

**THE FOLLOWING IS A SUBSTANTIAL AMENDMENT OF THE PRIOR STANDARDS.
SEE PRIOR STANDARDS FOR COMPARISON.**

The Masters Neighborhood Association

Landscaping Responsibilities

November 6, 2020

Landscaping is an important part of our community. Regular oversight and care by the Association and residents is needed to maintain the beautiful ambiance that we now enjoy, and ensure it continues for years to come.

This document outlines landscaping responsibilities and is part of the Masters Neighborhood Architectural Standards and Procedures.

Landscape Maintenance

The Masters Association engages a Landscaping Contractor to maintain our community landscape and offer convenient gardening services to owners.

The maintenance services provided by the Landscaping Contractor are considered a common expense paid for by the Association. The services include:

- Turf care – mowing, edging and debris removal,
- Ornamental, Palm, and tree care,
- Fertilization application,
- Integrated pest & weed management, and
- Irrigation management.

However, tree, palm and other plant removal, replacement or new plantings are not common expenses. These costs are the homeowner's responsibility.

Maintenance of Trellises and plant supporting structures, with or without plants, is not the responsibility of the Landscaping Contractor.

Annuals may be planted in homeowners existing beds without ARC approval. However, annuals must be maintained by the homeowner and removed or replaced by the homeowner at the end of the season. If care is not taken by the homeowner, and the annuals die or become unattractive, the Landscaping Contractor may remove the annuals without the homeowner's permission and any labor charge will be assessed to the homeowner.

Live Oak Trees in ROW and Utility Easement

Live Oak trees were planted along the Masters Circle to create a broad canopy, as well as provide shade. Currently, there are 11 Live Oaks in the River Ridge right of way and 67 Live Oaks in the utility easement.

- **River Ridge right of way (ROW)** – The ROW is the parcel of land between the edge of the roadway and 5 ½ feet to the start of the homeowners' property. This is the River Ridge property with landscaping responsibilities assigned by the PSG&RC to the Association.

- **Utility Easement** –This is part of the homeowner’s property and it extends from the edge of ROW to 10 feet into the homeowner’s property.

The Landscaping Contractor is responsible for the trimming of the Live Oaks in the ROW and utility easement. Homeowners are responsible for the trimming of all other trees.

Removal or replacement of trees, palms, and other plants and PSG&RC ARC applications

The PSG&RC ARC Guidelines and Procedure document includes guidelines on “Landscape”. All Homeowners are subject to these guidelines and are responsible for submitting the ARC application.

- Removal and replacement of a tree, palm or shrub requires an ARC application. Replacement should preferably be with a similar plant tree, palm or shrub already existing in the Masters unless the existing plant is invasive or non-native.
- Replacement of landscape planting other than a tree or palm with like-sized plantings in the same location does not require an ARC application.
- Replacement of a perennial plant with another perennial plant does not require an ARC application.

The ARC application for the removal of Live Oak Trees in ROW and Utility Easement must include a rationale for removal, a description of alternatives to removal that were considered, an arborist report as well as plans for removal.

If responsibility for plant replacement cost is not clear, i.e., on the property line, the Masters Board will determine the responsibility.

Helpful PSG&RC ARC Documents:

- Exhibit C - How to File Tree or Palm Removal/Replacement Application
- Exhibit F - Lee Co Protected Tree List
- Exhibit M - Tree Palm Conflicts and Mitigation Procedures
- Exhibit O - PS Original Design Theme and Community Development Order

Permitted trees, palms, and other plants

Plants that generally are good for the Masters might have some characteristics that may not be desirable for a specific location. The Masters Landscaping Contractor is available to help with options.

Aside from the current 11 Live Oaks in the ROW, no additional trees may be planted in the ROW

Acceptable and not allowed plants, trees, palms, and shrubs are shown in the Appendix A.

Helpful PSG&RC ARC documents:

- Exhibit G - Exotic and Invasive Trees
- Exhibit H - Lee Co Native Plants List
- Exhibit Q - Friendly Tree and Palm Guide

Village of Estero requires that a lot have as a minimum two native trees.

Dead or dying trees, palms, and other plants

The replacement of all dead or dying trees, palms, and other plants, regardless of cause will be the responsibility of the homeowner, including those in the ROW and Utility Easement. The homeowner will bear the financial responsibility for the removal of these trees, palms, and other plants, and also for any attempts to save such plants by trimming, re-staking, or other mitigations.

Any plants not properly maintained will have to be removed. If owners do not take corrective action, Property Management will send a letter to the homeowner to replace the plants within a given date. Should action not be taken within the given date, the Masters Board will authorize Property Management to engage the Landscaping Contractor to replace the plants. The cost of this work will be added to the homeowner's next Masters quarterly assessment.

Tree root damages

Driveways and utility lines may be damaged by tree roots. The homeowner is responsible for all repairs and any mitigation that may be required.

Weather related removal of fallen trees

Florida tree laws applies for removal of fallen trees and roots. The only exception is for fallen Live Oak Trees in ROW and Utility Easement where the Association will remove the trunk and root in ROW, the utility easement and on homeowner's property.

Article VII, Section allows the Association at its discretion to remove landscaping storm debris from Lots.

Irrigation – Pelican Sound Property Management in conjunction with the CCD Water Conservancy District solely controls the irrigation system.

As irrigation water is rationed, homeowners are not allowed to set the timers. Violating the watering schedule can incur fines for both the homeowner and the Masters Association. The Association through the Landscaping Contractor is responsible for enforcing the irrigation schedule and any violation could cause the Association to be fined. Irrigation boxes must not be locked. Boxes found locked will have the locks removed at the homeowner's expense.

