

Potter Pond Resident's Handbook



2022 Potter Pond Resident's Handbook

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Introduction

This Handbook has been prepared by the Potter Pond Board of Trustees for the benefit of all residents of the Condominium, whether unit owners, renters, or guests. Changes in this Handbook are made from time-to-time and are announced in the Potter Pond Newsletter. Residents are requested to make appropriate notations in their handbook. It is not the intent of this Handbook to replace or alter any of the rules or restrictions contained in the 1997 Amended and Restated Master Deed, the 2001 Amended and Restated Declaration of Trust, or any amendments thereto, which constitute the legal documentation that is always controlling. The Handbook is intended to summarize that information likely to be of most frequent use, and to convey a sense of welcome to our community.

The Trustees invite comments and suggestions for the revision of this document. To make this an effective working statement, we have attempted to be brief, yet informative. With few exceptions, the topics covered in this handbook have been arranged alphabetically, and do not include details that can easily be obtained elsewhere.

Background of Potter Pond

In 1980, F. William Smith and Paul W. Boyd formed Potter Pond Village Associates, the legal entity that developed Potter Pond. Bill Smith had already tastefully developed two other condominium communities in Lexington (Russell Square and East Village Square), so he came with a great deal of experience in building appealing homes for Lexington residents. But Potter Pond was quite different from Russell Square or East Village Square.

The 43-acre site upon which Potter Pond is constructed is unique. Potter Pond is built on the site of the former Powder Horn Golf Course, a Par-3 18-hole golf course that was successfully operated from the mid 1960's until it closed in 1979. In earlier years, Potter Pond was the site of an operating New England farm. Benjamin Wellington farmed the land when he returned a hero from the Revolutionary War. The land is hilly and today contains four separate conservation areas totaling 15.28 acres.

It was no easy task for Paul Boyd and Bill Smith to secure the necessary permits to build Potter Pond. The Lexington Planning Board, the Zoning Board of Appeals, the Conservation Commission, and the homeowners on Walnut Street were all interested parties. Condominium developments were still new to Lexington, and the developers met frequent roadblocks. After the land was purchased for \$1.2 million in 1980 from the Potter family, Lexington extracted a number of important concessions from the developers prior to granting the required building permits. The Board of Appeals scaled back the development to 100 homes from a higher number originally proposed. They restricted the number of garage spaces and bedrooms. The Town insisted on reserving some of the housing units for purchase by the town for low-income housing. (Eventually, the Town of Lexington settled upon an arrangement whereby the profit from the sale of ten "B" units was turned over to the Town by the developers as Potter Pond's contribution to affordable housing.) There was to be no incremental cost to the town for maintaining roadways and the utilities that serviced the development; the roads would be privately maintained by the condominium development under the permit approved by the Lexington Board of Appeals. The list of restrictions was lengthy. Still, the developers pressed on with the site plan.

Royal Barry Wills Associates, colonial architects, designed the Potter Pond condominiums to blend into the neighborhood. Earth-toned plank exteriors, high-pitched roofs, center brick chimneys, and small vertical windows kept authentic colonial proportions. One third of the 43-acre site is taken up by marshy ponds and a steep hillside, leaving gravel hillocks and ridges as the most suitable ground for building. The 100 town houses are clustered to flow with the natural contours of the hills and ridges.

Potter Pond was built in three phases. Phase One was constructed in 1980 and includes forty town houses on the left side of the expanded main retention pond as one enters from the Walnut Street entrance. Phase Two, constructed in 1981 and 1982, contains eighteen homes on the right side of the main retention pond as one enters from Walnut Street. The forty-two town houses in Phase Three were begun in the summer of 1983. The development was completed in 1985 and turned over to the Potter Pond Condominium Association.

The early 1980's were a difficult period for the construction business with interest rates soaring. Lexington Savings Bank became a joint venture partner. At the time the first homes were ready for sale, mortgage interest rates were in the mid-teens. The Bank took a 50 percent stake in the development, and the profits were split 50-50 between the Bank and the Potter Pond Village Associates Partnership. When mortgage interest rates topped 16 percent in 1982, it became particularly difficult for prospective buyers to afford to purchase homes in Potter Pond. By 1983, however, interest rates started to drop back to more reasonable levels, and the units started to sell. By the time Phase Three was begun in the summer of 1983, the developers had advance reservations on over half of the units to be constructed. The Potter Pond development project was finally a success.

After the completion of Potter Pond, Bill Smith and Paul Boyd went on to develop two more developments of high-end executive homes in Lexington -- Hampton Road off Concord Avenue and Dover Lane off Pleasant Street. All five developments in Lexington are unique in their own personal ways. Both developers took immense pride in their development.

The residents and Trustees of Potter Pond appreciate the natural beauty of the property and are committed to preserving it. The property contains many mature specimen trees which create an attractive environment for a wide variety of wildlife.

Potter Pond is a special community. We are pleased to have you as a neighbor.

