

Charter Oak Cluster



Information Handbook

Charter Oak Cluster Association

Information Handbook

Contents

1. Charter Oak Cluster: An Introduction	2
2. The Cluster Association: Purpose, Authority, and Membership	3
3. Directors, Officers, and Committees	3
4. Association Meetings and Board Meetings	6
5. Finances	6
6. Insurance	7
7. Common Ground	8
8. Services and Facilities	9
9. Member and Resident Responsibilities	10
10. Vehicles and Parking	11
11. Pets	12

Prepared for homeowners and residents by the

Charter Oak Cluster Association Board of Directors

Email: board.charteroakcluster@gmail.com

Website: www.charteroakcluster.org

Cover Illustration: Mary Wells

Updated: March 2026

1. Charter Oak Cluster: An Introduction

Charter Oak is a Reston community of 48 townhouses situated amid six acres of common ground. The Cluster is named for a large oak (felled in 1988 by wind and age) that once stood at the southern end of the property and under which, according to legend, Lord Fairfax held meetings prior to the Revolutionary War.

Homes in the Cluster consist of three different three-bedroom models and a five-bedroom end-unit model, built in the late 1960s. Most of the landscaping and tot lot were added later by industrious residents.

Life in a townhouse cluster differs in many respects from living in a single-family home or an apartment in a condominium complex. Cooperation, understanding, and sensitivity to the needs and rights of neighbors are essential. In addition, all must share the challenge and burden of managing, maintaining, and improving those facilities we own, use, and enjoy in common. This booklet describes the Cluster Association and the procedures that have been established to assist in making Charter Oak a pleasant place to live.

2. The Cluster Association: Purpose, Authority, and Membership

The Charter Oak Cluster Association, Inc. ("the Association"), was incorporated in June, 1969, as a non-stock, nonprofit corporation under the Code of Virginia. It was formed for the purpose of owning, maintaining, and improving six acres of Reston common areas for use by Cluster property owners, their families, guests, and tenants. The common areas consist of streets, parking spaces, walkways, open grassy spaces, and a tot lot. The Association is also authorized to enforce covenants, restrictions, easements, etc., pertaining to this commonly owned land. To carry out these functions, the Association has the authority, under the Reston master deed, to levy and collect assessments and to appropriate and expend funds. The Association is governed according to its Articles of Incorporation and Bylaws. In addition, the Association is subject to Reston Association (RA) covenants, policies, and regulations, as well as County, State, and Federal laws.

The Reston Deed of Dedication provides that every homeowner in Charter Oak Cluster automatically becomes a member of the Association and the RA. On becoming a member, each property owner agrees to be responsible for compliance by himself or herself and his or her family, guests, and tenants with the provisions of the Deed of Dedication and the rules and regulations adopted by the Association.

Property owners are entitled to one vote for each townhouse unit owned. However, a property owner must reside in the Cluster in order to exercise his or her right to vote. While rental tenants may not be members, and neither tenants nor nonresident owners may vote on Association matters, they are encouraged to attend Association meetings, serve on committees, and participate in Cluster activities.

3. Directors, Officers, and Committees

The Association is managed by a Board of Directors consisting of five members elected by the Association membership. Board members serve three-year terms, staggered so that one or two new directors are elected each year at the annual meeting in March. Unexpected vacancies on the Board may be filled by a majority vote of the remaining directors for the unexpired portion of the term.

Officers of the Association are elected annually by the newly constituted Board of Directors. This election customarily occurs immediately following adjournment of the annual meeting. Officers include a president, vice president, secretary, treasurer, and maintenance coordinator. The president must be a member of the Board of Directors. While the remaining officers need not be members of the Board, they usually are.

The duties of the directors and officers of the Association are, in general, to manage the day-to-day affairs of the Association. These duties include management of the common ground owned by the Association, budget preparation, collection of assessments, and enforcement of the Association's rules and regulations. The Board and its officers do not become involved in matters concerning individual dwelling units or with problems of individual members of the Association unless they relate to the covenants and restrictions enforced under the Articles of Incorporation or the Bylaws.

A member of the Board of Directors or an officer also serves as the Association's resident agent and files State Corporation Commission forms. The State Corporation Commission of the Commonwealth of Virginia requires that each corporation doing business in Virginia have a registered agent to whom official communications are sent and on whom any legal process is served.

