

Handbook
The Green Association
Revised May 2019

The Handbook is provided to the Unit Owners of The Green Association to address frequent questions and to enhance community life at The Green. In the event that there exists a conflict between any information or provision contained within this Handbook and the Governing Documents described herein, the terms, conditions, or provision contained within the Governing Documents and applicable law shall prevail.

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Governing Documents

- 1) The Green Condominium Master Deed (Paragraphs 4 and 5 and I4 thereof), May 27, 1971 as amended;
- 2) The By-Laws of The Green Condominium Project (Article III thereof), December 22, 1971, as amended, as an extension of the Master Deed;
- 3) Applicable laws of the Commonwealth of Virginia, which includes the 1974 Condominium Act of Virginia (title 55, Chapter 4.2), as amended; and
- 4) The Virginia Horizontal Property Act of 1962.

The Green complex consists of 8.37 acres on which are twelve residential buildings, each comprised of two units, resulting in twenty-four (24) condominium units. By definition, all of the underlying land is classified as being common element and therefore is owned equally by all unit Owners, who, as The Green Association, likewise share equally in the associated expenses and assessments thereto.

The Green Association is responsible for the protection, maintenance, and proper use of the common elements for the benefit of all Owners. The common elements include land and its improvements such as roads and utility lines, vegetation, shoreline rip-rap and other shoreline protection.

The governing body of the Association is the Board of Directors (“Board”), elected by the Association.

The Board of Directors is committed to—

Make decisions and take action to:

- Maintain and improve the infrastructure owned by the Association
- Facilitate owner efforts to maintain and improve their homes
- Improve the quality of life in The Green to the benefit of all Owners

This handbook sets forth responsibilities, and matters of common interest, of all unit Owners, hereinafter ‘Owners’.

Responsibilities of the Association

Infrastructure:

- Maintenance of paved roads within The Green complex and the Association's pro rata share of the access road (Golf Course Drive from St. Andrews Lane to the driveway of Building #1.)
- Maintenance and repair of the two dependencies that house the wastewater transfer pumps.
- Sewer lines and appurtenances to the point the line enters the unit foundation. [From this point and throughout the unit, responsibility for proper operation, repairs and maintenance lies with the individual owner.]
- Wastewater transfer system including all transfer pumping equipment and associated electronic supply and control equipment. Wastewater is treated by The Tides North Waste Water Treatment Plant located on Water View Point Lane.
- Water supply lines to the point the line enters the unit foundation. [From this point and throughout the unit, responsibility for proper operation, repairs and maintenance lies with the individual owner. Water is purchased by the Association from Aqua of Virginia who owns two community wells.]
- Storm Water Conveyances and Appurtenances: All structures, pipes and outfalls required to safely discharge concentrated storm water flows from the Common Area in accordance with County and State requirements.
- Street lights within The Green.

Services provided:

- Lawn care including mowing, fertilizing and seeding; weeding to include periodic control of weeds in driveways; mulching; pruning of shrubs; and removal of leaves and limbs from lawns and roadways.
- Removal of dead or failing, diseased or defective trees. Owners are

asked to immediately notify the President of the Association if they suspect a tree is dead, diseased or dangerous. Owners desiring removal of trees at their own expense, for any other reason must make written application to the BOD.

- Removal of snow from hard surface roads when accumulation is approximately five (5") inches.
- Weekly household trash removal. All household trash must be bagged. [Recyclables and all other trash may be taken to the free trash transfer station on White Pine Road operated by the County.]
- Provision of unit signage and the main signage of The Green.
- Maintenance and replacement of mailboxes.
- Provision of water and wastewater service.
- Provision of expanded basic television cable channels. An Owner desiring advanced cable services in addition to expanded basic service should contact the cable provider for video, audio and internet.

Responsibilities of Owners

- The maintenance, repair, removal and replacement of individual structures and improvements placed by the current or prior owner on the common elements are the responsibility of the current and successor unit owner.
- Structural damage to an individual unit caused by peril or any act of God is the unit owner's responsibility and generally covered under the unit owner's insurance policy. Therefore, it is expressly understood that the Association is not responsible for removal or repair of such damage to individual units.
- Timely payment of dues and assessments and compliance with the applicable provisions of the Master Deed, By-Laws and rules of regulations promulgated by the Board. The Board has the authority to take any and all of those actions permitted by Section 55-79.80:2 of the Code of Virginia or otherwise contained in the Virginia Condominium Act or of Common Law.

