

From Trilogybuffergroup
To: Chairman, CCMA Board of Directors
Cc: CCMA Board, Hoamco

Mon, Sep 26, 2022 at 11:41 AM

Thank you for the response. We will pass this on to the community.

One other issue came up from a member that we would like to have you address with Shea.

Shea has had difficulty selling the vineyard. We would like the Board to get an agreement from Shea that if Shea decides they cannot sell the vineyard and wants to convert the vineyard to a different purpose, they contact the Board and review their plans prior to contacting the County about changing land use.

- Trilogy Buffer Group

On Mon, Sep 26, 2022 at 8:50 AM CCMA Board Chairman wrote:

We acknowledge receipt of your comments. All of these issues are well-known to the Board, and we continue to work assiduously on finding workable solutions. We anticipate that a Town Hall involving Shea being planned for October focused on buffer issues will be helpful in updating the community.

Please pass this message on to your membership.

Thank you.

On Fri, Sep 23, 2022 at 8:42 AM Trilogybuffergroup wrote:

To CCMA Board of Directors:

In a previous CCMA meeting we reported that we have more than 140 petition signatures requesting you to take action on Buffer / Meadow issues. That number has now increased. We want the Board to acknowledge that you understand our concerns and will address these issues.

It is essential that we get Board feedback. Some residents are considering making Better Business Bureau complaints and picketing the new homes. This could end up reflecting on Trilogy. See the comment section for additional information.

Summary

Sustainable Meadow

Shea must put in the drought tolerant attractive Meadow they presented to new homeowners. Their approach has failed multiple times because they have tried to put in a low-cost grass alternative. The Meadow cost will be \$500K over 3 years based on a review by the consultant the Board hired and there will be an additional \$100K in maintenance per year to establish the Meadow. Shea needs to follow the Board's consultant (Greenlee) approach and use plants and the planting plan they recommended. Shea's plan must be verified independently before it is accepted. If this is not done Buffer residents could be charged thousands of dollars in an additional assessment.

Meadow Maintenance

Shea sold homes on the Buffer and charged extra for the view. When Shea sells a Vineyard, they include the Meadow in the sale. In order to make purchasing the Vineyard more attractive Shea created a cost center so Buffer homeowners pay for Meadow maintenance. Buffer dues have increased more than 25% since they were established and now, we are being told that dues will increase to cover watering costs when Shea leaves. Shea did not disclose that additional watering system costs will be added to the dues when they leave Trilogy.

We should not pay maintenance fees to support a private company. If the Vineyard is not responsible for Meadow maintenance, then treat it as a common area. Since the Vineyard will be part of the WMA, the WMA should require as part of the sale that the Vineyard will be responsible for Meadow maintenance, and not change the Meadow without WMA approval.

Buffer / Meadow Underground Watering System

Shea has acknowledged that the underground watering system for the Buffer and Meadow does not meet design requirements. The watering system must have a 5 year warranty (same as in other parts of Trilogy where there are faulty pipe installations). The watering system repairs for both the Buffer and Meadow must be inspected by a certified independent assessor to verify that they are installed per the design requirements.

Current Meadow Maintenance Vendor

Buffer homeowners have been charged for maintenance of the Meadow when no work was done. Multiple complaints over months from residents were ignored by the vendor. (We can supply detailed information.) The Board and Hoamco need to respond when a vendor does not do their job. The vendor should be fired, and the money returned to homeowners for the time they failed to do work on the Buffer / Meadow.

We have previously requested an accounting of how the Buffer dues are paid and are spent on the Buffer. This has not happened. As residents we have the right to know how our dues are being spent.

Background

Sustainable Meadow

Shea is required to establish the drought tolerant attractive Meadow they promised based on the plan they provided to homeowners.

- Shea's current approach has failed multiple times. Residents have even seen grass seed spread on the Meadow and then washed away when the sprinklers have been turned on.
- Greenlee, the consultant the Board hired, reported that Shea's approach does not address changing conditions across the Meadow for soil, slope and wind. Greenlee estimated a cost of \$500K over 3 years to put in the Meadow. There will be an additional \$100K in maintenance per year to establish the Meadow.
- Shea should follow the Board's consultant (Greenlee) approach that allows for variations across the Meadow.
- Shea's plan must be verified independently before it is accepted.

Meadow Maintenance

The Meadow will be owned by the Vineyard owner. Meadow maintenance fees should be paid by the Vineyard owner. They will be part of the WMA and the WMA can make this a condition of the sale.

