

LLCOA MEMBER HANDBOOK and RULES and REGULATIONS

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“LLCOA – A step back in time...a not-for-profit
community of rustic cabins nestled in a natural environment.”

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INTRODUCTION

For over 100 years, Longwood Lake has been providing a beautiful and bucolic setting for nature lovers who enjoy fishing, swimming, hiking, boating, birding, and bonding around a campfire. Although it's unknown exactly when the first cabins were built, some of our current members are the third generation of their families spending time on the lake. Undoubtedly, there were quite a few cabins already built and being enjoyed as far back as the early 1930's.

The property was managed by the Russell family, who lived in a house at the top of what is now Blue Road, from 1934 until 1986. On January 2, 1986, the LLCOA had its first organizational meeting, and soon after we took over the management of the lake and the surrounding 660 acres. By May 1990, we had purchased the property, and with 85 members became a condominium association. Now we are a thriving community with 92 units, still appreciating the same rustic lifestyle, as well as a variety of LLCOA social activities.

Most of our members have been coming to the lake for decades, (some all their lives), and love the chance to unplug and de-stress in an environment that is a rarity in today's world. As a result, we have created a culture that is both unique and fragile. This handbook of rules and regulations, written and approved by the membership, is our attempt to preserve and protect this way of life that is an integral part of our time at the lake.

GOVERNING DOCUMENTS

The creation of the LLCOA was described in a series of legal documents, originally prepared between 1986 and 1990, and amended several times thereafter. These documents are our Certificate of Incorporation, our Master Deed, our Bylaws, and amendments to them. The documents are available on the web site. (<https://longwoodlakecabins.org>) They are the basis of our Rules and Regulations, which are described in this Handbook. We are also subject to the laws of New Jersey and the laws and zoning regulations of Jefferson Township. Some of these laws affect how our rules are written, so a brief discussion of them is included.

These descriptions are simplified and omit many details. Only the actual documents are legally binding. To help you find sections in the legal documents, we use the following system of citations:

Citation Abbreviation Key:

The Master Deed, Section 2, Subsection G, Item 1 will be cited as (MD-2-G-1)

The Master Deed, First Amendment, Section 8, Subsection A will be cited as (MD-FA-8-A);

Section 8 and Subsection A refer to the structure of the original Master Deed, but the content has been replaced by content from the First Amendment. SA for the Second Amendment.

The Bylaws, Article IV, Section 5, Subsection B will be cited as (BL-IV-5-B)

Citations referring to the 2010 Bylaws amendment and proposed further amendments to the Master Deed or Bylaws will be described as needed.

The Planned Real Estate Development Full Disclosure Act will be cited as PREDFDA

Certificate of Incorporation of the LLCOA

This document establishes the existence of the Longwood Lake Cabin Owners Association as a corporation. The first version was registered in 1986 as we began the process of purchasing the land. The most recent version, filed in 1995, defines the purposes of the LLCOA:

- a) To preserve, maintain and protect Lower Longwood Lake;
- b) To promote the responsible and environmentally prudent enjoyment of the Lake and surrounding woodlands by the owners of recreational cabins on property adjacent to the lake; and
- c) To provide for the maintenance, preservation, and control of the common elements and to promote the health, safety and welfare of the residents....

The Certificate also establishes that

- Any person or entity who is a record owner (that is, listed on the deed) of a unit is a member of the LLCOA, with one membership (vote) per cabin ("unit").
- When a unit is sold, membership transfers to the purchaser.
- Trustees (the Board of Directors) will be elected by the members in accordance with the Bylaws; Trustees must be members of the LLCOA.
- Trustees will be indemnified (legally protected) by the LLCOA except for inappropriate or illegal acts defined in the document, and
- The LLCOA will operate as a 501(c)(7) non-profit corporation, and no earnings shall be distributable to members or trustees except as direct compensation for services rendered.

Master Deed of the LLCOA

This document provides a description of the land we own, both our individual lots and the over 600 acres we own jointly. It establishes that we are a condominium, identifies the LLCOA as the corporation that operates the condominium, and describes constraints and requirements that we agree to when we become members of the LLCOA.

The Master Deed is comprised of the original version filed in 1990, plus two amendments, a First Amendment filed in 1991 and a Second Amendment filed in 1993. The original and the two amendments, including property maps, are available on the LLCOA website; they will be referred to collectively in this Handbook as the “Master Deed”. The Master Deed contains a description of our entire property, including the boundaries of each individual cabin lot. Many items in the Master Deed serve as bases for rules, and these will be described in sections of this Handbook. In doing this, we will indicate, for instance, that a reference is to Section 20, Part B of the Master Deed by including (MD-20-B). Similarly, a reference to Section 7 of the First Amendment will be (MD-FA-7), and to Section 2 of the Second Amendment as (MD-SA-2).

Master Deed amendments generally require the consent of two-thirds of all cabin owners. However, any amendment that would change a unit’s boundaries or a unit’s proportionate share of rights in the common elements or proportionate share of common expenses would require consent of all unit owners directly affected. (MD-20) (No “A” or “B” because this provision comes before “A” or “B.”)

A few paraphrased highlights from the Master Deed and its amendments:

1. Any record owner of a unit is a “member” of the LLCOA, and one "Unit", which is one cabin, its lot and its share of the common elements, has one vote (MD-2-P).
2. The structures on a Unit may only be altered, removed, replaced or partitioned in accordance with applicable law, the Master Deed, the By-Laws and the LLCOA Construction Rules. (MD-3-B).
3. No unit owners shall build anything on their lot or use their lot in a way that endangers other Units, impedes their owners in the safe and efficient use of their Units, annoys, disturbs or offends other Unit owners, or diminishes materially the market value of other units. (MD-4-A)
4. The Association shall be governed by an elected Board of Trustees who shall have the duties and powers provided in this Master Deed and the By-Laws. (MD-8-A)
5. The Association may require an approval process with respect to the sale, mortgaging or other transfer of title of the units, including requiring the prospective purchaser of any unit to submit an application to the Board of Trustees, or to a committee designated by the Board. (MD-FA-4). See pages 4 and 7 of the Handbook for additional information.
6. “The subdivision of a Unit is hereby prohibited,” and “no Unit may have more than one dwelling erected thereon, which shall be for single family use only.” (MD-SA, Items 1 & 2)
7. “The leasing of any Unit, whether for profit or otherwise, is hereby prohibited.” (MD-FA-9-F)
8. The LLCOA will maintain insurance on the condominium property. Any unit causing the LLCOA's insurance premiums to rise shall be liable for the increase (MD-10-A).