The general duties of the individual officers are as follows:

President

- Serves as chief executive officer of the corporation
- Presides over Board and Association meetings
- Appoints committee chairpersons
- Represents the Association at RA and other organization meetings
- Keeps the Association's old hard-copy documents (the Association now uses Google Drive to house all documents)

Vice President

- Acts in the capacity of the president when required
- Manages the cluster-wide standards with Reston Association
- Ensures standards documents are saved in Association's Google Drive

- Updates the State Corporation Commission (SCC) registered information
- Manages other special projects not normally delegated to the other officers

Treasurer

- Oversees financial management company to ensure they correctly execute the following:
 - Prepare and distribute quarterly assessment invoices to owners
 - Collect and deposit quarterly assessments
 - Assess late fees, send certified letters, and file and release liens regarding properties on which assessments are not paid when due
 - Pay and maintain records of Association bills
 - Maintain Association deposit accounts
 - Prepare monthly financial summary for Board meetings
- Prepares and presents semi-annual and annual financial reports
- Prepares draft of annual Association budget
- Files annual tax forms
- Ensures financial forms/documents are saved in Association's Google Drive

Secretary

- Drafts and distributes monthly Board meeting minutes to all Board members
- Prepares and distributes Annual and Semi-annual Association meeting minutes to all residents
- Ensures minutes are saved in Association's Google Drive
- Periodically updates Google Contacts with Association members' contact information
- Manages virtual meeting account (e.g. Zoom) and serves as host for virtual Board and Association meetings
- Drafts and distributes official correspondence generated by the Board (e.g. Cluster news emails to Association members)
- Maintains the Cluster website
- Notifies RA, Fairfax County, financial management company, and insurance carriers of newly elected officers

Maintenance Coordinator

- Plans and coordinates maintenance of Cluster property
- Negotiates and oversees implementation of all maintenance and service contracts entered into by the Association
- Ensures service contracts are saved in Association's Google Drive

Committees

The Association Bylaws authorize the formation of committees for the conduct of any Association activities.

The Maintenance Committee (standing) is responsible for assisting in planning for the development and maintenance of common grounds, assisting the Board in identifying potential contractors to carry out the necessary work, assisting in negotiation of contracts and monitoring the work of contractors, and planning and supervising periodic Cluster work weekends.

The *ad hoc* Finance Committee assists the Treasurer in preparation of the annual budget, sometimes audits Association financial records, and advises on the maintenance and use of reserve funds.

An *ad hoc* Nominating Committee is formed, when necessary, to prepare a list of nominees for Board vacancies.

Each committee must consist of at least one Board member and a minimum of two other members. Committee members are appointed by the Board; all Association members and Cluster residents are eligible and are encouraged to serve on committees.

4. Association Meetings and Board Meetings

The annual meeting of the Association is held each March for the purpose of electing new directors; approving the budget; allowing the Board to report to the membership regarding the Association's financial condition, completed maintenance activities, and planned maintenance activities; and conducting other Association business as necessary. A semi-annual meeting is held in September and is similar in content to the annual meeting, though no elections or budget approvals occur at this meeting. Special meetings may be called by the President, by the Board of Directors, or by a quorum of Association members (one-fifth of the voting members).

A quorum is required to conduct business at Association meetings, and cannot be achieved by proxy. For passage, resolutions require the approval of a majority of the eligible voters who are either present at the meeting or who have executed proxies. Any member who is eligible to vote may give another eligible voter a signed and dated proxy; no voter may exercise more than two proxies. Imposition of a special assessment and amendments to the Articles of Incorporation or By-Laws require the approval of an absolute majority of all eligible voters in the Association.

The Board meets as frequently as necessary, usually monthly, to conduct Association business. These meetings are open to any Association member who wishes to address the Board on a specific issue. No general announcement is made of Board meetings, but any member who wishes to attend may obtain details from a Board member. Minutes of these meetings are kept in the Association's Google Drive and are posted to the website by the Secretary, where any Association member can view them.

