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# WINTERPORT CLUSTER

## INFORMATION HANDBOOK



September, 2012

Changes from previous editions marked in red

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# Winterport Cluster Handbook for Homeowners and Residents

September 2012

Welcome to Winterport Cluster and Reston, Virginia!

This Handbook provides important summary information for all Winterport homeowners and residents regarding:

- I. The authority, structure, and operation of the Winterport Cluster Association (WCA), the Homeowners Association that manages operations and maintenance and capital improvements to all common areas, develops and enforces WCA covenants, and supports enforcement of Reston Association covenants
- II. Architectural covenants of exterior appearance of homes
- III. Neighborhood rules and regulations
- IV. Maintenance suggestions
- V. Other resources and references

This Handbook summarizes more formal documents and procedures from the Reston Association and the ByLaws of the WCA. Detailed documentation is available from the RA and WCA; see a WCA Board member for assistance.

Current versions and up-to-date Cluster information can be found at the Cluster's web site: [www.winterportcluster.org](http://www.winterportcluster.org)



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## **I. Winterport Cluster Association (WCA)**

### **1. Winterport Cluster Association: Membership, Purpose, and Authority**

Winterport Cluster includes 79 townhomes, common areas, and other facilities. As part of the process of purchasing a house in Winterport Cluster, homeowners automatically become a member of both Winterport Cluster Association (WCA) and the Reston Association (RA). Every Winterport property owner, regardless of residency location, is a member of WCA.

WCA was incorporated in 1978 as a non-stock, nonprofit corporation under the Code of Virginia. It was formed for the purpose of owning, maintaining, and improving approximately 6.8 acres for the common use of Winterport's property owners and their families, guests, and tenants. This common area includes the entry roads, paths, sidewalks, parking areas, open/wooded spaces, tot lot, lights, access to and dock on Lake Thoreau, and other facilities. An aerial view of Winterport Cluster is shown in Figure 1.

WCA is authorized to enforce all covenants, restrictions, easements, etc., pertaining to this commonly owned land. To carry out these functions, the Cluster's Board of Directors has the authority to assess and collect dues, as well as appropriate and spend funds. WCA is governed according to its Articles of Incorporation, Articles of Amendment, and By-Laws. A summary of those Articles and By-Laws is given here; for a copy of the actual documents, please contact a Board member.

In addition, WCA is subject to county, state, and federal laws as well as all Reston Association (RA) covenants, policies and regulations.

Each homeowner, resident, and their families, and guests are responsible for compliance with the rules and regulations adopted by the WCA and RA.

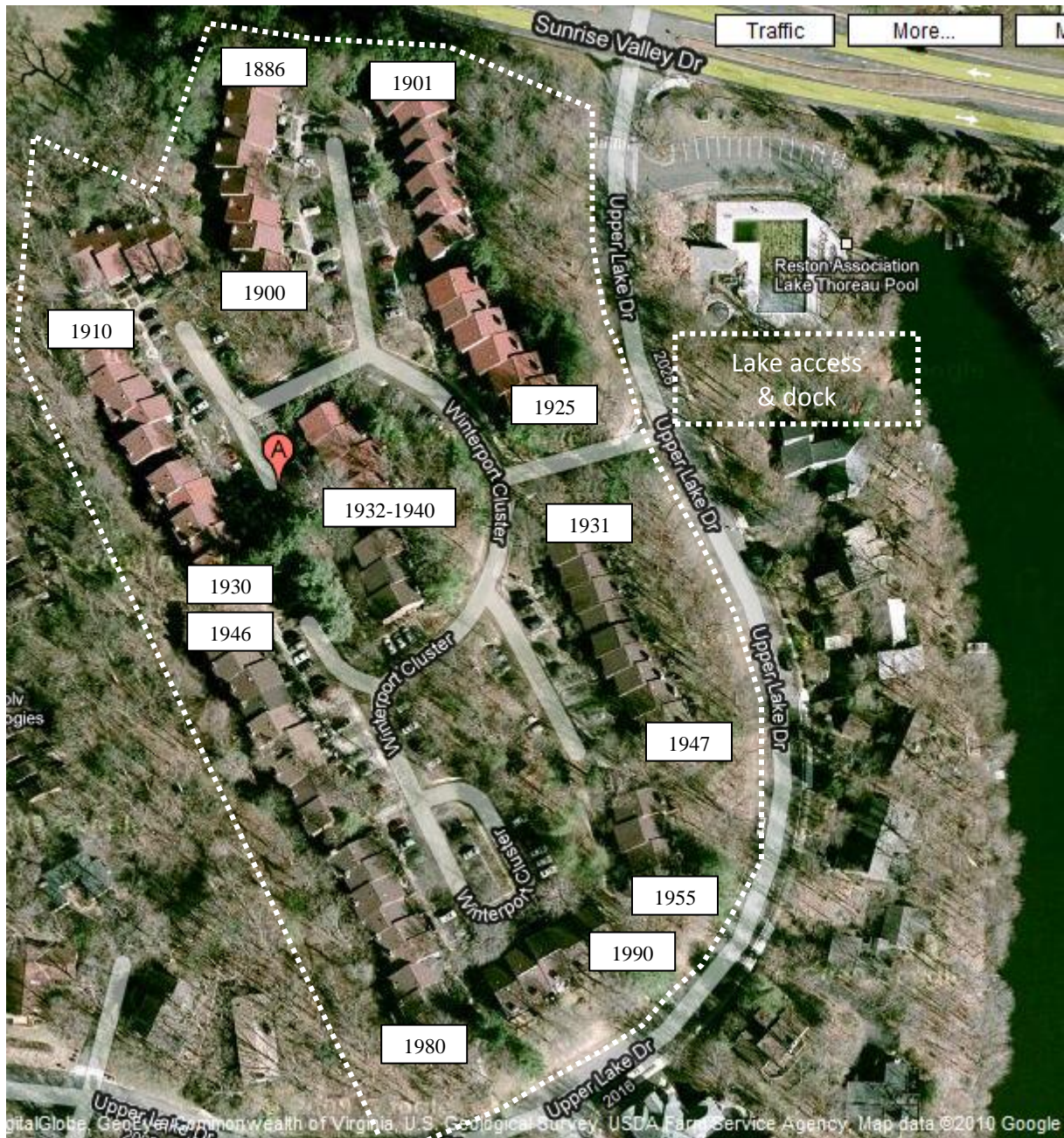


Figure 1. Aerial view of Winterport Cluster with addresses and approximate boundaries. (source: Google Maps)



The Reston Association was established to foster the fullest usage of the lands and facilities of land established as Reston. It encourages the involvement or organizations in promoting the peace, health, comfort, safety, and general welfare of Reston's residents. In executing their powers, RA interprets, administers, and enforces the protective covenants and restrictions of this Deed in a manner to conserve, protect, and enhance the value of all real property of Reston.

