



The Otter Pond Homeowner's Association, further known as "OPHOA", interprets watercraft as paddleboats, pontoon boats, sailboats, canoes, kayaks, sailboards and other man-powered or electric only water vessels. The "OPHOA" Covenants, Conditions and Restrictions, further known as "CC&R's", refer to the Boathouse for the storage of watercraft and that is the original intended use.

All Boathouse Storage Applications will be submitted to and maintained by the "OPHOA" Pond Committee. In addition to receiving the applications, accepting or rejecting the applications and assigning spaces, the "OPHOA" Pond Committee will govern the Boathouse and its associated open space based upon these Rules and Regulations. The "OPHOA" Pond Committee reserves the right to modify and/or change these Rules and Regulations.

Otter Pond Use Period

- Per our "CC&R's", all watercraft must be removed from the marina by November 1st.
- All home docked watercraft must be removed from Otter Pond by November 1st.
- Watercraft are not allowed on Otter Pond from November 1st until pond has completely and finally thawed.

Further Interpretations (all dimensions given are (L x W x H)

- Group 1 - Space size: 148" x 78" x 72". Pontoon boats and sailboats with their associated trailer.
- Group 2 - Space size: 96" x 66" x 24". Paddle boats with no associated trailer.
- Group 3 - Space size: 192" x 36" x 21". Canoes and kayaks with no associated trailer.
- All watercraft must meet the length, beam and draft requirements of our "CC&R's" but, because of Boathouse size restrictions, watercraft that do not fit into one of the abovementioned groups will not be assigned a space within the Boathouse. Only watercraft used on Otter Pond will be allowed.
- Additional items directly relating to the watercraft may be kept within the assigned space provided they are maintained in a neat and orderly fashion and nothing exceeds the boundaries for the space.

Boathouse Use Eligibility

- Deeded homeowners who are current on their "OPHOA" dues and have no outstanding "OPHOA" fines or liens against their property.
- Renters are given the same rights as the deeded homeowner, unless the deeded homeowner states otherwise in writing to the "OPHOA" Pond Committee or the deeded homeowner is not in good standing with the "OPHOA" for the aforementioned reasons.
- The Boathouse is to be used for storage from November 1st until the pond has completely and finally thawed. After this time, watercraft and related items must be used on an active and regular basis or forfeiture of the assigned space may occur.



- If a Boathouse assigned space is not utilized from November 1st through December 31st, the space may be forfeited.
- If a property is sold, all assigned spaces are grandfathered to the new homeowner. The new homeowner must either forfeit the space if there is no use for it or utilize the space within 90 days of the close of escrow. The assigned space will terminate based upon the date the application was first approved and the type application it was approved for.
- If, for whatever reason, an assigned space is forfeited, the assigned space must be vacated within 10 days of receipt of written notice by the “OPHOA” Pond Committee. If the assigned space has not been vacated after such time, the “OPHOA” Pond Committee will dispose of all property related to that assigned space at its discretion.

Space Assignment

- The period to submit applications is from August 1st through September 30th. No applications will be received early. Spaces will be assigned on a first come, first served basis, determined by the date of receipt of the Storage Application by the “OPHOA” Pond Committee. If an application is submitted after September 30th and space is available, a space will be assigned. If no space is available, the application will be rejected.
- Only the current owners of a property or their renters may apply for an assigned space, but not both.
- Each applicant will be allotted one space, known as the primary space, and will identify as “Primary” on the application.
- If additional spaces are required, the applicant must submit separate applications for each additional space required, marking “Secondary” and the priority they give the secondary application. (Ex: “Secondary 1”. “Secondary 2” and so on)
- Applications on a wait list will be given first priority and assigned a space based upon the date received within the watercraft group.
- Current applications will be organized based upon watercraft group, Primary, Secondary and requested priority.
- The “OPHOA” Pond Committee will assign the remaining spaces based upon the first come, first served date of receipt. Primary applications will be processed first, then secondary applications, based upon priority, until all available space for that watercraft group has been assigned or there are no more applications.
- The remaining, unassigned applications will be put on a wait list based upon the date received. If a space for that watercraft group becomes available before the storage period expires, the next applicant on the wait list for that watercraft group will be assigned space.



- Because of their size and location within the boathouse, Group 1 watercraft will be assigned spaces at the time of storage. All Group 1 watercraft must be stored within the marked spaces on the floor. Group 1 watercraft will be assigned mandatory dates when they need to be removed from the Boathouse after the ice thaw so as to not inhibit other Group 1 watercraft from being removed.
- All watercraft must be tagged with the owner's name and address.

Boat House Storage Period

- The Boathouse storage period for all *primary* assigned spaces begins on November 1st of each odd number year and lasts for roughly two years or October 15th of each odd number year.
- The Boathouse storage period for all *secondary* assigned spaces begins on November 1st and lasts for roughly one year or October 15th of the following year.
- If a space has been assigned after November 1st, a new application must be submitted based upon the expiration dates mentioned above for the type of space; primary or secondary.
- The assigned storage space must be entirely vacated by the abovementioned dates, unless the applicant has been reassigned the same space number.
- Notification for all space numbers should be complete by October 15th of each year.

Boat House Access and Conduct

- No unsupervised access to the Boathouse by guests and other affiliates.
- The Boathouse user is responsible for the conduct and actions of oneself, guests and other affiliates.
- The Boathouse user is responsible for any damage created to the Boathouse and its associated open space areas caused by oneself, guests and other affiliates.
- The security code for the Boathouse may change as deemed necessary by the "OPHOA" Pond Committee.
- The "OPHOA" is not responsible for any damages or theft of property in, on or about the Boathouse. All items are stored at your own risk.

Failure to comply with the Rules and Regulations for the waterways of "OPHOA" and its associated Boathouse may result in forfeiture of the Boathouse assigned space