5. Finances

Budget

The Association's fiscal year begins April 1 and ends March 31. The budget is prepared by the Board, assisted by the Finance Committee. Input from the Association membership may be obtained by open budget meetings and/or written suggestions solicited through Association communication. The budget is presented for approval at the annual meeting in March. Each discretionary item, such as improvements to the common grounds, may be approved or disapproved separately. All other items of expense, such as routine maintenance, are considered approved upon submission to the membership.

Income

The Association receives income from property assessments, late-payment fees on assessments, and interest on deposit accounts. The amount of the assessment paid by each homeowner is based on the annual budget and is the same for each townhouse unit; it is determined annually but collected in quarterly installments.

Assessment invoices are distributed by the financial management company or the treasurer on the first day of April, July, October, and January, with payment due by the 15th day of that month, at which point a late fee equal to 10% of the amount due is assessed.

Failure to pay assessments and/or late fees can result in suspension of voting privileges, placement of a property lien on the townhouse unit, and the revocation of the right to pay the assessment in quarterly installments (referred to as account acceleration). Extended arrearages are subject to a continuing interest charge of 1.5% per month, and, if not satisfied within one year (resident owner) or six months (nonresident owner), will result in legal action to obtain payment and assessment of the Association's legal expenses against the delinquent property. Property owners should consult the Association's Assessment and Collection Procedures for further information.

To meet an unusual expense, a special assessment may be levied with the approval of a majority of the Association members.

Expenses

Expenses fall into two major categories: maintenance and administration. Maintenance expenses include lawn care (the largest annual expense), tree care, trash removal, snow removal, operation of gas lamps, and various miscellaneous maintenance items. Administrative expenses include taxes and fees paid to the Commonwealth of Virginia, insurance premiums, finance management company fee, other professional fees, and office expenses.

Each year, funds are budgeted and set aside in reserve accounts to cover future expenses such as major repairs to paved areas (the paving reserve), major repairs to the tot lot (the tot lot reserve), and extensive refurbishing of the Cluster sidewalks and common ground (the capital improvement reserves). A general reserve account is maintained to cover unanticipated or emergency expenditures.

The Association may have several deposit accounts: an interest-bearing checking account for routine administrative and maintenance expenses and a money market account and certificates of deposit for reserve funds. All accounts are fully insured by the Federal Deposit Insurance Corporation (FDIC). Checks may be signed by any Board member whose signature is on file at the banks holding these accounts.

Any contract entered into by the Association must be signed by two Board members, and must be approved by a majority of the Board.

6. Insurance

The Association carries comprehensive general liability coverage. The policy pays the costs of defending the Association and the cost of any judgment resulting from legal action against the Association which claims that negligence by the Association caused bodily injury, personal injury, or property damage. The policy pays for damages for which the Association may be held legally liable. It pays for incidents arising out of the Board's failure to do what a judge or jury would say a prudent person would have done. For example, if a dead tree, situated on Cluster common ground, fell and damaged someone's property, the Association would probably be held legally liable, as a prudent Board would have had the tree removed. The insurance would cover any resulting liability.

The policy provides coverage for errors and omissions by directors and officers of the Association. If, for example, a property owner sued the Board, alleging that some action taken (or not taken) by the Board caused a reduction in the value of his or her property, the policy would pay the legal expenses of defending against such an action, and the cost of any resulting judgment.

The policy provides coverage for employee dishonesty (embezzlement by a director or officer, for example).

The policy also provides coverage for medical payments, regardless of fault. If, for example, someone slipped and fell in the Cluster parking lot, sustaining minor injuries, the policy would pay that person's medical expenses, whether the Association was liable for the injury or not.

The current policy provides for \$1 million of general liability and directors and officers coverage per insured occurrence, with an aggregate limit of \$2 million, employee dishonesty coverage of \$50,000, and coverage for medical payments of \$5,000 per occurrence.

Finally, the current policy carries a rider providing for up to \$1,200 of coverage for the repair or replacement of Cluster signs made necessary by accident or vandalism, and an

endorsement providing for reimbursement of the expenses of removing tree debris following a storm.

Property owners are responsible for obtaining their own homeowner's policies to cover their townhouses and the land they own (i.e., not the Cluster common grounds) against hazards (fire, storm damage, etc.) and liability for incidents that arise on their own property.