- Shea made purchasing the Vineyard more attractive by including the Meadow in the Vineyard sale and then creating a cost center so Buffer homeowners pay for Meadow maintenance.
- Shea sold homes on the Buffer and charged extra for the view. There was no discussion that Trilogy would not ultimately own the Meadow and that residents would pay for maintenance to support a private company. If the Vineyard is not responsible for Meadow maintenance, then treat it as a common area.
- Fees that have increased more than 25% over time and now we are being told that additional watering system costs will be added to the monthly cost. Shea did not disclose this to new homeowners.
- The Vineyard will be part of the WMA. and a condition of the Vineyard sale should be that the Vineyard owner maintains the Meadow as received from Shea and pays for maintenance cost. If this is not done the Meadow should be treated as a common area.
- The commercial Vineyard owner should not be allowed to change the Meadow without approval of the WMA.

Buffer / Meadow Underground Watering System

Shea has acknowledged that the underground watering system for the Buffer and Meadow does not meet design requirements.

- Pipe breaks due to faulty installation in other parts of Trilogy are covered for 5 years. Shea needs to provide a 5 year warranty for the Buffer / Meadow watering system.
- The watering system repairs for both the Buffer and Meadow must be inspected by a certified independent assessor to verify that they are installed per the design requirements.

Current Meadow Maintenance Vendor

Members have been charged for maintenance of the Meadow when no work was done.

- Requests by residents over several months were ignored by the vendor. Some requests were made as many as 5 times.
- We have seen workers covering up gopher holes without doing any gopher eradication. Gophers have come into backyards from the meadow and damaged plants causing residents to have to replace plants and pay for outside gopher services.
- Requests for weeding were ignored. We have pictures of 4' high weeds.
- The vendor has refused to provide a maintenance schedule unless we pay an additional fee.
- The Board and Hoamco need to respond when a vendor does not do their job. When a vendor continues not to do their job the vendor should be fired and the money paid by homeowners from work that was not done should be returned to homeowners.
- The Board needs to provide an accounting of how our Buffer dues have been spent on the Buffer. It is our right as homeowners to know how this money is being spent

Comments From Homeowners:

As we have previously informed you, residents are planning to contact the Better Business Bureau about the buffer maintenance. This has now expanded to plans to make BBB complaints about Shea if these issues are not addressed. While the complaints will be about Shea this has the real possibility of impacting how people view Trilogy. Other residents have threatened to picket the new homes if the issues are not addressed.

Petition Comments

- I moved in 6 months ago, and it's scary that Shea is trying to get away from their Phase 2 mandate. They must be required to provide lasting and verified buffer and Meadow environments for the Homeowners that paid for it.
- We want Shea to be responsible for the buffer They have been negligent in their duty to their commitment to addressing this issue It is time they are held accountable for their actions
- Our backyard view has significantly deteriorated since the promised wildflowers died and were never replaced. We face a significant amount of dirt as our view most of the year. Not what we bought or were promised. The gophers have ruined our grass in the yard as well. Shameful lie by Shea homes.
- It's ridiculous that we continue to pay \$40 a month for a meadow that is not there. The first year it was gorgeous, & nothing since then. Shea needs to live up to their promise of a meadow or we should no longer have to pay the monthly supplement.
- The sprinkler behind my home has been leaking for months and months. The plants behind my Fence where the sprinkler is leaking is growing considerable larger than the others. They did have a group of people come in and mass trim and clean. I can't remember when I was notified of any seeding, nor do I remember seeding being done.
- I so agree. We need to have Shea live up to their promises!
- We live on Trail View Place going on 4 years. Why am I paying each month \$39.00 for services we were promised and not delivered. A meadow setting with flowers and maintaining the 5 foot section next to the buffer.
- Whoever is doing the buffer work obviously does not know what he is doing. After 4 attempts I would not give him a 5th chance unless it's agreed, no results, no pay.
- We are very concerned about the meadow. Just seeing your emails as they landed in my junk folder and I just discovered them today. That may have happened to others if you're not getting responses to your petition.
- Shea needs to be held accountable for their failure to provide an established meadow that can be maintained, not established, by the monthly assessment.
- We need to get Shea to correct these before the Phase 3 is approved. The HOA board needs to get off their butts and force this issue with Shea. Not sure why they are refusing to address.

