

WATERFRONT AND DOCK PLAN  
FOR SOUTHLAKE AT MONTCLAIR

The Chesapeake Bay Resource Protection Act of 1988 (Act) established a protected 50 foot buffer of land between Chesapeake Bay tributaries and developed land. Pursuant to that Act, such a protected 50 foot buffer has been established between Lake Montclair and the lots in the *Southlake at Montclair* development. This buffer zone is MPOA common property, and under the Act, as well as MPOA regulations, no owner may make any modifications, changes or alterations to the property. This restriction includes a proscription on removal of any plant life, trees, or shrubs, from the protected area or the water, even if dead, unless it creates a danger to the dwelling or its occupants, and then only after approval by the MPOA Board of Directors. No structures may be built or placed on the buffer. The only exceptions are for waterfront lots that have been approved for a dock under this plan, and then only to a limited degree. No boat may be stored, temporarily or *permanently*, within the 50 foot buffer, or on the water's edge, or in the lake except tied to a dock.

The *Southlake at Montclair* development also has designated "save areas." These areas are designed to provide open, forested areas. No one may remove plants, shrubs or trees from these areas without the permission of the Association.

This document, along with the Section S-5, phase 2 site plan (annotated version with dock sites) and the Association regulations and rules pertaining to docks and waterfront property, constitute the dock plan for *Southlake at Montclair*. Only lots identified on the annotated site plan as having an approved dock location are considered waterfront lots. Only owners of those lots may build and maintain a dock. The term dock includes docks, piers, and wharves. The lots identified as having an approved dock site are lots designated on the annotated site plan as lots 14 through 17, and 22 through 37. No other lots at *Southlake at Montclair* may have a dock.

Owners of lots having approved dock locations who desire to build a dock must construct the dock in accordance with Association guidelines. This includes the requirement that the owner submit a Property Improvement Request (PIR) prior to the commencement of any construction. In addition, owners of lots 22 through 24 and lot 36 must construct their docks and stairways to as not to impede the natural outfalls and water flow from the peninsula to the lake. No filling, grading or other alteration of the slope or any ravine may be made to accommodate any dock, stairway, or walkway.

All docks to which this plan applies must be sited in accordance with this plan and the annotated site plan. In some instances, the dock plan may call for a dock to be situated in a position that is not immediately behind the lot owner's home. Any owner wishing to construct a dock must submit with the PIR a certified survey of the lot and surrounding property, and the location of the dock to assure that the dock is placed in the proper location. The cost of the survey shall be borne by the lot owner.

No bushes, trees or plant material may be removed from the water, the shoreline or within the 50 foot buffer unless absolutely necessary to install the dock, and stairway and walkway to the dock. The lot owner shall replace to the extent possible those plants removed for construction purposes. Owners who wish to have a dock directly abutting the shoreline may not clear the shore line except where the steps/walkway meet the dock. The integrity of the plants along the water's edge must be maintained at all times. No plant material may be removed from the lake bottom. The stair and walkway which traverse the protected 50 foot buffer zone to the dock may not exceed 42 inches in width.