Bylaws of the LLCOA

We are a corporation, and all corporations have "Bylaws". These are the rules that describe how we govern ourselves. The currently effective Bylaws are the Amended and Restated Bylaws, approved by the membership at the 2020 Annual Meeting. The document is available on the LLCOA website. Here are a few important provisions:

1. Both the acceptance of a Unit Deed and the subsequent occupancy of a Unit shall constitute an agreement by the owner(s) that the Bylaws, Rules and Regulations, and provisions of the Master Deed, as they may be amended, are accepted, ratified and will be complied with by such Person(s). (Bylaws, Article III, Section 2, cited as (BL-III-2))
2. Cabin owners are subject to payments of annual and special assessments levied by the LLCOA for common expenses, and these assessments are liens on the owner's unit. Assessments are obligations on all persons who were owners at the time of the assessment. (BL-IV-5-A)
3. "Good Standing" means the status applicable to a Member who is current on the payment of Common Expenses, late fees, interest on unpaid assessments, legal fees, or other charges lawfully assessed. (BL-II-2) Members who are not in good standing may be deprived of various benefits of membership, as discussed in the Bylaws and these rules.
4. The Association will indemnify any member subject to losses, suit, or proceedings as a result of actions taken as part of "managerial authority" on behalf of the Association. (This is a short summary of a complex obligation. Read the Bylaws for details.) (BL-VIII-1)
5. The Officers of the Association ("Board members") shall be a President, three Vice Presidents at Large, a Vice President for Property Maintenance, a Secretary, and a Treasurer. (BL-VII-1) Board members serve two-year terms, with four elected in even years and three in odd years. (BL-VII-2) Board members must be "natural persons," that is, not corporations or owners of corporations. (BL VI-2)
6. The Rules and Regulations for the operation and use of the Condominium Property may only be adopted or amended by vote of the members at an annual meeting or a special meeting called for that purpose. (BL-XIII-1).
7. The Bylaws may be amended by a majority vote of the Members at a duly called meeting. (BL-XV-1) There are requirements for adequate notice and filing. (BL-XV-2,3,4)
8. The Board of Trustees, if authorized by the members, has the power to impose special assessments in the form of penalty amounts for violations of the Bylaws, Rules and Regulations, and covenants of the Master Deed. The amounts of the penalties must be listed in the rule to which they apply, and must be approved by the members as part of that rule. (BL XIII-3)
9. The Board of Trustees may require an approval process governing transfer of memberships or admitting new members, including requiring the prospective member to submit an application to the Board of Trustees, or to a committee designated by the Board. (BL-IV-8)

Jefferson Township Laws and Zoning

Longwood Lake is located in Jefferson Township, and much information about the Township is available at its web site, <http://www.jeffersontownship.net/>. The codes and laws of Jefferson Township are available at <https://ecode360.com/JE0145>,

All cabin owners are bound by the laws of Jefferson Township. Violations, especially flagrant violations, bring the attention of local police, and this is at best an embarrassing nuisance. (See the rules on campfires in Section 3!)

The area where Township law has the most impact on us is construction. We must obey the building codes, as discussed in Section 4 on Construction Rules. One important area is zoning, the legal system whereby a community determines what types of construction are permissible. All of the LLCOA is in an area zoned R-40, which means that construction must be residential, and that for any new dwelling, the minimum lot size is 40,000 square feet. Since all LLCOA lots are less than this, often much less, we are “non-conforming.” As a result, permits to rebuild cabins must be approved by a zoning official; it is impossible for us to comply with the R-40 requirements, since our lot sizes already do not comply. There is more on this topic in Section 4, Construction.

New Jersey Laws and PREDFDA

We are also subject to the laws of the state of New Jersey. When we buy and sell cabins, the deeds are registered in Morris County offices. In many cases, such as building codes, these laws are administered by Jefferson Township. Our favorable tax status as a tree farm on 600 of our acres is determined through state law, primarily administered by the local tax assessor.

One area of New Jersey law is very important for our Master Deed, Bylaws, and Rules. Developers have been constructing multi-family condominium developments for decades. A series of disputes and court cases between developers or condominium boards and the residents occurred over years.

New Jersey found that it had to pass legislation regulating these projects. First passed in 1977, the “Planned Real Estate Development Full Disclosure Act” (PREDFDA) creates a set of legal requirements that developers and condominium boards must meet. The purpose of the requirements is to ensure that the condominium is being operated in accordance with the wishes of the residents.

PREDFDA has been amended, most recently in 2017. It is a dense legal document, but summaries are available. One, by Eileen Born, a NJ attorney, is available at <http://njcola.org/assets/planned%20real%20estate%20development%20full%20disclosure%20act.pdf>

Another summary, including a link to the statute, is at <https://www.natlawreview.com/article/new-trustee-election-procedures-mandated-predfda-planned-real-estate-development>. Here are two key items from PREDFDA that affect how we operate:

- Formerly, our Bylaws allowed the Board to amend the Bylaws. PREDFDA, however, requires a vote of the members. There is an exception if the amendment is necessary to make the Bylaws consistent with law. (PREDFDA N.J.S.A 45:22A-46(d-5)) Our Bylaws have been amended in this respect. (BL XV-1)
- The Association shall provide a fair and efficient process for the resolution of disputes. (PRDFDA N.J.S.A 45:22A-44(c)) We do so in Section 6 of the Handbook, and our Bylaws have been updated to include this. (BL XIII-5)

Once more, these legal documents, the Certificate of Incorporation, the Master Deed, the Bylaws, and laws including PREDFDA are complex documents which we have summarized briefly. The only way to understand a situation in depth is to read the relevant parts of these documents when needed. You cannot rely on what we have written here as anything more than an outline or introduction.

