

Lake O' Springs Village Homeowners Association (LOSVHA)
5858 West Boulevard NW
Canton, Ohio 44718

Lake Management Committee (LMC)

Last Updated April 18, 2018

SUMMARY OF APPROVED RULES AND REGULATIONS 2018:

Section 1: Authority:

The Lake Management Committee (LMC) is one of the two standing committees of Lake O' Springs Village Homeowners Association. The Lake Management Committee (LMC) is authorized to make and enforce all decisions and rules regarding the greater lake recreation and property management, including but not limited to recreational use of the lake and lands, wildlife management, trails, common areas, greenspace and shoreline protection structures approvals and maintenance.

The LMC area of responsibility includes the Lake O' Springs Village development with its 25 lot owners/members rules for the lake and the Lake O' Springs Village Homeowners Association common lands and trails around the lake including lands extending away from the lake and the ten foot lakeshore maintenance easement area on lots 19 through 25 on private property on the east side of the lake.

Section 2: Shoreline Maintenance Easements:

The lakefront lots east side corner pins marking property lines for lots 19, 20, 21, 22, 23, 24, and 25 and the common area are at the top of the grade along the lakeshore. From the top of the bank down to the water the shorefront slope is owned by the homeowners association along with the lake.

A ten-foot maintenance easement is in place on the easternmost ten feet west of the corner pins on each lakefront lot to allow for maintenance trucks and equipment to perform necessary lake and shoreline maintenance. While this easement area may be landscaped, trees and bushes over one foot tall and permanent structures are not permitted to be built or planted within the shoreline maintenance easement area.

Section 3: Docks:

3-1 Private Docks for Lake O' Springs Village lakefront lots:

Lakefront Lots 19, 20, 21, 22, 23, 24, and 25 shall be permitted to have private docks in the lake. While such docks will be technically on the association (LOSVHA) lake property, they will be owned and maintained by the homeowner.

Dock design and materials will have to be approved by the Architectural

Review Committee. Docks may attach to the shore or have gangplanks connecting them to the shore. Docks may have piers or may have floating jetties.

Size: If not square, docks for lakefront lots 19, 20, 21, 22, 23, 24, and 25 may have their long side running east to west or north to south. To minimize extensions into the lake, north to south rectangles are preferred. Lot 25 may not have a dock on its north shore to avoid encroaching on possible common area docks and access. Docks are limited to a maximum extension of twenty feet east into the lake from the shoreline/edge of water. Their north-south length is limited to a maximum of forty feet and is not permitted to be built within 20 feet of any lot corners. However, Lot 19 shall be permitted to build a dock within ten feet of the southeast lot corner pin on the lakeshore and running north to within 20 feet of the northeast lot 19 corner pin.

Height: The maximum height of any vertical structures on the docks, including but not limited to boat covers or roofs, boat lifts, or shelters shall not exceed twelve feet above the water surface.

Grading: Sloped grading of the shoreline for launching and landing canoes, kayaks, small sailboats, or rowboats will be permitted. Designs for shoreline cuts for boats or beaches will have to be approved by the LOSVHA ARC.

Materials: Homeowner may choose various materials for dock construction. More permanent materials such as aluminum or synthetic woods are encouraged. Any real wood material that comes in contact with the ground or is used in any structure over a body of water shall be pressure treated per Standard Specifications for Pressure Treatment of Timber Products. To maintain water quality, no wood or railroad ties containing any creosote or toxic chemicals is permitted.

3-2 Public Docks for Lake O' Springs Village:

Member, Season Pass Holders and guests may fish on the entire lake shoreline except on the shore of lots 19 through 25 and a restricted part of the fen protected by a land trust on the north shore of the lake.

There are seven designated common areas for shoreline fishing and recreation which may eventually feature docks located around the lake. Access to all of these fishing/common areas are permitted by members of the association and Lake O' Springs Village Seasonal Pass holders and their guests.

a. West Commons: The West Commons is located between lots 21 and 22 with 170 feet of lake frontage. Plans call for a picnic shelter, parking lot, Boat Dock (installed), paddle craft racks, and a canoe and rowboat launch area.

b. Freitag Commons: The Freitag Commons is located at the intersection of Freitag NW and Springlake Road. It has 100 feet of lake frontage.

c. North Shore Commons: The North Shore Commons consists of a walking path to two possible dock/fishing areas along the northshore south of two lots parcel numbers xxxxx and xxxxx.

d. Wood Haven Commons: The Wood Haven Commons is located at the bottom of Wood Haven Road and may include dock/fishing areas south and east of the shoreline adjacent to the gas well located there.

e. ENE Commons: The ENE commons is located in the east bay area along the shore below the end of Springlake Road.

f. Spillway Commons: The Spillway Commons is located on the ESE corner of the lake just north of the spillway.

g. Levy Commons: The Levy Commons includes any dock structures built along the levy at the south end of the lake.