RA is a property owners' association just like the neighborhood cluster and condominium associations. It encompasses all of Reston's clusters, condominiums, apartments and single family homes. RA also has documents, common property and a board of directors. Larger associations such as RA often are referred to as master associations. The governing documents of a master association apply to all the single-family homes, apartments, condominiums and smaller property owners' associations that form its membership.

The cluster and condominium associations, then, are subsets of RA. The governing documents define areas of responsibility for the master association and the subset associations. Generally, RA is responsible for the maintenance of the master association's common property (pathways, pools, tennis courts, open space and lakes). Reston's Deed of Dedication places responsibility for the administration and enforcement of the architectural and maintenance covenants with RA. The clusters and condominiums are responsible for their own common property, their own finances and enforcement of their association rules (parking rules, for example). According to the Deed of Dedication, RA has little or no responsibility for internal cluster/condominium matters such as parking or finances. Every cluster in Reston has a POC in RA to bridge between the associations.

For more information on the Reston Association, refer to their web site:

[www.Reston.org](http://www.Reston.org)

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## 2. Winterport Cluster Association Board of Directors and Officers

Management of the WCA is vested in its Board of Directors, consisting of five volunteer members elected by and from the Cluster membership. Board members must be members of the WCA, that is, they must own a townhouse in Winterport. The Board members serve terms of three years, which are staggered so that one or two directors are elected each year at the annual meeting.

The annual membership meeting is held the 2<sup>nd</sup> Tuesday of September or the earliest day possible after. The Board meets regularly, each month on a date announced at least 7 days in advance.

The Board consists of a President, Vice President, Second Vice President, Secretary, and Treasurer. Any vacancy that occurs in the Board between annual meetings may be filled at any meeting of the Board of Directors by the affirmative vote of the majority of the remaining Board members if a quorum is present.

The Board of Directors elect officers of the WCA Corporation. The officers are elected annually by the newly constituted Board of Directors at their first meeting immediately following the annual membership meeting held the **2<sup>nd</sup> Tuesday of each September** or the day after. Officers include President, Vice President, Secretary, and Treasurer. The President is the chief executive officer of the corporation and must be a member of the Board of Directors. The Vice President, Secretary, and Treasurer need not be Board members, but historically have been.

## 3. WCA Committees

The WCA Board has the authority to create committees and appoint committee members. Committee chairpersons may be designated by the Board or elected by the committee members. A Board member may be present at committee meetings serving as liaison to the Board. Committee chairpersons may attend Board meetings in a non-voting capacity. Committee chairpersons must submit proposals for services and expenditures to the Board before committing to any and all contracts. Only the Board President and Treasurer together may sign contracts.

All Winterport residents and homeowners are eligible and encouraged to serve on Cluster committees. Residents and homeowners with recognized expertise in an area vital to Cluster interests may be invited to serve on a committee. Current committees include:

**The Landscape and Grounds Committee** - is responsible for maintaining the common grounds. The Committee, along with the WCA Board of Directors (see above), negotiates annual lawn and landscaping maintenance, arborist and snow plowing contracts, designs and installs signs, develops and implements the landscaping program, supervises the semiannual Cluster cleanups and takes other actions as necessary to maintain roads, sidewalks, parking areas and street lights. This committee may advise and assist residents on landscape matters. The Landscape and Grounds Committee is not

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authorized to sign any contracts. All proposals and contracts must be referred to the Board for final approval and signatures.

**The Covenants Committee** - is responsible for advising the Board and monitoring homeowner compliance on building and yard maintenance and improvements. The Board, working with RA, sets Cluster guidelines for exterior architectural features (e.g., lighting, palette colors, fencing, etc.) and personal and common ground maintenance and appearance (e.g., presence of debris). The Covenants Committee conducts a 'walk-through' the neighborhood to monitor compliance and ensure continuity. The committee also assists residents in understanding requirements of the RA Design Review Board and WCA Standards and is responsible for reporting violations of RA/WCA Covenants, especially exterior architectural or decorative changes not approved by RA/WCA.

Upon request to the WCA for real estate disclosure documents (there is a fee), a Covenants Committee member will do an inspection of the property. If there is no active Covenants Committee the responsibility for inspection lies with the WCA Board. Violations or other issues noted in the disclosure documents may be resolved prior to settlement. If the issues noted in the original disclosure documents are resolved and a new set of disclosure documents is requested prior to settlement an additional fee of (\$TBR) will be charged. Problems relating to an individual unit at settlement are matters for resolution between the seller, purchaser, WCA, and RA. If a Covenants Committee member is a real estate agent involved in the sale of an affected property, that member's opinion is null and void and another impartial member or a Board Member must inspect the property.

Both of these committees welcome and encourage participation and suggestions. When there is substantial interest, these committees sometimes act to arrange group rates for such work as staining/painting, gutter cleaning, power washing, replacement windows, and the like. **The Winterport Cluster Association does not become party to these individual contracts.**

**The Communications Committee** - provides a means of communication to Cluster owners/residents. To do so it maintains the Cluster website ( [www.winterportcluster.org](http://www.winterportcluster.org)) publishes and distributes a newsletter, posts special notices as needed, and publishes this Handbook. Once a year, after the annual membership meeting, the committee compiles and publishes the contact information of the new Board of Directors, officers, and committee chairpersons. Suggestions and information for the newsletter are welcomed.

**The Social Committee** - arranges and coordinates Cluster social gatherings and provides welcome gifts to new residents and babies and condolences to residents who've lost a loved one. Resident participation in social activities is encouraged. Contact a Board Member for a referral to the Social Committee.

**Neighborhood Watch** – maintains awareness of compliance with the Cluster rules and regulations. Acts as the point of contact for the Fairfax Police Department announcements and makes requests of the Police for enforcement of rules and regulations.

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**Dock Master** – Winterport Cluster has access to Lake Thoreau directly opposite the Cluster entrance and next to Lake Thoreau pool. The Dock Master monitors use and condition of the Winterport dock, enforces the Cluster’s lake access and dock usage rules, and provides and tracks Winterport registration stickers (available for a one-time fee of \$10). All watercraft must be registered and display a WCA sticker or they may be removed without indemnity to WCA.

The Cluster also appoints special activity coordinators as required, and may include liaison roles to the Reston Association, other homeowner association groups, or other specific roles.

#### **4. Cluster Meetings**

##### **Annual Meeting of the Cluster Membership**

There is an Annual Meeting of the Cluster membership each year for the purpose of electing Directors, approving the budget, and transacting other business as necessary. Members meet annually on the **2<sup>nd</sup> Tuesday of September at a place and time designated by the Board**. Special meetings of the members may be called by the WCA President, the Board of Directors, or groups of members holding at least one-fifth of the votes. Written notice of meetings must be provided to members at least ten days in advance. A quorum, consisting of members representing at least one-fifth of the total votes, is needed to conduct business at the annual meeting.