The owner must consult with the Board or seek Board approval in the following instances:

- Any exterior change or modification that is visible from outside the building, including paint colors and roof materials require prior approval by the BOD. Exhibit A is the request form to be submitted to the President of the Association. Roof replacement must be split cedar shakes on roof surfaces visible, in whole or in part, from a road maintained by the Association. Alternative materials used on the waterside require prior approval by the BOD.
- Any change in walks, driveways and underground drains requires prior approval. Any significant or substantial change in landscaping also requires prior approval. The Board recommends use of granite pavers when upgrading driveway borders. See Exhibit A for the request form.
- Owners should notify the Board if they wish to undertake specific aspects of lawn and shrub care adjacent to their unit in place of services provided by the Association.
- A public sale of furniture and other household goods in the event of the sale of a unit requires Board approval. The request for approval should include proposed date and scope of advertising. Items may not be displayed outside the unit and under no circumstances may the sale be augmented with furniture or other goods brought into the Green. Other types of sales including yard sales are not permitted.
- Creek banks are governed by applicable state and federal laws, including the Chesapeake Bay Act and Lancaster County ordinances. Removal of mature trees or killing or removal of undergrowth or other vegetation within 100 feet of the water is unlawful without County approval. Only with prior Board approval may tree limbs be trimmed by unit Owners to enhance water views. It is the owner's responsibility to request the Board to obtain approval from the County of Lancaster prior to alteration or removal of any vegetation from the creek banks. Violation of the County regulation is a Class 1 misdemeanor.

Owner responsibilities:

- Installation, repair and maintenance of gutters, downspouts and underground drains that convey water from roofs and unit foundations.
- Maintenance and replacement of crushed stone for unit driveways.

- Repair and maintenance of TV cables within the unit, beginning at the connection with the cable interface box inside the perimeter (foundation) of the unit.
- Dogs must be leashed at all times. Pet owners must pick up and properly dispose of all pet waste. Lancaster County requires an annual dog license.
- Owners are requested to provide the Association the name, relationship, address, phone number and email address of a contact to be notified in the event of an emergency.
- Owners are requested to provide the Association with a key for emergency entry to their unit. The keys will be used only in situations of perceived urgency or safety. Any entry by the Association will be by two BOD Owners or a Management Company employee accompanied by a Director. Owners will be notified as soon as may be feasible of the reason for and the results of the entry. Owners with alarm systems are requested to supply security codes.
- In the event of a power outage, Owners must suspend all water use and toilet flushing until power is restored because the Association does not have a backup generator to operate the wastewater pumps. You will be notified as soon as possible as to the expected duration of the power outage.
- An alarm on the outside of the pump house indicates the pumps are in jeopardy because the wastewater holding tank is full. Any person hearing the alarm should immediately notify any Director.
- Household trash should be bagged and placed in covered containers for collection. Branches and shrub clippings should be piled next to the tool shed. Note: the unit owner is responsible for the proper disposal of all trash and debris created by a contractor engaged by the owner.
- The current contract for trash collection does not include recycling. Items to be recycled may be taken to the nearby County site on White Pine Road, off Route 200.
- Owners are requested to maintain all plumbing fixtures and faucets in working order to prevent excessive water consumption, as well as damage to your home.
- The Association purchases water from Aqua of Virginia from a single meter. Excessive water use is extremely expensive and when returned to the sewer system, such as a faulty toilet or dripping faucet, causes needless wear on the Association's waste water pumps and an elevated electric bill. Further, when owners are not using their home for extended periods, the Association recommends that water be shut off to the unit. A leak or broken pipe could cause major damage to a home and the adjacent home. Ex: A small 1/4" hole in a pipe or washing machine hose results in nearly 12,000 gallons per day flooding into your home.

Prospective Sale or Lease of a Unit:

The Master Deed Book (pages 526-531) sets forth certain responsibilities of the unit owner and the Association.

The owner is responsible for the following:

- Notify the Association that a contract/lease has been signed (subject to approval by the Association) and provide information concerning the prospective purchaser /lessee as specified on page 11 of the Master Deed including a copy of the contract/lease and name and address of the agent and prospective purchaser/lessee.

The Association responsibilities include the following:

- Inform the Owner that the sale or lease has been approved or disapproved.
- Prepare a disclosure package for the purchaser
- Issue a Certificate of Approval

Guidelines for Docks **Revised April 2019**

The Board of Directors (“Board”) of the Association issued these guidelines pursuant to the Deeds of Easement and Agreements entered into with the Dock LLCs in January 2012.

