

# *Hickory Hollow Homeowners Association, Inc.*

## **The Pesticide Opt-Out Variance Request**

This variance permits the homeowner to opt-out of the use of pesticide treatments for a period between April 1 to October 31 each year. Under the conditions described below, the opt-out variance may be granted on a year-by-year basis, with the following restrictions.

- There would be no reduction in your HOA fees.
- You would be financially responsible for applying organic products to your own property and proof of contract is required with this form.
- If your property develops issues due to opting out, you will be financially responsible for the cleanup and repair.
- If any issues spread to a neighbor's property, you would be financially responsible for that cleanup and repair as well.

The areas of property covered by this variance are defined with two needs in mind:

1. The need for opt-out homeowners to come and go from their homes to areas free from pesticides.
2. The need of the workers applying pesticides to manage the application process effectively while avoiding the “opt-out” areas.

A drawing of the opt-out area must be submitted by you the homeowner with the Variance application. The signed opt-out forms will be kept on file.

The homeowners opt-out area will be clearly identified by the application company with small signs or flags provided by the application company the day of the actual application.

Nevertheless, all homeowners who are granted the opt-out variance agree to the responsibility of maintaining the quality of their lawn area such that it maintains the kind of “curb-appeal” like the neighboring lawn areas that are treated with pesticides. Again, homeowners would be financially responsible to repair any issues that arise with the alternative fertilization within their yard and if it spreads into the neighboring yard. If not completed in a timely fashion, a fine of \$75.00 will be levied.

If a homeowners opt-out area degrades due to severe thinning, bare spots from insect or grub damage, or heavy weed growth in a way that negatively distinguishes it from neighboring properties, the following will apply:

- The opt-out variance will be revoked for the following year.
- The homeowner will be responsible for bringing the lawn and shrubbery back to community standards at their own expense.
- If the property is not brought back to community standards, a \$75.00 fine will be levied each month the lawn is not brought up to community standards.

**By submitting this variance with your signature, you acknowledge your understanding of the extent and limitations of this variance and your willingness to share the responsibility of maintaining the quality of that lawn area.**

Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Board Action Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date returned to applicant \_\_\_\_\_

Authorized

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PLEASE return completed form to:**

**Realty Performance Group, Inc., 1800 Hudson Ave. - Suite 100, Rochester, NY 14617**