Property owners are entitled to one vote per unit on issues put to vote by the membership at Cluster-wide meetings. Thus, a unit owned jointly or an owner-occupied household has the equivalent of only one vote. While tenant residents cannot be members or vote on WCA affairs, they are encouraged to attend WCA meetings and participate in Cluster activities.

##### **Board Meetings**

The Board meets as frequently as necessary, usually no less than every month, with special meetings called as necessary. Board meetings are open to all residents; there may be an exception when personnel matters must be discussed. The time and place of board meetings will be announced in advance.

The Board encourages residents to participate in the WCA and in open Board meetings; the primary purpose of Board meetings is to allow the Board to conduct WCA business – to discuss, resolve, and decide on WCA matters. Only a Board member may put a motion to the Board and only Board members may second a motion and vote on decisions at Board meetings.

The Board follows these general rules for the conduct of meetings:

- Each Board meeting will have a pre-prepared Agenda
  - The Agenda will be prepared NLT 2 days before the meeting. This is to allow the Board to be prepared, and ensures that agenda items are fully prepared
  - The Board President determines the items and schedule of the agenda

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- Generally, the following items will be discussed: ongoing operations and management issues, capital improvement plans and status, Committee reports, and summary treasurer reports.
  - Committee briefings and reports should be submitted NLT 2 days before the meeting.
  - Residents bringing agenda items and issues to the Board are expected to clearly articulate problems or issues, and have supporting documentation (pictures, estimates, other documentation) as needed. Agenda items and supporting documentation must be submitted to the Secretary NLT 2 days before the meeting.
  - Documentation from committees and residents should be as concise as possible. Submitting materials in advance ensures that the Board can review the issues in advance and spend the meeting discussing the issue and reaching decisions.
  - The Board reserves the right to limit the time of discussion of any item to complete Board business in a reasonable time period.
  - Residents may raise issues not on the agenda if there is time at the end of the meeting. The time allotted for such issues may be limited or extended at the Board's discretion.
  - The Board reserves the right to schedule additional meetings to allow further discussion, explore details, and identify and refine possible solutions.

### **Committee Meetings**

WCA committee meetings are called by their chairperson when necessary. Both Committee and Board meetings are open to attendance and participation by Winterport members and residents and other persons invited to lend their expertise.

## **5. Cluster Budget and Dues**

The WCA Board collects dues from the owner of each residence to meet financial obligations for common services, maintenance, and improvements provided to all residents.

WCA's fiscal year begins October 1<sup>st</sup> and ends September 30 of the following year.

The dues owed per home support:

- An annually-managed Operations and Management (O&M) Budget. Principal parts of the budget include electricity and maintenance for street lighting, trash/recyclables collection, landscape maintenance (especially trees), snow removal and parking lot sanding, common area repairs, Cluster clean-up costs, social event costs, and insurance. The budget is developed by the Board and approved by the Cluster at the Annual Meeting. A budgetary margin is maintained to address unpredictable and/or unexpected needs from events such as snowstorms.
- A Reserve Fund for Capital Improvements. Principal parts of Capital Improvements include parking lot resurfacing, sidewalk and curb replacement, new landscaping, and rainwater and snow melting drainage control. Annual

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contributions to the Reserve Fund are established by the Board to meet longer term needs.

Dues as of October 2010 are \$1300 per year. The total may be paid in a discounted \$1235 lump sum paid at the first quarter invoice (October 1), or in four equal quarterly payments of \$325 payable on the first day of October (1<sup>st</sup> quarter), January (2<sup>nd</sup> quarter), April (3<sup>rd</sup> quarter), and July (4<sup>th</sup> quarter). Any homeowner wishing to pay the balance of their account after the first quarter will pay the equivalent of \$325 per quarter.

- If a quarterly payment is not received by the 1<sup>st</sup> of the month after it was due, a \$25 late fee is charged. A \$25 late fee will be added on the 1<sup>st</sup> of each month that payment is overdue the legal expenses of collection will be added as is stipulated in the By-Laws. A lien for unpaid dues and late fees may be placed on a member's property for failure to meet the financial obligations to the Cluster. The Board may suspend members for failure to pay dues which will result in loss of voting rights. Chronically delinquent members may be required to make an annual payment of dues (\$800) in advance at the first quarter of the fiscal year.
- Returned Check Charge – If the Cluster receives a check from a member that fails to clear the homeowner's account, an administrative fee of thirty-five (\$35.00) shall be posted to the account.
- Application of payments applied to an overdue account – Payments received for an overdue account will be applied in the following order: 1) legal fees and costs of collection; 2) late charges; 3) all other charges and fees; 4) special assessments; 5) previously billed assessments.

Each year some funds are set aside in an escrow (reserve) account to cover anticipated or unanticipated expenses for capital improvements not paid with operating funds, such as repairs to or replacement of existing amenities, additional amenities, road repaving/sealing and major landscaping projects.

- The Board may adjust the dues annually or may levy a special assessment to reflect increases in Cluster operating costs.
- Special assessments may be levied for unexpected costs that cannot be absorbed by the annual operating budget or the escrow (reserve) account. Loans and/or lines of credit may be obtained by the Board in lieu of special assessments.

## **6. Contracted Services**

WCA often contracts with companies to perform lawn care services (e.g., mowing, leaf removal), tree trimming and care, snow removal, landscaping-related services, provide electricity and parking lighting, and garbage and recyclable disposal, plus special projects. Each contractor has a point of contact within the Cluster (with an emergency back-up if needed). This is usually a member of a WCA Committee; this person is the only person expected to give the contractors

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directions. If a resident has an issue with a contractor or a special request or simply wants information, he or she should contact the board, which will refer the issue to the point of contact. This process ensures that the contractor is not given conflicting direction and is not asked to decide which direction to follow.

## **7. Complaint Procedures**

Owners and residents may file a complaint with the Board at any time. If you believe the Board or WCA has violated either a Virginia statute or a State regulation that pertains to property owner associations, you may use the form available **on the Cluster web site** or at <http://www.dpor.virginia.gov/dporweb/complaintform.pdf> and submit a printed version to the Board. The Board will review the complaint and notify you within 30 days of its decision. If you are not satisfied with the decision, you may submit the complaint to the Virginia Department of Professional and Occupational Regulations for further review.

If you want to complain about something other than a violation of a State law, you may notify the Board in writing (paper or email) and specify the nature of your concern. Please provide as much detail as you can and your contact information. If your issue is with a violation of either RA or WCA standards, you may also file a complaint with RA (see RA web site for information), but it is recommended that you contact the Board first to see if the issue can be resolved.

