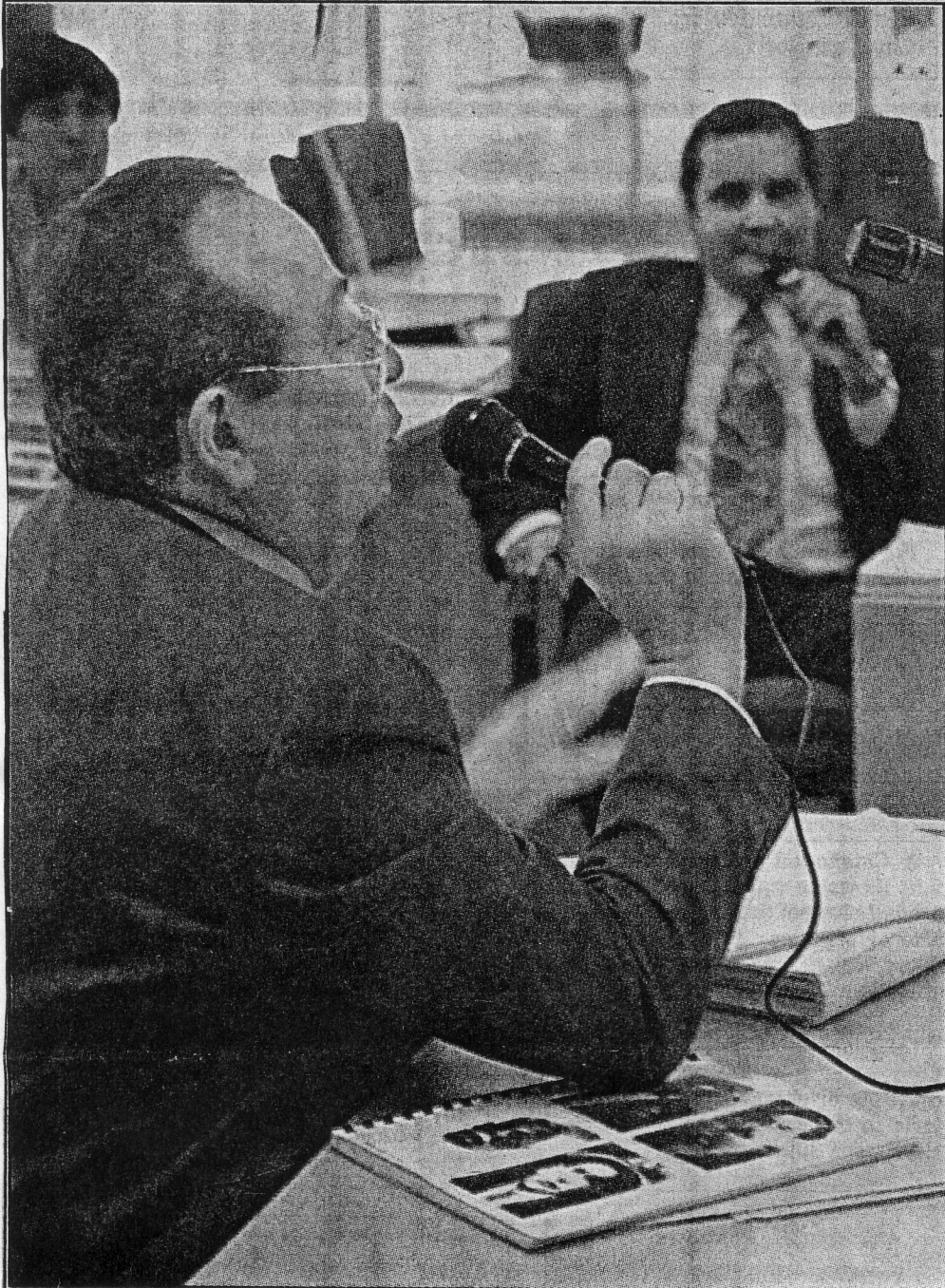


BUSINESS



Fonalledas attorney José Lázaro Paóli, foreground, cross-examines Alberto Medina López, background, on his alleged claims to about 15,000 acres of land in the municipalities of Vega Alta and Dorado. Medina's stake also covers the shopping site proposed by developer TJAC Inc. who is also seeking Planning Board approval.

Planning Board ends 4 months of hearings

By XAVIRA NEGGERS

Of The Star Staff

Public hearings on a proposed \$450 million commercial-residential project in Vega Alta were closed Friday by the Planning Board after four months of testimony.

But the board is set to conduct a second field inspection March 3 on the 1,000-acre farm site where the project, proposed by Empresas Fonalledas, would be built. The second inspection was requested by Susan Silander, a supervisor with the U.S. Fish and Wildlife Service.

The site was previously inspected on Dec. 30 by a team of environmental officials — which did not find any endangered species during an extensive walking tour of the farm.

Friday's hearing included testimony from Alberto López Medina, a member of a group claiming ownership of the project

site, and Rafael Bisbal Moreta, an 82-year old land surveyor.

López told the board he was granted the right to represent the group of heirs by his grandfather Candelario López Salas in a document notarized Sept. 18, 1994.

