

Witches Woods

Tax District

Rules and

Ordinances

## **RULES**

The Witches Woods Tax District (“WWTD”) has established the following set of Rules and Ordinances to protect the safety of our Residents, their families, and guests and to protect and preserve the lake, roads, and common areas of the property within the WWTD. Residents who have questions or issues with these provisions are urged to contact a member of the WWTD Safety, Rules and Ordinances Committee. Tax District Rules and Ordinances are enforceable by the Witches Woods Tax District and/or other governmental agencies.

### **A. ROADS**

The WWTD owns and maintains the WWTD Roads in a manner that promotes the safety of WWTD Residents and others who use the roads in support of our Residents.

1. All motor vehicles utilizing the roads must comply with all State of Connecticut and Town of Woodstock motor vehicle regulations. The maximum speed for all motor vehicles on lake roads is 15 MPH. Registered motor vehicles may be driven only by licensed drivers or by drivers with learning permits.
2. No unregistered motor vehicles, other than construction or maintenance vehicles permitted under State motor vehicle law and authorized by the WWTD, are allowed on lake roads.
3. The operation of snow mobiles, dune buggies, mini bikes, go carts, unregistered motorcycles, dirt bikes, and all terrain vehicles (ATV’s) on lake roads is prohibited.
4. No more than two (2) unregistered vehicles may be stored out of doors on a member’s property. Such vehicle, if in poor condition, shall be kept in such a manner as to be screened from public view.
5. To enhance safety and promote aesthetics all property owners must remove brush and debris lying within 5 feet of the travelled roadway adjacent to their property in order to improve sight lines.
6. All Residents must comply with the WWTD Driveway Apron Ordinance. See Ordinances

## **B. LAKE, BOATING AND SWIMMING**

Purpose: To preserve and protect Witches Woods Lake by preserving water quality and ensuring swimming, boating, and fishing safety. Compliance with the rules and ordinances as set forth by the WWTD is the responsibility of each WWTD, family, and guests. Any member, family, or guest not complying with the rules and ordinances will solely and personally assume the risk of any property damage, injury or death caused by such non-compliance. All boating, swimming, fishing, or use of beaches is at the risk of the individual and the WWTD assumes no responsibility.

1. All watercraft and watercraft operators must comply with State of Connecticut Boating laws and regulations. No one under the age of 14 shall operate a motorized boat without adult supervision onboard. No one shall operate a motorized boat without a safe boating certificate. Boat operators must not be impaired by alcohol or any other substance.
2. All boats must be registered with the WWTD and display WWTD stickers.
3. Maximum length of boats is 18 feet for single hull boats powered by inboard or outboard motors and 21 feet for pontoon boats. Use of Jet Skis and similar powered watercraft on the Lake is prohibited.
4. Maximum horsepower for boats is 75 horsepower. Maximum speed on the lake for all boats is 25 mph. The Cove is a no wake zone with a maximum speed of 5 mph. In addition, no person shall operate a power boat in excess of 5 MPH between the hours of one half before sunset and 9 am the following morning in the case of weekdays, or 10 am on the following day in the case of Saturdays, Sundays or Holidays. Motorized boats operating simultaneously at more than 5 mph shall proceed in a counterclockwise direction around the lake. No more than 3 motor boats shall be operated in excess of 5 mph at the same time. (Town Ordinance attached)
5. No more than 1 skier or one tube at one time may be towed behind a boat. All motorized boats towing a skier or tube must have a spotter.
6. All powerboats operating at more than 5 mph must maintain a minimum distance of

100 feet from the shore.

7. All boats shall be operated in a safe manner. No dangerous boating behavior is permitted.

8. All boats that have been used in other lakes must have their hulls cleaned or be out of the water for 3 days before they are launched in Witches Woods Lake.

9. No non-Resident boats are allowed on the lake without an authorization obtained in accordance with procedures established by the WWTD Board of Directors. Powered boats of guests of Residents must receive a written permit to evidence such authorization.

10. During the hours when motor boats are allowed to go faster than 5 mph no swimming shall be allowed beyond 50 feet from the shoreline unless the swimmer is accompanied by a spotter boat or wearing or towing a highly visible safety device.

