

Wheatfield Lakes Homeowners Association Ltd.

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Policy Communication to the Wheatfield Lakes Community

Please add this policy to your copy of the bylaws

It supersedes communication from 6/8/21 and was approved by the board on 6/7/26

RE: GC&R (General Covenants and Restrictions) Section 11.09 Refuse or Trash

No lumber, metals, bulk materials, refuse or trash shall be kept, stored or allowed to accumulate on any property. Trash, garbage or other waste shall be kept in sanitary containers, and if they are to be disposed of by being picked up and carried away on a regular and recurring basis, containers may be placed in the open on any day that a pick up is to be made, at such location on the lot as to provide access to persons making such pickup. At all times and within 24 hours after such pickup, such containers shall be stored in such a manor so they cannot be seen from adjacent and surrounding property.

Background information for Update

Trash and recycling totes and other garbage/refuse are not allowed to be stored in view of adjacent properties. Meaning that cans and totes may not be stored on the side or front of garage or anywhere that it can be viewed from adjacent or surrounding properties. The board has become aware of problems due to the size of new mandatory trash containers. As a result the following rule has been added while also maintaining the integrity of bylaws section 11.09. Bin meaning storage bin, Tote meaning Town issued tote. This also maintains ARS (Architectural Review Standards) section VI (N).

11.09 Exceptions

The updated community standard for tote storage can now include up to a maximum of one (1), horizontal storage bin to "hide" such totes from the view of adjacent and surrounding properties. Please use the following criteria in choosing a horizontal storage bin.

- One bin per household unless the residence has multiple totes then an absolute maximum of two (2) bins per property.
- Sizing may be chosen by the homeowner to meet minimum requirements to store totes or can include a white vinyl fence enclosure, 3 sided and no higher than 5 feet to store totes only.
- Must be neutral in color and if possible match the residence.
- Storage bin or fence enclosure can be placed at the side of the house closest to the garage door but cannot be located on the "front" exposure. The longest dimension shall be against the residence.

- Must be maintained- no sun bleaching, dirt, mud, sprayed garbage, no dents cracks or crooked fence enclosures.
- Any bin with a lid should be completely closed and nothing to be stored on top.
- Bins and fenced enclosures are for totes only. They are not to be used as storage containers.
- Additional trash, bulk day trash, must be stored out of sight until the appropriate collection day.

Additional Notes

This amendment in no way modifies the architectural standard that excludes plastic sheds on the property.

In the event that the bin attracts nuisance animals or pests, you may be required to remove it until that issue is resolved.

In the event that a specific home has a consistent issue with maintenance and use of the bin or violates the exceptions listed, that household may be required to discontinue use of the bin or fines may be imposed.

Villas Residents

This policy communication was also adopted and approved on 6/26/2026 by The Villas at Wheatfield Lakes Board of Directors. Villas residents are able to follow the same guidelines to ensure consistency across the community.

If in doubt please email the current property management company for clarification.

Opportunity to dispute (Violations)

Each owner charged with a violation of GC&R Bylaws or Rules and Regulations shall receive written notice of said violation as well as the fine or penalty to be assessed.

For a first instance of a violation, the Owner shall be given an opportunity to take corrective action (i.e. "cure") prior to assessment of any fine or penalty.

For a FIRST instance of a violation, the Owner shall have the right to submit in writing to Property Management/Board of Directors such written explanation of excuse or evidence in dispute of the charged violation and to appear before the Board of Directors at the next regularly scheduled meeting and be heard concerning the charged violation. If the next meeting is more than thirty (30) days from the Owner's receipt of notice of such violation, the Owner may appear before the Board of Directors at a mutually convenient time.

The Board of Directors in its sole discretion shall determine what period of time to cease, correct and/or refute a violation is reasonable and appropriate under the circumstances.

An Owner's opportunity to dispute a violation as set forth in this Rule shall not limit or be a condition precedent to the Association's right to enforce any provision of the Association's Declaration, Bylaws, GC&R or Rules and Regulations by legal action or administrative means, including but not limited to, injunctive relief or to file a lien against the Lot against which such assessment is made.