GENERAL REQUIREMENTS

Running a condominium like the LLCOA takes organization and money. This section describes how we organize ourselves in meetings and how we collect from members the money we need to operate.

Meetings of the Members

- An annual meeting of members is held in June, at which members of the Board are elected, the budget is approved, and other business is conducted. (BL V-1)
- Prior to the annual meeting the Board will send a notice informing members of the right to nominate themselves or other association members in good standing for candidacy to serve on the board. (BL V-4; BL VII-3; PREDFDA, NJSA section 45:22A-45.2)
- After the members have had at least 14 days to make nominations, the Board will send to the members a notice of the annual meeting that includes a proxy ballot and an absentee ballot. The ballots shall list all candidates nominated. (BL VII-4,5; PREDFDA, NJSA section 45:22A-45.2)
- Members holding one half of the votes that may be cast at any Association meeting shall constitute a quorum. (BL-V-4) Written proxies signed by a Unit Owner are valid. (BL-V-5) However, the Association may not allow use of proxies for a Board member election without also making absentee ballots available. (BL VII-4; PREDFDA, NJSA section 45:22A-45.2)
- Special meetings of the Association may be called by the President, the Board of Trustees or by a group of members having no less than one-tenth of the voting rights. (BL-V-3)

Meetings of the Board

- All meetings of the Board of Trustees shall be open to attendance by all members except conference or working sessions at which no binding votes are to be taken, with certain exceptions as provided by the Bylaws. Members may speak during a “public comment period” of the meeting (BL-VI-3) and may also be allowed to ask questions and make comments at the discretion of the chairperson
- Adequate notice of at least 48 hours of open meetings shall be given to all cabin owners and should include date, time, location and to the extent known, the agenda. (BL-VI-5)
- Minutes of Board meetings shall be made available to members upon request and before the next meeting. (BL-VI-3)

Dues, Special Assessments, Liens & Foreclosures.

- During the Annual Member Meeting in June, the Treasurer presents a proposed budget for the forthcoming fiscal year to meet common financial obligations
- Dues paid by July 31st will be discounted 15% from the nominal amount. Dues received during August will be discounted by 10%, and those received during September, by 5%. Dues must be paid in full by November 1st. If not paid by April 30th, 180 days later (BL IX-7), the member(s) will be in default and no longer in “good standing.” As such, they will be denied voting privileges, construction permits, committee memberships, and other privileges of membership as specified in the Bylaws and these rules.
- The budget, dues and special assessments are determined and approved by the members at the annual meeting (BL-IX-2).

Fines and Abatements

- The Master Deed and the 2020 Bylaws (BL-XIII-4) permit the members of the LLCOA to establish fines for the violation of specific rules and the Board to collect abatement fees when forced to correct a situation in violation of these rules. The fines and abatements are listed in each rule in the following pages. If no fine or abatement is listed, none may be imposed. The Board may reduce or waive fines in cases of mitigating circumstances. Fines and abatement proceedings may be appealed through the Alternative Dispute Resolution process presented in Section 6.
- Unpaid dues and assessments constitute liens on the owner's unit. (MD-8-C)
- The Board of Trustees may use the remedy of foreclosure proceedings against any LLCOA member who is in arrears in the payments of dues, special assessments, and/or taxes. (MD-8-C)

Insurance

- Cabin owners must maintain and keep in force personal liability coverage providing single limit coverage of \$300,000 per unit for personal injury and/or property damage.
- Cabin owners should check with their insurance company to see whether their homeowner's personal liability coverage also covers them at their cabin.

Cabin Sales/New Members/Transfer of Memberships

- The Board has implemented an approval process governing sale of cabins, transfer of memberships and admission of new members. If you plan to sell your cabin or add someone to your unit deed, please contact the Board.
- There is a fine of \$300 for the sale of a cabin or the addition of a new person to a unit deed without Board approval of the new member. The new owner(s) or member(s) will be denied the benefits of membership until the fine is paid and they have passed the approval process.

Miscellaneous

- All notices will be sent to the Member's email address of record with the LLCOA. If no email address is available, notices will be sent to the postal address on file. Any change of address for notice purposes must be sent by written notification to the Board via email to longwoodlakecabinowners@gmail.com, or via mail to LLCOA, P.O. Box 2551, Oak Ridge, NJ 07438.
- There is a list of useful information at the very end of this document.
- There is a great deal of valuable information including documents, maps, and other resources on the LLCOA website at <https://longwoodlakecabins.org/>

GOOD NEIGHBOR CONDUCT

Property Maintenance

Cabin Owners are responsible for:

- The maintenance of their unit property within their legal boundaries.
- Avoiding encroachment on to roadways, common land, fire lanes, or adjacent units.
- Keeping cabin lots clean and free of garbage, trash, refuse and construction materials unless construction is in process.
- Maintaining an environment not objectionable to adjacent property owners. Specifically: avoiding loud music and noises, objectionable smells, overcrowding conditions, uncontrolled pets, and activities that might endanger others.

Noise Compliance

- Generators may not be operated as a power source for a cabin unless said generator is muffled such that it cannot be heard and its exhaust cannot be smelled at neighboring cabins.
- When generators are used for construction or other sporadic work, effort should be made to operate them in a way that is considerate and does not disturb neighboring cabins. Construction generators and power tools are allowed between 9:00 a.m. and 6:00 p.m. Saturday and Sunday and between 7:00 a.m. and 8:00 p.m. on weekdays. On weekends, please alert your neighbors of your intent to use a generator and do everything you can to keep the noise level and length of use to a minimum.
- Music loud enough to disturb neighbors, during the day or night, is prohibited.
- Explosive noises are prohibited after 10 p.m. except on Memorial Day, the 4th of July and Labor Day when they are prohibited after midnight.