The document also authorized López to receive 25 percent of all lands recovered.

Basilio López Martín, who owned some 15,000 acres of land in 1750, was the great great grandfather of Candelario Salas, according to documents presented by López.

López claimed right to the land as part of succession of heirs to Basilio López Martín.

He claimed that Jacinto López Martínez, the executor of Basilio's will, did not divide the land in accordance to the will and that Jacinto's son improperly sold parts of the land to others.

The land covers the municipalities of

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By Gerald López-Cepero

Developer Jaime Fonalledas, right, and Thomas Trebilcock, the Empresas Fonalledas top dairy executive testified Friday at a Planning Board hearing on rezoning farmland.

Fonalledas pushes for rezoning

By KARL ROSS
Of The STAR Staff

Developer Jaime Fonalledas and a bevy of lawyers and consultants were on hand Friday for a site permit hearing at Vega Alta City Hall held by the Planning Board. Also in attendance were more than 50 townsfolk and members of opposition groups.

Empresas Fonalledas is asking the Planning Board to rezone 1,000 acres of Fonalledas family-held farmland to build a \$450 million commercial-residential project named Comunidad Monterey.

The developer argued for the zoning change because the land can no longer be used for grazing cattle. That's the argument cited in the environmental impact

statement submitted by the company.

Cattle rustlers drove Empresas Fonalledas' herds off of Monterey Farm in Vega Alta in 1989, according to company executives.

Fonalledas executives said that a rash of cow thefts was costing the company millions in lost productivity and security expenses. Roughly 100 head of cattle were stolen during the 1980s, they said, when rustlers would sometimes kill the animals on-site and cart off the prime cuts while leaving the bones and carcasses behind to rot.

Thomas Trebilcock, the company's top dairy executive, said that each cow was worth \$2,000 and that lost productivity per head increased losses by a factor of 10

— for about \$2 million total losses.

The final blow came in 1989, Trebilcock went on, when rustlers loaded up 40 milk cows in a trailer at night and made off with them. Not even a helicopter dispatched the following day could track them down.

The Fonalledas' argument did not sit well with the environmental watchdog group, Misión Industrial.

"They're the ones who took the cows away, and now they're saying, 'Look how terrible it is the lands aren't being used for anything,'" said Jorge Fernández, an organizer for the mission.

Jaime Fonalledas said the company has since dispersed its herd

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Hearing

to other parts of the island, including Toa Baja, Dorado, Cidra and Guayama, where an 800-acre tract of land was recently purchased.

The environmental impact statement also included a letter from the Department of Agriculture objecting to the proposed project. The letter, dated June 10, 1994, and signed by the agency's deputy secretary, Miguel Muñoz Muñoz, noted that the site was still suitable for planting pineapples, plantains and other crops.

During the morning session of the hearing, proponents aired arguments in favor of the project, which Fonalledas lead planner Luis M. Rodríguez said would function as a "sub-urban center" in the middle of the municipality that, while keeping "its own separate identity," would unite surrounding development.

Vega Alta Mayor Isabelino Molina reiterated his support. Under questioning from a representative of Plaza Caribe — a local mall that stands to lose business should the project be approved — Molina made it clear his support for the project is contingent on its promise of nearly 4,800 new housing units.

"For us the housing is fundamental," Molina said. "Without it, we wouldn't endorse the shopping center."

Project consultants said at an earlier press briefing that most homes would be priced between \$70,000 and \$90,000. However, some people, such as Vega Alta town councilman Agustin Flores Rodríguez of the Puerto Rican Independence Party, doubt developers' commitment to easing the area's housing crunch.

"What Vega Alta needs is low-cost housing," Flores said. "I doubt they'll actually sell it for that amount, but even if they do, it would be out of the price range of most working class people here."

Opponents also think the development is lopsided in favor of commercial interests, pointing out the project's first phase would add 600,000 square feet of mall space, or 40 percent of the proposed amount, but just 525 housing units, or a little over 10 percent of the housing proposed.

Another group, hoping to throw the project a curve, was made up of several people who claimed to be direct descendants of Dorado founder Basilio López Martín, who



By Gerald López-Cepero

Alberto Medina López, one of a group claiming to be heirs to the Fonalledas farmland in Vega Alta, also attended the Planning Board hearing.

reportedly acquired roughly 15,000 acres of land running from Manatí to Toa Baja — including the proposed site of Comunidad Monterey.

"It took me 25 years to learn the truth about this," said Andrés López Laureano, one of the purported heirs, who claimed his forefathers were cheated out of the land by Jaime Fonalledas Garriga in 1890. "We met with 35 different lawyers, and they said that it was too expensive to take the case and that they could never beat the

Fonalledas."

As Jaime Fonalledas III tells it, his grandfather picked up the Monterey Farm parcel as an adjunct to a deal for the Santa Elena Farm in Toa Baja because the previous owner insisted he purchase both properties.

"There's no doubt the land has been ours since 1890 — we've been paying taxes on it and everything," Fonalledas said. "And even if it weren't ours, the fact we've been on it continuously for so long makes it ours."