The Three Phases of Potter Pond

Phase One - Forty Units

Forty homes built in 1980 - 1981 located on the left side of the main retention pond as you enter the condominium complex from the Walnut Street entrance, including even numbers 2 to 66 and odd numbers 37 to 65 (but there are no even-numbered units between Unit 22 and Unit 40).

Phase Two - Eighteen Units

Eighteen homes built in 1981 - 1982 located on the right side of the main retention pond as you enter the condominium from the Walnut Street entrance (odd numbers 1 to 35).

Phase Three - Forty-Two Units

Forty-two homes built during the 1983 - 1985 period as you enter the complex from Concord Avenue. Phase Three includes units numbered 67 to 114, but there are no units bearing the following numbers: 71, 84, 107, 109 111, and 113.

Trust Organization

As condominium residents, we gain the benefit of having much of the work of home maintenance and management done for us but do sacrifice some individual control. At the same time, we have to accept that while the appearance of the community is very pleasing and likely motivated our decision to move

here, many decisions affecting us and Potter Pond are no longer able to be made individually but are made only with the consent of the Board of Trustees, which represents all of the owners.

The organization through which the homeowners at Potter Pond manage and regulate the condominium is called the Potter Pond Association. The entire Potter Pond Association meets annually prior to April 30th of each year to conduct a business meeting and to elect new members to the seven-member Board of Trustees. Trustees serve three-year staggered terms, with at least two terms expiring each year. Election is by majority vote of the owner "beneficial interest" represented either in person or by proxy at the annual meeting of unit owners. The beneficial interest of each home is a fixed percentage set at the time the home was originally built and based on the projected value of the home at the time of construction. All condominium fees are based on the beneficial interest of the home in relation to all of the other homes. The beneficial interest does not change based on ownership, or on how the interior of the unit is updated.

The Trustees are given the responsibility of managing the operation of the Association. They in turn employ a management agent to be responsible for the day-to-day operation of the property. The management company assigns a portfolio manager to the property who works from the management company's office with occasional on-site visits. An On-Site Property Manager selected by the Board of Trustees and the management company is employed by the management company and is present on the property Monday through Friday during normal business hours. The management company maintains an on-call service for emergencies and can be reached locally by contacting the management company's emergency call number for emergencies that occur after hours.

The Board of Trustees meets as a body about once a month to make policy and operational decisions in the areas of finance, insurance, maintenance of buildings and grounds, architectural control, security, and safety. Meetings are held at the homes of the Trustees (pre- and post-pandemic, otherwise online) and are open to the entire Potter Pond community (residents as well as owners). Shortly after each monthly meeting, the minutes of the meeting are e-mailed or mailed to each resident and homeowner in the form of a newsletter.

The names, email addresses, and phone numbers of the current Trustees and the property management company can be found in a handout distributed at the Annual Meeting and posted on the Potter Pond and management company's web sites. This listing should be retained with this Handbook and the Potter Pond Directory of residents in the three-ring binder known as the Potter Pond Notebook. Homeowners should always contact the On-Site Property Manager either by phone or email as a starting point for questions and issues.

Annual Meeting

The Annual Meeting of the Potter Pond Association is held in late April, but not later than April 30th of each year. Homeowners are notified of the exact date and time of the meeting and provided with a copy of the agenda, an absentee proxy form, and a nomination form for new Trustees. It is extremely important that every home be represented either in person or by proxy at the Annual Meeting so that the meeting qualifies as an "official meeting." If you are unable to attend the Annual Meeting in person, please sign and return your proxy so that your unit is represented at the meeting.

Boundaries of Homes

In general, homeowners own and are responsible for repairs to the insides of homes and are responsible for the upper surfaces of the floors and inner surfaces of the walls and the ceilings that serve as inner surfaces of the roofs. In addition, homeowners are responsible for the repair and replacement of unit

doors, garage doors, windows, skylights, sliding doors, window and door frames, trim, sills, and screens as well as decks, patios, porches, and fences. The Association is responsible for repairs to the outside of homes, including roofs, exterior walls, stoops, and foundations, and a few fences that were part of the original construction. While interior fireboxes in the fireplaces are the responsibility of unit owners, the chimneys themselves, including the brick, (wood and cement) exteriors are maintained by the Association. Additional information about the boundaries of homes may be found in the Amended and Restated Master Deed that each homeowner should maintain in the three-ring binder entitled "Potter Pond Legal Document Binder and Unit Owner Information".

All Association property not within the boundaries of individual homes is called the Association's "common area", and the Association is responsible for its maintenance, including landscaping, snow removal, and the maintenance of roadways. A 20-foot area to the back of each home is called a "limited common area" and is set aside for the exclusive use of that homeowner but is still part of the Association's overall common area. All garages are common area property and, except for garage doors and openers, are maintained by the Association.