Common area docks will be permitted to be extended further into the lake than private docks on lakefront lots as they will need to accommodate more boats. Dock sizes and installation in all common areas owned by the Homeowners Association will also require approval from the Architectural Review Committee

3-3 Shallow Water Dock Rule Exceptions:

Guidelines for docks for the Braucher House lot and the protected fen and greenspace owned by Wildlife Habitat Conservancy, Inc. and LOSHA:

Owners of the Braucher House Lot at 5858 Springlake Road, the common areas owned by LOSHA on the south, west, northeast, and east sides of the lake, and the land owned by Wildlife Habitat Conservancy in the north will be permitted to build docks for fishing and boating activities as approved by the LOSVHA Architectural Review Committee. Some of these docks will require their own special rules and will need to be permitted to extend further into the lake than other private docks because of the shallowness of the water at the north end of the lake. Lengths of these docks will be determined by measuring the water depth to determine appropriate boat hull clearance before approval of dock designs.

4: Shore/Sea Walls:

Lake O' Springs raises only a few inches during most rainstorms. The lake does not experience much wave action due to either winds or boating activities, and therefore is not expected to have major shoreline erosion problems.

However, homeowners will be permitted and encouraged to build retaining walls or sea walls to protect and beautify their shoreline. All sea wall materials and designs will need to be approved by the Architectural Review Committee. Such approval will be generously given. The homeowner is not permitted to fill in more than 18 inches of the Homeowner Association-owned lakebed during sea wall construction. While sea walls along private property may actually be built on LOSHA-owned property, all maintenance of such sea walls will be the responsibility of the homeowner.

5: Fishing:

5.1 Guidelines: Fishing will be permitted in all areas of the lake by lot owner family permanent residents or by member guests when accompanied by a permanent resident.

Under State of Ohio laws, no state fishing license is legally required to fish on Lake O' Springs as it is a private lake. However, all other State of Ohio ODNR Division of Wildlife rules for safety and fishing will apply on the lake.

Manned or unmanned multiple-hook trout lines with more than two hooks are not permitted except with permission from the Lake Management Committee.

The standard fishing policy shall be catch and release. Minimum handling and a quick release are required. No temporary containment of fish is permitted. However, as determined by the Lake Management Committee, certain species found to be in abundance will periodically and seasonally be permitted to be removed.

As of September 1, 2012, until further notice, all carp caught or snagged over two feet in length are required not be returned to the lake, and crappie and perch caught are permitted to be kept with a limit of three of each specie per day. This rule may be amended annually and seasonally by the Lake Management Committee.

The LOSVHA Lake Management Committee shall be permitted to remove specific species of fish as determined or mammals from the lake by any method available, including bow hunting, trout lines, or netting, shooting, or trapping as determined by the Lake Management Committee.

Lakefront lot owners and guests may fish from their shoreline or docks, or off boats. Non-lakefront lot member fishing may be conducted on the shoreline of the lake on common area land, on common docks, on the levy, or in boats as permitted. Community fishing is not permitted on the lakeshore behind private lakefront lots without landowner permission.

Wading in the lake is not permitted at any time for fishing or other recreational purposes at this time. Wading may be permitted during inspections, biological surveys, and maintenance activities administered by LOSHA. No shoreline fishing is permitted at any time in the protected wetlands area owned by Wildlife Habitat Conservancy except in marked areas.

All fishing materials and trash discarded are to be removed by fishermen. Any member or guest found to leave trash in the water or on the shore, including discarded fish line, bait boxes, cigarette butts, and other trash, will be subject to penalties by the association, including temporary restriction of fishing or boating activities or other remedies. Our guideline is to always remove trash if you find it.

Smoking is not permitted by fishermen and boaters within one hundred feet of any personal residence. All cigarette and cigar butts need to be field stripped and discarded properly.

5.2: Restricted fishing area:

The north shore of the lake includes a one-acre wetland and fen and adjacent surface lands that are a protected greenspace by written agreement between the original developers and the US Army Corps of Engineers and Ohio Environmental Protection Agency. This agreement will transfer to all future owners of the wetland greenspace.

The protected greenspace area is restricted from personal recreational use. Fishermen and hikers are not permitted in that area or to fish from the shoreline. Boaters are not permitted to offload and fish from that shoreline. Fishing is only

permitted by boat immediately offshore of the fen, or from a dock installed on the wetland shore as determined by and with permission of Wildlife Habitat Conservancy or the land trust landowner.

6: Boating:

Lot owners and members of LOSVHA are permitted to put boats in the water from their lakefront lots or docks, or from the common area lots or docks. To manage boating on the lake, the number of owner boats, or their registration may be regulated by the Lake Management Committee.

No gasoline or other fossil fuel-fired motors are permitted to be on the lake. To avoid spillage, boats with gasoline or oil stored on board, even in engines or fuel tanks, or in unopened containers, are not permitted in the lake. The maximum horsepower allowed on the lake is 5.0 horsepower electric outboard motor or an 86-pound electric trolling motor. Emergency rescue vehicles and patrol boats will be permitted to use gas engines of any size as needed at any time.

Boats will need to be powered by electric engines and batteries. Docks may need to have electric power nearby to facilitate charging of batteries.

