







Manuel said he is still concerned about the lack of large trees, and although he understands they can't be put in the slope, but why not at the bottom of the slope. The foliage will fill in the area. Ms. Aldrich explained that the only way to get them there is to put them in the slope area. Mr. Manuel suggested putting large trees in another area of the site. Chairman Finaldi said they have discussed this extensively and there just is no room for any big trees. Ms. Aldrich then showed them photos of the fencing which has been installed. Chairman Finaldi said these photos will be exhibit D. Ms. Aldrich said they also discussed the procedure for both planting and maintaining this area, to be done at first by the developer and later by the homeowners. She said because these plants are part of the site plan approval, they MUST be maintained. She explained several details that she had added to the plans. Mr. Manuel asked how long the developer will be responsible for the maintenance. Attorney Marcus said until the Association takes over which would be not sooner than one year, but not less than two years. Mr. Manuel asked Ms. Aldrich to clarify the size of the trees. She said they have a caliper of specific size and a height of 12-15 ft. at planting and up to 30 ft. at maturity. Mr. Urice reiterated that they need to take care of both sides of the fence, so the trees on the outside of the fence need to be taken care of also.

Attorney Marcus then said in summary that spring is the time to plant but we are not having a spring. He said they have a very short window of opportunity to get this done and he has been in contact with a landscaper who is willing to start the work in two weeks. He added that it will be done, but they need for the Commission to authorize them to start the work. He said they also should consider that there are innocent people who cannot get their Certificates of Occupancy to move into the other buildings because of the Cease & Desist Order.

Chairman Finaldi asked if there was anyone to speak in opposition and two people came forward.

Ron Underwood, questioned the note on the plan that says existing trees to remain because there are no existing trees. He then asked who is going to be responsible for whatever landscaping there is on the other side of the fence facing his property.

Henrique Antonio, said he is concerned that once all the units are sold and the developer is gone, who will be responsible for maintaining these plantings. He suggested they read the geotech report before making their decision. He again said he feels that he should be compensated for the cost of his fence, since now they have continued the line of it and he wouldn't have spent his own money if he had known they were going to install a fence.

Attorney Marcus said they are proposing more trees than were removed and the person responsible for maintaining that area behind the fence, will be first the developer and then the Condo association. He said they will address the reimbursement issue with Mr. Antonio.

Mr. Cerminara said they are headed in the right direction with the planting plans and maybe they should let them start to get this going. Mr. Urice said he is inclined to back pedal a little and let them stabilize the slope because it is a lot worse. Mr. Manuel said he feels it is important to let them go ahead with understanding that they will comply with the Engineering Dept. requirements for the retaining wall. Chairman Finaldi asked which plant list they are going with. Ms. Aldrich said option B from what was submitted at the last meeting. Attorney Marcus said they plan to screen the fence from Mr. Underwood's side.