Carbon Monoxide, Gas, and Smoke Detectors

Carbon monoxide and smoke detectors are required in all homes in Massachusetts. The homes at Potter Pond were built with central smoke detectors that are hard-wired into the electrical system. These detectors need to be checked and replaced every few years, as they may no longer sound when smoke is detected. It is strongly recommended that each home have at least one battery operated detector installed on each floor in case the electricity is off at the time of a fire. Carbon monoxide may occur from a wood burning fire, from a faulty gas heater exhaust, or from the motor of a car left running in the garage. It is silent, odorless, and deadly. Detectors are now widely available and are inexpensive. They can be simply plugged into an electrical wall outlet. Combination smoke and carbon monoxide detectors are also available online or at local hardware stores. Since most units at Potter Pond are heated by gas, it is important to have detectors on every floor that will warn you of both smoke and carbon monoxide.

The regulations for the types and number of smoke and carbon monoxide detectors have changed significantly since Potter Pond was built in the 1980's. Homeowners are required to have smoke and carbon monoxide detectors inspected by the Lexington Fire Department at the time of selling their unit. Homeowners may also need to update their smoke and carbon monoxide detectors at the time they conduct major interior renovations.

Community Space

The community space is for the use of owners, renters, and their guests. We have one tennis court, which is also striped for pickleball, a half-court basketball court, five raised planting beds, and outside chairs and tables with umbrellas. A resident should always accompany their guests when using the area. If the resident is absent, the guest(s) may be asked to leave. Proper tennis footwear is required on the tennis court. No bicycle riding, skateboarding, or roller skating is permitted on the court. Please limit your play to one hour if another resident is waiting to use the tennis court. Reservations for use of the raised beds are handled by the Landscaping Committee.

There is a community book swap inside the maintenance building just outside the On-Site Property Manager's office. Feel free to take a book – leave a book.

Condominium Fees

Each homeowner has a choice of having their monthly condominium fees deducted by direct debit from a checking or savings account of their choice by the management company or of paying the condominium fee monthly by check or through a direct payment from their own bank. With any method of paying the condominium fee, the homeowner should identify their unit's unique account number on the check or electronic transfer. Those unit owners who wish to pay by check will receive a set of coupon booklets and remittance envelopes annually in December, as well as a notice of their new monthly condominium fee. Remember to send in the coupon with the check. Monthly fees are due and payable by the first of every month. Any fees not received at the office of the management company by the first of the month are considered in arrears and will be possibly subject to a late fee of \$50 plus 1.5% on the overdue balance. Again, please note that fees are due by the first of each month.

If the owner of a unit that is rented to someone else fails to pay the fees in a timely fashion, under State law, the renter then can be required to pay the fees to the Association directly.

The monthly condominium fee covers the following items:

- Salaries, taxes, and benefits of the On-Site Property Manager
- Snow removal costs
- Landscaping expenses including pond, well, and irrigation system maintenance
- Tree pruning and removal costs
- Electricity cost for power in common areas
- Exterior home maintenance including:
 - Roof repairs
 - Clapboard replacement
 - Painting of homes and garages
 - Chimney repairs
 - Stoop repairs
- Walkway, driveway, and road repairs
- The Condominium Master Insurance Policy
- Contribution to the Capital Reserve for Replacement Fund
- Services of the management company
- Accounting, auditing, legal, and other administrative expenses
- Office telephone, internet, and computer expenses
- Taxes on some types of Potter Pond Association income

Special assessments have been required in the past and may again be required at a future date for emergencies. The Trustees are committed to budgeting in a way to ensure that adequate funds are sufficient to cover all annual operating expenses and capital reserve expenses that can be anticipated. The Trustees consider special assessments and bank borrowing to pay for repairs to be a last resort. When such special assessments are approved by the Trustees, unit owners are given notice in writing in advance as to the due date, amount, and reasons behind any special assessment. The Trustees are extremely sensitive to the need to inform unit owners of the reasons such assessments are considered necessary.

Crime

Crime is infrequent at Potter Pond. But please do get to know your neighbors. When you are on vacation: stop your mail and newspaper deliveries or ask a neighbor or friend to pick them up daily;

place some lights on timers; and do not leave messages on telephone answering machines identifying how long you will be away. Help keep your absent neighbor's house safe by removing any fliers or papers from the door, so they do not become an announcement of an empty house. Report suspicious activity to police (781-862-1212) and to the On-Site Property Manager (781-861-8616).

Electric Vehicles (EVs) and EV Charging

EV charging at a minimum of 120V (so-called "Level I" charging) is available in all deeded indoor garage spaces. EV owners should inform the On-Site Property Manager of their desire to charge their EV and must sign up for a monthly fixed-rate plan to reimburse the Association for use of the electricity. The rate depends on whether the car is a Plug-in Hybrid (PHEV) or a Full Battery Electric Vehicle (BEV). In addition, the homeowner may have to pay to install a separate electric circuit for charging the EV. If the garage is attached to the EV owner's home so that power can be drawn from the owner's power, rather than the Association's common area electricity, there is no monthly fee, and the EV owner may be able to install a 240V ("Level II") charger for faster charging.