Small sailboats, sailboards, canoes, kayaks, and rowboats are encouraged.

State of Ohio Division of Wildlife standard rules for boat safety will apply on the lake.

To minimize wake activity and thereby minimize soil erosion, no wake boats or boats with wake-enhancement ballast bladders are permitted on the lake. Water skiing or tubing is not permitted.

7: Swimming, snorkeling, and scuba diving:

There will be no wading, swimming, snorkeling, or scuba diving permitted in Lake O' Springs beyond the first thirty feet off the shore of lakefront lots. Additional recreational water activities may be permitted in the future.

There are several reasons for this restriction. First, the lake has not yet been properly groomed for swimming. The lake contains numerous old tree stumps underwater and out of sight. These stumps present a serious risk to divers from boats and could result in serious injury or death. There are also several tree trunks in the water, left for fish habitat, especially along the levy at the north end of the lake. These stumps and trees frequently snag lures and contain lengths of fish line that could entangle swimmers. Further, the lake bottom is very mucky in many areas, while sandy in others. In places this muck may be deep enough to hold someone under water if they jump out of a boat and drop into the lake bottom. All of these risks will need to be addressed before swimming is permitted or encouraged in the lake.

8: Wildlife Stocking, Hunting, Fishing and Trapping

8.1 Wildlife Stocking: Fish, amphibians, reptiles and turtles have been released on the property and in the lake. Other wildlife may be nurtured to live in the lake and nature areas as well.

8.2 Fowl Management: Canada geese or cormorants are invasive species and may be culled from the property annually to limit population as needed and permitted. This is done by harassment techniques, and when necessary, through an annual permit with ODNR Division of Wildlife, by adding the goose eggs, or conducting a spring round-up, sometimes in partnership with neighboring Lake Cable Homeowners Association. Wild ducks are always protected.

Canada geese and swans are not permitted to be fed by anyone at anytime on the property. This includes feeding by residents, guests, and visitors to the property. Swans are potentially dangerous, and should never be fed, especially by hand. They can be aggressive or even dangerous when disappointed. Ducks may be fed with healthy food such as cracked corn, fresh greens, or other natural foods. Bread of any type is never permitted to be fed to wildlife.

8.3 Hunting: Hunting by residents will not be permitted on the LOSVHA common areas or in the lake. However, as part of wildlife control, the association or its agents will be permitted to hunt animals in need of removal from the property. Wildlife populations will be managed by the Lake Management Committee.

8.4 Trapping: Trapping of animals by residents will not be permitted in the lake or common areas. Nuisance trapping on homeowner lots is permitted as allowed by state and local laws. However, LOSVHA and its agents shall be permitted to trap animals through any method required to properly maintain the balance of wildlife while protecting the critical areas such as the shorelines, levy, or hillside on the west of the village from damage.

9: Aeration:

The LOSVHA shall decide if and when it is appropriate to operate an aerator unit or units in the lake.

10. Spillway Management:

LOSVHA, LMC, including any designated standing committee of the LOSVHA, shall have full control and absolute discretion over management of the spillway for Lake O' Springs, for any purpose including management of the lake level, routine or periodic maintenance, dredging, emergencies, or any other reason as determined in the sole discretion of LOSVHA.

ALL MEMBERS OF LOSVHA ACKNOWLEDGE AND AGREE THAT LOSVHA SHALL HAVE SPILLWAY MANAGEMENT AUTHORITY AS DESCRIBED HEREIN AND AGREE TO WAIVE ANY RIGHT TO BRING AN ACTION OR CLAIM, INCLUDING FOR INJUNCTIVE RELIEF OR DAMAGES, AGAINST LOSVHA OR ANY OF ITS OFFICERS, DIRECTORS OR COMMITTEE MEMBERS.

11: Trail Development:

LOSVHA will be responsible for completing the walking/biking/running trail around the lake. The trail will total over one mile in length when completed. It will allow for members to have access to all sides of the lake for recreational purposes. As of 2018, over \$45,000 has been spent by the developer on reinforcing the levy, rebuilding the spillway and wales, and developing the trail and one bridge.

Initially, the trail will be available for LOSVHA members and the greater community (public) use. If individual traffic becomes too heavy or undesirable, LOSVHA will have the right to post, close off, or fence off from non-member neighbor usage those sections of the trail that are not sidewalks or public walkways.

12. Storm Water Runoff Control:

Storm water runoff can allow herbicides, pesticides, and phosphorous to be carried into the lake where they may harm the marine life and increase the growth of algae and bacteria. LOSVHA Lake Management Committee may issue guidelines or rules as needed for the reduction of these polluting chemicals.

13. Common Area Lake Fill:

At the discretion of the homeowners association, and as permitted by the state and federal laws, in certain circumstances small pieces of the lake may be turned into land docks or the shore adjusted to create a recreational/fishing opportunity.

Respectfully submitted on this 18th day of April, 2018,

David A. Kidd
Chair, Lake Management Committee
Lake O' Springs Village Homeowners Association