Power Equipment

Power equipment includes, but is not limited to, chain saws, leaf blowers, lawn mowers, power washers, and grass / weed trimmers. Members should be knowledgeable of the safe operating procedures and proficient handling of such equipment. The use of these types of devices should be limited to the hours between 9:00 a.m. and 6:00 p.m.

Campfires

The LLCOA Fire Permit with Jefferson Township requires that cabin owners call the police department (973-697-1300) each time prior to igniting an open fire or campfire.

Lights, etc.

No single outdoor light source may be brighter than a single Propane Lamp, approximately 800 lumens (A 60-watt incandescent bulb emits 800 lumens.). Bug zappers or other electrical devices for killing insects are not permitted.

Unit Property Management

- Only one (1) residential building is permitted on each property.
- Rental of cabins is strictly prohibited. Cabin owners may not charge any fee to anyone for the use of their cabins or for use of the common elements.

Trees on Cabin Lots

- Cutting or removing live trees with a trunk more than 6" (six inches) in diameter may only be done after getting permission from the Board or their designated agent (usually the Forestry Manager).

"Diameter" refers to diameter at breast height or DBH, the circumference divided by 3.14, measured 4-1/2 feet above the ground on the uphill side of the tree.

- When a tree on a cabin lot falls into the lake, it is the cabin owner's responsibility to remove it. For the required schedule and costs, see the second item in "Land Management" in the "Conduct in Common Areas" section.

Visitors & Guests

Cabin Owners or their immediate, adult family members must be on site when guests are on Longwood Lake Property.

- They agree to assume complete responsibility for all of their guests at all times.
- Any violation of Rules and Regulations by guests will constitute a violation by the cabin owners.

Sanitation

- All flush toilets and all washing machines are prohibited unless they empty into a New Jersey code compliant waste disposal system. There is a penalty fine of \$500 for violation of this rule, and abatement (removal of the illegal appliance) is also required, and may be done by the Association if necessary, with costs to be recovered from the cabin owner(s).

Vehicle Storage and Use

- No member shall keep, store, abandon or leave upon any LLCOA or member property any inoperable or unregistered automobile, or any inoperable boat or trailer.
- Storage of non-member vehicles is prohibited.
- The LLCOA does not regulate the storage and use of operable trailers that are less than twenty feet long, including the tow bar, and less than five feet high.
- Mobile construction equipment, such as backhoes, dump trucks, construction trailers, and landscaping trailers over five feet high may not be stored on LLCOA or member property except when in use on a project, or when stored completely inside a shed of 200 square feet area or less, or when for use on LLCOA projects, as arranged by the Board.
- The use of pop-up campers 20 ft or less in length for the housing of guests is restricted to a single ten-day period in a month. Pop-up campers should be folded after each use.
- Storage and use of mobile homes and motor homes on LLCOA or member property are prohibited.
- No trailer or vehicle over 20 ft in length may be parked overnight on LLCOA or member property unless permitted under the previous items in this section. This includes utility trailers, boat trailers, travel trailers, pop-up campers and recreational vehicles.
- Storage of any vehicle not conforming to the above requirements is subject to a penalty fine of \$300 per month. If a reasonable plan for removal of the vehicle within three weeks is in place, the board may excuse the fine.

Definitions:

"Mobile home" - A large house trailer that is parked in one particular place and used as a permanent living accommodation.

"Motor home" - A motor vehicle equipped like a trailer for living in, with kitchen facilities, beds, etc.

"Travel trailer" - A trailer without its own motor power, designed and constructed for travel and recreational purposes which can be installed on a non-permanent foundation.

"Pop-up Camper" - A vehicular accommodation not more than 24 feet in length, towed by a vehicle, suitable for temporary habitation, used for travel, vacation or recreational purposes.

CONSTRUCTION RULES

Construction activity on Cabin Owner and LLCOA property is governed by two entities: first these LLCOA Construction Rules, administered by the Construction Committee, and next by New Jersey Building Code and other laws, administered by the Jefferson Township Building Department and Zoning Board.

Our goal in these rules is a difficult balance: to provide maximum freedom to cabin owners to improve their property, while ensuring that one owner does not impinge on another's "peaceful enjoyment of their cabin" or on the rustic environment that we all entered when joining the LLCOA.

Any major construction project (defined below) must be developed in consultation with the LLCOA Construction Committee, and their approval must be granted before plans can be presented to the Township for a permit. In their review, the Construction Committee has two goals: to ensure that the project complies with our rules, and to help the cabin owner prepare an application that will meet with approval from Jefferson Township. Cooperating with the Committee fully will help ensure a speedy and satisfying project.

These rules do not apply to construction completed before they go into effect. Construction existing as of the implementation date of the rules is "grandfathered," whether or not it complies with these rules. Any further construction on existing cabins must comply, as must any total reconstructions.

We must add one caveat: approval of plans by the Construction Committee does not constitute any assertion by the LLCOA that the construction is compliant with law, safe, or warranted in any other way. Members and their contractors remain solely responsible for all aspects of the work.

Permit Guidelines:

1. Any construction requiring a permit from Jefferson Township, and any building over 100 sq. ft., require written approval from the LLCOA Construction Committee. The Construction Committee will ensure that the project is consistent with LLCOA building requirements, described below.
2. Any construction requiring LLCOA approval but carried out without the permission of the LLCOA Construction Committee or not in compliance with the requirements of this section will be subject to a penalty fine of \$300, to be repeated each year until the work is brought into compliance under "Permit Procedures, Item 3," below.
3. In addition to specifications and requirements mandated by LLCOA, members must meet all local, county, state and federal building, zoning, environmental, and health and safety requirements. Permits must be obtained from the Jefferson Township Building and Zoning Departments when required.
4. The Construction Committee will only grant approval to a unit owner who does not owe the LLCOA any monies for maintenance, fines, or other legitimate debts.

