

Angie Hache
City Clerks
Sudbury ON
FAX # 671-8118

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Lorraine DuPont
2024 Elderwood Dr
Sudbury, ON P3B 2A6
705-524-8229

Re: Committee Hearing scheduled for September 8, 2010 to appeal the City of Sudbury's decision on the tree removal

Please expedite this letter as I would like to be added to the agenda for the September 8, 2010 scheduled committee meeting.

I am appealing the hearing committee to grant a decision to remove the 3 linden trees which 2 are located at my residence and the 1 tree located on my neighbor's property but hanging over in my driveway.

I would like to defend my case by providing details and pictures of the damaged property caused by these trees.

August 1, 2003

My husband and I purchased this property August 1, 2003 and at the time of the purchase we were not aware that the City of Sudbury owned the 2 large linden trees located approximately 4 feet from the road curb until we started having issues with the discharge from the trees.

July/August 2008

Back in July/August of 2008, I had placed a service call to Campeau Heating as I thought that the black soot that was covering my patio furniture on the front deck, the deck itself and my vehicle was from the gas fireplace that was installed earlier that year.

Campeau heating came out and looked at the damage and it was then that we were informed that the black soot was not coming from the gas fireplace, but from the two trees located on our property.

I then placed a call to the City of Sudbury and requested that one of there employees that deal with these trees come out and look at the damage being down from the discharge.

October/November 2008

Bruce McTiernan (Tree Warden) came out in October/November 2008. At the time of the first visit, he was not sure whether or not these trees were actually on the city property or my own; therefore he needed to measure the property line and the location of the trees.

He then came back and these trees due belong to the City of Sudbury. He took pictures of the black soot and sap that was all over my 2008 Kia Sportage, the patio furniture on the deck and the deck itself. He also gathered samples of the leaves that were covered in the black soot. During the visit, he stated that the trees are contaminated with a bug which is causing the problem, however since they cannot use any pesticides there is nothing that he can do, but submit a request to have the trees removed.

He then submitted a request to have the trees removed on November 4, 2008 due to the damage the sap and black soot was causing.

December 2008

On December 18, 2008, we received a letter that was issued by Lysette Carlson ext 3633 which stated that she was denying the request and listed the reasoning as the tree being healthy. I then placed a call to Lysette Carlson and she maintained her decision not to remove the tree. She then started to compare my problem (black soot, tree sap) to her home in Copper Cliff and how she has to deal with the smoke stake. I also advised her that we had to replace our front lawn twice since living at this address, and she advised me that there was nothing that she would do, again comparing our problems with the trees to her house in Copper Cliff.

I then requested that I speak with her manager as it was not right to compare my damaged personal property to her home in Copper Cliff. I then spoke with

Nathalie McHill who then advised me that she will send out her crew to trim the trees and if the problem did not correct itself, we would deal with it again.

July 2009

It took 8 months before the City of Sudbury actually came and trimmed the tree which then brings us to July/August 2009. The crew trimmed away the large branches overhanging on my deck and the ones that were overhanging on my driveway and overhanging on my neighbor's driveway. They also trimmed my neighbor's tree which was also hanging over my driveway. Sure this solved the problem of not having the sap and black soot over my vehicle, front deck during the 2009 year, however trees do grow.

July 2010

I placed another call to the City of Sudbury because at the time, these linden trees were not discharging any sap or black soot but have grown so much that I had no Bell Express Vue reception. The trees are so large that any wind, I have no reception. I cannot move my satellite as it is bolted to the front of my home. She advised me that she would put the request in that the trees needed pruning again. **As of today, August 25, 2010 they have not come to trim the trees.**

August 23, 2010

My husband placed a call to the City of Sudbury again and advised her that our personal property (boat, vehicle, bricks around trees) are again covered with black soot, sap. She then transferred his call to Bruce McTiernan ext. He left a message and waited for call back. By mid-afternoon, my husband asked to be transferred to his extension again and spoke with Bruce. Bruce advised him that he would be here August 24, 2010 at 9:00 am.

Bruce arrived the next day and took pictures of the damaged property which consisted of our boat and Kia Sportage. The boat cover is damaged with black soot, sap; the boat itself which is white, is now black, the vehicle is covered in black soot, sap. In addition to the above, the coral rocks which are placed around the bottom of the trees are not longer coral, but black. The green Bell telephone box located on the property as well is black.

While he was taking pictures of the damaged property, he explained and showed us the bugs that are living on the leaves. Apparently these bugs eat, and then

discharge the sap and black soot. He then advised us to contact the City of Sudbury and file a claim for the damaged property.

I then spoke with Chantal at the City of Sudbury who then emailed me the form along with the Property Damage Information. This information does not give details on property being damaged by trees; it refers to sewer backup damages, water main breaks, potholes and road hazards, city construction projects. In her email, she also provided the person whom I will be dealing with by the name of Bruce Drake.

I completed the "Notice of Claim" for and faxed it into the office on the same day as Chantal emailed it to me. As of today August 25, 2010, I have not received a call from Bruce Drake with reference to the damaged personal property.

I am requesting that the two trees on our property and the tree closes to our driveway be removed in addition to having our boat cover replaced, the boat professionally cleaned and buffed, the 2008 Kia Sportage professionally cleaned and buffed. We have had to replace our front door due to black soot damage, repaint our front deck, replace our lawn twice and it still does not grow due to the bugs infesting in the trees.

I will be bringing in pictures of the damaged property, the locations of the trees and measurements of the distance between the 3 trees, distance between the driveway and trees and the distance between the house, front deck and the trees.

Thank You



Lorraine DuPont