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## II. WCA Architecture and Landscape Covenants, Exterior Changes, and Home Improvements

Exterior changes to WCA townhouse units are highly noticeable and MAY have substantial impact on adjoining properties. The Reston Association (RA) sets common covenants and standards for all clusters (neighborhoods) in Reston. Winterport adheres to these covenants for specific appearance rules consistent within the Cluster.

The RA establishes a baseline common set of covenants for Reston. The WCA may have covenants that are tailored to the unique architecture of the cluster, and therefore may be more limiting than those established by RA

It is policy of the RA and the RA Design Review Board (DRB) that they will deal directly with homeowners and do not inform the Cluster association Board.

If you are contacted by the RA DRB for a violation of any kind, please inform the WCA Board as soon as possible. The Board can provide valuable information and assistance to ensure compliance and avoid unnecessary stress, confusion, or changes to incorrect work.

Any homeowner that plans to make ANY exterior change to a unit must check the Reston Association (RA) Design Review Board (DRB) website to determine whether the change requires notification of DRB. The website includes standards for most exterior changes and provides guidance on the changes that are permissible without notification, changes that require notification but no review, changes that must be reviewed at the staff level, and changes that must be approved by the DRB.

If you plan to make an addition or change to the exterior of your home, discuss your idea with the WCA Board and your immediate neighbor(s) to prevent any unnecessary and unpleasant disputes. Neighbor and Board approval may be needed prior to submission to the RA DRB.

Generally, minor landscaping changes and exact replacements do not require approval. Please report any exterior changes to a Board member for WCA records. **Be aware that application for changes to the DRB may require a site plan, specific dimensions, drawings, color and material information, and/or photo specifications.**

### 1. Wood Siding Stains and Paints

**Wood siding** must be cedar. Cedar siding should be restained approximately every four years with approved Olympic brand Semi-Transparent or Solid Color Stain.

WCA requires that no two adjacent townhouses may be the same exterior stain color.

Unstained natural cedar townhouses (note: due to the age of the Cluster, this will most likely apply to homes with new siding) should be treated with Flood Aqua-Trol to preserve the wood and to retain or reconstitute the original unweathered appearance. The Covenants Committee will cite untreated natural weathering on siding as a violation of Cluster Standards.

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The following **Olympic Semi-Transparent Stains** have been approved for use in Winterport Cluster:

- No. 704 Redwood
- No. 707 Tobacco
- No. 717 Naturaltone Redwood
- No. 726 Light Mocha
- No. 906 Blue Ridge Gray
- No. 909 Light Oak
- No. 911 Cape Cod Gray
- **No. ### Clover Brown**

**Note:** Semi-Transparent Stains are only good for 3-4 separate applications before having to switch to a Solid Color stain unless all of the wood is replaced or all of the old Semi-Transparent Stain is completely removed and new stain applied.

The following **Olympic Premium Solid Colors** have been approved for use in Winterport Cluster:

- No. 234 Beige Gray
- No. 236 Sandstone
- No. 237 Monterey Gray
- No. 242 Cape Cod Gray\*
- No. 251 Cedar,
- No. 254 Chocolate
- No. 256 California Rustic
- No. 257 Navajo Red\*
- No. 284 Smokey Suede\*
- **No. ### Clover Brown\***

\* Denotes New Color from original palette

Re-staining a townhouse, or any part, with a color other than the original requires notification of the DRB so that their records can be accurate. Provided that the new color is on the Cluster's approved palette, DRB does not need to approve the change.

## 2. Front and Storage Room Doors

**Front doors** must be made of metal and **storage room doors** must be made of wood and must be the same color. The doorway trim must match the color of your door. Mismatched colors create inconsistencies, and detract from your unit's appearance and value.

Ten colors are currently on the Cluster's approved paint palette for doors, doorways, and sidelight window trim. The colors are manufactured by Benjamin Moore as Impervex Acrylic High Gloss (309) and are as follows:

- Newburyport Blue
- Adirondack Green
- Denim Wash
- Mountain Laurel

- 
- Cranberry Cocktail
  - Heritage Red\*
  - Hunter Green
  - Fall Harvest
  - Roasted Sesame Street
  - Bone White\*

\* **Do NOT use** the ready-made paint; it must be specially mixed in the Impervex Acrylic High Gloss (309)

When repainting a door in a **new** color, you must notify the DRB for its records, but you will not need DRB approval. You must choose a color from the approved list. If you want to use color that is not on the list, you must contact the Board and ask to have the color added. If the Board agrees, it will seek DRB approval for an addition to the list.

**Storm doors** may be installed as long as the following requirements are met:

- It is a full view or self-storing door (your local home-improvement retailer will know what you need or ask a WCA Board member or RA advisor).
- It and the trim must be painted the same color as your front door or must be brown.

### 3. Decks

Elevated mid and upper level decks/balconies may be left to weather naturally or stained to match the house siding; they must match each other.

Ground level decks may be left to weather naturally or be stained to match the house siding; the matching with elevated decks/balconies is optional.

### 4. Roof

The first (South) section of Winterport was built in 1977-78, and used brown asphalt shingles, of which there is no record of the manufacturer or the specific color. The second (North) section, built in 1980-81, used Flint Kote mottled red asphalt shingles.

First Section – TAMKO “Rustic Redwood”

Second Section – CertainTeed Tile Red Blend (replaced TAMKO Tile Red Blend 3/10)

Any Winterport roof that is redone must be replaced with the shingle color that is appropriate to that particular unit. If you are unsure, contact a Board member or RA before you begin the work.

### 5. Windows

*We should have some text here .... Original construction installed metal cased windows with two panes. The metal does not insulate as well as other materials. Eventually the glass seals leak creating ‘fogging’ of the glass and drafts*

### 6. Fences, Retaining Walls, and Other Similar Features

Fences, retaining walls, and other built features of the Cluster located on private property are regarded as the property of the homeowner, not of the Cluster. Fences and retaining walls in

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the common areas are regarded as Cluster property. Maintenance of the fences and retaining walls is the responsibility of the homeowner or Cluster depending on where it is located. In the event a fence or retaining wall falls on both private and Cluster property, maintenance of the item will be a joint responsibility.

Fences must be cedar or pressure-treated pine; if you are replacing individual boards, you must use the same type of board as you are replacing. The front fence must be in shadow-box style. The privacy fences in the back or sides of units must be a solid fence. If your unit was built with a privacy fence, you must continue to have such a fence. Fencing around a heat pump must be in shadow-box style and 4-feet high. Front fences are usually 6-feet high, but if the unit was built with a shorter fence, you may maintain the shorter height. You may not remove an existing fence without replacing it. If a unit did not have a rear privacy fence, you may add one.