5. Review and approval by the LLCOA Construction Committee are required before permits are sought from Jefferson Township, but do not constitute legal, engineering, architectural or other advice.
6. In reconstruction, significant departure from the existing building may lead to a requirement that the cabin owner apply for a zoning variance from Jefferson Township. This process is not regulated by the LLCOA, and will require notification of all neighbors within 200 feet of the proposed work.
7. Construction and reconstruction should be consistent with Master Deed requirements regarding impact on neighbors (see Section 1, Item 3 under “Master Deed”). The standard LLCOA Construction Requirements (below) are designed to generate this outcome. However, the Construction Committee has the power to relax those constraints under certain circumstances.
 - The Construction Committee must agree that the relaxation of constraints is reasonable.
 - If they do, the construction plans must be shown to the cabin owner’s immediate neighbors.
 - If the neighbors find the plans unacceptable, they must provide reasons in writing why the project will violate the Master Deed requirements and in particular, will materially diminish the market value of their unit or have an equivalent impact. (See MD-4-A).
 - If agreement cannot be reached, either between the cabin owner and neighbors or between the cabin owner and the Construction Committee, the issue must be submitted to the Dispute and Complaint Resolution process, as described in Section 6.
8. Major construction, especially rebuilding a cabin, takes time. A schedule for the project, including items such as input from your architect (if any), your contractor, and the Construction Committee, should be developed at the very beginning. The process will probably go more slowly than you expect.

Permit Procedures:

1. As a first step, cabin owners must submit building plans to the Construction Committee to obtain LLCOA approval of construction whenever a building permit is required. Plans must be prepared by a licensed architect or by the homeowner. Neither Jefferson Township nor the LLCOA will accept plans drawn by anyone else. Plans must be of a scale (such as 1 ft:1/4 in) and detail to satisfy both the Construction Committee and the Jefferson Township offices.
2. If the Construction Committee finds that the design does not comply with LLCOA requirements (below), the project design must be modified to comply, or the Construction Committee persuaded that a requirement should be relaxed, triggering neighbor review. In that case, the cabin owner shall discuss the project with neighbors, or may ask his contractor to help present the plan. In either case the actual plans must be shown to the neighbors. If a neighbor objects in writing to the Construction Committee, and a resolution

is not found, the parties must turn to the Dispute and Complaint Resolution process, described in Section 6.

3. Construction completed after these rules go into effect, but for which Construction Committee approval has not been obtained, must be “retro-approved” through the submittal and approval of plans, and modified to comply with construction requirements as necessary. This applies whether or not Jefferson Township permits and approvals have been obtained.
4. Upon their review and approval, the Construction Committee will issue a letter stating the plans meet LLCOA requirements and sign the plans. Cabin owners may then submit the Construction Committee approval letter along with the approved and signed plans to the Jefferson Township Zoning and Building Departments.
5. A copy of the approved and signed plans and the signed letter of approval must be submitted to the Secretary of the LLCOA before work can begin. The submittal will preferably be in digital format, and the construction records will be available to the Construction Committee, to the Board, and to cabin owners upon request to the Secretary.
6. Proof of Jefferson Township zoning and building approval must be communicated to the Construction Committee upon receipt and submitted to the Secretary.
7. All members undertaking construction are required to obtain all required Jefferson Township permits after receiving approval from the Construction Committee and before commencing work. Members who do not will be in violation of LLCOA rules, and will receive no support from the Association when the Township takes legal action.
8. The Construction Committee should acknowledge receipt of the initial set of plans within three days, and provide an estimate of when they will provide an initial review and, if possible, approval. (This period should not exceed three weeks.) If discussion and changes to the plans are required, the Construction Committee should acknowledge receipt of the revised plans at once and provide an evaluation and (if possible) acceptance within ten days. If extended negotiations are needed, all sides should strive to move the project forward as quickly as possible.

LLCOA Construction Requirements and Restrictions:

The following restrictions may be relaxed by the Construction Committee on a case-by-case basis if these constraints make the project unfeasible, and if the nearest neighbors do not object as in Item 7 of Permit Guidelines (above). Jefferson Township may or may not impose stricter requirements.

1. The position of a new cabin is subject to approval by Jefferson Township Zoning, but in any case, both cabin and deck must be 20 feet or more from the lake and no closer to the lake than the existing cabin.
2. The footprint of the new cabin cannot exceed 15% of the lot area (consistent with the R-40 zoning restriction) or 1000 square feet, whichever is smaller.
3. The new cabin must maintain a distance from neighboring cabins at all points which is the lesser of 20 feet or the current separation.
4. The new cabin must maintain setbacks from the lot lines which are the lesser of five feet or the current setback.

At 2023 Annual Meeting, changed to 20 ft 0 in.

5. Height from the foundation plate to highest vertical point of structure must be ~~19 ft. 0 in.~~ or less. 26 ft 0 in
6. Height from finished grade to highest vertical point of structure must be ~~25 ft. 0 in.~~ or less.

Other Items

1. Jefferson Township permits sheds of up to 200 sq. ft. without a permit. Because our lots are small, LLCOA requires a Construction Committee sign-off on sheds over 100 sq. ft.
2. Fences cannot exceed 4 feet in height and can only be picket, split rail, or similar "open" style.
3. We advise cabin owners to check Jefferson Township rules on docks and piers before construction.

Alternative Energy System Rules

Charged with developing rules for alternative energy systems, the LLCOA Energy Committee met extensively in 2017 -2018 and developed a report containing guidance on installing these systems in cabins. The report is available on a page of the LLCOA website, along with other helpful information. The following rules for installing alternative energy systems are extracted from that document.

Solar Power Systems

These are governed by the New Jersey/National Electric Code, just as construction is governed by the building code, and are subject to permits, inspection, and approval by the Jefferson Township Building Department. The LLCOA's interest is in safety and issues such as panel placement and tree removal.

- **Permits for Solar Power Systems**

- Applicable NJ State and municipal laws require that before installing a solar power system an electric permit from the township must be obtained. This is especially important, and will be enforced by the LLCOA, if 120-volt wiring is installed.
- System installation must be performed by the cabin-owner or by a "qualified installer" (as defined by Jefferson Township or the State of New Jersey).
- A small or self-contained solar apparatus, such as a battery charger, that is not connected to cabins will not require approval.

