




*"Government is best that governs least."* – Thomas Jefferson  
Monticello Woods Policy Resolution # 2009 - 2

## **Monticello Woods Water Conservation Rules, Policy Resolution # 2009-2**

### **Water Conservation**

The memo attached (**Water Conservation Regulations for Residential Properties**) was required by the James City Service Authority as a condition for the Monticello Woods subdivision approval. Its terms apply to the homeowners association and all homeowners in Monticello Woods, and are hereby approved as the Water Conservation Rules of the Monticello Woods Homeowner's Association. Violations of the Water Conservation Rules of the Monticello Woods Homeowner's Association may result in action by local authorities as well as fines as may be assessed upon a homeowner by the Board of Directors of an amount not to exceed \$1/day for up to 90 days.

Approved by the Board of Directors:

  
\_\_\_\_\_  
8/26/09

More information about the James City water conservation program is available at:  
<http://www.bewatersmart.org/>

Recommended trees, shrubs, and plants:  
<http://www.bewatersmart.org/resources/plants/plants.html>

**Water Conservation Regulations for  
Residential Properties  
Monticello Woods**

These water conservation regulations are adopted by Powhatan Crossing, Inc., an Virginia Corporation for the Monticello Woods development, after approval by the James City Service Authority (JCSA) under the requirements of Article 13 of the Amended and Restated Hidden Property Proffers, dated July 8, 2003, of record in the Office of the Clerk of the Circuit Court for the City of Williamsburg and County of James City as Instrument Number 030021212, as such Proffers may be amended from time to time. Use of any lot within the Monticello Woods development for residential purposes, record of which occurs on or after the date of this agreement, shall be at all times subject to the following rules, as they may be amended from time to time.

1. Irrigation Systems.

- (a) No irrigation wells for residential lots shall be allowed.
- (b) Irrigation systems for common areas shall be limited to the turf and landscaped areas at the main entrance(s) of the development.
- (c) Water for common area irrigation shall come from surface water and/or stormwater retention facilities on the property.
- (d) If it is not feasible for irrigation water for the common areas to come from stormwater facilities, an irrigation well may be allowed. Only wells withdrawing water from either the Aquia Aquifer or Potomac Aquifers shall be allowed.
- (e) Common area irrigation systems must include a rain sensor installed at the time of installation.
- (f) Pre-existing vegetation should not be irrigated.
- (g) Automatic overhead irrigation systems shall be allowed for turf only. Only pressure regulated heads with rain sensors shall be allowed to irrigate this turf.
- (h) Installed automatic drip irrigation systems for landscaped beds and turf shall be allowed.
- (i) An odd/even watering schedule shall be implemented allowing individual homeowners to irrigate on alternate days (odd address numbers may irrigate on Wednesday, Friday and Sunday (WFSu), and even address numbers may irrigate on Tuesday, Thursday and Saturday (TThSa).

2. Landscaping:

- (a) All foundation plantings, whether on single-family lots, town home lots or common areas, shall be native, drought tolerant and/or site appropriate. Foundation plantings may be selected from the JCSA approved plant list. (Exhibit A)
- (b) The Monticello Woods Architectural Review Board (ARB) must approve additional foundation landscape plans for each single-family property.

3. Water Fixtures and Appliances:

- (a) Builder shall offer energy efficient rated appliances as builder-installed options.

4. Water Efficient Landscaping for Residential Property:

- (a) No more than thirty percent of a single-family lot area should be allowed turf irrigation.
- (b) Wherever possible, existing trees and vegetation should be retained.
- (c) Trees located in turf areas should be mulched.

5. Changes and Amendments:

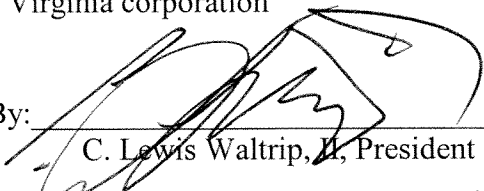
- (a) The HOA reserves the right to amend or change Water Conservation Rules from time to time with or without notice; provided however, JCSA must approve any change.
- (b) Written notice of any changes shall be sent to all members of the HOA within ten (10) days of adoption and approval.

6. Enforcement:

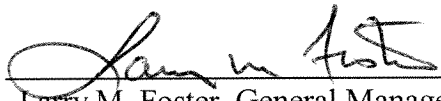
- (a) Water conservation rules of the Home Owners' Association shall be fully enforceable by the Board of Directors as provided for in the Association By-Laws. The HOA shall also provide a staff member (Covenants Administrator) that shall perform annual inspections to assure compliance.
- (b) From time to time JCSA and James City County may adopt generally applicable water conservation rules. The HOA shall incorporate those rules and regulations and the rules shall be fully enforceable by the HOA as well as the JCSA and the County.

WITNESS the following signature and seal:

**POWHATAN CROSSING, INC.**  
a Virginia corporation

By:   
C. Lewis Waltrip, II, President  
PRESIDENT                      12/17/03  
Title    Date

Approved:

  
Larry M. Foster, General Manager  
James City Service Authority                      12/18/03  
Date