### **7. Gutters, Downspouts, and Rain Barrels**

Gutters, Downspouts, and Rain barrels are used to manage rain and storm water runoff in environmentally responsible ways. Runoff must not cause drainage problems or detrimentally impact adjacent property, residence, or common property.

New gutters and downspouts are to be painted to match existing gutters and downspouts, painted to the color of the surface to which they are attached, or painted to match the existing house trim color.

One rain barrel per house is permitted.

### **8. Exterior Lights**

Front and rear decorative lighting has been selected in keeping with the architectural and aesthetic character of Winterport Cluster homes. In response to changing styles and availability of light fixtures over time, the WCA – working with the RA Design Review Board – approved additions to Cluster standards for front and rear decorative lights to include the following four light fixture options, available online to order at [www.lightinguniverse.com](http://www.lightinguniverse.com):

1. 9801 – Wall Sconce by The Great Outdoors, Item #2324277, finish: oil rubbed bronze, 9.5” high x 4” deep x 7.25” wide, single bulb.



2. 8886 – Wall Sconce by Besa Lighting, Item #2285690, rectangular opal glass, 8.5” high x 3.75” deep x 4.75” wide, single bulb.



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3. 1723 – Pinero Exterior Sconce by PLC Lighting, Item #4911162, finish: Architectural Bronze, 10” high x 4.25” deep x 8” wide, single bulb.



4. Z1844 – Mission 4-sided Outdoor Flush Mount by Craftmade Light & Sound, Item #3307295, finish: Burnished Copper, frosted glass, maximum height 10” x approx. 6” deep x approx. 6” wide, single bulb.



NOTE: The maximum height of any light fixture is 10”.

Previous approved outdoor lighting standards:

Seagull Model #8408-71  
[www.SeaGullLighting.com](http://www.SeaGullLighting.com)  
(800) 347-5483

Also available for order from Burgess Lighting, (703) 385-6660

Lightolier Model #6776 (Approved in 1995)  
Available by order from Dominion Electric, (703) 631-8300

Original standard was Presolite 420.

## 9. Landscaping – ‘Invasive Exotic Plants’

RA and WCA regulate the use of invasive exotic plants.

In May 2008, the RA Board of Directors adopted an exotic plant resolution that applies to all private and cluster property subject to the Reston deed (this includes WCA). The resolution prohibits the installation of eight commonly available landscape plants, known to have severe impacts on homeowner properties and Reston’s natural areas. The “Guidelines for the Care and Use of Reston Association Natural Areas” also prohibits the planting of any invasive exotic plant in Reston’s natural areas.

What is an “invasive exotic plant”?

Invasive exotic plants are non-native species that have been introduced intentionally or accidentally and spread from landscaped areas, gardens and yards into natural areas. Without the wildlife, parasites and disease that control their growth in their native ranges, these plants grow aggressively and overtake native vegetation. They aren’t “bad” plants, just plants out of place.

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The spread of invasive exotic plants *decreases* biodiversity and harms the wildlife that depend on native plants for food and shelter. Many invasive exotics overtake native shrubs and trees that are a signature of the Reston community. They are expensive for homeowners to remove and for Reston Association to control in natural areas.

Eight prohibited invasive exotics are:

- Flowering Pears
- Exotic Bamboos
- Winged Burning Bush
- Oriental Bittersweet
- Chinese and Japanese Wisteria
- Bush Honeysuckles
- Japanese Barberry
- English Ivy (see picture to right)



A “Recommended Native Plants for Townhouse Gardens” document is available on the [WCA web site](#).

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### III. Winterport Cluster Neighborhood Regulations and Information

#### 1. Parking

These parking rules are first to ensure the safety and security of all residents; emergency and law enforcement vehicles must have a clear right-of-way at all times. Winter snow plows also need a right-of-way to ensure access for all emergency, law enforcement, and resident vehicles.

Each townhouse in Winterport has a reserved parking space for its exclusive use. Only the owner, resident, or someone to whom the owner or resident grants specific permission can park there. Please contact a WCA Board Member if you are unsure of your assigned space.

These parking rules also are to encourage consideration and neighborly behavior. Half of the Cluster's spaces are not reserved. Any resident or guest may use those. The need for the unreserved spaces is sometimes demanding, so all of us – especially those of us with more than two vehicles – must be very considerate.

If you have short-term parking needs due to extenuating circumstances that would violate these rules, please contact the Cluster Board of Directors.

Winterport Cluster parking rules:

1. Park only in the spaces marked by the white lines on the curb.
  - a. You may not park by a yellow curb or on grassy areas. The yellow curbs designate fire lanes and must be kept clear for everyone's safety. (You can be ticketed and/or towed for parking in a fire lane)
  - b. Vehicles must always be within the space markers. They may not straddle them.
  - c. Please park in your reserved space first. The Cluster only has enough parking to allow each townhouse two spaces. Please be considerate; every extra parking space you occupy is a parking space that you take from your neighbor.
  - d. Your parked vehicle cannot block sidewalk traffic; that is, you may not overhang more than one third of the width of the sidewalk.



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2. Vehicles that are parked must be for owners', residents', and their short-term guests' transportation and in good operating condition.
    - a. You may not invite people from outside the Cluster to leave their vehicles in your care. Winterport needs all of its spaces for its own vehicles. There is ample parking on Upper Lake Drive.
    - b. You may not park oversized vehicles, boats, trailers, recreational vehicles, or vehicles for hire anywhere in the Cluster. Light commercial vehicles may park only if they are within the size limits and not more than one per unit.
    - c. Any vehicle parked in the Cluster must bear valid and current license plates and inspection stickers.
    - d. Parking spaces are for parking vehicles only. You may not use your reserved space for any other purpose (e.g., as a storage area).
    - e. You may not use the Cluster's parking lots, including your own reserved space, to carry out major auto repairs. (The Cluster's policy is the same as the County's.)
    - f. You may not park inoperative vehicles or those leaking oil or other fluids anywhere in the Cluster.
  3. You are the first to ensure the rules are followed.
    - a. You are responsible for keeping your vehicle and those of your visitors and guests out of parking spaces assigned to others. If you have a party or a lot of company, ask your guests to park on Upper Lake Drive. There is ample parking there.
    - b. If others park in your reserved space without specific authorization, it is your responsibility to ask them to move.
    - c. If there are chronic and willful violators, please contact some one on the WCA Board.
  4. The WCA Board of Directors has authority and ability to enforce parking rules; this enforcement may be costly to vehicle owners.
    - a. All parking violators have an opportunity to receive warnings and have policies clarified.
    - b. Consistent with several Fairfax County Codes, Fairfax County Police have been granted permission to patrol Winterport property and enforce State or County motor vehicle, licensing, and parking violations.
    - c. The Board of Directors authorizes a point of contact for the Neighborhood Watch committee to contact Fairfax County Police and to order a tow truck.
    - d. In cases of willful or chronic violations, the Board can and will take action. Fairfax County law enforcement may be contacted; enforcement may include fines. If towing is ordered, the vehicle owner is responsible for all towing and storage charges.