- **Application Procedures for Solar System Approval**

- Submit a written plan to the chairperson of the Energy Committee. Allow 14 days for the Energy Committee to review and make a determination.
- Upon approval, the Energy Committee will notify the Chair of the Construction Committee, who will then sign the plans for submittal to Jefferson Township. Only LLCOA approved plans will be reviewed by Jefferson Township.
- A rejection by the Energy Committee will include proposals to the cabin owner that would make the design comply with LLCOA rules, or an explanation of the issue if that is not possible.
- A final negative determination by the Energy Committee may be taken to ADR.
- If your plans are approved by Jefferson Township, then the Township will issue a permit and work may legally begin.

- **Solar Panel Placement**

- Roof placement is preferred. Panels should face as close to south as possible, taking shade and building structure into account, and be tilted at 45° or less from the horizontal to minimize glare.
- Pole placement is possible on a secure pole on cabin-owner’s property. Pole height should not exceed the lesser of 20 feet or the distance from pole base to the nearest neighboring cabin. Property line setback restrictions of five feet apply as well.
- Water’s edge. Waterfront placement is esthetically less desirable than roof-top installation, but is preferable to massive tree removal. If necessary, placement at the water’s edge is permissible provided that array overall dimension does not exceed one-third of the lot’s waterfront in length and three feet in height. Panels placed on a float must not extend more than 20 feet from the shoreline.
- If a water-side or pole-mounted PV array is non-functional for one year, it must be removed until it can be replaced in a functioning condition.
- Other placement on a cabin-owner’s property, such as a ground-secured frame, must respect the five-foot property line setback restrictions.
- Panel placement in any LLCOA Common Area is forbidden, whether for an individual cabin or a cluster of cabins.
- Selective, vista-pruning of trees is strongly preferred over tree removals. Removal of trees over six inches diameter must be approved by the Forestry Management Committee.
- Any of the above placement options could give rise to disputes with neighbors. If these disputes cannot be resolved by the Energy Committee, they will be referred to the LLCOA ADR system.
- LLCOA approval of a proposed solar energy system does not carry any obligation on the part of the LLCOA to preserve a cabin owner’s solar access. If the growth of a neighbor’s tree creates shadows on a solar energy system, it is a matter for negotiation between the cabin owners, and no cabin owner can be forced to trim or remove a tree because it has grown to obscure a neighboring solar energy system.

Batteries

Battery installations must comply with Article 480 of NFPA-70, the National Electrical Code, and the LLCOA has no further rules to add. See the full “Alternative Energy” document for helpful details.

Wind Systems

Wind energy systems are forbidden by the LLCOA. The wind resource is very poor, so wind systems do not make technical or economic sense. In addition, the systems are tall, noisy and can be dangerous, and the proximity of cabins to each other magnifies these problems.

Grandfathering

- Existing electrical systems (including solar panels) that have not received permits and approvals from the township are legally required to do so. The LLCOA will leave enforcement of this requirement to the township.
- The Association will give deference to existing systems. However, if an unsafe or other controversial situation is discovered, the Energy Committee or the Construction Committee can require that the above rules be followed. If the system's owner does not comply, the situation will be referred to ADR.
- The effective date to be “grandfathered” applies to systems installed prior to the June 2019 LLCOA Annual Meeting.
- Upgrades to existing systems are not exempt and will require the same approval process as new systems.

CONDUCT IN COMMON AREAS

Common Land

Longwood Lake Cabin Owners are responsible for preserving, maintaining and protecting the 668-acre tract of land owned in common by the members. In addition to maintaining their cabins and lots, each member is encouraged to participate in the up-keep of the lake and surrounding lands, buildings, trails, and wooded areas.

Roads & Gates

- Roadways are for use by property owners to gain access to their cabin lots and to common property.
- Roadways are for the use of Emergency Vehicles and cannot be blocked at any time.
- The speed limit is 5 mph on all LLCOA roads unless otherwise posted. The speed limit of 10 mph may be posted on roadways that do not directly access cabin properties.
- All LLCOA entry roads off public roads are gated with locks. Each cabin owner is provided with two keys that unlock all LLCOA gates.
- Members are encouraged to close and lock the gates when leaving when other members are not on site. The gates will be closed and locked from the third Monday of October until May 1 of the following year, with the exception of daytime on weekends when there is high traffic.
- The rear gate from Longwood Lake Road to Grey Road will be locked when not in use.
- LLCOA is not responsible for loss or injury resulting from the closure of or failure to close gates by or on behalf of the LLCOA or any member.
- All off-road vehicles (Quads, ATV's, Snow mobiles, motorbikes, etc.) are restricted to community roadways for coming and going to off-road trail heads. Trails are not maintained, therefore trail speed limit is 10 mph. People also hike on these trails. Use caution at all times....ride with a buddy!
- LLCOA roads and trails are NOT available to outsiders with off-road vehicles unless actually accompanied by an LLCOA member. Members cannot give others permission to ride unaccompanied on Association land, but must ride with their guests.

Dumpsters

LLCOA is currently providing year-round waste and recycling dumpsters.

- Located in a gated area at the entrance to Yellow Road, our "bear proof" dumpsters must be closed and properly secured at all times.
- No refuse may be placed on the ground at the disposal site as bears may be attracted to accessible food and odors.
- Disposal of tires, propane tanks, paint cans, gasoline cans, appliances, and flammables is not permitted. Please contact Jefferson Township for their disposal requirements.
- Cabin clean-out dumpsters are provided every spring. The Board will notify the members when and where the clean-up dumpsters will be provided.

- Waste from construction projects may not be placed in or near the dumpsters. They are for household waste only. You must hire your own dumpster for construction projects, or haul the waste to the Jefferson Township disposal site (see the Township web site).

