

March 26th, 2019

Mr. Clifford & Mrs. Ursula James
30 Colonel Butler. R.R.3
Niagara on the Lake
ON. L0S 1J0

Dear Sir & Madam

**Re: Request to destroy a Locust Tree located in the front yard at
30 Colonel Butler Crescent:**

Further to my conversation with Mr. Clifford James on Friday March 22nd, 2019 and my visit to your home on Thursday March 21st, 2019 in company with Mr. Rolf Wiens, Manager of Building and Enforcement Services, during which Mr. Wiens and I inspected evidence of water damage to drywall located in your basement and the condition and location of a Locust tree located in the front yard of the above noted property.

The visit and inspection were made with respect to a request for the issuance of a permit to destroy the above noted locust tree.

You are advised that the inspection of the basement was not conclusive due to the fact that the basement walls were covered with drywall, and inasmuch as there was evidence of dampness on the drywall, we were unable to determine if the dampness was due to cracks in the foundation wall or for other reasons.

The inspection of the locust tree, revealed it to be in apparent good health, and as much as it was quite close to the building, you advised us that the area of the building in closest proximity to the tree, was an addition constructed as slab on grade.

Therefore, at this time we are unable to issue a permit for the destruction of this tree.

You are however, advised that section 13 of the by-law states:

13.(1) If an inspector refuses to issue a Permit, or if an Applicant objects to a condition attached to a permit by an inspector, the Applicant may appeal to the Committee. Such appeal shall be made by written notice received by the Inspector within seven (7) days after the date of refusal or the issuance of the conditional Permit, as the case may be.

In this case your appeal would need to be received by the Town on or before April 2nd, 2019.

I hope this information will clarify the position of the Town and be of some assistance to you.

Yours Truly



Warwick R. Perrin
Supervisor of Enforcement

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