

KILDAIRE FARMS 1 HOMEOWNERS ASSOCIATION, INC.
c/o HRW, Inc.
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TREE REMOVAL POLICY

Objective:

The objective of this policy is to preserve the wooded nature of Kildaire Farms communities, thereby maintaining the unique character and property values of our neighborhoods.

Special Note: Failure to adhere to this policy may result in significant financial penalties.

Overview:

The neighborhoods of Kildaire Farms were created in an extensive forested area endowed with mature trees protected by legal documents restricting activities on each lot. As stated in the purpose section of the individual neighborhood covenants, **the guidance on tree protection is clearly declared as “to preserve, so far as practicable, the natural beauty of the real property and especially the trees growing thereon”.** Our covenants explicitly state that the removal of any living trees of any variety with a trunk diameter of six inches (6”) or greater, as measured four feet (4’) from the ground, needs approval.

Removal of trees is a sensitive subject in Kildaire Farms. In keeping with the spirit of the covenants, valid reasons for removal related to verifiable damage occurring to structures, clearly significant threats to structures (more than simply if the tree falls it may hit something), new construction projects, or forest regeneration through landscaping projects involving immediate planting of new trees of notable size are required for all tree removal approvals.

Removal of trees on a large-scale basis almost always elicits complaints from other property owners, and not just those immediately adjacent to the property. These larger scale removals are discouraged, as they impact entire streets and neighborhoods. At the very least homeowners making such a request will be asked to inform and obtain signatures from a larger group of neighbors than is usually required on the submission form. If more than three trees are requested for removal, in addition to Architectural Committee approval, Board approval is generally required as well.

Policy:

The ARC has defined the following three categories with respect to requests for the removal of trees that have a trunk diameter of more than six (6) inches in diameter as measured four (4) feet above ground level.

1. Imminent Threat – Removal of trees that have been damaged in such a way as to pose immediate danger to people and/or property does not require ARC approval, rather the trees may be removed immediately after the damaging event. The homeowner should alert the community manager of the situation. An after-the-fact ARC request should be submitted detailing the nature of the threat along with photographic evidence, if practical. Neighbor signatures are not required.

Note – removal of trees under a false premise of “imminent threat” may result in the rendering of the tree removal as “Unapproved”.

2. Dead – An ARC request form must be submitted as a means of notifying the ARC of the existence of dead trees, though neighbor signatures are not required. The dead trees should be marked for identification purposes. An ARC member will verify the tree is dead and approval will be provided in an expeditious manner.

3. All Other – All trees that are not dead or that do not pose an immediate threat require architectural approval with neighbor signatures. Trees should be marked for identification purposes. An on-site inspection by ARC members may be necessary if warranted by the scope of the project. Homeowners will be contacted by our management company prior to any on-site inspection.

General guidelines for approved tree removal projects:

- Tree stumps should be ground down or be cut to no more than 6” above ground level. Stumps that are visible from the street must be removed.
- All debris resulting from tree removal activities must be removed from homeowner premises and from common area property in a timely manner. Tree debris left on common area property will be removed at homeowner’s expense. Tree debris left on homeowner property for an extended time will be considered a violation.
- Vehicles, trucks, machinery, etc., cannot utilize Kildaire Farms Greenways or other common area property for tree removal access without prior written approval from the HOA property management company. Homeowners will be responsible for any damages and subsequent repairs to HOA common areas.
- A “Tree Removal Approved” sign must be placed on homeowner’s property 48 hours before tree removal activity begins, must remain until

tree removal is completed, and the sign must be returned to HOA personnel upon project completion.

The association may require that mature trees that have been removed without prior approval, be replaced with large mature trees. This is an extremely expensive proposition so please be sure to have prior approval before any tree removal. The association may also assess fines for the unapproved removal of trees.

Revised: November 1, 2018