If a broken sprinkler or water flowing from a property is noticed, report it immediately to the Masters Property Management. If the irrigation system does not seem to be operating properly or not functioning, report it to the Masters Property Management. The Masters Landscaping Contractor will periodically check all systems for timing, function, and coverage, and therefore the Landscaping Contractor must have access to the irrigation timers.

Maintenance of the irrigation system is part of our landscaping contract and is a common expense. However, if the homeowner requests any change to the original system, or if a contractor working for the homeowner damages the irrigation system, then the homeowner will be billed for the cost of the repairs. Should the Masters Landscaping Contractor cause damage they are responsible for the repairs.

Summary Chart

A summary chart of Live Oak tree responsibilities is included in Appendix B.

The Property Management Company and Landscaping Contractor

Currently, The Masters has engaged Cambridge Property Management as its Property Management company and it oversees the Masters Landscaping Contractor, Greenscapes of Florida.

Any landscaping and/or irrigation problems are to be addressed to, the Masters Property Management company, at 239-249-7000. (Ask for the representative responsible for the Masters account at PSG&RC.) Property Management will notify the Landscaping Contractor.

This policy may be changed or amended in whole or in part at future Masters Board meetings. It is up to the homeowner to keep current on landscaping policies.

Adopted – 12-15-06 and Revised – 01-19-09; 10-19-10; 12-14-10, 02-08-11 and 11-06-20

Appendix A

Acceptable and not allowed plants, trees, palms, and shrubs in the Masters

Acceptable (This is not a comprehensive list but is meant to be used as a selection guide)

1. Royal Palm – Location is a consideration because of very tall growth (one of the tallest of palms).
2. Foxtail Palm – Grows well to a medium height of 30 feet.
3. Christmas Palm – Self-pruning. Grows to 15 feet.
4. Pardo Palm – Grows to 20 feet with a trunk diameter of 1 to 1 ½ feet. Develops fruit.
5. Bottle Palm – Grows to 10-12 feet. Gray, stumpy, bottle shaped trunks.
6. Clarissa Boxwood Beauty – Small, slow-growing shrub with glossy, green leaves. Grows well in sandy soil, moderate to full sun.
7. Jasmine – Hearty, long-lived.
8. Mexican Heather – Excellent border or area planting. Low-growing, 10-18 inches. Good ground cover with small flowers all year round. Will last up to 3 years or more if cut back once a year.
9. Pigmy Date Palm – Decorative, lacy foliage. Added beauty in double and triple trunks. Grows to 9 feet.

Not Allowed

1. PSG&RC ARC – All trees listed in PSG&RC ARC Exhibit G “EXOTIC and INVASIVE TREES”.
2. Fruit trees – These trees litter and attract pests. Palms for this purpose are not considered trees.
3. Oleanders – Oleanders are very susceptible to scale and attract caterpillars.
4. Lantana – It is not a long-lived plant (12 to 18 months).
5. Bamboo – A high maintenance, spreading plant that will grow beyond its borders and is very difficult to remove once planted.
6. Bismarck Palm – Slow growing to a height of 50-60 feet, developing a 20-foot spread. Requires a lot of room. Two Bismarck Palms exist in our community; one at the back of 21892 and the one between 21835 and 21849. Both have been approved as exceptions.
7. Washingtonia Palms – Grows to 100 feet tall and are not self-pruning. If left in their natural state they develop large undergrowth of dead leaves.
8. Coconut Palm – Susceptible to lethal yellowing and once infected will spread to other coconuts and other species of palms.
9. Strelitzia (giant birds of paradise) – Mature height of 30 feet and spread of 15 feet.
10. Areca Palms – These palms litter and attract pests, including snakes. These cannot be trimmed and impact surrounding properties.

Appendix B

Masters – Tree Responsibility Matrix (Live Oaks)

	ROW Live Oaks	Easement Live Oaks	Resident Property including non-Live Oak trees in easement
1. Property owner	<ul style="list-style-type: none"> • River Ridge (not the HOA) 	<ul style="list-style-type: none"> • Resident 	<ul style="list-style-type: none"> • Resident
2. Tree maintenance (trimming, fertilizing, and watering)	<ul style="list-style-type: none"> • HOA 	<ul style="list-style-type: none"> • HOA 	<ul style="list-style-type: none"> • Resident
3. Tree root damages	<ul style="list-style-type: none"> • Driveway – Resident • Utility lines – Resident • Mitigation – Resident 	<ul style="list-style-type: none"> • Driveway – Resident • Utility lines – Resident • Mitigation – Resident 	<ul style="list-style-type: none"> • Resident
4. Removal of trees (not weather related)	<ul style="list-style-type: none"> • Resident (ARC app and prior mitigation required) 	<ul style="list-style-type: none"> • Resident (ARC app and prior mitigation required) 	<ul style="list-style-type: none"> • Resident (ARC app)
5. Weather related fallen tree removal (including roots, stumps, and tree debris)	<ul style="list-style-type: none"> • Florida law applies except the HOA will remove the tree debris from the easement and resident property. 	<ul style="list-style-type: none"> • Florida law applies except the HOA will remove the tree debris from the ROW and resident property. 	<ul style="list-style-type: none"> • Florida law applies
6. Replanting	<ul style="list-style-type: none"> • Resident (ARC app) 	<ul style="list-style-type: none"> • Resident (ARC app) 	<ul style="list-style-type: none"> • Resident (ARC app)