Emergencies

In the event of a police or fire emergency, contact the appropriate local authority first. Then inform the On-Site Property Manager either by calling the site office, or the after-hours emergency number for the management company. If you are unable to reach the On-Site Property Manager or the management company, and if the situation warrants it, contact one of the Trustees.

The Trustees have requested that all owners and renters provide us with the names and numbers of someone who can access your home in an emergency when you are away or cannot be contacted. Events often remind us of the importance of our having this information available so we can know who to call in the event of a fire, medical or other emergency affecting you or your home when you cannot be reached directly.

Emergency and Other Important Phone Numbers

Ambulance	911
Animal Control Officer at Police	781-862-1212
ASTOUND/RCN	1-800-RING-RCN
BRIGS Client Services	774-737-7053
BRIGS Portfolio Manager, Andy Belanger	781-645-7272
BRIGS After Hours Emergency Number	781-648-9600
COMCAST	1-800-266-2278
E.L. Harvey Trash Pick-Up (missed trash pick-up)	1-800-321-3002
Fire	911
National Grid (gas company)	1-800-233-5325
EVERSOURCE (electric company)	1-800-592-2000
Police (Emergency Only)	911
Police (Non-Emergency Number)	781-862-1212
Potter Pond On-Site Office, Franco Paola	781-861-8616
Verizon	1-800-VERIZON
White Goods and CRT Scheduled Pick-Up	1-800-321-3002
W.T. Phelan Insurance (Master Condo Policy)	781-641-7200

Fire Extinguishers

Safety experts recommend that every home be equipped with a small fire extinguisher on each floor. Make sure that one of the appropriate types (B or C) extinguishers is readily accessible near the kitchen stove. One should also be kept near the home heating unit. If you have an electrical fire in your heating unit, remember two things: (1) first shut the electrical power off; (2) then use your fire extinguisher. If you choose to use a fire extinguisher, call the fire department first. When using the extinguisher, it is vital not to allow the fire to get between you and an exit from the home. Therefore, first make sure you can safely exit your home and then work your way back in to the fire. Calmly review the proper operation of the fire extinguisher before an emergency! Be safe.

Frozen Water Pipes

If you plan to be away in the winter, the Condo rules require you to leave your thermostat set at 60 degrees or higher to prevent freezing of your water pipes, or damage to your or your neighbor's homes. People living in units where the water meter is located inside a closet (primarily in homes without basements) should make sure that the door to the closet containing the water meter is left open while they are away to prevent the air in the closet from getting too cold and freezing the pipes. If you plan to be away for an overnight during the winter, the Trustees recommend that you shut the water off at the meter and open the faucets to give the remaining water in the pipes room for expansion should the pipes freeze; if the pipes do break while the main water valve is closed, the amount of water that will enter the home should be minimal. If you plan to be away for a long time, it might be advisable to turn off the water at the meter and to have a plumber drain the water from the pipes after the water has been shut off.

Garages

Each unit at Potter Pond has at least one indoor, deeded parking space. The garages all have doors. The responsibility for maintaining, repairing, and replacing the garage doors, panels, and electric openers (which are optional) are the responsibility of the unit owner. Unless a garage is actively being used, its garage doors are to be kept closed to prevent animals from getting into the garages and for security purposes. The On-Site Property Manager has been directed to close open garage doors. Garage doors (excluding the newer metal doors) will be painted during the normal painting cycle. Cars should be parked in the garages or adjacent parking spaces, and not parked on the street whenever possible. Overnight street parking is not permitted at any time. Overflow parking and guest overnight parking may be found in a lot next to Unit 35 and the overflow space adjacent to the community space area. Please do not block the entrance to any garage door, including the garage door at the maintenance building. Garages are intended to be used primarily for registered cars and not as storage areas. Cleanliness of each garage is a unit owner responsibility. Please use care when entering or leaving the garages by car. Repair of damage to the garage caused by a resident is the responsibility of the unit owner. Unregistered vehicles are not to be parked outside at any time.

Geese, Ducks, Turkeys, and Other Wildlife

Our ponds and conservation areas have an abundance of wildlife – coyotes, deer, ducks, squirrels, turtles, fish, frogs, turkeys, and many other creatures. The proliferation of Canada Geese and turkeys in the area has become a continuing problem at Potter Pond. Various methods have been tried to encourage the geese to leave their calling cards elsewhere. While none of these methods has proved successful, Potter Pond continues to employ a variety of techniques to discourage geese from nesting

here. Please do not feed the “wildlife,” especially the geese, ducks, or wild turkeys. Feeding will attract more geese and encourage them to remain on the property.