11. No motorized vehicles are permitted on the frozen lake in the winter.

### **C. BEACHES**

1. No unleashed dogs are allowed on the beaches or in common areas.

2. Beaches must be kept clean. All Residents and their guests shall remove their trash, debris and pet droppings after using common areas.

3. Residents shall level beach areas disturbed by children playing in the sand. The beaches must be kept free of holes and mounds.

4. Residents must behave in a respectful manner towards others using the beach. Loud, raucous or offensive behavior is prohibited.

5. Residents and their guests are responsible for their own safety when utilizing the beaches for swimming and recreation.

6. Bonfires on the beach or in common areas are not permitted.

7. Use of Boat Racks shall be entirely at the discretion of the Tax District Board. Such use and all boats stored shall be at owner's risk.

### **D. DOCKS, RAFTS AND USE OF SHORELINE**

1. Docks must not extend into the lake more than 30 feet. Rafts must be securely anchored and not be more than 50 feet from the shore.
2. It is the responsibility of the individual property owner to maintain their waterfront structures in a safe condition or to remove them if in disrepair or unsafe. The WWTD Board shall have the authority, but not the obligation, to remediate unsafe or dangerous conditions existing in shoreline improvements after notice to the respective Resident. Any reasonable expense incurred by the WWTD shall be reimbursed by such Resident.

#### **E. FISHING**

1. All Residents and their guests fishing in the lake must be licensed by and comply with State of Connecticut fishing laws and regulations.
2. Residents are encouraged to practice catch and release fishing.

#### **F. HEALTH AND ENVIRONMENT**

The Witches Woods Tax District in support of our Residents is empowered to protect and preserve Witches Woods Lake, beaches, dams, and common areas. In order to fulfill this responsibility the WWTD Board has established additional rules, regulations, and guidelines to protect the health and environment of the District and its Residents.

1. It is strongly recommended that homeowners refrain from using chemical fertilizers, weed killers and pesticides on their properties. These chemicals eventually leach into the lake and damage the quality of the water and can encourage unwanted plant life. Only natural 'lake friendly' organic materials in moderate amounts should be utilized.
2. Homeowners' septic systems must comply with the NE District Department of Health regulations. Homeowners must ensure that their septic systems are in good working order and are maintained properly, including periodic inspection and cleaning of septic tanks.
3. The use of salts or chemicals on driveways in the winter should be limited or avoided as these materials eventually leach into the lake and affect the quality of the water.

4. Each property owner shall exercise as much care as is possible to retain lakeside natural vegetation, trees, shrubs, and other similar growth, properly managed drainage, and protect the lake, roads and common areas from pollution and degradation.
5. Depositing soil, sand, rocks or any other matter into the lake, or causing any change to the shoreline or lake bed, without proper approvals and permits from the WWTD Board and the appropriate governmental agencies is prohibited.

#### **G. BUILDING AND LAND USE**

The Land Use Regulations, Zoning Ordinances Building Codes and Health Codes of the Town of Woodstock apply to the residences and related improvements within the WWTD. Woodstock Wetlands Regulations apply to the use of lands adjacent to the Lake and other areas deemed to be regulated areas. In addition to these considerations Residents should be aware that certain Covenants and Restrictions imposed initially by the Lake's Developer and subsequently modified by the WWTD may further impact or limit the use of property within the District. Residents are urged to consult with the appropriate Town of Woodstock officials and the WWTD Board of Directors before undertaking projects that may require regulatory approvals in these areas.

The placement of a motor or mobile home on any lot and used as a permanent residence is prohibited. Long term continuous use of an RV as a residence is prohibited.

#### **H. ENFORCEMENT OF TAX DISTRICT RULES AND ORDINANCES**

1. The Board of Directors may enforce its statutory powers and authority, Bylaws, Ordinances and Rules and protect the interests of the community by imposing fines; by prosecuting litigation in the District's name; by withholding Lake privileges; by abating any violation without breaching the peace; and as otherwise allowed by law.
2. The Board of Directors will notify federal, state and/or local administrative agencies and law enforcement authorities of criminal violations and regulatory infractions. The District will seek to prosecute trespassing, environmental contamination, and other

crimes committed against it to the fullest extent of the law.