- Fully concur with this petition. The CCMA Board needs to get this resolved and not be beholden to Shea. Very suspicious why the board will not confront Shea, but I have my theories and they are not good.
- The board needs to stop ignoring this problem and get aggressive with Shea to get them to commit to correct their false advertising for the buffer zone. Not sure why the board is reluctant, but they need to get it in gear.
- We've lived here for four years and I don't know how I missed this, but it was only a couple of years ago that I learned that we paid extra fees to maintain the buffer. I truly thought we all paid the same amount. Since the new management came in I decided a few weeks ago to email my thoughts, which included that it seems unfair that only a handful of us pay extra, and to boot, it's just dirt, weeds, and even deep tire tracks from the maintenance vehicles. SO ugly to see out of our living room and master bedroom windows and I'm not even the "uppity" type lol. I just want to see value for what I pay for....there is no value in this. None of us really want to pay the extra (\$40?), but if we have no choice at least it should be attractive to look at. They replied that this was on the list for things they are addressing.
- A responsibility is just that...an obligation to do something that one said that they would do. Shea (and by virtue of their refusal to represent the wishes of the home owners, the Board), have an obligation to fulfill tasks they have committed to fulfill. Meanwhile, as we homeowners continue to pay for services we aren't receiving, Shea is preparing to "run away" from the Monarch Dunes project and leave the homeowners and the Board "holding the bag" for the remedy.
- If there was a commitment to properly install and maintain the buffer zone, then the Board on behalf of their constituency we the home owners, should seek immediate remedy through whatever means necessary including litigation and/or the San Luis Obispo Board of Supervisors and the Better Business Bureau.
- If the homeowners have been taken advantage of by the inaction of the Board, then the homeownership needs to assemble the facts and follow through on voting those members out of office, and elect new representation with the intestinal fortitude to hold Shea (or any other "vendor" for that matter) responsible and not be bullied by their bluster and bull_h_t.
- The terms "wildflower meadow" were used in the sales of our homes. I believe Shea needs to be held accountable to make right what they sold us. We are paying, on top of the premium for the lot, additional HOA dues to maintain something that was not properly installed to begin with. We are approaching five years in our home. I have pictures documenting that the wildflower meadow looked good for about 3 months. We kept being told to give it a "couple years" for it to improve. IT HASNT. I agree that Shea should not continue with phase 3, or leave this in our hands, until they follow through on fixing this.

- It is Shea's corporate and social responsibility to deliver a successful resolution for the Current Meadow Planting Plan, Meadow Irrigation System, and Meadow Maintenance BEFORE Shea vacates the Trilogy development. We are NOT seeing successful results and it has been three years since we closed on our house.
- Thanks for keeping up the pressure. Just noticed Heather reports that these issues are being handled and that, especially, the meadow is on track for success. That is directly contradicted by Greenly. More discussion is needed.
- We agree completely,
- I propose we have a meeting about this issue. I am not disagreeing with the proposal and I would like to verbally hear from others. 2nd comment - It looks so bad.
- An additional concern is the cost of irrigation water used to establish the meadow especially if that cost is imposed solely on buffer residents.
- I would like to see HOAMCO held accountable for the lack of quality regarding how our additional monthly dues are spent. This requires direction from the board. I would like to be informed of new information regarding restoration of the vineyard buffer, as well as Phase3 progress
- Bring back the flowered meadow we had when we moved in. How did the HOA (Shea) screw that up?
- In addition to this information, the buffer zone we are located on presents extreme wildfire conditions along with potential mudslide possibilities, should normal rain conditions return. This can affect not only Trilogy but any business that is at the bottom of the hill. The potential for lawsuits from any of this ever happening is another major concern that homeowners may face, unless Trilogy puts in and maintains preventative measures to prevent it.
- Some of the homes are on the side of a hill, reseeded is so very important to prevent erosion especially due to all the gopher activity. Without seeding and planting, the risk of these hills eroding is significant.
- Thank you for your lead on the buffer issue. I have also submitted my complaint regarding the Buffer Zone Shea issue to the HOA. The HOA sent out a MOU for the Shea phase 3 development as for input and stated my issue with the Buffer zone issues there as well. I stated Shea needs to finish in Phase 2 what they were promising, buffer zone landscaping when selling homes on Vineyards. Shea Buffer zone landscaping has failed and it is a fire hazard.
- I agree with the above summary of issues with the Meadow and hope that Shea will provide a better solution as the current state of the Meadow is unacceptable.

- Our meadow is a sad piece of land with abundant weeds that fly over in the garden and germinate in our backyard. Gophers and rabbits have destroyed our landscaped garden with loss of expensive plants and constant mounds and tunnels. We have spent a lot of money for people to clean up the mess and fresh bark supplies, to our dismay that in 2 weeks we are back to the same mess and more plants being destroyed. This meadow needs maintenance and grasses of flowers that was promised to us when we bought the house. We feel cheated on what was promised to us.
- Looking forward to a reasonable resolve both visually and financially. Thank you!

- Trilogy Buffer Group