Ownership and Operation

1. Four dock systems are located adjacent to The Green. Each dock is owned by a limited liability company (hereinafter referred to as a Dock LLC) that is composed of several Association members. Only Association members may own an interest in a Dock LLC.
2. Each member of a Dock LLC has a boat slip assigned to the member’s unit. In the event of sale of a unit, the seller’s membership interest in the Dock LLC is required to be transferred to the buyer. Evidence that the slip transfer has been completed shall be provided to the Association.
3. Any modification to a dock requires prior approval by the Board. The Dock LLC will bear all responsibility for obtaining necessary local, state and federal permits and all costs associated with design, permitting, construction and future maintenance.
4. Each Dock LLC will indemnify The Green Association and its members against any costs associated with the dock.
5. Each Dock LLC will indemnify The Green Association and its members against any liability resulting from property damage or personal injury incurred on the docks or in connection with boats and individuals using the dock.
6. Placement and design of decks and walkways located on the Common Area for access to docks require prior approval by the Board and shall be compliant with all local, state and federal requirements. The Board will fully consider the “reasonable privacy” of all Owners in the proposed location of said structures. Only the members of a Dock LLC and their guests may use the dock.

Prohibited Activities

1. Rental of a boat slip. However, rent-free use by another member of the Association is permitted. Also permitted is short-term use of a slip by the guest of a slip-holder for a period not to exceed 30 days.
2. Boat lifts
3. Operation of engines, air conditioners, and other noise generating devices when a boat is unattended.
4. Extension cords run from a unit to a dock to provide a permanent source of power. However, an extension cord may be used to supply temporary power during daylight hours for boat or dock maintenance. Such temporary cords are not to be left overnight on the dock or connected to the unit.

Installation of Electrical Service and Water

1. All electrical service and water lines to a dock require the granting of a utility easement by the Board.
2. Installation of electrical service shall comply with the National Electric Code, particularly Article 555, Marinas and Boatyards, which applies to docks associated with condominiums. All applicable permits shall be obtained from the Building Inspector of Lancaster County and copies shall be provided to the Board. A copy of the "Final Inspection" certificate issued by the County Inspector shall also be provided to the Board. Electrical service to a dock shall include a disconnect switch that is easily accessible and located on shore in close proximity to the dock entrance. Only an approved marine power cord shall be used to provide power to a boat.
3. Installation of light fixtures requires approval by the Board. Lights shall be downward deflected. All light equipment and fixtures are required to be suitable for a marine environment and to be compliant with all electrical codes.
4. All permanent water lines shall have shut offs and be winterized in advance of freezing temperatures.

Maintenance of the Common Area Shoreline & Resource Protection Area

Board Policy:

It is the policy of the Association to maintain the view of the Creek for the enjoyment of all owners through the proper management/propagation of native plants, shrubs and trees, both in and adjacent to the Resource Protection Area. The Association will take affirmative actions to fully conserve and protect the natural resources to control soil erosion and improve water quality.

The Board will develop and implement a multi-year comprehensive plan to achieve the stated goal. The annual budget will contain sufficient funds to implement said plan.

Any shrub or tree planting request considered by the Board, initiated by either Directors or an Owner, will assess the impact on the view of the Creek.

Implementation of Board Policy:

- Annually, prune native shrubs/trees to about 12" to ensure a vigorous/thickening vegetative growth [complete by July 1st]
- Remove any unwanted species, such as Black Locust and vines that are growing in trees and shrubs.
- Take actions to encourage native species
- Take actions to control non-native/invasive species
- Limit "limbing-up" to removing not more than 25% of the foliage
- Take actions to control soil erosion on banks that are void of vegetation
- Maintain Laurels to about chest height
- Remove dead trees along the shoreline to avoid major damage when an entire root wad is ripped out when a tree falls
- Remove Virginia Pines
- Encourage selective, volunteer, native hardwood saplings to replace the mature/failing trees

EMERGENCY PREPAREDNESS

Sudden emergencies caused by tropical storms, hurricanes, tornadoes and ice storms are not uncommon in Virginia. Because such storms have the potential to cause extensive property damage and serious bodily injury, owners should take steps in advance so that they will be prepared for emergency conditions.

The primary consequences of a storm are loss of electrical power, telephones, wind damage, and possibly personal injury. The loss of electricity means there will be no water or sewer service.

