

Mr Robert Mack
Greenbush Rd
Charlotte, VT 05445

June 1, 2015

Robert:

I regret having to write this letter, but you have clearly violated the Vermont State statute with respect to the Town shade trees planted along East Thompson's Point Road next to your farm property. These 25 trees were planted with your support (18 in 2008, and a further 7 added in 2009 at your request). In spite of my pointing out the injury you inflicted on these trees in 2011 by cultivating to within 18 inches to 24 inches from the stems, pushing up earth around the base of eight of these and knocking down several of the stakes (with wire) that were in place you have re-enacted this scene in early May of this year. I wrote to you on April 5, 2011, asking that in future your cultivation should not be closer than 3 feet, and I pointed out that with volunteers I had removed the soil and sod from the trees as well as the stakes. No citation was issued, since you had now put the field into grass cover, reducing likelihood of repeat damage.

However on inspecting the trees on May 5 this year again cultivation came to within 18 inches on some trees, and earth was piled up around the base of 4 trees. I phoned you and asked that at least you unburdened them from the piled earth. As of June 1 this has not been done, and I understand that you even told two members of the Selectboard last week that you would remove this material.

The Statute states: "Whoever shall willfully **mar** or deface a public shade tree without written permission of a tree warden or legislative body of the municipality shall be fined not more than \$50.00." It goes on: "Any person who, willfully, **critically injures** or cuts down a public shade tree without written permission.....shall be fined not more than \$500.00 for each tree so **injured** or cut..."

I have asked the Selectboard for site inspection and advice, before pursuing a financial penalty. However as tree warden, I would be derelict in my duties if I did not press for a fine or planting of comparable trees by you at some other site.

The Town has a significant investment in those trees. I am loathe to do this, and tremendously disappointed, because you were one of the earliest landowners under our Town Shade Tree Restoration Program to request tree planting at your home farm, and were so supportive two years later at the East Thompson's Point site.

Regretfully

Lawrence Hamilton

Charlotte Tree Warden

cc Selectboard

Dean Block