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## 2. Yards and Sidewalks

Each resident, whether owner or tenant, is responsible for maintaining the yard in front of the unit from the fence out to the sidewalk and from the edge of the unit to Cluster property. Homeowner's site plans/plats indicate property lines. Although some of the area may be on common ground, it is impossible for the lawn contractor maintaining the common areas to distinguish it from private property because of the complicated layout. The contractor will edge the grass along the sidewalk but will not cut the grass.

Residents are responsible for mowing the grass in both their front and back yards. Uncut grass not only makes the grass look unkempt but also may negatively affect the property values. High grass is also a breeding place for insects. Please take pride in your townhouse and Cluster by keeping your yard neat.

Please do not let the trees or shrubs in front of your house block the sidewalk; trim them.

If Cluster trees located on common ground are growing over your property and are causing problems with your siding or roof please contact a member of the Board or the Landscape Committee chair. Do not take action on your own.

To protect the roots of your trees and shrubs from freezing in the winter the Landscape Committee recommends mulching to a depth of about 2-3 inches. Shredded hardwood mulch is most effective and creates an attractive appearance. Soil samples submitted for testing show the soil in Winterport is highly acidic which can be neutralized by liming the soil especially under pine trees. Plant spikes are good for fertilizing trees and shrubs.

**In winter, it is the responsibility of each owner/resident to clear snow and ice from the sidewalks in front of his/her unit.**

## 3. Common Areas

The Cluster's common ground consists of the perimeter area, central spaces, parking areas, roads, paths, sidewalks, open/wooded spaces, tot lot, lights, electrical cable for lights, dock, and other commonly held facilities. Maintenance and improvement of the common area are the responsibility of the Board and its Landscape and Grounds Committee (LGC).

The LGC is responsible for all plantings in the cluster common areas, including removing dead trees and shrubs. The LGC annually negotiates a maintenance contract that includes seasonal weekly grass mowing, edging, seeding, fertilizing, weed control, mulching, pruning, liming, insecticide application, aeration, annual plant installation, and leaf removal. The committee also negotiates a snowplow/sanding contract for the Cluster.

If you have plants that you want to get rid of, please contact the LGC and ask if they are interested in them for the common areas. They will decide whether the plants would work and, if so, where. The LGC is familiar with RA rules (RA disapproves of some plants) and with the committee's plans. LGC is also aware of which plants may need more water than is easily

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provided in some locations and which plants may have unfortunate characteristics, such as spreading uncontrollably. Do not simply move plants to the common area.

The common area belongs to all of us and should be treated with respect. This land shall not be used for private use or personal storage. Items that are not allowed include, but are not limited to

- Private plantings or gardens
- Long-term ‘forts’
- Created social or play areas with lighting, pavers, or bricks
- Outdoor equipment, boats/canoes, tools, and garbage
- Grass clippings, landscape debris
- Bird feeders or houses
- Excavation materials
- Flag poles, flags, banners

Because Winterport’s storm drains empty into Lake Thoreau, Difficult Run, and eventually the Chesapeake Bay, no polluting/caustic substances such as oil, antifreeze, petroleum-based cleaning or automotive fluids, fertilizer, or any of the substances mentioned in the above section #16 should be placed in WCA’s street drains. Since cars leaking oil or gasoline cause costly damage and premature deterioration of asphalt, residents are asked to have such auto problems repaired promptly. Under no circumstances should roadways or sidewalks be painted, soaped, or marked with a magic marker. Parents are expected to instruct their children about these rules and to enforce them.

One real estate sign may be posted on common ground in front of your property and should conform to both Fairfax County and RA standards. Two open house signs may be posted on Saturdays and Sundays only. The Board must authorize permanent signs posted on common ground.

#### **4. Cluster Clean-Up**

The LGC may schedule a Cluster cleanup each Spring and Fall. On these days many Cluster residents volunteer to plant new trees and shrubs, spread mulch, clean streets, remove trash, clear woods and streams, and carry out other maintenance and improvement projects needed in the common areas. This work is in addition to contracted landscape maintenance and is necessary to maintain and improve Winterport so that it will be an attractive place to live. If residents do not participate in these cleanups the alternative is an expensive maintenance contract which will require higher Cluster dues or a special assessment. If everyone helps no one will be overburdened.

#### **5. Youth Play Areas**

Winterport Cluster maintains a tot lot for residents and guests. The Reston Association maintains a large play meadow located between Winterport and Boston Ridge properties along Sunrise Valley Drive. Parking lots and streets can be dangerous for children.

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For their own safety, children are not allowed to play on the Cluster’s dock without adult supervision. RA prohibits swimming in or skating on Reston lakes, including Lake Thoreau. To protect children from tragic accidents, residents are expected to enforce these rules and are responsible for their children and any guests.

## 6. ‘Debris’

*Summary about what ‘debris’ is and what to do about it ...  
Can not be visible from a neighbor’s home or yard ...*

## 7. Firewood

The following are the WCA regulations regarding the storage and maintenance of personal firewood by owners and residents:

- Per both RA and WCA regulations, cutting down or trimming trees that are in the common areas or other natural areas is strictly prohibited.
- Per both RA and WCA regulations, all firewood needs to be split wood in usable fireplace or woodstove condition and neatly stacked. Tree rounds, oversized logs, and/or rotten wood are considered refuse and debris and are strictly prohibited. Rotten wood needs to be disposed of at the County transfer station (a.k.a. “the dump”); the trash company will not take it.

Note: RA and the WCA consider wood with fungus as wood that is NOT ‘burnable’ and classifies it as “debris”. Debris is an RA and WCA violation and must be removed from the homeowner’s or WCA Common Ground property. Homeowners or residents who fail to remove debris may be fined or charged a fee if the WCA must remove the debris.

- Owners and residents who store wood on their property or on WCA common ground implicitly agree to:
  - Abide by the firewood stacking and storage policies of the RA and WCA
  - Assume responsibility for the care and maintenance of the firewood stack
  - **Assume financial responsibility for any disposal and clean-up costs**
- Firewood must be neatly stacked using a rack (metal or wood set crossways to the stack) to elevate the wood at least 6” off the homeowner’s deck or ground. Similarly, if stacking the wood against your house or fence, allow a minimum of 6” between the wood and fence or wall. This will allow air to circulate around the wood to prevent moisture and insect build-up between the firewood and the deck, fence, or walls, and help prevent creating a nesting place for small animals and snakes.
- Firewood may also be stacked on WCA common ground property directly behind the homeowner’s property. To store firewood on common ground property, the resident

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must first meet with the WCA Covenants Chair (or their designee) to discuss appropriate location of the firewood and must then sign the Firewood Storage Permission Form. In addition to the implicit agreement above, the resident agrees with this form to:

- Accept that firewood storage on WCA property is a privilege that can be revoked
  - Store firewood at a location designated by the WCA Covenants Chair (or their designee).
- Per RA Regulations, if you cover your wood, you must use a dark brown tarp which blends in with the natural surroundings. Blue or green tarps, camouflage tarps, light brown/tan tarps, or tarps of any other color are strictly prohibited by RA and the Cluster Regulations.