Grilling

Due to the inherent risk of fire and accidents with charcoal grills, such grills are only permitted to be used by Homeowners in the patio or yard areas near the home and at a “reasonable distance” from the home or a fence. Homeowners should ensure that a water hose is set up near the grilling location whenever the grill is in use. Charcoal grills are never permitted to be stored or used on decks or porches at any time. After each use, Homeowners should leave the hot grills in place overnight at the grilling location before moving them closer to the home for any reason. Used charcoal should never be removed from a grill until the grill has cooled overnight.

Homeowner Improvements

The Association encourages homeowners wanting to do so to make improvements to their homes. The Declaration of Trust (as amended in 2001) states that homeowners may not make any addition, alteration, repair, or improvement in or to a home that may affect the structural integrity or dimensions of the building, or that changes or affects any "Common Elements" of the Association, without the prior written consent of the Trustees. The Common Elements, for which the Association maintains responsibility, include, for example, the exterior walls, roofs, skylights, chimneys, windows, and doors of a building.

A request by a homeowner to make improvements to a home begins with the homeowner contacting the On-Site Property Manager, who will advise the homeowner how to proceed, whether any approvals are required and if any additional information is required. The On-Site Property Manager will provide the homeowner with a document explaining homeowner improvement procedures and a Homeowner Improvement Request Form to be filled out and submitted. At a minimum, if a contractor will be working on the property or inside a home, a current insurance certificate from the contractor is required to be submitted to the On-Site Property Manager. In some cases, additional drawings, plans, sketches, and a building permit may be required. The On-site Property Manager approves routine requests. In cases involving major renovations, the On-Site Property Manager will forward the Homeowner Improvement Request to the Architectural Standards Committee (ASC) for review. The ASC will submit a recommendation to the Board of Trustees for a final decision at the next Board meeting.

Some homeowner improvements, such as painting or carpeting, require only notification and the submission of insurance certificates. Others are more significant and will require some approval. For example, a homeowner desiring to add or change a patio or a deck in their Limited Common Area, must request approval. Requests to replace windows, skylights, sliding doors, doors, storm doors and wrought iron railings on steps require approval, and also must conform in appearance to the other such elements or standards at Potter Pond. The ASC and the Trustees will review the request and may require that the specific conditions for approval outlined in Section 12.D. of the Master Deed (titled "*Architectural Integrity*") be followed.

Most changes to the landscaping around the home also require the approval of the Trustees. A planting plan should be submitted to the Landscaping Committee, and most such requests also go to the Board for final approval. If you wish to update the shrubbery in the planting beds near your home, such changes must be reviewed in advance of making the change. An exception is the planting of herbaceous flowering plants; approval is not needed to plant flowers near your home. While the Trust assumes the responsibility for replacing dead bushes when funds are available, if a unit owner upgrades or replaces shrubbery in the foundation planting beds, that is an expense of the homeowner. The Landscaping

Committee is committed to preserving the beauty and natural design of Potter Pond, and most homeowner requests for landscaping changes are readily approved. Note that shrub replacements must be consistent with the Lexington list of Native Plants for the New England area.

Once the Trustees have approved a Homeowner Improvement Request, the homeowner is expected to complete the work within a year. If a building permit is required to make the change, the homeowner is required to apply for the permit from the Town of Lexington and provide a copy of such to the On-Site Property Manager prior to starting the project. If the work is not completed within a year after approval is granted, the homeowner must return to the Board for an extension, or the approval expires. Any time a homeowner engages a contractor to do work inside or outside of the home, the homeowner should submit a copy of an insurance certificate from the contractor that lists the Potter Pond Association and our management company as additional insureds.

Insurance

A master insurance policy is maintained by the Association. It covers damage to the roof and home after a \$10,000 deductible, which is borne by the unit owner, usually through the unit owner's personal so-called HO-6 insurance policy. Damage in excess of the deductible done to the inside as a consequence of damage to the outside would in many, but not every, case be covered. Our master policy covers common area and limited common area elements, and is an "All-in Policy," covering, as a general matter, installed fixtures, interior walls, alterations, appliances, and unit additions. Installed fixtures include such things as wall-to-wall carpeting, cabinetwork, and plumbing fixtures. Each homeowner is entitled to a copy of the master policy, which can be obtained through Potter Pond's insurance agent or the management company's Potter Pond website. Contents such as furniture, clothing, artwork, jewelry, and other personal belongings are not covered under the master insurance policy, so unit owners should also carry a personal HO-6 policy to cover personal contents and liability. Unit owners who rent their homes should require tenants to purchase an HO-4 tenants' policy. If you need to order a certificate of insurance from the insurance company that provides the master policy, contact W. T. Phelan Insurance at 781-641-7200 or www.wtphelan.com. In the event of an insurance claim, both your personal HO-6 carrier and the Association's insurance agent must be notified of the loss. The insurance carriers will send adjusters out to the property to inspect and assess the damage and settle the claim.

Keys

The management company as a matter of policy does not maintain homeowners' keys. The management company instead maintains a list of emergency contact numbers in the event we need to gain access to a specific home. Homeowners are asked to provide the name and phone number of a relative or friend who holds a key to your home so that we can gain access in the event of an emergency when you are not available.