7. Common Ground

The Cluster common ground consists of six acres. This includes paved parking areas, sidewalks, open grassy and wooded space, and the tot lot. Any property within the Cluster boundary that is not deeded to an individual property owner is common ground.

The sidewalk running between Charter Oak Apartments and North Shore Drive, in front of units 11721 through 11737 and 11775 through 11797, and bordering the tot lot, is an RA pathway. While the Association owns the common ground and is responsible for maintenance and improvements, it is limited in its ability to prevent access to it by the members of the general public. The Association qualifies for federal tax-exempt status only if the use of its common ground, including parking spaces and sidewalks, is extended to members of the general public.

To preserve the beauty of the Cluster and to ensure that all can enjoy use of the common ground, the following guidelines and restrictions have been established in addition to those contained in RA covenants:

- Vehicles are restricted to the paved roadways and parking areas.
- Privately-owned structures of any kind are prohibited.
- Storage of personal property (including trash cans) is restricted to individual yards, inside the fences.
- Trash may be placed on common ground while awaiting pickup, but no earlier than the evening prior to pickup.
- Residents may not plant or remove trees, bushes, or ground cover on the common ground without the approval of the Board.
- In general, no private use may be made of the common ground that would deny it to other members, create a nuisance to neighbors, or interfere with the Board's duty to maintain the common ground.

The Maintenance Committee usually schedules one work weekend each Spring and Fall, usually in April and October. At this time, residents perform general maintenance and upkeep projects. This volunteer effort helps the Association save thousands of dollars that would otherwise have to be spent annually for professional maintenance. Each household is urged to participate in these weekend work days.

8. Services and Facilities

Grounds Maintenance

The Association provides professional grounds maintenance to preserve and protect the natural beauty of the Cluster's common areas. The Board negotiates a contract with a commercial firm that mows the grass at appropriate intervals during the growing season and provides edging, seeding, fertilizing, weed control, bush pruning, and leaf removal.

Tree Maintenance

The Association provides professional tree maintenance to preserve the health and natural beauty of the Cluster's many trees. The Board negotiates a contract annually with a commercial firm that provides tree assessment, pruning, removal, and stump grinding.

Snow Removal

The Board negotiates a snow removal contract with a commercial firm for clearing the parking lot. Snow removal is limited to the paved areas used for driving, and does not include sidewalks. Residents are responsible for removing snow from sidewalks that border their property and their parking spots (the snow should not be shoveled into areas already cleared).

Lighting

Twenty-four gas lamps are permanent fixtures in the Cluster. Those located along the RA pathway (in front of units 11721 through 11737 and 11775 and 11797, and bordering the tot lot) are owned by the RA; the remainder are owned by the Association. Generally, the Association maintains all of the gas lamps, so lighting problems should be reported to the Cluster Maintenance Coordinator.

Residents are encouraged to turn on their front and rear lights to help light their properties and the common areas at night. Aiming and brightness should be respectful of other residents.

Trash, Recycling, and Yard Waste

The Association maintains a contract with a commercial disposal service for the removal of household trash, recyclables, and yard waste (seasonally). Trash should not be put out for pickup until **the evening before collection**. Bins should not be placed on grassy areas and **should be returned to the resident's rear yard on the day of collection**.

The commercial disposal service will seasonally pick up yard waste that is placed in paper yard waste bags or tied in small bundles. These should not contain dirt or stones and be light enough to carry easily.

Twice a year, immediately following the Cluster work weekend, a special pickup of small tree limbs, bush prunings, weeds, and other yard debris is sometimes scheduled; at such times, residents are free to add their own yard debris to the piles generated by the Cluster clean-up activities.

Fairfax County maintains a hazardous waste disposal facility to which items such as paint, insecticides, motor oil, gasoline, and household cleaners should be taken. Residents should contact the appropriate Fairfax County offices for further information.

Tot Lot, Little Library and Treehouse

The Association built and maintains a small tot lot, little library, and treehouse between units 11737 and 11775.

Tools

The Association owns a limited number of tools for use in maintaining the common ground. They are normally stored at the home of a Board or Maintenance Committee member.