**Sizing Considerations:**

- You may not store more than ½ cord of firewood at any one given time on your or the Cluster’s property. One of a full cord measures 2’ deep x 4’ high x 8’ long (64 cubic feet). This amount typically fills the bed of one medium- sized pick-up truck level with the sides of the bed. (Note: A ½ cord usually has pieces of wood that are approximately 12” in length for convenience of measuring).



½ cord



**Safe Disposal of Ashes**

Dispose of all hot ashes in a safe manner. After 24 hours have passed, all leftover hot ash material must be thoroughly dampened, cooled, and stored in a metal can that is used solely for ash storage. Ashes that are even two or three days old may appear to be safe, but can still retain enough heat to cause an unwanted fire. Do not discard hot ashes in a compost pile, paper bag, cardboard box, or anything that is combustible. Also, be careful in handling partially burned wood. The wood may still be smoldering and cause a serious burn.

**It’s the Law !**

In accordance with Section 305.2 of the Fire Prevention Code, hot ashes, cinders, or smoldering coals shall not be deposited in any combustible receptacle and shall not be placed within 10 feet of other combustible material including combustible walls and partitions or within 2 feet of openings to buildings.

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## 8. Fire Pits

The Fairfax County Fire Marshall strongly discourages the practice of using these devices on, under, or within 15 feet of combustible decks and balconies attached to townhouses, duplexes, and single-family dwellings. When these devices are ignited and operated in these locations – contrary to the Fire marshal – the use of non-combustible protective insulating material such as patio blocks/pavers or a hearth pad is important to protect the surface of the deck or floor area from radiant heat and stray embers, provided the manufacturer does not specifically prohibit the use of a particular device in these locations. This recommendation is made in an effort to prevent the occurrence of unwanted fire spread into dwellings from the use of these devices.

## 9. Trash Collection and Recycling

WCA contracts with American Disposal Service for trash collection twice each week – **Tuesday and Friday mornings** and recycling **Friday mornings**. The only exceptions are only if Christmas or New Year's Day is a Tuesday or Friday; then there will be no pickup. The Cluster dues paid by each unit owner cover the cost of trash removal and recycling.

Trash Collection services include:

1. Pick up of all trash properly secured in tied plastic bags and in standard covered trash cans and placed at the curb by 6 am. Please do not use paper bags or open boxes for your trash and do not set it out earlier than the night before pickup.
2. Removal of up to six bags or bundles of yard debris per unit per pickup day if properly placed at the curb.
3. Pick up of hedge and tree trimmings if cut to 4 foot lengths, tied in bundles, and placed at the curb.
4. Pick up of furniture and other large nonmetal items placed at the curb on Fridays at no extra charge can be made with an **advance** phone call to **American Disposal Service** at **(703) 368-0500** and a request made for large items.
5. Pick up of large metal items, such as appliances, from the curb – again, with an advance phone call. There is a separate charge billed to the resident for this service.
6. Removal of the debris resulting from broken trash bags

For acceptable disposal of paint and stain cans, leave the can outside until all liquid evaporates. Once the can dries out completely you can include it in your regular trash.

### **Recycling: Friday**

Under Fairfax County's recycling procedures, residents are asked to put their newspapers into brown paper bags or to tie them into bundles and place them at the curb. Glass jars, plastic containers (#1,2, or 3), metal and aluminum cans, and cardboard including packing boxes (no take-out or pizza boxes) should be placed in supplied plastic bins or in recyclable receptacles each Friday.

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**\*Hazardous Waste Notification\***

**There are some items that cannot be disposed of with your regular trash:**

Hazardous/unacceptable materials include acids, caustics, pool chemicals, ammunition, explosives, poisons, herbicides, pesticides, dead animals, rocks, dirt, stones, bricks, manure, batteries, fluorescent bulbs, remodeling or construction waste, paints and stains or any other liquids including paint thinner, charcoal lighter, paint stripper and any other flammable liquid. These items require special handling and cannot be taken into the landfill.

Fairfax County residents can take their hazardous waste to the I-66 transfer station or the I-95 landfill in Lorton, VA. The schedule of operation and other information is posted on the Fairfax County website ([www.FairfaxCounty.gov](http://www.FairfaxCounty.gov)) or you can call the hazardous waste hotline: 703-324-5068.

## **10. Pets**

Fairfax's County ordinance requires that a responsible person must restrain any dog on private property on a leash. The Fairfax County Animal Warden is empowered to impound and transport loose dogs [and cats?] to the Animal Shelter where they are kept for a minimum of five days before being put up for adoption or euthanized. An impounded pet can be retrieved by its owner upon presentation of proof of a license and rabies certificate and payment of a fine and daily boarding fee. Other legal action may be taken against the pet's owner as well. An amendment to the WCA bylaws authorizes the County Animal Warden to enforce the Fairfax County leash laws on Winterport's common grounds.

All dogs more than six months old in Fairfax County must be licensed and inoculated against rabies. Fairfax County also requires that all cats be vaccinated for rabies. Children should be cautioned against playing with wild animals such as squirrels, skunks, opossums, raccoons, etc.

**A Cluster dog run is designated on the outer perimeter of Winterport along Upper Lake Drive. Dog owners must pick up and properly dispose of their pet's droppings. When walking your dog please keep it away from private homes, children's play areas, and pathways.**

Three 'Fido House' dog waste disposal bag stands are installed in Winterport Cluster. One is located near the tot lot, one is in the woods near the mailbox stand closest to 1900 and the last is in the buffer zone on Upper lake Drive behind 1951. Dog waste bags should be disposed of in your own trash or in public trash cans provided by RA.

... continued next page ...

**Fairfax County Ordinance**  
**Section 41.1-2-6. Animals causing unsanitary conditions.**

It shall be unlawful for the owner of any animal or animals to keep such animal or animals in such a manner as to cause unsanitary conditions. The owner or custodian of any dog shall be responsible for the removal of excreta deposited by such dog on the property of another, including public places. The offense is punishable by a fine of \$250.00.

For reporting stray or strangely behaving animals, call the County Animal Control at (703) 830-3311 or Fire/Police at (703) 691-2131 after hours.

