

Hawaiian Shores Community Association

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Hawaiian Shores Community Association Enforcement Review Committee MINUTES FOR MEETING #7 08/08/2019 @ 6:00 PM

In Attendance: Kathryn Kuhlman, Tom Cumming, Steve Bailey, Roger Guenette

Chair, Kathryn Kuhlman opened the meeting at 6 PM and verified that a quorum including Kathryn Kuhlman, Tom Cumming, Steve Bailey and Roger Guenette was present. Sara Tokura-Ellsworth was present representing HSCA staff.

The committee reviewed the minutes of the previous meeting that was held on 06/27/2019. Roger Guenette moved to approve the minutes of the 6/27/2019 meeting, Steve Bailey seconded, and the minutes were approved unanimously.

OLD BUSINESS

Kathryn Kuhlman noted the presence of the lot owner for Lot 1395, Randy Sweezy, and advanced consideration of this matter. Mr. Sweezy acknowledged that he was aware of the albizia trees on Lot 1395 that threaten neighbor's house and of others that also needed to be cut down. He indicated that he had a chain saw and would begin to remove the trees that had any potential to fall on the nearby home first, followed by those that are near the water lines on the side and back of his property. He also agreed to cut down or poison the remainder of the albizia trees on the lot. Roger moved that we give Randy six months to poison or remove all albizia trees but they he remove the ones near the home and water lines within 30 days. Tom Cumming seconded and this was approved unanimously.

The next order of business involved Lot 1165 concerning compliance with the two step home building process. The owner does have step one approval, but had not acquired step two approval. However, the owner did apply for and receive a building permit and had done some work on the site. The owner was issued a fine notice and given 30 days to submit all documents needed for the step 2 review. Sara indicated that she spoke with the owner on the phone and advised him that we needed one copy of the full job site set of plans. The owner indicated that he would bring these items by the office along with his septic approval in the very near future. Kathryn Kuhlman indicated that the committee should seriously consider proceeding with the fining process at the next meeting should the owner fail to supply the requested documents.

The next order of old business involved Lot 521 related to albizia tree issue. Sara indicated that a translated second notice was delivered successfully on June 19, 2019 and there has been no response to the second notice. Steve moved we issue the fine notice. Roger Guenette seconded and this was approved unanimously.

The next order of old business involved Lot 1505 which has been sold and is in escrow. The violation involves albizia trees and the new owner is aware that this problem exists and that the new owner needs to take care of the matter. The owner had previously requested more time to

get tree quotes and since this was the first notice, the second letter will be sent following our normal process.

The next order of old business involved Lot 1827 concerning encroaching trees. Notices were sent and owner indicated that they are hiring a property manager. Sara indicated that she spoke with the owner and that they were getting quotes to remove the trees and that work was proceeding. Given that progress is being made, this item will be held until the next meeting.

The next order of business involved two smaller cecropia trees on lot 590. It was noted that the trees had been poisoned and cut down which resolves the matter. However, this was a case where the new state law regarding the removal of hazardous albizia trees from abutting properties might be useful if the trees were albizia trees. However, they are not, and the ERC had a discussion about how best to deal with tree issues in cases where the owners are completely non-responsive. Sara described the process we currently use to determine hazardous trees and that photographs are taken and used to support documentation for ourselves and the owner. The discussion continued trying to determine the best way to conduct a process and what conditions are needed for the first letter to be written. The ERC also provided guidance to staff to review these issues on a case by case basis. Specifically staff should consider mitigating the issue themselves for those situations where the owner is non-responsive, where poisoning can be safely done, and/or where trees are not that large and can be safely and easily cut down

The next order of new business involved large trees on Lot 326 with one tree threatening the neighbor's fence and home. It was noted that these trees could be easily poisoned. The ERC instructed staff to contact the owner to see if they would poison the trees or if they are agreeable to having staff poison the trees. Sara agreed to contact the owner to discuss this.

The final order of old business was a review of the distressed property list. The ERC went over each item on the list and the updates for each one are summarized on the attached spreadsheet.

NEW BUSINESS

The next order of new business involved Lot 723 where coconut trees are dropping debris on abutting property. Photos clearly showed this condition and coconuts were actually falling on the roof. Two letters have been sent but no action has been taken and there has not been a response. Staff was instructed to continue with the notification/fining process.


The next order of new business involved Lot 1556 where there is a lot of trash around a chain link fence. It was also noted that abandoned vehicles show up near or on this property from time to time. The owners of this property seem to respond to our letters but then the same problems reoccur. The owners are also very delinquent in paying their annual assessment. There have also been concerns expressed about poor care for dogs and a pig on this lot with these matters being referred to SPCA. Staff was directed to send a letter instructing the owners to move the re-cyclables to a place in the backyard where they are out of view and to remove the abandoned vehicle.

The next order of new business involved Lot 246 where albizia trees are present and where the first two notices have been sent. Some trees have been removed and most if not all of the others could be poisoned. Staff was instructed to continue to proceed along the notification/fining process and to call the owner to advice of the need to poison the trees.

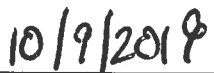
The next order of new business concerned recurring fines and the need to send notices each time the fine recurs with the updated balance on each recurring fine.

The final order of business concerned vehicles parked on the right of way and how best to monitor and enforce this activity. There are occasions where owners do more regularly park on the grass but they always move their vehicles to permit the mowing of grass and where no one is complaining. Kathryn Kuhlman recommended that we begin to address this concern by first reminding all owners of the requirement within the next water bill. This will need to be followed up with direct notifications where the problem persists.

There being no further business the meeting adjourned at 7:13 PM.



Steven Bailey



Date