

**Addendum to Rules and Regulations  
of the Sugarloaf Condominium Trust,  
as amended April 15, 2023**

**19. Plants, Plantings and Gardens (addendum)**

Regarding the strips of land between driveways, we understand how difficult it has been for grass to successfully grow in these areas. In addition to grass, we will now allow a low ground cover to be grown in these areas. However, before planting anything, we must receive a request form and a detailed plan of your intentions, as well as a signed agreement of both duplex units' owners affected by the change, agreeing to what will be planted and accepting responsibility for maintaining those areas. Nothing other than a low ground cover will be allowed. The final grading of any material in those areas must be below, or no higher than the driveway. A free-standing potted plant may be allowed towards the garage doors, only with Trustee approval. Once your plan is approved, you will have to put out provided yellow signage so that the lawn care company will know to leave your strip unattended. Please be aware that sometimes mistakes are made and neither the Board nor the lawn care company will be responsible if they do not see the signage.

**HOA Shrub Beds** - Annual and perennial plants can now be planted in those areas, following the same rules as stated in the Rules and Regulations, requiring that annuals be removed once they die, or at the end of the season, whichever comes first, and that perennials be cut back at the end of the season. All plantings must be spaced far enough from the foundation to allow at least eight (8) inches of air flow between the plantings and foundation/siding, as well as maintaining space from the shrubs so as to not inhibit the growth or shape of the shrubs. The plants shall not be more than 18" tall, overall. Potted plants that meet the same criteria will also be allowed. Other than garden hoses, no personal or other items, including, but not limited to, trellises, bird feeders, ornamentation of any kind, shepherd hooks, or other plant supports, are to be placed in these areas. Bird feeders have never been allowed in the front of the unit, or attached to the unit. They are only allowed, with Trustees approval, in the rear of a unit, and shall be required to be installed away from a unit so as to not damage or dirty the exterior of a unit.

Except for in HOA shrub beds, trellises are permitted and are to be kept far enough away from the building as to allow at least twelve (12) inches of air flow between vegetation and the siding or windows. No more than two trellises per unit are allowed, and they are not to be taller than four (4) feet in height, with vegetation being no taller than the height of the trellis, at all times.

Mulch in the shrub beds, as well as any garden bed that extends up to three feet from, and parallel to the unit's foundation, can be one of the following colors: Natural, Dark Brown, or Black. However, it must be mulch and not wood chips.

As with the grading of all garden areas, the grading is not to be raised or changed and kept so that water flows away from the foundation of the unit, leaving at least four (4) inches, preferably six (6) inches or more, of space between the soil/mulch level and the bottom of the unit's siding. Failing to do so can result in insect infestation, as well as mold and mildew growth, and rotting or damage to the siding and sheathing beneath it. Soil or mulch levels should not be above the height of the turf or driveway. Allowing plantings to become too dense or too high will create shading and restricted air flow, which will also create some of the above-mentioned problems. Due to different specifications of borders in various gardens, please contact a board member if you plan to install said borders.

It is your responsibility to monitor and maintain your plantings at all approved planting areas. Any of the previously described adverse conditions that may occur will be corrected by the HOA and billed to the unit owner.

The Association takes absolutely no responsibility for any damages to your plantings. Once you have changed the strips from the grass that was originally planted, or make any changes to the garden beds where the HOA shrubs are located, you assume full responsibility for its ongoing maintenance. If they are not kept neat and orderly, or if they encroach onto the driveway or other common area, you will receive a notice reminding you to maintain it properly. If you fail to do so, the areas in question will be reverted back to grass, or mulch, with that service being billed to the unit owners. Please note that any damage to common area property, caused by plantings or changes to the driveway strips or garden areas, or items placed within these areas, will be the full responsibility of the unit owners.

Any alterations or modifications, or changes to any areas mentioned above, that are not within permitted guidelines will be considered a violation of the governing documents and will have to be changed back to original condition, at unit owners' expense, and possibly be subject to a violation fine.