### **11. Boats and Dock Use**

The Winterport dock is located next to the RA Lake Thoreau swimming pool. The dock located further down Upper Lakes Drive should not be used by Winterport residents. Resident boat owners are asked to contact the Cluster's Dock Master so that a current list can be maintained to prevent unauthorized use of the Winterport dock. Winterport boat stickers are \$10 and are available from the Dock Master. Boats with no Winterport Cluster dock sticker will be removed. All docked boats should be secured with a strong lock. Boats must be removed from the Lake after each use. The dock may not be used as a storage or anchorage area. Do not trespass on other peoples' boats. Children are not allowed to play on any boat or on the dock. If you or your guests use the dock, please clean up all the litter.

Because the dock is so close to the swimming pool, it is often mistaken for an RA facility. Our dock and the strip of land connecting it to the street are Winterport property and only Cluster residents or their guests may use it. If you observe vandalism at our dock, call the police. Also, report any damage to the Dock Master.

Boats and trailers cannot be parked at Winterport. RA maintains a storage facility for these vehicles.

### **12. General Security**

Immediately notify the police of any suspicious individuals or activities in the Cluster. Call 911 for emergencies. If break-ins, thefts, or vandalism occur be sure the Cluster Officers are notified. Brochures on security for domestic dwellings are distributed by Fairfax County police and are available from the Reston substation upon request. They will instruct and advise you on the security of your home.

For security purposes, we suggest that you keep the light at the entrance of your unit on all night. It is also advisable to keep a light on behind your unit at night. It is recommended that security pins be installed on sliding glass doors and windows should be securely locked and bolted. Notify a neighbor when you are going on a vacation or business trip so he or she can watch your house for any suspicious activity. Also, arrange to have your newspapers and mail picked up. Store ladders inside your unit or locked securely to your unit outside. Ladders stored outside are an invitation to burglars not only to your home but to your neighbors' homes.

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## IV. Maintenance Suggestions and Helpful Hints

The construction and age of Winterport townhomes makes it necessary to provide sometimes unique maintenance issues and approaches. Over the years, several Winterport Cluster residents have made suggestions ...

### 1. Heat Pumps and Air Conditioning Systems

At least every other year a qualified mechanic should inspect your heat pump. In the meantime, for most efficient use, the two major components of the heat pump type central heating and air conditioning systems require periodic owner maintenance.

**Outside condensing unit:** Keep all leaves and debris away from the unit, especially from under or around it. A partially clogged condensing coil will decrease the system's efficiency and increase electric bills. To prevent freezing in winter, clear away ice and snow. No screening is required to minimize the view of the condensing unit. Any screening added by the homeowner requires Reston Association (RA) Design Review Board (DRB) approval.

**Inside air distribution unit:** Wash or replace the air filter every month. Some units have a washable type filter (a metal frame with a sponge-like filtering element). New filters may be purchased at a hardware store. Write the date of cleaning or replacing on the unit so you will know when to do it again.

**Note: If you have an Aprilair Humidifier, in the summer be sure to close the air bypass damper (model 224 only), shut off the water supply (model 110 and 224), and turn the humidistat to OFF.**

### 2. Water Heaters

Approximately every four months, about five gallons of water should be drained from the bottom of your water heater to clear out accumulated sediments. Water heater manufacturers set the temperature to 140 degrees F. Unless this high temperature is needed for special use, a lower temperature of 120 degrees F will yield about 15% savings in electrical consumption for the water heater and provide greater safety for users of hot water in your home. Consult the owner's manual instruction for adjusting thermostats and draining water heaters.

### 3. Outside Water Lines and Spigots

Water lines to outside faucets should be shut off and drained in the winter to prevent freezing and bursting of water lines. Turn off the shut-off valve inside your unit and then open the outside water faucets and freeze rings. Failure to drain water lines properly has caused costly damage to several townhouses. Most homeowner insurance policies do not reimburse for this damage.

The main **outside** shut-off valve for water to your townhouse is usually located in the sidewalk or lawn directly in front of your townhouse and has a round cast metal cover with a

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hold-down bolt. Keep this valve clear of snow and ice because access to it is important in case of a major water line break. The main **inside** shut-off valve to your townhouse if it is a 3-level is usually located in your basement toward the front of your unit.

#### **4. Gutters and Downspouts**

Roof gutters should be cleaned every season, especially in the spring and fall-more often if you have trees close to your home. Screens or gutter “helmets” may be installed to prevent leaf accumulation which can cause water damage due to overflow from the gutters. Drain pipes from gutter downspouts should be situated so that runoff does not cause an erosion problem or empty directly onto sidewalks, where runoff can cause icing problems in winter. Check the DRB standards for gutters and downspouts before replacing them or adding screens.

#### **5. Chimneys and Fireplaces**

Periodic inspection of chimneys and fireplaces is essential to prevent fire hazards. Under normal use have them inspected every two years. Heavy use warrants annual inspection. The wood siding around chimneys can dry out, crack, and in some cases fall off. Loose siding on the roof presents a hazard. The siding around the chimney should be checked annually and repaired as required.

Fireplaces installed in the first (south) section of Winterport are Superior Zero Clearance Fireplaces which are open. Do not install a glass door on these fireplaces. The manufacturer warns that glass doors may alter or block the cooling air passages that keep the fireplace at a safe temperature level. If these passages are blocked or altered incorrectly, the result could be a fire hazard. This notice acts as a warning for insurance purposes. Fireplaces installed in the second (north) section of Winterport are also manufactured by Superior (model B1238) but have glass doors. The address given was 4325 Artesia Ave., Fullerton, CA 92633. Replacement doors may be obtained from fireplace equipment stores in the area, specifically in Falls Church. Installation can be a DIY project.

Never start a fire in the fireplace until the damper is open. Before building a fire, light a newspaper to check if the fireplace is drawing properly. When the fireplace is not in use, keep the damper closed. Burn only firewood or manufactured fire logs in fireplaces. Burning cardboard, paper, or other materials can cause creosote build-up and sparks on the roof and create a fire hazard.

#### **6. Fire Prevention**

The original smoke detectors installed in Winterport units are part of your regular electrical system and will deactivate during a power outage or electrical fire. It is recommended that a supplementary battery-operated smoke detector be installed in strategic locations, such as a halls or stairwells, for backup protection. To prevent malfunctions due to dust accumulation, the original smoke detector should be cleaned annually by removing the cover and gently vacuuming the interior. For added protection, each townhouse should have a 5lb ABC type fire extinguisher stored in a readily available place.

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## **V. Other Resources and Reference Information**

### **1. Insurance**

Each owner and resident is responsible for insuring his or her own real and personal property. The disclosure packet states what insurance is the responsibility of each individual home/lot owner.

The Cluster carries liability insurance on the common property, and also has an officers-and-directors policy. This policy is held by State Farm Insurance Companies.

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