Wooded Areas

- Camping and fires are not permitted in the common areas of the LLCOA property.
- LLCOA is a designated Tree Farm, providing substantial relief from property tax. Cutting or removing live trees is forbidden except as part of LLCOA Tree Farm activities. There is a \$300 fine for violating this rule.
- FIREWOOD: The only permitted sources of firewood in the common areas are downed trees or standing dead trees. Please notify the Board or Forestry Manager if you harvest substantial firewood (only from dead trees), as it helps with our Farmland status.
- All LLCOA PROPERTY IS DESIGNATED A NO HUNTING AREA.
- The use of firearms and hunting bows is not permitted anywhere on LLCOA property
- Construction of any temporary or permanent structures in the common areas not authorized by LLCOA is prohibited. Exceptions may be permitted by the Board for temporary structures during an approved function.

Freddie's Field

Freddie's Field is intended for recreational use by all cabin owners. No cabin owner will be granted exclusive use of the field. Casual use is permitted with the requirement that the field be left in a clean condition. Waste containers are not provided. Please carry out all waste.

Not permitted:

- NOISE: Loud music, loud voices (with the exception of any LLCOA-official event); fireworks
- Open fires
- Motor vehicles - no ATVs, no dirt bikes, no trailers, no campers, no quads, no snowmobiles
- Camping not allowed
- No tables, chairs, barrels or furniture (with the exception of any LLCOA-official event)

Storage Building

- Located at 184 Blue Road near Freddie's Field, this building is available for use only by LLCOA members in good standing. LLCOA members may bring a small number of non-member guests, but must stay with them at all times. Members are responsible for their guests' behavior.
- No pets, smoking, or illegal substances are allowed in the Storage Building.
- Only the LLCOA, as an association, can use the Storage Building to raise money.
- To reserve the facility, follow the instructions at <https://longwoodlakecabins.org/freddies-fieldhouse-reservations>. By requesting a reservation, you will indicate your intention to abide by these rules.
- You will be issued a specific temporary door code, which will be deleted at the end of your reservation.
- You will be responsible for cleaning the facility at the end of your activity, for removing all waste, and for any damage to the facility during your activity. Return all materials and

equipment to the position in which you found it, clean up messes, and lock all doors and windows as you leave.

- Failure to comply with these rules will result in you being denied further use of the facility until the problem is corrected. Disputes may be appealed to the Dispute and Complaint Resolution system (Section 6).

Pets Are Welcome

Pets are permitted to use the roadways & common land, including Freddie's field, for exercise. Owners and their guests are required to pick up and to properly dispose of pet waste from portions of common areas that are heavily trafficked, such as Freddie's Field. Owners and their guests are expected to use leashes when appropriate, and to properly supervise their pets.

Lake Use

Longwood Lake was created by the construction of a concrete dam on the Rockaway River. There is a constant flow of water through the lake and over the dam

- Recreational uses such as swimming, boating, and fishing are encouraged.
 - There are **NO** Life Guards or water patrols. Water safety is your responsibility. Swimming and boating are at your own risk.
 - Canoes, kayaks, float tubes, paddle boats, small sailboats, and small pontoon boats are permitted.
 - The lake has a powerboat limitation not to exceed 45 lbs. thrust, electric motors only.
 - No gasoline powered boats are allowed on Longwood Lake.
 - Fishing is permitted on the Lake. A current NJ Fishing License is required.
- Cabin owners' docks are to be kept in the water adjacent to the cabin property. Docks must be secured in place to avoid creating a hazard in the lake.
- Swimming floats must be securely anchored, preferably with two separate chains and anchor weights. Do not block narrow passages and maintain clearance from other floats. Swimming floats belong to the members who built and maintain them and should not be used by others without explicit permission.
- Ice on the lake can be more dangerous than it appears. Be cautious when walking on ice, particularly at the beginning and end of the winter season or during periods of thawing. Make sure the ice is thick enough to bear your weight. The LLCOA takes no responsibility for the safety or weight limits of lake ice.
- Water samples from three locations in the lake will be taken periodically over the summer to monitor water quality. Results will be posted on the website.

Wells

Two wells located adjacent to Cabins 160 and 181 may be used by members. As a community service the LLCOA Board generally has the wells tested in May and July. The water test results will be posted on the web site. Use of the water supply is at the user's discretion and the LLCOA is not responsible for the safety or potability of the water supply. Although the well near cabin 160 is on common land, the well near cabin 181 is owned by individual cabin owners who have

voluntarily elected to share their water resource. Please be mindful of and respectful to the property owners.

Land Management

In accordance with woodland, farmland and land management plans adopted by LLCOA,

- The following are NOT permitted on the LLCOA common land:
 - Cutting or removing any live trees except as part of LLCOA Tree Farm activities.
 - Mining, excavating, quarrying or removing ore, minerals, clay, sand, gravel, stone or other such materials, except in areas specified by the Board.
 - Grading, re-grading, removing or disturbing soils on common land:
 - Dumping, storing or depositing any fill, refuse, debris or toxic or hazardous substances;
 - Otherwise altering or modifying any natural thing or improvement on the LLCOA common lands except as permitted by the Board.
- If a tree on a cabin lot falls into the lake, it is the cabin owner's responsibility to remove it. If the tree falls between June 1 and October 1, it must be removed within one month of the day it fell. If it falls in the winter, it must be removed by June 1. If the cabin owner fails to comply, the LLCOA will remove the tree, charging the cost of this abatement to the cabin owner. (B- XIII-4)

DISPUTE AND COMPLAINT RESOLUTION

We, as a peaceable community, expect all members to treat their fellow members, and especially their neighbors, with common sense and courtesy. When disagreements or disputes arise between Members, or Members and the Board, we encourage the parties involved to work hard to resolve the situation purposefully and amicably among themselves. If Members find they are unable to reach a satisfying resolution on their own, they may request the help of an **Alternative Dispute Resolution Panel (ADRP)**. The ADRP will mediate, make suggestions, find compromise, and assist in bringing about an agreement or reconciliation. Disputes between Members as well as disputes between Members and the Board can be handled by an ADRP. PREDFDA (N.J.S.A 45:22A-44(c)) requires all homeowner associations to have in place a system for ADR.

At the annual Member Meeting in June, 2019 the **Alternative Dispute Resolution Oversight Committee (ADROC)** was established. The volunteers on this committee function as both facilitators and participants in the individual ADRPs. Current Board members may not be members of the ADROC. The Oversight Committee members will choose a chairperson to handle communications.