3. At any hearing convened by the Board of Directors of which the accused has been given at least thirty (30) days' notice and an opportunity to be heard and present evidence and witnesses, the Board of Directors may impose fines of up to \$100 for a first offense or \$250 for subsequent offenses plus order full restitution of any actual losses, abatement costs, repair expenses and attorney's fees. Any such fine or amount payable shall be considered to be a Tax and subject to such priority and collection rights as are available to the WWTD under Connecticut law.

4. Lake privileges, including use of beaches and boats may be suspended if: (a) transferred to anyone other than the immediate family member or tenant of the property owner to whom they were issued; or (b) the Board of Directors, at any hearing of which the Resident has been given at least 30 days notice and an opportunity to be heard and present evidence and witnesses, suspends such privileges.

# Ordinances

## Driveway Ordinance

### Section 1. Definitions:

**Applicant:** The term "Applicant" refers to the person proposing a driveway apron.

**Board:** The Board of Directors of the Witches Woods Tax District.

**Driveway Apron:** The access onto or an egress from a District Road.

**New Driveway Apron:** An access onto or an egress from a road that was not in existence on or before the adoption date of this ordinance, or an existing access or an existing egress from a road where the use of that driveway apron has changed.

**Person:** Includes Corporations, Partnerships, Firms, Associations and or any other entity.

**Street/Road:** Any District maintained way constructed for and dedicated to movement of vehicles and pedestrians. The word shall not include private driveways and rights-of-way (R.O.W.).

**District:** The Witches Woods Tax District

### Section 2. Purpose:

It is the declared purpose of this ordinance to regulate driveways for the purpose of providing safe and structurally adequate access on roads.

### Section 3. Procedure:

1. No person shall construct a new driveway, new driveway apron or modifying an existing driveway leading into a District Road without first obtaining a written permit from the Board, or its agent.
2. No Building Permit(s) will be issued until the applicant has applied for and received a Driveway Apron Construction Permit.
3. A plot plan shall be submitted on behalf of the property owner showing the proposed



layout.

4. Construction of the driveway apron may start only after issuance of the Driveway Apron Construction Permit. Road areas must be kept clean of mud, dirt, stone etc. by installing a tracking pad, to reduce the amount of onsite soils to be tracked on to the adjacent road.

5. Final approval of the driveway apron will be issued by the Board or its designee when all work is completed in accordance with the standards as verified by a post construction inspection. The Town of Woodstock Building Official will be notified when this approval is given.

6. All driveway aprons must and will abut existing surface of the District Road. No overlayment will be allowed onto the District Road surface.

7. Should the layout require a culvert the property owner shall be solely responsible for the installation and maintenance thereof including the cleaning and any future replacement required for any reason.

#### **Section 4. Standards:**

The following standards shall apply to all new driveway apron construction:

1. Driveway aprons shall intersect roadways at an angle of approximately ninety (90) degrees.

2. Driveways shall be designed to prevent storm water flows from entering a District road. Privately owned and maintained drainage diversion swales, detention areas, and/or dry wells shall be utilized to the greatest extent possible. Culverts, with a minimum diameter of fifteen (15) inches, shall be used when crossing District drainage ways.

Whenever private swale or private detention area is utilized in diverting driveway water from the District right-of-way, the owner of the subject lot(s) shall be responsible for maintaining the swale or detention area and any culverts in accordance with the approved design.

3. Driveway aprons shall be located as far as possible from roadway intersections.

4. The Board may waiver specific "Standards" within this ordinance, if the standards

waived, do not decrease the safety of, and/or the structural adequacy of, any "New Driveway Apron".

**Section 5. Effective Date:**

The ordinance was adopted by the voters of the Witches Woods Tax District in accordance with the provisions and authority granted by Connecticut State Statute and the covenants of record related to the Witches Woods Tax District.

Dated this 9th day of May, 2003.

These Rules and Ordinances are effective as of \_\_\_\_\_ and are subject to revision at the discretion of the WWTD from time to time.

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Sandy Pandolfi

Clerk