Landscaping

The grounds are maintained by a landscaping contractor, who also prunes the shrubbery in the spring and the fall, and an arborist who serves as a consultant on trees and shrubs, under the direction of the On-Site Property Manager and with policy guidance from the Landscaping Committee. The arborist also feeds and prunes those trees that require special care. Residents are requested to make sure that the grassy areas are free of any lawn furniture, toys, or equipment on weekdays (currently Thursdays unless delayed by weather) when the landscaping crew is on site to cut the grass.

Legal Documents

The regulations governing the operation of Potter Pond Condominium are contained in the 1997 Amended and Restated Master Deed of Potter Pond, and the 2001 Amended and Restated Declaration of Trust of Potter Pond Association. The Trust Document includes the bylaws of the Association. Each homeowner should have received a copy of these documents when they purchased their home and are contained in Sections 1 and 2 of the Potter Pond Legal Document Binder (also referred to as the Potter Pond Notebook). The documents can also be found on the Potter Pond website at www.potterpond.com, or copies can be obtained from the management company.

Mail

Each unit has a private locked mailbox in one of the sets of mailboxes on the roadway. When a package is delivered through the U.S. Postal Service, the postal worker usually leaves a note in the box and puts the package in the larger mailbox within that set of boxes. Several of the mailboxes also have slots for stamped outgoing mail. If your mailbox lock needs to be replaced, Lexington Lock, located at 240 Bedford Street, can replace the locks for you at homeowner expense.

Maintenance Building

The Maintenance Building (also referred to as the Potter Pond Office) is located next to the community space. It contains the On-Site Property Manager's office, a bathroom for use by contractors working at Potter Pond and residents, and space for indoor storage used by the On-Site Property Manager. The office has a mail slot to the left of the garage door; Mail for the On-Site Property Manager may be dropped in that slot. The telephone number at the maintenance building is 781-861-8616. The On-Site Property Manager is on the property Monday through Friday during regular business hours.

Management Company

BRIGS, LLC, an Accredited Management Organization with the Institute of Real Estate Management, and the manager of many condominiums in New England, has the management responsibility for Potter Pond. Andy Belanger, Potter Pond's Senior Portfolio Manager, a Certified Property Manager, can be reached at abelanger@brigslc.com, or by phone direct at 781-645-7272. Potter Pond's On-Site Property Manager, Franco Paola, reports to Andy. Franco's email address is fpaoala@brigslc.com and his phone number is 781-861-8616. Phone numbers for BRIGS are listed under the Section of the Handbook entitled "Emergency and Other Important Phone Numbers." Individual homeowner account information, as well as many proprietary Potter Pond documents such as insurance policies, budgets, and newsletters, are available on the BRIGS website, www.brigslc.com. Access to this site requires registration and a user password, obtained through BRIGS.

Neighborhood Watch

Crime is low in Lexington and at Potter Pond. But we also hope that you will make a point of getting to know the people in your own cluster of homes. If you see any suspicious activity, please do not ignore it. If you notice something unusual during the day, call the On-Site Property Manager; he may know that there are workers on the premises. After hours, call the Police Dept. It is better to err on the side of caution; the Police Dept. would prefer it. The Police advise residents not to create a confrontation with anyone on your own.

If you notice a house, street, or walkway lamp that is out, please notify the On-Site Property Manager at 781-861-8616.

Newsletter

Minutes of the monthly Trustees' meeting are emailed to all homeowners and residents with an email address on file at the management company in the form of a Potter Pond Newsletter, published and distributed shortly after each meeting. Homeowners without email receive the newsletter through the regular USPS mail. The date of the next meeting is announced in the newsletter. Residents are invited to contribute community announcements. A list of houses currently for sale or rent is also included.

Outside the Home

The residents of each home have the exclusive use of their porch or deck and the yard area within 20 feet of the rear wall of the home. This area is referred to as Limited Common Area. Other than outdoor furniture in season, residents are not permitted to store any materials in yards, or on decks, terraces, patios, porches, or steps, except with the approval of the Trustees.

Painting

At present, the exteriors of one fifth (20) of the homes and their associated garages are stained and painted annually. The color scheme at Potter Pond was architecturally designed so that the colors of adjoining homes complement each other. The Architectural Standards Committee (ASC) and the Trustees are currently standardizing the color scheme utilizing Sherwin Williams stains and paint colors so as to standardize the colors within each cluster; reduce the number of different colors used on the property; and utilize a color scheme that allows for the replacement of existing windows with factory finished windows that do not need to have their outside sash or trim painted. Painting includes front doors and storm doors that are called out to be painted. Outside decks or fences that have been added by you or a previous owner are the responsibility of the homeowner but will be painted or stained by the painting contractor at the time the home is painted and charged back to the current homeowner.