Nothing in these Dispute and Complaint Resolution procedures is intended to deprive any complaining party (including the Board) from seeking redress in Court or from law enforcement authorities. It is hoped, however, that these procedures will reduce the need to resort to formal legal procedures.

Member-Member Alternative Dispute Resolution

1) To have a dispute mediated by an ADRP, a party to a dispute should send a written request to the Board, who will then refer the matter to the ADR Oversight Committee. The ADR Oversight Committee will contact the parties involved and assist the disputants in choosing members for their ADRP.

a) Each ADRP will ideally consist of three members, but could consist of one member, if all parties agree. The parties on each side of a dispute will choose one member for their ADRP. The third member of the ADRP will be chosen by agreement between the two party-selected ADRP members. The third member will serve as the ADRP Chairperson.

b) The ADRP members can be selected from among the members of the ADR Oversight Committee. Alternatively, an ADRP member can be any LLCOA Member-In-Good-Standing or a family member of a Member-in-Good-Standing. An ADRP member cannot be a current member of the Board, nor can an ADRP member be a co-owner with, or a family member of a disputant.

2) A hearing date should be agreed to, with the objective of having a hearing within 30 days of the establishment of the ADRP.

3) In hearing any dispute, the ADRP must allow the Members an opportunity to present their position including documentation and testimony, as appropriate.

4) The ADRP will attempt to negotiate a settlement that both sides are willing to abide by and will sign off on. If that is not possible then they will make a ruling as to how the dispute should be resolved and will send that decision by email and mail to all parties involved and to the Board.

5) If any party refuses to abide by the ADRP's decision, or refuses to participate in an ADR, then the matter will be sent to the Board for their consideration. However, the Board must follow the decision of the ADRP unless the ADRP's decision is clearly erroneous.

LLCOA Notices of Complaint or Rule Violation

At any time, the Board may issue a complaint for violations or noncompliance with the LLCOA Articles of Incorporation, Master Deed, By-Laws, and Rules and Regulations, each as may be amended from time to time.

Board Complaint Procedures

1) The Board must send any notice of complaint or violation by mail and email to the Member(s) of record who is/are the subject of the complaint. The Board's notice must include notification of the Member's right to have the matter handled by an ADRP.

2) The Member has 15 days to respond to the Board in writing. The 15-day period runs from the later of the postmark date or email date until the earlier of the date of the email response or postmark of a mailed response.

3) If the Member fails to respond to the notice of complaint or violation within 15 days, the Board may decide the matter without input from the non-responding Member, after giving written mail and email notice to the Member of the Board's intention to do so. Relief from the consequences of failure to respond within the 15-day period may be given in the Board's discretion. However, if a Member shows lack of receipt of the initial notice, the Member must be allowed to respond to the Board within a reasonable time, following the procedures described in paragraph 2, above. Relief from failure to respond should also be given if a Member shows excusable neglect in having failed to timely respond to the initial notice.

4) The response should indicate agreement or disagreement with Board's assessment of rule violation; and/or agreement or disagreement to remedy the situation. This response need not include any evidence or argument. If a Member agrees to remedy the situation then a plan of action should be agreed upon and implemented.

5) If a Member disagrees with the initial notice of violation, then the response should also indicate whether the Member wishes to have the dispute heard by the Board or by an ADRP. If the Member chooses ADRP, the Board will refer the matter to the ADR Oversight Committee who will assist in choosing members for their ADRP, following the procedures outlined in Member-Member Alternative Dispute Resolution above.

6) A hearing date should be agreed to, with the objective of having a hearing within 30 days of the response to the initial notice of complaint. If at all possible, hearings should be in person. In hearing any dispute, the Board or the ADRP must allow the Members an opportunity to present their position including documentation and testimony, as appropriate. A disputant may invite a family member or another Member to accompany the disputant to the hearing

7) The decision on a dispute by the Board or ADRP will be final (subject only to seeking review in court, in accordance with whatever limitations on or benefits of such court review that New Jersey law may provide).

8) If the decision on a dispute by the Board or ADRP requires any enforcement activity, such enforcement will be at the discretion of the Board, subject to the limitation that the Board may only use enforcement mechanisms authorized by the Articles of Incorporation, Master Deed, By-Laws and Rules & Regulations.

- 9) The Board may overturn an ADRP determination only if the Board finds clear error in the ADRP's determination.
- 10) No fines may be assessed or accrued during the appeal and/or ADR process.

Notices

All notices will be sent to the Member's email address of record with the LLCOA. If no email address is available, notices will be sent to the postal address on file. Any change of address for notice purposes must be sent by written notification to the Board via email to longwoodlakecabinowners@gmail.com, or via mail to LLCOA, P.O. Box 2551, Oak Ridge, NJ 07438.

USEFUL INFORMATION

Important Telephone Numbers

- Open & Camp Fires: Give advance notification of every fire: 973-697-1300, provide cabin number.
- Fire, Police, or Rescue Squad: Call 911 immediately
- Jefferson Police (non-emergency): 973-697-1300
- Wildlife Encounters: (such as rabid animals, poisonous snakes, bear attack, etc.) Call: NJ Division of Fish and Wildlife: 609-292-2965.
- General inquiries regarding the township refer to Jefferson Township Municipal Offices
 - Phone: 973-697-1500,
 - Address: 1033 Weldon Road, Lake Hopatcong, NJ 07849
 - Website: <https://www.jeffersontownship.net/>

LLCOA Contacts

- The web site <https://longwoodlakecabins.org/> contains a great deal of useful and enjoyable information.
- LLCOA Email: longwoodlakecabinowners@gmail.com
- Mailing Address: LLCOA, PO Box 2551, Oak Ridge, NJ 07438
- The Directory of Cabin Owners is available to cabin owners upon request to the LLCOA email. The Directory includes current information on LLCOA committees and their chairs.
- Board of Trustees: Seven trustees & their positions are listed on the website and in the Directory.