (30) day period, the Application shall be deemed approved. Without such notification by the Applicant, the Board of Trustees' inaction will be deemed a denial of the Application. However, the Applicant has the right to resubmit the Application.

Section 2 — Procedure for Appeal of Decision on Architectural Modification

An Applicant who may want to appeal a decision of an Architectural Modification Application by the Board of Trustees shall have ten (10) days from the date of such decision in which to request a reconsideration of the Application by the Board of Trustees. Such request shall be in writing and delivered to the Board of Trustees by personal service at the Homeowners Association's Office at Station Hall or by certified mail, return receipt requested, addressed to the Board of Trustees, Whiting Station at Crestwood Homeowners Association, Inc., 323 Gardenia Drive, Whiting, NJ 08759.

The Board of Trustees shall, within fifteen (15) days upon receipt of the Appeal request for reconsideration of the Application, hold a hearing on the Appeal at which time it shall listen to the Appeal by the Applicant and review any relevant evidence presented. The Board of Trustees may continue the hearing on the Appeal, as it deems appropriate and shall render its written decision within fifteen (15) days after the conclusion of the hearing.

If the Appeal was again denied, the Applicant may request the Alternative Dispute Resolution (ADR) procedure. If an Applicant does not believe that the Alternative Dispute Resolution procedure has satisfactorily resolved the matter, he/she shall not be prevented from seeking a judicial remedy in a court of competent jurisdiction.

Section 3 — Architectural Standards

Applicants that receive approval for architectural modifications or additions must comply with the following standards:

- A. The Applicant shall be responsible for obtaining, at Applicant's cost, all necessary governmental permits and must, as a condition precedent to any installation of the subject matter of the Application, provide the Board of Trustees with true copies of such permits.
- B. All approved work must conform to applicable building codes and be performed by a licensed contractor or the homeowner and may be in conjunction with relatives and or friends. (The homeowner must still satisfy all government requirements.) Additionally, all completed work must be in accordance with the submitted modification request and the BOT approval letter. The homeowner will be responsible for damages to any other property if performing work. All contractors must file with the Board of Trustees, prior to commencement of any work, a certificate of insurance indicating general liability coverage in amounts and types satisfactory to the Board of Trustees and naming Whiting Station at Crestwood Homeowners Association, Inc. as an additional insured. (As amended by the Board of Trustees 7/18/2023)
- C. The Applicant shall be responsible for any damage or injury that results to any building, person or property arising out of the installation of the subject matter of the Application.
- D. Upon completion of any work and/or installation of the subject matter of the Application, the Applicant shall be required, within ten (10) days, to file with the Board of Trustees, a Statement of Completion. The Board of Trustees shall have the option to require that a photo of the completed work be attached to the Statement.

- E. In the event the subject matter of the Application requires the replacement, relocation, or repair of any building, shrubs, trees, plantings, irrigation systems, cable TV systems, electronic alarm systems or portions thereof, roadways, turf, or any other structure, the Board of Trustees shall have the right to require that the Applicant deposit funds with the Board of Trustees in an amount sufficient to cover the costs of such replacement, repair, or relocation.
- F. All work required for the subject matter of the Application shall be commenced within forty-five (45) days of the date of approval by the Board of Trustees and completed within ninety (90) days from such approval unless such time is extended by the Board of Trustees.
- G. All work activity necessary to complete the subject matter of the Application shall be limited to weekdays and Saturdays between the hours of 8:00 AM and dusk. Work is not permitted on Sundays. (As amended by Board of Trustees 6/13/2005)
- H. **The Applicant during the course of any work and for a period following sixty (60) days from the filing of the Statement of Completion shall permit the Board of Trustees or their duly assigned representative, to come upon the property of the Applicant, at a reasonable hour, for the purpose of inspecting the finished subject matter of the Application.**
- I. In the event that the subject matter of the Application requires additional maintenance responsibilities on the part of Whiting Station at Crestwood Homeowners Association, Inc., the cost of such additional maintenance shall be the sole obligation of the Applicant and such costs shall be added to the Applicant's annual assessment.
- J. All architectural changes, modifications, and additions which receive consent by the Board of Trustees shall strictly comply with standards and guidelines relating to such modifications or additions as may be adopted from time to time by the Board of Trustees.
- K. All color change applications must be accompanied by a Manufacturer's color swatch- NOT a computer-generated color swatch.
- L. Upon Final inspection by the Trustee in charge, if found not to be in compliance with the original approved application, the Homeowner will have a prescribed time to be determined by the BOT to bring the project into compliance before being notified of any potential fines.