Parking

Please park all cars in garages or designated parking areas. Parking on the edges of the lawns causes permanent damage to the grass and may also damage the irrigation heads that are located near the road and driveways. No overnight parking is permitted on the roadways at Potter Pond at any time. There is ample parking available in the driveways and parking areas near each cluster of homes. In the event that additional parking is required, there is room in the four-car parking lot next to Unit 35 near the community space. Outdoor parking spaces may not be used for parking or storing trucks, commercial vehicles, boats, campers, trailers, or other non-motor vehicles. Inoperable or unregistered vehicles are also prohibited from the exterior parking spaces.

Pets

Common household pets, excluding dogs, may be kept in the homes at Potter Pond. All pets should be registered with the On-Site Property Manager. Pets kept in the home must meet all licensing and inoculation requirements. Pets are not permitted in the common areas unless carried in a pet carrier. Stipulations concerning pets are included in Section 12.E of the 1997 Amended and Restated Master Deed of Potter Pond.

Ponds

There are three ponds on the property that provide a home to a variety of wildlife. The ponds occasionally acquire an overgrowth of algae and become murky or emit an odor. Fountains have been installed in the main pond and the small pond near Units 77 and 79; fountains have proven not to work in the very shallow pond behind Units 65, 67, 69, 73 and 75. The fountains aerate the ponds and help mitigate the algae problem. The fountains work well in the main pond when the water level remains high enough to permit flow through the culvert at the end of the pond. The fountains are less successful in the smaller pond, which has little outflow. Residents should know that the ponds are in the Conservation areas, and while they are owned by Potter Pond, they are under the control of the Conservation Commission. If we wish to do anything in the conservation areas of Potter Pond, we must go through a rigorous procedure of filing an application and appearing before the Commission. The Trustees work with the Lexington Conservation Commission to try to keep the ponds healthy.

Potter Pond Directory

The Potter Pond Directory is a list of residents and owners, their home telephone numbers, and email addresses. Our interest in listing the information is to create the atmosphere of a neighborhood, and to add to the security of our environment. We hope no one will see it as intruding on their privacy. The Potter Pond Directory is updated continuously by you in the homeowner information section on the BRIGS web site. It is also updated by Potter Pond periodically and distributed in hard copy at the Annual Meeting and delivered to those unit owners who are unable to attend. The listing of the Potter Pond Directory should not be distributed or provided to anyone outside the community.

Renting Your Unit

Unit owners who rent their units must follow the provisions of Section 12.C in the 1997 Amended and Restated Master Deed of Potter Pond. Under these regulations, homes may be leased or rented with a written lease for terms of six months or longer provided: 1) a copy of the lease agreement is delivered to the Trustees prior to occupancy; and 2) certain, specific provisions outlined in the Master Deed are included in the lease. Short-term rentals, such as those provided by Airbnb, are not allowed.

Selling Your Unit

Owners selling their unit will require a so-called "6D Certificate" to close the sale. The 6D Certificate must be requested from the management company and signed by a representative of the management company on behalf of the Board of Trustees. This Certificate simply asserts that the owner is up to date on all fees, assessments, and other obligations owed to the Association.

Snow Removal

Plowing of the roads and driveways will be done by the snowplow contractor as soon as it is feasible during or right after a snowfall. The main roadways will always be addressed first. Walks and steps will be shoveled by a crew under the direction of the snowplow contractor. To facilitate driveway and roadway plowing, please move your car when the plow is in your area if at all possible. Notify the On-Site Property Manager if you see any dangerous or impassable conditions after a storm. If you would like to keep a bucket of ice melt at your home for personal use in the event stoops or walkways suddenly ice up, the On-Site Property Manager will fill it and return it to you.

Trash Removal and Recycling

The Town provides trash and recycling pickup weekly, as follows:

1. Trash and material for recycling are collected every Tuesday morning. If Monday is a holiday, the trash and recycling pickup day will be Wednesday. Trash should be placed in securely tied plastic trash bags. Do not place trash or recycled material outside until the morning it is to be collected; it is otherwise likely to be spread around during the night by the local wildlife.
2. Recycling is mandatory in Lexington. Use the blue or yellow bins provided for cans, glass, and plastic milk or juice containers. Heavier items should be placed over lighter ones to prevent wind-blown debris in the area. Boxes must be broken down and flattened to 36" x 36" or less and placed under the recycling bin. When multiple cardboard boxes are left for pick-up, they must be tied/bundled together.
3. Instructions for residents on the main roadway and those with attached garages: Trash barrels and recycling baskets should be put on the street by residents before 7:00 AM and returned to the garages when emptied.
4. Instructions for residents with free-standing garages that are not along the main roadway: Trash and recycling material will be picked up in the morning by the On-Site Property Manager. If your garage does not permit outside keypad entry, you should place trash and bagged recycling material outside your garage doors by 7:00 AM. Trash bags should never be put outside the night before collection unless they are in closed barrels.
5. Lexington will pick up one large item, such as a kitchen appliance, on trash day each week, upon request by calling E.L. Harvey at 1-800-321-3002 in advance to schedule the curbside collection of that appliance. In order for the appliance to be collected, a resident must call to schedule the appointment by 3 PM the day prior to your regular trash collection day. If you need assistance with the disposal of a large item, contact the On-Site Property Manager for help. Do not place large items such as appliances outside unless you have scheduled the pick-up in advance.
6. If you have an unusual item for disposal, (i.e., radios, television, CRT's, computers, printers, recording equipment), these types of items will be picked up, but you must call E.L. Harvey in advance at 1-800-321-3002 by 3:00 PM the day before your scheduled trash day.
7. Hazardous waste items like engine oil or paint should never be disposed of in the regular trash or recycle. There are specific days in the spring and the fall when you can take hazardous household items to the DPW facility on Hartwell Avenue for disposal.

