



**CITY OF SOMERVILLE, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
JOSEPH A. CURTATONE
MAYOR**

STAN KOTY
COMMISSIONER

RICHARD WILLETTE
DIRECTOR OF OPERATIONS

January 31, 2019

VIA CERTIFIED & FIRST CLASS MAIL

Newport Construction
145 Temple Street
Nashua, NH 03060

Northern Tree Service, Inc.
1290 Park Street
Palmer, MA 01069

Re: UNAUTHORIZED REMOVAL OF PUBLIC SHADE TREES – BEACON STREET
NOTICE OF VIOLATION

Dear Sir or Madam:

This notice is issued in my capacity as the City of Somerville Tree Warden in connection with the unauthorized removal of public shade trees on Beacon Street in Somerville, MA in 2017.

On or about October 6, 2017, I am informed that you cut and removed approximately thirty-eight (38) public shade trees on or about Beacon Street, a public way in the city of Somerville, without the prior required approval of this office in accordance with all applicable provisions of MGL c. 87, and City Ordinance 12-100 et seq.

Based on the above circumstances, I hereby determine that your acts are responsible for causing damage to said trees, and seek reimbursement for these damages to the City of Somerville. Accordingly, you are requested to make payment in the amount of \$38,000.00 to the City of Somerville, in order to resolve this matter. See MGL c. 87, s. 12; MGL, 242, s. 7. This amount is based upon the cost to the City to replant a tree at a rate of \$1,000 per tree based on current contract terms for such services.

You are hereby notified that, unless you make payment in the amount of \$38,000 within twenty-one (21) days of the date of this letter, this office will assume that you do not intend to voluntarily pay to remedy the damages in this matter and will be forced to institute court action against you. You may make your check payable to the City of Somerville, Attn: Law Department, 93 Highland Avenue, Somerville, MA 02143.





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This office and the City of Somerville reserve its legal rights and remedies to file a civil action to recover any and all damages including without limitation the amounts referenced in this notice. Please contact this office if you have any questions regarding this notice. Thank you for your prompt attention to this matter.

Respectfully,

Steven P. MacEachern
Tree Warden

cc: John McGillicuddy, Resident Engineer, MassDOT
Board of Aldermen
Jason Grossfield, Asst. City Solicitor

