

POLICY FOR REMOVING TREES IMPACTING STRUCTURES: PUBLISHED DEC. 17, 2013

Preamble: Our DOCS are explicit: the HOA is responsible for the maintenance of all landscaping (Declarations 5.01.2); maintaining everything else within a unit lot is the responsibility of each unit owner (Declarations 5.02). The purpose of this draft is to clarify the process of dealing with trees causing structural damage now, and then to do so consistently and fairly in the future. **This policy is not intended as a template or guide to dealing with trees under any other conditions.** And, as our funds are always limited, only the most serious situations will be dealt at any given time.

1. Any unit owner may identify a problem tree by submitting a written request. The problem must be that the tree and its root system have come to present apparent damage to the existing water lines and / or utilities and / or are causing lifting, fracturing or repositioning of driveways or walkways.
2. Within 30 days, the BOD will assign a member to assess the situation and determine whether to request a bid from our landscaper or an arborist. If the BOD member decides to not refer the request to our landscaper or an arborist, he/she will a. print and send a 'decline' letter to the unit owner; and b. take and print pictures of the site and archive them with a copy of that letter.
3. If the BOD member decides to refer the request to our landscaper or an arborist, they, in turn, will determine whether root and canopy trimming will provide any true long-term relief, or whether the most expedient resolution is total removal of the tree and its root system. The HOA will contract and pay for any trimming if that is feasible, and for the installation of replacement sod.
4. If removal is required, the HOA will, within 90 days, contract and pay for: the removal of the tree, stump and roots; the repairs to any damaged underground equipment (if not done gratis by the utilities); filling in the hole; the remediation of any common area landscape damage caused by the removal; and, if no replacement plantings are agreed to, the installation of replacement sod.
5. The contractor will a. arrange to have Sunshine 811 (Dig Safe) mark all lines; and, b. secure and provide copies of all necessary permits and insurance.
6. The contractor will attempt to minimize the impact on unit owners that such work will necessitate and advise unit owners in advance when to expect their driveways to be blocked, and for how long.
7. If the BOD wishes to plant a replacement tree, foliage or other greenery, and if any such replacement is deemed feasible and advisable by our landscape contractor, the BOD may choose to do so, and will attempt to get the work done within 60 days of the tree/stump/roots removal. The BOD's choices must be in harmony with the Landscape Master Plan and the HOA list of approved plantings. If there are multiple feasible choices, the BOD may give the unit owners the opportunity to express their replacement preference. Such unit owner preference, if requested and tendered, will also be constrained by provisions 8 - 10 of this policy.
8. The BOD will pay for the installation of said tree/foliage up to a maximum of \$350. If the unit owner(s) wish to spend more than that, they may negotiate their selection with the BOD.
9. Once, and if, the BOD has completed the installation of replacement planting(s), the BOD then will arrange and pay for the installation of sod to cover the remaining affected area.
10. The unit owner(s) are responsible for any and all work expenses needed to restore the units' sidewalks and driveways and limited common areas in accordance with HOA Declarations 5.0+. At the discretion of the BOD, the restoration timeline for starting such restoration may be delayed or suspended indefinitely to allow for conditions specific to that situation. Once the BOD has determined that restoration work is indicated and that the homeowner is to proceed, the BOD will advise the unit owner(s) in writing of that determination and the expected restoration timeline.