9. Member and Resident Responsibilities

Each Association member and Cluster resident is responsible for maintaining the yard in front of the townhouse, as far as the sidewalk, and the back yard or enclosed patio, as far as the fence line. Rear fences can become unsightly hazards if fence posts weaken or entire sections sag or collapse. It is the property owner's responsibility to make any fence repairs. A fence that is on the line between two properties is the joint responsibility of both property owners.

Plans for exterior changes to townhouses must be submitted to the RA Design Review Board (DRB) for approval. To help property owners plan these exterior changes, RA publishes a design book and information on the application process. You can [view the Charter Oak Cluster Design Standards here](#).

If you plan to make an addition or change that may affect your immediate neighbors, discuss the idea with them to prevent any unnecessary or unpleasant disputes. All modifications and requests for change should have, as a courtesy, neighbor notification before submission to the DRB.

Structural additions, stain and paint color changes to doors, window trim or shutters, door replacements, roof replacements, and changes to patios, decks, and fences require DRB approval. Generally, minor landscaping changes do not require approval unless you are planting trees or shrubs that will eventually grow and cover a large area or block your neighbors' view, or if you are removing a tree.

There is an approved palette of stains and exterior paint colors for Charter Oak units. There is also an approved palette of roof shingles for Charter Oak units. The approved palettes can be viewed on the [Cluster's website](#), and should be consulted before any change to the color of the existing roof shingles is contemplated.

The RA also enforces a set of maintenance covenants. In general, these require the property owner to maintain the property in good condition. Items such as peeling paint, crumbling brickwork, sagging gutters, peeling roof shingles, broken windows, or an overgrown, weed-filled yard, if left uncorrected, can result in enforcement action by the RA.

The Cluster Association and its Board have no authority to take any action, either against or on behalf of a property owner, with regard to design or maintenance covenants; these areas are the sole province of the RA. If a property owner believes that his or her neighbor is in violation of these covenants and wishes to have action taken to correct the problem, he or she may file a complaint with the RA.

10. Vehicles and Parking

The speed limit in the neighborhood is 10 MPH. Please watch for our children.

The Cluster parking areas have been divided into ninety-eight parking spaces. The reserved parking plan assigns two spaces per unit, designated by the house number painted on the curb. There are two visitor spaces, available on a first-come, first-served basis. The visitor spaces are for short-term parking only.

Fairfax County ordinances prohibit the use of Cluster property, including assigned and unassigned parking spaces, to park or store unregistered, unlicensed, or inoperable vehicles. The definition of “unregistered” or “unlicensed” includes a vehicle with an expired or missing inspection sticker, county sticker, or state license plate. The definition of “inoperable” includes a vehicle on blocks, a vehicle with flat tires, or a vehicle that is otherwise visibly immovable under its own power. A vehicle in violation of this ordinance will, upon notice to the owner, be removed by the Association at the owner’s risk and expense.

Several areas in the Cluster have been designated as fire lanes by the Fairfax County Fire Department. This has been done to safeguard the lives and property of Cluster residents. Parking is strictly prohibited in these fire lanes, which are posted and marked by yellow curbing. Violators will be ticketed by Fairfax County Police, and vehicles may be subject to immediate towing and impoundment.

The Association is responsible for maintaining the Cluster driveways and parking areas, and paving expenses are very high, so residents are urged to take precautions to avoid damage to these areas. Gasoline and oil spills should be cleaned up immediately. Vehicles leaking gas, oil, or other fluids should be parked elsewhere until they are repaired. In warm weather, motorcycle kickstands should be supported on wood blocks to avoid gouging the pavement.

11. Pets

Fairfax County ordinances require that any dog off private property be restrained on a leash by a responsible person. The County Animal Warden is empowered to impound and transport loose dogs to the Animal Shelter, where they are kept for a minimum of five days before being put up for adoption or destroyed. An impounded dog may be redeemed by its owner upon presenting proof of a license and rabies certificate and payment of a fine and daily boarding fee. Other legal action may be taken against the dog’s owner. The Association Bylaws authorize the Animal Warden to enforce the Fairfax County leash law on the Cluster common ground.

County ordinance also requires that dog owners pick up and properly dispose of their pets' droppings, both for aesthetic reasons and for the health and safety of the many children who live and play in the Cluster. Noncompliance can result in the imposition of substantial fines.

Hidden Creek Country Club