Alleged heirs lay claim to Fonalledas project site

By XAVIRA NEGGERS

Of The Star Staff

The Planning Board public hearings for Empresas Fonalledas proposed \$450 million project Comunidad Monterey are set to continue on Wednesday with final testimony from Alberto Medina López, one of a group claiming to be heirs to the more than 1,000 acres of farmland that make up the project site.

Medina brought to the hearing Monday more than 1,500 pages of historic documents, some which date back to the 18th century.

The hearing ended with Medina reading from the documents to "stake his claim to the [Fonalledas] farm." He also made claims to an additional 15,000 acres of land located in the vicinity.

Since the Planning Board hearings opened in late September, the proposed mixed development project of Comunidad Monterey has been embroiled in controversy. Environmentalists have been critical of the project's potential effect on the environment, particularly the possibility of polluting ground water supplies.

The water issue would also affect the project's chief foe, rival developer TJAC Inc., which has also proposed a major mall in the area.

The Commerce Department has recommended that only one project be approved, but the

Alberto Lopez Medina, a member of the group of people claiming ownership, brought more than 1,500 pages of historic documents to the hearing Monday, some which date back to the 18th century.

Planning Board has the final say.

Engineer Jordi Bofill testified on Monday on behalf of Plaza Caribe mall in Vega Alta. Bofill opposed Fonalledas' project on the grounds that the project site is "outside of Vega Alta's urban development plan," and that the project does not have the necessary infrastructure nor concrete plans to resolve the lack of infrastructure.

Bofill also questioned gaps in the proponent's preliminary environmental impact study, noting that more extensive hydrological studies must be conducted before the project can be evaluated by the Planning Board.

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Planning Board resumes hearing on Monterey

The Puerto Rico Planning Board will resume hearings today on Empresas Fonalledas \$450 million residential/commercial project in Monterey, Vega Alta. The hearings are slated to start at 9 a.m. at the Vega Alta City Hall.

Alberto López Medina, a member of the group claiming ownership of the 1000-acre project site, will continue his testimony begun during the last hearing in December. Planning Board public hearings on Comunidad Monterey started on Sept. 30.

Environmental questions regarding the presence of endangered species, problems of water contamination and supply and zoning are among the issues that have been raised.

Rival developer TJAC Inc. is also seeking Planning Board approval for a major mall in the area.

Disputa por las tierras de la Comunidad Monterey

Por EDWARD ZAYAS TORRES
DE EL NUEVO DÍA

UN REPRESENTANTE de la Sucesión Basilio López Martin reclamó ayer que esta familia es dueña de aproximadamente 900 cuerdas de terreno en donde se propone la construcción del proyecto Comunidad Monterey por Empresas Fonalledas.

Durante una vista pública celebrada ayer, Alberto Medina López, portavoz de la Sucesión, indicó que "esas tierras pertenecen a los herederos de los dueños originales, ya que la finca pasó a la familia Fonalledas ilegalmente".

La Comunidad Monterey, que requerirá una inversión de aproximadamente \$450 millones, propone 300,000 pies cuadrados de espacio comercial durante su primera fase y 4,800 residencias.

"La familia Fonalledas nunca pagó por esas tierras, pero como tenían poder en aquella época, se quedaron con todo", dijo Medina en una entrevista con este diario. Sin embargo, aseguró que no se opone al proyecto y sugirió llegar a un acuerdo económico con los desarrolladores.

Al ser preguntado cuál es el valor de las tierras, Medina, quien sometió un documento de 1,500 páginas, indicó que "no queremos entrar en esos detalles en estos momentos, pero el costo por cuerda en ese sector debe de estar alrededor de los \$75,000". Esto representaría aproximadamente \$6.7 millones por las 900 cuerdas que se reclaman.

En medio de la ponencia de Medina, el abogado de las Empresas Fonalledas, José R. Lázaro Paoli, repitió en varias ocasiones que "todo lo que este señor (Medina) está presen-

tando hoy es falso y no ha presentado pruebas para sustentar su reclamo, por lo que pido a la Junta de Planificación que este asunto no se atienda ante este foro".

LAZARO PAOLI añadió que la Junta no tiene ninguna jurisdicción para adjudicar en lo que respecta a la titularidad de las tierras y solicitó que el asunto se dilucide en el Tribunal. "Existen títulos que certifican la titularidad de Fonalledas, así que, a mi entender, la Sucesión no tiene forma de ganar ni en los tribunales", dijo.

"Esas tierras pertenecen a los herederos de los dueños originales, ya que la finca pasó a la familia Fonalledas ilegalmente"

Por otra parte, la abogada de la empresa propietaria de Plaza Caribe Mall -que se opone al desarrollo de Monterey-, Vionette Benítez, explicó que solicitó a los desarrolladores de Plaza Puerto Rico -un centro propuesto para un predio cercano a Monterey- que sometieran una Declaración de Impacto Ambiental (DIA).

"A TJAC -proponentes de Plaza Puerto Rico- le estamos solicitando la DIA porque en ese sector existen mogotes que pueden afectarse y también especies en peligro de extinción, entre otras cosas, según Fish & Wild Life Service", dijo.