1. Keep informed of storm conditions by listening to local radio. Avoid going outside or allowing others to go outside during a storm.
2. Move or securely anchor outdoor objects such as furniture, barbecue grills, and bird feeders that may be blown by the wind and cause damage or injury.
3. Park vehicles away from hazards such as trees or power lines which may be blown down. **KEEP CLEAR ACCESS** to all units for emergency vehicles.
4. Take inventory of your personal residence and be sure your supplies of the following are adequate for at least six days:
 - prescription medicines;
 - supply of bottled water and in addition fill a tub with water for
 - canned or packaged foods which do not require cooking;
 - at least one battery powered radio and spare batteries;
 - operating flashlights and spare batteries;
 - first aid kit; and
 - supply of plastic trash bags, paper towels, paper plates, plastic utensils and hand sanitizers.
5. Portable phones will not work during a power outage but hardwired phones and cell phones may work.
6. In the event of power outage owners must suspend all water use and toilet flushing until power is restored. Any person hearing the alarm at the wastewater pump building should immediately notify any Director.

Exhibit A

The Green Association Request for Modification or Change to Unit Exterior Or to the Common Area May 2019

Modification or change to a unit's exterior or to a common element requires prior approval by the Board. Although the Board will make every effort to promptly act on a request, the approval process should be initiated by an owner well in advance of the anticipated date work is to begin.

Absent extraordinary circumstances, action on a request will usually only be considered at a regularly scheduled meeting of the Board. Therefore it is recommended that the form below be completed and delivered to the President of the Association a minimum of 45 days in advance of the anticipated date work is to begin. The Board reserves the right to table action on any request if the owner fails to fully complete this form and submit all requested and supporting information.

Owner's name & unit number: _____

Address: _____

Phone _____ Email: _____

Part A. Modification or Change to Unit Exterior

Type of Project: Painting___Roof___

Window/Door Replacement ___Other___

- For painting, specify paint colors and submit paint sample
- For roof, specify type of shingle and submit sample
Does the work involve the entire roof: Y or N
If no, specify the area where new roof will be installed

For other work, attach a detailed description, drawings and materials which fully describe the proposed change.

Part B. Modification or Change to Common Area

Description/Drawings: _____

Type of Project:

Landscaping___Tree___Patio___Other___[Describe]

- Does project require soil disturbance needing county permits? Y or N
- Does project require removal of mature trees or killing or removal of vegetation within 100 feet of the shoreline? Y or N

For all changes or modifications to Common Area attach a detailed description and drawings which fully describe the proposed change.

Part C. Who Will Perform the Work

Who will do the work? Owner _____ Contractor _____

If the work is to be performed by a contractor, provide the following information.

Name of Contractor: _____

Contractor address: _____

Contractor phone: _____

Contractor License #: _____

Email _____

Estimated date of completion: _____

Will heavy equipment and/or a dumpster be used? Y or N

If yes, what type of equipment? _____

Signature: _____ Date: _____

Part D. Acknowledgement of Owner's Future Responsibility

This section must be signed by owners requesting modification or change to the Common Area.

The undersigned owner(s) acknowledges that the maintenance, repair, removal and replacement of individual structures, improvements and landscaping placed by owner(s) on the common elements are the responsibility of the undersigned owner(s) and such responsibility will be conveyed on the sale of the unit. The undersigned owner(s) further acknowledges that any approval to change or modify a common area is not intended in any way to limit or affect the rights of the Association otherwise given by the governing documents nor does it give owner(s) any additional title or interest in the common elements.

Signature: _____ Date: _____

Signature: _____ Date: _____

**Expediting Your Request
for
Modification or Change to Unit Exterior or to the Common Area**

What do I include with “Exhibit A”?

- Plans or architectural drawings, with sizes/dimensions
- Samples of materials (type/color)
- Photos and samples of products with model #'s
- Paint color samples

Do I or my contractor need a building permit?

- We strongly suggest you consult with the Building Inspector, Lancaster County. The inspector will gladly advise you if the extent of your work will require a building permit. Substantive changes in structure, electrical, plumbing, HVAC typically requires a building permit, as does homeowner's insurance policy
- Any modification or change to the Common Area will likely require a building permit and in some cases a zoning permit

If a building permit is required, do I need to provide the Association a copy of the Final Inspection from the Building Inspector?

- Yes

Do I need to use a licensed contractor?

- For liability purposes, the Association may require that any modification or change to the Common Area be conducted by a licensed contractor
- All work authorized by the County Building Inspector requires a licensed contractor, unless the authorized work is performed by the owner. All work authorized by the County Building Inspector requires a final inspection by the Inspector.