Trustee Meetings

Trustee meetings are held monthly at the home of one of the Trustees or on-line by Zoom. Residents having interest in a particular meeting are always welcome to attend and should notify the On-Site Property Manager, when meetings are held in-person, so adequate seating can be planned in advance. Zoom invitations are sent in advance of the meetings with an agenda of topics to be discussed. Residents wishing to speak at a meeting or place a topic on the agenda, should call the On-Site Property Manager or management company at least a week before the meeting and request to be placed on the agenda. Items that are not on the agenda in advance of the meeting will not be taken up at that meeting. The Trustees attempt to limit the meeting time to two hours. The date and place of the next meeting is always listed in the previous Potter Pond Newsletter.

Utilities

- **Heat** - All units were originally heated and cooled with electric heat pumps. Most of these original systems were converted to gas after gas was brought into Potter Pond in 1991-2. At last count, 93% of the owners had converted their heating systems to natural gas, another 4% use oil, and the remaining three homes use electric heat pumps. Requests for conversion to gas or split systems using heat pumps and gas are routinely approved by the Trustees.
- **Lighting** - The cost of electricity for the outdoor lights on each house and attached garages is paid by the adjacent residents. The electricity for the streetlights, path lights, tree lights, free-standing garages, and entrance lights are covered as part of the condominium fee. The outdoor light bulbs will be replaced by the On-Site Property Manager free of charge. We are currently transitioning house, garage, and path lights to LED bulbs. Electricity used for charging by electric vehicles kept in free-standing garages is not covered as part of the condominium fee. The EV section of this Handbook outlines the fee policy for electric vehicles.
- **Water** - The cost of water usage for individual units is provided by and billed to unit owners by the town twice each year after the April and October readings. New digital water meters are currently being installed by a contractor hired by the Town as part of a project to allow remote meter reading. When the meter project is complete, the Town may change to a quarterly billing cycle. The irrigation system for the lawns is driven by three wells located on the property. The lawn water is not metered and not billed to unit owners.

Virtual Square

Potter Pond has an electronic communications forum, intended to maintain and improve informal neighborhood communications, known as the Virtual Square. It should be thought of as a social network for sharing items of common interest about events in our neighborhood and in our Town. You might want to share notices of events, request some assistance with grocery shopping, or share information about wildlife or gardening tips as the seasons change.

The Virtual Square is overseen by a Board-appointed Moderator(s) who monitors the content of posts in the group and has the authority to remove inappropriate posts, comments and/or members who do not abide by the Acceptable Use Guidelines. Residents with email addresses are automatically added to the Virtual Square and will receive a welcome message along with an Acceptable Use Guidelines and Policy document, as well as a Tips for using Virtual Square document.

Voting

Potter Pond is located in Precinct Three in Lexington. The Community Center on Marrett Road serves as the polling place on Election Day. Town elections are always held on the first Monday in March.

Web Sites

BRIGS, LLC, our management company, maintains its web site at www.brigsllc.com. An email address and a personal password are required to enter the site; you should receive these shortly after you purchase a home at Potter Pond. The site provides information including your personal information, account status, condominium documents, budgets, newsletters, legal documents, insurance information, and more. The site also provides a means of recording work requests and checking on the status of previously submitted work requests. If you have questions about how to use the BRIGS web site, please contact BRIGS Client Services at cs@brigsllc.com or 774-737-7053.

Potter Pond maintains its own open Web Site at www.potterpond.com. The Web Site includes the following documents:

- The Potter Pond Resident's Handbook
- 1997 Amended and Restated Master Deed
- The Potter Pond Association 2001 Amended and Restated Declaration of Trust
- Declaration of Common Easements
- Additional Rules and Regulations -- Antenna Regulations
- Maps of Potter Pond
- Pictures of Potter Pond

The Potter Pond web site is an open site available to anyone, including realtors, so it does not contain private or personal information. The Potter Pond Directory of residents, the current year budget, annual financial reports, and newsletters will not be found on the Potter Pond web site.

Map of Potter Pond Homes

